UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE CERTIFICATION REVIEW GROUP



Certification Renewal Recommendation Report for USA Judo

December 7, 2022







USA Judo Certification Renewal Executive Summary

In January 2022, 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 Judo. The CRG evaluated USA Judo and, based on input from CRG members and the results of NGB Audit's 2021 audit², recommends a current rating of Renewal in Good Standing.

The CRG's review of USA Judo 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 2021 Compliance Audit identified areas where USA Judo was not yet fully meeting the USOPC's NGB Compliance Standards, but USA Judo resolved areas of concern within NGB Audit's remediation period and by the time of the CRG's review.

CRG members agreed that USA Judo is presently meeting the requirements and expectations for an NGB. In its discussions of USA Judo's 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 USA Judo, the CRG had a favorable view of USA Judo's operations.

As a result of this review, the CRG recommends that USA Judo be granted a certification status of Renewal in Good Standing for a four-year certification term ending in 2026.

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

USA Judo is the USOPC-certified NGB for judo and the United States' member of the International Judo Federation. USA Judo's mission is to "enable all United States athletes to achieve sustained competitive excellence in domestic and international judo competition, and [to promote and grow] the sport of Judo in the United States." USA Judo is managed by a six-member full-time staff in the USA Judo National Office, located in Colorado Springs, Colorado.⁴

Certification History

USA Judo was originally certified in January 2021.⁵ The CRG's certification review was initiated based on USA Judo's scheduled quadrennial certification review. USA Judo's certification status has not been referred for review outside of the standard NGB certification review schedule.

Certification Exceptions⁶

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

Athlete Representation Approval and Exceptions⁷

USA Judo requested that the Athlete Representation Review Working Group (ARRWG) approve additional competitions, as well as rosters, as participatory criteria to earn 10-Year and 10-Year+ status to expand the pool of athletes eligible to serve as athlete representatives. These competitions and the rosters include:

- IJF World Championships (Judo, Kata, Veterans 35+)
- IJF Grand Slam, Grand Prix and Continental Events (Judo, Kata, Veterans 35+)
- USA Judo National Rosters (Judo, Kata, Veterans 35+)

The ARRWG approved the competitions and rosters as presented.

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

- Board of Directors⁸
- Audit Committee
- Ethics & Grievance
- High Performance

- Jr. High Performance
- Kata
- Nominating

The following committees were defined as 'Other' as they do not deal with core issues affecting elite athletes to qualify for Designated Committees, but do otherwise require athlete representation:

- Coaches Education
- Medical
- Rank and Certification

- Referee Commission
- Veterans

³ <u>USA Judo Governance, Mission (purpose)</u>, USA Judo Website.

⁴ About USA Judo, USA Judo Website.

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 The CRG noted that although the Board of Directors was reported to have been approved by the ARRWG as a designated committee, the Board of Directors' makeup was established according to its Election Procedures in alignment with USA Judo's bylaws and the NGB Compliance Standards. The ARRWG reviewed the athlete representation requirements of the Board of Directors and found that the athlete representatives serving on the Board of Directors met the 10-Year and 10-Year+ requirements, like athlete representatives who serve on designated committees.



Certification Review⁹

Governance and Compliance

The CRG determined that USA Judo is fulfilling the Governance and Compliance-related responsibilities for an NGB. USA Judo has adopted and enforces a code of conduct, conflict of interest, and gifts and entertainment policies, has made them available on its website, and has defined procedures to address violations of these policies. USA Judo has not been the subject of any formal complaints filed with the Dispute Resolution Unit within the last four years.

