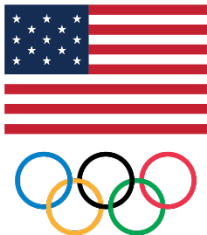


**United States Olympic and Paralympic Committee  
Certification Review Group**



Certification Renewal Recommendation Report for USA Pentathlon Multisport  
March 14, 2024



**UNITED STATES  
OLYMPIC & PARALYMPIC  
COMMITTEE**

## **USA Pentathlon Multisport Certification Renewal Executive Summary**

In March 2023, the United States Olympic and Paralympic Committee (USOPC) Certification Review Group (CRG), in accordance with the USOPC's NGB Certification Policy, began a certification renewal review of USA Pentathlon Multisport (USAPM).<sup>1</sup> The CRG evaluated USAPM and, based on input from CRG members and the results of a compliance audit conducted in 2022<sup>2</sup>, recommends a certification status of Renewal with Conditions.

The CRG's review of USAPM found that the organization is meeting most of the USOPC's NGB Compliance Standards in the five core areas of evaluation for certification: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Protections and Rights, Sport Performance, and Operational Performance. A compliance audit, conducted by the USOPC's NGB Audit department in 2022, identified several areas where USAPM was not fully meeting the USOPC's NGB Compliance Standards, including required elements of bylaws and policies and execution of its conflict of interest disclosure and background check processes.

During the CRG's review period, USAPM worked to resolve the outstanding audit findings and reach compliance with the NGB Compliance Standards and remediated most of its outstanding audit findings by the time of the CRG's recommendation. However, the CRG identified the following outstanding concerns that should remain conditions of USAPM's certification:

- USAPM must successfully demonstrate that it is executing its background check policy in accordance with Standard C.3a during NGB Audit's follow-up testing period in Q3 2024.

As a result of its review, the CRG recommends that USAPM be granted a certification status of Renewal with Conditions. In accordance with the NGB Certification Policy, USAPM shall resolve the conditions outlined in this report by the end of Q3 2024. If the CRG determines that USAPM has successfully and timely addressed the conditions of this certification, the CRG will recommend that USAPM's certification status be upgraded to Renewal in Good Standing. If USAPM fails to resolve this issue to the CRG's satisfaction within the given timeframe, its certification rating will be downgraded and the CRG will determine accountability measures appropriate to address USAPM's non-compliance, including potential initiation of decertification proceedings.

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<sup>1</sup> See Appendix for more information about the certification process, including a link to the NGB Certification Policy.

<sup>2</sup> NGB Audit Report and NGB Audit Addendum Report.

## **Organizational Overview**

USAPM is the USOPC-certified NGB for the sport of modern pentathlon and is the United States' representative to the International Modern Pentathlon Union (UIPM), the international federation that governs the sport. USAPM's mission is to "identify, inspire, and train athletes to achieve personal and sustained competitive excellence and thereby inspire all Americans."<sup>3</sup> USAPM is based in Colorado Springs, Colorado.

## **Certification History**

USAPM was originally certified in January 2021.<sup>4</sup> The CRG's certification review was initiated based on USAPM's scheduled quadrennial certification review.

## **Certification Exceptions<sup>5</sup>**

USAPM did not request any exceptions from the NGB Compliance Standards during its certification review.

## **Athlete Representation Approval and Exceptions<sup>6</sup>**

USAPM has not requested any alterations to its definitions of its NGB 10 Year or 10 Year+ Athlete or exceptions to the athlete representation requirements of the USOPC Bylaws.

## **Certification Review**

### ***Governance and Compliance***

The CRG determined that USAPM is fulfilling many of the governance and compliance-related responsibilities of an NGB, including adopting bylaws that meet the requirements of the NGB Compliance Standards; adopting and enforcing key ethics and compliance-related policies, making them publicly available on its website; and defining procedures to address violations of these policies.

The USOPC Compliance team conducted a review of USAPM in 2022 as a result of concerns raised through the USOPC Integrity Portal, which led to required trainings for USAPM board members and staff and recommended best practices to foster improved communication with athletes, among other actions. USAPM took all required actions and implemented many of the recommendations; Compliance considered the matter closed as of June 2023. USAPM has not been the subject of any formal complaints filed with the USOPC's Dispute Resolution Unit within the last four years.

During USAPM's most recent compliance audit in 2022, NGB Audit found that USAPM was not fully meeting the NGB Compliance Standards for Governance and Compliance. In particular, NGB Audit made findings for standards related to USAPM's internal athlete advisory council, its bylaws, board activities, and certain required policies. Following the audit, USAPM revised its

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<sup>3</sup> [USA Pentathlon Multisport Bylaws](#), Section 3.1: Mission.

