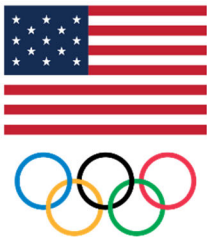


**United States Olympic and Paralympic Committee
Certification Review Group**



**Certification Renewal Recommendation Report for US Sailing
December 7, 2023**



**UNITED STATES
OLYMPIC & PARALYMPIC
COMMITTEE**

US Sailing 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 US Sailing Association (USSA).¹ The CRG evaluated USSA 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 USSA 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.

CRG members agreed that USSA is meeting important requirements and expectations for an NGB.³ In its discussions of USSA's interactions with the USOPC, the CRG did not identify any ongoing operational concerns or cultural issues that would prevent the organization's continued certification. Overall, in the areas in which CRG members had interacted with USSA, the CRG had a favorable view of USSA's operations.

As a result of this review, the CRG recommends that USSA 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](#).

³ At the issuance of this report, minor audit findings remain open that do not impact USSA's certification status.

Organizational Overview

USSA is the USOPC-certified NGB for the sport of sailing and is the U.S. representative to the international federation that governs the sport, World Sailing. USAA’s mission is to “increase sailing participation and excellence through education, competition and equal opportunity, while upholding the principles of fair play, sportsmanship and safety.”⁴ Structurally, USSA maintains organizational and individual memberships, which it aims to serve as outlined in its 2021-2024 Strategic Plan.⁵ As an NGB, USSA “is committed to strengthening [its] organization for the future and proactively modernizing [its] business, member, and athletic practices to push forward on the path to excellence while meeting governance requirements.”⁶ USSA is staffed by over 60 employees and is headquartered in Bristol, Rhode Island.⁷

Certification History

USSA was originally certified in January 2021.⁸ This is the first time USSA has gone through the certification review process.

Certification Exceptions⁹

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

Athlete Representation Approval and Exceptions¹⁰

USSA requested that the Athlete Representation Review Working Group (ARRWG) approve additional international competitions as qualifying events for 10 Year and 10 Year+ status to expand the pool of athletes eligible to serve as athlete representatives. These events spanned multiple equipment classes as well as multiple competition types, comprising both protected competitions and other elite-level competitions that are not sanctioned by World Sailing, but are of high importance to the U.S. sailing community:

Competition	Finish Requirement	Effective Date
World Championship in Delegation Event Classes	Any	1985
Domestic Trials for Delegation Events	Top 50%	1985
Delegation Equipment Class Race Week Events	Top 25%	2001
Delegation Equipment Class Continental Championships	Top 25%	2001
Sailing in America’s Cup	Any	1985
Circumnavigation Races	Any	1985
2,500+ Mile Races	Top 50%	2001
2000-2499 Mile Races	Top 25%	2001

⁴ [About USAA](#)

⁵ [US Sailing Strategic Planning](#)

⁶ [Our Organization Strategic Planning](#), USSA Website.

⁷ [Our Organization Contact](#), USSA Website.

⁸ Refer to the Appendix for details on the initial certification.

⁹ Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

¹⁰ Refer to the Appendix for details on athlete representation exception requests.

600-1,999 Mile Races	Top 5%	2001
World Sailing Match or Team Race Worlds	Top 50%	1985
World Sailing International Equipment Class and Offshore Worlds	Top 25%	2001
World Sailing Designated Events	Top 25%	2001
US Sailing Adult Championship	Top 20%	2001

The ARRWG approved the competitions, place finishes, and effective years as noted above to ensure gender equity among the eligible pool of athletes.

In addition, USSA requested that the ARRWG approve the following competitions and criteria as pathways for athletes to qualify as Actively Engaged members:

- World Sailing Continental, National or World Championships in any equipment class
- Any U.S. National Championship event
- Any U.S. Sailing Regional Championship event (at which at least 5 LSOs Participate)
- Appearance in a minimum of 20 sanctioned races in a calendar year

The ARRWG approved the competitions and criteria with the stipulation that the Actively Engaged effective date be bound within the previous two years of the individual’s participation.

USSA also requested and received approval of the following committees to be defined as Designated:

- Audit Committee
- Bylaws Committee
- Compensation Committee
- Review Board
- Nominating and Governance Committee
- Ethics Committee
- Budget Committee
- International Selections Committee

Furthermore, USSA requested and received approval of the following committees to be defined as Other:

- World Sailing Delegation
- Race Administration Committee
- Championships Committee

Lastly, the ARRWG agreed that the Board of Directors can appoint athlete representatives to the Appeals Committee with final approval by the AAC.

Certification Review

Governance and Compliance

The CRG determined that USSA is fulfilling many of 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, USSA has not been the subject of any formal complaints filed with the Dispute Resolution Unit within the last four years.

