

UNITED STATES
OLYMPIC & PARALYMPIC
COMMITTEE



NGB Compliance Audit

US Speedskating

June 29, 2023

Executive Summary

Background, Scope, and Objectives

The United States Olympic & Paralympic Committee's (USOPC) NGB Audit department (Audit) completed an audit of US Speedskating. The purpose of the audit was to determine if US Speedskating complies with the requirements of the NGB Compliance Standards (Standards), effective January 1, 2023, and to conduct testing in areas that present an increased risk to athletes, other members, and/or US Speedskating. The audit focused on the policies and procedures noted in the Standards in the following sections: Governance and Compliance, Financial Standards and Reporting Practices, Athlete Protections and Rights, Sport Performance, and Operational Performance. This is the first time the USOPC has performed an audit of US Speedskating against the Standards.

Audit Summary

Overall, Audit concluded that US Speedskating has met 31 of 44 applicable Standards with the majority of findings requiring minor updates as detailed below. In addition, Audit noted that the grievance procedures are thoughtful, account for multiple types of situations, and outline reasonable requirements for critical processes. US Speedskating has an engaged Athlete Advisory Council (AAC) that was created in 2014, long before the compliance requirement. Audit met with members of the AAC, who commented that athlete feedback is actively sought and board members and staff work to reach mutual agreements and identify solutions. Further, the AAC believes the thirty-three percent independent board members, in addition to several non-voting independent board members, have benefited the organization and athletes. However, there was one area of increased concern related to US Speedskating's background check process as described below.

Prior Audit Follow-up

As part of this review, Audit followed up on four open audit findings from the audit dated March 20, 2020. One was a repeat finding related to background checks and is detailed below. Three findings have been remediated and validated by Audit.

We would like to thank all US Speedskating staff who assisted us throughout this review.

NGB Audit Findings

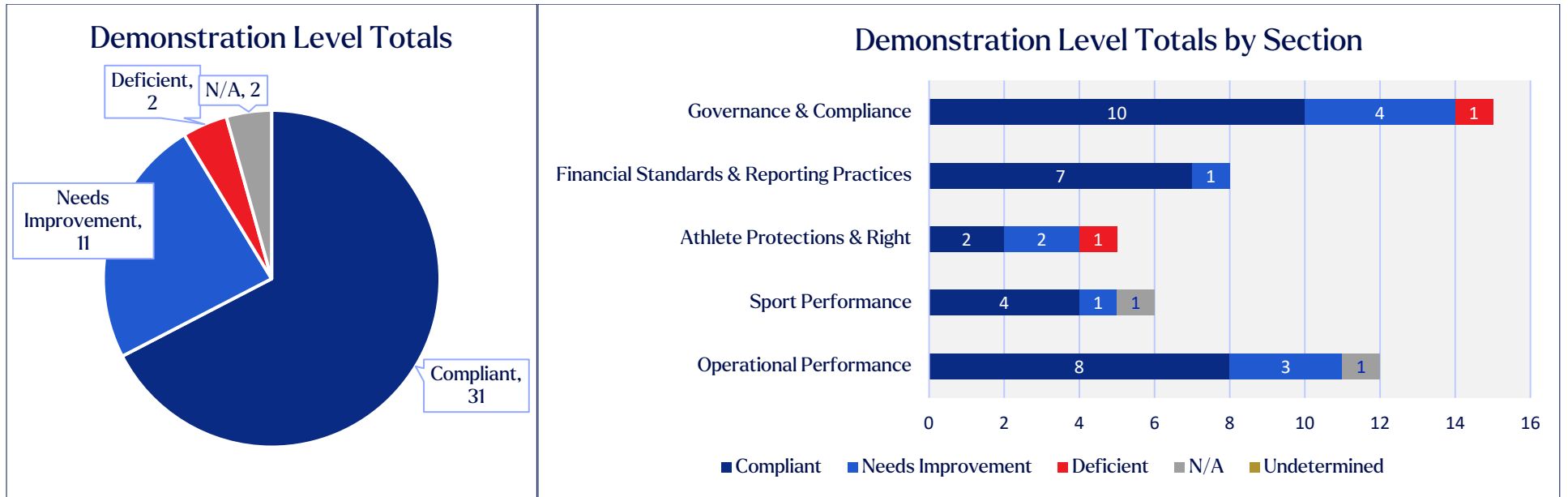
All Standards are evaluated against the 2023 Implementation Guide for Compliance Standards (Implementation Guide). References to the USOPC Bylaws are based on the version approved in March 2021.

