United States Olympic and Paralympic Committee Certification Review Group



Certification Renewal Recommendation Report for USA Cycling November 13, 2024



USA Cycling Certification Renewal Executive Summary

In June 2024, 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 Cycling.¹ The CRG evaluated USA Cycling and, based on input from CRG members, as well as the results of NGB Audit department's 2024 compliance audit², recommends a certification status of Renewal in Good Standing.

The CRG's review of USA Cycling 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. USA Cycling is actively working to resolve some remaining open audit findings, though the NGB Audit department determined these findings are not significant, and accordingly do not affect the NGB's certification status at this time.

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

As a result of this review, the CRG recommends that USA Cycling be granted a certification status of Renewal in Good Standing for a four-year certification term ending in 2028.

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

² <u>NGB Compliance Audit – USA Cycling</u>, April 4, 2024.

Organizational Overview

USA Cycling is the USOPC-certified NGB for the sport of cycling. The mission of USA Cycling is "to develop the sport of cycling in the United States at all levels and to achieve sustained international racing success while fostering a shared commitment to safety, integrity, and the joy of cycling."³ USA Cycling is the United States' representative to the international governing body for cycling, Union Cycliste Internationale. USA Cycling's national office is located in Colorado Springs, Colorado.⁴

Certification History

USA Cycling was originally certified in January 2021.⁵ This is the first time USA Cycling has gone through the certification review process.

Certification Exceptions⁶

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

Athlete Representation Approval and Exceptions7

USA Cycling has not requested any approvals or exceptions from the Athlete Representation Review Working Group (ARRWG) to date.

Certification Review⁸

Governance and Compliance

The CRG determined that USA Cycling is fulfilling the Governance and Compliance-related responsibilities of an NGB. USA Cycling has adopted and enforces key ethics and compliance-related policies; has made these policies publicly available on its website; and has defined procedures to address violations of these policies. USA Cycling was the subject of three Section 9 complaints filed with the USOPC Dispute Resolution Unit (DRU) during the certification lookback period⁹. All three complaints¹⁰ questioned the application of USA Cycling's selection procedures. As a result, USA Cycling has since made progress drafting, publishing, and executing its selection procedures with increased clarity and transparency.

As a result of the 2024 compliance audit, USA Cycling updated its bylaws to include required elements of the NGB Compliance Standards. USA Cycling also updated its code of conduct and has implemented a timely and compliant conflict of interest disclosure and review process, which the NGB Audit department will re-test in January 2025 to assess USA Cycling's compliance in its execution. Although a portion of the audit finding pertaining to its conflicts of interest disclosure

³ <u>About</u>, USA Cycling website.

⁴ Id.

⁵ Refer to the Appendix for details on the initial certification.

⁶ Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

⁷ Refer to the Appendix for details on athlete representation exception requests.

⁸ Refer to the Appendix for details on the review standards and process for information related to the Compliance Audit.

⁹ Dispute Resolution Unit lookback period 2020-2024.

¹⁰ <u>Huck v. USA Cycling.</u> June 29, 2021. <u>Manderfeld v. USA Cycling</u>. October 8, 2022. <u>Lange v. USA Cycling</u>. July 1, 2024.

and review process remains open, the CRG determined that USA Cycling has taken timely action to address this area of concern and concluded that it does not impact the NGB's certification status at this time.

The CRG received positive athlete feedback regarding USA Cycling's governance, and athletes reported an increase in transparency with selection procedures.

Financial Standards and Reporting Practices

USA Cycling meets the requirements for an NGB's Financial Standards and Reporting Practices. The organization demonstrates financial operational capability to administer its sport and is financially and operationally transparent with its membership by publishing its audited financial statements and tax forms.

Athlete Protection and Rights

USA Cycling 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). USA Cycling 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 USA Cycling 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 USA Cycling that the USOPC was required to report.

As a result of a finding from the 2024 compliance audit, USA Cycling updated its athlete safety policy to codify that it reports allegations to the USOPC's Office of Athlete Safety as required. In addition, the NGB Audit department found that USA Cycling did not execute its background check policy consistent with its published requirements. Following another cycle of conducting background checks, the NGB Audit department re-tested USA Cycling's execution of its background check policy and determined that USA Cycling resolved the previously identified issues and fully complied with the NGB Compliance Standards.

On July 19, 2022, the Center conducted its most recent Administrative Audit¹¹ of USA Cycling's implementation of policies required by the SafeSport Code and the Minor Athlete Abuse Prevention Policies, which resulted in corrective actions pertaining to Education and Training and Quality Control. The Center confirmed that USA Cycling completed its corrective actions as of October 28, 2022.¹²

The Center conducted an event audit¹³ of the USA Cycling Madison Track National Championships, held on November 17-18, 2023. The event audit resulted in a Not Implemented finding in the Communication and Reporting Standard. The Center confirmed that USA Cycling had completed corrective actions as of February 5, 2024.

Sport Performance

¹¹ <u>US Center for SafeSport Administrative Audit Report</u> – USA Cycling, July 19, 2022.

¹² <u>US Center for SafeSport Corrective Actions Update</u> – USA Cycling, October 28, 2022.

¹³ <u>US Center for SafeSport Event Audit Report</u> – USA Cycling, November 17-18, 2023.

USA Cycling 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. USA Cycling established selection procedures and executed them to name and train Team USA athletes for Delegation Events.

Operational Performance

The CRG determined that USA Cycling meets all the Operational Performance standards. The organization demonstrates managerial capability to administer its sport, keeps current insurance policies, and demonstrates financial sustainability. As a result of the 2024 compliance audit, USA Cycling updated its whistleblower and anti-retaliation policy during the audit remediation period to add missing elements required by the NGB Compliance Standards.

USA Cycling developed a 2023-2025 Diversity, Equity, Inclusion, and Belonging Action Plan with the guiding principles of education, engagement, partnerships, and policies to promote access to the sport of cycling while growing the talent pipeline.¹⁴ USA Cycling submitted its action plan to the USOPC with sufficient detail to meet the NGB Compliance Standards. USA Cycling also hired a staff member to oversee these initiatives for the NGB.

Conclusion

The CRG concluded that USA Cycling is performing satisfactorily based on input from the CRG members, the results of the NGB Audit department's 2024 compliance audit, and the organization's remediation of audit findings. There are no outstanding areas of concern affecting the NGB's certification status at this time. Accordingly, the CRG recommends that USA Cycling's certification as a member organization of the USOPC be renewed with a rating of Renewal in Good Standing for a four-year certification term ending in 2028.

¹⁴ USA Cycling <u>Diversity</u>, <u>Equity</u>, <u>Inclusion</u>, <u>and Belonging Action Plan</u>, <u>September 2023</u>.

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.¹⁵ 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.¹⁶

Governed by the USOPC's <u>NGB Certification Policy</u>, 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.¹⁷ In addition to enumerated standards for NGB performance described in the Act, the Bylaws, and the USOPC's <u>NGB Compliance Standards</u>, 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 <u>USOPC Bylaws</u>, 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.

¹⁵ See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

¹⁶ NGB Certification Policy, Section 1.

¹⁷ The CRG uses a four-year lookback period during this review process.