

# Criminal Background Checks Club Policy

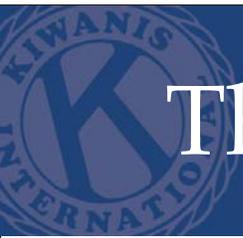
Training for Kansas Kiwanis  
District club members

By

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Youth Protection Guidelines Manager



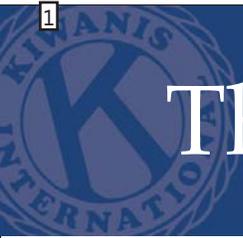
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# The guidelines

## **Objectives:**

- After this training, you will be able to:
  - Know why your club needs a policy,
  - Identify who needs a criminal background check,
  - Identify methods of obtaining criminal background checks,
  - Know the District Youth Protection Manager is your resource for questions.



# The guidelines

## **Criminal history background checks**

- Required of any Kiwanian working with SLPs
- Encouraged for all adults working or serving with Kiwanis youth
- Clubs should have a policy.

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## Criminal history background checks

For adults working with youth, criminal history background checks are being required more and more frequently in many settings. In order to protect yourself, your club and the youth we serve, Kiwanis International has established the following requirements and expectations:

Follow all local and state/provincial laws and requirements related to background checks when working with youth.

Required: Kiwanis clubs are required to have a clear background check of any member serving as advisor to any Service Leadership Program club.

Required: Kiwanis International will conduct background checks for all adults working with youth at all Kiwanis International-sponsored events.

One background check applies to all events and is valid for two years. The cost of this background check is covered by Kiwanis International. Strongly encouraged: ensure confidential background checks for all club members who will be working directly with youth and who may not have undergone a background check.

If this training is taking place at a club meeting: Your club should have a policy about background checks. Review that policy at this time.

If this training is at a district convention, review the following: Before you implement background checks, Kiwanis recommends you first develop a club policy. The best practices for developing a policy can be found at [www.kiwanisone.org/backgroundchecks](http://www.kiwanisone.org/backgroundchecks). We recommend the club leadership (and all members) check this out. If you have an Internet connection, go to that Web page.

## Where do you get criminal history background checks?

First, check with the school or organization that hosts the Service Leadership club, program or activity. They may have processes that satisfy Kiwanis International requirements.

Other options:

Local government office, such as City Hall

Police station or Sheriff's office

Local vendor/provider of background checks

Safe Hiring Solutions, Kiwanis International's preferred vendor for background checks (see [www.KiwanisOne.org/backgroundchecks](http://www.KiwanisOne.org/backgroundchecks) to learn more)

## Potential questions

Q: Who is required to have clear criminal history background checks?

A: Kiwanis advisors to SLP clubs.

Q: What are the reporting requirements for background checks?

A: These should be reported in your club secretary's monthly report to Kiwanis International.

Q: What are the consequences to a club that either neglects to or refuses to have a background check performed on its member?

A: For the time being, there are no direct consequences to a club. However, since Kiwanis International is the club's liability insurance carrier, should an incident occur, failure to comply with this policy could ultimately affect cost of such coverage in the long term.

Q: Is the club's Kiwanis International liability coverage affected if there is not a clear background check on the SLP advisor?

A: No, the coverage is not affected, but long term costs of such coverage for the organization overall could be impacted, if we have claims that could be prevented by a background check.

Q: If we choose to use an entity other than Safe Hiring Solutions to perform our background checks, where can I find the standards to meet Kiwanis International requirements?

A: The Kiwanis International standards are outlined in Kiwanis International procedure 197 ([www.kiwanisone.org/backgroundchecks](http://www.kiwanisone.org/backgroundchecks)).

Q: How can a Kiwanis club secretary confirm that an advisor has a background check if they are not getting the check through the club?

A: A note or confirmation from the school or entity that performed the background check is sufficient. If the background check was done through Kiwanis International, the member or secretary can email Vicki Crabtree ([vcrabtree@kiwanis.org](mailto:vcrabtree@kiwanis.org)) for confirmation.

Q: What protects the club/district officers from being held personally responsible if there is a breach or misconduct with the data collected?

A: The voluntary Directors and Officers Insurance (D&O) provides protection for directors, officers, committee chairpersons and members for liability arising out of the performance of their duties that may result in claims. Review the "Option Ins Guide" at [www.kiwanis.org/liability](http://www.kiwanis.org/liability) for more information.



# Sample Policy

## **Applicability:**

The clubs can choose who, besides the SLP Advisors, need criminal background checks. Use the list as a guide and follow the instructions.



# Sample Policy

## Clear Check:

The Kansas District Board of Directors approved using the same crimes included in Kiwanis International Policy 197 when conducting District level checks.

