

MICHIGAN DISTRICT OF KIWANIS POLICIES

ARTICLE I00 INTRODUCTION

The Michigan District of Kiwanis Policies are set forth as guidelines to the operation of the Michigan District in conjunction with the District Procedures, the District By-laws and the policies, procedures and by-laws of Kiwanis International (KI). These policies do not form a contract of employment or otherwise for any District employee, officer, or club member. Moreover, these policies may be deleted, modified, or added to, in whole or in part, at any time by a majority vote of the District Board, unless otherwise identified. If and when any changes occur, they will be published on the Michigan District of Kiwanis website, where these policies and the District's By-laws are posted. The day-to-day interpretation of these policies will be entrusted to the Executive Director of the Michigan District and/or to the person(s) involved. Should a dispute arise, the interpretation of the Governor, the Executive Board, or the District's Board, in that order, shall prevail, with guidance from the Chair of the District's Resolutions, By-Laws and Policies Committee.

Should KI or any court or other administrative body find any of these policies to be invalid or illegal, the policy(ies) shall be revised so that they are valid and legal to the greatest degree possible in line with the original intent and goal of the policy. All of the other policies and procedures shall remain in full force and effect during and after such revisions.

ARTICLE 200 DEFINITIONS

201. Policy. A policy is a basic principle by which the District Board guides the affairs and organization of the Michigan District of Kiwanis. The District Board must adopt District Policy.

202. Procedure. A procedure is an established method or manner by which the Bylaws and Policies of the Michigan District of Kiwanis are implemented. The Executive Committee may adopt District Procedure. The Executive Director may also implement day-to-day administrative procedures.

ARTICLE 300 DISTRICT ADMINISTRATION

301. The Administration of the District. The administration of the District shall be through the Executive Director and their office staff/designee(s), the Governor, the Executive Committee and the Board.

302. The Executive Director. The Executive Director is the operations administrator of the District. The Executive Director shall have a deep sense of devotion to duty and service and shall have the desire to carry out the principles, goals, priorities, and plans of the Michigan District and Kiwanis International as the Governor and the Board shall direct.

302.1 The Executive Director's Qualifications and Duties. The Executive Director shall be a member of a Michigan District Kiwanis Club, available on a full-time basis, with the qualifications deemed necessary for the position without any conflicts of interest. They shall be responsible for the duties described in the District's **Executive Director job description**, including, but not limited to the day-to-day operations of the District Office (including the hiring, evaluation, and termination of office personnel), administration and enforcement of the District's By-laws, policies and procedures, and KI's Reference Guide for District Officers. This position is also responsible for the planning and general management of all "official District functions" as the Governor and Board directs. They are a voting member of the Executive Committee, the Board, the Finance Committee and Long Range Planning Committee, Editor of the Builder, Manager of the District Office and of District Conventions and Meetings. The Executive Director shall be bonded in an amount that the Executive Committee and/or Board (with advisement from KI as needed) deems sufficient to cover any potential liability. The Executive Director shall be an ex-officio member of all other District Standing Committees not listed herein. They shall work with the Governor and Board as an advisor to the K-Family organization and work with their members.

302.2 Executive Director Absence. When the Executive Director is expected to be incapacitated or absent for 60 days or less, the Governor shall work with the Executive Committee to decide how to handle the temporary absence, including whether to appoint a temporary advisor. If the incapacity or absence is anticipated to exceed 60 days, the Governor shall appoint an Acting Executive Director subject to the Board's approval to fill the position until the return of the Executive Director or until a vacancy in the position occurs. **See also Procedure _____.**

302.3 Executive Director Vacancy. Whenever a vacancy in the District's Executive Director position exists, or notice of resignation or retirement is given, the Governor shall initiate a search committee to seek applicants and qualified candidates for the position. After the Search Committee posts the position, reviews and identifies qualified applicants, interviews those most qualified applicants, identifies the most qualified candidate for the position, it shall make its hiring recommendation(s), including a recommended compensation and benefits package, to the Governor and the Board for approval.

The Governor shall appoint the Search Committee Chair and shall appoint upon the recommendation of the Executive Committee a reasonable number of committee members. The Search Committee shall be responsible to the Governor and to the Board. The search committee shall consist in part of the current Governor, the Governor-Elect,

the past Governor, the Lt. Governor Class Chair and the current Executive Director, if applicable.

See also Procedure _____

303. The Executive Committee. The Executive Committee shall consist of the Executive Director, the current Governor, the Governor-Elect, the past Governor as the Chair of the Finance Committee, and the Lt. Governor class representative. The Executive Committee is authorized to act on behalf of the District Board between District Board meetings. The Executive Committee shall report to the District Board on any action(s) that it has taken on the Board's behalf and shall submit for vote any action(s) requiring District Board ratification/approval.

304. The Governor. The District Governor is the leader of the District and provides guidance and leadership for the entire District and to the District Officers and committee chairs.

304.1 Responsibilities. This role is charged with numerous training responsibilities and communication tasks, as well as opening new clubs and supporting recruitment efforts. The Governor is the liaison between KI and the District. The Governor oversees the Executive Director in conjunction with the District Board.

304.2 Election. The District Convention delegates elect the Governor at the annual District Convention.

305. The Governor-Elect/Designate. The Governor-Elect shall assist the Governor and shall be in-training to take on the duties and responsibilities of the Governor. The Governor-Elect/Designate shall serve on several committees, including the Executive Board. The delegates to the District Convention elect the Governor-Elect/Designate at the annual District Convention.

306. The Lieutenant Governors. Just as the club president is the leader of their club, the Lieutenant Governor is the leader of their Division. The Lt. Governor invests balanced efforts in working with existing clubs and opening new clubs to strengthen Kiwanis within the communities in the division.

306.1 Liaison. This position is the connection between the clubs and the global Kiwanis organization when it comes to communication, resources, education opportunities and information.

306.2 Club Support. The Lt. Governor works closely with club leadership, specifically club presidents, to ensure that they feel supported and have access to information to continuously improve their members' experience. Each division of the District shall have a Lt. Governor that the members of the division elect at their Spring Divisional meeting. The Lt. Governor shall be an officer of the district and a member of the Board.

306.3 New Member Inductions. The Division Lt. Governor has the duty to attend and officiate over officer and new member inductions, however, the Governor may assist if present.

307. Lt. Governors-Elect. Lt. Governors-elect are encouraged to attend Board meetings for training purposes. They may not vote at Board meetings. They may receive mileage reimbursement if the Board's annual budget accounts for, and approves, these expenses in advance. Reimbursement may be decreased or eliminated when economic conditions require.

308. Accountability of District Officers. All District officers are subject to the same ethical standards and disciplinary actions.

309. The District Board. The District Board shall be composed of the Past Governor, the current Governor, the Governor-Elect, the Executive Director and a Lt. Governor from each District Division.

309.1 Purpose and Accountability. The Board is accountable to the membership working solely on behalf of the membership. Its purpose is to ensure that the District achieves its strategic objectives.

309.2 Governing Style. The Board will govern with an emphasis on:

- 309.2.1 Outward vision;
- 309.2.2 Encouragement of diversity of viewpoints;
- 309.2.3 Strategic leadership more than its own administrative detail;
- 309.2.4 Clear distinction of Board and Executive Director roles;
- 309.2.5 Collective rather than individual decisions;
- 309.2.6 The future rather than the past or present;
- 309.2.7 Proactive rather than reactive; and
- 309.2.8 Open, efficient, and productive meeting

309.3 Code of Conduct. To ensure the confidence of clubs and members and the reputation of the District among the public and to fulfill the Board's role of stewardship and leadership to the organization, the District expects all members of the Board to conduct themselves according to the highest ethical, professional, and moral principles. Each Board member and candidate for any Board office shall annually acknowledge, by signature, that they have read, understand, and accept personal responsibility to adhere to the standards of conduct stated in this policy.

309.4 The Board's Ethical Responsibility. Each Board member shall, to their utmost ability:

- 309.4.1 Personally comply with all applicable laws and regulations, as well as Kiwanis International's and the District's Bylaws, Policies, and Procedures;

- 309.4.2 Never knowingly allow the District to violate any applicable laws and regulations;
- 309.4.3 Act with integrity, honesty, and trustworthiness and not engage in unethical practices, deceive others, or misrepresent Kiwanis in any business dealings;
- 309.4.4 Treat others equitably, fairly, and with respect and not engage in any form of discrimination or harassment;
- 309.4.5 Be loyal to the District and its mission;
- 309.4.6 Demonstrate care for clubs and club members and the communities they serve, including the highest regard for the safety, health, and welfare of the public;
- 309.4.7 Make responsible decisions for the future of the organization, ensuring Kiwanis and the District's resources are prudently managed and expended;
- 309.4.8 Practice transparency and accountability to clubs, members, and the public;
- 309.4.9 Not use the name of Kiwanis or their Board position for personal benefit or advantage;
- 309.4.10 Help create a cooperative and productive working environment at Board meetings and other Kiwanis functions;
- 309.4.11 Respect and protect any privileged or confidential information, including the private information of members and donors, and support the final decisions of the Board;
- 309.4.12 Fulfill the duties of office to which they are elected and not attempt to exercise individual authority outside the purview of their office;
- 309.4.13 Interact with staff in a professional and respectful manner, following agreed channels of communication and authority;
- 309.4.14 Not engage in any conduct that would tarnish the good reputation of Kiwanis or undermine the members' or public's trust.

309.5 Ethics Violations. Alleged violations of ethical standards of conduct shall be reported to the Executive Director, who shall inform the Executive Board.

- 309.5.1 Investigation. If the Executive Director and Executive Board determine that further investigation is warranted, the process shall be conducted in the same manner as violations of conduct unbecoming, including the right of the accused to defend themselves, as defined in the District's Bylaws or these policies.
- 309.5.2 After the process is completed, any Board member found to have violated these standards of conduct shall be subject to disciplinary action as the Board determines, up to and including suspension of duties or removal from office.

309.6 Cost of Governance. The Board will invest in its governance capacity, including skills, methods, and supports to assure governing with excellence. Any cost of governance must be budgeted and approved by a 2/3 majority vote of the Board.

309.7 Board Meetings. The meetings of the District Board shall be conducted as required in the District Bylaws. Meetings may be held electronically, by telephone, skype, or as technology may otherwise allow to provide simultaneous participation of all Board members.

