



THE AMERICAN LEGION

RISK MANAGEMENT GUIDEBOOK

The American Legion Junior Shooting
Sports National Tournament

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INTRODUCTION

Legionnaires and members of the American Legion Family nationwide donate countless volunteer hours each year to American Legion Baseball, Oratorical, Boys State/Nation, Junior Shooting Sports, Youth Cadet Law Enforcement and Scouting programs. American Legion youth programs teach young people a variety of practical skills, as well as how to develop leadership, teamwork, discipline and self-confidence. The programs encourage a strong sense of citizenship, patriotism and good living. 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 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 can be a high-risk environment for misconduct by adults in positions of authority and leadership who misuse their positions by exerting 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 for those organizations and volunteers that serve them.

In February 2018, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Public Law 115-126) was signed into law. This bill amends the Victims of Child Abuse Act of 1990 to extend the duty to report suspected child abuse, including sexual abuse, immediately to law enforcement and adults who are authorized to interact with minor or amateur athletes by an amateur sports organization that participates in interstate or international amateur athletic competition.

While The American Legion has the utmost trust and confidence in its 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) abuse awareness training; (3) established policies and safeguards; and (4) 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 –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 coaches, managers and volunteer staff of American Legion Junior Shooting Sports teams or Junior Shooting must be screened each year prior to conducting any meetings, events, practices or games that involve youth participants.**

ABUSE AWARENESS TRAINING

As part of the education and training requirements of Public Law 115-126, Resolution No. 32 was passed by the National Executive Committee of The American Legion at its October 2020 meeting titled, “Risk Management Mandates for National Youth Programs.” The resolution states that under the advice and guidance of the compliance and risk manager of the national organization and the national judge advocate, policies and procedures are required beginning in 2021 mandating sexual abuse awareness training and criminal history background check screening for 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. **All coaches, managers and volunteer staff members must complete the abuse awareness course either through Protect Youth Sports or U.S. Center for SafeSport annually prior to the Junior Shooting Sports season.**

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 coaches, managers, and volunteer staff of American Legion Junior Shooting Sports teams an awareness of the policies established for acceptable/unacceptable behavior minimizes opportunities for misconduct and helps prevent unfounded allegations. It is just as vitally important 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. Awareness and orientation on safeguards, policies and procedures are instrumental in contributing toward a knowledge and prevention of various forms of abuse. Awareness and orientation can be disseminated in a variety of ways and should be made available to all coaches, managers and volunteer staff of Junior Shooting Sports teams prior to conducting any meetings, events, practices or games that involve youth participants, regardless of how experienced they may be.

This awareness training will be required for those adults whose clubs participate in the Junior Shooting Sports national tournament. It is also required that the respective American Legion department and/or American Legion post or other organization sponsoring a Junior Shooting Sports team assume responsibility for ensuring their coaches, managers and volunteer staff of a Junior Shooting Sports team have the skills, knowledge, materials, equipment, facilities, etc., needed to do the job. It is essential that every coach, manager and volunteer staff of a Junior Shooting Sports team know who they should go to with questions or problems should they arise.

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.

Affiliated Post: The American Legion post sponsoring a Junior Shooting Sports club.

American Legion Junior Shooting Sports National Tournament: Two rounds of postal matches administered by the national organization.

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

Designated Individual(s): Anyone 18 years of age or older who is coaching, volunteering or otherwise participating in the Junior Shooting Sports program.

Junior Shooting: The American Legion Junior Shooting Sports National Tournament

Organization: The American Legion National Headquarters.

“Protecting Young Victims From Sexual Abuse and Safe Sport Authorization Act of 2017 (Public Law 115-126)”: On Feb. 14, 2018, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 was signed into law and became effective immediately. This bill amends the Victims of Child Abuse Act of 1990, extending the duty to report suspected child abuse, including sexual abuse, within 24 hours to all adults who are authorized to interact with minor or amateur athletes by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international amateur athletic competition.

