

**RISK MANAGEMENT POLICIES
OF
THE AMERICAN LEGION
FOR THE
ENHANCED PROTECTION
OF
CHILDREN AND YOUTH
(updated December 2014)**



**NATIONAL YOUTH PROGRAMS
OF
THE AMERICAN LEGION**

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INTRODUCTION

Thousands of Legionnaires and members of the Legion family throughout the nation donate countless volunteer hours each year for Baseball, Oratorical, Boys State/Nation, Junior Shooting Sports, Junior Law Cadet, and Scouting. Our youth programs teach young people a variety of practical skills, as well as developing leadership, teamwork, discipline and self-confidence. Our programs encourage a strong sense of citizenship, patriotism and good-living, and participants of youth programs in general tend to have higher graduation rates and are more likely to attend college. Every youth program of The American Legion relies heavily upon dedicated volunteers willing to contribute time and skills for conducting essential functions of the programs. What motivates these selfless volunteers is an innate desire to give back to their communities and to help nurture those young Americans whose impressions of this country are still developing.

Although the occurrence of events such as those referenced below are overall relatively infrequent, youth programs have proven they can be a high-risk environment for misconduct by adults in positions of authority and leadership who have sometimes misused their positions by committing various forms of abuse. This may include physical abuse, verbal abuse, emotional abuse or sexual abuse. The aftermath of numerous events throughout the nation involving the sexual molestation of youth by a trusted authority figure has served to prominently illustrate the need and importance for protecting the welfare of vulnerable populations, such as minor children, as well as the need for protection from liability those organizations and volunteers that serve them.

In November 2011 representatives for the insurance agent of record for The American Legion and the provider of liability insurance approached The American Legion National Headquarters to advise that implementation of risk management policies, to include a background screening/monitoring program for paid and volunteer staff of national youth programs of The American Legion, was necessary to continue liability insurance coverage at its current and prudent level.

While The American Legion has the utmost trust and confidence in its staff and volunteers, the need for implementing such measures is a stark manifestation unfortunately reflective of today's social reality. Any organization entrusted with the safety and welfare of youth must mitigate its overall risk and liability, and that of its participants and volunteers, by taking measures aimed at sustaining program integrity and safety.

Prevention is key to being proactive in mitigating abuse in youth programs. A comprehensive child protection program will incorporate: (1) screening; (2) established policies and safeguards; and (3) awareness and oversight.

Screening

Use of current, dependable, and complete criminal history information is considered a critical screening protocol for any youth-serving organization. Volunteer program staff undergo criminal history screening for many of the same reasons employers conduct background checks - the purpose is to verify identity and determine whether a potential staff member may have anything in their past that might disqualify them from working with youth participants.

Handling of sensitive information during the screening process should receive the utmost attention to discretion and confidentiality so as not to damage one's reputation or career. All national youth program staff having contact or access to youth will be screened each year prior to conducting the youth program they have been invited to support.

Policies and Safeguards

Policies and safeguards should be clearly established by an organization that reinforces a positive environment, safe interactions and appropriate conduct among program staff, volunteers, and youth participants. Providing program staff and volunteers an awareness of the policies established for acceptable/unacceptable behavior minimizes opportunities for misconduct and helps prevent unfounded allegations. It is just as vital that policies and procedures for reporting and responding to suspected abuse, misconduct or policy violations are clearly established as well.

Awareness and Oversight

Awareness is a key element to any prevention strategy. Job descriptions should be developed and provided for every volunteer position. These provide a detailed outline of the duties and responsibilities of the position so as to clarify boundaries for the volunteer. Training and orientation on safeguards, policies and procedures is instrumental in contributing toward an awareness and preventing various forms of abuse. Training and orientation can be administered in a variety of ways and should be conducted for all program staff, regardless of how seasoned or experienced they may be, at the onset of each program every year.

