

**AMERICAN LEGION AUXILIARY, DEPARTMENT OF ALASKA, INC.  
ALASKA GIRLS STATE  
Constitution**

**REVISION  
Adopted 2015  
Department Convention**

**Initially Adopted 1970**

**AUTHORITY**

The American Legion Auxiliary, Alaska Girls State, Inc. Constitution as set out herein, is in full force and effect and represents action taken by the American Legion Auxiliary, Department Conventions, being the Constitution adopted at the Forty-eighth Annual Convention in Juneau, Alaska, February 28, 1970 and as amended at the Sixty-second Annual Convention, Kodiak, Alaska, June 25-27, 1983; Seventy-fifth Annual Convention, Kenai, Alaska, May 9-11, 1997, Eighty-first Annual Convention, Fairbanks, Alaska, April 21-24, 2004 and the Ninety-third Annual Convention, Seward, Alaska, April 23-25, 2015.

RECEIVED  
Juneau

DEC 15 2015

CBPL

**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION OF THE  
AMERICAN LEGION AUXILIARY, ALASKA GIRLS STATE, INC.**

CBPL

The amended and restated articles of incorporation must also include this statement; that except for the designated amendments the restated articles set out without change the provisions of the articles being amended and, together with the designated amendments, supersede the original articles and all amendments to the original articles.

**Article I:** The name of the Corporation shall be American Legion Auxiliary, Alaska Girls State, Inc.

**Article II:** The term of duration of this corporation shall begin on February 28, 1970 and shall; be perpetual. In event the American Legion Auxiliary, Alaska Girls State, Inc. shall dissolve; all assets would become property of the American Legion Auxiliary, Department of Alaska, Inc.

**Article III:** The object for which this corporation is formed is to provide an organization for citizenship training for girls who have completed their junior year in high school; to afford them an opportunity to live together as self-governing citizens; and to inform them about the duties and privileges, rights and responsibilities of American citizenship in order that they may understand and participate in the functioning of the government when they become adults.

Its purpose shall be to annually conduct an educational training course for girls in citizenship and educational process of State and Municipal government. Inference of such purposes to supervise the organizing and establishing by girls of a mythical state known as ALASKA GIRLS STATE of the United States of America modeled after the State of Alaska, with State and Municipal governments therein, governmental offices there under and all functions for government thereof performed by the girls attending.

**Article IV:** The affairs of this corporation shall be managed by a Board of Directors, consisting of the American Legion Auxiliary, Alaska Girls State Chairman/Director and Vice Chairman/ Co-Director, who shall be appointed by the President of the American Legion Auxiliary, Department of Alaska to serve one year. Three Members at Large of the Board of Directors, one to be appointed annually by the President of the American Legion Auxiliary, Department of Alaska to serve three years; the American Legion Auxiliary, Department of Alaska President and the Secretary-Treasurer; and the past Directors of the American Legion Auxiliary, Alaska Girls State program. Each of the above shall have one vote. New appointments by the President of the American Legion Auxiliary, Department of Alaska must be ratified by the Department Executive Committee at the American Legion Auxiliary, Department of Alaska, Executive Committee meeting held prior to the beginning of the American Legion Auxiliary National Convention immediately following that year's Alaska Girls State session. Interim vacancies will be filled by the President of the American Legion Auxiliary, Department of Alaska, Inc., with the new appointee finishing out the term of her predecessor; and ratified by the American Legion Auxiliary, Department of Alaska Department Executive Committee at the next Department

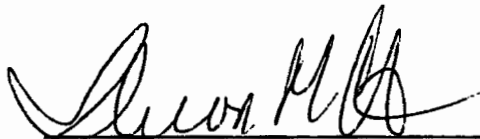
Executive Committee meeting. A quorum shall consist of not less than three members of the American Legion Auxiliary, Alaska Girls State Board of Directors.

**Article V:** Membership in this corporation shall consist of all members of the American Legion Auxiliary, Department of Alaska, Inc., in good standing.

**Article VI:** The highest amount of indebtedness or liability to which the corporation shall at any time be subject shall be \$20,000.00.

**Article VII:** The American Legion Auxiliary, Alaska Girls State, Inc., is a wholly owned subsidiary of the American Legion Auxiliary, Department of Alaska, Inc., and shall be governed by the Constitution and Bylaws of American Legion Auxiliary, Department of Alaska, Inc. All Bylaws and Standing Rules must be in conformity with those of American Legion Auxiliary, Department of Alaska to be valid.

