



Kiwanis®

New England and Bermuda District of Kiwanis International

www.newenglandkiwanis.org

POLICIES OF THE NEW ENGLAND AND BERMUDA DISTRICT OF KIWANIS INTERNATIONAL ADOPTED MARCH 20, 2016, AMENDED TO NOVEMBER 21, 2021

ARTICLE I. Definitions

- 1.1 "District" shall mean the New England and Bermuda District of Kiwanis International.
- 1.2 "Active Member" shall be as defined in the District Bylaws.
- 1.3 "Club" shall be as defined in the District Bylaws.
- 1.4 "Division" shall be a group of Clubs as determined by the District.
- 1.5 "Public Activities" include but are not limited to any activity with a political purpose, including activities of propaganda, trying to influence legislation, or participating in a campaign for or against any candidate for public office.

ARTICLE II. Purpose and Structure

- 2.1 The name of the District shall be as set forth in the District Bylaws.
- 2.2 The purposes and structure of the District shall be as set forth in the District Bylaws.
- 2.3 Division Structure.
 - a. The District shall be divided into 21 divisions as set forth on Exhibit A.
 - b. With the assent of the District Board, any Division may adopt a distinctive or otherwise significant name of not more than twenty-five letters in addition to the numerical designation of that particular Division.
- 2.4 Change or Realignment of Divisions
 - a. Proposals for a Change or Realignment of a Division.
 - (i) Whenever a change or realignment of Divisions in the District is proposed to the District Board, the Division, Lieutenant Governor or officer proposing said change or realignment shall submit in writing to the Governor the reasons for such request, the Clubs to be included within the new or realigned Divisions, and the suggested new or realigned divisional boundaries.

(ii) Such request should be referred to a Committee specially appointed by the Governor for study and recommendation prior to being presented to the District Board for approval.

(iii) Such proposal and study of realignment shall consider the following factors concerning the realignment:

- a) Number of clubs in each Division resulting from the proposed realignment.
- b) Total membership of each Division resulting from the proposed realignment.
- c) Geographical affinity of the affected Clubs.

(iv) At the time the proposal is referred to the Committee, the District Secretary shall send a copy of the proposal to the Lieutenant Governors and the Lieutenant Governor-elects of the affected Divisions and each Club in the affected Divisions, together with a notice giving them thirty days to submit written comments to the Committee.

b. District Structure Review. Periodically, the Governor may appoint a committee to review the number of Clubs within a Division and/or the realignment of Divisions. The committee shall make its recommendations to the District Board.

c. Preference for Realignment. To retain a reasonable number of Divisions in the District, and to minimize the financial cost incurred by the District for each Division that exists, preference will be given to the realignment of Clubs within existing Divisions rather than creating a new Division.

d. Effective Date for Change for Realignment of Divisions

(i) A change which creates a new Division shall not become effective until the succeeding October 1. However, after the approval of a new Division, the office of the Lieutenant Governor-Elect shall be filled for the next administrative year. Such election shall be in accordance with the Bylaws, and the election shall be by the representatives of the Clubs in the new Division. Similarly, the representative of the Clubs in the Division to be retained shall elect their Lieutenant Governor-Elect. The Chairman of such conference shall be the current Lieutenant Governor for a majority of the Clubs in the new Division.

(ii) A change which reduces the numbers of Divisions shall not become effective until the succeeding October 1. However, after the approval of such changes, the office of the Lieutenant Governor-Elect shall be filled for the next administrative year. Such election shall be in accordance with the Bylaws, and the election shall be by the representatives of the Clubs in the newly organized Division. The Chairman of such conference shall be the current Lieutenant Governor for a majority of the Clubs in the new Division.

(iii) Any realignment of Clubs within existing Divisions shall become effective either immediately following the approval of such realignment by the District Board or not until the succeeding October 1 at the discretion of the District Board.

2.5 Chartering of new clubs.

a. District's Responsibilities

(i) The date and time of the Charter presentation meeting shall be approved by the District Governor.

(ii) It shall be the responsibility of the District to provide a Club Banner, or reimbursement of up to \$200.00 at the Kiwanis Store for other supplies if a banner is supplied by Kiwanis International, for each new Kiwanis club chartered within the District.

b. Lieutenant Governor's Responsibilities. As provided in Policy 3.11.d(xiii).

c. Sponsoring Club Responsibilities. The sponsoring Club is responsible to maintain close contact with the newly formed Kiwanis Club for at least one year.

d. Other Clubs in the Division's Responsibilities.

(i) The Clubs in the Division where the new Club is located should support the new Club by attendance and guidance during the year that the new Club is organized.

(ii) It is recommended that the Clubs in the Division provide additional gifts to assist the administrative well-being of the new Club.

e. Timeliness of Gifts. Any of the suggested gifts should be ordered in sufficient time for delivery prior to the charter meeting.

ARTICLE III. Officers

3.1 Election of Officers. The Governor, Governor-Elect and the Lieutenant Governors shall be elected in accordance with the District Bylaws. The Governor, Governor-Elect and the Lieutenant Governors shall have the qualifications set forth in the District Bylaws.