Program managers are responsible for ensuring their volunteers and staff have the skills, knowledge, materials, equipment, facilities, etc. needed to do the job. In any program, activity or event, it is absolutely essential for all volunteers and staff to know who is in charge and who they should go to with questions or problems. Making an organizational chart available for each national youth program can be helpful in identifying chain(s) of supervision.

DEFINITIONS

Abuse:

- **Physical Abuse** – injury intentionally inflicted.
- **Economic Abuse/Exploitation** – Deliberate temporary or permanent misuse of another’s money or belongings.
- **Emotional Abuse** – mental or emotional injury inflicted resulting in an observable and material impairment in growth, development or psychological functioning.
- **Neglect:** failure to provide basic needs of vulnerable individuals or protect them from harm.
- **Sexual Abuse** – contact or activity of a sexual nature without consent or when consent is not possible.
- **Verbal Abuse** - use of words intended to cause harm or demean the person being spoken to.

Adult: Anyone 18 years of age or over.

Child/Minor/Youth: Anyone 17 years of age or under.

“Provider”: The exclusive commercial vendor engaged by The American Legion National Headquarters to conduct background check screening for staff and volunteers of national youth programs of The American Legion.

Priority Research Services, Inc., DBA “Protect Youth Sports”
14499 N. Dale Mabry Hwy, Ste 201S
Tampa, FL 33618
(877) 319-5587 (8 am to 6 pm EST)
www.protectyouthsports.com

“Designated Individual”: Those individuals who are designated by program position to be screened for staffing of national youth programs. Designated Individuals of national youth programs of The American Legion include the following:

1. American Legion Baseball regional and World Series tournaments.
 - a. All volunteer staff and umpires as selected by the Organization.
 - b. Locally selected volunteer staff as designated/deemed necessary by the Organization.
2. National Oratorical Contest.
 - a. Moderators
 - b. Monitors
 - c. Escorts
 - d. Judges (excludes final round judges due to total segregation from youth participants)
3. National Junior Shooting Competition.
 - a. All volunteer staff as selected by the Organization.
4. Boys Nation
 - a. All volunteer staff as selected by the Organization.
5. National Boy Scout Jamborees.
 - a. All volunteer staff as selected by the Organization (further detailed on page 6)

National Headquarters professional staff are also subject to screening each year.

National Youth Programs of The American Legion National Headquarters

- American Legion Baseball (ALB)
 - (8) regional tournament sites – locations vary
 - ALB World Series – Shelby, NC
- Boys Nation – Washington D.C.
- National Junior Shooting Competition – Colorado Springs, CO
- National Oratorical Contest – Indianapolis, IN
- Through its longstanding relationship with the Boy Scouts of America, The American Legion provides volunteer support at National Boy Scout Jamborees.

“Organization”: The American Legion National Headquarters

“Reporter”: An individual reporting suspicions or allegations of child abuse

Program Manager/Director: Staff member of The American Legion National Headquarters assigned responsibility for the planning, management and execution of a national youth program of The American Legion.

SCREENING

Resolution No. 4 NEC May 2012 “Background Screening of Staff for National Youth Programs” (Appendix A) mandates that staff members of national youth programs of The American Legion, both paid and volunteer, must consent to, and pass, a background check screening before performing services relating to a national youth program each year.

Resolution No. 12 NEC May 2012 “Background Screening Procedures And Policies For American Legion Youth Program Volunteers” (Appendix B) strongly urges and encourages Legion departments to establish background screening procedures and policies similar to those of the National Organization for volunteers supporting the youth programs conducted within their departments.

Background Checks

Authorized Background Check Provider. All background checks on Designated Individuals identified to staff national youth programs of The American Legion, including paid and volunteer, shall be conducted by Protect Youth Sports located in Tampa, Florida, hereafter referred to as the “Provider”.

In addition to conducting background checks, the Provider is responsible for screening and reporting background check results in accordance with criteria established by The American Legion National Headquarters, hereafter known as the “Organization”. The Provider is responsible for complying with the Fair Credit Reporting Act, storage of background check records consistent with applicable laws, and maintaining confidentiality of information obtained through the background check process.