Clubs may also use this policy as basis for determining clear checks and the policy should be attached to the club's policy if it is used.



# Sample Policy

## **Service Provider:**

Although each club can chose their own preferred provider, it is strongly recommended that everyone use Safe Hiring Solutions, which has a contract with Kiwanis International and is their provider.



# Sample Policy

If you select Safe Hiring Solutions, your options are as follows:

On the internet, use the following web site:

[www.safehiringsolutions.com/kiwanis-international/](http://www.safehiringsolutions.com/kiwanis-international/) . You will be given two options.



# Sample Policy

**Option #1:** Your club can open an account with Safe Hiring Solutions. You will have a couple of choices if you select this option.



# Sample Policy

**Option #2:** With this option, the member conducts a Self-Screening by opening an account themselves. They will fill out an online application and the results will be reported back to them. They will then be responsible for providing the report to the club representative. They will be responsible for the initial costs with this option.



## Safe Hiring Solutions

Obtaining an individual's background check through [Safe Hiring Solutions](#). That cost begins at \$19.95 but could include additional fees based on where the applicant resides or has resided in the past.



# Sample Policy

If you choose another provider option, you are reminded of what you are trying to accomplish – safeguard the children, the club and the member. Use as broad a search provider as possible.

Option #2 is the suggested method of Kiwanis International.



# Sample Policy

## **Criteria:**

Once the Club Secretary has completed his/her need for any documents with personal data of the member, they should return ALL documents to the member. This would include the authorization form and results in Option #1 and the results provided by the member in Option #2. This will alleviate the Club Secretary or the club of maintaining confidential information.



# Sample Policy

## Costs:

Although the options are self-explanatory, if the club chooses Option #2 above, they will need to determine if the member gets reimbursed or not.



# Sample Policy

## **Appeal Process:**

Some form of an appeal process must be part of the club policy.



# Sample Policy

## Criminal History Background Checks – FAQ:

What about faculty advisors?



# Sample Policy

## Criminal History Background Checks – FAQ

How can a Kiwanis club secretary confirm that an advisor has a background check if the advisor does not get the check through the club?



# Sample Policy

## Criminal History Background Checks – FAQ

Should the Kiwanis club secretary maintain a copy of the background check?



# Sample Policy

## **Time Frame for Implementation:**

Kiwanis year 2013-2014 was an educational period. However, all clubs should have polices and criminal background checks completed by September 30, 2014.



## Criminal history background checks

### **Here are a few suggestions for obtaining these background checks:**

- Check with the school or organization that hosts the Service Leadership club, program or activity. The cost will be determined by that school or organization. Some offer background checks for free.
- Connect with your local government office, police station or other vendor/provider of background checks.



## Criminal history background checks<sub>(cont.)</sub>

### **Best practices for club policies**

- Before you implement background checks, we recommend a first step: develop a club policy.



# Policies

- Kiwanis International:
  - #197 – Criminal History Background Checks
  - #432 – Youth Protection Guidelines
- Kansas District:
  - Appendix C, Kansas Kiwanis District Policies and Procedures– Criminal History Background Checks

## The guidelines

# Reporting

You must report if you:

- Observe troubling behavior
- Learn of illegal/unsafe situation

**A resource: National Child Abuse Hotline**

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## Reporting

The next guideline is about reporting troubling behavior. If you observe or suspect any troubling behavior, you must report it to the appropriate personnel at the event—and to law enforcement personnel, if appropriate.

You must follow all local, state, provincial and federal laws regarding reporting. Let's clarify what all of this means.

First, what is "troubling behavior"? As defined earlier, it consists of:

All forms of child abuse as described previously.

Behavior not in accordance with the Kiwanis Guidelines.

Illegal behavior of a youth or adult.

Something that causes your internal voice to say: "Something's not right about this."

If you observe troubling behavior at an event, you must report it immediately to the appropriate person at the event. This refers to the person who is in charge of that specific event, or a person in a position of authority at the site or school. Here are some examples of event types. We'll look at each one and then discuss the appropriate person to report to. (Read the situations one at a time, and ask for responses from the group after each one.)

SLP club meeting: Faculty advisor, guidance counselor, school principal/facility executive director

Key Club district convention: Club/Kiwanis advisor or district administrator

Offsite service project: Faculty advisor or school guidance counselor

Event/function attended by Kiwanis club and SLP club: Event coordinator

Overnight event sponsored by Kiwanis International: Event coordinator

In determining whether law enforcement personnel should be called to the scene immediately, let's first look at the definition of "emergency."