3.2 Appointment of District Secretary. The Governor-designate shall appoint the District Secretary in accordance with the District Bylaws. The District Secretary shall have the qualifications set forth in the District Bylaws.

3.3 Appointment of District Treasurer. The Governor-designate shall appoint the District Treasurer in accordance with the District Bylaws, using the following procedures and criteria:

a. At least ninety (90) days prior to the Annual District Convention, the Governor and Governor-Elect shall meet and shall propose to the Finance Committee one or more persons as candidates for appointment to the position of District Treasurer for the following administrative year.

b. Qualifications. Any proposed appointee for the position of District Treasurer shall, in addition to the qualifications set forth in the District Bylaws,;

- (i) have a strong background in experience in business, accounting, budgeting, financial controls, generally accepted accounting principles and/or auditing standards;
- (ii) have a degree in accounting or finance; or
- (iii) be a certified public accountant.

c. The term of the District Treasurer is as provided in the District Bylaws. To maintain fiscal consistency and acknowledge experience of a District Treasurer in the position, the District shall encourage and support the continued service of a sitting District Treasurer for up to six (6) one year terms provided such District Treasurer has served competently during each and every term of service as District Treasurer. Absent compelling circumstances, negligent conduct or willful misconduct in the position, or "Conduct Unbecoming a Member of the Kiwanis Family" (as set forth in the Bylaws), the Finance Committee shall not consider candidates for District Treasurer other than a sitting District Treasurer until the District Treasurer has served at least three (3) one year terms.

d. The Finance Committee shall promptly meet and review the education, experience and financial qualifications of each proposed appointee for District Treasurer, and to review the performance of an existing District Treasurer for competence, negligent conduct or willful misconduct in the position, or "Conduct Unbecoming a Member of the Kiwanis Family".

e. The Finance Committee shall make individual reports of its review of each proposed appointee for District Treasurer to the Governor and Governor-Elect at least thirty (30) days prior to the Annual District Convention. In addition, the Finance Committee may in a separate report recommend one or more of the proposed appointees for final selection as District Treasurer.

f. After consulting with the Governor, and reviewing the report of the Finance Committee, the Governor-Designate, as elected at the Annual District Convention, shall select one person as the final appointee for District Treasurer, and shall submit such person for approval to the District Board-Designate at its meeting at the Annual District Convention. The report of the Finance Committee for the selected appointee shall be made available to the District Board-Designate.

g. Once approved, the proposed District Treasurer shall take office on October 1 with the other officers-designate.

h. In the event of a change in the District Treasurer, the outgoing District Treasurer shall assist in the training of the new District Treasurer prior to the October 1 change of officers.

3.4 Appointment of District Assistant Treasurer. If necessary, upon recommendation of the Finance Committee, the Governor shall appoint, subject to the approval of the District Board, an assistant treasurer. The assistant treasurer shall have a strong business background with experience in bookkeeping and/or accounting. The assistant treasurer shall be appointed for a term not to exceed three (3) years.

3.5 Governor Duties and Responsibilities.

- a. The Governor shall have the duties and responsibilities set forth in the District Bylaws.
- b. The Governor shall appoint the required number of District Board Members as board members of the Kiwanis Foundation of New England, Inc. as provided in the Bylaws of the Kiwanis Foundation of New England, Inc.

3.6 Governor-elect's Duties and Responsibilities.

- a. The Governor-elect shall have the duties and responsibilities set forth in the District Bylaws.

- b. District Committee Chairperson Appointments.

- (i) The Governor, in consultation with the Governor-elect of the District, shall not make any announcement of any committee person appointments prior to January 1, with the following exceptions: K-Kids, Builders Club, Key Club, Aktion Club and Circle K Administrators; and the Key Club and Circle K Club Financial Advisors.

- (ii) Prior to May 1 of each year, the Governor-elect shall appoint a member of the Finance Committee to fill the vacancy created by the rotating expiring term of Finance Committee members.

3.7 District Secretary's Duties and Responsibilities. The District Secretary shall have the duties and responsibilities set forth in the District Bylaws.

3.8 District Treasurer's Duties and Responsibilities.

- a. The District Treasurer shall have the duties and responsibilities set forth in the District Bylaws.

- b. The District Treasurer shall also make such reports as required under Policy 11.19.

3.9 District Assistant Treasurer Duties and Responsibilities. If appointed, the District Assistant Treasurer shall have such duties and responsibilities as determined by the District Board, and shall be reimbursed for necessary expenses when engaged in the business of the District in accordance with the provisions of the budget set by the District Board, provided that vouchers for such expenses are submitted to and approved by the District Secretary.

3.10 Immediate Past Governor Duties and Responsibilities. The Immediate Past Governor shall have the duties and responsibilities set forth in the District Bylaws.