309.7.1 Mandatory Approvals. At the first District Board meeting of each Kiwanis year, the Board shall:

- 309.7.1.1 Have each Board member execute a Conflict of Interest Form;
- 309.7.1.2 Vote to approve (or not approve) the Employment Contract for the Executive Director for the current Kiwanis year;
- 309.7.1.3 Vote to Accept (or not to accept) the budget for the current year;
- 309.7.1.4 Vote to appoint (or not to appoint) a District Treasurer for the current year;
 - i. Except as indicated in paragraph 2 below, the District Treasurer or the Chair of the Finance Committee shall co-sign all District checks issued along with the District's Executive Director, unless the Board or Executive Committee agree otherwise. At no time may any District officer, Board member, District employee, club member or any volunteer sign checks payable to themselves).
 - ii. The Executive Director shall have the authority, upon review by the District Treasurer, to sign District checks issued for routine limited-amount items as the Finance Committee may identify annually as to what constitutes "routine" along with the capped amount.
- 309.7.1.5 Determine by a Board vote whether to participate in the KI Awards program for the District's Governor, Lt. Governors and Club Officers and to determine any criteria changes or additions that may be made to the KI award requirements for Lt. Governors and Club officers. See also, KI and District Awards Procedures.
- 309.7.1.6 Vote to approve the District Governor's special committee chairperson, if any.

309.7.2 Appointments. Upon the recommendation of the Finance Committee, the Board shall appoint a District auditor or examiner. The District auditor or examiner shall remain the same from year to year until the Finance Committee recommends to the Board and the Board approves a different auditor or examiner.

310. Standing Committees. The District Bylaws address the structure and functions of standing and special committees for the District. These committees provide specialized direction and guidance for the District officers and Board.

310.1 List. In addition to KI's list of standing committees that it recommends that Districts have, the District's Bylaws list others and their function(s). The District also shall have the following committee(s):

310.1.1 The Education and Leadership Development Committee. This committee's purpose is to provide education and leadership development for the District officers, Board members and general membership of the District. The committee shall report at least annually to the District Board and periodically review and revise, as applicable, the District's educational programs, workshops, and leadership conferences. This committee shall work co-operatively with KI and any associated KI committee to achieve the educational and leadership development goals of the District, its clubs and the membership. The District shall provide education and training on an "as needed basis."

310.1.2 The Steering Committee. The purpose of the Steering Committee shall be to identify, advise, nominate and assist in electing any qualified District member in seeking an elected position with KI. This committee shall work co-operatively with KI and any associated KI committee to achieve the goals of KI, the District and its members. The District Steering Committee shall conduct a District caucus at the International Convention to discuss the important issues of the convention and to discuss the qualifications of any officers being elected. Where warranted, the District Steering Committee shall make a recommendation regarding support for a specific candidate. In addition, the Steering Committee shall discuss at the International Convention District Caucus KI Board's recommended resolutions and amendments to KI's Bylaws to be voted upon at the KI delegate session.

310.2 Appointment of Chairpersons. Pursuant to the District's Bylaws, the Governor for their term shall appoint District Standing Committee Chairpersons, with all special committee chair appointments (other than KI's listed standing committees) subject to approval of the District Board.

310.2.1 Time for Appointments. Typically, the Governor will make these appointments prior to the start of their term as Governor.

310.2.2 Term. Should the current Governor become unable to complete their term of office for any reason, the Governor-elect shall assume the office of Governor and the Standing Committee Chairpersons that the Governor for that administrative year appointed, shall remain in their positions until their full term is completed.

310.2.3 Other Ad Hoc Committee Chairs. The Governor may appoint other ad hoc committee chairpersons as they see essential to the operations of the District.

310.2.4 Committee Members. The District Chairpersons shall select their committee members subject to approval and recommendations of the Governor.

310.2.5 Exceptions. Exceptions to the Governor's standing and special committee appointments include the Chairpersons of the Michigan Foundation, the Council of Past Governors, and the Council of Past Lt. Governors, all of whom their members shall appoint.

310.2.6 Multiple Appointments. The Governor or Governor-Elect shall not appoint a person to an official position (District Chair, Executive Committee member, District Board member, Michigan Foundation President, Council of Past Lt. Governors Chair) that is already serving in an official position within the District, except for fundraising, membership growth, or finance without specific Board approval.

310.2.7 Reporting. At each Board meeting the following District Chairs/Committees, or their designees, shall present a report of their activity since the last report and any other information pertinent to the District: Finance, Membership Growth (the Formula or other title), Kiwanis International Foundation, and Michigan Foundation. If the Chair or their designee is unable to attend, they may submit a written report for distribution or for the Executive Director to present on their behalf. At the request of the District Governor, the Executive Director, the Executive Committee, or the Board, other District Chairs/Committees, or Business Partners may be requested to present a report at any Board meeting. Business Partners that are not Kiwanis members should not be present during the business portion of the Board meeting and should only appear at no cost to the District.

(See, Addendum ____, for a complete listing of all District Standing Committees.)

ARTICLE 400 DISTRICT FACILITIES

401. The District Office. The District Office shall be located at 315 Kiwanis Drive, Mason, Michigan 48854 until and unless a majority vote of the District Board indicates otherwise.

401.1 Registration. The District Office shall be the registered place of business from year to year, with the Executive Director serving as the registered agent of the Board, until and unless a majority vote of the District Board indicates otherwise.

401.2 Hours of Operation. The District's office hours shall be Monday through Friday from ____ a.m. until ____ p.m. unless otherwise indicated.

401.3 Use of the District Office. The District Office shall be available for use by any club or group within the Kiwanis family, for official Kiwanis sponsored functions only, such as meetings, seminars, training or workshops, **subject to the rules and regulations that the Board shall adopt.** No overnight stays shall be allowed. All requests to use the District Office shall be submitted to the Executive Director. Violation of any District Office use and/or rules and regulations shall result in loss of the privilege to use the District Office.

401.3.1 The District, or its designee, may sponsor a special event for fundraising or other designated purposes. However, the District office and its equipment shall not be used for the solicitation of funds for any political purpose, or for any charitable or other purpose other than for the District of Kiwanis.

ARTICLE 500 FINANCES

501. The Finance Committee. The District shall have a Finance Committee that the immediate Past Governor shall chair. The Finance Committee shall meet at least two (2) times per year.

501.1 Meeting Schedule and Agendas. Prior to October 1 each year, the Finance Committee Chair shall announce the committee's meeting dates and agendas. The meetings should coincide with other District events for the convenience of the committee members.

501.2 Additional Meetings. The Chair should schedule additional meetings to facilitate the committee's work and the District's finances, with all additional meeting agendas available and provided to the committee members for their advance review prior to the meeting.

502. Accounting Records and Procedures. Accounting records will be maintained and accounting procedures will be followed in accordance with generally accepted accounting principles. All financial books of account, including, but not limited to all District funds, sponsored youth funds, District convention and special meeting and standing committee funds, account documentation shall be in the custody and control of the Executive Director at the District Office and shall not be removed without a legitimate business reason and without advance written request and receipt signed and dated, and documented and confirmed when returned.

503. Collection of District Monies. With the exception of any District membership dues that may be sent to KI, all payments to the District for any District sponsored event or project shall be sent to the District Office and not to any individual Kiwanis Club or member. The Governor may designate other Kiwanis members to assist the District office and District Treasurer in accounting for, and reporting on, the receipt and disbursement of such funds. For example, an individual may be appointed to assist the convention committee in accounting for the receipt and disbursement of convention funds.

504. Budgetary Controls. The District will control its finances through an adequate budget system, and financial matters will be conducted on sound, conservative principles. The Finance Committee shall recommend annual budgets for operations and capital expenditures that shall be submitted to the Board for approval. The annual goal should be to approve a balanced budget with ample reserves.

505. Reserves. Adequate operating and special reserves will be maintained to assure the financial soundness of the District.

506. Reporting. At each District Board meeting the Finance Committee through the District Treasurer, or the Chair of the Finance Committee or their designee, shall provide a quarterly report of the District's finances, including, but not limited to:

506.1 Current year budget versus actual numbers;

506.2 Most recent balance sheet;

506.3 Entry of checks written with date, payee, amount and reason; and

506.4 An explanation of spending when greater than a 5% variance occurs in the current year budget versus actual.

The finance reports shall be submitted with the agenda and provided to the Board members at least ten (10) days prior to the Board meeting.

507. The Budget. The Finance Committee shall annually propose a District Budget that shall be presented to the incoming Board for approval prior to October 1.

507.1 Board Review. In order to allow ample time for review, the Finance Committee Chair or his designee shall send the proposed District Budget to the incoming Board members no later than thirty (30) days prior to the District Convention.

507.2 Expense Allowances. The budget shall include expense allowances for various District officers, chairs and District employees. Where several officers or chairs share the same line item, the amount shall be equally shared. **No individual shall be reimbursed for more than one position held.** Any allowed per diem reimbursements must

be Board approved and established in the budget. No reimbursements shall be made for alcoholic beverages.

507.3 Reimbursement. All individuals seeking reimbursement for any approved expenses must submit an expense report with all necessary supporting documentation such as receipts. Mileage reimbursement shall be at the IRS nonprofit rate unless the Board approves a lesser rate. Lt. Governor mileage reimbursement rates may be based on the size of the division and mileage formulas that the Board and/or the Finance Committee sets with the approval of the Board. Reimbursement of any District officer expenses shall not exceed budget line items.

507.4 Reimbursement for Officers. Expenses for District Officers to attend the International Convention, the District Convention, training sessions, and the clubs within their divisions shall be based on an amount allocated and approved in the budget. Officers shall not use the budgets of other District Officers based on their nonuse of a budgeted line item.

507.5 Lt. Governor Travel Expenses. The Executive Director shall publish to the Lt. Governors at the start of each administrative year their Divisional Travel Expense allotments for the year, the total for all Lt. Governors of which shall be equal to the line item in the approved budget entitled "Lt. Governors' Expenses." No Lt. Governor shall exceed their travel budget allotment without specific further Board approval for a legitimate reason. To receive the Lt. Governor travel expense reimbursement, the Lt. Governor must timely complete all reports for their division as identified and required as explained at their Lt. Governor training. All requests for reimbursement must be submitted on the designated expense forms. All monies issued to any District officers shall be for reimbursement for IRS purposes as opposed to income for services rendered.

507.6 Contents of the Budget Report. The Proposed Budget Report shall contain the following:

- 507.6.1 Current year Budget versus Actual;
- 507.6.2 Proposed year's budget (with reason for any difference greater than 5% variance with a minimum of \$500 from current budget)

This information shall assist the incoming Board to understand and compare the current from the proposed budget and identify any areas of potential concern.

508. Annual Closing of the Books. All District financial books shall be assembled for the District annual financial examination or audit no later than November 1. All expenses chargeable to the prior administrative year's budget shall be paid prior to October 30.

509. Closing of the District Convention Books. The District Convention Committee shall submit all convention expenses in a timely manner to ensure that all District Convention financial books and accounts shall be closed no later than September 30. The Executive Director shall submit a detailed financial statement of the District Convention to the District Office no

later than September 30 to be included in the annual financial examination or audit, as applicable.

