
United States Olympic Committee

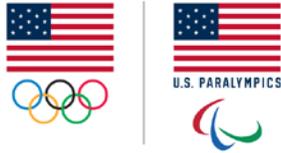
NGB Compliance and Audit Department



Report for:
USA Boxing

Review of:
Compliance Checklist

Dated:
June 12, 2019



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

June 12, 2019

Mike McAtee
Chief Executive Officer
USA Boxing

Dear Mike,

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

USA Boxing was compliant as it specifically relates to the compliance checklist report for the questions outlined below in the following areas: financial capability; SafeSport; and anti-doping. The compliance review initially two deficiencies related to governance/managerial and due process and athlete representation. Prior to issuance of the final report, all deficiencies were remedied. There are also additional observations in the report that when implemented, would improve their grievance procedures and processes and compliance for SafeSport 2018 requirements.

The report will be presented to the USOC Athlete and NGB Engagement Committee 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

Rich Wright
Staff Auditor

cc: Rick Adams Chris McCleary Tyson Lee
Wendy Guthrie Denise Parker Cam Awesome
Onye Ikwuakor



COMPLIANCE CHECKLIST REPORT

USA Boxing

OBJECTIVE AND SCOPE

The objective of the review is to verify USA Boxing 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 USA Boxing and the supporting documents provided by USA Boxing. 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 USA Boxing. For any deficiencies, see the explanations and action plans after the chart.

	Question	Answer
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 you have a code of conduct for your employees, members, board of directors and officers?

In practice, USA Boxing requires all named entities to adhere to a code of conduct – including independent board members and officers. However, USA Boxing needs to update its policy language to clearly identify this requirement for independent board members and officers.

USA Boxing Action Plan: *Our Board of Directors, except for our Independent Directors, are USA Boxing members so they have already signed the Non-Athlete Code of Conduct. We will send the Non-Athlete Code of Conduct to the Independent Directors to have them sign. In the future, we will have all Board Members sign the Non-Athlete Code of Conduct at the first meeting of the year.*

USOC Status Update: USA Boxing updated its Rule Book, pages 48-49 to include Independent Directors being required to sign/comply with the Non-Athlete Code of Conduct. USA Boxing is compliant with this deficiency as of May 8, 2019.

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?

USA Boxing's bylaws, Article V, Section 5.5, and the Grievance and Complaint Policy, offer conflicting statements regarding suspension and termination of membership. Section 5.5 states "The membership of any member may be terminated at any time with or without cause by the Board of Directors. A member shall have the right to a hearing prior to termination." Section 5.5 does not offer a hearing if a member is suspended.

Additionally, the Grievance and Complaint Policy states "At its discretion, USA Boxing may censure, suspend for a definite period of time with or without terms of probation, indefinitely suspend, or expel any member of USA Boxing." It doesn't appear a hearing is offered in all cases of probations or suspensions.

USA Boxing Action Plan: *USA Boxing will add "suspension" to Section 5.5, so it will state, "The membership of any member may be terminated at any time with or without cause by the Board of Directors. A member shall have the right to a hearing prior to suspension or termination." USA Boxing will also update its Grievance and Complaint Policy to include the opportunity for a hearing, prior to suspension or termination of membership, as referenced in the USA Boxing bylaws, Article 16.*

USOC Status Update: USA Boxing updated Section 5.5 of its Bylaws to ensure members are provided a hearing before any suspension or termination. Additionally, USA Boxing updated Section 1 of its Grievance and Complaint Policy. USA Boxing is compliant as of May 8, 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 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?

Auditor reviewed USA Boxing's Background Check Policy. Individuals are only afforded a chance to dispute the accuracy of the reported information, however, if the information is accurate, they are not afforded any further opportunity to be heard and are automatically disqualified.

According to the Ted Stevens Act, NGBs must provide an opportunity for a hearing to an amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate. The USOC is concerned that USA Boxing's automatic disqualification rule may be inconsistent with that requirement.

The USOC recognizes that USA Boxing has adopted the position that successful completion of a background check is a membership requirement and no hearing is required when an applicant is automatically disqualified from membership based on a background check finding. However, because an individual must be a member with USA Boxing to participate, this interpretation could be challenged. If such a challenge was raised, the USOC would support that challenge being heard by a Section 10 hearing panel, for its consideration and final resolution.

Do you have a USOC-compliant Athlete Safety Policy?

Auditor completed a review of USA Boxing's SafeSport program as of October 1, 2018. Auditor identified USA Boxing had not yet brought its SafeSport Policy into full compliance with the requirements which was required by December 2018. As USA Boxing's policy was submitted mid-2018 and reviewed in October 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 USOC NGB ASP is currently under review and requirements may change in 2019. The following was identified during the review of USA Boxing's SafeSport policy:

USA Boxing needs to ensure its prohibited conduct definitions either match or point to the US Center for SafeSport (USCSS) definitions.

USA Boxing 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.

USA Boxing needs to include NGB tracking and periodic checks for compliance of its background check and education/training requirements in its SafeSport Policy.

USA Boxing's SafeSport Policy needs to state that training is based on the USCSS information (or additional NGB materials).

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

CONCLUSION

With remedies to the deficiencies initially identified during the USOC Compliance Review, USA Boxing is fully compliant with the USOC'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.