
United States Olympic & Paralympic Committee

Audit & Organizational Advancement



Report for:
USA Racquetball

Review of:
Compliance Checklist

Dated:
August 16, 2019



COMPLIANCE CHECKLIST REPORT

USA Racquetball

OBJECTIVE AND SCOPE

The objective of the review is to verify USAR is in compliance with key elements of the Ted Stevens Olympic and Amateur Sports Act, the USOPC Bylaws and certain USOPC policies, in order to demonstrate ongoing commitment to the values and requirements of membership in the USOPC. The scope includes the 2018 Compliance Checklist certified by USAR and the supporting documents provided by USAR. Compliance Checklist procedures are designed to verify that certain NGB policies are in place. This Compliance Checklist does not conclude on the effectiveness of any policies reviewed. 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 USAR. 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?	Deficient
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 USOPC 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?	Deficient

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?	Deficient
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?	Deficient
SafeSport		
19	Do you have USOPC SafeSport language in your bylaws that provides jurisdictions to the U.S. Center for Safe Sport?	Compliant
20	Do you have a USOPC-compliant Athlete Safety Policy?	Deficient
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?	Deficient
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 USOPC 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 you have a strategic plan that is capable of supporting athletes in achieving sustained competitive excellence, and in growing the sport?

USAR does not have a Strategic Plan at this time. USAR is working with NGB Services to develop a Strategic Plan as part of new Executive Director's onboarding in the first quarter of 2019.

USAR Action Plan: *We are working in our busiest time of the year with our national championships so we will begin our strategic planning process May/June with a completion target of end of the 3rd quarter.*

USOPC Status Update: USAR submitted a draft plan and is working with NGB Services to finalize its Strategic Plan later this year.

Do you have written financial policies and procedures?

USAR does not currently have a financial policies and procedures document.

USAR Action Plan: *We have the policy in draft version with recommendations from the USOPC so we will be updating it through the finance committee March. The document will then be voted on during the April board meeting. This is the plan as long as there are not changes or questions that would send it back to the committee.*

USOPC Status Update: USAR submitted its new Financial Policies & Procedures document. Auditor verified USAR cured this deficiency on June 19, 2019.

Do you have an approval and/or review process for cash disbursements?

USAR was deemed deficient for the same reason as listed above.

USAR Action Plan: *This will be addressed in the Financial Policies and Procedures document.*

USOPC Status Update: USAR submitted its new Financial Policies & Procedures document which included an approval and/or review process for cash disbursements. Auditor verified USAR cured this deficiency on June 19, 2019.

Do you require 20% athlete representation on all grievance panels?

In USAR's Bylaws, Article XIV(A)(7) provides for a hearing panel, however, there is no requirement for 20% athlete representation on the panel.

USAR Action Plan: *We have a new Vice President and the VP of the board is responsible for the committee's compliance. He is now reviewing the committees and is working to adjust the committees to meet the needs.*

USOPC Status Update: USAR is convening its Legislative Committee to discuss the bylaw revisions as discussed with the USOPC. USAR anticipates these updates will be presented to the Board for approval in mid-August or September 2019.

Do you have at least 20% athlete representation on your budget committee?

USAR's Finance/Accounting Committee only has 14% athlete representation, which does not meet the

minimum of 20% athlete representation.

Additionally, the athlete representatives on USAR's Finance/Accounting Committee are appointed by the Board without athlete approval. Athletes must either directly elect or approve the athletes on Committees.

USAR Action Plan: *We have a new Vice President and the VP of the board is responsible for the committee's compliance. He is now reviewing the committees and is working to adjust the committees to meet the needs.*

USOPC Status Update: USAR is convening its Legislative Committee to discuss the bylaw revisions as discussed with the USOPC. USAR anticipates these updates will be presented to the Board for approval in mid-August or September 2019.

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?

The athlete representatives on USAR's Selection Committee are appointed by the Board without athlete approval. Athletes must either directly elect or approve the athletes on Committees.