Designated Individuals to be Screened. Background checks will be conducted on staff of national youth programs who directly supervise, have close contact or are in a position of trust with youth program participants. The following are designated individuals to be checked for national youth programs

1. American Legion Baseball regional and World Series tournaments.
 - a. All volunteer staff and umpires as selected by the Organization.
 - b. Locally selected volunteer staff as designated/deemed necessary by the Organization.
2. National Oratorical Contest.
 - a. Volunteer moderators
 - b. Volunteer monitors
 - c. Volunteer escorts
 - d. Volunteer judges
3. National Junior Shooting Competition.
 - a. All volunteer staff as selected by the Organization
4. Boys Nation
 - a. All volunteer staff as selected by the Organization

5. National Boy Scout Jamborees.

- a. Boy Scouts of America currently does the vetting and gives approval to the list of volunteers selected/submitted by the Organization to staff an exhibit booth at National Boy Scout Jamborees. It is a requirement of the Boys Scouts of America that all of its adult Scouts undergo annual background screening as a matter of routine and further requires that Jamboree booth staff be Scouts.

National Headquarters professional staff are subject to screening each year.

Applicability of Background Checks. Although a Designated Individual may have the ability to provide proof of a background check having been previously conducted through a source other than the Provider, background checks as mandated in Resolution No. 4 NEC May 2012 “Background Screening Of Staff for National Youth Programs” will still be conducted by the Provider in order to provide screening consistency and enhanced confidentiality.

Frequency of Background Checks. Background checks will be conducted on all Designated Individuals on an annual basis prior to the start of the national youth program they have been selected to staff.

Cost of Background Checks. The Organization will underwrite the cost of having background checks conducted for staff of national youth programs.

Initiating Background Checks. When so directed by a Program Manager/Director, each Designated Individual is responsible for accessing the Provider’s link that will be provided and electronically entering the required disclosure information for purposes of conducting the actual background check.

Once a Designated Individual has completed the online application for a background check, the Program Manager/Director will receive email notification that an application is pending. The Program Manager must log on to provide approval of that application before the Provider will proceed in conducting the background check screening.

Level of Information to be Checked. All background checks conducted on Designated Individuals shall at a minimum include:

- Social security number verification and address history trace
- Alias names national search
- National criminal database search
- National sex offender registry search

A few select states that are designated as having insufficient data in the national database must have the “Plus Package” option selected when applying for a background check with the Provider so as to have a county or statewide court search additionally conducted, thereby ensuring an adequate level of background screening is commensurate with other states. **Those designated states are: Delaware, Georgia, Kentucky, Maine, Massachusetts, Montana, South Dakota, Wyoming** (effective 2015) and others as may be deemed in the future. The Program Manager/Director will ensure applicants from those states are informed and the appropriate check is conducted.

Background Check Disqualifying Criteria. A record or disclosure from a Designated Individual’s application or background check containing one or more of any of the following disqualifying offenses

will lead to a determination of “reject” indicating that individual is prohibited to serve as a volunteer staff of Legion national youth programs:

- 1) Conviction of a felony
- 2) Conviction of a crime involving a minor, regardless of the offense
- 3) Conviction of a crime involving force or threat of force against a person
- 4) Conviction of a crime in which sexual behavior is an element; including “victimless” crimes of a sexual nature (including pornography)
- 5) Conviction of a crime involving controlled substances (not paraphernalia or alcohol)
- 6) Conviction of a crime involving cruelty to animals
- 7) Any sex offender registrant
- 8) Refusal to undergo background screening

An applicant will not be disqualified for a harassment or conspiracy conviction unless it is presented in the context of one of the already existing disqualifying criteria listed above.

Local ordinance violations are not considered a disqualifying criteria given their low-level of severity.