3.11 Lieutenant Governor's Duties and Responsibilities.

a. Lieutenant Governors shall have the duties and responsibilities set forth in the District Bylaws.

b. Installation of Club Officers. It is the prerogative of each Lieutenant Governor, who will serve concurrently with the Club officers, to install such officers at installation meetings of Clubs in the Division, irrespective of the date of the installation, and no other person shall be invited to conduct said ceremonies unless the Lieutenant Governor of the Division involved expressly approves such invitation in advance.

c. Governor's Visitation to the Division. On the Governor's official visit to a Division, the Lieutenant Governor for the Division may preside or may designate another person to preside and conduct the ceremonies, but it is the sole prerogative of the Lieutenant Governor to introduce the Governor and decide whether to provide a suitable gift for the District Governor, budgeting the whole affair carefully so that all necessary expenses are covered. At each Governor's visit, protocol dictates that the Governor shall be the last individual to speak at the event.

d. District Responsibilities of the Lieutenant Governor. The Lieutenant Governor shall:

(i) Fulfill all duties and obligations outlined in the District and International Bylaws, working under the District Governor in the management and control of the District.

(ii) Be the representative of the Governor in the Division; assist in everything pertaining to the executive work of the District, be a member of the Board of Trustees and share in the responsibility of the District Board in administration of the District.

(iii) To become aware of the Governor's goals, special emphasis projects, policies and procedures, and to give full support to them during the year.

(iv) Be a friend, counselor and confidant to every Club in the Division, act as a source of inspiration and help to the Clubs, and effectively assist Clubs where deficiencies are evident.

(v) Make initial contact and a visit to each Club in the Division starting as soon as possible after the Training Conference and not later than October 1.

(vi) Make at least the minimum required visitations, consisting of one contact, one official Club meeting visitation and one official Board visitation to each Club in the Division.

(vii) File reports to Kiwanis International and the District on required visitations.

(viii) Make any and all special visits necessary to maintain the efficient and proper operation and functioning of each Club in the Division.

(ix) See that Club officers in the Division are provided with leadership training and that encourage attendance at leadership training conferences held for the Division and District.

(x) Attend the International Convention (whenever possible) and all District functions, i.e.: Fall-Training and Mid-Year Conferences, International President's Visit, District Board meetings and District Convention as required by International and the District.

(xi) Schedule and introduce to all Clubs in the Division, the initial contact of the Lieutenant Governor-designate.

(xii) Be the presiding officer at Divisional Council meetings, including the meeting for the election of the Lieutenant Governor and Lieutenant Governor-elect (as provided in Bylaw Article VII); and it is recommended that at least two (2) Divisional Council meetings be held each year.

(xiii) For a new Club charter meeting, consult with the Governor regarding the arrangements for such meeting. The cost of the Club charter meeting shall not exceed the income of the admission tickets or other event fees. The Lieutenant Governor of the Division shall act as Master of Ceremonies, and the charter presentation and the main address shall be made by the District Governor.

e. Reimbursement. Each Lieutenant Governor shall be reimbursed in accordance with the District Budget for expenses incurred in performing their duties and attending official International and District events. Unless otherwise provided by the District Board, each Lieutenant Governor shall have an annual budget of \$1,250.00 for use as follows: District Convention \$ 350, Fall Training Conference \$250, Mid Winter Conference \$ 250, International Convention \$ 250 and miscellaneous expenses (at the discretion of the Lieutenant Governor) \$ 150. Attendance at the District Board meeting for the District Convention, Fall Training Conference, and Mid Winter Conference are required for reimbursement of expenses for those events. Any Voucher for reimbursement must be received by the District Secretary prior to September 30 of the fiscal year. (rev. 5/2020 and 11/2021)

f. No person shall serve as a Lieutenant Governor who will not have been a Past President, Past Secretary or Past Treasurer of a Kiwanis Club, unless the District Board shall, due to the absence of a candidate having such qualifications, otherwise permit. (rev. 3/2018)

3.12 Lieutenant Governor-elect Duties and Responsibilities. The Lieutenant Governor-elect in each Division shall have the following duties and responsibilities including, but not limited to, assisting the Lieutenant Governor with: the leadership education of Club officers and the planning of Division events and council meetings. The Lieutenant Governor-elect should also attend Division council meetings and District conferences and conventions.

ARTICLE IV. District Board

4.1. Board Meetings

a. The District Secretary shall notify each member of the District Board, the Parliamentarian, the Finance Committee Chair and the Functions Committee Chair in writing, sent by mail or electronically, of the time, date and place of any meeting of the District Board at least three (3) weeks in advance of the date of the meeting. The District Secretary shall also notify the Executive

Director of Kiwanis International of such meeting of the District Board as required by the Bylaws or Policies of Kiwanis International.

b. Agenda and Financial Statements. An agenda and financial statements or reports shall be mailed or sent electronically to all members of the District Board or posted on the District website, at least fifteen (15) days in advance of a District Board Meeting.

c. Suggested Agenda Items for the Incoming Board's First Official Board Meeting (usually held on the last day of the District convention):

