

2023 EVENT AUDIT REPORT

AUDIT AND COMPLIANCE
DEPARTMENT

NGB NAME:

US Biathlon Association

EVENT NAME:

US Biathlon National Championships

EVENT SITE:

Casper Mountain Biathlon Club

EVENT DATE:

March 23-24, 2023

BACKGROUND AND AUDIT PURPOSE

The U.S. Center for SafeSport (the Center) is working to build a sport community in which everyone can work and learn together in an atmosphere free of emotional, physical, and sexual abuse and misconduct. Federal law 36 U.S.C. §220541 authorizes the Center to develop and enforce abuse prevention policies and procedures that the U.S. Olympic & Paralympic Committee (USOPC) and its National Governing Bodies (NGBs) must implement.

In accordance with that law, the Center has been granted authority to annually complete regular and random audits of NGBs and the USOPC. The Center objectively evaluates adherence and level of compliance to the requirements set forth in the SafeSport Code and the Minor Athlete Abuse Prevention Policies (MAAPP).

AUDIT SCOPE

This 2023 audit is based on Event Audit Standards articulated in the U.S. Center for SafeSport Audit and Compliance Manual.

The audit covered the following areas:

- > **EDUCATION AND TRAINING**
- > **COMMUNICATION AND REPORTING**
- > **QUALITY CONTROL**
- > **RESPONSE & RESOLUTION**
- > **MAAPP RISK ASSESSMENT**

AUDIT METHODOLOGY

During the audit, the Center:

- Reviewed policies and procedures
- Evaluated processes
- Administered implementation fidelity testing
- Conducted on-site inspections
- Interviewed individuals at the event site

SCORING SUMMARY

STANDARD	SCORE
EDUCATION AND TRAINING	IMPLEMENTED
COMMUNICATION AND REPORTING	IMPLEMENTED
QUALITY CONTROL SYSTEM	IMPLEMENTED
RESPONSE & RESOLUTION	PARTIALLY IMPLEMENTED

REQUIREMENTS:

1. Organization representative or Event Director must provide to the Center a list of all individuals who will be at the event and are in a role that would require them to complete SafeSport training; these roles include (but are not limited to) event staff, adult athletes, adults having regular contact with or authority over amateur athletes who are minors, coaches, referees/officials, volunteers, medical staff, contractors, or others. The list must also include all NGB board and staff members, **regardless of whether they were at the event**. Organization must ensure that:
 - a. those at the event required to be SafeSport Trained are current in their training within the previous 12 months
 - b. the list provided is inclusive of all individuals at the event who should be SafeSport Trained
 - c. training is current for NGB board and staff
2. Organization must provide copy of a direct communication (email or newsletter), sent to membership annually (every 12 months), that offers training for parents and Minor Athletes regarding prevention and reporting of child abuse.

SCORE:

Implemented

RATIONALE:

Requirement No. 1(a) is satisfied. Of the 13 individuals randomly selected for testing, 12 (92.31%) completed the Center’s training requirements within the previous 12 months prior to the event. The chief of competition of the local organizing committee for the event did not complete training prior to the event and was not prevented from participating in his role at the event.

Requirement No. 1(b) is satisfied. Of the 5 individuals randomly selected for testing, 5 (100%) were properly included on the list provided to the Center of individuals required to complete the Center’s training requirements. All categories of individuals required to be trained for the event were found to be checked for training.

Requirement No. 1(c) is satisfied. Of the 10 individuals randomly selected for testing, 10 (100%) had current training.

Requirement No. 2 is satisfied. US Biathlon Association (“USBA”) provided evidence of two newsletters which offered to Minor Athletes and parents the Center’s prevention and reporting of child abuse trainings by e-mail on October 4, 2022, and December 31, 2022. USBA states that the Center’s Minor Athlete and parent training is offered within each membership newsletter that is sent out multiple times per year.

CORRECTIVE ACTIONS:

1. US Biathlon Association must create and implement an oversight procedure to ensure that Adult Participant’s requiring SafeSport training within the Local Organizing Committee, including event directors, have completed training prior to participating at sanctioned events or competitions.