Select policies and procedures were reviewed to determine compliance with the Standards. The conclusion of each standard was based on the criteria met and the results of any testing. The definitions of the demonstration levels are below, with additional guidance for each standard detailed in the Implementation Guide.. Findings and demonstration levels are detailed on the subsequent pages.

Compliance Demonstration Level Definitions

Compliant	The NGB, through its written policies and procedures and its execution of those policies and procedures, mostly demonstrates that it is meeting the elements of the standard.
Needs Improvement	The NGB, through its written policies and procedures and its execution of those policies and procedures, demonstrates that it meets many elements of the standard, but changes or improvements are necessary to fully meet the standard.
Deficient	The NGB, through inadequate written policies and procedures and/or poor execution of those policies and procedures, demonstrates that it is not meeting several elements of the standard.
Not Applicable / Undetermined	Not applicable indicates the standard does not apply to the NGB and will not be evaluated. Undetermined indicates a reason a determination cannot be made at this time; however, the standard will be evaluated at a later date. Additional details are provided, as necessary.

Overall Demonstration Levels Summary



Governance and Compliance

NGB Compliance Standards Section A				
Title	Standard	Compliant	Needs Improvement	Deficient
Athlete Representation	A.1 a & b		X	
Independent and Affiliate Representation	A.1 c		X	
International Federation Affiliation	A.1 d	X		
Membership Requirements	A.1 e	X		
Athlete Advisory Council	A.2 a	X		
Board Governance	A.3 a	X		
Board Development	A.3 b	X		
Board Meeting Minutes	A.3 c	X		
Board Roster	A.3 d	X		
IRS Status	A.4 a	X		
Code of Conduct	A.5 a			X
Conflicts of Interest Policy	A.6 a		X	
Gifts and Entertainment Policy	A.6 b		X	
NGB Annual Reports	A.7 a - c	X		
Ombuds' Policy	A.8 a	X		
Total		10	4	1

Needs Improvement		
1	Athlete Representation	Management Action Plans
Policy	<p>A 1. a & b:</p> <p>a. NGBs must have at least 33.3% athlete representation on its board of directors as required by the Act §220522(13) and further defined by the USOPC Bylaws, Section 8.5.3.</p> <p>b. NGBs must have at least 33.3% athlete representation on all committees as required and defined by the USOPC Bylaws, Section 8.5.</p> <p>FINDING: US Speedskating's Bylaws are not in compliance with the USOPC athlete representation requirements.</p>	<p>US Speedskating will update the bylaws to include the missing athlete representation requirements or seek exemption, depending on the board of directors' input.</p> <p>Due Date: October 31, 2023</p>

Application	<p>FINDING: One athlete on the Ethics Committee did not meet the eligibility requirements for a designated committee, bringing the percentage of athlete representation below 33.3%.</p> <p>Additionally, US Speedskating's voter pool for the Olympian/World Team Director did not meet the requirements stated in the bylaws.</p>	<p>US Speedskating will appoint new Athlete Representatives to the Ethics Committee.</p> <p>In addition, US Speedskating will review and update the voter pool database for the Olympian/World Team Category to accurately reflect eligible athletes and ensure they meet the requirements in the bylaws.</p> <p>Due Date: October 31, 2023</p>
2	Independent and Affiliate Representation	Management Action Plan
	<p>A.1 c: NGB must have a board structure that includes:</p> <ul style="list-style-type: none"> i. A board position(s) as defined by the USOPC to provide an independent perspective, and ii. A board position for an affiliate member as required by the Act §220522 (12). <p>FINDING: US Speedskating's bylaws do not state at least one board position will be added for affiliated member(s) if identified.</p> <p>Additionally, US Speedskating's Bylaws do not include all the USOPC required language for an independent perspective.</p>	<p>US Speedskating will update the bylaws to include a board position for affiliated member(s), if identified, and the required language for an independent perspective. US Speedskating may explore an exemption to some of the required language based on the unique characteristics of the sport.</p> <p>Due Date: October 31, 2023</p>
3	Conflict of Interest	Management Action Plans
Policy	<p>A.6 b: NGB must enforce a conflicts of interest policy that meets the minimum policy standards set forth by the USOPC. The conflict of interest policy must be made available on the NGB's website.</p> <p>FINDING: While US Speedskating's Conflict of Interest policy is missing the majority of required elements, the critical USOPC compliance requirements are followed in practice.</p>	<p>US Speedskating will update the conflicts of interest policy to include all the required elements.</p> <p>Due Date: October 31, 2023</p>
Application	<p>FINDING: The disclosure forms for the board of directors and Executive Director are not reviewed at the board or committee level.</p> <p>Additionally, US Speedskating does not issue management direction letters.</p> <p>Lastly, US Speedskating's board minutes do not include conflict declarations or recusals from discussions, votes, or the meetings.</p>	<p>US Speedskating will make the necessary changes to the Conflict of Interest Disclosure Form to ensure the board of directors and Executive Director disclosures are reviewed by the appropriate committees. Additionally, management direction letters will be provided when required and board minutes will reflect conflict declarations and recusals.</p> <p>Due Date: October 31, 2023</p>