510. The Annual Financial Examination or Audit. The District shall undergo an annual financial examination (or audit) as provided in the District Bylaws. This financial examination (or audit) shall be included as a part of the Board minutes and included in the District's permanent minutes book.

511. Circle K and Key Club Books. The financial books for Circle K and Key Club shall be examined (or audited) separately immediately following the close of their administrative year.

512. Accountability of District Grant Funds. The District shall report regularly on the programmatic and financial components of any grants that the Kiwanis International Board awards to the District. The District acknowledges that failure to report as requested can jeopardize the release of further grant funds.

ARTICLE 600 CONVENTIONS

The District Convention is an official District function that the District Convention Committee composed of the Governor, Governor-elect, Executive Director, and Convention Chair (others may be added) shall plan.

601. Invitations to Bid. An invitation to bid for the District Convention location for following years shall be published in the Builder each year. The Executive Committee shall review the bids and make a recommendation to the Board for the awarding of the future District Convention location. Prime considerations of the bid award shall be the availability of barrier free facilities, cost, available local activities and a location of interest to the membership. The bid deadline shall generally be May 15 for the following years' conventions. If the Executive Director has not received any bids by the bid deadline, they shall use any means to obtain bids including allowing clubs additional time to submit bids. The District should have convention locations selected four (4) years in advance, when possible.

602. Gifts. The District budget shall include line items for the District Convention, including gifts honoring the outgoing Governor, the KI counselor that attends the convention and a Tablet of Honor for the official KI President's visit to the District.

603. Delegates. Clubs may send voting delegates to the District and International Conventions. Generally, a club's voting delegates should include the club president, the president-elect, and the club secretary. There shall also be delegates at large. Past Lt. Governors may serve as a delegate representing any club within their Division.

604. Knowledge of Issues. Lt. Governors must acquaint themselves with the important issues for delegates at the KI and District conventions and ensure that the clubs in their divisions have

notice and knowledge of the issues to be decided by their delegates at the respective convention and understand their duties as delegates.

605. Payment for KI Officers and Board Members. The District will provide complimentary hotel and meals for any current or immediate past Kiwanis International Board or Foundation President or Board Members that attend a Michigan District convention; provided, KI does not cover their hotel and meals. However, the District will no longer provide any complimentary, paid, or reimbursed expenses of any kind for any other KI Board or Foundation past officers or board members.

ARTICLE 700 DISTRICT ELECTIONS

701. Qualifications of Candidates. Candidates for election to a District Office (other than SLP officers) shall be at least 21 years of age, a member of a Kiwanis club in the District, and shall meet all other qualifications for the position as identified in District Bylaws and procedures. Any club in good standing in the District may nominate a candidate for Governor or Governor-elect.

702. Campaigning. The Past Governor, Governor, Governor-elect and Executive Director shall not endorse any candidate for District office in any contested election, other than on their own behalf. Each candidate for a District office other than Lt. Governor shall be allowed a booth free of charge at the District convention. Campaign activity should be conducted primarily around the candidate's booth and shall not interfere with any delegate meetings or sessions. Credential committee members, registration members, elections and Sergeant-at-Arms while on duty shall not wear any candidate's campaign materials, buttons or apparel or distribute and candidate's campaign materials. Campaign materials may be distributed elsewhere at the convention other than inside delegate sessions; provided, the distribution takes place prior to the start of any event and does not disturb or interfere with any event.

703. Candidates' Responsibility. Candidates shall be responsible for the actions of their campaign committee members and their campaigns. All candidates and their committees shall promote only their candidacy and not against any candidate. Candidates may not solicit the assistance of any SLP members for the promotion of their campaigns. A candidate may request to attend a division function from the division's Lt. Governor and if granted, the Lt. Governor must offer the same opportunity to any other candidate for the same office.

704. Campaign Violations. In the event of any complaint or allegation of a campaign ethics violation, the Governor shall convene a seven (7) member Elections Ethics Committee that shall investigate the violation and report the results of the investigation within thirty (30) days to the Governor. A quorum of the committee shall be four (4) members. Any abstention shall constitute a no vote. The Governor shall discuss the Elections Ethics Committee's report with the Executive Committee and shall take any action as appropriate, which may include no action for a finding of no violation, to censorship and notification to the delegates in the event of a

finding of a violation. In extreme cases, an elected officer may be removed from office for a serious violation of campaign ethics. The Governor shall inform the Board of any action at the next Board meeting.

ARTICLE 800 DISTRICT PUBLICATIONS

801. The Michigan Builder. The Michigan Builder shall be the District's official publication with the District's Executive Director as the Editor. The District Office shall publish the Builder periodically throughout the Kiwanis administrative year as the District Board designates. The Builder may be published electronically or in hard copy or in such other format as the District Board designates for economic or other reasons. All advertising must meet the standards established by the District, and Kiwanis International, as applicable.

The goal of publishing the Builder is to communicate with as many District Kiwanis members as possible publicizing the goals and good work of the District's clubs and members.

802. District Mailings. All general or blanket District mailings including those to officers, committee chairs, clubs or individuals shall come from the District Office unless the Board approves otherwise.

ARTICLE 900 THE DISTRICT DIRECTORY

The District shall maintain and distribute free of charge, electronically or by hard copy, a directory of Kiwanis clubs and District leadership as a reference tool to facilitate communication between Kiwanis-family leaders and clubs for legitimate purposes related to Kiwanis service, growth, and fellowship. Information contained in the directory may be legally protected and should not be used, reproduced, or distributed by any persons or entities for any purposes without authorization of the District as safeguards to protect members' private information; however, the District assumes no responsibility for any unauthorized access to or use of any information contained in the directory. At no time shall any division, club or individual use the District Directory or its contents for commercial gain. Clubs should ensure that all names and contact information is accurate when submitting same to the District and should provide any changes or updates promptly.

ARTICLE 1000 LANGUAGE

English shall be the official language of the District for literature, printed materials, and communications to all clubs. The District Board may approve the use of other languages for other purposes.

ARTICLE 1100 RISK MANAGEMENT PROGRAM

1101. Insurance Protection. Through Kiwanis International, the District will provide a Risk Management Program to its clubs, members, and volunteers with comprehensive insurance protection to enable continued community service while protecting Kiwanis' reputation and minimizing its exposure to loss.

1102. Objectives. The objectives of the Risk Management Program are to:

- 1102.1 Provide a comprehensive program of protection at a reasonable cost;
- 1102.2 Effectively manage the risks presented by Kiwanis' daily activities;
- 1102.3 Educate Kiwanis club members about the proper methods of preventing and controlling losses;
- 1102.4 Monitor the program closely and make necessary changes on an ongoing basis to minimize Kiwanis' exposure to loss; and
- 1102.5 Fund not only insured losses, but also those losses not covered by standard insurance by building a "reserve" fund over time.

ARTICLE 1200 CONDUCT UNBECOMING

1201. Addressing the Behavior. When any member of the Kiwanis family engages in conduct unbecoming of a member, the club and/or District shall address the behavior promptly and take corrective action, as needed and appropriate.

1202. Definition of "Conduct Unbecoming." Conduct Unbecoming a Member of the Kiwanis Family: "Conduct unbecoming a member of the Kiwanis family" is defined as any conduct that:

1202.1 Is incompatible with the best interests of the public or of members of the Kiwanis family; or

1202.2 Tends to harm the standing of Kiwanis in the local or District community.

1203. Definition of Kiwanis Family. For conduct unbecoming purposes, the Kiwanis family is defined in the Kiwanis International Bylaws as members of Kiwanis clubs, Aktion Clubs, Circle K clubs, and Key Clubs.

1204. Conduct Unbecoming a District Officer. In addition to the basic definition of “conduct unbecoming a member of the Kiwanis family” as identified above, the definition is expanded for District officers (District Board Members and the District Governor and Governor-Elect/Designate) to further include any of the following offenses committed while serving in office:

1204.1 Engaging in profanity or making derogatory statements or engaging in offensive behavior based on race, color, gender, age, disability, religion, national origin, sexual orientation, height, weight, genetics, marital or veterans status or any other legally protected classification;

1204.2 Engaging in sexual harassment, including without limitation unwanted touching at any time;

1204.3 Creating a legally hostile environment; and/or

1204.4 Being convicted of any felony or misdemeanor involving moral turpitude, sexual offenses against minors or drugs.

1205. Club Member Accused of “Conduct Unbecoming.” If an allegation of “conduct unbecoming a member of the Kiwanis family” is made against a member of a Kiwanis club, the member’s club shall follow the process generally described below, as further defined in District **procedure**. If the member belongs to more than one club, the club associated with the ‘conduct unbecoming’ shall act.

1205.1 The President of the club (or immediate Past President, if the President is accused) shall immediately request from the District a copy of the detailed procedures for the club to follow and shall appoint a special investigator who will conduct an investigation and produce a report summarizing the findings.

1205.2 The club’s Board shall consider the investigation report and determine whether to hold a hearing on the matter.

1205.3 The Club’s President shall notify the accused member of the investigation results and whether the club’s board intends to pursue the allegation(s).

1205.4 If a hearing is held, the club's board shall then meet and report its decision whether the accused member did or did not engage in 'conduct unbecoming' and, based on that decision, the appropriate disciplinary action, if any, as follows: informal counseling, a verbal reprimand, written reprimand, suspension from office or club membership, or removal from office or club membership.

1205.5 The determination of the discipline should be based on the seriousness of the unbecoming conduct.

1205.6 All disciplinary actions shall be documented in club records.

1206. Club Member and District Officer or In-Determinable Accused of Conduct Unbecoming. If the accused member is also a District officer and the 'conduct unbecoming' appears to have been committed in their capacity as an officer, or if it is impossible to determine in what capacity the 'conduct unbecoming' was committed, the matter shall first be submitted to the District Executive Director, or the District Governor, in that order, as appropriate, who shall determine the capacity and either begin an investigation at the District level or refer it back to the club level to investigate and decide.

1206.1 If the Executive Director is the accused party, the matter shall go to the District Governor.

1206.2 If the District Governor is the accused party, the matter shall be referred to the President of Kiwanis International.

1206.3 If either the accused member or the investigator believes some part of the investigation was faulty or the determination was incorrect, either party has the right to appeal in writing the club board's decision to the club membership.

1206.4 The appeal shall be heard at a special meeting of the club members in good standing.

1206.5 The decision of the club membership to uphold, reverse, or change the club board's decision(s) shall be final.

1206.6 If, at any point during the 'conduct unbecoming' process, possible criminal wrongdoing is discovered, the matter shall be reported immediately to the proper authorities.

