

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



**Certification Renewal Recommendation Report for USA Artistic Swimming
June 23, 2023**



**UNITED STATES
OLYMPIC & PARALYMPIC
COMMITTEE**

USA Artistic Swimming Certification Renewal Executive Summary

In January 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 Artistic Swimming (USAAS).¹ The CRG evaluated USAAS and, based on input from CRG members and the results of NGB Audit's 2022 Compliance Audit², recommends a certification status of Renewal in Good Standing.

The CRG's review of USAAS found that the organization is meeting 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. NGB Audit's Compliance Audit identified areas where USAAS was not yet fully meeting the USOPC's NGB Compliance Standards, but USAAS took action to remediate the identified issues and meet the NGB Compliance Standards by the time of the CRG's review.

CRG members agreed that USAAS is presently meeting the requirements and expectations for an NGB. In its discussions of USAAS' interactions with the USOPC, the CRG did not identify any operational concerns or cultural issues that would prevent the organization's continued certification. Overall, in the areas in which CRG members had interacted with USAAS, the CRG had a generally favorable view of USAAS' operations.

As a result of this review, the CRG recommends that USAAS be granted a certification status of Renewal in Good Standing for a four-year certification term ending in 2027.

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

² [NGB Audit Report](#) and [NGB Audit Addendum Report](#).

Organizational Overview

USAAS is the USOPC-certified NGB for the sport of artistic swimming, and is an affiliated organization of US Aquatic Sports, the US member to World Aquatics (AQUA), the international federation that oversees the aquatic disciplines. USAAS' mission is to "lead in the advancement of artistic swimming by empowering athletes to achieve competitive success, uniting [the] community, and inspiring...membership to pursue lifelong excellence and involvement in sport."³ USAAS is divided into four geographical zones, which contain several associations, providing affiliation for club teams.⁴ USAAS is managed by a full-time staff of six and is headquartered in Colorado Springs, Colorado.⁵

Certification History

USAAS was originally certified in January 2021.⁶ The CRG's certification review was initiated based on USAAS' scheduled quadrennial certification review. USAAS' certification status has not been referred for review outside of the standard NGB certification review schedule.

Certification Exceptions⁷

USAAS requested an exception from a portion of Standard A.3.a of the NGB Compliance Standards following its 2022 Compliance Audit. Specifically, USAAS asked for an exception to the requirement for committee member term limits based on its concern with appropriately populating committees with new members. The CRG considered the exception request and declined it based on its view that good governance practices require term limits in some form, and USAAS took appropriate action to add committee term limit provisions to its bylaws.

Athlete Representation Approval and Exceptions⁸

USAAS requested that the Athlete Representation Review Working Group (ARRWG) approve additional competitions as qualifying events for 10 Year and 10 Year+ status to expand the pool of athletes eligible to serve as athlete representatives. All these events are or were international, FINA⁹ sanctioned events for which Team USA was chosen in accordance with NGB-led selection procedures:

- FINA World Cup
- FINA World Trophy
- FINA World Series
- FINA World Series Final
- Olympic Qualification Tournament
- 2013 FINA World Championship¹⁰

The ARRWG approved the competitions as presented. Although the FINA World Cup and FINA World Trophy are no longer competitions offered by the international federation, the ARRWG

³ [Our Leadership](#), USA Artistic Swimming Website.

⁴ [Welcome to the Sport Document](#), USA Artistic Swimming Website.

⁵ [USA Artistic Swimming Staff](#), USA Artistic Swimming Website.

⁶ Refer to the Appendix for details on the initial certification.

⁷ Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

⁸ Refer to the Appendix for details on athlete representation exception requests.

⁹ FINA, the International Swimming Federation, changed its name to World Aquatics in December 2022.

¹⁰ In 2013, USAAS selected a team for the FINA World Championship through designated selection procedures; however, leadership at the time did not send the team to compete due to financial and / or administrative reasons. The ARRWG determined that even though the athletes technically did not participate at the competition, they still meet the eligibility criteria to serve as a 10-Year or 10-Year+ athlete representative because non-participation in the event was not of their choosing, nor a reflection of their status of high-performance athletes.

determined that athletes who participated in the past may still be eligible for 10 Year or 10 Year+ Athlete service.

Certification Review

Governance and Compliance

The CRG determined that USAAS is fulfilling the Governance and Compliance-related responsibilities of an NGB, including 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. Additionally, USAAS has not been the subject of any formal complaints filed with the Dispute Resolution Unit within the last four years.