During the 2021 Compliance Audit, NGB Audit found that USA Judo required improvement in its definition of independent perspective. To remediate this issue, USA Judo updated its bylaws to specify that an independent director must maintain an independent perspective on the board for their entire term. NGB Audit also found that USA Judo needed to strengthen its board development to meet NGB Compliance Standards. To remediate the finding, USA Judo implemented a formal onboarding process for newly seated committee members and conducted the annual performance evaluation of the CEO. When reviewing athlete representation requirements, NGB Audit found that athlete representatives on designated committees were not approved by elite athletes, USA Judo's Ethics and Grievance Committee did not have at least 20% athlete representation, and one athlete representative did not meet the eligibility requirements outlined by the USOPC Bylaws. USA Judo followed its elections or selections procedures to update all designated committees with the required number of athlete representatives, as well as confirmed that representatives met the 10-Year or 10-Year+ athlete eligibility criteria to resolve the athlete representation finding.

While conducting policy review, NGB Audit also found that elements were missing in USA Judo's bylaws, code of conduct, gifts and entertainment, and conflict of interest policies. USA Judo updated the bylaws and policies to meet the NGB Compliance Standards, which NGB Audit verified within the remediation period. Furthermore, when undergoing initial testing of the conflict of interest disclosure review process, NGB Audit found that USA Judo did not have committee members complete an annual conflict of interest disclosure form, and a form that was submitted did not contain evidence of proper review, while others did not disclose potential conflicts. Within the remediation period, USA Judo took corrective action to address gaps within its conflict of interest disclosure process, and NGB Audit confirmed full compliance after conducting follow-up testing.

The CRG also received athlete feedback related to USA Judo's governance and operations. Overall, the athlete feedback was generally positive. From the athlete perspective, the Compliance Audit helped to improve communication with the wider athlete pool and gave athletes more opportunities to provide feedback to management. Athletes recognized USA Judo's increased effort for transparency and noted the CEO's diligence in listening to the athlete voice.

Financial Standards and Reporting Practices

USA Judo 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, while maintaining accountability to its members and to the USOPC.

In the 2021 Compliance Audit, NGB Audit found that although USA Judo provided financial updates to the Audit Committee and conducted regular calls with the board to discuss financial information, there was little documentation of these discussions. USA Judo addressed this finding by refining its documentation process and by providing NGB Audit with evidence that financial information is shared with the board and

⁹ Refer to the Appendix for details on the review standards and process for information related to NGB Audit's Report on USA Judo.



documented appropriately in meeting minutes. NGB Audit confirmed USA Judo's full compliance upon review of follow-up evidence within the remediation period.

USA Judo also updated its financial policies and procedures to include missing elements and the documentation of its wire process, which is used to make payments for most international competitions. With these remediations, USA Judo addressed findings from the 2021 as well as a repeat finding from a previous USOPC audit.

Athlete Protection and Rights

The USOPC is not aware of any non-compliance issues with its anti-doping rules and requirements and those of the U.S. Anti-Doping Agency. The CRG also found that USA Judo 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). The USOPC is not aware of any cases it has received in the past four years concerning USA Judo 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 Judo that the USOPC was required to report.

In 2019, the Center conducted its most recent Administrative Audit of USA Judo's implementation of policies required by the Center's SafeSport Code and Minor Athlete Abuse Prevention Policies (MAAPP). USA Judo received "Not Implemented" ratings in all areas of evaluation, resulting in findings and corrective actions required by the Center. 10 Specifically, the Center found communication and implementation deficiencies relating to requirements identified in the MAAPP, the Center's Education & Training Policy, and the six required prevention policies. USA Judo took corrective action to resolve the Center's findings and the Center confirmed USA Judo's full compliance as of May 7, 2020.11 On November 19 and 21, 2021, the Center conducted its most recent Event Audit of USA Judo's 2021 President's Cup Championships, resulting in findings and direction for corrective actions. Specifically, the Center found that USA Judo "must update its policy and implement effective procedures to ensure that all event participants receive the MAAPP and reporting protocol including those who pre-registered for the event and those who registered the day-of the event." 12 Additionally, USA Judo "must update its policy and implement effective procedures to ensure that all participants, specifically those individuals who are not registered for an event through USA Judo's automated event registration system, are not banned and/or suspended by the NGB or the Center". As of July 10, 2022, the Center confirmed that USA Judo took corrective action to remediate the findings and currently meets the Center's compliance standards. 13

In the 2021 Compliance Audit, NGB Audit found that USA Judo did not have formal anti-doping policies or procedures to enforce anti-doping sanctions and its bylaws were missing anti-doping language required by the NGB Compliance Standards. To remediate these issues, USA Judo published relevant anti-doping policies and procedures and updated its bylaws to include the required anti-doping language.

