



Honorable Jerry Moran  
Chairman  
Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security  
United States Senate  
Washington, DC 20510

Honorable Richard Blumenthal  
Ranking Member  
Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security  
United States Senate  
Washington, DC 20510

February 16, 2018

Re: Letter of February 2, 2018

Dear Senators Moran and Blumenthal,

Thank you for your letter.

As the CEO and High Performance Director of USA Synchronized Swimming (USA Synchro), please let me assure you that we are committed to the safety, health and well-being of our athletes and to implementing and maintaining a training environment free of abuse and/or harassment of any kind. To that end, the organization's Code and By-Laws follow the requirements of the Ted Stevens Act and those of the United States Olympic Committee (USOC).

In addition, and in compliance with the USOC's guidelines, USA Synchro implemented SafeSport guidelines starting in 2013 and the new requirements from the Center for SafeSport beginning in 2016. The requirements and guidelines from the Center for SafeSport and the USOC have been constantly evolving over the last several months following the development of USA Gymnastics case. USA Synchro is committed to implementing these changes in a timely manner as they are released.



But most importantly, USA Synchro holds all of its Board Members, employees, contractors, national level coaches, affiliates, and members to the highest standards and does not accept the existence, development and/or promotion of training environments that could lead to abuse or harassment of any kind, including emotional, physical and sexual abuse. USA Synchro advocates building strong self-images among youth participants, strives to promote good sportsmanship throughout the organization, and encourages qualities of mutual respect, courtesy, and tolerance. We believe that abuse can be controlled and prevented not only with clear compliance and monitoring processes but also through improved education, awareness and transparency at all levels and we are committed to being pro-active in this area.

Please find below and attached responses to the questions in your letter.

**Question #1:**

All USA Synchro board members, members, employees, athletes and parents are expected to observe and adhere to the jurisdiction, policies and procedures of the SafeSport Code for U.S. Olympic and Paralympic movements, which outline relevant and appropriate reporting protocols, including appropriate reporting to law enforcement. USA Synchro has adopted the definitions from the Center for SafeSport for harassment, abuse and hazing as defined in the Center for SafeSport Code. The Center for SafeSport Code can be found at: <https://safesport.org/files/index/tag/policies-procedures>.

On top of following the SafeSport Code, USA Synchro has in place a number of written protocols for reporting allegations of abuse, harassment, and/or hazing/bullying; for grievance processes; and for ensuring adequate education and prevention. USA Synchro's Appendix Q (Athlete Safety Policy) addresses these issues in detail. Revisions to Appendix Q are currently being finalized and are expected to be published shortly (hopefully within the week). It will be published on USA Synchro's website, please contact us if you would like to receive a copy. In the meantime, attached is the current Appendix Q (presently entitled "Abuse and Harassment Policy"). Article 24 of the USA Synchro Administrative Rules (Article 24) further outlines the USA Synchro Grievance process.



Please refer to the following materials for additional details:

- USA Synchro Code and By-Laws and SafeSport resources can be found on the USA Synchro website at:
  - Code and By-Laws: <https://www.teamusa.org/usa-synchronized-swimming/resources/usa-synchro-rulebook>.
  - SafeSport Resources: <https://www.teamusa.org/usa-synchronized-swimming/resources/safesport>

USA Synchro supplements its written protocols with trainings on how to report abuse and/or harassment of any kind. Senior National Team athletes in training at the National Training Center in Moraga, California are informed during a team meeting and in writing that they may report any kind of abuse, harassment, bullying or other misconduct either to SafeSport (for cases of sexual misconduct), to Law Enforcement, or to the President or the CEO or the Athletes' Representatives or the Team Captains or the Team Mental Coach or the Team Physician. USA Synchro staff, coaches, athletes' representatives and employees in turn are trained on how and where to report allegations of abuse, harassment, bullying or other misconduct passed on to them.

**Question #2:**

Subject to the understanding of this question expressed in the letter sent by Max Cobb to you on February 6, 2018, USA Synchro responds that any volunteers that are separately employed are subject to the same duties and obligations to report wrongdoing or abuse as are USA Synchro employees.

USA Synchro does not currently have any coach or support staff (gymnastics coach, strength and conditioning coach, physician, physiotherapist) who is a volunteer and employed by another organization but, if it did, they would still have to follow to the same duties and obligations as USA Synchro employees or contractors.

For example, coaches and support staff, even if they were volunteers, would still have to sign the USA Synchro's National Team agreement and/or Code of Conduct (Appendix 1 and 2) and be SafeSport trained. Per the updated USOC/SafeSport



requirements (2018), they would also be subject to a Criminal Background Check (compliance required by September 2018 – See Appendix 3 and 4).

