

## **SCWS Area Safe SCAC Task Force Update November 16, 2019**

### **Background...**

- SCAC began in 1970. It was the first Alateen Conference in any Area.
- SCAC was not involved with the SCWS Assembly (as in fundraising, etc.) until approximately 1992/1993.
- The connection between the Area and SCAC was limited until 2003, when the WSO Board of Trustees' motion required every Area to create and adopt Area Alateen Safety and Behavioral Requirements.
- The SCWS Area developed Alateen Safety and Behavioral Requirements (ASBR) that were approved by WSO. The ASBRs were incorporated into SCAC procedures.
- In 2011 funds were stolen from the SCAC checking account.
- Afterwards a SCAC Task Force was formed to create a link between the Area and the SCAC Committee.
- The SCAC Committee and the Area knew that it was time to put into place some level of organization and oversight.
- It was determined that the best way to accomplish this would be to have SCAC organized into a California nonprofit, 501(c)(3) with Bylaws stating the relationship between SCAC and the Area, and giving the Area Treasurer oversight of SCAC financials.
- SCAC became a California nonprofit, 501(c)(3) in 2012.

### **SCAC 2016**

- An Alateen member brought illegal drugs to SCAC and suffered a severe reaction that required emergency medical care as a result of the use of the drug.
- As a result of the incident and the chaotic response to the incident, as well as other inconsistencies at the event, SCWS lost confidence in the ability of SCAC to be as safe and secure as possible. SCAC was suspended by SCWS until confidence could be restored.

### **As a result...**

- An Alateen Conference Restructuring Work Group was established
- The Work Group recommendations were forwarded to the Area Alateen Resolution Committee to develop policy and implementation.
- The Resolution Committee prepared a SCAC Procedures document prior to the turnover of Area Officers and committee in January 2018.
- As of 2019, The Southern California Alateen Conference (SCAC) is currently organized as a charitable non-profit organization under the Rules and Regulations of the Internal Revenue Code 501(c)(3).
- It is also a California Nonprofit Public Benefit Corporation.

### Here is where we are now:

- In March of this year the Safe SCAC Task Force was formed to update the By-Laws of the SCAC Non-Profit Public Benefit Corporation, to review and modify the SCAC Procedures document, to ensure that everything is aligned with the revised ASBR, and to develop a plan to start a new annual Alateen Conference.
- In addition, the question has arisen as to whether SCAC Should function as a stand-alone non-profit corporation or if the corporation should be dissolved and SCAC should be run under the umbrella SCWS non-profit corporation.
- The task force is continuing its work on the By-Laws because they contain many of the relevant policies necessary to conduct an Alateen event. If the non-profit dissolves the By-Laws will continue to be the link between SCWS, the ASBRs, and SCAC.

### Three Documents:

There are 3 documents that are specific to SCAC.

- SCAC By-Laws – Policies for the organization and oversight of SCAC as well as the requirements and processes for the initial selection of SCAC leadership/committee.
- By-Laws will also be necessary if SCAC continues as its own non-profit organization.
- SCAC Procedures – for guidelines and the effective implementation of the event
- SCAC Event Plan – created by the SCAC Event Sponsors and the SCAC Committee for the actual operation of the event.
  
- SCAC “recognizes the authority of the Southern California World Service Assembly and its interpretations of the Twelve Steps, the Twelve Traditions and the Twelve Concepts of the AI- Anon Family Groups Program and will be in compliance with the Southern California Alateen Area Safety and Behavior Requirements and automatically adopt any revisions approved by the SCWS Assembly.” (SCAC Bylaws)

### SCAC Board of Directors

- The Board of Directors of a nonprofit has three primary legal duties known as the “duty of care,” “duty of loyalty,” and “duty of obedience.”

#### Duty of Care

- Take care of the nonprofit by ensuring prudent use of all assets, including facility, people, and good will;

#### Duty of Loyalty

- Ensure that the nonprofit's activities and transactions are, first and foremost, advancing its mission; Recognize and disclose conflicts of interest; Make decisions that are in the best interest of the nonprofit corporation; *not in the best interest of the individual board member* (or any other individual or for-profit entity).

## Duty of Obedience

- Ensure that the nonprofit obeys applicable laws and regulations; follows its own bylaws; and that the nonprofit adheres to its stated corporate purposes/mission. (reference: [www.councilofnonprofits.org](http://www.councilofnonprofits.org))

## SCAC Board of Directors

- There are seven members of the SCAC Board of Directors per the Bylaws:
  - SCAC Chairperson (a minor)
  - SCAC Treasurer (minor)
  - SCAC AMIAS Sponsor
  - SCAC AMIAS Co-Sponsor
  - SCWS Area Alateen Sponsor Coordinator
  - SCWS Area Alateen Member Coordinator (minor)
  - SCWS Area Treasurer
- The Area's ASBRs state that "Teenagers who are legally adults agree to abide by the same requirements as minor Alateens when they attend Alateen meetings and events."
- While Alateen is open to all Al-Anon members who are 12 years of age through 18, minors do not possess the legal capacity to be a party to contracts.
- Therefore, in order to maintain its status as a Nonprofit Public Benefit Corporation, the Board of SCAC would have to be completely restructured so that no minors were in positions of fiduciary or legal responsibility for the organization.
- The existing SCAC Bylaws were brought to a vote on June 23, 2013. They were voted on by the Alateens (minors) in attendance at SCAC.
- **These issues regarding the role of minors in SCAC, the legal entity, were not addressed in the past.**

The "duties" of the SCAC Board of Directors include:

- Review and approve all budget and expense reports submitted by the SCAC Treasurer
- Review SCAC budget reports and authorize and sign contracts pertaining to SCAC
- Prepare and submit the documents needed to assure and maintain the non-profit status of SCAC
- Review and approve any amendments to the SCAC Bylaws
- According to Guidelines from the California Department of Justice, Attorney General's Office, a nonprofit can be dissolved by vote the Board or the majority of the membership once the assets of the nonprofit are properly dispersed.
- Regardless of whether or not SCAC remains its own nonprofit, The By-Laws need to be brought into alignment with the ASBR.

## Discrepancies include:

- The age range of Alateens

- Clarification that Adults (AMIAS) are responsible for all facets of Safety including compliance with the ASBR.
- The selection process for Sponsor & Co-Sponsor
- The selection process for a new SCAC Chair and committee

**Down the Road...**

- It is very likely that the ASBR process will be completed before the SCAC Policies and Procedures.
- The final Policy & Procedure Documents will require approval by the SCWS Board, Committee and the Assembly of GRs before SCAC can be reinstated.
- The Task Force will be initiating KBDM to make a recommendation to determine the status of SCAC as a Not for Profit organization or an arm of the SCWS nonprofit. The ultimate decision will most likely belong to the SCAC Board of Directors.