

# Sample Policy and Procedure for Clubs on Criminal History Background Checks

## Criminal History Background Checks

To ensure the highest standards of leadership, the Kiwanis Club of \_\_\_\_\_ requires a clear criminal history background check for all *[insert positions: \_\_\_\_\_]* as part of the eligibility criteria to hold such positions.

Additionally, to ensure that adults working with youth are of the utmost moral fiber, the Kiwanis Club of \_\_\_\_\_ requires a clear criminal history background check for any Kiwanians or nonmembers working on behalf of the club with youth under age 18 (such as club chairs and administrators and their assistants or committee members) and for all adults – both Kiwanians and non-members – registered for, participating in, or staying overnight at any event organized by the club involving youth under age 18.

Successful completion of the background check (a “clear check”) is based on verification that none of the convictions stated in the Kiwanis Club of \_\_\_\_\_ policies as attached or similar thereto have been determined for that person. For club board members, a clear check is necessary to be an eligible candidate and thus must be completed before elections are held. For club appointees, a clear check is necessary before assuming the position. For adults working with youth as stated above, a clear check is necessary prior to arrival at the club event. (*Clubs may consider a policy for board members, new members, members working with youth, or all members*)

The club recognizes only its own criminal history background check process as valid\*. All background checks shall be reviewed and evaluated by the \_\_\_\_\_\*\* and determined to be clear or not clear, based on the criteria stated in the Kiwanis Club of \_\_\_\_\_ Policies. The Club President shall be advised if a check indicates a problem or concern that requires further investigation or is determined to be not clear. In either case, the \_\_\_\_\_\*\* shall notify such person. A check that is not clear causes automatic denial of the right to hold the position or attend the event in question.

*\*Clubs are recommended to use the same service KI uses (Safe Hiring Solutions).*

*\*\*Determine which person(s) will review the background checks. This should probably be the Club Secretary, since they often have the greatest experience in administrative tasks and often serve more than one year in office, providing continuity in the process. A committee should not be appointed to review background checks, because having several people involved encumbers the process and violates privacy.*

The Club Board shall have final authority on the matter.

An individual may receive a copy of his/her background check by requesting it in writing.

Background checks are valid for a period of two years. All relevant persons who have not had a criminal history background check conducted and verified as clear within the past two years at any given time are subject to a new check.

(See also the club procedure on background checks for more information.)

## **Suggested Procedure for Clubs to Adopt**

*Note: If a club has only policies, these procedures may be included in the policy instead.*

### **Criminal History Background Checks**

To carry out the club policy on criminal history background checks, the following shall apply.

#### **1. Responsibility for Costs**

Each individual subject to a background check shall be responsible to pay the charges. Checks shall be conducted as inexpensively as reasonably possible to assure accurate results. *(Or the club can add the cost of the check to the club dues)*

#### **2. Convictions that Cause Ineligibility**

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. *(The club can refer to the examples of such convictions found in Kiwanis International Procedure 197 or determine their own examples)*

Other types of felony convictions will be reviewed on a case-by-case basis by the \_\_\_\_\_\*\*

*\*\*This should be the same person specified in club policy.*

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

#### **3. Discipline**

Individuals with a background check determined to be not clear will be subject to the following actions:

- A.** Current club board members or club appointees will be disciplined as determined by the Club Board, including but not limited to suspension or removal from their position.
- B.** Candidates for any club board position or club appointment will be considered disqualified as a candidate for such.
- C.** Adults wishing to participate in club youth events will not be allowed to do so.
- D.** Conduct unbecoming process may be engaged depending on the convictions identified in the report.