For our purposes, an emergency is a situation in which the health or safety of those present is being immediately threatened. Law enforcement personnel should be called in such an emergency. If the situation poses no immediate danger and involves suspected child abuse, call the appropriate local authorities (we will discuss how to determine who the appropriate local authorities are)

Finally we'll take a look at legal policies for reporting suspected abuse, and who to call in such situations:

In 48 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands, members of designated professions are mandated by law to report child maltreatment. Individuals designated as mandatory reporters typically have frequent contact with children.

Typically, a report must be made when the reporter, in his or her official capacity, suspects a child has been abused or neglected.

If you need help in determining whether or not a call to authorities is necessary, or if you are looking for the appropriate local authorities to call, the National Child Abuse Hotline is a great resource. (If you have an Internet connection, display website)

1-800-4-A-CHILD / 1-800-422-4453

[www.childhelp.org/pages/hotline-home](http://www.childhelp.org/pages/hotline-home)

Available in U.S. and Canada—also in Puerto Rico, Guam and U.S. Virgin Islands.

The hotline can provide further information on reporting known or suspected abuse, and what to expect during the reporting process.

The website also includes a listing of local hotline reporting numbers for Child Protective Services in all U.S. states.

## The guidelines

# Reporting

In short:

1. "Reasonable person standard."
2. If participants or chaperones are not in immediate danger, contact school personnel or event leader first.
3. Emergency? Call local law enforcement immediately.

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In short:

Use the "reasonable person standard." This means consider what a reasonable person would do in the situation and act accordingly.

If participants or chaperones are not in immediate danger, contact school personnel first. They will have procedures in place for dealing with suspected abuse or troubling behavior.

If there is an immediate threat, call local law enforcement immediately.



# Important Numbers

- National Child Abuse Hotline – 1-800-422-4453 ([www.childhelp.org](http://www.childhelp.org))  
NOTE: This site has a list for all states.
- Kansas Department for Children and Families ([www.dcf.ks.gov](http://www.dcf.ks.gov))– 1-800-922-5330

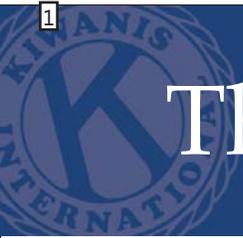


# Important Numbers

- Kiwanis International Hotline  
1-800-KIWANIS, ext. 298  
(1-800-549-2647, ext. 298)

Email:

[protectouryouthhotline@kiwanis.org](mailto:protectouryouthhotline@kiwanis.org)



# The guidelines

## **Personal information**

- Keep at least 3 years
- Keep it confidential
- When destroying, shred to keep confidentiality

## Personal information

This guideline refers to any document that has information about youth participants (including, but not limited to: registration forms, medical information forms and permission to treat forms).

Here is what you should do with these forms:

Protect the information—treat the documents as confidential.

Keep each one for a minimum of 3 years (but refer to your local state/provincial law).

When documents can be destroyed, they must be shredded or destroyed in a way that maintains confidentiality.

If training is taking place at a club meeting, the club should have a process in place to protect personal information. Review this process at this time.

If training is taking place at a district convention, review the following:

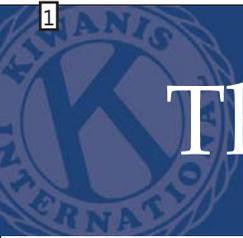
If your club collects such information, create a process to protect this information. For instance, minimize the number of people with access to the documents. An example of such policy can be found here: [www.kiwanis.org/clubpolicybasics](http://www.kiwanis.org/clubpolicybasics).

If you have Internet access, show this page—scroll to “Information security.”

## Potential questions:

Q: If I am in charge of keeping this personal information for the specified time period, can I be held personally and financially responsible in the event of a data breach?

A: Yes, you can. The voluntary Directors and Officers Insurance (D&O) provides protection for directors, officers, committee chairpersons and members for liability arising out of the performance of their duties that may result in claims. Review the “Option Ins Guide” at [www.kiwanis.org/liability](http://www.kiwanis.org/liability) for more information.



# The guidelines

## **When rules conflict**

Always follow the highest applicable standard.

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When rules conflict

Adults working directly with youth are responsible for knowing which standard should be followed. But what if you're trying to figure out which policy to follow—school policies, or local, state/provincial or national laws or regulations?

Always go with the highest applicable standard. In other words, use the strictest policy.

Read the following scenario to the group and ask them to respond:

Your Kiwanis club is helping an SLP club with a service project in the school. Which of these two policies should be followed?

The school policy states that all adults who work with students in the school or at school-sponsored events must have a clear background check.

Kiwanis requires that Kiwanis club members who are SLP advisors should have a cleared background check.



# Need More Information?

## **CONTACT**

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attention and participation.



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