**Article VIII:** These Articles of Incorporation may be amended at any Department Convention of the American Legion Auxiliary, Department of Alaska, Inc. These Articles shall not be altered nor amended, unless such alteration and amendment be submitted in writing to the American Legion Auxiliary, Department of Alaska, Inc., 60 days prior to the Department Convention of the American Legion Auxiliary, Department of Alaska, Inc. An affirmative vote of two-thirds of those present shall be necessary for the approval of such alteration or amendment.



Sharon Cherrette, Department President

12/08/2015

Date



Linda Schmitt, Department Secretary

12/08/2015

Date

RECEIVED  
Juneau

DEC 15 2015

CBPL

**BY-LAWS  
OF  
AMERICAN LEGION AUXILIARY, ALASKA GIRLS STATE, INC.**

AUTHORITY

The Bylaws as adopted at the Forty-eighth Annual American Legion Auxiliary Department Convention in Juneau, Alaska, February 28, 1970 and as amended at the Sixty-second Annual Convention, Kodiak, Alaska, June 25-27, 1983, Seventy-sixth Annual Convention in Fairbanks, Alaska, November 7, 2002 and the Ninety-third Annual Convention in Seward, Alaska, April 23-25, 2015.

ARTICLE I  
MEETINGS

SECTION 1: The President of the American Legion Auxiliary, Department of Alaska, Inc., will call the annual meeting of the members of the Corporation at the same time and place of the Department Executive Committee meeting of the American Legion Auxiliary, Department of Alaska, Inc., and prior to any Department Executive Committee meeting.

Special meetings of the corporation may be called by the President of the American Legion Auxiliary, Department of Alaska, Inc., or any three members of the American Legion Auxiliary, Alaska Girls State Corporation when deemed necessary. Three members of this board shall constitute a Quorum.

SECTION 2: Members of the Board of Directors shall consist of the President and Secretary/Treasurer of the American Legion Auxiliary, Department of Alaska, Inc., the American Legion Auxiliary, Alaska Girls State Chairman/Director, Vice-Chairman/Co-Director and three members at large of the American Legion Auxiliary, Alaska Girls State Committee, appointed by the President of the American Legion Auxiliary, Department of Alaska, Inc., each year. The new member will serve for the three year term, and each remaining member in turn will move up.

If a member of the American Legion Auxiliary, Alaska Girls State Board resigns for any reason other than the expiration of her term, a replacement will be appointed to complete the term of her predecessor by the Department President and ratified by the American Legion Auxiliary, Department of Alaska Department Executive Committee.

The affairs of this organization shall be conducted by a Board of Directors of not less than three who shall be appointed and ratified annually at the Department Convention of the American Legion Auxiliary, Department of Alaska, Inc. All Past Directors shall be voting members of the board, subject to the rule that all members of the board must be a member in good standing of the American Legion Auxiliary, Department of Alaska, Inc.

ARTICLE II  
DUTIES OF OFFICERS

SECTION 1: The American Legion Auxiliary, Department of Alaska, Inc., President will preside at all meetings of the Board of Directors and will have general charge of the affairs of the Corporation subject to the Board of Directors.

SECTION 2: The American Legion Auxiliary, Department of Alaska, Inc. Vice President will act as the representative of the President in her absence to preside over the meetings and perform such other duties as is usually incident to the office.

SECTION 3: The American Legion Auxiliary, Department of Alaska, Inc., Secretary/Treasurer will keep a record of the minutes of the proceedings of meetings and forward to the Director of the American Legion Auxiliary, Alaska Girls State, Inc., a copy of all such minutes. She will have custody of all books, records and papers of the corporation except such as shall be in charge of the Director of American Legion Auxiliary, Alaska Girls State, Inc.

SECTION 4: All finances pertaining to the American Legion Auxiliary, Alaska Girls State program will be administered by the American Legion Auxiliary, Department of Alaska, Inc. Secretary/Treasurer.

She will be responsible for making all deposits of monies into the American Legion Auxiliary, Alaska Girls State, Inc., checking account and to pay promptly all debts of this program. She will provide a complete financial statement and all financial books for audit to the Department Finance Committee prior to the annual Department Convention of the American Legion Auxiliary, Department of Alaska, Inc.