1206.7 All materials, facts, and information related to the investigation, determination, and appeal (if any) shall be kept confidential at all times by any parties or persons involved in any part of the process. Information shall be released on a "need to know" basis only.

1206.8 The club shall retain all official records on the matter (Allegation Report, Investigation Report, Hearing Record, Board Report, and Appeal Record if any) in a

confidential file as long as required by local applicable law, and shall send a copy to the District to be retained in a confidential file.

1206.9 A club shall discipline any member whose conduct is determined to be ‘conduct unbecoming a member of the Kiwanis family,’ or else the club shall be considered out of compliance with acceptable standards of the District and Kiwanis International and may have its charter suspended or revoked as provided in the District and/or Kiwanis International Bylaws.

1206.10 If the member was disciplined by the club in any way for ‘conduct unbecoming’ and if they are also: a member of another club(s); a District officer; or a Kiwanis International officer, the other club(s), District, or Kiwanis International may take separate disciplinary action against the member as each deems appropriate.

(See also Procedure _____ – Club Member Accused of Conduct Unbecoming.)

1207. District Officer Accused of ‘Conduct Unbecoming’ If an allegation of ‘conduct unbecoming a member of the Kiwanis family’ is made against a District officer (other than the Governor, who is also a Kiwanis International Officer – see KI policy), allegedly committed while they were engaged in their duties as a District officer, the process for addressing the allegation shall be generally as follows, as further defined in District and/or Kiwanis International procedures:

1207.1 The Governor (or immediate Past Governor, if the Governor is accused) shall immediately request from the District or Kiwanis International, as appropriate, a copy of the detailed procedures for the District to follow.

1207.2 The District shall appoint a special investigator who will conduct an investigation and produce a report summarizing the findings.

1207.3 The District Board shall consider the investigation report and determine whether to hold a hearing on the matter.

1207.4 The District Governor shall notify the accused member of the investigation results and whether the District Board intends to pursue the allegation(s).

1207.5 If a hearing is held, the District Board shall then meet and report its decision whether the accused officer did or did not engage in ‘conduct unbecoming,’ and, based on that decision, determine the appropriate disciplinary action, as follows: counseling, a verbal or written reprimand, or suspension or removal from office.

1207.6 If either the accused officer or the investigator believes some part of the investigation was faulty or the determination was incorrect, either party has the right to request in writing reconsideration by the District Board.

1207.7 The District Board's decision on the matter shall be final.

1207.8 If, at any point during the 'conduct unbecoming' process, possible criminal wrongdoing is discovered, the matter shall be reported immediately to the proper authorities.

1207.9 All materials, facts, and information related to the investigation, determination, and reconsideration (if any) shall be kept confidential at all times by any parties or persons involved in any part of the process. Information shall be released on a "need to know" basis only.

1207.10 The District shall retain all official records on the matter (Allegation Report, Investigation Report, Hearing Record, Board Report, and Reconsideration Record if any) in a confidential file as long as required by applicable law, and shall send a copy to Kiwanis International, to be retained in a confidential file.

1207.11 If the District officer was disciplined by the District for 'conduct unbecoming,' the club(s) the member belongs to may take separate disciplinary action against their member, as the club deems appropriate.

1207.12 If the disciplined District officer is also an officer of Kiwanis International or another district, Kiwanis International or the other district may take separate disciplinary action against their officer as well.

(See also Procedure _____ – District Officer Accused of Conduct Unbecoming.)

ARTICLE 1300 CONFLICT OF INTEREST

1301. Assurance of No Conflict of Interest. In order to protect its interests as a **tax-exempt organization**, the District, when contemplating a transaction or arrangement that might benefit the private interest of, or that might result in a possible excess benefit transaction for a District Officer (Board Members and Governor/Governor Elect/Designate), a member of a committee with Board-delegated responsibilities or powers, or a District employee, the District shall exercise due diligence to assure no conflict of interest exists and/or it shall take appropriate disciplinary and corrective action, as defined in procedure, if, upon investigation, a conflict of interest is determined to exist. This policy and accompanying procedure is intended to supplement, but not replace, any state and federal laws applicable to nonprofit and charitable organizations.

1302. Loyalty. District Officers must represent loyalty to the interests of Kiwanis' membership without conflict. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs.

1303. District or KI Employment. District Officers must not use their positions to obtain employment at the District or at Kiwanis International for themselves, immediate family members, or associates and must wait for three years after most recently serving in office to apply for employment for any paid service within the District or Kiwanis International.

ARTICLE 1400

CRIMINAL BACKGROUND CHECKS

To ensure the highest standards of leadership and protection for youth, the District requires satisfactory criminal history background checks for particular individuals working with youth and strongly encourages them for others as stated in applicable policy.

1401. A Satisfactory (Clear) Criminal Background Check. Successful completion of the background check (a “satisfactory check”) is based on verification that none of the convictions stated in applicable procedure(s), or similar thereto, have been determined for that person.

1402. Review and Evaluation. The KI staff, the District Executive Director, or their designee, shall review and evaluate all criminal history background checks and determine them to be satisfactory or unsatisfactory.

1403. Acceptance of Background Check Results: When someone is required to have a satisfactory criminal history background check, the District may accept criminal history background check results as “satisfactory” (clear) if the following criteria are met and verified in advance:

1403.1 Kiwanis International has approved the service provider that the District uses, or the District may use the Kiwanis International service provider. The District shall contact Kiwanis International’s Risk Management Department for complete details on securing approval. If the District’s provider changes its process or criteria, new approval must be secured.

1403.2 The District must assure Kiwanis International in writing that when determining the background check to be “satisfactory” it adhered to the same criteria used by Kiwanis International as stated in Kiwanis International’s procedure(s).

1403.3 Nothing in this policy prevents the District or Kiwanis International from requesting the current procedures from any consumer investigative report provider at any time.

1404. Problematic or Unsatisfactory Criminal Background Checks. The District Executive Board shall be advised if a background check pertains to an officer or officer-designate and either:

1404.1 Requires Further Investigation. The result indicates a problem or concern that requires further investigation; or

1404.2 Automatic Denial. The result is determined to be unsatisfactory and thus causes automatic denial of the right to hold office.

1404.3 Notification. In either case, the District Executive Director or designee shall notify such person of the unsatisfactory check.

1405. Request for Copy. An individual may receive a copy of their background check by submitting a request in writing to the Executive Director.

1406. Term of Background Check. The District deems background checks are valid for two years. All relevant persons for whom the District at any given time has not conducted and verified a satisfactory criminal history background check within the past two years are subject to a new check.

1407. Right to Appeal. Anyone subject to action as a result of a District conducted background check shall have the right to appeal the action, as detailed in District procedure. The District Board shall have final authority on the matter.

(See also Procedure 197 – Criminal History Background Checks, which covers: Responsibility for Cost; Convictions That Cause Ineligibility; Discipline; and Appeal Process, as well as Procedure 127 which covers appointment of the Appeals Committee.)

1408. Persons Required to Have Criminal Background Checks. The District requires a satisfactory criminal history background check for the following individuals, which the District must conduct and verify in accordance with District Procedures. The District recognizes only its, or Kiwanis International's background check process for these persons; other background checks are not accepted:

1408.1 District Officers: A satisfactory background check is necessary prior to assuming any District office, including District Governor. Persons without a clear check may not hold office.

1408.2 Candidates for District offices: A satisfactory background check is necessary by the required deadline for announcing candidacy for any candidates for any District Office, including District Governor. Persons without a satisfactory check may not be elected.

1408.3 Chairs for Youth Programs: The District requires a satisfactory criminal history background check for any person that the District Board approves as a chairperson(s) for any Kiwanis-branded programs involving youth under age 18, as well as any assistants utilized by the chairperson. Kiwanis International or the District must conduct the check; provided Kiwanis International has approved the District's process. Effective October 1, 2016, Safe Hiring Solutions must be used for any SLP criminal

background check. Persons without a satisfactory background check may not serve as a District chairperson or assistant for any Service Leadership Program.

1408.4 Adults at District Youth Events: A satisfactory background check is necessary for all adults (Kiwanis members and non-members) registered for, participating in, or staying overnight at any youth event the District organizes that involves direct interaction between adults and youth under age 18.* A satisfactory check must be verified prior to arrival at the event. Persons without a satisfactory check may not attend the event.

1408.5 Other District Positions: The District may require a satisfactory criminal history background check, in its sole discretion for all District Board members, for specific District offices or positions or for other adults working with youth as part of District programs or events. If a background check is later required by Kiwanis International for any specific District position(s), Kiwanis International recognizes only its own background check process, unless the District's process has been approved by Kiwanis International.

1408.6 Aktion Club Members. Aktion Club members are exempt from criminal history background checks when attending their own events. However, their chaperones/caregivers are not exempt.

1409. Conformity to Law. All background checks shall conform to local laws and other applicable requirements.

1410. Prior Requirements. Before requiring a criminal history background check, the District shall first clearly define and publicize the criteria, process, and ramifications in District policy, procedure, or through other communication(s). The District shall consult Kiwanis International for recommended guidelines.

1411. Safeguards for Potential Liability. Implementing a background check process brings additional risk and liability to the District due to the need to secure members' personal information and the possibility that a check will not 'catch' all criminal history. KI places this assumption of risk on the Districts and clubs. Therefore, the District and all clubs must put proper processes and safeguards in place in advance, including appropriate insurance, as applicable.

ARTICLE 1500 DIVISIONS

1501. Territorial Definition. The District has been divided into divisions to enhance the administration of the District. The District's divisions shall be defined as identified on Addendum A, attached and incorporated herein by reference.

1502. Changes to the Territorial Definitions. The Board shall define and approve by a 2/3 vote of the Board any changes to any division's borders, including any additions, deletions, or combinations of any existing divisions.

1502.1 Notice. The District shall provide notice and information on proposed re-divisioning to each club no less than sixty (60) days prior to any vote of the Board, describing the proposed re-divisioning and the date of the proposed vote.

1502.2 Input. This is to allow for club and member input to be received prior to the Board's vote.

1503. Division Administrator. At the Spring Division Meeting, the clubs within the Division shall elect a Lt. Governor (and Lt. Governor-elect) to serve as the chief administrator of the Division and to assist the Governor.

1504. Division Council Meetings. A Division Council is an informal organization of the District without bylaws. Under the leadership of the Division's Lt. Governor who shall preside at all Division Council meetings, the Division Council shall function as a consultative, advisory, cooperative body, but not as an executive body.

1504.1 Authority. The Division Council shall have no authority to impose any requirement on any club that KI, the District, or a club's bylaws does not already require.

1504.2 Composition. Division Councils are generally composed of club presidents and secretaries. Other club officers, past Lt. Governors or Governors of a club within the division, may also be invited to attend.