Call to Order
Opening- Pledge of Allegiance, Acknowledge the Queen, Invocation
Roll Call
Introduction of Guests
Approval of Meeting Agenda
Approve Consent Agenda
Confirmation of District Secretary
Confirmation of District Chairs
Appointment of Auditor
Election of Foundation Representatives
Goals of the District for the coming year
Announcement of tentative dates and locations of Board of Trustees meetings
Approve convention site for succeeding year
Approve depository for District funds
Adoption of the District Annual Budget
Adoption of Budget(s) for upcoming District function(s)
Explanation of Voucher system
Designation of people to sign checks
Remarks from International Representative
Remarks from District Officers
Adjourn

d. Suggested Agenda Items for all other Board Meetings

Call to Order
Opening- Pledge of Allegiance, Acknowledge the Queen, Invocation
Roll Call
Introduction of Guests
Approval of Meeting Agenda
Approval of Meeting Minutes
Approve Consent Agenda
Remarks from Service Leadership Governors
Reports
Unfinished Business
New Business
Adoption of Budget(s) for upcoming District function(s)
Remarks from District Officers
Adjourn

- e. If a meeting of the District Board is held via conference call or any other electronic methods:
 - (i) The method used must allow all participants to simultaneously communicate with one another.
 - (ii) Any voice votes not clearly reflecting the necessary number for a motion to pass must be taken by roll call, but only adoption or failure need be included in the minutes.
 - (iii) If a written vote for any motion made at an electronic meeting is desired, it must contain the signature of the District Board member and may be submitted by e-mail, fax or postal mail within a designated period of time following the meeting, as determined by the participants at the meeting. Only the participants at the meeting shall be entitled to cast a written vote.
- f. The District Board may act without a meeting with the unanimous written consent of all members of the District Board entitled to vote. Any motion proposed to be adopted by unanimous written consent must be clearly stated in writing. The vote of each member of the District Board entitled to vote must be in writing and contain the signature of the member, and may be submitted by e-mail, fax or postal mail within a designated period of time. All votes shall be retained as part of the records of the District.

ARTICLE V. COMMITTEES

- 5.1 The committee structure of the District shall be comprised of the following standing committees:
 - a. ADMINISTRATIVE COMMITTEES: Education Committee; Election Practices Committee; Finance Committee; The Formula Committee; Functions and Conventions Committee; Laws and Regulations Committee; Master Trainer Committee; Past District Governors Committee; Past Lieutenant Governors Committee; Policy Committee; Public Relations Committee; Resolutions Committee.
 - b. SERVICE COMMITTEES: Community Services Committee; Human & Spiritual Values Committee; Young Children Priority One Committee.

5.2 Education Committee. This Committee shall function as set forth in the Kiwanis International Bylaws and Policies.

ADMINISTRATIVE COMMITTEES

5.3 Election Practices Committee

- a. An Election Practices Committee composed of three members of the Past Governors Committee will be appointed by the Chair of the Past Governors Committee at or as soon as possible after its annual meeting.

b. The Committee shall receive, consider and act upon any complaints of violation of the letter and spirit of the Election guidelines set forth in Policy 7.2.

c. After giving the alleged violator an opportunity to be heard, the Committee shall call upon the candidate to change or discontinue campaign methods and practices deemed to be improper under these guidelines.

d. To obtain compliance with its decisions the Committee shall employ the mildest effective means, but where necessary may resort to public censure.

5.4 Finance Committee.

a. This committee shall prepare a budget of estimated income and expenditures for submission to the District Board and shall submit other recommendations as may be requested by the District Board.

b. Additional Finance Committee Responsibilities:

(i) Recommend the auditors in sufficient time for approval at the first meeting of the District Board (usually at the Annual District Convention in August).

(ii) See that the books of account are kept in conformity with recognized accounting procedures.

(iii) Meet with the Treasurer prior to each meeting of the District Board to review the finances of the district.

(iv) Attend each meeting of the District Board.

(v) Retain the auditor, coordinate the annual audit, and receive the annual audit report from the auditor.

(vi) Report back to the District Board the results of the financial audit, and provide Kiwanis International a copy of the audit.

c. Composition & Term.

(i) The Finance Committee shall consist of three (3) active Kiwanians who have served a complete term as Past District Officers, and each of whom shall serve for a period of three years. The committee members shall serve staggered terms, with one member appointed each year. The Governor-elect shall, prior to the first day of May, appoint the committee member with the longest continuous service on the committee as Chair. The term of the office of each member of the Finance Committee shall begin on the first day of May.

(ii) In the event a vacancy occurs during a three year term of a member of the Finance Committee, within 30 days of the vacancy, the District Governor shall appoint a new member to fill the vacancy for the remaining portion of the unexpired term.

(iii) A member of the Finance Committee may be removed from the committee by the Governor or the District Board for failing to attend committee meetings or for failing to actively participate in the duties and responsibilities of the committee.

d. Meetings of the Finance Committee.

(i) The Finance Committee shall function during the entire year and will meet at such times and places as the chair of the committee may designate. One meeting shall be held with sufficient time for the annual budget to be prepared and reviewed by the committee, and then distributed to the District Board prior to the Annual District Convention. A second meeting shall be held prior to March 1 of each year to review the year-to-date operating results of the District in relation to the Annual Budget.

(ii) The District Treasurer and the Finance Committee shall meet prior to each meeting of the District Board at the time and place called by the Chair of the Finance Committee. A report of the same shall be presented by the Chair of the Finance Committee at the ensuing meeting of the District Board.

(iii) The Finance Committee members shall receive all notices and reports relating to meetings of the District Board.