AUDIT AREA: **EDUCATION AND TRAINING**

MANAGEMENT RESPONSE

RESPONSIBLE INDIVIDUAL: Sara Studebaker-Hall

DEADLINE: June 30, 2023

CORRECTIVE PLAN:

1. We have added a section to our QCS clarifying the timeline and requirements for Chief-level positions to be trained. LOCs will now be required to submit names of key Chief positions no later than 30 days prior to the event, and anyone without SafeSport training 10 days prior to the event must be replaced.

AUDIT AREA: **COMMUNICATION AND REPORTING**

REQUIREMENTS:

1. Organization representative or Event Director must provide copy of a direct communication (either by email, newsletter, hard copy, or other electronic medium) made available to all event participants, including day-of registrants. Communication must include:
 - a. 2022 MAAPP requirements (either full policy or summary)
 - b. protocol for reporting all concerns involving alleged or suspected sexual misconduct, physical misconduct, emotional misconduct, or violations of the MAAPP.
2. Provide the Organization’s written protocol for communicating—for all sanctioned events, to all event participants within the Organization—Center-approved Education and Training Policy and Required Prevention Policies and reporting protocols for all concerns involving alleged sexual misconduct, physical misconduct, emotional misconduct, or violations of the MAAPP.
3. Provide proof of communication of Quality Control System sent to all event directors of sanctioned events within current membership cycle.

SCORE:

Implemented

RATIONALE:

Requirement Nos. 1(a) and (b) are satisfied. Prior to the event, on March 22, 2023, US Biathlon Association communicated the 2022 MAAPP and protocol for reporting a “SafeSport concern.” In an email sent to all event participants, USBA included a link to its SafeSport website which includes more detailed information for reporting alleged or suspected sexual misconduct, physical misconduct, emotional misconduct, or violations of the MAAPP. Additionally, the email stated that an individual could make a report to USBA by filling out an attached form, however, a form was not attached to the email. USBA communicated to day-of/last-minute volunteers by showing them the ‘How to report a concern’ flyer and ‘MAAPP-at-glance’ signage posted near the registration desk as well as verbally highlighted the one-on-one interactions policy. The day-of/last-minute volunteers also signed an acknowledgement that they reviewed the MAAPP. Day-of/last-minute coaches were communicated the MAAPP and reporting mechanism via email after they had registered to participate in the event.

Requirement No. 2 is satisfied. USBA provided a written protocol that demonstrates they communicate their Center-approved Education and Training Policy, Required Prevention Policies, and reporting protocols to all event participants via email. This protocol is within their Quality Control System. USBA’s written protocol for communicating the MAAPP and reporting mechanism to last-minute/day-of participants is the protocol followed above for day-of/last minute volunteers.

Requirement No. 3 is satisfied. USBA is involved in the operation of all sanctioned events in conjunction with a local organizing committee (“LOC”). USBA provided documentation that they communicate USBA’s Quality Control System policies to the LOC’s involved in all USBA sanctioned events.

CORRECTIVE ACTIONS:

1. US Biathlon Association must (a) either update its email language utilized to communicate instructions for reporting alleged misconduct to USBA and remove the reference to an attached form or must create a protocol to ensure a reporting form, with reporting instructions, is attached to the event communications and (b) provide documentation to the Center it has made the appropriate update.

AUDIT AREA: **COMMUNICATION AND REPORTING**

MANAGEMENT RESPONSE

RESPONSIBLE INDIVIDUAL: Sara Studebaker-Hall

DEADLINE: June 30, 2023

CORRECTIVE PLAN:

1. We have updated our LOC guidelines with example language for participant notification email to include a link to an anonymous Google Form for reporting. This means LOCs and USBA no longer have to remember to attach the reporting form.