In May 2023, the CRG sought athlete feedback on USSA's Athletes Advisory Council (AAC) and its communication with USSA leadership. Athletes noted ongoing work to increase the AAC's formality and function and expressed the necessity to improve efficiency and effectiveness alongside the concurrent changes in USSA leadership. Athletes noted the communication with USSA's Olympic High Performance Program leadership had been strained earlier in the review period, but USSA has been open to increase opportunities for athletes to provide feedback.¹¹

To address 2022 Compliance Audit findings, USSA updated its bylaws and policies, and standardized its board's practices, athlete representation processes, and conflicts of interest disclosure and review process. As a result, NGB Audit closed the majority of these findings. Although audit findings remained open as of the issuance of this report, the CRG determined that USSA has demonstrated sufficient governance and compliance practices to meet a good standing rating.

Financial Standards and Reporting Practices

USSA 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. Within the audit remediation period, USSA updated its financial policies and procedures to meet the NGB Compliance Standards.

Athlete Protection and Rights

USSA 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.

Furthermore, the USOPC is not aware of any cases it has received in the past four years concerning USSA 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 USSA that the USOPC was required to report.

In March 2022, the Center conducted its most recent Administrative Audit¹² of USSA's implementation of policies required by the SafeSport Code and the Minor Athlete Abuse Prevention Policies, which resulted in one finding and directions for corrective actions relating to communication and reporting. The Center deemed USSA's corrective actions as complete and compliant on June 17, 2022.¹³ On June 26, 2023, the Center conducted an Event Audit¹⁴ of the US Youth Championships hosted by Roger Williams University in Bristol, Rhode Island, which resulted in fully implemented ratings, but included corrective actions that are currently in progress.¹⁵

As a result of the 2022 Compliance Audit, USSA updated relevant documents to expressly require members to comply with anti-doping requirements. Furthermore, USSA implemented additional

¹¹ See the Operational Performance section for additional detail.

¹² [US Center for SafeSport Administrative Audit Report](#) – US Sailing, March 15, 2022.

¹³ [US Center for SafeSport Corrective Actions Update](#) – US Sailing, June 17, 2022.

¹⁴ [US Center for SafeSport Event Audit Report](#) – US Sailing, June 26, 2023.

¹⁵ [US Center for SafeSport Corrective Actions Update](#) – US Sailing, September 18, 2023.

controls and made significant progress with its background check process. NGB Audit will conduct additional testing in 2024 to validate whether USSA's enhanced controls effectively remediate the minor outstanding control gaps identified during follow up testing. Ultimately, the CRG determined that USSA demonstrated sufficient progress to meet a good standing rating to-date.

Sport Performance

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

USSA met the USOPC deadline in submitting Selection Procedures for the 2023 Pan American Games; however, NGB Audit noted that information pertaining to athlete rights and resources were missing. USSA updated the Selection Procedures to ensure athletes received pertinent information, and to meet the NGB Compliance Standards.

Operational Performance

The CRG determined that USSA 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 that was updated during the audit remediation period to meet the NGB Compliance Standards.

In 2022, Compliance received reports from across USSA's elite athlete community of fears of retaliation for reporting concerns regarding Olympic Operations and staff to USSA or to the USOPC. With USSA's support, Compliance initiated an investigation to determine whether USSA's Olympic Operations support and promote a culture free from retaliation within the USSA elite athlete community and related activities. Compliance found that former Olympic Operations staff and a former volunteer member of USSA engaged in recurring retaliatory conduct towards athletes in response to athletes' raising concerns.¹⁶

Compliance also recognized that, prior to the investigation, and as part of its own internal review and assessment of reports from athletes and others, USSA made changes to its Olympic Operations high-performance leadership and operations. Therefore, consistent with its standard procedures, Compliance did not require further action to address the retaliatory conduct. However, the USOPC identified recommendations to assist USSA in implementing more robust protections for athletes and staff in reporting concerns, which USSA committed to implementing. Finally, Compliance did not find evidence to support allegations that the Olympic Operations staff favored some athletes over others based on the athletes' preferred method of training. Instead, Compliance found a lack of clarity surrounding the allocation of athlete resources, which USSA leadership is actively addressing. The CRG commends USSA's actions in addressing these concerns and for sharing the outcome of the Compliance investigation with its membership.

USSA developed a 2021-2024 Diversity, Equity, and Inclusion (DE&I) Action Plan aimed to promote access to the sport of sailing, increase participation, and to provide an inviting and inclusive environment in which to thrive. USSA submitted its action plan to the USOPC with

¹⁶ [USOPC Issues Report on Investigation and Assessment of US Sailing's Olympic Operations](#), USSA Website.

sufficient detail to meet the NGB Compliance Standards. The action plan includes nine objectives with details relating to specific initiatives, target groups, timelines, and success measures. Objectives include, but are not limited to, hiring a lead DE&I staff member; diversifying leadership, staff, and volunteers; conducting diversity training for members; publishing communications and educational materials reflective of the diversity of the sailing community; and integrating DE&I throughout business processes to grow sailing in all the U.S.

Conclusion

The CRG concluded that USSA 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 USSA's certification as a member organization of the USOPC be renewed with a rating of Renewal in Good Standing.

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.¹⁷ 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.¹⁸

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.¹⁹ 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.

¹⁷ See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

¹⁸ *NGB Certification Policy*, Section 1.

¹⁹ The CRG uses a four-year lookback period during this review process.