Findings. The Provider grades (adjudicates) and assigns either an “accept” or “reject” designator to a background check application from an individual of The American Legion. The Program Manager/Director will receive email notification from the Provider when a background check screening has been completed. The Program Manager/Director will then log on to obtain background check findings. The background check findings generated by the Provider will reflect an “accept” or “reject” designator. An “accept” designator means the background check of a Designated Individual does not contain disqualifying criteria previously set forth and may serve as staff of a national youth program. A “reject” designator means the background check of a Designated Individual contains disqualifying criteria and that individual is prohibited from serving as staff of a national youth program. This system of reporting eliminates the need to disclose specific criminal history details to the Legion. The Program Manager/Director will follow-up with each Designated Individual to advise the outcome of either an “accept” or “reject” designator.

When a background check reveals there is a pending case or an active warrant for crimes involving the disqualifying criteria listed, the Provider will assign a “reject” designator. Doing so supports the Organization’s mandate of prohibiting an applicant from having contact with any youth program participants until such time legal adjudication is made and there is verification that an “accept” designator is then achieved.

If the Organization becomes aware of information that a youth program volunteer may have sustained one of the disqualifying criteria in the interim after a required background screening has been conducted, that individual will be prohibited from having contact with youth program participants until accuracy of the information has been validated by the Program Manager/Director via the Provider; the individual should be returned home during the validation process as necessary. If the disqualifying criteria is validated, that Designated Individual will be immediately be removed and prohibited from serving as staff of national youth programs.

The Organization may reserve the right to prohibit any individual from volunteering as staff of its national youth programs if at any time the Organization in its opinion deems the individual unfit to work with minors.

Pre-Adverse Action Notice. The Provider has a system in which they are automatically aware that a “reject” designator has been reported for an individual. The Provider will email to that individual a copy of their full report, along with a “Pre-Adverse Action Notice” and a copy of the Summary of Rights as mandated by the Fair Credit Reporting Act.

At this point the Provider allows five (5) business days for the individual to contact them in order to file a dispute or request a recheck, should the individual disagree with the outcome of the report. If contacted, the Provider will follow its normal re-check procedure and will send out an updated report, should one be needed at the completion of the recheck/dispute.

If an individual should ultimately deem that after re-check/dispute that the situation has been resolved, the individual at that time may submit a brand new, fresh application to the Provider in order to provide confirmation of an “accept” designator to their account manager.

If 5 business days pass with no communication from the individual, the Provider will then issue, via email, a final Adverse Action letter and a copy of the Summary of Rights to the individual. There is no report sent with this phase.

Appeals. If a Designated Individual has concern with the outcome of their background check report, they should contact the Provider directly to dispute. The Organization will not disclose or discuss specific report results other than “accept” or “reject” and will only disclose those results to parties deemed by the Program Manager/Director as having a “need to know”.

Copies of Reports. Should an individual who receives an “accept” designator desire to receive a full copy of their background check report, that individual should directly contact the Provider to make that request and pay the fee associated with doing so since the routine release of a full report is not an obligatory requirement of the contractual agreement established between the Organization and the Provider.

There are three ways an individual may request copy of their background check report from the Provider:

1. **Fax:** By faxing a request letter to 800-319-5582
2. **Email:** By emailing a request to support@protectyouthsports.com
3. **Mail:** By mailing a request letter to: Protect Youth Sports Compliance Department, 14499 N. Dale Mabry Hwy, Suite 201S, Tampa, FL 33618

The following information should be included with each request:

- Full name
- Social Security Number (do not provide if sending via email)
- Daytime phone number
- Copy of driver license or photo ID (please enlarge and ensure copy is clear and legible)
- Secondary form of ID
- Report ID (if available)
- Mailing Address. (Please note: The report will be sent certified mail)
- Signature

Removal from Record. As a possible recourse, individuals may independently seek having disqualifying criteria removed from their record through legal or governmental avenues. This may not always be an option, but if an individual can have disqualifying criteria removed from his/her record and then achieve an “accept” designator through background screening with the Provider, they may then be considered qualified to serve as a Designated Individual for American Legion Baseball.