To address the high-risk finding related to background checks, USA Judo updated the process to report potential allegations or temporary measures to the USOPC Athlete Safety department, as well as updated its background check policy to meet the minimum required standards. Furthermore, USA Judo resolved the expired background screens and ensured that the missed background checks were completed. USA Judo analyzed whether these oversights were unique or systemic, took appropriate corrective actions and strengthened its controls for ongoing proficiency. NGB Audit conducted follow-up testing and considers USA Judo fully compliant.

Sport Performance

¹⁰ US Center for SafeSport Audit Report – USA Judo, January 30, 2020.

¹¹ US Center for SafeSport Audit and Corrective Actions Closure Document, May 7, 2020.

¹² <u>US Center for SafeSport Event Audit Report – 2021 President's Cup Championships</u>, November 19 & 21, 2021.

¹³ US Center for SafeSport Corrective Actions Update Form – USA Judo, July 18, 2022.



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

During the 2021 Compliance Audit, NGB Audit found that USA Judo also did not initially adopt all policies and procedures required to comply with the U.S. Paralympic National Classification Policies and Procedures or the IPC Athlete Classification Code and International Standards. To remediate this finding, USA Judo updated its Paralympic Classification Procedures and posted them on its website and NGB Audit confirmed USA Judo's full compliance with the NGB Compliance Standards.

Operational Performance

The CRG determined that USA Judo demonstrates the managerial capability to administer its sport and maintains adequate insurance to manage its risk, fulfilling its Operational Performance obligations.

In the 2021 Compliance Audit, NGB Audit found that while USA Judo met the equal opportunity standard as required by the Act, it did not initially provide anti-discrimination training. On April 1, 2022, USA Judo confirmed that the required training had been completed by applicable parties. Furthermore, USA Judo also documented board approval of its strategic plan to remedy the finding related to strategic planning. USA Judo also updated its Whistleblower and Anti-Retaliation Policy with the required elements to close the finding related to that policy. By June 15, 2022, USA Judo remediated the finding relating to Grievance Procedures. Initially, there were elements missing from the policies and procedures, and during testing, one hearing panel did not properly document the disclosure of conflicts of interest. To address these concerns, USA Judo updated its bylaws and Ethics and Grievance Committee Procedures. In follow-up testing, NGB Audit was able to verify that a hearing panel was free of conflicts of interest.

USA Judo also maintains a 2021-2024 Diversity, Equity, and Inclusion (DE&I) Action Plan that describes its DE&I vision and strategy for the coming years. USA Judo submitted its action plan to the USOPC with sufficient detail, meeting the NGB Compliance Standards. USA Judo's plan contains four objectives, with specific initiatives, target groups, timelines, and success measures. Objectives include increasing the number of diverse individuals in leadership roles, increasing access to the sport of judo in marginalized communities, increasing female participation, and increasing the number of clubs offering Paralympic Judo opportunities, specifically for those visually impaired.

Conclusion

The CRG has concluded that USA Judo is performing satisfactorily overall based on input from the CRG members and the results of the NGB Audit team's 2021 Compliance Audit. USA Judo remediated all identified deficiencies and there are no outstanding areas of concern affecting its certification status. Accordingly, the CRG recommends that USA Judo's certification as a member organization of the USOPC be renewed with a status 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. 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. 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 <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.

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.