1504.3 Purpose. Division Council meetings are strongly recommended to encourage cooperation among division clubs, and to build a stronger division network of ideas, sharing of information and building relationships.

1505. Spring Division Meeting(s). The division shall have a Spring Divisional meeting that may be in conjunction with other divisions. The Governor shall set the date for the meeting and attend. At the Spring Divisional meetings, the Lt. Governor(s) may preside or their designee(s), but it is the sole responsibility of the Lt. Governor(s) to introduce the Governor.

ARTICLE 1600 CLUBS

Each division within the District shall be composed of Kiwanis clubs.

1601. Incorporation. Every District Kiwanis club shall be incorporated within one year following the presentation of its charter.

1602. Officers. Each club should annually elect officers no later than May 1 of the prior Kiwanis year before the officer takes office. The District shall provide club officer training each year between May 1 and October 1. Club officer training may be provided on-line, or in person. Additional training may be offered on an “as needed” basis.

1603. Activities. A club may participate in activities and carry on proceedings consistent with the laws, mores, customs, and traditions of the area in which the club exists, provided such activities and proceedings are not in conflict with the District’s and Kiwanis International’s Bylaws, Policies, or Objects and do not impugn the good name of Kiwanis.

1604. Autonomy. Each club shall have absolute autonomy in selecting its community service projects.

1605. Anniversary. The anniversary of a club shall be the day it was organized.

1606. Club Satellites. A club may form a satellite by establishing an additional meeting day and time for a group of club members operating remotely from the host club. There is no minimum number necessary to form a satellite. Clubs may have multiple satellites. Members of the satellite are members of the host club with the same attendant rights, privileges, and obligations. The host club establishes the guidelines for the relationship with the satellite and ultimately manages financial oversight and satellite operations.

1607. Kiwanis Marks. No Kiwanis club may sponsor any organization or program using a copyrighted name owned by Kiwanis International unless such organization or program is formed under and operated in accordance with the Policies and Procedures of Kiwanis International.

1608. Club Fundraising. Monies that clubs receive from fundraising projects in which the public participates or from members or others for service activities that the club sponsors shall be segregated from the administrative funds of the club and shall be used only for the charitable, educational, spiritual, and eleemosynary activities of the club.

1608.1 Solicitation. All club solicitations for funds shall be confined to the general area in which the club functions, except by mutual understanding and agreement of clubs in the division or other area of solicitation.

1608.2 Direct Mailings. Licensees of Kiwanis International are permitted to make promotional direct mailings to club and District officers. A non-licensee commercial organization, foundation, individual, Kiwanis club, or Kiwanis club member shall not circulate for sale any product or service, solicit funds, or promote any program or project to Kiwanis clubs or members within the District without prior approval of the District Board.

1608.3 Prohibition Against Mandatory Contributed Gifts or Souvenirs. No club shall be required to contribute gifts or souvenirs for any specific purpose.

1608.4 Professional Fundraisers. All clubs considering the use of a professional fundraiser rather than club members to plan and fundraise for their club shall be responsible for the accounting of all funds raised and expended on its behalf by the professional fundraiser. Each club shall also be liable for adhering to and complying with all state and local laws and regulations related to fundraising and use of professional fundraisers. If a professional fundraiser is used, clubs are advised to contact:

Michigan's Attorney General
Charitable Trust Section
670 Law Building
525 West Ottawa Building
Lansing, MI 48913
Phone: 517 373 1152

Clubs using an outside fundraiser must use any available information from the Attorney General's office to ensure that all state and local requirements are met.

1609. Club Foundation(s). With the consent of the International Board and District, a club may form a foundation for charitable, educational, spiritual, or eleemosynary purposes. The foundation must be incorporated.

1610. Club Opening. New clubs opening shall be the responsibility of the clubs within the division under the advisement and assistance of the Formula Committee, KI Club Development Managers, and District Officers. Expenses for new club development shall be subject to the District budget and any monies from KI for such purpose and or clubs within the division.

1611. Request for Name Change. The final authority for a club to change its name must come from KI. KI generally will seek the approval and/or recommendation of the District to avoid any potential conflict.

1612. Club Advisor to SLP: Kiwanis International and the District require clubs to have a satisfactory (clear) criminal history background check for any club member serving as an advisor to any Service Leadership Program club, program or activity.

1612.1 Persons without a satisfactory (clear) background check in accordance with District policies and procedures may not serve as the advisor.

1612.2 Approved background checks shall be valid for no more than two (2) years from the last Safe Hiring Solutions criminal background check.

1612.3 Advisors shall acquire a new background check upon their initial appointment to the position.

1612.4 Service Leadership Program clubs that petition to charter will only be approved with indication on the petition form that the Kiwanis advisor has a satisfactory criminal history background check.

1612.5 Convictions that Cause Ineligibility: A criminal history background check is considered unsatisfactory or "not clear" if it indicates: a felony or misdemeanor involving moral turpitude; a felony or conviction or sex offender registration of a violent and/or sexual nature, involving any type of abuse of a child, involving threatening or intimidating behavior, or otherwise of a physical nature; or a felony related to larceny or theft. The club shall refer to the representative examples of such convictions found in **Kiwanis International and District Procedure**.

1612.6 Notification. KI staff shall notify the individual if their criminal history background check is unsatisfactory ("not clear") or if there is any other concern or issue.

1612.7 Other Types of Felony Convictions. The Club Secretary shall review on a case-by-case basis other types of felony convictions.

1612.8 Reversal. Any conviction legally reversed or overturned by the proper authorities shall not be considered when evaluating the background check.

1612.9 Discipline. A check that is unsatisfactory ("not clear") causes automatic denial of the right to participate in the event in question or to hold the office or position in question or to be a candidate for such office or position.

1612.10 Appeal. An individual with an unsatisfactory ("unclear") criminal history background check may appeal the results pursuant to District or club policies (this does not include an appeal of the conviction itself).

1612.11 Club Policy. Clubs should have their own written criminal history background check policy and procedures in place and distributed to all club members prior to requiring any criminal history background checks for any of its members (this does not include for any SLP advisor, which KI and the District requires). Neither KI nor the District must approve any club's criminal history background check policy or procedures.

(See, the District's policies and procedures for criminal history background check requirements, and "Sample Policy and Procedures for Clubs on Criminal History Background Checks").

1613. Adults at Club Youth Events: Kiwanis International and the District strongly recommend that clubs conduct criminal history background checks for all adults (Kiwanis members and non-members) registered for, participating in, or staying overnight at any youth event organized by a Kiwanis club that involves direct interaction between adults and youth under age 18.

1614. Adults Working Directly with Aktion Club Members: Clubs are strongly encouraged to ensure confidential background checks for all adults who will be working directly with Aktion Club members or who may not have undergone a background check.

1615. Other Club Positions: Clubs may determine which positions require a criminal history background check, however, the District requires all SLP advisors to have one. A satisfactory (clear) criminal history background check may be required by a club, at the discretion of its board, for specific club offices or positions or for all club members and prospective members.

1616. Criteria and Service Provider: To assure high standards and consistent results throughout the organization, clubs are strongly encouraged to use the same screening criteria and same service provider that Kiwanis International or the District uses.

1616.1 As of October 1, 2016, any Kiwanis Advisor to a Service Leadership Program must have their background check done through Safe Hiring Solutions.

1616.2 Kiwanis International must verify the result.

1616.3 Kiwanis Club Secretaries shall identify and enter a valid email address for the Kiwanis Advisor to their clubs SLP's.

1616.4 Kiwanis International staff will be send a link and instructions on how to access the Safe Hiring Solutions website and complete the background check to the Kiwanis Advisors.

1616.5 The club or the individual shall pay the cost for the criminal history background check for any individual at the club level.

1617. Compliance with Applicable Law. All club conducted criminal history background checks shall conform to local laws and other applicable requirements.

1618. Publication of Policy. Clubs requiring background checks shall first clearly define and publicize the criteria, process, and ramifications in club policy, procedure or other club communications. Consult the District or Kiwanis International for recommended guidelines.

1619. Installation of Club Officers. It shall be the prerogative of the Division Lt. Governor to preside over and conduct the officer installations of each club within their division. No club shall give an invitation to any other person to preside over and conduct their officer installation ceremonies without the advance approval of the Lt. Governor.

1620. Governor or Other Officer Visits. Clubs are encouraged to invite the District Governor and other District officers to special events that the club may hold. If the Governor is able to attend, the Division's Lt. Governor should also be notified and invited.

1620.1 The club should provide a complimentary meal and an opportunity to address the group (a few minutes) to any officer that attends, or if multiple officers attend, complimentary meals to each.

1620.2 The club should allow a few minutes to speak to the highest ranking official attending, or as otherwise appropriate.

1620.3 The club should confirm the officer's attendance in advance including the date, time, topic and a map.

1621. Club Anniversaries. Lt. Governors should encourage clubs in their Division to celebrate milestone anniversaries. Kiwanis International has patches available for certain anniversary milestones. The District office generally maintains a supply of these for club presentation. Clubs should invite the District Governor and their Division Lt. Governor to any milestone anniversary. Schedules permitting, they should attend.

1622. Procurement of Club Equipment. The friendly practice of appropriating club gongs, gavels, and other equipment has resulted in some fun inter-clubbing. However, such activities must always be done in good taste and returned so as not to interfere with a club's meetings, programs or operations. Club banners, charters and awards should never be taken to avoid damage. Should any club not want to be involved, others should honor their wishes. No club or Kiwanis member shall misappropriate any District property.

1623. The Chartering of a New Club Within the Division. The Lt. Governor shall also be the master of ceremonies at the chartering of a new club within their division, working with the Formula Committee, the Governor and the new club. Charter nights shall follow the organizational meeting of a new Kiwanis club and while mostly ceremonial, the charter night shall serve to conclude the efforts of those that made the new club possible. Since KI charters new clubs, the District's Governor must approve the final arrangements for the charter ceremony and must be on hand to present the charter to the new club.

1624. Inter-clubs. Clubs may engage in inter-clubs. To be credited as an inter-club, at least two (2) members of one club must attend the meeting of another club in **or outside of** their division.

ARTICLE 1700 FOUNDATIONS

1701. Support to the Foundations. The District shall encourage support of the purposes and objectives of, and contributions to, the Michigan District Foundation and to the Kiwanis International Foundation.

1702. Support from the Foundation. The Michigan District Foundation will actively support the objects, goals, purposes, and objectives of the District and establish compatible fundraising projects to enhance the Foundation's fundraising ability. The Foundation shall distribute grants solely for the District-related activities that are the identified purpose(s) of the Foundation, or for

activities that support the objects, purposes, and objectives of the District as applicable laws allow.