Provider: The exclusive commercial vendor engaged by The American Legion National Headquarters to conduct background check screening of coaches, managers and volunteer staff of Junior Shooting Sports teams:

Priority Research Services, Inc., DBA “Protect Youth Sports”
14499 N. Dale Mabry Hwy, Suite 201S
Tampa, FL 33618

(877) 319-5587 (8:30am to 4:30pm Eastern Time)

protectyouthsports.com

Reporter: An individual reporting suspicions or allegations of child abuse.

Verifier: Those who are assigned responsibility for making verifications as noted below. It is required that the respective affiliated post sponsoring a Junior Shooting Sports club assume the responsibility for verifying that:

1. Each Designated Individual has successfully passed the mandated background check screening and abuse awareness training requirements for each upcoming season.
2. An individual charged with or having a case pending involving disqualifying criteria is prohibited from having contact with the team until legal adjudication has been made and the screening and abuse awareness training has been confirmed as successfully completed.
3. A substitute or replacement Designated Individual does not assume any duties with the team the background check screening and abuse awareness training is successfully completed.
4. Validity of information that a Designated Individual may have sustained one of the disqualifying criteria in the interim after a required background check screening.
5. Non-screened adults removed from interaction with minors have successfully completed a background check screening and abuse awareness training prior to the return.

SCREENING

Resolution No. 32 NEC Oct. 2020, “Risk Management Mandates for National Youth Programs” (Appendix A), mandates that anyone 18 years of age or older who is coaching, volunteering or otherwise participating in The American Legion Junior Shooting Sports program must have background check screening conducted each season prior to any meetings, events, practices or games that involve youth participants who are minors, and that they must comply with the risk management policies of The American Legion established for the enhanced protection of children and youth.

BACKGROUND CHECKS

Designated Individuals to be Screened. Background check screening will be conducted on Designated Individuals of the Junior Shooting Sports program. (A parent who is coaching their own child only is exempt from a background check and abuse awareness training.)

Authorized Background Check Provider. All background checks for Designated Individuals will be conducted by the exclusive commercial Provider engaged by The American Legion National Headquarters.

In addition to conducting background checks, the Provider provides screening and reporting of background check results in accordance with criteria established by the organization. The Provider is responsible for complying with the Fair Credit Reporting Act, storage of information and records consistent with applicable laws, and maintaining confidentiality of information obtained through the background check process.

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 check screening as mandated in Resolution No. 32 NEC Oct. 2020, “Risk Management Mandates 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 each Junior Shooting Sports season prior to any meetings, events, practices or games that involve youth participants.

Level of Information to be Checked. All background check screenings conducted on Designated Individuals will include:

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

There are select states that are designated as having insufficient data in the national database. They must have the “Plus Package” option selected when applying for a background check with the Provider to have a county or statewide court search additionally conducted, thereby ensuring an adequate level of background screening is commensurate with other states. Please review the map provided (see link below) to determine the appropriate search to request.

[criminal-background-checks.info/](https://www.legion.org/criminal-background-checks.info/)

Costs Associated with Conducting Background Checks. The Organization will not fund or collect any costs associated with conducting mandatory background check screenings of Designated Individuals. Information regarding costs associated with conducting background check screening of Designated Individuals within a department must be obtained from the Provider. The Organization has negotiated with the Provider to ensure the best pricing possible without sacrificing the integrity or quality of their services.

Background Check Disqualifying Criteria. Disclosure during a background check screening that contains one or more of any of the following disqualifying criteria will prohibit an individual from serving as a coach, manager or volunteer staff of a Junior Shooting Sports team:

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 criterion 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 a Designated Individual. An “accept” designator means the background check of a Designated Individual does not contain disqualifying criteria previously set forth and that individual may have contact with youth participants of the Junior Shooting Sports team. A “reject” designator means the background check of a Designated Individual contains disqualifying criteria and that individual is prohibited from having contact with youth participants of the Junior Shooting Sports team. The Provider sends the results of their adjudication to the Organization; a full copy of the report is not revealed to the Organization during the process. This system of reporting eliminates the need to disclose specific criminal history details to the Organization.