4	Gifts and Entertainment Policy	Management Action Plan
	<p>A.6 c: NGB must adopt a gift and entertainment policy that meets the minimum policy standards set forth by the USOPC.</p> <p>FINDING: There are elements missing from US Speedskating's gifts and entertainment policy in the areas of applicability, organizational expectations, and disclosures.</p>	<p>US Speedskating will update the gifts and entertainment policy to include the required elements.</p> <p>Due Date: October 31, 2023</p>
Deficient		
5	Code of Conduct	Management Action Plan
	<p>A.5 a: NGB must have a comprehensive code of conduct that meets the minimum code standards set forth by the USOPC. The code of conduct must be made available on the NGB's website.</p> <p>FINDING: There are elements missing from US Speedskating's Code of Conduct in the areas of applicability, organizational expectations, reporting, and resources.</p>	<p>US Speedskating will update the code of conduct to include the missing requirements.</p> <p>Due Date: October 31, 2023</p>

Financial Standards and Reporting Practices

NGB Compliance Standards Section B				
Title	Standard	Compliant	Needs Improvement	Deficient
Financial Stability	B.1 a	X		
Financial Policies & Procedures	B.1 b		X	
USOPC Funding	B.1 c	X		
Financial Reporting to Board	B.1 d	X		
Board-Approved Budget	B.2 a	X		
Accounting Practices	B.2 b	X		
NGB Provided Documents	B.3 a	X		
NGB Website Information	B.4 a, b & c	X		
Total		7	1	0

Needs Improvement		
6	Financial Policies and Procedures	Management Action Plan
	<p>B.1 b: NGB must develop and implement financial policies and procedures.</p> <p>FINDING: US Speedskating's financial policies and procedures require minor improvements and need approval to be compliant.</p>	<p>US Speedskating will update the financial policies and procedures to include the missing requirements and have the updated policy approved by the board.</p> <p>Due Date: October 31, 2023</p>

Athlete Protection and Rights

NGB Compliance Standards Section C				
Title	Standard	Compliant	Needs Improvement	Deficient
Child Protection and US Center for SafeSport	C.1 a and C.2 a	X		
USOPC Athlete Safety Requirements	C.3 a			X
Anti-Doping Policies	C.4 a	X		
Anti-Doping Policy Language	C.4 b		X	
Athlete Agreements	C.5 a		X	
Total		2	2	1

Needs Improvement		
7	Anti-Doping Policy Language	Management Action Plan
	<p>C.4 b: NGB must have USOPC approved anti-doping language in its Bylaws, membership agreements (if applicable), and license agreements (if applicable).</p> <p>FINDING: US Speedskating's Bylaws and athlete agreements include anti-doping compliance requirements but do not contain all the required language. Additionally, US Speedskating does not have a relevant document informing all members they must comply with anti-doping requirements.</p>	<p>US Speedskating will add the required language to the bylaws and to the Athlete Agreement.</p> <p>Due Date: October 31, 2023</p>
8	Athlete Agreements	Management Action Plan
	<p>C.5 a: NGB must comply with the USOPC NGB Athlete Agreements Policy.</p> <p>FINDING: US Speedskating's athlete agreements are not fully compliant with the USOPC NGB Athlete Agreements Policy.</p>	<p>US Speedskating will update the athlete agreements to meet the requirements.</p> <p>Due Date: June 30, 2024</p>