ARTICLE III  
GIRLS STATE ORGANIZATION

SECTION 1: Director. The President of the American Legion Auxiliary, Department of Alaska, Inc., with the approval of the Department Executive Committee will appoint a Director for a one year term, who will direct and have charge of the educational training course for the girls in citizenship, State and Municipal governments and in the organization and establishment by girls of the mythical state of ALASKA GIRLS STATE of the United States of America. The Director will be the senior officer of the program of education and training and will determine the policies of its conduct and operation and she will exercise and maintain supervision over all phases of the same. She will with the approval of the Board of Directors annually appoint such other counselors and staff as from time to time may be found necessary for the proper conduct and operation of the Alaska Girls State program.

SECTION 2: Appointments. All appointments must be members in good standing of the American Legion Auxiliary, Department of Alaska, Inc.

ARTICLE IV  
SEAL

The corporate seal of this corporation shall be circular with the name of the corporation and the year of incorporation on its border and face.

ARTICLE V  
AMENDMENTS

These Bylaws may be amended at any Department Convention of American Legion Auxiliary, Department of Alaska, Inc. These Bylaws shall not be altered nor amended, unless such alteration and amendment be submitted in writing to the American Legion Auxiliary, Department of Alaska, Inc., 60 days prior to the annual Department Convention of American Legion Auxiliary, Department of Alaska, Inc. An affirmative vote of two-thirds of those present shall be necessary for the approval of such alteration or amendment.

ARTICLE VI  
GOVERNANCE

The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern this program in all cases in which they are applicable and in which they are not consistent with the Department Constitution, Bylaws, and Standing Rules.

**STANDING RULES**  
**AMERICAN LEGION AUXILIARY, ALASKA GIRLS STATE, INC.**

- A. All matters pertaining to American Legion Auxiliary, Alaska Girls State, Inc., are handled by the Alaska Girls State Director and the Alaska Girls State Board of Directors and will be brought before the Department Convention for approval.
- B. All Units are allowed to send any girl from any high school that qualifies to attend the American Legion Auxiliary, Alaska Girls State program. In some cases additional girls have been accepted when space allowed. Send requests for additional girls to the Alaska Girls State Director. Units should choose alternates in case of drop out.
- C. In localities where there is no Auxiliary Unit, sponsors will contact the American Legion Auxiliary, Alaska Girls State, Inc. Director. Applications will be handled on an individual basis.
- D. It is mandatory every year that Girls State brochures and applications be made available to Units, and that the Informational Packets for the selected girls and their parents is sent out immediately following the receipt of the registration and fees.
- E. The American Legion Auxiliary, Department of Alaska, Honorary Junior Auxiliary will be allowed to sponsor two girls to Alaska Girls State annually, if necessary; when some of the smaller Units or outlying areas cannot sponsor a girl.
- F. The First Vice President of the American Legion Auxiliary, Department of Alaska, Inc., when elected President, should make her appointments to the American Legion Auxiliary, Alaska Girls State Board of Directors immediately following the Girls State session, and present her list of appointees to the American Legion Auxiliary, Department of Alaska, Inc., Department Executive Committee for ratification at the Department Executive Committee meeting held at the National Convention.
- G. The American Legion Auxiliary, Alaska Girls State Chairman/Director will make every effort to attend the annual National Girls State Directors Conference.
- H. The American Legion Auxiliary, Alaska Girls State program will include training in all three branches of government. State of Alaska procedures shall be followed as closely as possible in areas such as elected officials, legislature, courtroom procedures and inauguration.
- I. Delegates to the American Legion Auxiliary Girls Nation program are announced at the graduation by the American Legion Auxiliary, Alaska Girls State staff after an advisory election by citizens and staff.
- J. To assure that there is no hint of impropriety during an American Legion Auxiliary, Alaska Girls State, Inc., session, only women shall be housed in the sleeping quarters.
- K. All individuals attending the American Legion Auxiliary, Alaska Girls State, Inc., program as citizens must at the time of the session possess all of the physical body parts of the female gender.
- L. In addition to the American Legion Samsung Scholarship that is awarded to one citizen of the American Legion Auxiliary, Alaska Girls State, Inc. program each year, there will also be two (2)

\$2,000.00 (two thousand dollar) scholarships awarded to each of the two (2) citizens who will be chosen to represent the American Legion Auxiliary, Alaska, Girls State, Inc. program as delegates to the American Legion Auxiliary Girls Nation program in Washington D.C. at the end of July. The delegates will be chosen by the American Legion Auxiliary, Alaska Girls State staff and by an advisory vote of the Alaska Girls State citizens.