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 completed legal adjudication is made and there is verification that an “accept” designator is then achieved.

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 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 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 new application to the Provider in order to provide confirmation of an “accept” designator to their account manager.

If five 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.

Initiating and Verifying Background Checks. A background check and abuse awareness training for a Designated Individual is initiated during the registration process. The Organization has established a process for oversight and management of background check screening and abuse awareness training for Designated Individuals that will best suit the needs of the Organization for: 1) initiating background checks of Designated Individuals; 2) conducting background check and abuse awareness training of Designated Individuals; 3) recording verification; and 4) managing costs.

Verifications. During the online American Legion Junior Shooting Sports registration process the Organization will require acknowledgment that all Designated Individuals have been verified as having successfully passed the mandated background screening requirement. The respective affiliated post is assigned responsibility for conducting that verification (verifier) by providing a signature of verification on the affiliated form. The online registration process for American Legion Junior Shooting Sports will be unable to continue until such time the acknowledgment statement is checked off that all required background checks have been verified as successfully complete and an original signature of the verifier provided.

If during the background screening process it is revealed that a Designated Individual is charged with or has a case pending that involves any disqualifying criteria as previously set forth, that individual will be prohibited from having contact with The American Legion Junior Shooting Sports team until legal adjudication has been made and the screening has been confirmed/verified as successfully completed. It is strongly urged and recommended that the affiliated post assume responsibility for oversight of an appropriate disposition in this situation.

If information is acquired during the shooting season that a Designated Individual may have sustained one of the disqualifying criteria in the intervening period after a required background check has been conducted, that individual will be prohibited from having contact with the Junior Shooting Sports team until accuracy of the information has been validated so as to ensure the protection of the youth participants. It is strongly urged and recommended that the affiliated post assume responsibility for oversight of an appropriate disposition in this situation.

A replacement or substitute for a Designated Individual at any time during the season cannot assume any duties until background check screening and abuse awareness training as mandated has been confirmed as successfully completed; it is strongly urged and recommended that the affiliated post assume responsibility for oversight of an appropriate disposition in this situation.

The American Legion at any level may reserve the right to prohibit an individual from serving as a coach, manager and/or volunteer staff of a Junior Shooting Sports team if at any time it is deemed the individual is unfit to work with minors.

Appeals. The Organization will not intercede if a Designated Individual has concern with the outcome

of their background check report of findings. It is strongly urged and recommended that they be referred directly to the Provider for discussion.

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 a copy of their background check report from the Provider:

1. **Fax:** Fax a request letter to 800-319-5582
2. **Email:** Email a request to support@protectyouthsports.com
3. **Mail:** Mail a request letter to: Protect Youth Sports Compliance Department, 14499 N. Dale Mabry Hwy, Suite 201S, Tampa, FL 33618
4. **Website:** <https://compliance.protectyouthsports.com/>

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 Junior Shooting Sports.

ABUSE AWARENESS TRAINING

Upon successfully completing the background check process, Designated Individuals will proceed to one of the two designated websites offered below to complete their abuse awareness training. If the person required to take the abuse awareness training as part of the registration process for the Junior Shooting Sports National Tournament has already completed the U.S. Center for SafeSport training for the current season, they may skip this part. This person will need to present a copy of the certificate to the affiliated post as proof that the training has been completed.

The two training sites authorized are:

PROTECT YOUTH SPORTS

Upon submitting background check information, the applicant will receive an email from Message@VeritySecure.com with the subject line “Child Safety Training.” Please select “Volunteer” version.

U.S. CENTER FOR SAFESPORT

uscenterforsafesport.org/training-and-education/

Once a Designated Individual completes their abuse awareness training and prints off their certificate of completion, they will have proof of completion. Proof of completion must be submitted to their affiliated post each shooting season prior to any meetings, events, practices or games that involve youth participants. **The American Legion Junior Shooting Sports Program mandates that each Designated Individual renew their abuse awareness training certificate annually.** The certificate of completion will need to be presented to the affiliated post should the club wish to participate in The American Legion Junior Shooting Sports National Tournament.