<sup>4</sup> Refer to the Appendix for details on the initial certification.

<sup>5</sup> Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

<sup>6</sup> Refer to the Appendix for details on athlete representation exception requests.

bylaws and conflict of interest policy to include previously missing elements required by the NGB Compliance Standards and outlined composition and eligibility standards for its internal athlete advisory council to resolve these audit findings.

The CRG sought feedback from USAPM athletes about their experiences with the NGB. Athletes described a relationship between the NGB and the athlete population that has been improving relative to the recent past based on USAPM's efforts to communicate with athletes. The USOPC was aware of significant athlete displeasure with the organization following the removal of show riding as one of the five disciplines included in the Modern Pentathlon by UIPM. USAPM began holding monthly town hall calls with the pentathlon community, which was a positive development for the relationship between athletes and the NGB.

### ***Financial Standards and Reporting Practices***

USAPM meets the NGB Compliance Standards' requirements for Financial Standards and Reporting Practices. The organization demonstrates relative financial stability and board engagement on financial matters, and it is financially and operationally transparent with its membership by publishing its audited financial statements and tax forms. USAPM also updated its financial policies and procedures during the audit remediation period to address NGB Audit's findings.

NGB Audit did make a finding related to USAPM's accounting for USOPC funding provided to the organization, determining that USAPM neglected to seek reallocation approval prior to reallocating funds between related projects. USAPM made changes to its accounting processes to reduce the risk of similar issues in the future, and NGB Audit will retest USAPM's 2023 grant reporting to validate that the issue has been resolved.

### ***Athlete Protection and Rights***

USAPM maintains and executes an athlete safety program consistent with the requirements of relevant federal law, as well as with the policies and standards of the USOPC and the U.S. Center for SafeSport (the Center). The USOPC is not aware of any non-compliance issues with the anti-doping rules and requirements of the USOPC and the U.S. Anti-Doping Agency.

The USOPC is not aware of any cases it has received in the past four years concerning USAPM that should have been reported to the Center but were not reported in accordance with the Center's reporting requirements. For its part, the USOPC has reported all matters to the Center relating to USAPM that the USOPC was required to report.

In June 2023, the Center conducted its most recent event audit<sup>7</sup> of USAPM's implementation of Center requirements for NGB events at the 2023 USAPM National Championship. The event audit resulted in "Implemented" ratings in all categories evaluated but included a corrective action for USAPM to update its written protocol for communicating its reporting mechanisms to event participants. The Center deemed USAPM's corrective action as complete on September 13, 2023.<sup>8</sup>

The Center also conducted its most recent administrative audit<sup>9</sup> of USAPM's implementation of policies required by the SafeSport Code and the Minor Athlete Abuse Prevention Policies in November 2022. The administrative audit resulted in "Implemented" ratings in all categories of

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<sup>7</sup> [US Center for SafeSport 2023 Event Audit Report – USA Pentathlon Multisport](#), June 10-11, 2023.

<sup>8</sup> [US Center for SafeSport Corrective Actions Update – USA Pentathlon Multisport](#), September 13, 2023.

<sup>9</sup> [US Center for SafeSport 2022 Administrative Audit Report – USA Pentathlon Multisport](#), November 21, 2022.

evaluation but did result in a corrective action for USAPM to ensure that one member of its board of directors completed required SafeSport training, as their previous training had expired. The Center confirmed that USAPM had completed the corrective action for that board member as of March 2023.<sup>10</sup>

To resolve a finding of the 2022 compliance audit, USAPM updated its athlete safety policy to include required language and reach full compliance with the NGB Compliance Standards. NGB Audit also made findings related to the execution of USAPM's execution of its background check process against its background check policy. In order to close this finding, USAPM will need to submit to additional NGB Audit testing of its background check process. USAPM successfully executing its background check processes, as demonstrated through NGB Audit testing in Q3 2024, is a condition of the CRG's certification renewal.

### ***Sport Performance***

USAPM is fulfilling its obligations in Sport Performance. The organization maintains a strategic plan that supports athletes and aims to grow the sport. USAPM established selection procedures and executed them effectively to name Team USA athletes for the 2023 Pan American Games.

### ***Operational Performance***

The CRG determined that USAPM is meeting most Operational Performance standards. The organization demonstrates improving managerial capability to administer its sport, keeps current insurance policies, maintains grievance procedures, and enforces a whistleblower and anti-retaliation policy.