There will be two (2) alternate citizens chosen who will each receive a \$1,000.00 (one thousand dollar) scholarship and who will attend the American Legion Auxiliary Girls Nation program in Washington D.C. at the end of July in the event that either one or both of the delegates to American Legion Auxiliary Girls Nation program cannot attend.

M. In referring to students who attend the American Legion Auxiliary, Alaska Girls State program, Citizens of Alaska Girls State is the appropriate title, not Girls Staters. This is an American Legion Auxiliary National policy.



**POLICY AND PROCEDURES  
AMERICAN LEGION AUXILIARY, ALASKA GIRLS STATE, INC.**

**SECTION 1  
DISABILITY/MEDICAL CONDITION POLICY**

Any delegate being considered to enter the American Legion Auxiliary, Alaska Girls State, Inc. program will be provided the opportunity to advise the director and the staff of any disabilities or medical conditions she may possess.

The following clause is on the front page of the registration packet:

“PARENTS:

If an American Legion Auxiliary, Alaska Girls State program applicant cannot meet the program’s physical challenges, the American Legion Auxiliary, Alaska Girls State program will review the applicant’s needs to determine if reasonable accommodations can be provided. If such accommodations involve special costs or needs, a cost-sharing arrangement will be determined in advance with the applicant’s parent(s) or guardian(s).”

Are special accommodation/needs required: \_\_\_\_\_?

\_\_\_\_\_  
Parent(s) signature

\_\_\_\_\_  
Date \_\_\_\_\_

Decisions and actions regarding accommodating specific disabilities or medical conditions will be very carefully considered.

- The public relations consequences of a dispute regarding these matters can have devastating consequences for the American Legion Auxiliary, Alaska Girls State program and the American Legion Auxiliary.
- The general rule is that if a department’s American Legion Auxiliary Girls State program is required to provide public accommodation, it must provide “reasonable accommodation” for people with disabilities.

American Legion Auxiliary, Alaska Girls State, Inc., will make every effort to make reasonable accommodations. Accommodations are considered reasonable if they do not change the fundamental nature of the program (for example, creating prohibitive costs for the organization) or alter the essential criteria for participation.

If a delegate mentions she has a disability or requests special accommodations, the American Legion Auxiliary, Alaska Girls State director will discuss her needs with the parents/caregiver and investigate the potential reasonable accommodations at the selected housing facility.

- Normal costs for room and board and food that would be incurred by and American Legion Auxiliary, Alaska Girls State program for an additional person such as a chaperone or medical aide to attend the American Legion Auxiliary, Alaska Girls State program is not considered excessive or unreasonable.
- If the chaperone or medical aid is a paid position, the American Legion Auxiliary, Alaska Girls State program is not responsible for wages.

If, after discussing the requested accommodations, it is determined by the program that the accommodation(s) requested are unreasonable due to excessive cost, program officials can discuss with the participant’s parent(s) or guardian(s) a cost-sharing arrangement that would allow the participant to

attend without imposing a legally unreasonable burden on the American Legion Auxiliary, Alaska Girls State Program.

- This discussion would not be a legally binding discussion since the law does not require programs to provide unreasonable accommodation. Any decision to create a more inclusive program should ultimately be based on moral and ethical considerations rather than solely on legal reasons.
- If the program and the parent(s) or guardian(s) do agree on a cost-sharing arrangement, a written cost-sharing agreement will be written and signed by both parties. Such a signed agreement is a legally binding contract.
- If the participant is selected as a Senator to attend the American Legion Auxiliary, Girls Nation, the participants' parents will be expected to underwrite the costs for the accommodations at the American Legion Auxiliary Girls Nation in July.

If no reasonable accommodations for someone with a particular disability can be made, the American Legion Auxiliary, Alaska Girls State program may legally exclude that person from the program.

## **SECTION 2 SEXUAL HARRASSMENT POLICY**

This is a statement of the policy of the American Legion Auxiliary, Alaska Girls State, Inc., for all staff, volunteers and participants in the American Legion Auxiliary, Alaska Girls State program.