If you should have a question regarding this training requirement, **please contact The American Legion Junior Shooting Sports representative with an email to Americanism@legion.org.**

PROTECTON POLICIES AND SAFEGUARDS

American Legion youth programs are designed to encourage safe interaction between staff, volunteers and children/youth. Parents and families trust American Legion 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 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.

Conduct. The following guidelines have been established for persons serving in volunteer and staff roles for youth programs of The American Legion.

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, e-cigarettes, alcohol and sexually explicit materials:

- Do not possess, distribute, use or allow others to use alcohol or drugs during the operation of national youth programs.
- The use of tobacco/e-cigarettes 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 or a volunteer 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 any 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 should 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). Up to four (4) participants may occupy the same room.
- Have contingency plans in place for separating 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)
- Pats on shoulder or back
- Handshakes
- High-fives
- Holding hands during prayer

Inappropriate forms of contact:

- Lengthy, fully engaged embraces or bear hug
- 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, giving a wedgie or similar touching of underwear, whether covered by other clothing or not
- Private meals with a child or youth
- Giving gifts 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 Media:

- As part of The American Legion Junior Shooting Sports' emphasis on minor athlete safety, all electronic communications between minor athletes and staff members, or other adults who have regular contact with minor athletes, must be professional in nature and for the purpose of communicating information about team activities. This policy applies to all staff members and other adults who have regular contact with minor athletes.

American Legion Junior Shooting Sports electronic communication policy:

- Content of any electronic communication should be readily available to share with the minor athlete's family, American Legion Junior Shooting Sports or local organization upon request. Any request under the electronic communication policy must include copies of any email, electronic text, social media post, or similar communication, and to be sent to either the minor athlete's parent/legal guardian, American Legion Junior Shooting Sports or local organization.
- Staff members, or other adults who have regular contact with minor athletes, are not permitted to maintain social media connections with minor athletes. Staff members, or other adults who have regular contact with minor athletes, are not permitted to accept any new personal requests on social media platforms from minors. Existing social media connections with amateur athletes who are minors shall be discontinued. The American Legion and local organizations will monitor its organizational social media pages and remove any posts that violate policies and practices for appropriate behavior. Minor athletes or parent/legal guardian of minor athletes will be informed of any inappropriate posts.
- Minor athletes and staff members, and other adults who have regular contact with minors, may use email to communicate. All email content between staff members, or other adults who have regular contact with minors, and minor athletes must be professional in nature and for the purpose of communicating information about team or individual sport events. Emails must come from an account that can be monitored by The American Legion Junior Shooting Sports and local organizations. American Legion Junior Shooting Sports or local organization staff member, volunteer member, and/or a parent/legal guardian must be copied when communicating with a minor athlete through email.
- All text messages between staff members, or other adults who have regular contact with minors, and minor athletes must be professional in nature and for the purpose of communicating information about team or individual sport events. Text messages cannot be sent to one individual minor athlete; a text message must go to entire team or must have additional staff member included.
- The parent/legal guardian of a minor athlete may request in writing that their child not be contacted through any form of electronic communication by The American Legion Junior Shooting Sports or local organization staff members.
- Electronic communications must only be sent between the hours of 8:00 a.m. and 8:00 p.m.

Safety:

- Plan for adequate staff-to-participant ratios that are appropriate to the nature of the youth program, the activities involved and the age of program participants.
- Always keep medical and emergency contact details for all youth program participants readily available in the event of an emergency.
- Immediately obtain, or provide appropriate medical assistance, in the event of an injury.

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 of a child or youth has occurred, has a personal, ethical and 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 informed and involved are important steps toward protecting children. **All coaches, managers and volunteer staff of Junior Shooting Sports teams are required to immediately, but no longer than 24 hours (per federal guidelines), report cases of abuse or suspected abuse involving a child or youth.** Any individual reporting suspicions or allegations is 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.
- Do not 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, including coaches, managers and volunteer staff of a Junior Shooting Sports team, observes or are made aware of any inappropriate behavior(s) or behavior(s) inconsistent with those detailed in the Protection Policies and Safeguards section of this guide, they must immediately report, but no longer than federal guidelines allow, their suspicion(s)/allegation(s) to law enforcement and their respective American Legion department and/or affiliated post.