5.5 The Formula Committee. This Committee shall function as set forth in the Kiwanis International Bylaws and Policies.

5 Functions and Conventions Committee.

a. This committee shall determine locations, plan arrangements and approve contracts for all District-sponsored training sessions, meetings and conventions and for District sponsored events, travel, tours and conventions in conjunction with Kiwanis International. The committee shall also maintain adequate records and information on past conventions including number of rooms used, meals served, room and meal cost and any information which may be helpful to future committees. All decisions of the Functions and Conventions Committee shall have prior approval of the Governor of the District and/or the District Board.

b. This committee shall also:

(i) Supervise the Sergeant-At-Arms Committee at all District events; and

(ii) Coordinate a safety evacuation plan with the facility in case of fire or other disaster.

b. Membership of the Functions and Conventions shall consist of the Governor-elect and the Functions and Conventions Committee Chair.

c. At District Conferences or Conventions, the Governor, District Secretary and the Functions Chair shall receive a compensation room. The Functions Chair shall be reimbursed for

expenses incurred in carrying out the duties of the position in accordance with the District Budget. The Finance Chair shall not personally accept any rewards or incentives available from District events.

5.7 Laws and Regulations Committee. This committee shall:

- a. Examine the District bylaws and shall submit any recommendations concerning revisions thereof to the District Board;
- b. Cooperate with the District Board in drafting proposed amendments authorized by the District Board; and
- c. Make a report on all properly proposed amendments to the District bylaws to be acted upon at any convention.

5.8 Master Trainer Committee. This Committee shall function as set forth in the Kiwanis International Bylaws and Policies.

5.9 Past District Governors Committee.

- a. This Committee shall function as set forth in the District Bylaws.
- b. A summary of committee proceedings shall be provided to each member of the committee and to the District Governor and District Secretary.
- c. The committee shall meet at the time of the Annual District Convention and may hold other meetings at the call of the chair.
- d. Honorary membership may be granted to a spouse of a deceased Past Governor of the District at the discretion of the Committee. Honorary membership may also be granted to a Past Governor of another district, provided that such Past Governor is an active member of a Club within the District. Honorary members shall enjoy the benefits and privileges of the Past Governors Committee except that honorary members shall be non-voting members.
- e. The Committee may invite the Governor and Governor Elect to attend its meetings as an observer.
- f. In the event of the death of a Past Governor, the Past Governors Committee secretary shall immediately notify all Past Governors and members of the present District Board by the quickest means possible.

5.10 Past Lieutenant Governors Committee. This Committee shall function as set forth in the District Bylaws.

5.11 Policy Committee.

a. This committee shall know the policies and administrative procedures of the District and review and recommend to the District Board for its consideration and approval, policies, administrative procedures, position descriptions, and other matters that may be referred to it.

b. Meetings

(i) Meetings may be called by the Governor, the Chair, or by a majority of the Committee.

(ii) At least two weeks written notice shall be given for either regular or special meetings.

(iii) A quorum of the Committee on Policy shall consist of a majority of the members of the Committee.

c. Proposals. Whenever a policy or administrative procedure is proposed to amend or revise a District Policy, the Kiwanian who has proposed said policy or procedure shall submit to the Committee, in written form, the new policy or procedure and a copy of any current policy or procedure that is to be amended or revised.

d. Action on Referrals. Any item which has been referred to the Committee should be reviewed by the Committee and a draft report given to the Laws & Regulations Committee within 60 days. Failure of the Policy Committee or the Laws & Regulations Committee to act within the appointed times shall not bar the District Board from taking action. Recommendation shall be made to the District Board within 90 days from the date of original referral, unless the District Board authorizes an extension of the time for such report.

5.12 Public Relations Committee. This Committee shall enhance the Kiwanis name and develop District-wide communications and public relations plans.

5.13 Resolutions Committee. This Committee shall function as set forth in the District Bylaws.

SERVICE COMMITTEES

5.14 Human & Spiritual Values Committee. This committee shall encourage Clubs to cooperate and broaden nondenominational lines with local religious leaders and groups in creating a greater public consciousness of the importance of religious and spiritual values. It shall urge each of the members of Clubs to support by precept and example the work of the member's own place of worship in the member's own community.

5.15 Young Children: Priority One Committee. This committee shall study, devise and suggest methods and means to the clubs in the District to assist them in implementing the current major emphasis program(s) of Kiwanis International.

5.16 Social Change and Equity Committee. This committee shall promote access, participation and equity for all members within the district by creating resources and initiatives to assist members in working for social justice, achieving fundamental fairness and equality for all members, and avoiding systemic practices that limit the full participation of all members within our organization. The committee will align their work and initiatives with the Kiwanis International Non-Discrimination Policy. (Added effective 10/2020)

5.17 The District Governor, while serving as Governor-elect, shall appoint the chairs and members of District committees for the succeeding year.

5.18 Committee Terms. Each committee, except the Past District Governors Committee, the Past District Lieutenant Governors Committee and the Functions and Conventions Committee, shall be composed of at least three (3) members. Each committee, except the Past District Governors Committee, the Past District Lieutenant Governors Committee and the Finance Committee, shall serve

for a term of one (1) year. All committees, with the exception of the Finance Committee shall begin their terms of office on the first day of October.