Inappropriate sexual conduct will not be tolerated and may constitute sexual harassment. The American Legion Auxiliary, Alaska Girls State program does not condone or tolerate any form of sexual harassment involving volunteers or participants. The American Legion Auxiliary, Alaska Girls State organization is committed to the creation and maintenance of a learning and work environment in which all persons who participate in the program and activities can do so in an atmosphere free from all forms of sexual harassment.

The American Legion Auxiliary, Alaska Girls State organization will take appropriate action to prevent and/or correct behavior that violates this policy. If necessary, the American Legion Auxiliary, Alaska Girls State organization will also take disciplinary action against volunteers and participants. Volunteers and participants who violate this policy will be subject to immediate termination and removal from the premises. Disciplinary actions for participants who violate the policy include a conference with the participants' parent(s) or guardian(s) and possible suspension and/or expulsion depending on the circumstances and severity of the offense.

The policy applies to all sexual harassment incidents involving American Legion Auxiliary, Alaska Girls State and addresses acts committed by a person of either sex against a person of the opposite or same sex. The policy recognizes that it is unlawful for volunteers or participants to commit acts of sexual harassment. Sexual harassment committed by an American Legion Auxiliary, Alaska Girls State volunteer or participant of either sex against participants or staff volunteers or participants of the opposite or same sex constitutes inappropriate behavior and is subject to disciplinary action under the American Legion Auxiliary, Alaska Girls State, Inc., discipline policies.

The policy also recognizes that volunteers and participants have a right to be free from sexual harassment by others such as contractors, vendors and volunteers.

It is the responsibility of the every American Legion Auxiliary, Alaska Girls State staff member to recognize acts of sexual harassment and to take necessary action to ensure that such instances are addressed swiftly, fairly and effectively.

American Legion Auxiliary, Alaska Girls State, Inc., prohibits retaliation against any individual who, in good faith, reports sexual harassment or participates in an investigation of such reports. Retaliation against an individual for reporting sexual harassment or for participating in an investigation of a claim of sexual harassment in good faith is a serious violation of this policy and like sexual harassment itself, will subject a participant, or volunteer to disciplinary action, up to and including termination or removal from the program. Because of the seriousness of the accusation any participant, or volunteer found to have made a false report or to have provided false information during an investigation may be subject to disciplinary action up to and including immediate discharge. The American Legion Auxiliary, Alaska Girls State organization views claims of sexual harassment a serious matter.

### **Sexual Harassment Defined**

Sexual harassment is defined as unwelcome sexual advances; requests for sexual favors; and/or the inappropriate verbal; written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

- When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in other activities.
- Such conduct may also constitute sexual harassment. In determining whether prohibited conduct constitutes sexual harassment, consideration will be given to the totality of the circumstances, including the context in which the conduct occurred.
- Dating or sexual relationships between adult volunteers and participants is prohibited.

### **Expectations**

The American Legion Auxiliary, Alaska Girls State, Inc., expects volunteers and participants to be committed to creating and maintaining an environment in which all persons participating in programs and activities can do so in an atmosphere free from all forms of sexual harassment.

- Alaska Girls State policy on sexual harassment will be communicated to all volunteers and participants.
- Education programs, to include all volunteers and participants, will be implemented. Volunteers and participants will be informed of procedures to follow for filing complaints of sexual harassment.
- Confidentiality will be maintained in all phases of the complaint process, in accordance with policy and consistent with the American Legion Auxiliary, Alaska Girls State's obligation to investigate and address complaints.
- Retaliation against anyone who, in good faith, files a complaint or cooperates with an investigation about sexual harassment is prohibited.

### **Other Legal Protection**

In addition to the American Legion Auxiliary, Alaska Girls State, Inc., policy, there may be several other federal and state measures that protect individuals from sexual harassment discrimination and provide specific prohibitions against acts of discrimination or other unlawful conduct.

## **Actions for Volunteers**

If you believe you are a target of sexual harassment or you have observed harassing behavior directed toward another, you should report such incidents. You may report this information verbally or in writing to your immediate supervisor or to one of the persons listed under, “Where to Go for Help” below.

However, prior to any investigation, all such reports must be in writing and signed by the person making the report. The writing need not be in any particular form or use any particular words as long as the nature of the offending behavior is clear. A reporting volunteer who gives a report may be asked to orally give further information and review and sign a written record of any oral report. You may also report it directly to the American Legion Auxiliary, Alaska Girls State, Inc. Director. When reporting an incident, it is helpful to provide as much information as possible, including the following:

1. A description of the event(s).
2. The number of occurrences, with dates and places.
3. The names of any witnesses.
4. Any documents or other exhibits, if appropriate.