In ALL cases involving ANY reasonable suspicion that child abuse has occurred, a report must immediately, but no longer than 24 hours (per federal guidelines), be made to law enforcement authorities and notification to 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., have already learned of a situation through other venues – report immediately, but no longer than 24 hours (per federal guidelines), upon becoming aware of suspected child abuse.

It is strongly urged and recommended that respective American Legion departments and/or affiliated posts implement use of the written report form found in Appendix B entitled REPORTING FORM, and after having immediately contacted law enforcement authorities and parent(s)/guardian(s) in cases involving child abuse or suspected child abuse, the reporter then offer a copy of this completed form to law enforcement authorities, and provide a copy to the respective American Legion department Junior Shooting Sports affiliated post, if considered necessary. All information regarding alleged child abuse must be maintained under strict confidentiality and communicated only to those having a need-to-know.

In the event of a report, the department Junior Shooting Sports representative is responsible to notify the appropriate parties at The American Legion's National Headquarters to the attention of the Americanism Division. The American Legion's Americanism Division will then meet their obligation by notifying the U.S. Center for SafeSport and USA Shooting of the minor athlete abuse report.

A person will not be held liable if they make a report in good faith, including situations where the reported incident is determined not to be child abuse. The Safe Sport Act provides a limitation of liability provision that protects the sports organization and any office, employee, agent or member/volunteer who reports suspicions of abuse. They are protected against civil actions for defamation, slander and libel arising from the execution of the functions under the act. In addition, the act prohibits retaliation by the amateur sports organization against the reporting individual.

An individual who is required, but fails to report suspected child abuse, is subject to criminal and civil penalties.

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. The Organization will provide online accessibility to Risk Management Policies of The American Legion for the Enhanced Protection of Children and Youth but does not have responsibility for ensuring that Designated Individuals receive the information. It is strongly urged and recommended that American Legion departments and/or affiliated posts implement a system for ensuring availability of Risk Management Policies of The American Legion for the Enhanced Protection of Children and Youth to Designated Individuals each season.

It is strongly urged and recommended that each season the respective American Legion department and/or affiliated post require and maintain a record of submission of the statement form contained in Appendix C that acknowledges receipt and understanding of the Risk Management Policies of The American Legion for the Enhanced Protection of Children and Youth from Designated Individuals, or maintain documentation through management solutions that may be established through the Provider.

APPENDIX A

NATIONAL EXECUTIVE COMMITTEE OF THE AMERICAN LEGION

October 14-15, 2020

Virtual

Resolution No. 32: Risk Management Mandates for National Youth Programs

Origin: Americanism Commission

Submitted by: Americanism Commission

(As amended)

WHEREAS, Resolution No. 4 of the National Executive Committee, May 2012, titled “Background Screening Of Staff For National Youth Programs” initially mandated background check screening of staff of American Legion national youth programs in order to uphold the integrity and safety of youth and to mitigate the risk and liability to an organization; and

WHEREAS, Resolution No. 16 of the National Executive Committee, October 2012, titled “Mandatory Background Check Screening for Coaches, Managers and Volunteer Staff of Junior and Senior American Legion Baseball Teams” initially established policy and procedures for mandatory background screening for coaches, managers and volunteers of junior and senior American Legion Baseball teams; and

WHEREAS, Federal law (Public Law 115-126) titled “Protecting Young Victims From Sexual Abuse and Safe Sport Authorization Act of 2017” has been enacted requiring 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, American Legion Baseball is affiliated with the national governing body of USA Baseball; and

WHEREAS, USA Shooting is a National Governing Body member of the U.S. Center for SafeSport; and

WHEREAS, USA Shooting is the organization upon which The American Legion patterns its American Legion Junior Shooting program; and

