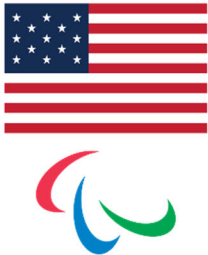
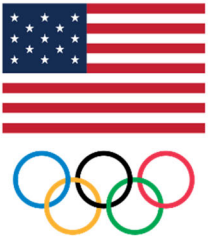


**United States Olympic and Paralympic Committee  
Certification Review Group**



**Certification Renewal Recommendation Report for USA Softball  
November 13, 2024**



**UNITED STATES  
OLYMPIC & PARALYMPIC  
COMMITTEE**

# USA Softball Certification Renewal

## Executive Summary

In March 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 Softball (USAS).<sup>1</sup> The CRG evaluated USAS and, based on input from CRG members and the results of NGB Audit department's 2023 compliance audit<sup>2</sup>, recommends a certification status of Renewal with Conditions.

The CRG's review of USAS 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 2023, identified several areas where USAS was not fully meeting the USOPC's NGB Compliance Standards, including findings related to bylaws requirements, independent board members, athlete representation, conflicts of interest, and background checks.

During the CRG's review period, USAS made a good faith effort to comply with the NGB Compliance Standards and remediated several of its outstanding audit findings by the time of the CRG's recommendation. The CRG identified three open audit findings to be considered as conditions of USAS's certification. The conditions are:

- USAS must ensure all Designated Committees meet the 33.3% athlete representation requirement in accordance with Standard A.1 b.
- USAS must ensure appropriate athlete representation or seek an exception to the requirements for all Other Committees, in accordance with the requirements of the NGB Compliance Standards and USOPC Bylaws.
- In accordance with Standard A.6 a, USAS must demonstrate that its conflict of interest disclosure and review process is executed consistent with the requirements.

As a result of this review, the CRG recommends that USAS be granted a certification status of Renewal with Conditions with a deadline of December 31, 2024, to fulfill the conditions of certification. In accordance with the NGB Certification Policy, if the CRG determines that USAS has successfully addressed the issues by the deadline, the CRG will recommend that its certification status be upgraded to Renewal in Good Standing. If USAS does not resolve the issues to the CRG's satisfaction by the deadline, its certification rating may be downgraded to Probationary Renewal and the CRG will discuss whether accountability measures are appropriate to address USAS's delayed action.

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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 Compliance Audit – USA Softball](#), October 19, 2023.

## **Organizational Overview**

USAS is the USOPC-certified NGB for softball and is the United States' representative to the international federation that governs the sport, the World Baseball Softball Confederation (WBSC). USAS' mission is "to provide opportunities for participation through competition, education, and leadership with a commitment to promote the growth and development of the sport"<sup>3</sup> Structurally, USAS is comprised of 10 regions with over 120,000 teams<sup>4</sup>. USAS is headquartered in Oklahoma City, Oklahoma.<sup>5</sup>

## **Certification History**

USAS was originally certified in January 2021.<sup>6</sup> This is the first time USAS has gone through the certification review process.

## **Certification Exceptions<sup>7</sup>**

USAS was not granted any exceptions from the NGB Compliance Standards during its certification review.

## **Athlete Representation Approval and Exceptions<sup>8</sup>**

USAS requested that the Athlete Representation Review Working Group (ARRWG) approve additional international competitions as qualifying events for NGB 10 Year and 10 Year+ status to expand the pool of athletes eligible to serve as athlete representatives. Beginning in 2023, the ARRWG approved USAS' request for participation in any WBSC international softball competition to qualify an athlete for NGB 10 Year and 10 Year+ status. USAS also requested, and the ARRWG approved, an expansion for the definition of Actively Engaged Athletes to include athletes who competed for a national team or in a USAS-sanctioned national championship within the previous 24 months.

In addition, USAS requested that the ARRWG approve amended athlete representation on several committees. ARRWG approved the following Other Committees to have no athlete representation:

- Allied/Affiliate Members Forum
- Commissioner Appointment Panel
- Masters & Seniors Committee

ARRWG approved the following Other Committees to have one designated athlete liaison present at meetings:

- JO Forum
- Tournament Programs, Awards, and Review Forum
- Umpires Forum
- Commissioners Forum
- Modified Pitch Committee
- Special Programs Forum
- Membership Improvement Panel

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<sup>3</sup> [About](#), USA Softball website.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Refer to the Appendix for details on the initial certification.

<sup>7</sup> Refer to the Appendix for details on exception requests to the NGB Compliance Standards.

<sup>8</sup> Refer to the Appendix for details on athlete representation exception requests.