AUDIT AREA: **QUALITY CONTROL SYSTEM**

REQUIREMENTS:

1. Organization or Event Director must implement a Quality Control System to ensure that individuals on the Organizational Exclusion List are unable to participate in any event, program, activity, or competition authorized by, organized by, or under the auspices of the Organization. The Quality Control System must also ensure that individuals who are required to be but are not SafeSport Trained are either prevented from participating or are in a role that does not include regular contact with or authority over amateur athletes who are minors.
2. The Quality Control System must include the Organization’s written implementation protocol—clear action steps to effectuate policies—pertaining to all participant registration and onsite check-in. This written protocol must include and address the following:
 - a. One-day/short-term memberships
 - b. Day-of/on-site participant registration/substitutions (of athletes, staff, volunteers, vendors, coaches, officials, etc.)
 - c. Oversight procedures by the Organization when their staff is not on site at sanctioned events

SCORE:

Implemented

RATIONALE:

Requirement No. 1 is satisfied. USBA staff is involved with all sanctioned events in conjunction with the Local Organizing Committee (“LOC”). USBA’s Quality Control System (“QCS”) requires that the LOC must send the list of event participants to US Biathlon staff prior to the event. US Biathlon staff is responsible for checking that list against USBA’s Organizational Exclusion List, as well as ensuring necessary SafeSport training is completed by coaches and officials. One of USBA’s QCS documents states that all officials are required to be trained – including all “chiefs.” However, at the event, all chiefs were not required to be trained due to not having regular contact with or authority over Minor Athletes at the event.

Requirement Nos. 2(a-c) are satisfied. USBA allows for one-day or short-term memberships. The one-day memberships are strictly for individuals who are only wanting to try competitive biathlon, participate in a clinic, or compete in a race, so no SafeSport training is required for this membership type and no short-term or one-day memberships were observed to have occurred at the event. In addition, coaches and officials are not allowed to utilize this membership type in USBA sanctioned events. According to USBA, these one-day/short-term individuals would be included in the event participant lists sent from the LOC to USBA.

USBA’s QCS also includes a protocol for day-of participant registration. Event staff are required to maintain a list of these participants and, in conjunction with USBA staff, ensure any adults that are required to complete SafeSport training are current and check all participants against the USBA’s Organization Exclusion List.

USBA’s oversight protocol includes requiring that the LOC provide the list of all event participants to USBA for SafeSport-related compliance. In addition, for any day-of participation, USBA requires that these individuals sign an acknowledgement form attesting that they received and read the MAAPP. Event organizers must be able to produce this signature page to US Biathlon staff upon request.

CORRECTIVE ACTIONS:

1. US Biathlon Association must update its Quality Control System to clarify which “chief” roles are required to be SafeSport trained.

AUDIT AREA: **QUALITY CONTROL SYSTEM**

MANAGEMENT RESPONSE

RESPONSIBLE INDIVIDUAL: Sara Studebaker-Hall

DEADLINE: June 30, 2023

CORRECTIVE PLAN:

1. We have clarified which Chief positions are required to be trained based on direct athlete interaction and level of authority – Chief of Competition, Chief of Range, Chief of Stadium and Chief of Course.

AUDIT AREA: **RESPONSE & RESOLUTION**

REQUIREMENTS:

(Summarized here: see Appendix B for full requirements effective Jan. 1, 2023):

1. Organization must provide its Response & Resolution policies to the Center.
2. Organization must post Center-specified Response & Resolution policy elements—and corresponding details—to its public website no later than Jan, 1, 2023. These elements include:
 - a. Reporting Mechanism
 - b. Referral of Reports to the Center
 - c. Jurisdiction Notifications
 - d. Mandatory Reporting
 - e. Prohibition of Retaliation
 - f. Response & Resolution of Reported Allegations
 - g. No Interference
3. Organization must ensure:
 - a. policies include language preventing Organization from interfering with any Center investigation.
 - b. requests from the Center are responded to within 72 hours
 - c. Organization has an assigned contact person responsible for replying to requests from the Center
4. Organization must provide the Center its written policy for collecting Data of Matters Addressed by the Organization, encompassing all elements listed in Appendix B Section 5.
 - a. Policy must also include Organization’s protocol to collect such data from LAOs, if applicable

SCORE:

Partially Implemented

RATIONALE:

Requirement No. 1 is satisfied. US Biathlon Association’s (USBA) Response and Resolution policies apply to “US Biathlon Members” instead of Adult Participants (the US Center for SafeSport Code uses ‘Adult Participants’). Some of the Response and Resolution policies are also included in US Biathlon’s “Safe Sport, Background Screening and Minor Athlete Abuse Prevention Policies (“Safe Sport policies”).”