Deficient		
9	USOPC Athlete Safety Requirements	Management Action Plans
Policy	<p>C.3 a: NGB must ensure compliance with policies and standards including but not limited to:</p> <ul style="list-style-type: none"> i. USOPC's NGB and HPMO Athlete Safety Policy ii. Responsible Sport Organization Background Check Policy <p>FINDING: There are elements missing from US Speedskating's Background Check Policy including applicable individuals, the timing of background checks, and the type of offense.</p> <p>In addition, US Speedskating does not have a written process to report allegations of prohibited conduct or temporary measures to the USOPC Office of Athlete Safety when required.</p>	<p>US Speedskating will update the background check policy to include the missing elements. In addition, a written process to notify the USOPC Office of Athlete Safety, as required, will be included in a relevant policy.</p> <p>Due Date: October 31, 2023</p>
Application	<p>FINDING: There were multiple issues identified during background check testing. Additionally, this is a repeat finding.</p> <p>There were three individuals with expired background checks. Additionally, one individual's background check was canceled and another individual had a flagged background check which was not appropriately identified or addressed by US Speedskating. Lastly, two individuals did not have a current background check at the time of the tested event.</p>	<p>US Speedskating will work with the vendor to update the membership system to ensure background checks are completed and statuses are clearly reflected. Additionally, US Speedskating will update the procedures to ensure future compliance, completion of background checks prior to events, and identify results that need further review.</p> <p>Due Date: December 31, 2023</p>

Sport Performance

NGB Compliance Standards Section D				
Title	Standard	Compliant	Needs Improvement	Deficient
Selection Procedures and Process	D.1 a & b	X		
Delegation List Submission	D.2 a	X		
High-Performance Plan Submission	D.3 a	X		
Event Sanctioning	D.3 b		X	
Paralympic Classification	D.3 c	N/A		
International Federation Standing	D.4 a	X		
Total		4	1	0

Needs Improvement		
10	Event Sanctioning	Management Action Plan
	<p>D.3 b: If an NGB or its affiliate(s) sanctions events, it must require specific sanctioning standards set forth by the USOPC of the organization or person requesting a sanction.</p> <p>FINDING: US Speedskating's sanctioning documents need minor improvements to fully comply with the requirements.</p>	<p>US Speedskating will update the sanctioning documents to meet requirements.</p> <p>Due Date: October 31, 2023</p>

Operational Performance

NGB Compliance Standards Section E				
Title	Standard	Compliant	Needs Improvement	Deficient
Managerial and Board Capability	E.1 a	X		
Insurance Coverage	E.2 a	X		
Revenue Diversification	E.3 a	X		
Grievance Procedure	E.4 a & b		X	
Whistleblower and Anti-Retaliation Policy	E.5 a		X	
USOPC Trademark Protection	E.6 a - d	X		
Diversity and Inclusion Reporting	E.7 a	X		
Gender Equity	E.7 b	X		
Equal Opportunity Policies and Training	E.7 c	X		
Para Inclusive Sport Programs	E.7 d		N/A	
Strategic Planning	E.8 a		X	
USOPC Policy Compliance	E.9 a	X		
Total		8	3	0

Needs Improvement		
11	Grievance Procedures	Management Action Plan
	<p>E.4 a & b:</p> <p>a. NGB must provide prompt and equitable resolution of grievances as outlined in the Act §220522(14).</p> <p>b. NGB must provide fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate as outlined in the Act §220522(8).</p>	<p>US Speedskating will update the grievance policy to include the missing elements.</p> <p>Due Date: October 31, 2023</p>

	FINDING: There are elements missing from US Speedskating's grievance policy in the following areas: the process to report grievances, hearing panel composition, hearing procedures, and other resources.	
12	Whistleblower and Anti-Retaliation Policy	Management Action Plan
	<p>E.5 a: NGB must adopt and maintain an organizational whistleblower policy that encourages and provides a mechanism for affiliated individuals to report alleged violations of any applicable law, rule, regulation or adopted policy of the NGB, accounting or financial fraud, or other misfeasance and includes an anti-retaliation statement.</p> <p>FINDING: There are minor elements missing from US Speedskating's Whistleblower and Anti-Retaliation Policy.</p>	<p>US Speedskating will update the whistleblower policy to include the missing elements.</p> <p>Due Date: October 31, 2023</p>
13	Strategic Plan	Management Action Plan
	<p>E.8 a: NGB must maintain and monitor the execution of an organizational strategic plan, in addition to a high-performance plan.</p> <p>FINDING: US Speedskating has a strategic plan, however, periodic updates that show the progress against the plan are not documented.</p>	<p>US Speedskating presented progress against the strategic plan at the May 2023 board meeting and will continue this process annually.</p>

Findings in this report are currently in remediation. An addendum report will be issued at the end of the remediation period.