PROTECTION POLICIES AND SAFEGUARDS

American Legion youth programs are designed to encourage safe interaction between staff, volunteers, and children or youth. Parents and families trust our programs to provide a safe and healthy environment for all participants.

Youth Protection Policy. **The American Legion does not tolerate abuse in any form, whether it is physical, emotional, sexual, verbal or economic exploitation.**

Youth Protection Safeguards. The following safeguards are intended to first and foremost place the welfare and well-being of children and youth in the highest priority, and to assist in employing and monitoring behaviors and interactions with children and youth so as to avoid, recognize or stop those that are harmful. These safeguards do not and cannot address every situation that could be encountered. Just because a certain action is not prohibited in this section does not mean it is acceptable behavior. Staff may be required to act with a certain degree of personal discretion. The Organization reserves the right to take disciplinary action against any program staff member whose actions are deemed inappropriate, regardless of whether they appear in this guidance or not.

Conduct. The following guidelines and expectations have been established for persons serving in staff roles for national youth programs of the Organization.

General conduct:

- Demonstrate behavior appropriate for a role model for youth; be courteous, fair, and unbiased in your treatment of all children and youth.
- Put the welfare and well-being of children and youth first.
- Treat all children and youth with dignity and respect.

Drugs, tobacco, alcohol and sexually explicit materials:

- Do not possess, distribute, use or allow others to use alcohol or drugs during operation of national youth programs.
- The use of tobacco at national youth programs is prohibited in the presence of children or youth.
- Do not be in the possession of any sexually orientated materials when conducting business as staff of a national youth program.

Use of Language:

- Do not use harsh, inappropriate, offensive, profane or degrading language in the presence of children or youth.
- Do not discuss sexual history, preferences or fantasies with or in the presence of children or youth.

Physical contact:

- Do not use restraint or any type of restraining device as punishment or behavior management.
- Do not use physical punishment in any form (e.g. slap, push, hit, kick, etc). Use of the most minimal physical force necessary is only acceptable to save one from serious harm or death when the actions of a child or youth is placing themselves or others at immediate risk.
- Do not participate in or allow others to engage in hazing or any activities involving harassment, humiliation, teasing, ridicule or abuse.
- Do not have sexual contact with children or youth.
- Do not engage in sexual activity in the presence of children or youth.

- Remain alert to the appropriateness (see below), context, and location of any physical contact with children and youth; any physical contact only takes place in public.
- Do not dress, undress, shower or bathe with or in the presence of children or youth.
- Do not have sleeping locations with children or youth.
 - *Sleeping room assignments involving youth program participants will be so that no participant of an adult age (18 years of age or older) is rooming with a participant who is a child/minor/youth (17 years of age and below).*
- Have contingency plans in place for separating and/or reassigning those program participants who may become involved in youth-on-youth/child-on-child harassment.
- Do not be alone with a child or youth when transporting them in a vehicle.

Appropriate forms of contact:

- Brief hug (e.g., a “shoulder-to-shoulder” hug of celebration or appreciation may be acceptable, where a prolonged, lingering, embracing bear hug is inappropriate).
- Pats on shoulder or back.
- Handshakes.
- “High-fives”.
- Holding hands during prayer.

Inappropriate forms of contact:

- Lengthy, fully engaged embraces.
- Kisses on the mouth
- Touching of buttocks, breasts or genital area.
- Occupying same bed as a child or youth.
- Any type of massage.
- Snapping of bras or giving wedgies or similar touching of underwear, whether covered by other clothing or not.
- Private meals with a child or youth.
- Giving to or receiving gifts or money from children or youth.
- Any form of unwanted affection.

Communication:

- Do not be alone with a child or youth when one-on-one discussion or counseling is necessary; one-on-one interaction with a child or youth will only take place in a publicly visible and open area that allows for private conversation and while still remaining in the presence of another staff member.
- Electronic text or image communications (email, electronic text, social media, videos, digital photos, etc.) with a child or youth under the age of 18 must copy or include the minor’s parents or guardians.