1703. Separate Corporation. The Michigan District Foundation was created to raise funds to support specific activities, and is a separate corporation. The Bylaws and Policies of the Foundation set forth its purpose and determine the manner in which its board and staff shall function.

1704. IRS Designations. The on-going success of the relationship between the District and the Michigan District Foundation depends upon the complete understanding by both organizations of the implications of their IRS designations as 501(c)(4) and 501(c)(3) organizations (respectively).

1705. Board Members. The selection of Michigan District Foundation Board members shall be made as provided in the Foundation Bylaws. Generally, each District division shall elect one Michigan District Foundation Board trustee/member.

1705.1 No officer or board member of any foundation affiliated with the District directly or indirectly, shall, by virtue of their office, automatically become a member of any board or other official body of the District, or a club.

1705.2 However, this shall not prevent a duly-elected officer of the District or any affiliate thereof, by virtue of their election to that office, from serving in any capacity on the governing body of any foundation directly or indirectly affiliated with the District.

1706. Joint Board Meeting. The Boards of the District and the Michigan District Foundation may conduct a joint meeting at least once each year.

ARTICLE 1800 SERVICE LEADERSHIP

1801. District Governance. The District Board is responsible for its SLPs and shall counsel, direct and exercise authority over all SLP activities at the District level to ensure the success of the SLP. The District Board shall have the authority to set and approve budgets for its Circle K and Key Club programs and to review and approve District convention budgets for both groups with the power to change those budget figures.

1802. SLP Fund. The District has established a Sponsored Program Fund with free will giving solicited from District Kiwanis clubs with a recommended dollar amount per club member. The District shall provide financial incentives to all SLPs and their administrators for their general operations according to “up to allowances” that the District’s Executive Committee establishes with the approval of the District’s Board. This fund is to serve all Kiwanis SLP clubs, including

Circle K, Key Club, Builders Club, K-Kids and Aktion Club. Each SLP shall use their own finances before seeking reimbursement from the Sponsored Program fund for any expenses that exceed their revenues. Sponsored Program Fund reimbursements are not intended to provide a profit for any SLP.

1803. Circle K. The District Circle K, shall be a subset of the District, Kiwanis International, and of Circle K International. Circle K clubs throughout the District shall be governed according to Circle K International's Bylaws and Policies, the District's Circle K Bylaws and Policies and the Circle K club's Bylaws and Policies. The District's Circle K organization has the approval of the Kiwanis International Board and is subject to its continuing approval.

1803.1 The District Circle K. The District Board controls and is responsible for District Circle K, in conjunction with Circle K International and the Kiwanis International Board, and shall counsel, direct, and exercise final authority over all Circle K activities.

1803.2 Amendments to the District's Circle K Bylaws. No amendments to the Bylaws of the District's Circle K adopted by the delegates at a Circle K District convention shall become effective until approved by the District Board, and/or Circle K International as required.

1803.3 District Board Authority Regarding Circle K Bylaws. The District Board has vested authority to make necessary changes to the Circle K Bylaws, and on having made these changes, the District Board will inform the Circle K Board of the changes made.

1803.4 Amendments to the Circle K District Policy Code. No amendment to the Circle K District Policy Code that the Circle K Board may adopt shall become effective unless approved by the District Board or its designee. Amendments that the designee approves shall be reported to the District Board at its next meeting.

1803.5 District Board Authority Regarding Circle K District Policy Code. Authority is vested in the District Board to make necessary changes to the Circle K District Policy Code, and on having made these changes, the District Board will inform the Circle K International Board of the changes made.

1803.6 Administration and Service. The administration and service programs for Circle K shall comply with the Bylaws of Kiwanis International, the Bylaws of Circle K International, and the Bylaws of the District, and with the Policies and Procedures adopted by the Kiwanis International and District Boards.

1804. Key Club and Circle K Administration. Key Club and Circle K shall each have an administrator that the District Governor-elect shall appoint with the approval of the District Board. The respective SLP administrator shall work with the respective SLP Board to ensure the organization's administrative functions. The administrator's service shall begin and end with the

respective SLP's administrative year; being responsible to both the District's Governor and Governor-elect until October 1. Any District funds budgeted for the SLP administration shall take into account and be budgeted based on the SLP's administrative year. Any policies pertaining to District Chairs shall also apply to SLP administrators. The District Board may approve assistants to the SLP administrator to assist in the administration of the SLP and to act in the administrator's place in case of an emergency or absence. The SLP assistant administrator(s) shall assist in the financial duties of the SLP as outlined in **District and SLP procedures**.

1804.1 Clubs. Subject to policies and procedures approved by the school administration, the local Circle K club is both an activity and the responsibility of its sponsoring Kiwanis club.

1804.2 Finance. Separate accounting records, bank accounts, and reserves will be maintained, and separate budgets will be prepared for the District Circle K.

1804.3 Fundraising. Chartered Circle K clubs may participate in lotteries, raffles, drawings, or other games of chance, provided they are not in contravention of the laws, mores, customs, and traditions of the State of Michigan or local municipality where the club exists.

1804.4 Solicitations. District Circle K clubs shall not solicit any Kiwanis family to augment their own fundraising activities. This prohibition does not include soliciting individual Kiwanis members to purchase products or services or to otherwise participate in a fundraising activity.

1804.5 Compliance. All District Circle K fundraising plans and activities shall be compatible with the school, campus, and community policies and practices and federal, state and local laws.

1804.6 Good Name of Kiwanis/Circle K. Circle K, by its conduct or activities, shall not impugn the good name of, the District, Kiwanis International, Kiwanis generally, and/or Circle K, and should a violation occur, appropriate disciplinary action will be taken.

1805. Application to Other SLPs. All of the above requirements shall also apply to District Aktion Clubs, Key Clubs, and other Service Leadership organizations at the District level; however, in relationship to the corresponding International Service Leadership organization rather than to Circle K International and only to the extent allowed by law.

1806. Authorized Sponsorship. Without the consent of the Kiwanis International Board, no District, club, or group of clubs may sponsor beyond the club level, any organization or programs except Circle K, Key Club, Builders Club, K-Kids Club, or Aktion Club.

ARTICLE 1900 GENERAL

1901. Anniversary of Kiwanis. The anniversary (birthday) of Kiwanis is January 21, 1915, when the Kiwanis Club of Detroit received its charter from the State of Michigan. January 21 of each year shall be an honored day within the District. The District encourages each club to pay tribute in their own way to the birthday of Kiwanis.

1902. Contributions to the District. The Executive Director is authorized to accept contributions of funds or gifts (e.g. cash, real estate, stock, art, etc.) on behalf of the District.

1902.1 Notification. When contributions are accepted, the Executive Director shall notify the Governor and the chair of the Finance Committee.

1902.2 Documentation. The contribution shall be documented in writing. If the contribution is an item for sale, once sold, the value received shall be identified in the appropriate budget as income. If contributions other than cash are accepted, a procedure shall be adopted to assure appropriate handling.

1903. Contributions to or Endorsements of Other Organizations. An appeal to the District from charitable, educational, eleemosynary, or similar organizations to solicit contributions, support, or endorsements from Kiwanis members or clubs must be approved by the District Board; however, a club or members on their own may support or contribute to a local request by a charitable, educational, eleemosynary, or similar organization.

1904. Use of Name or Emblem. The Kiwanis International Board shall establish the official emblem or insignia of Kiwanis and other Kiwanis family registered marks. The names, emblems or insignias (or any facsimile) may not be used without the prior consent of the Kiwanis International Board, and permission may be granted if the permitted use is appropriate to the purposes and objectives of Kiwanis International. All users of the Kiwanis International name, emblems, or trademarks (or any facsimile) must maintain a current license agreement with Kiwanis International.

1904.1 Items Not for Resale. Kiwanis International permits and licenses clubs, club members, divisions, districts, federations, and foundations to use the name Kiwanis and other Kiwanis family registered marks and to have the official emblems printed on stationery, bulletins, and other merchandise reasonably necessary to their operation, provided that such merchandise is not resold.

1904.2 Items for Resale: Kiwanis International allows clubs, club members, divisions, districts, federations, or foundations to purchase merchandise bearing the Kiwanis Marks which is intended for resale for profit or as a fund-raiser, only if such merchandise is

acquired from the Kiwanis International Merchandise Department or a licensed distributor. Individuals wishing to become licensed may do so by contacting the Executive Director of Kiwanis International.

1905. The District Emblem and Logo. The District, its divisions and clubs may use the official District emblem for items such as: non-commercial programs, newsletters, stationary, and publications without prior approval.

1905.1 Commercial Use. Any use for trade or commercial purposes must be submitted for Board approval no less than 10 days' prior to the Board meeting. The request shall include a detailed description of the trade or commercial use, the event, the date, and how the money received shall be used. ***No one, (District, division, club, or individual) shall use the official District emblem or logo, or any similar emblem or logo for trade or commercial purposes without prior approval of the Board.***

1905.2 Responsibility for Protection. It is the responsibility of every Kiwanis entity and sponsored program and every individual Kiwanian to assure that the official Kiwanis-owned registered marks continue to enjoy the respect Kiwanis International has earned over the years. Their protection as registered marks from unauthorized use demands the highest priority.

1906. Alcohol Guidelines. Alcohol may be served or consumed at Kiwanis events in a legal and responsible manner, provided such serving or consumption is done in accordance with the customs and applicable laws where the club or other Kiwanis entity is located.

1906.1 Insurance. Because the presence of alcohol at a function greatly increases the risk of personal injury, Kiwanis clubs and other Kiwanis entities must be conscious of liability exposure whenever alcohol is offered.

1906.2 Adherence with KI Policy and Procedure. All Kiwanis entities should adhere to the alcohol guidelines established by Kiwanis International when providing alcohol at an event, especially when minors are present.

(See Kiwanis International Procedure 173 – Alcohol Guidelines for Kiwanis Clubs and Other Kiwanis Entities.)

1907. Corporate Partnerships. The District seeks to encourage and create corporate partnerships with businesses that align with the District's goals and objects of Kiwanis. The District may use the corporate partnership designations from Kiwanis International or seek to form its own designations from time to time.

1907.1 Purpose. The ongoing process of identifying, developing and maintaining positive relationships with corporations is a key strategy to help Kiwanis further its mission. Relationships with corporations can offer enormous opportunities to reach thousands of people important to Kiwanis' ability to fulfill its mission and can provide resources toward this end in the form of cash, in-kind product/services or promotion.

1907.2 Guidelines. Outlined below are guidelines for all corporate relationships with an emphasis on partnerships that may receive any degree of marketing benefit from the District.