Requirement No. 2 is partially satisfied. USBA posted to its public website the Center-specific Response and Resolution policies by the January 1, 2023 deadline. However, policies 2(b) and 2(c), as detailed below, were not posted.

Requirement No. 2(a) is satisfied.

Requirement No. 2(b) is partially satisfied. USBA provided its written policy stating that USBA will report allegations that fall within the Center’s exclusive jurisdiction to the Center immediately upon receiving such complaints. However, the policy does not state that the report will be submitted to the Center within 24 hours. Additionally, this policy is not posted publicly on USBA’s website.

Requirement No. 2(c) is partially satisfied. USBA provided a written policy regarding jurisdictional notification, however, the policy is not posted publicly on USBA’s website.

Requirement No. 2(d) is satisfied.

Requirement No. 2(e) is satisfied. USBA has a written retaliation policy that is posted publicly on its website within its grievance policies.

AUDIT AREA: **RESPONSE & RESOLUTION**

(Requirement No. 2(e) Continued) USBA updated its Response and Resolution policies during the audit to include a retaliation policy that expressly prohibits retaliation “before, during and after” the process of resolution, whether the process is led by the Center or by US Biathlon. The updated policy is not posted publicly on USBA’s website.

Requirement No. 2(f) is partially satisfied. USBA has a written policy for how USBA will respond to and resolve allegations under its jurisdiction. However, it does not include how its Local Affiliate Organizations (LAOs) will respond to and resolve reported allegations under its jurisdiction.

Requirement No. 2(g) is satisfied.

Requirement Nos. 3(a-c) are satisfied. USBA provided its written policy which includes language stating that US Biathlon will not interfere with any Center investigation, will respond to requests from the Center within 72 hours and has assigned two contact people responsible for replying to requests from the Center. Testing was conducted for requests made from the Center between January 1, 2023, and the audit date. All requests made within this time period were responded to by USBA within 72 hours.

Requirement Nos. 4 and 4(a) are satisfied. USBA provided its written policy for collecting Data of Matters Addressed by the NGB, and it encompasses all elements listed in Appendix B Section 5. USBA will be communicating to its LAOs in the spring of 2023 regarding the requirement for its LAOs to submit data directly to USBA.

CORRECTIVE ACTIONS:

1. US Biathlon Association must (a) update its written Response and Resolution-related policies to ensure that the requirements apply to all Adult Participants under the U.S. Center for SafeSport Code and (b) ensure its website and Safe Sport policies are updated accordingly.
2. US Biathlon Association must (a) update its written policy regarding referral of reports to the Center to include a statement that US Biathlon will report allegations that fall within the Center’s exclusive jurisdiction to the Center “within 24 hours” and (b) ensure its website is updated with the entire policy.
3. US Biathlon Association must (a) update its written policy regarding responding to and resolving allegations under its jurisdiction to include how its Local Affiliate Organizations will respond to and resolve reported allegations under its jurisdiction and (b) ensure its website is updated with the entire policy.
4. US Biathlon Association must update its website to include the (a) jurisdictional notification policy and (b) no retaliation policy.

AUDIT AREA: **RESPONSE & RESOLUTION**

MANAGEMENT RESPONSE

RESPONSIBLE INDIVIDUAL: Sara Studebaker-Hall

DEADLINE: June 30, 2023

CORRECTIVE PLAN:

1. The USBA Response and Resolution Policy has been updated and the appropriate version is posted online.
2. The USBA Response and Resolution Policy has been updated and the appropriate version is posted online.
3. We have updated our Response and Resolution Policy to clarify what allegations must be reported to US Biathlon and how LAOs should handle allegations they deal with internally. We have also updated our policies online to the most current versions.
4. These policies have been included in the USBA Response and Resolution policy and the appropriate version has been posted online.