Safety:

- Plan for adequate staff-to-participant ratios appropriate to the nature of the youth program, the activities involved and age of program participants.
- Keep medical and emergency contact details for youth program participants readily available at all times in the event of an emergency.
- Immediately obtain or provide appropriate medical assistance in the event of an injury.
- Conduct orientation for fire and severe weather response with all program participants, volunteers and staff.

POSSIBLE SIGNS OF ABUSE

These signs do not necessarily indicate that a child has been abused, but they may help adults recognize the possibility that something is wrong.

Possible signs of physical abuse.

- Frequent suspicious or unexplained injuries out of the norm for those normally associated with childhood activities, e.g., burns, deep bruising, etc.
- Improbable excuses or refusal to explain injuries.
- Wears inappropriate clothing to cover injuries, e.g., long sleeves or pants on a hot day.
- Injuries appearing to have a pattern, such as a handprint or belt.
- Fear of medical treatment or examination.
- Aggression toward others.
- Shrinks back from touch.
- Refusal to change for gym or athletic activities.
- Rebels against authority.

Possible signs of emotional abuse.

- Excessively withdrawn or fearful.
- Continual self-deprecation, e.g., “I’m ugly”, “I’m stupid”, etc.
- Overreaction to mistakes.
- Emotionally abuses others.
- Extreme sensitivity to criticism.
- Extreme fear of new situations.
- Extremes of passivity or aggressiveness.
- Continuous unwillingness to develop relationships.

Possible signs of sexual abuse.

- Difficulty walking or sitting.
- Makes strong efforts to avoid a person without explanation or strong reluctance to interact with a person.
- Fear of touch.
- Wearing excessive amounts of clothing.
- Isolation or withdrawal.
- Insecure or clinging.
- Extreme personality changes.
- Sudden loss of appetite or compulsive eating.
- Inability to concentrate.
- Being overly affectionate or acting out sexually.

RESPONDING TO CHILD ABUSE / SUSPECTED CHILD ABUSE

Anyone having knowledge of, or a reasonable cause to suspect that abuse has occurred has a personal, ethical, and often legal, obligation to make a report. The definition of a “mandated reporter” for suspected child abuse can vary from state-to-state, with the applicability of who should report being defined more broadly in some states more than others. But remember, it is the responsibility of all individuals and community members — not just mandated reporters — to respond to the suspected maltreatment of any child or youth. No matter the state laws, learning the appropriate ways to respond to suspected abuse and becoming an informed and involved individual are important steps toward protecting children. **All paid and volunteer staff of national youth programs of the Organization are required to report cases of suspected abuse involving a child or youth.** An individual reporting suspected child abuse are hereafter referred to as the “Reporter”.

If a child or youth tells you about abuse.

- Remain calm and reassuring.
- Find a quiet place to talk.
- Believe in what you are being told.
- Don’t jump to conclusions.
- Reassure the child or youth they did the right thing by telling you.
- Reassure the child or youth that they will be protected and supported.
- Be discreet.
- Call 911 if medical treatment is necessary.
- *Report the concern immediately to the proper law enforcement authorities.* The law requires only that you have a reasonable suspicion that a child or youth is being abused.
- Do not discuss the concern or share information with anyone other than those having a “need to know.”

Reporting

When anyone observes or are made aware of any inappropriate behavior(s) or behavior(s) that are inconsistent with those detailed in the “Protection Policies and Safeguards” section of this guide, they are required to report their suspicion(s) or allegation(s) to their Program Manager/Director.

In ALL cases involving ANY reasonable suspicion that child abuse has occurred, a report must immediately be made to law enforcements authorities and the youth participant’s parent(s) or guardian(s). This reporting responsibility may NOT be abdicated to another individual. The assumption should NOT be made that law enforcement authorities, parent(s)/guardian(s), etc., or the Program Manager/Director have already learned of a situation through other venues – report immediately upon becoming aware.