## **Where to Go for Help**

Volunteers may contact any of the following individuals or offices for guidance, information, or resolution of a sexual harassment issue:

American Legion Auxiliary, Alaska Girls State Director  
American Legion Auxiliary, Alaska Girls State Co-Director

## **Actions for Participants**

If you believe that you are the target of sexual harassment or the focus of inappropriate behavior, you should report such incidents to your parents and verbally and/or in writing to one of the persons listed below under “Where to Go for Help” for Participants.”

When reporting an incident, it is helpful to provide as much information as possible, including the following:

1. A description of the event(s).
2. The number of occurrences, with dates and places,
3. The names of any witnesses.
4. Any documentation or other exhibits, if appropriate.

Participants may receive guidance, advice, support and/or advocacy from American Legion Auxiliary, Alaska Girls State staff, including the Board of Directors, counselors or other staff.

## **Where to Go for Help for Participants**

Participants may contact any of the following individuals or offices for guidance, information, or resolution of a sexual harassment issue:

American Legion Auxiliary, Alaska Girls State Director  
American Legion Auxiliary, Alaska Girls State Co-Director

## **SECTION 3 HARASSMENT/INTIMIDATION/BULLYING POLICY**

### **I. Statement of Philosophy**

The American Legion Auxiliary, Alaska Girls State, Inc., is committed to establishing a safe and healthy learning environment that promotes personal safety, respect, dignity and equality for all participants. Alaska Girls State is committed to establishing and maintaining a learning environment and climate that is free from harassment, intimidation and bullying. It is the expectation that no one should be left out or afraid, and it is the goal of the program that everyone can be safe and everyone can be respectful of others.

### **II. Definitions**

A. Harassment: Harassment in itself means to trouble, worry or torment, with repeated question or attacks. The victim feels hassled and becomes very frustrated, as the harassment may be a continuous event.

B. Intimidation: Intimidation involves making someone else afraid, intentionally making them timid, or to forcing them in some manner by using threats of violence.

C. Bullying: Bullying is aggressive behavior or intentions of harming another person. Bullying occurs within an interpersonal relationship characterized by an imbalance of power that involves the exploitation of a less powerful person by one seeking an unfair advantage. It is repeated over time. It involves both intimidation and harassment behaviors, and it can be physical, emotional, social, or sexual. In all four types of bullying, both verbal and nonverbal bullying methods can be employed.

### **III. Reporting Bullying**

Any participant or volunteer who is or has been subjected to bullying is encouraged to report all such incidents to the American Legion Auxiliary, Alaska Girls State Director. It is the duty of any employee or volunteer of the American Legion Auxiliary, Alaska Girls State program who has knowledge of possible bullying of a volunteer or participant to report the incident(s) to the American Legion Auxiliary, Alaska Girls State Director.

It is the responsibility of participant(s) who witness bullying behaviors against another participant to report the behavior to the American Legion Auxiliary, Alaska Girls State Director, a senior counselor, or other supervising adult in close proximity at the time or the incident. Citizens who stand by when a participant is being bullied, is in essence, giving approval to the behavior and could be considered an active participant.

It is preferred that reports of bullying be made in person or in writing and signed by the reporting party. However, in order to encourage full and complete reporting of such prohibited activities, any person may report such incidents in writing and anonymously by providing such reports to the personal attention of any of the above designated persons.

All reports of bullying should state the name of the participant or volunteer involved, the nature, context and extent of the prohibited activity, the dates of the prohibited activity and any other information necessary to relay a full report and investigation of the matter.

All formal and informal bullying complaints shall be promptly investigated as quickly as is reasonably possible.

#### **IV. Investigation of Bullying**

The following are established as guidelines for investigations that focus upon allegations of bullying.

A. After receiving a report or complaint of bullying, the American Legion Auxiliary, Alaska Girls State Director or her designee; (the investigator) will promptly investigate or authorize the undertaking of an investigation of the claim to determine if the American Legion Auxiliary, Alaska Girls State policy against bullying has been violated. If the Director or designee is alleged to have engaged in bullying, then a different investigator will be appointed by the American Legion Auxiliary, Department of Alaska President to conduct the investigation.