1907.2.1 Alignment. Corporate partnerships must align with the District's mission and preserve constituent trust. The District will refrain from associating with companies that have the potential to damage or detract from Kiwanis' image because of the nature of the companies' products, services or reputation. For example:

1907.2.1.1 The company's products or services must be compatible with and complement Kiwanis' mission and values.

1907.2.1.2 The company must have a high degree of integrity, a strong corporate reputation and a track record of maintaining a high level of product or service quality.

1907.2.1.3 The company must demonstrate ethical business practices and a positive image.

1907.2.2 Endorsements. The District will not directly endorse a corporate partner's products or services. Since Kiwanis is not in the business of product testing, no relationship may directly endorse a company's product or service.

1907.2.3 Compliance with IRS Rules. The relationship must be consistent with IRS (U.S.) regulations as well as with the Council of Better Business Bureaus (CBBB) Standards for Charitable Solicitations and the Attorney General's Guidelines for Cause Marketing, or other similar standards.

1907.2.4 Benefit to the District. Corporate partnerships must substantially benefit the District, its program(s) and/or initiative(s). All relationships must directly support the District. Kiwanis establishes a maximum 10% percent of fees applicable to administrative costs based on accepted philanthropic industry standard. If Kiwanis approves fundraising promotions, all monies raised should go to Kiwanis program(s) and/or initiative(s), and an additional administrative fee would be applied to cover any out-of-pocket costs to the District.

1907.2.5 Meet the District's Priorities. Corporate partnerships must answer to the District's priorities. All corporate-supported program(s) and/or initiative(s), even those co-created with a company, must conform to Kiwanis' priorities.

1907.2.6 Final Approval. The District (and Kiwanis International, as applicable) must have final approval on all content and/or programming. The District's Executive Committee will decide on which event(s), program(s)

and/or initiative(s) a corporation may tie into and/or create and will have final approval over all content.

1907.2.7 No Exclusivity. The District will not offer corporate partners organization-wide category exclusivity. To protect Kiwanis' overall revenue sources, category exclusivity will be limited to a select commitment level, event, program, initiative or company's promotional or fundraising campaign. Exclusivity should not extend to corporate donors or Kiwanis vendors.

1907.2.8 Approval Process. The District's Executive Board will approve (or deny) the Corporate Marketing Partnership packaging and targeting strategy and the implementation of both. All corporate partnership agreements, once approved by the Executive Board, will require the final approval by the Kiwanis International Board of Trustees. In circumstances where time is of the essence, the Kiwanis International Executive Director, with the Executive Committee, is authorized to approve agreements.

(See also Procedure 410 – Corporate Partnerships for additional information.)

1908. Official District Functions and the District Calendar. During the Kiwanis administrative year there shall be official District Functions such as the District Convention.

1908.1 Organization, Planning and Preparation. The organization, planning, and preparation of these functions shall be the responsibility of the District Governor, or their designee, with assistance from the Executive Director, other District officers, District employee(s), volunteers, and any committee that the Governor and/or Board designate for such events.

1908.2 Event Budget. The Executive Director shall be responsible for budgeting the finances for the events and for ensuring that the event stays within the financial parameters.

1908.3 Reports. The Executive Director shall provide any necessary reports to the Board, for obtaining any Board approvals for the events as necessary, and for maintaining the recordkeeping of all District events.

1908.4 Start of An Official District Function. An official District function will begin when the presiding officer calls the meeting to order and is concluded also by their order.

1908.5 District Calendar. The District shall also maintain a District calendar for each administrative year that will include all District official functions and other events that may occur throughout the District as appropriate.

1908.6 Scheduling Conflicts. Divisions and clubs should refer to the District calendar when scheduling events to avoid conflicts.

1908.7 Governor's Official Visit. The Spring Divisional Meeting shall be the official visit of the Governor to the divisions. Where practical, divisions may be combined for their Spring Divisional Meeting. (See also, ARTICLE ____ DIVISIONS).

1908.8 Event Sponsorships. The District encourages sponsorship of its events to defray the expense of the event. The Executive Committee shall have the sole discretion to determine the acceptability of the sponsorship/donation.

1909. Disclosure and Integrity of Information. The District shall endeavor to present accurate information that fairly reflects the condition of the organization.

1910. Social Media Guidelines. All District Officers shall adhere to the following guidelines when posting to a Blog, making comments online, or using Facebook, Twitter, YouTube, LinkedIn, Flickr or any other tools that fall within the social media realm.

1910.1 Recognizing that the individual actions of each Kiwanis club member reflect upon the entire organization, the District Board urges all clubs to adopt a similar policy and for all Kiwanis members to abide by these guidelines.

- 1910.1.1.1 All Kiwanians shall be legally and morally responsible for what they say and post online.
- 1910.1.1.2 Online audiences may include Kiwanis family members and nonmembers, both adults and youth, from many cultures throughout the world.
- 1910.1.1.3 Kiwanis experiences should be discussed in positive terms.
- 1910.1.1.4 Members must clarify that they are speaking only for themselves and any views posted are the individual member's alone.
- 1910.1.1.5 Online conversations should be open, honest, and honorable.
- 1910.1.1.6 Members should not post any items, make any comments, or share any material that would be inappropriate for children to read, view or share.
- 1910.1.1.7 Add value to the conversation.
- 1910.1.1.8 Know when to respond. Members may disagree with a post, but should never fight or air grievances online, and should not get caught up in someone else's rant or rage.
- 1910.1.1.9 Members should not use foul language.
- 1910.1.1.10 Don't speak of others in derogatory or degrading terms.
- 1910.1.1.11 Prior to posting any media online, obtain permission from any individuals who appear in that media. It could be illegal to do otherwise.
- 1910.1.1.12 Adhere to copyright and fair use.
- 1910.1.1.13 Use factual information and cite sources.

1911. Government Relations. Activity with various state and local governments presents opportunities for support and collaboration between the District and government entities. Kiwanis' grass roots structure, community presence and non-political voice for children and youth make the organization attractive to community leaders and the public generally. Continuing to position Kiwanis as a strong player within civil society will reinforce its brand and reputation. The District shall engage with elected officials, and shall encourage clubs to do the same, to build partnerships with government officials to increase the Kiwanis brand and to provide greater service within local communities within our District. The District and clubs should refrain from endorsing any political party or individual candidate for public office.

1912. Document Retention and Destruction. The District shall maintain a comprehensive document retention and destruction process for paper and electronic records relating to District operations in compliance with accepted standards and practices for the subject area the documents or records pertain to (e.g. employment, finance, tax, legal, board actions, etc.). Administering the records retention and destruction policy shall be the responsibility of the Executive Director.

1912.1 Document Destruction. Because it is a crime in the U.S. to alter, cover up, falsify, or destroy any document or records with the intent of obstructing current or potential legal proceedings, all District Board members, Staff, and volunteers should especially be aware of and comply with applicable laws regarding the preservation of documents in the event of legal proceedings.

1913. Protection of Whistle Blowers. District employees that raise good faith concerns regarding alleged illegal conduct or activity within the organization shall be protected from reprisals or retaliation for raising those concerns.

1914. Depraved or Unacceptable Behavior in Relation to Children or Youth. Kiwanis defines depraved or unacceptable behavior in relation to children or youth as including but not limited to:

1914.1 Documented and confirmed inappropriate touching;

1914.2 Documented and confirmed inappropriate sexual, bullying, threatening or otherwise abusive conversations;

1914.3 Documented and confirmed behavior that would be considered contributing to the delinquency of a minor (such as alcohol or drugs);

1914.4 A felony conviction involving children or youth.

1915. Candidates for International Office. The Kiwanis International By-Laws and KI's policies and procedures provide for the election of International Officers and Board Members. Any District club, division or individual that wants to submit an individual's name for nomination to an International office should contact the District's Executive Director to refer the name to the appropriate committee and for other procedural requirements.

1916. Notification of Death or Serious Illness. For the privacy and/or wishes of individuals and family members, information concerning the death or serious illness of a past or present District officer or District Chair shall be directed to the Executive Director. The Executive Director shall consult with the individual or family as applicable regarding whether further distribution of information shall be made within the District, including funeral or other arrangements in the event of death.

1917. Awards. From time to time, Kiwanis International and the Michigan District awards to individuals, clubs, or to the District recognition to honor those who have performed in some special way and are being cited for efforts beyond the ordinary.

1917.1 Special Awards. Most awards are of an on-going nature in that they are a part of the Kiwanis program from year to year. However, KI or the District may offer special awards subject to the approval of the governing body, usually designed to promote or recognize a special program or event.

1917.2 Evaluation Plan. The District Executive Board shall develop an evaluation plan to account for the activities of member clubs for qualifying for a Michigan District Distinguished or Outstanding award. The Board must vote on approving the evaluation plan and criteria. The purpose of these awards shall be to increase member and club participation, improvement, and excellence at all levels.

1917.3 The Awards and Recognition Manual. The District shall maintain and provide as a resource for clubs and individual members an “Awards and Recognition Manual.”

1918. Lotteries, Raffles, Games of Chance. The Kiwanis Board has authorized Kiwanis sponsored raffles, lotteries, and games of chance conducted within the District; provided, that all of the following requirements are met:

1918.1 All Kiwanis sponsored raffles, lotteries, or other games of chance held within the District shall comply with all applicable local, state, and federal laws;

1918.2 There will be no negative impact to the reputation and good will of Kiwanis;

1918.3 The District Executive Director shall be informed of the raffle, lottery or other game of chance; and

1918.4 Any District required **procedure** shall be followed.

1919. Solicitation of Funds. No Division, Club, individual, or other group shall solicit funds for District purposes without authorization from the District Board, the District Executive Board, or the delegates at convention.

1920. Life Membership. Any current Kiwanis member in good standing may apply for, purchase, and be granted life membership **as set forth in the Michigan District By-laws.** **See**

also, District Forms. The District Board has final approval of life membership applications with the life membership becoming effective as of the later date of approval and full member payment.

ARTICLE 2000 DISTRICT EMPLOYEES

2001. At-Will Employment. All District employees shall be at-will which means that the District or the employee may terminate the employment relationship at any time with or without cause and with or without notice. Only the District Governor, with approval of the Board, may change the at-will employment relationship, which must be in writing and signed by the employee or their representative.

2002. Equal Employment. The District is an equal opportunity employer. No qualified employee or qualified applicant for employment shall be unlawfully denied an employment opportunity because of race, color, religion, national origin, sex, age, height, weight, marital or familial status, veteran status, disability, genetic information, pregnancy, or status in any group protected by local, state, or federal law. It is the policy of the Company to comply with all federal, state, and local laws affecting employment, including laws which define and prohibit discrimination. Employment decisions involving employees of the Company such as hiring, promotion, demotion, transfer, selection for training, recruitment, separation, layoff, termination, compensation and benefits will be made on the basis of individual merit, skill, and qualification. Consequently, in making employment decisions, the Company will consider factors, including, but not limited to education, training, skills developed, prior job experience, prior job performance, attitude, ability to work with others, discipline history, work ethic, leadership, and potential for growth in the job. The District shall comply with applicable state civil rights laws and federal civil rights laws when they apply to the District.