AUDIT AREA: **RISK ASSESSMENT**

REQUIREMENTS:

During the Event Audit, the auditor also conducts a MAAPP Risk Assessment, which includes on-site observations, interviews of select individuals at the event and review of policies and procedures relative to the implementation of the 2022 MAAPP Required Prevention Policies. The Assessment focuses on:

1. General Observations
 - a. Event space/Event layout
 - b. Communications to participants
 - c. Credentialing system
2. Required Prevention Policies
 - a. How NGB has attended to the seven (7) prevention policies within the 2022 MAAPP
3. Response and Resolution
 - a. Specific policy items NGB is required to have posted publicly
 - b. How NGB addresses and tracks reports of misconduct that are not in the Center's jurisdiction

This section of the Audit Report details areas observed during the audit that were related to the Risk Assessment and were found to reflect increased risk to athlete safety and well-being.

RATIONALE:

There were no qualifying findings observed during the two-day event audit applicable to this section of the report.

CORRECTIVE ACTIONS:

No Corrective Actions required.

MANAGEMENT RESPONSE

RESPONSIBLE INDIVIDUAL: N/A

DEADLINE: N/A

CORRECTIVE PLAN: No Management Response required.

NOT IMPLEMENTED

A finding of this type indicates a minimal reduction in risk to Minor Athletes and reveals what is determined to be a poor environment of safety and well-being for Minor Athletes. This can result from, but is not limited to, the following:

- Complete absence of policies and/or relevant and supporting documentation where required
- Complete absence of communication to Adult Participants regarding specific policy/requirements
- Complete absence of reporting and oversight structure for Required Prevention Policy violations
- Less than 70% compliance on Education & Training requirements
- Failure to identify or track two or more categories of individuals required to be SafeSport trained
- Failure to check against two or more categories of individuals in Organization's Quality Control System at event

PARTIALLY IMPLEMENTED

A finding of this type indicates a moderate reduction in risk to Minor Athletes and reveals what is determined to be a limited environment of safety and well-being for Minor Athletes. This can result from, but is not limited to, the following:

- Presence of policies but missing relevant and supporting documentation
- Presence of policies that do not meet the mandatory minimum requirements of the MAAPP
- Not adequately or consistently providing communication to Adult Participants regarding policy/requirements
- Lack of an adequate reporting and oversight structure for Required Prevention Policy violations.
- Above 70% and below 90% compliance on Education & Training requirements
- Failure to identify or track one or more categories of individuals required to be SafeSport trained
- Failure to check against one category of individuals in the Organization's Quality Control System at event

IMPLEMENTED

A finding of this type indicates a significant reduction in risk to Minor Athletes and reveals what is determined to be a satisfactory environment of safety and well-being for Minor Athletes. This can result from, but is not limited to, the following:

- Presence of policies and all relevant and supporting documentation provided where required
- Adequate and consistent communication to Adult Participants
- Adequate reporting and oversight structure for Required Prevention Policy violations
- 90% or higher compliance on Education & Training requirements
- Adequate tracking and inclusion of all individuals in all required categories in the Organization's Quality Control System at event