USAR Action Plan: *We have a new Vice President and the VP of the board is responsible for the committee's compliance. He is now reviewing the committees and is working to adjust the committees to meet the needs.*

USOPC Status Update: USAR is convening its Legislative Committee to discuss the bylaw revisions as discussed with the USOPC. USAR anticipates these updates will be presented to the Board for approval in mid-August or September 2019.

Do you have a USOPC-compliant Athlete Safety Policy?

USAR was deemed deficient for the following:

- USAR's SafeSport policy does not require direct reporting to the U.S. Center for SafeSport (USCSS). USAR's reporting form only directs reports to USAR.
- USAR's SafeSport policy does not provide for jurisdiction to the USCSS.
- USAR's SafeSport policy does not clearly identify who the policy applies to.
- USAR only requires background checks on coaches and all individuals who are named to a US Team for international competitions, (including, but not limited to, team members, team doctors, team physiotherapists, and any other assigned official). USAR needs to expand this requirement as background check requirements should not be exclusive to the US Team for international competitions. Individuals formally authorized, approved, or appointed to a position of authority over or to have frequent contact with athletes must complete background checks for many NGBs this includes all board members, officers, coaches, volunteers, and contractors.

USAR Action Plan: *USAR will improve the function and visibility of the reporting function on our website to improve the direct reporting. We will clarify the jurisdiction and who the policy applies to.*

USOPC Status Update: USAR updated its online Athlete Safety information, however, some of the

elements of this deficiency were not addressed.

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?

USAR was deemed deficient for background checks above.

USAR Action Plan: Yes, we do.

USOPC Action Plan Response: Audit confirmed USAR requires background checks on coaches and all individuals who are named to a US Team for international competitions, however, USAR needs to expand this requirement as background checks individuals should not be exclusive to only the US Team for international competitions. USAR's policy does not require Board members, officers, coaches, volunteers, contractors and other individuals formally authorized, approved, or appointed to a position of authority over or to have frequent contact with athletes to complete background checks.

USOPC Status Update: USAR updated its online Athlete Safety information, however, some of the elements of this deficiency were not addressed.

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 a USOPC-compliant Athlete Safety Policy?

Auditor completed a review of USAR's SafeSport program as of November 2018. Auditor identified USAR had not yet brought its SafeSport Policy into full compliance with the requirements which was required by December 2018. As USAR's policy was submitted mid-2018 and reviewed in November 2018 these were not identified as deficient but may be considered deficient based on the requirements at the time of the next review. Note, the USOPC NGB ASP is currently under review and requirements may change in 2019. The following was identified during the review of USAR's SafeSport policy:

- USAR needs to ensure its prohibited conduct definitions either match or point to the USCSS' definitions.
- USAR needs to specify in its SafeSport Policy that background checks and SafeSport training will be completed before contact with athletes begins and in any event within 60 days of the new role.
- USAR should include language describing how it will conduct tracking and periodic checks for compliance, not just explaining that tracking is required at the club level.
- USAR's SafeSport policy should include a publication of a list, updated at least annually, of those people included in the background check and SafeSport training requirements.

Additionally, it is not yet required in USOPC Athlete Safety Policy, however NGBs must comply with the Protecting Youth Victims from Sexual Abuse and Safe Sport Authorization Act of 2017. NGBs should update policies to ensure they comply with the legislation.

USAR Action Plan: *We will review our safety plan to ensure that it included the listed coverage.*

USOPC Status Update: USAR updated its online Athlete Safety information, however, the elements above were not addressed.

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

In its Team Handbook, USAR informs athletes, athlete support personnel and other persons in the sport of the USOPC National Anti-Doping Policy and of the USADA Protocol but it is missing some of the template language.

USAR Action Plan: *We will review the policy and adopt the template language.*

USOPC Status Update: USAR is planning to update its Team Handbook to include the USADA notification language in early September 2019.

CONCLUSION

USAR must improve its governance/managerial; due process and athlete representation; and SafeSport policies to be fully compliant with the USOPC's Compliance Checklist. The Compliance Checklist does not conclude on the effectiveness of any policies reviewed. Additional audit procedures are completed on select NGBs each year to verify various policies and processes are being followed.