WHEREAS, Because the American Legion Junior Shooting Sports National Tournament is administered by the national organization, the national organization therefore possesses the authority to impose mandates for the protection of minor children participating in that national tournament; and

WHEREAS, The aftermath of numerous cases of child sexual molestation across the nation has demonstrated the importance for diligent protection of vulnerable populations, such as children and youth; and

WHEREAS, It is paramount The American Legion meet its legal, moral and ethical responsibility to parents and guardians by protecting their children from abuse and harm when participating in any and all youth programs under the Legion brand; now, therefore, be it

RESOLVED, By The National Executive Committee of The American Legion in regular meeting assembled virtually on October 14-15, 2020, 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, 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/or sexual abuse awareness training; and, be it further

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

RESOLVED, That Resolution No. 4 of the National Executive Committee, May 2012, titled “Background Screening Of Staff For National Youth Programs” and Resolution No. 16 of the National Executive Committee, October 2012, titled “Mandatory Background Check Screening for Coaches, Managers and Volunteer Staff of Junior and Senior American Legion Baseball Teams” are hereby superseded and rescinded.

APPENDIX B



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.

INDIVIDUAL		
Name of the individual you are reporting (first and last)		
Age or approximate age	Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female
Street Address		
City	State	ZIP
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.

INCIDENT(S)		
Type of offense (e.g., what is being suspected or alleged)		
During which national youth program did the incident(s) take place?		
What is the location of where the incident(s) took place? (include city, state and any other available location information)		
Street Address		
City	State	ZIP
Other location information		
Describe what happened (include who, what, when, where) (continue on reverse side if necessary)		

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

VICTIM(S)		
Name (first and last)		
Age or approximate age	Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female
Parent/Guardian name		
Parent/Guardian Address		
City	State	ZIP
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.

YOUR INFORMATION		
Name (first and last)		
Email address		
Cell	Home Phone	
Address		
City	State	ZIP
Program position you were holding at time of the incident		
Relationship to victim (if any)		

It is strongly urged and recommended that respective American Legion departments and/or Team Sponsors implement use of this written report form entitled "REPORTING FORM", and after having immediately contacted law enforcement authorities and parent(s)/guardian(s) in cases involving child abuse or suspected child abuse, the Reporter then offer a copy of this completed form to law enforcement authorities, and provide a copy to the respective American Legion department Junior Shooting Sports chairman and/or Team Sponsor, if considered necessary. All information regarding alleged child abuse must be maintained under strict confidentiality and communicated only to those having a "need-to-know".

In the event of a report, the department Junior Shooting Sports chairman is responsible to notify the appropriate parties at The American Legion's National Headquarters to the attention of the Americanism Division

APPENDIX C

ACKNOWLEDGMENT AND UNDERSTANDING OF THE AMERICAN LEGION RISK MANAGEMENT GUIDEBOOK FOR THE JUNIOR SHOOTING SPORTS NATIONAL TOURNAMENT

If you have any uncertainty or questions regarding the content of "The American Legion Risk Management Guidebook for the Junior Shooting Sports National Tournament," you are required to consult The American Legion Junior Shooting Sports Program director at National Headquarters prior to signing and acknowledging this Agreement.

"I have read and understand The American Legion Risk Management Guidebook for the Junior Shooting Sports National Tournament 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 coach, manager or volunteer staff of a Junior Shooting Sports team."

Signature of Volunteer	
Printed Name	Date

Club Name
Affiliated Post Name
American Legion Department

RECORD OF CHANGES

FOR THE AMERICAN LEGION RISK MANAGEMENT GUIDEBOOK THE AMERICAN LEGION JUNIOR SHOOTING SPORTS NATIONAL TOURNAMENT

JUNE 2020

First Edition created.

NOVEMBER 2020

Page 7: Update to read “Resolution No. 32 NEC Oct. 2020

Page 11: Insert “Please select ‘Volunteer’ version”

Page 19: Replace Memorandum with Resolution No. 32 NEC Oct. 2020