Lastly, to ensure USAS maintains 33.3% athlete representation at the Annual Council Meetings, USAS also requested that the ARRWG approve a weighted athlete vote. The weighted vote would apply to athletes who meet the USOPC definition of 10-year and 10 year + athlete. The ARRWG approved this proposal of a weighted vote given the size of USAS' voting membership in attendance at the Annual Meeting.

## **Certification Review**

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

The CRG determined that USAS 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 consistently including the voice of the USAS Athlete Council. Additionally, USAS has not been the subject of any formal complaints filed with the Dispute Resolution Unit within the last four years.

In 2021, the USOPC engaged outside counsel to investigate allegations concerning USA Softball's corporate governance, selection procedures, athlete health and well-being, and employment practices, resulting in a letter outlining findings of non-compliance and six required reforms. USA Softball provided evidence that all the required reforms were fulfilled in 2023.

To address 2023 compliance audit findings, USAS updated its bylaws and policies, implemented onboarding for board members, and committed to seating a board member who meets the definition of independent perspective by December 31, 2024. However, USAS has further work to resolve athlete representation on its designated and other committees as well as improvements needed to the conflict of interest disclosure and review process. As such, the CRG agreed that these two issues would be conditions of certification.

The CRG sought athlete feedback on USAS' Athletes Advisory Council (AAC) and its communication with USAS leadership. In general, athletes provided positive feedback, saying that communication is consistent, with coaches and executive leadership very involved in communication efforts. The AAC did note some challenges with meeting athlete representation requirements due to the scheduling and time constraints for currently competing athletes, noting that those who do choose to volunteer are spread thin. However, because USAS hears and values the athlete voice, the athletes are optimistic about increased athlete participation.

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

USAS 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.

USAS updated its financial policies and procedures during the 2023 compliance audit remediation period and provided all required financial documentation to address audit findings.

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

USAS 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. Additionally, in discussions with the USAS AAC, the athletes specifically noted that USAS has created a safe environment for athletes, including communications about mental health.

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

On June 22, 2024, the Center conducted an event audit<sup>9</sup> in Olathe, Kansas. The Center required that USAS update relevant policies and procedures in the areas of Communication and Reporting, Quality Control System, and Response & Resolution. USAS is currently in the process of remediating identified corrective actions to address these items.

As a result of the 2023 compliance audit, USAS updated its athlete safety and anti-doping policies consistent with the requirements outlined in the NGB Compliance Standards. The NGB Audit department found that USAS' background check process required improvements and that the current background check vendor is not an approved USOPC vendor. While USAS has made progress on resolving this finding, additional work needs to be completed, including re-testing by the NGB Audit department. As such, addressing this finding is a condition of certification.

### ***Sport Performance***

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

### ***Operational Performance***

The CRG determined that USAS meets most 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.

The 2023 compliance audit found that USAS was compliant with the majority of the Operational Performance compliance requirements, noting only one finding on its grievance procedures. During the audit remediation period, USAS updated its grievance procedures to include the identified missing elements and the revised procedures meet the NGB Compliance Standards.

USAS developed a 2021-2024 Diversity, Equity, and Inclusion (DE&I) action plan aimed to grow an organizational culture of diversity, equity, and inclusion by educating their athletes, leadership, coaches, umpires, staff, parents, fans, and members. USAS submitted its action plan to the USOPC with sufficient detail to meet the NGB Compliance Standards. The action plan includes five objectives with details relating to specific initiatives, target groups, timelines, and success measures. Objectives include creating educational programming; dedicating space on the USAS website to provide resources and training; facilitating an inclusive environment for all USAS members; and prioritizing diversity, equity, and inclusion in statements and policies through non-discrimination statements.

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<sup>9</sup> [US Center for SafeSport 2024 Event Audit Report](#) – USAS, June 22, 2024.

## **Conclusion**

Considering the importance of managing conflicts of interest and ensuring adequate athlete representation consistent with the USOPC's Compliance requirements, USAS must address those areas of concern before the CRG considers recommending a certification status of Renewal in Good Standing. As such, the CRG recommends that USAS's certification as a member organization of the USOPC be renewed with a rating of Renewal with Conditions.

As part of this Renewal with Conditions rating, USAS will have until December 31, 2024, to correct the outstanding issues. If USAS successfully meets the conditions, the CRG will recommend that its certification rating be upgraded to Renewal in Good Standing. If USAS does not take satisfactory action to meet the conditions of this certification, its certification rating may be downgraded to Probationary Renewal and the CRG will discuss whether accountability measures are appropriate to address USAS' delayed action.

## 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>10</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>11</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>12</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>10</sup> See §220521(a) of the Ted Stevens Olympic and Amateur Sports Act.

<sup>11</sup> *NGB Certification Policy*, Section 1.

<sup>12</sup> The CRG uses a four-year lookback period during this review process.