5.19 Cooperation with International Committees. Each committee shall cooperate with the appropriate committee of Kiwanis International in promoting in Clubs any program suggested by such International Committee.

5.20 Required Meetings for District Committees, Special Committees and Task Forces. For required meetings for District committees, special committees and task forces, the following expenses are payable to the extent included in the budget:

- a. Travel expense: at the current rate as prescribed by the District approved Annual Budget.
- b. A meal (at a reasonable cost not to exceed \$25.00) if the meeting exceeds four (4) hours.

5.21 Special Committees and Task Forces. Special Committees and Task Forces may be appointed by the Governor and shall perform such duties as may be defined in their creation. Each Special Committee or Task Force shall be responsible to the Governor and shall make such reports as the

Governor may direct. All Special Committee or Task Force members shall be subject to removal by the Governor.

ARTICLE VI. Conventions

6.1. The District Bylaws shall be the governing authority for all matters involving the District as to District Conventions.

6.2. Site/Location.

a. A Convention location should have:

(i) Easy accessibility.

(ii) Adequate housing.

(iii) Good meeting facilities, convention space, meal facilities and adequate conference rooms for the expected attendance.

(iv) Availability of outside attractions for spouse/guest events.

b. Sites should be recommended at least one (1) year in advance.

c. A site should not be repeated within two (2) years, if possible, and every attempt should be made to vary the location.

d. Any concessions, overrides and/or surplus shall accrue to the District Functions Account.

e. A strong effort shall be made to get firm prices for rooms one year in advance and firm prices for meals at least three (3) months in advance.

6.3. Preparation of Budget.

a. Each District convention and conference shall be self-sustaining; the expenditures included in the budget shall not exceed the membership payments, registration fees, meal costs and other income. There shall be a budget prepared by the Functions and Conventions Committee for each District Function (i.e.: Training Sessions, Fall Training Conference, Mid-year Meetings, International President's Visit, International Convention, District Convention, etc.) which will be presented at a meeting of the District Board for approval or revision. Such presentation shall be made no later than the regularly scheduled meeting of the District Board prior to the function.

b. At District Conferences or Conventions. the Governor, District Secretary and the Functions Chair shall receive a complimentary room, at no cost to them.

6.4 All Concessions to District.

a. For any District conference, convention or meeting, all benefits from free or reduced meal costs, beverages, accommodations, transportation, attractions, sightseeing, etc. shall be included in the budget and the financial report of that function.

b. No District officer or Kiwanis member, due to his office or his membership, has any right or privilege to benefit personally, or to increase District expense, by promoting separate housing, travel or special event arrangements related to any District convention, conference or meeting.

c. Recognizing the value of convention facilities, public space, convention bureau assistance and other concessions ordinarily received gratis or at a very nominal cost by our District, for any District convention, conference or meeting, all participants are encouraged to use District arranged housing, travel and other accommodations.

6.5 Income – Convention, Conferences and Meetings.

a. All registration fees and other income shall be credited to the appropriate convention or meeting account.

b. The Functions Committee, with the approval of the Board, may add a surcharge of up to 50% of registration fees and up to 20% of the ticket price for function events for payments received less than seven (7) days prior to the event.

6.6 Expenses – District Convention.

a. Expenses that are not a direct result of a function shall be paid from the general Budget rather than from the function itself. Functions shall be self-sustaining and shall not be planned to result in a surplus or a loss.

b. Gifts for International Officers shall not exceed \$250.00 per representative and partner/spouse.

c. No monies from registration fees or other District funds shall be used for the purchase of alcohol for hospitality rooms at any convention or conference.

6.7. Deficits/Surpluses. The “Function Reserve of the General Fund” shall be invaded to fund function expenses or deficits. Surplus funds in the “Function Account” shall be carried forward to the “Function Reserve of the General Fund”. Funds in this reserve account shall only be expended for purposes other than Functions by a two-thirds (2/3) vote of the District Board.

6.8. Ticket Sales. The Functions Committee, with the approval of the Board, may discontinue the sale of functions tickets in advance of a function based on the time a guarantee must be given to the vendor, and/or lack of available space.

6.9. Cancellations/Refunds. In the event that someone who has registered cannot attend a District Conference or District Convention due to illness or death in the family, and provided that the member has contacted the District Office at least 72 hours prior to the start of the function, the member

may request a refund on the meal costs paid. All other requests for refunds shall be considered on a case by case basis at the discretion of the District Secretary. Registration fees paid are not refundable.

6.10. Displays. Any Kiwanis Club, District Committee, Key Club, Circle K Club, Builders Club, K-Kids Club, Aktion Club, the District Foundation, the District Boutique or a vendor that is Kiwanis related will be allowed display area for promotion and/or sale of pertinent material subject to prior approval of the Functions committee. Any cost for this display area will be assumed by the displayer. Priority is to be given to the Kiwanis program over the vendor if space is limited.

6.11 The official program of a District Convention shall be the order of the day for all sessions. Changes in the program may be made from time to time by a majority vote of the delegates and delegates-at-large present and voting.