**Question #3:**

Subject to the understanding of this question expressed in the letter sent by Max Cobb to you on February 6, 2018, USA Synchro responds that, during the last three years (my tenure) it has not used any NDA to require an athlete, volunteer, or employee to keep confidential and/or not to disclose information about any wrongdoing, bad act, or omission, or any violation of NGB and/or USA Synchro rules, the rules of the U.S. Center for SafeSport, or any applicable law by any individual of which USA Synchro is aware. To the best of my knowledge and based on a reasonable investigation, USA Synchro did not use such NDAs prior to my tenure either.

**Question #4:**

Subject to the understanding of this question expressed in the letter sent by Max Cobb to you on February 6, 2018, USA Synchro responds that, during the last three years (my tenure), it has not used any binding agreements that required an athlete to keep confidential and/or not to disclose information about any wrongdoing, bad act, or omission, or any violation of NGB and/or USA Synchro rules, the rules of the U.S. Center for SafeSport, or any applicable law by any individual of which USA Synchro is aware. To the best of my knowledge and based on a reasonable investigation, USA Synchro did not use such binding agreements prior to my tenure either.

**Supplement to Question #4 from Anna Yu:**

Under the Ted Stevens Olympic and Amateur Sports Act, NGBs are required to participate in binding arbitration where an athlete alleges that the NGB has denied him or her an opportunity to participate in certain competitions, and where a member alleges that the NGB has violated certain provisions of the Sports Act or USOC Bylaws. In these cases, it is the athlete who chooses whether or not to require an NGB to participate in binding arbitration, and the athlete is in no way obligated to participate. With that as background, in response to the request that each NGB describe the cases in which an NGB might have required an athlete to participate in forced binding arbitration, USA Synchro reports that there are no such situations during the last three years (my tenure) and to the best of my knowledge and based on a reasonable investigation prior to my tenure either.



**Question #5:**

Since the filing of the recent lawsuits referenced in this question, USA Synchronized Swimming has taken several steps, above and beyond the prior protocols in place, to ensure the safety and well-being of its National Team athletes, to maintain a safe training environment, and to ensure compliance with and increase communication regarding reporting processes. Such steps include the following:

**1. Regarding the Senior National Team athletes in full-time training at the National Training Center in Moraga, California:**

- Met with all Senior National Team athletes outlining their rights and how to report any kind of abuse
- Met with all the Senior National Team athletes' parents outlining their children's' rights and how to report any kind of abuse and/or harassment
- Met with the coaching staff outlining what is an appropriate training environment free of any kind of abuse and/or harassment and outlining reporting process
- Ensured all coaches and staff are up to date with their SafeSport training
- Implemented background checks for the National Level coaches per new SafeSport guidelines

**2. Regarding USA Synchro procedures:**

- ensured all USA Synchro procedures are SafeSport compliant, and updated any that were not
  - updated the Athlete Safety Policy (renamed from Abuse and Harassment Policy)
  - updated USA Synchronized Swimming's website with up-to-date SafeSport information.

**3. Regarding SafeSport Compliance**

- reviewed guidelines and requirements with all future National Team, Talent, Elite and Olympic Development program coaches prior to the start of the 2018 summer training.

**4. Regarding USA Synchro Local Representatives:**

- Met with Zone and Association administrative chairs to re-explain SafeSport requirements, education, reporting and compliance (see Appendix 5 and 6).



**Question #6:**

To the best of my knowledge and based on a reasonable investigation, USA Synchro is not aware of any instances in which the USOC did not take any action following a report of criminal behavior.

**Question #7:**

USA Synchro CEO and Education Director answered multiple questions from the auditors of Baker Tilly over two months in 2017. Following that audit, USA Synchro received a detailed report (see Appendix 7) with five recommendations to complete within three months (By December 2017). Two have already been implemented.

Implementation of the three outstanding recommendations, which all relate to updates to USA Synchro's Athlete Safety Policy, was slightly delayed to accommodate the USOC's request, in December 2017, that the NGBs implement additional requirements with regards to that policy. USA Synchro had already begun to make the changes recommended by the SafeSport audit, but in order to comply with both the audit and the new USOC requirements, decided to implement all recommendations at once in its new Appendix Q - Athlete Safety Policy. This policy has been updated and, as soon as it is approved by the USA Synchro Board of Directors, will be published on its website. At that point all recommendations issued by the audit will have been satisfied.

I remain at your disposal for any additional questions. Please feel free to reach me at [myriam@usasynchro.org](mailto:myriam@usasynchro.org).

Sincerely,

Myriam Glez  
CEO/High Performance Director  
USA Synchro

Cc: Linda Loehndorf – President, Shari Darst – Education Director