
United States Olympic Committee
Audit Division



Report for:
USA Badminton

Review of:
Compliance Checklist

Dated:
February 22, 2019



UNITED STATES OLYMPIC COMMITTEE
1 Olympic Plaza
Colorado Springs, CO
80909

February 22, 2019

Jeff Dyrek
Chief Executive Officer
USA Badminton

Dear Jeff,

Attached is the United States Olympic Committee's (USOC) 2018 Compliance Checklist report (report) for USA Badminton (Badminton). We want to express our appreciation for the time you spent completing the Checklist and providing documents during the review.

The review initially identified Badminton was compliant in the areas of governance and financial capabilities and six deficiencies were identified in due process, SafeSport, and anti-doping. Prior to issuance of this report, Badminton remedied all six (6) deficiencies. Also, Badminton has one observation in the report that will clarify athlete representation on the Board of Directors when implemented.

The report will be presented to the USOC Athlete and NGB Engagement Committee at its next meeting and be made available on the Team USA website. We hope you found the review process to be helpful. If you have any suggestions, please do not hesitate to share them with us.

Sincerely,

Bridget Toelle, CPA, CIA
Vice President, NGB Compliance and Audit

cc: Rick Adams Denise Parker Ben Lee
Chris McCleary Sara Pflipsen Rena Wang
Wendy Guthrie
Onye Ikwuakor



COMPLIANCE CHECKLIST REPORT

USA Badminton

OBJECTIVE AND SCOPE

The objective of the review is to verify Badminton is in compliance with key elements of the Ted Stevens Olympic and Amateur Sports Act, the USOC Bylaws and certain USOC policies, in order to demonstrate ongoing commitment to the values and requirements of membership in the USOC. The scope includes the 2018 Compliance Checklist certified by Badminton and the supporting documents provided by Badminton. Compliance Checklist procedures are designed to verify that certain NGB policies or processes are in place. This Compliance Checklist does not conclude on the effectiveness of any policies or processes questioned in this report. Additional audit procedures are completed on select NGBs each year to verify various policies and processes are being followed.

The following chart shows all the requirements in the Compliance Checklist and corresponding status for Badminton. For any deficiencies, see the explanations and action plans after the chart.

	Question	Status
Governance/Managerial		
1	Do you have a code of conduct for your employees, members, board of directors and officers?	Compliant
2	Do you have a strategic plan that is capable of supporting athletes in achieving sustained competitive excellence, and in growing the sport?	Compliant
3	Do you have your current bylaws posted on your website?	Compliant
Financial Capability		
4	Are you recognized by the IRS as a tax-exempt organization?	Compliant
5	Are you incorporated under the laws of a state of the United States or the District of Columbia as a not-for-profit corporation?	Compliant
6	Do you have your three most recent IRS Form 990s on your website?	Compliant
7	Have you completed and posted on your website your three most recent annual audited financial statements?	Compliant
8	Do you have written financial policies and procedures?	Compliant
9	Do you have an approval and/or review process for cash disbursements?	Compliant
10	Do you provide frequent (monthly or quarterly) financial statements to your board or designated committee?	Compliant
11	Do you have a board-approved annual budget?	Compliant
12	Have you spent USOC funds as required by the funding agreements in the previous 12 months?	Compliant
Due Process and Athlete Representation		
13	Do you provide procedures for the prompt and equitable resolution of grievances of your members?	Compliant
14	Do your grievance procedures provide for fair notice and opportunity for a hearing to any athlete, coach, trainer, manager, administrator or official before declaring the individual ineligible to participate?	Compliant
15	Do you require at least 20% athlete representation on grievance panels?	Compliant
16	Do you have at least 20% athlete representation on your board of directors?	Compliant
17	Do you have at least 20% athlete representation on your budget committee?	Compliant

18	Do you have at least 20% athlete representation on your selection committee, which prepares, approves or implements selection of international, Olympic, Paralympic and Pan American Games team members, including athletes, coaches, administrators and sport staff?	Compliant
SafeSport		
19	Do you have USOC SafeSport language in your bylaws that provides jurisdictions to the U.S. Center for Safe Sport?	Compliant
20	Do you have a USOC-compliant Athlete Safety Policy?	Compliant
21	Do you have a grievance process that is materially free of bias and conflicts of interest for SafeSport allegations, and includes the opportunity for review by a disinterested individual or body?	Compliant
22	Does your policy require criminal background checks, at least every two years, for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?	Compliant
23	Does your policy require education and training specific to SafeSport for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?	Compliant
Anti-Doping		
24	Do you inform Athletes, Athlete Support Personnel and other Persons in your sport of the USOC National Anti-Doping Policy and of the USADA Protocol?	Compliant
25	Unless otherwise agreed by USADA, at least quarterly do you provide USADA with an updated list of athletes, proposed by your NGB, to be included in the USADA RTP? With respect to each athlete on such list and such additional athletes as may be designated by USADA for inclusion in the USADA RTP, do you provide USADA with initial contact information which shall, at a minimum, include accurate residential, mailing and email addresses (if available) and phone numbers for each athlete?	Compliant
26	At least six months prior to the commencement of the most recent applicable Olympic or Paralympic Games, did you provide USADA with a list of all athletes that may have reasonably been selected to represent the U.S. in such Games?	Compliant
27	Do you have an identified staff member to act as a liaison with USADA?	Compliant

DEFICIENCIES

Do your grievance procedures provide for fair notice and opportunity for a hearing to any athlete, coach, trainer, manager, administrator or official before declaring the individual ineligible to participate?