6.12. Resolutions. The District Bylaws shall be the governing authority for all matters involving Resolutions.

ARTICLE VII. Nomination and Election of Officers

7.1 Candidates for District Office.

a. Any Club or Division in the District desiring to offer, propose or nominate a candidate for the office of District Governor or District Governor-elect for the ensuing year shall file a written statement of such intent with the District Secretary no earlier than October 15th. If proper coverage is desired in the Yankiwianian, statements must be received no later than March 1st.

b. The written statement, not exceed 400 words, shall contain biographical data and qualifications of the candidate and be subscribed at the end thereof by the nominee, signifying a willingness to accept and fulfill all responsibilities of the office, if elected.

c. The written statement when delivered to the District Secretary shall be accompanied by a 5x7 photograph or digital image, suitable for publication, in the earliest possible issue of the Yankiwianian.

d. The District Secretary shall forward the written statement and photograph to the Editor of the Yankiwianian for inclusion in the next following issue of the Yankiwianian.

7.2 Election Campaign Standards.

a. No public campaigning, such as announcements, candidate appearances or expenditures on behalf of a candidate, shall take place before a written statement is filed with the District Secretary; however, this policy shall in no way restrict the candidate from seeking support from the membership of his/her Club or Division to help him/her decide upon his/her potential as a candidate.

b. Campaigning and campaign materials shall be inoffensive. Signs, posters and pictures may be displayed in candidate hospitality rooms and any designated lobby area. These may be placed

on doors of the hospitality room of the sponsoring Club and/or Division. No promotional material shall be distributed in the House of Delegates.

c. All campaign advertising novelties, pins, buttons, caps, pens, calendars, magnets, etc., are prohibited.

d. Each announced candidate shall be provided a designated location at the District Convention at which the election will occur for the purpose of meeting conventioners. The convention program and arrangements shall include an announced time and place for meeting all District candidates.

e. Past District Governors and present District Officers above the rank of Lieutenant Governor shall not participate in election campaigns other than their own. They shall refrain from active campaigning activities including, but not limited to, issuing testimonials or complimentary letters on behalf of any candidate.

f. Any candidate or his/her representative, when authorized in writing by the candidate, shall have access to the list of certified delegates to a District Convention. This list will only be available from the District Secretary and the candidate or his /her representative shall be solely responsible for obtaining this information.

g. In the House of Delegates at the District Convention, during the session for the election of District officers, each candidate for the office of Governor and Governor-Elect may have one nominating speech not to exceed three (3) minutes. All other candidates for district offices shall have a nominating speech of two (2) minutes. There will be no seconding speeches, but a second to the nomination must be made from the floor. Nominating speeches may not be waived.

h. In the House of Delegates at the District Convention, following the nominating speeches each candidate for Governor or Governor-Elect shall appear individually, in the absence of all other candidates for district office, before the House of Delegates and respond to two (2) questions selected by the Policy Committee applicable to all candidates for each office.

(i) The questions shall not be personal or offensive in nature, but shall be designed to have the candidate address their plans or goals if elected to such office, or address a topic relevant to any problem situation or need of the District, its clubs, or Kiwanis International.

(ii) The same questions shall be asked of all candidates for any one office, but different questions may be asked for the different offices.

(iii) The candidate shall have no more than (3) minutes to respond to each question.

(iv) No other candidate for any office shall be present in the House of Delegates when another candidate is present and responding to the questions. The candidate shall not be told the questions until the candidate appears before the House of Delegates.

(v) Each registered delegate at the District Convention shall have the opportunity to submit to the Policy Committee one (1) question each for the Governor and Governor-Elect that they would like answered by the candidate for such office. At the time of obtaining credentials,

each Delegate shall be given a form for submitting such questions, and any proposed questions shall be submitted no later than two (2) hours before the start of the House of Delegates.

(vi) The Policy Committee shall meet and provide the current Governor with the proposed questions for each District office prior to the start of the session for election of District officers in the House of Delegates. The current Governor shall have the right to reject any proposed question from the Policy Committee if the Governor determines that the proposed question is personal or offensive in nature and request the Policy Committee to suggest a new question.

(vii) The current Governor shall preside in the House of Delegates during the question session of the candidates. The current Governor shall determine by lot the order of appearance of candidates before the House of Delegates.

(viii) Only after all candidates have had the opportunity to address the House of Delegates may the candidates be permitted back into the House of Delegates.

(ix) Elections shall take place immediately following the question session.

7.3 Candidates for District Endorsement for International Office. When it is determined that the District shall offer a candidate for International Office, the Past Governor's Committee shall consider and recommend to the District Board the name of one of its members who, by virtue of his/her accomplishment, is deemed worthy of election to International Office. The District Board shall either accept or reject recommendation of the Past Governor's Committee. If the recommendation is accepted, then the candidate shall be proposed to the House of Delegates at the next District Convention for District Endorsement for International Office. If the recommendation is rejected, it is referred back to the Past Governor's Committee who may either choose to recommend the same candidate again, recommend another candidate, or choose not to recommend a candidate.