Program Managers/Directors will mandate the use of the written report found in Appendix C entitled “REPORTING FORM” for documentation purposes. After contacting appropriate law enforcement authorities and parent(s)/guardian(s) in cases involving child abuse or suspected child abuse, the Reporter will then provide a copy to the respective Program Manager/Director and a copy offered to the law enforcement authorities. All information regarding alleged child abuse must be maintained under strict confidentiality and communicated only to those having a “need-to-know”.

During a period of investigation by law enforcement authorities, the accused individual will be immediately suspended from all activities and contact involving children. The suspension will continue until the person is cleared or allegations are proven; the individual will be returned home during the investigation period as necessary. If the allegations are proven correct, the individual will be permanently removed from all participation in any capacity of national youth programs of the Organization.

AWARENESS AND ORIENTATION

All Designated Individuals must comply with the “Risk Management Policies of The American Legion for the Enhanced Protection of Children and Youth” set forth in this manual. Program Managers/Directors of every national youth program of the Organization will provide awareness, orientation and information to all program staff and volunteers at the onset of each program every year. This will include orientation and dissemination of:

- Program overview
- Job description information
- Organizational chart of the program
- Program schedule
- “Risk Management Policies of The American Legion for the Protection of Children and Youth”

Upon completion of the orientation each year, each Designated Individual will sign and return to their respective Program Manager/Director the statement found in Appendix D acknowledging receipt and understanding of the “Risk Management Policies of The American Legion for the Protection of Children and Youth”.

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
MAY 9 – 10, 2012**

Resolution No. 4: Background Screening Of Staff For National Youth Programs

**Origin: Americanism Commission
Submitted by: Finance Commission**

WHEREAS, All youth programs of The American Legion rely heavily upon dedicated volunteers willing to contribute time and skills for executing essential functions of the programs; and

WHEREAS, Background screening, clearly established policies, instruction, and oversight are all effective elements of volunteer management that can help uphold the integrity and safety of a youth program and mitigate the risk and liability to an organization; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 9-10, 2012, That The American Legion implement procedures that will require background screening of volunteers selected to staff national tournaments of American Legion Baseball, The American Legion Boys Nation, The American Legion National Oratorical Contest, The American Legion National Junior Shooting Competition, and National Boy Scout Jamborees no later than with the execution of each program in 2013; and, be it further

RESOLVED, That said background screenings be conducted annually prior to the start of each program; and, be it further

RESOLVED, That said background screenings only be conducted by the vendor authorized by the National Organization; and, be it further

RESOLVED, That the National Americanism Commission shall, with advice of its relevant subcommittees, the Compliance and Risk Manager of the National Organization and the National Judge Advocate, develop risk management policies consistent for protection of The American Legion and its youth program participants; and, be it finally

RESOLVED, That the National Commander, after review and approval of the National Judge Advocate, be and is hereby authorized and directed to execute such contract(s) as may be needed to support the execution of background screenings and the National Adjutant be and is hereby authorized and directed to attest to same.

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
MAY 9 – 10, 2012**

Resolution No. 12: Background Screening Procedures And Policies For American Legion Youth Program Volunteers

**Origin: Americanism Commission
Submitted by: Americanism Commission**

WHEREAS, An economic news release by the Bureau of Labor Statistics, U.S. Department of Labor, shows that nearly 26 percent of all volunteer hours worked throughout the United States in 2011 were contributed toward educational or youth-related organizations; and

WHEREAS, Youth programs of The American Legion rely heavily upon dedicated volunteers willing to contribute time and skills for executing essential functions of the programs; and

WHEREAS, The aftermath of recent high-profile allegations of child sexual molestation across the United States has demonstrated the importance for ensuring protection of vulnerable populations; and

WHEREAS, Through numerous resolutions over the years The American Legion has advocated for guarding against child neglect and abuse; and

WHEREAS, Screening, clearly established polices, instruction, and oversight are all effective elements of volunteer management that can help uphold the integrity and safety of a youth program and mitigate the risk and liability to an organization; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 9-10, 2012, That departments of The American Legion are strongly urged and encouraged to establish background screening procedures and policies similar to those of the National Organization for volunteers supporting youth programs conducted within their departments.