Badminton Bylaws, Section 5.4 Termination of Membership, do not allow for an opportunity for a hearing before suspending a member on a provisional or permanent basis. Terminating membership could limit an individual's ability to participate and therefore, an opportunity for a hearing should be provided before suspending a member.

Badminton Action Plan: USA Badminton will propose a bylaw change adding language to Section 5.4 Termination of Membership stating that members will have an opportunity for a hearing before suspending a member on a provisional or permanent basis.

USOC Status Update: Badminton amended its Bylaws in Section 5.4 which now allows for a hearing prior to suspending a member. Badminton is compliant with this requirement as of January 2019.

Do you have a USOC-compliant Athlete Safety Policy?

As required by the USOC, individuals that an NGB formally authorized, approved or appointed (a) to a position or authority over, or (b) to have frequent contact with athletes are required to complete background checks and SafeSport training. Badminton's contracted doctors and other medical personnel, sanctioned club directors, and administrators are not required to complete background checks and SafeSport training and should be subject to both.

Badminton Action Plan: USA Badminton will update its Athlete Safety Policy to include contracted doctors and other medical personnel, sanctioned club directors, and administrators to be required to complete background checks and SafeSport training.

USOC Status Update: Badminton updated its SafeSport training and background check pools to include the recommended required individuals on its website. Badminton is compliant with this requirement as of January 2019.

Does your policy require criminal background checks, at least every two years, for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?

Badminton is deemed deficient for the same reason as noted in the SafeSport Policy deficiency regarding background requirements.

Badminton Action Plan: USA Badminton will update its Athlete Safety Policy to include contracted doctors and other medical personnel, sanctioned club directors, and administrators to be required to complete background checks.

USOC Status Update: Badminton updated its SafeSport training and background check pools to include the recommended required individuals on its website. Badminton is compliant with this requirement as of January 2019.

Does your policy require education and training specific to SafeSport for those individuals that are formally authorized, approved or appointed (a) to a position of authority over, or (b) to have frequent contact with athletes?

Badminton is deemed deficient for the same reason noted in the SafeSport Policy deficiency regarding education and training requirements.

Badminton Action Plan: *USA Badminton will update its Athlete Safety Policy to include contracted doctors and other medical personnel, sanctioned club directors, and administrators to be required to complete SafeSport training.*

USOC Status Update: Badminton updated its SafeSport training and background check pools to include the recommended required individuals on its website. Badminton is compliant with this requirement as of January 2019.

Do you inform Athletes, Athlete Support Personnel and other Persons in your sport of the USOC National Anti-Doping Policy and of the USADA Protocol?

Badminton does not have the required Anti-Doping language in its Bylaws or Athlete Code of Conduct form.

Badminton Action Plan: *USA Badminton will propose a bylaw change adding the required Anti-Doping language and will also include the required language in its Athlete Code of Conduct form.*

USOC Status Update: Badminton amended its Bylaws to include the required USADA Policy language. Badminton is compliant with this requirement as of January 2019.

Unless otherwise agreed by USADA, at least quarterly do you provide USADA with an updated list of athletes, proposed by your NGB, to be included in the USADA RTP? With respect to each athlete on such list and such additional athletes as may be designated by USADA for inclusion in the USADA RTP, do you provide USADA with initial contact information which shall, at a minimum, include accurate residential, mailing and email addresses (if available) and phone numbers for each athlete?

According to USADA, Badminton did not provide an updated list in the second quarter of 2018. Therefore, Badminton is not in compliance with this requirement. Even if the list of athletes does not change, USADA requires a verification of the athletes in the RTP.

Badminton Action Plan: *USA Badminton will ensure to submit an updated list of athletes to USADA even if the list of athletes does not change from the previous quarter.*

USOC Status Update: Badminton has been communicating with USADA to ensure USADA has the correct list of athletes. Badminton is compliant with the requirement as of January 2019.

ADDITIONAL OBSERVATIONS

During the review we identified additional areas for improvement. The additional observations do not impact the compliant status but could impact it in the future.

Do you have at least 20% athlete representation on your board of directors?

Badminton Bylaws, Section 11.7, state there will be one abled-bodied athlete director and one Para-Badminton athlete director on the Board, while Section 7.6b states one from the Badminton AAC and the other from the USOC's AAC. The Bylaws should be updated to clarify that there should just be two athlete directors - one abled-bodied and one Para-Badminton.

CONCLUSION

With Badminton's remedies to the initial deficiencies identified during the USOC Compliance Review, it is now fully compliant with the USOC's 2018 Compliance Checklist. This Compliance Checklist does not conclude on the effectiveness of any policies questioned in this report. Additional audit procedures are completed on select NGBs each year to verify various policies and processes are being followed.