B. The investigation of a bullying claim may consist of personal interviews with the complaining party, the person or persons alleged to have engaged in the bullying conduct and any other persons or witnesses identified by the complaining party or other person who may have knowledge pertaining to the incidents or events alleged to have given rise to the claim. The investigation can also include a review of any written materials furnished by any party that is claimed to have some bearing on the issues raised by the complaint.

C. In conducting the investigation, the investigator will review all of the relevant facts and circumstances to confirm or deny the claims of bullying in order to determine if the policy has been violated. Factors the investigator can consider include but are not limited to:

- The nature of the behavior
- How often the conduct occurred
- Whether there were past incidents or past continuing patterns of behavior
- The relationship between the parties involved
- The race, national origin, sex and age of the victim
- The identity of the perpetrator, including whether the perpetrator was in a position of power over the participant allegedly subjected to harassment
- The number of alleged bullies
- The age of the alleged bully
- Where the bullying occurred
- Whether there have been other incidents at the program involving the same or other citizens
- The context in which the alleged incidents occurred pending criminal charges, if any.

D. While awaiting completion of the investigation and if circumstances warrant, the American Legion Auxiliary, Alaska Girls State, as soon as is reasonably possible, will take appropriate and reasonable steps to protect the individual who is allegedly being bullied from the alleged perpetrator, until the matter can be fully investigated and the appropriate remedial steps be taken.

E. At the conclusion of the investigation and based upon facts taken as a whole and the totality of the circumstances, the investigator will determine whether a violation of the American Legion Auxiliary, Alaska Girls State bullying policy has been established. If a violation is established, the American Legion Auxiliary, Alaska Girls State organization will take prompt action to address the violation.

## **V. Disciplinary Action for Bullying Conduct**

A. Any participant engaging in bullying is subject to any and all disciplinary actions that may be imposed by the American Legion Auxiliary, Alaska Girls State Director with the consent of the American Legion Auxiliary, Department of Alaska Girls State Board of Directors. Administrative responses to bullying referrals will be determined by the frequency and/or severity or the nature of the incident(s).

B. The American Legion Auxiliary, Alaska Girls State Director may use a variety of consequences in response to the bullying behavior. These responses may include but are not limited to the following:

- Conference with the participant(s)
- Contact and/or conference with the participant(s) parent(s) or guardian(s)
- Written and/or verbal apology to victimized citizen
- Restitution for damages
- Expulsion from the American Legion Auxiliary, Alaska Girls State program
- Law enforcement contact

C. Any employee or volunteer engaging in the bullying of a participant is subject to discipline, which could include but would not be limited to, verbal or written disciplinary action, and/or expulsion from the American Legion Auxiliary, Alaska Girls State program.

## **VI. Non-Retaliation**

It is the position of the American Legion Auxiliary, Alaska Girls State program, that any person who has reported either the bullying of another individual or that he/she has been bullied will not be subjected to any form of reprisal, retaliation, intimidation or harassment. The American Legion Auxiliary, Alaska Girls State organization will discipline or take appropriate action against any participant, employee, agent, volunteer, or representative of the American Legion Auxiliary, Alaska Girls State program who is determined to have engaged in such retaliatory behavior.

## **SECTION 4 BACKGROUND SCREENING POLICY**

Because the American Legion Auxiliary, Alaska Girls State, Inc., program primarily serves minors, it is extremely important that our American Legion Auxiliary, Alaska Girls State program has a background screening process that covers all staff volunteers. We are assuming responsibility for and the custody of someone else's daughter for a week.

We should remember that there can be both civil and criminal liability for failing to conduct background screenings. Organizations that primarily serve children are held to the strictest standards in regard to background screening. Therefore, it is the policy of the American Legion Auxiliary, Alaska Girls State program to conduct background screenings on all staff and volunteers. These background screenings may include one or all the following:

- A national criminal history check
- A Sex-offender registry check
- A social security check
- Drivers record: (If a staff volunteer will be transporting minors by motor vehicle)
- Possible personal references

In regard to junior counselors or volunteers younger than 18, there typically is no legal requirement to perform a background check and, since juvenile criminal records are usually sealed, a typical background check of a minor would not likely be effective. Social media sites and web-based search engines such as Google are viable ways to help evaluate a minor volunteer. An account viewable to the public is considered an open record.

If a background check reveals anything that gives the Alaska Girls State Director cause for concern, that individual will not be allowed to participate in the program unless the cause for concern is resolved.

The results of all background checks will be kept confidential.