**NATIONAL EXECUTIVE COMMITTEE**
**OF**
**THE AMERICAN LEGION**
**October 11-12, 2023**
**Indianapolis, Indiana**

**Resolution No. 17: Risk Management Mandates for National Youth Programs**
**Origin: Americanism Commission**
**Submitted by: Finance Commission**

WHEREAS, Federal law (Public Law 115-126) titled "Protecting Young Victims From Sexual Abuse and Safe Sport Authorization Act of 2017" requires amateur youth sports organizations affiliated with a national governing body or non-affiliated organizations to develop policies and procedures to prevent the emotional, physical, and sexual abuse of amateur athletes; and

WHEREAS, Resolution No. 32 of the National Executive Committee, October 2020, titled "Risk Management Mandates for National Youth Programs" mandated that The American Legion, under the advice and guidance of the compliance and risk manager of the national organization and the national judge advocate, shall have policies and procedures established beginning in 2021 which mandates sexual abuse awareness training and criminal history background check screening for:

- American Legion Baseball program staff (coaches, managers and volunteers 18 years of age or older) who have regular contact with players who are minors
- Coaches, managers and volunteers 18 years of age or older who have regular contact with minors who are in clubs affiliated with an American Legion post and who are participating in the American Legion Junior Shooting Sports National Tournament
- Those selected to staff national tournaments of American Legion Baseball, the American Legion Boys Nation program, the American Legion National Oratorical Contest, the American Legion Junior Shooting Sports Shoulder-to-Shoulder National Championship, and National Boy Scouts of America Jamborees, or who are adults and have regular contact with program participants who are minors; and

WHEREAS, Resolution No. 32 of the National Executive Committee, October 2020, titled "Risk Management Mandates for National Youth Programs" authorized the national adjutant, after legal review and approval of the national judge advocate, be directed to execute such contract(s) as may be necessary to support the execution of criminal history background check screening and/or sexual abuse awareness training; and

WHEREAS, A legal adult in the United States is commonly defined as 18 years of age wherein they can legally work, participate in legal contracts, vote, marry, give sexual consent and join the military; and

WHEREAS, American Legion youth program participants can participate at 18 and older if still in high school which places a legal adult in proximity to children under the age of 18; and

WHEREAS, The American Legion has a moral, ethical and legal responsibility to spare no effort to protect minor children trusted in their care; and

WHEREAS, All legal adults involved in all American Legion youth programs have been subject to criminal background screen and sexual abuse awareness training except for youth program participants; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 11-12, 2023, That The American Legion, under the advice and guidance of the compliance and risk manager of the national organization, and the national judge advocate, shall have policies and procedures established effective immediately which mandates sexual abuse awareness training and criminal history background check screenings for:**

- **American Legion Baseball program staff (coaches, managers and volunteers 18 years of age or older) who have regular contact with players who are minors**
- **Coaches, managers and volunteers 18 years of age or older who have regular contact with minors who are in clubs affiliated with an American Legion post and who are participating in the American Legion Junior Shooting Sports National Tournament**
- **Those selected to staff national tournaments of American Legion Baseball, the American Legion Boys Nation program, the American Legion National Oratorical Contest, the American Legion Junior Shooting Sports Shoulder-to-Shoulder National Championship, and National Boy Scouts of America Jamborees, or who are adults and have regular contact with program participants who are minors**
- **All American Legion Youth Program participants 18 years of age or older who participate in any national capstone event hosted by The American Legion National Headquarters who have contact with minors; and, be it further**

**RESOLVED, That the national adjutant, after legal review and approval of the national judge advocate, be and is hereby authorized and directed to execute such contract(s) as may be necessary to support the execution of criminal history background check screening and sexual abuse awareness training; and, be it further**

**RESOLVED, That departments of The American Legion are strongly encouraged to establish procedures and policies for sexual abuse awareness training and criminal history background check screening similar to the national organization for legal adults who are selected to support and participate in youth programs conducted within their departments; and, be it further**

**RESOLVED, That all American Legion youth program risk management guidelines, standard operating procedures, rules and materials be updated to reflect these mandates and address any extenuating and mitigating circumstances; and, be it further**

**RESOLVED, That American Legion youth program participants 18 years of age or older who fail to complete sexual abuse awareness training and criminal history background check screening will not be permitted to participate in national capstone events hosted by The American Legion National Headquarters who may have contact with minors; and, be it finally**

**RESOLVED, That Resolution No. 32 of the National Executive Committee, October 2020, titled "Risk Management Mandates for National Youth Programs" is hereby superseded and rescinded.**