**THE AMERICAN LEGION NATIONAL HEADQUARTERS
REPORTING FORM
CHILD ABUSE / SUSPECTED CHILD ABUSE**

This section is about the individual you are reporting. Please provide as much information as possible.

1. Name of the individual you are reporting (first and last):
2. Age or approximate age:
3. Circle gender: Male Female
4. Address (City and State required)

5. Program position(s) this individual held at time of the incident:

This section asks questions about the incident(s) you are reporting. Please provide as much information as possible.

6. Type of offense (e.g., what is being suspected or alleged)

7. During which national youth program did the incident(s) take place?

8. What is the location of where the incident(s) took place? (include city, state and any other available location information)

9. Describe what happened (include who, what, when, where) (continue on reverse side if necessary)

This section is for information about the victim(s).

10. Name (first and last)

11. Age or approximate age:

12. Circle gender: Male Female

13. Parent/Guardian name:

14. Parent/Guardian address:

15. Parent/Guardian phone numbers: Cell: Home:

This section is your information. A person reporting alleged misconduct should not fear any retribution and/or consequence when filing a report he/she believes to be true.

16. Name (first and last)

17. Email address:

18. Phone numbers: Cell: Home:

19. Address:

20. Program position you were holding at time of the incident:

21. Relationship to victim (if any):

**ACKNOWLEDGEMENT AND UNDERSTANDING
OF RISK MANAGEMENT POLICIES OF THE AMERICAN LEGION
FOR THE
PROTECTION OF CHILDREN AND YOUTH**

If you have any uncertainty or questions regarding the content of the Risk Management Policies of The American Legion for the Protection of Children and Youth, you are required to consult the respective Program Manager/Director at National Headquarters prior to signing and acknowledging this agreement.

“I have read and understand the Risk Management Policies of The American Legion for the Protection of Children and Youth and agree to abide by its terms and conditions. I understand that my failure to follow the terms of this policy could result in disciplinary action up to and including termination of serving as a volunteer for youth programs of The American Legion”.

Signature of Volunteer

Printed Name

Date

Youth program affiliation (check one):

- American Legion Baseball regional tournament
- American Legion Baseball World Series tournament
- American Legion Boys Nation
- Junior Shooting Sports National Contest
- National Oratorical Contest

**RECORD OF CHANGES
FOR
RISK MANAGEMENT POLICIES OF THE AMERICAN LEGION FOR THE
ENHANCED PROTECTION OF CHILDREN AND YOUTH
National Youth Programs**

December 2013

Page 4 – Definition of “Adult” has been added.

Page 4 – Definition of “Child/Minor/Youth” has been clarified.

Page 4 – Excludes final round Oratorical judges from background check screening due to total segregation from youth program participants.

Page 7 – Includes Maine as a state requiring selection of the “Plus Package” option. Assigns Program Manager/Director responsibility for notifying applicants from those states.

Page 8 – Clarifies applicability of harassment and conspiracy convictions, and local ordinance violations.

Page 8 – Clarifies that a “reject” designator is assigned for pending cases or an active warrant for crimes involving disqualifying criteria.

Page 9 – Information regarding “Pre-Adverse Action Notice” has been added.

Page 9 – Information regarding “Copies of Reports” has been added.

Page 10 – Information regarding “Removal from Record” has been added.

Page 12 – Information regarding sleeping room assignments for program participants has been added.

December 2014

Page 4 – Update “Provider” mailing address

Page 7 – Delete North Dakota from the list of designated states for “Plus Package”.

Page 7 – Add Montana to the list of designated states for “Plus Package”.

Page 9 – Update “Provider” mailing address.