



# Kiwanis®

## YOUTH PROTECTION GUIDELINES - FAQ

### Education

Q: How will Kiwanis clubs report that they have educated their members?

A: A Kiwanis club will indicate that the training was completed by checking the box on the club's dashboard.

### Chaperones

Q: Are we chaperones when we volunteer at a school during school hours?

A: No. The youth are under the supervision of the school or agency during those hours.

### Criminal history background checks

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

A: Whomever is reported as the official Kiwanis advisor to any sponsored Service Leadership Program club. The SLPs are K-Kids, Builders Club, Key Club, Circle K, and Aktion Club.

Q: What about faculty advisors?

A: Faculty advisors need to meet the background check expectations for their school or agency, but do not fall under these Kiwanis policies.

Q: What are the reporting requirements for background checks?

A: Club secretaries can indicate on the club dashboard that advisors have completed and cleared a background check.

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

A: Currently, there are no direct consequences for a club. However, Kiwanis International provides club liability insurance—so an incident following failure to comply with this policy could ultimately affect the cost of such coverage.

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

A: No, the club's coverage is not directly affected. However, long-term costs of such coverage for the organization could be impacted if there are claims that result because a club failed to conduct a background check.

Q: If we choose an entity other than Safe Hiring Solutions to perform our background checks on the club level, how do we determine whether the check meets Kiwanis International requirements?

A: Kiwanis International accepts the standards of the school/agency/entity requiring the check. For conviction standards, refer to the Kiwanis International procedure 197 ([www.kiwanisone.org/backgroundchecks](http://www.kiwanisone.org/backgroundchecks)).



# Kiwanis®

Q: Which offenses could exclude a member from working with youth?

A: The following categories may serve as a model for your club's policy for members and for any paid employees:

- Decision-makers will likely want to exclude those who have been convicted of crimes such as sexual violence, violent crimes, felony theft, child abuse, child exploitation, child molestation, child seduction, dealing in drugs, possession of child pornography or Internet child crimes.
- Don't necessarily exclude: Offenses such as minor moving violations don't necessarily have an impact on volunteering.
- For more information, the Kiwanis International standards are outlined in Kiwanis International procedure 197 ([www.kiwanisone.org/backgroundchecks](http://www.kiwanisone.org/backgroundchecks)).

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

A: The organization or employer that coordinated the background check can send a letter or email indicating that the Kiwanis advisor has a clear background check. Or the Kiwanis advisor can provide a copy of the report provided by the background check agency. If the background check was done through Kiwanis International, the member or secretary can email Vicki Crabtree ([vcrabtree@kiwanis.org](mailto:vcrabtree@kiwanis.org)) for confirmation.

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

A: Proof of background check results should be provided to the club secretary (as noted above), but the actual document may be kept by the Kiwanis advisor, organization or employer that originally requested the background check.

Q: What is the length of time a background check is considered valid for this purpose?

A: Results within the past 10 years are acceptable.

Q: What protects the club/district officers from being held personally responsible for any breach or misconduct with the data collected?

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

Q: What would make a criminal history background check not clear?

A: A criminal history background check is considered "not clear" if it indicates: a felony or misdemeanor involving moral turpitude; a felony or conviction or 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.



# Kiwanis®

## **Overnight stays**

Q: What if a youth's parent/guardian has given permission for the youth to sleep in a room with another parent?

A: Such permission should only be accepted as written permission. The adult in attendance should then be treated as being in loco parentis.

## **Transportation**

Q: What is the best course of action when providing transportation to youth members and the last member to be dropped off is alone in the car with the Kiwanian?

A: When a Kiwanian is unable to follow the rule of 3 due to circumstances like this, the Kiwanian should inform the youth member's parents of the transportation plan. Encourage the youth member to text or call their parent when they are the last person in the car and estimate an arrival time. If this will be a repeated situation, request written permission from the parent.

## **Medications**

Q: If we are going to be in a situation that would require administering medication or emergency medical treatment, how can we best be prepared?

A: First, check with the school or host organization for the youth club and determine if they have medical release or permission to treat forms for members. If members are involved in service projects or events off school property, you should have a medical release or permission to treat form for each member. You can have all members sign one at the beginning of the year to be kept on file. Find a sample form at [www.kiwanis.org/youthprotection](http://www.kiwanis.org/youthprotection). Refer to the Personal information guideline for how this confidential information should be handled.

## **Use of alcoholic beverages and tobacco**

Q: Is there any appropriate place for an adult to smoke at an event primarily for youth or organized by youth members?

A: The event leadership can designate a space that is completely separate from the event.

## **Reporting**

Q: Are Kiwanis members mandatory reporters?

A: Just because you are a Kiwanis member does not make you a mandatory reporters. However, check your state and local laws as they may identify certain parties as mandated reporters.

### **Personal information**

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

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

### **Youth and social media**

Q: What if I have already tried to connect to youth via social media?

A: From today, move forward using this policy.

### **General Questions**

Q: What resources are available?

A:

- You can download the guidelines at [www.kiwanis.org/youthprotection](http://www.kiwanis.org/youthprotection). On that page you can also find links to other important resources—including a PowerPoint presentation, trainers guide and supplemental worksheet.
- Use the [online training](#) to prepare presenters who will lead the training at a club meeting (or for all club members if your club cannot offer in-person training).
- To learn more, members can also access the [archived webinar, “Youth Protection Guidelines and You.”](#)

Q: Is anyone available to help our club?

A: Each district will select a District Youth Protection Manager to be trained in 2014 prior to mid-year meetings. The person in this position will have a solid understanding of the Youth Protection Guidelines, help clubs understand their responsibilities and provide the connection between Kiwanis International and your Kiwanis district on youth-protection issues. When this individual is selected, you should contact your Kiwanis district office when you need to communicate with him or her.