In the 2022 Compliance Audit, NGB Audit found that while many USAAS committees had athlete representation, several Designated Committees required additional and / or eligible 10 Year and 10 Year+ representatives to meet the 33% athlete representation threshold required by the NGB Compliance Standards. USAAS seated additional athlete representatives on its Audit, Ethics, and Governance Committees, bringing the organization into compliance with the NGB Compliance Standards and resolving NGB Audit's finding.

NGB Audit also found that USAAS' Ombuds Policy and Conflicts of Interest Policy required revisions to fully meet the NGB Compliance Standards. USAAS updated the policies accordingly to achieve compliance and resolve the finding. As a result of testing USAAS' conflicts of interest disclosure process, USAAS took corrective action to ensure that all board members' disclosure forms are reviewed in accordance with its policy, which NGB Audit confirmed through follow-up testing.

The CRG received positive athlete feedback regarding USAAS' governance practices, noting that the internal AAC is functioning well, and that USAAS' leadership has an athlete-first mindset, demonstrated regularly. Athletes noted their feedback is heard and taken seriously.

Financial Standards and Reporting Practices

The CRG determined that USAAS demonstrates financial operational capability to administer its sport and is financially and operationally transparent, maintaining accountability to its members and to the USOPC.

In the 2022 Compliance Audit, NGB Audit found that grant reports provided to the USOPC did not match supporting documentation. USAAS resolved this matter by thoroughly reviewing the subsequent grant reports due in March 2023. NGB Audit confirmed that relevant expenses were included in the final funding report and agreed to the general ledger, resolving the finding.

Athlete Protection and Rights

USAAS maintains and enforces 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). It also maintains an anti-doping program consistent with the 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 USAAS 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 USAAS that the USOPC was required to report.

In 2022, the Center conducted its most recent Administrative Audit¹¹ of USAAS' implementation of policies required by the SafeSport Code and the Minor Athlete Abuse Prevention Policies, which resulted in no findings or directions for corrective actions.

On June 25-26, 2021, the Center conducted its most recent Event Audit¹² at the U.S. Junior Olympic Championship, resulting in partially implemented ratings of the Center's Communication and Reporting, and Quality Control standards. USAAS took corrective action to resolve these findings, and the Center confirmed USAAS' compliance on September 30, 2021.¹³

Sport Performance

USAAS is fulfilling its obligations in Sport Performance. The organization maintains and executes a strategic plan that supports athletes in achieving sustained competitive excellence and grows the sport. Within the four-year review period, USAAS has overcome challenges in developing selection procedures, and has effectively executed them to name and train Team USA athletes for Delegation Events.

Operational Performance

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

Although compliant in practice, NGB Audit found that USAAS' grievance procedures required minor revisions to include all elements of the NGB Compliance Standards. USAAS revised its grievance procedures to include the missing elements, which NGB Audit validated as resolving the finding.

USAAS developed a 2021-2024 Diversity, Equity, and Inclusion (DE&I) Action Plan aimed to educate, empower, and enhance its organizational membership and programs. USAAS submitted its action plan to the USOPC with sufficient detail to meet the NGB Compliance Standards. The action plan includes four objectives with details relating to specific initiatives, target groups, timelines, and success measures. Objectives include expanding athlete with disability participation, developing a more diverse membership, training USAAS leadership and membership on DE&I best practices, and enhancing the organization's Athlete Bill of Rights.

Conclusion

The CRG concluded that USAAS is performing satisfactorily based on input from the CRG members and the results of the NGB Audit team's 2022 Compliance Audit and there are no outstanding areas of concern affecting its certification status at this time. Accordingly, the CRG recommends that USAAS' certification as a member organization of the USOPC be renewed with a rating of Renewal in Good Standing.

¹¹ [US Center for SafeSport 2022 Administrative Audit Report – USA Artistic Swimming](#), February 28, 2022.

¹² [US Center for SafeSport 2021 Event Audit Report – USA Artistic Swimming](#), June 25-26, 2021.

¹³ [US Center for SafeSport Corrective Actions Update](#), November 5, 2021.

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.¹⁴ 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.¹⁵

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.¹⁶ 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.

¹⁴ See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

¹⁵ NGB Certification Policy, Section 1.

¹⁶ The CRG uses a four-year lookback period during this review process.