- 1) Organization's Response & Resolution standards must be posted on Organization's website no later than January 1, 2023.
- 2) Organization's Internal Response & Resolution Policies and Process:
 - a. **Reporting Mechanism:** The Organization must have a mechanism on their public website (such as a form or contact info for an athlete safety liaison) enabling individuals to report all concerns involving alleged sexual misconduct, physical misconduct, emotional misconduct, or violations of the MAAPP. The mechanism must:
 - i. Have no associated costs, fees, or other financial barriers attached to submitting a report
 - ii. Provide the option to report anonymously
 - iii. Clearly define for end users and provide online reporting mechanisms for the respective jurisdictional authority of the Center and the Organization (i.e., the Center has exclusive jurisdiction over allegations of sexual misconduct) and include a link to the Center's reporting portal (at uscenterforsafesport.org/report-a-concern)
 - b. **Referral of Report to the Center:** Any report received by the Organization of an allegation that falls within the Center's exclusive jurisdiction must be referred by the Organization directly to the Center immediately and no later than within 24 hours.
 - c. **Jurisdiction Notification:** The Organization must promptly inform an identified reporting party of its jurisdictional determination regarding their report to the Organization, communicating that the matter either is being referred to the Center, is being addressed by the Organization, or is being referred to a local affiliated organization.
 - d. **Mandatory Reporting:** The Organization must have a mandatory reporting policy that comports with the mandatory reporting of child abuse provisions in the SafeSport Code, including mandatory reports to law enforcement, compliance with any other applicable reporting requirements under state law, and mandatory reports to the Center.
 - e. **Prohibition of Retaliation:** The Organization must have a policy expressly prohibiting retaliation before, during, and after the process (whether led by the Organization or by the Center) of resolving an abuse or misconduct allegation.
 - f. **Response and Resolution of Reported Allegations:** The Organization must establish a policy that clearly states how the Organization and its local affiliated organizations will respond to and resolve reported allegations of abuse and misconduct that fall within its jurisdiction, as well as those over which the Center declines jurisdiction. It should include:
 - i. A mechanism/system for tracking reported allegations within the Organization's (or its local affiliated organization's) jurisdiction, reflecting how allegations were responded to, and their respective outcomes
 - ii. The designation of a representative at the Organization who ensures the Response and Resolution policy is being followed
 - g. **No Interference:** The Organization shall not interfere in, attempt to interfere in, or attempt to influence the outcome of, any Center investigation.
- 3) **Responsiveness to Requests from the Center:** The Organization must have a designated representative(s) and an established policy to respond to requests from the Center within 72 hours for:
 - a. The eligibility status of a Participant
 - b. The existence of Organization-imposed temporary measures or safety plans

4) Policy to Enforce Sanctions and Temporary Measures:

The Organization must have a Quality Control System meeting U.S. Center for SafeSport standards that prohibits individuals with sanctions or temporary measures (issued by the Center or the Organization) from participating in any event, program, activity, or competition authorized by, organized by, or under the auspices of the Organization. The Quality Control System also must ensure that individuals who are required to be but are not SafeSport Trained are either prevented from participating or are in a role that does not include regular contact or authority over amateur athletes who are minors.

5) Policy to submit to the Center “Data of Matters Addressed by the Organization”

The Organization must annually submit to the Center data regarding:

- a. Reports of emotional or physical misconduct made to the Organization or its local affiliated organizations
 - i. Total reported incidents of alleged emotional misconduct
 - ii. Total reported incidents of alleged physical misconduct
 - iii. Total number of investigations of alleged emotional misconduct
 - iv. Total number of investigations of alleged physical misconduct
 - v. Total number of violations for emotional misconduct adjudicated by the Organization, separated by cases adjudicated by NGB and cases adjudicated by its LAOs
 - vi. Total number of violations for physical misconduct adjudicated by the Organization, separated by cases adjudicated by NGB and cases adjudicated by its LAOs
- b. Reports to the Organization or its local affiliated organizations that a Participant violated the Minor Athlete Abuse Prevention Policies (MAAPP)
 - i. Total reported incidents of alleged violations of the MAAPP, by policy type
 - ii. Total number of investigations of alleged violations of the MAAPP
 - iii. Total number of violations of the MAAPP, separated by cases adjudicated by NGB and cases adjudicated by its LAO
- c. Reports to the Organization or its local affiliated organization that a Participant engaged in retaliation
 - i. Total reported incidents of alleged retaliation
 - ii. Total number of investigations of alleged retaliation
 - iii. Total number of violations of retaliation policy separated by cases adjudicated by NGB and cases adjudicated by its LAOs