NGB Audit found that USAPM's grievance procedures and whistleblower policies were missing elements required by the NGB Compliance Standards. USAPM revised these policies in 2023 and they now substantially meet the requirements of the NGB Compliance Standards, though USAPM remains engaged with the NGB Audit team to resolve some remaining minor issues.

USAPM developed a 2021-2024 Diversity, Equity, and Inclusion (DE&I) Action Plan intended to "increase the participation of all individuals without regard [to] gender, race, ethnicity, culture, religion, sexual orientation, gender expression, or mental or physical disability."<sup>11</sup> USATF submitted its action plan to the USOPC's DE&I team with sufficient detail to meet the NGB Compliance Standards. The action plan included objectives for each year with details relating to specific initiatives, target groups, timelines, and success measures. Objectives include development of a diversity and inclusion strategy for board recruitment and retention; diversity training for board members, staff, and coaches; and outreach to diverse organizations in NGB recruitment initiatives.

### **Conclusion**

USAPM has made significant progress and is meeting most of the NGB Compliance Standards; however, because athlete safety is of paramount importance, the CRG determined that USAPM must demonstrate its capability in executing its background check procedures before it recommends certifying USAPM as a member in good standing. As such, the CRG recommends that USAPM's certification as a member organization be renewed with a rating of Renewal with Conditions. The condition of this certification is:

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<sup>10</sup> [US Center for SafeSport Corrective Actions Update – USA Pentathlon Multisport](#), March 1, 2023.

<sup>11</sup> Diversity and Inclusion Strategic Plan 2021-2024 – USA Pentathlon Multisport.

- USAPM must successfully demonstrate that it is executing its background check policy in accordance with Standard C.3a during NGB Audit's follow-up testing period in Q3 2024.

As part of this Renewal with Conditions rating, following the USOPC Board of Directors' ratification of this recommendation report, USAPM will have until the end of Q3 2024 to successfully demonstrate, through NGB Audit's testing, that it is executing its background check policy. If USAPM successfully and timely fulfills the condition, the CRG will recommend that its certification rating be upgraded to Renewal in Good Standing. If USAPM does not timely fulfill the condition of this certification, its certification rating will be downgraded and the CRG will discuss whether accountability measures are appropriate to address USAPM's non-compliance.

## Appendix

### Certification Renewal Process

The USOPC believes in a culture of strong governance, ethics, and compliance among the NGBs that, as member organizations of the USOPC, make up the Olympic and Paralympic movement. Recent amendments to the Ted Stevens Olympic and Amateur Sports Act, which became effective in late 2020, require the USOPC to certify NGBs.<sup>12</sup> The USOPC determined that as of January 1, 2021, all member organizations would be certified, and their certifications would be reviewed for renewal on a rolling basis every four years.<sup>13</sup>

Governed by the USOPC's [NGB Certification Policy](#), the NGB certification review process is supported by a cross-functional body of professionals at the USOPC, the Certification Review Group (CRG), who interact with NGBs in their day-to-day work. These professionals evaluate an NGB's operations across multiple functional areas to provide a holistic review of an NGB's performance and culture.<sup>14</sup> In addition to enumerated standards for NGB performance described in the Act, the Bylaws, and the USOPC's [NGB Compliance Standards](#), the CRG considers departmental observations about an NGB's operations that may not be identified in a formal audit scenario but are relevant to consider when evaluating an NGB's overall performance.

### Certification Standards, Exceptions, and Review Components

As described in Section 8.4.1 of the [USOPC Bylaws](#), NGBs must satisfy certification requirements in five core areas: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Safety, Sport Performance, and Operational Performance. The USOPC Implementation Guide for NGB Compliance Standards provides NGBs with specific guidance for how they will be evaluated in each of these core areas.

Section 8.4.2 of the USOPC Bylaws permits an NGB to submit a request for limited exceptions to any of the NGB Compliance Standards which, as a result of its overall structure or other extenuating circumstances, cannot or need not be reasonably met. The CRG evaluates all requests received and grants or denies such limited exceptions.

Various provisions of Section 8.5 of the USOPC Bylaws permit NGBs to seek exceptions related to minimum athlete representation requirements on boards and designated committees as well as exceptions or additions to which of its committees are considered designated committees. The Athlete Representation Review Working Group evaluates and approves or denies all requests made under Section 8.5.

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<sup>12</sup> See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

<sup>13</sup> *NGB Certification Policy*, Section 1.

<sup>14</sup> The CRG uses a four-year lookback period during this review process.