2002.1 GINA. The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. “Genetic information” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member received assistive reproductive services. If an employee is requested to provide medical information to the District, they will not be asked to provide any genetic information unless the information is needed for legitimate business reasons and is specifically authorized under law. The District shall follow GINA, if and when it applies.

2002.2 Policy Against Harassment. The District expressly prohibits any form of unlawful employee harassment based on race, color, religion, national origin, sex, age, height, weight, marital or familial status, veteran status, disability, gender identity or preference, or status in any group protected by local, state, or federal law. A fundamental policy of the District is that the workplace is for work. The District's goal is to provide a workplace free from tensions involving matters which do not relate to the business of the District. In particular, an atmosphere of tension created by non-work related conduct, including ethnic, racial, or religious remarks, animosity, or other such conduct, does not belong in our workplace. Harassment includes, without limitation, verbal harassment (epithets, derogatory statements, and slurs), physical harassment (assault, battery, physical interference with normal work or involvement), visual harassment (posters, cartoons, drawings), and innuendo.

Harassment prohibited by this policy applies to the conduct of a manager or manager toward a subordinate, an employee toward another employee, a non-employee toward an employee, an employee toward a non-employee who has a business relationship with our District, or an employee toward an applicant for employment. Harassment can apply to conduct outside the workplace as well as at work. Violation of this policy is grounds for discipline, including discharge.

2002.3 Sexual Harassment. The District strongly disapproves of and does not tolerate sexual harassment. All employees must avoid offensive or inappropriate sexual behavior at work and are responsible for assuring that the workplace is free from sexual harassment at all times. The District's policy prohibits (1) unwelcome sexual advances; (2) requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; and (3) other verbal or physical conduct of a sexual nature made to an employee, applicant or business relation when submission to such conduct is made either explicitly or implicitly a condition of an individual's employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions; such conduct has the purpose or effect of substantially interfering with an individual's work performance; or such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Examples of prohibited conduct include, but are not limited to, offensive touching, lewd or sexually suggestive comments; off-color language or jokes of a sexual nature, slurs and other verbal, graphic, or physical conduct relating to an individual's gender; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos, or cartoons.

Sexual harassment prohibited by these policies applies to the conduct of a manager toward a subordinate, an employee toward another employee, an employee toward a customer, vendor, or visitor, a non-employee toward an employee or an employee toward an applicant for employment. Sexual harassment can apply to conduct outside the

workplace as well as at work. Violation of this policy is grounds for discipline, including discharge.

2002.4 Reporting a Violation of the Equal Employment Opportunities or Harassment Policies. Any employee who believes that he or she has been subjected to unlawful race, color, religion, national origin, sex, age, height, weight, marital, familial or veteran status, disability or any other form of discrimination or harassment protected by law and prohibited within these policies, including sexual harassment, or any employee who has observed others being subjected to illegal discrimination or harassment, *must* notify their manager or the District General Manager who will provide the employee with a Discrimination/Harassment Complaint Form, a copy of which can be obtained from the office, and is included in the Appendix of this Personnel Manual. Please complete this form in as much detail as possible so that the District will have adequate notice of and be able to investigate any claim of unlawful discrimination or sexual or other prohibited harassment.

Unlawful harassment and employment discrimination will not be tolerated. The District will actively investigate every complaint of business related unlawful discrimination and harassment alleged to have been committed by anyone, including any manager, employee, customer, vendor, or visitor. It is the duty of every District employee to cooperate in any such investigation.

2002.5 No Retaliation. It is a serious infraction of District policy to retaliate against or penalize an employee for asserting a good faith claim of unlawful discrimination or harassment or for providing witness testimony. Any employee found to have unlawfully harassed or discriminated against another employee, or non-employee with a business relationship with the District, or to have retaliated against an employee or others for making a good faith complaint of discrimination or harassment or for providing witness testimony will be subject to discipline, up to and including discharge. Any employee found to intentionally have made a bad faith complaint of harassment or discrimination of any kind will be subject to discipline up to and including discharge. The District will keep all investigations confidential to the extent possible under the circumstances. Information will be shared on a need to know basis and facts may need to be disclosed as a part of the investigation and discussions with witnesses.

2002.6 Disability Accommodation Statement. Under Michigan law, any employee or applicant for employment who believes that he or she requires an accommodation in order to perform the essential functions of the job for which an applicant has applied or the employee has been assigned must notify the District, in writing, within 182 days after the need for accommodation is known. All accommodation requests should be submitted to an appropriate manager or to Human Resources. An Accommodation Request Form can be obtained from the office and is contained in the Appendix to this Personnel Manual. Federal law does not require an accommodation request within any specified time. Upon receiving a request for accommodation, the District will engage in the interactive process with the employee to determine what, if any, accommodation(s) are necessary, appropriate, and reasonably available. An employee must be able to perform

the essential functions of their job with or without a reasonable accommodation. All jobs within the District require that an employee be at work as an essential function.

2003. Classifications. The Executive Director and Office Administrative Assistant shall be employees (the employees) of the District. The Executive Director may hire other employees, as justifiable, as the budget may allow.

2004. Compensation. The Board shall set the salary of the Executive Director with the recommendation of the Executive Committee and the Finance Committees. The Executive Director shall set the salary of all other employees within budgetary requirements.

2005. Benefits--Paid Time Off. Employees shall receive paid time off (PTO) in conjunction with their years of service or position. Employees who separate employment due to discharge, resignation in lieu of discharge, or who resign not in good standing (give at least 2 weeks' notice and successfully work their final two weeks) shall not receive payment at the time of separation for unused PTO. **See District procedure _____.**

2006. Benefits--Bereavement Leave. The Executive Director and Office Administrative Secretary shall be granted three (3) consecutive days of paid bereavement leave for an immediate family member defined as spouse, children, mother, father, grandparents, brother, sister, step brothers/sisters, or grandchildren of the employee.

2006.1 A maximum of three (3) consecutive days of paid bereavement leave shall be granted for the employee's spouse's mother, father, grand-parents, brother or sister.

2006.2 The Executive Director shall notify and request bereavement leave from the Governor, the Administrative Assistant shall notify and request bereavement leave from the Executive Director.

2007. Benefits--Sick Leave.

2007.1 Allotment, Notification, and Accumulation. The Executive Director and Office Administrative Assistant shall each be annually granted four (4) days of sick leave (thirty-two (32) hours) credited each January 1. Each employee may accumulate up to fourteen (14) paid sick days. The Executive Director must notify the Governor of their absence at the time or in advance if anticipated due to a medical appointment or otherwise. The Office Administrative Assistant shall notify the Executive Director of their absence at the time or in advance if anticipated due to a medical appointment or otherwise. Sick days shall be prorated for the employee's first and last year of employment, with one sick day credited for each three (3) month period.

2007.2 Certification. When any employee is off work for three (3) or more days, they shall provide a certification from their treating physician stating the specific reason for the absence (merely stating "due to illness" is not acceptable), the date of examination and the return to work date.

2007.3 Separation. Unused sick days shall not be paid at the time of separation of employment unless the employee retires in good standing with at least thirty (30) years of service.

2007.4 Documentation. The Executive Director shall record on an electronic or written spreadsheet each sick day credited to the employee each year and each sick day that the employee uses each year to be maintained in the employee's personnel file. This record shall include any accumulated sick days that may carry over to the next year.

2008. Benefits--Compensatory Time. The Workforce Opportunity Wage Act, Public Act 138 of 2014, allows the accrual and use of compensatory time in lieu of payment of overtime wages under certain conditions. An employee, other than an employee covered by a collective bargaining agreement, may elect to receive compensatory time and compensatory time off in lieu of overtime compensation provided all of the following occur:

2008.1 The employee and employer are covered by the Workforce Opportunity Wage act. ***If the employer and employee are not covered by Michigan law, compensatory time provisions do not apply.***

2008.2 The employer allows the employee electing compensatory time off at least 10 paid days of leave per year, in addition to the compensatory time. ***If the employer does not allow the employee 10 days off with pay each year, compensatory time provisions do not apply.***

2008.3 The employee voluntarily consents in writing to receive compensatory time and compensatory time off in lieu of overtime wages prior to working the overtime. An employee cannot be coerced, intimidated, or required as a condition of employment to accept compensatory time or compensatory time off. ***If an employee does not voluntarily agree in writing to accept compensatory time in lieu of overtime wages before the overtime is worked, compensatory time provisions do not apply.***

2008.4 One and one half (1.5) hours of compensatory time and compensatory time off is provided for each hour of overtime worked. ***Compensatory time must be credited and paid at one and one half (1.5) hours for each hour of overtime worked.***

2008.5 Accrued compensatory time may not exceed 240 hours. ***If the employee's accrued balance of compensatory time exceeds 240 hours, the employee must be paid overtime wages.***

2008.6 The following apply to the use of compensatory time:

2008.6.1 The employer must receive and keep on file the written consent of the employee requesting compensatory time before the compensatory time is earned.

2008.6.2 The employer must provide the employee a statement of compensatory time earned and compensatory time paid in the pay period the compensatory time is earned or paid.

2008.6.3 The payroll record maintained by the employer must show compensatory time credited in the period it is earned.

2008.6.4 An employer must pay an employee within 30 days of a request for compensatory time. The request need not be in writing. Compensatory time must be paid at a rate not less than the rate it was earned.

2008.6.5 An employee must be permitted to use compensatory time as requested unless use would be unduly disruptive.

2008.6.6 Accrued compensatory time must be paid to an employee leaving employment.

2008.6.7 The Executive Director shall maintain a record of all overtime earned and exchanged for compensatory time. A copy shall be maintained in the employee's personnel file.

2008.6.8 No employee other than the Executive Director may work any overtime without prior authorization.

2009. Evaluations. Although all employees are evaluated periodically on an informal basis, with verbal feedback, no less than annually, the Board shall evaluate the Executive Director and the Executive Director shall evaluate all other District employees in writing with a discussion of the evaluation with the employee. A copy shall be placed in the employee's personnel file. An employee that disagrees with their evaluation may write up to a three page rebuttal and have it placed with their evaluation in their personnel file.

2010. Grievances. Any employee that has a grievance shall take the matter to their supervisor. If the supervisor is the issue, the employee shall bring the matter to the attention of the Governor.

2011. Executive Director Authority. The Board grants the Executive Director the authority to create and enforce reasonable written or oral work rules for all other District employees. The Executive Director must give employees notice of any such work rules prior to issuing any discipline to any employee for a violation of the work rule.