ARTICLE VIII. Vacancies In Office

8.1 The District Bylaws shall be the governing authority for all matters involving vacancies in office.

8.2 Any person appointed to fill a vacancy of the position of District Treasurer shall have the qualifications required for District Treasurer as provided in Policy 3.3, and the Finance Committee shall review and approve the proposed appointment as provided in Policy 3.3.

ARTICLE IX. Discipline of Officers

9.1 The District Bylaws shall be the governing authority for all matters involving discipline of officers.

ARTICLE X. Revenue

10.1 The District Bylaws shall be the governing source all matters involving Revenue.

10.2 New Member Fees. Effective October 1, 2021, the District New Member Fee shall be a prorated amount of the annual District Dues set forth in Article X of the Bylaws, calculated as follows:

Join Date	Prorated Amount		Join Date	Prorated Amount
October 1-31	12/12		April 1-30	6/12
November 1-30	11/12		May 1-31	5/12
December 1-31	10/12		June 1-30	4/12
January 1-31	9/12		July 1-31	3/12
February 1-28	8/12		August 1-31	2/12
March 1-31	7/12		September 1-30	1/12

(Added 8/2021)

10.3 Kiwanis Foundation of New England, Inc. (renumbered 8/2021)

a. The Kiwanis Foundation of New England, Inc. is hereby recognized as the principal charitable body of the District.

b. Each club in the District shall have a committee entitled "District Foundation Committee" composed of not less than three (3) members, one of whom shall be designated as the Club Foundation Representative. The name of the person designated as the Club Foundation Representative shall be reported to the District Secretary prior to October 1st of each year.

ARTICLE XI. Finance

11.1. Preparation of Budget.

a. All budget requests made by committees or officers shall be submitted to the Finance Committee Chairman prior to the budget meeting of the Finance Committee to be held by June 1.

b. Any Committee failing to submit a budget request will either receive a budget at the discretion of the Finance Committee or have all of its expenses be the responsibility of the Committee.

c. Pre-Administration expense money for the purpose of providing for a training program for the incoming administration shall be part of the regular operating budget.

11.2. Balanced Budget. In the budget, as adopted by the Finance Committee, total expenditures for District operations shall not exceed the gross amount of the budget, except by approval of the Board of Trustees after referral to the Finance Committee for their recommendation.

11.3. Adoption of the Budget. At the first meeting of the District Board, a budget of estimated income and expenditures for the year shall be approved and adopted by the District Board.

11.4. Budget Changes or Modifications.

- a. Any request for change or modification of the budget should be submitted in writing to the Finance Committee Chairman, and should set forth the reasons for the change or modification.
- b. The request for change or modification of the budget shall be considered by the Finance Committee at its next meeting.
- c. Any change or modification of the budget must be approved by the District Board.

11.5. Unauthorized Expenditures. Expenditures authorized or obligations incurred by District Officers, Committee Members or any person for non-budgeted items will be the personal responsibility of the person authorizing the expenditure or obligation.

11.6. Actions by District Board. Any proposed resolution or other action by the District Board that is not a budgeted line item shall be referred to the Finance Committee before any action is taken.

11.7. Generally Accepted Accounting Principles. The District books and records shall be maintained in accordance with generally accepted accounting principles and with proper internal controls.

11.8. Inspection. The books and records of the District Secretary and/or the District Treasurer, and any of the sponsored youth organizations, at all times shall be open for inspection by the Finance Committee, the Finance Committee Chair, the District Board or the District Governor.

11.9. Closing of Books and Records. By October 31, every effort will be made by the District Governor, District Secretary and District Treasurer to account for all of the prior year's expenses to permit the closing of the books and records, and to process any excess funds (or deficit) increasing (or decreasing) the appropriate account.

11.10. General Fund Reserve. The reserve account of the General Fund shall at all times be equal to at least 25% of the previous year's total general account expenditures.

11.11. Surplus Funds. Surplus monies remaining at the end of the fiscal year in the General Account shall be carried over and used in the Operating Income Account of the next fiscal year providing that the Reserve Account of the General Fund is at the mandated level.

11.12. Payment of Invoices.

- a. All invoices and vouchers submitted to the District shall be promptly approved by the District Secretary and sent to the District Treasurer for payment. Unless the invoice permits a longer period of time, such payments for invoices and vouchers should be made by the District Treasurer when due but no later than thirty (30) days following the date of approval by the District Secretary. Payments issued by check shall require only one signature (District Governor, District Treasurer, or District Governor-Elect) if the amount is less than \$1,000 and two signatures (District Governor, District Treasurer, or District Governor-Elect) if the amount is \$1,000 or more. (rev. 11/2020)

b. Reimbursable expenses. Only actual costs are reimbursable up to the amounts permitted in the budget.

c. If insufficient funds are available to cover the expenses of the Officers, Chairs, etc., monies in the budget shall be allocated on a percentage basis.

11.13. Method of Payment.

a. Vouchers: All requests for payment shall be made on a form provided by the District Secretary requiring the following information: details of expenditure, committee assignments and purpose of expenditure.

b. For reimbursement of authorized expenditures, official vouchers, properly executed, shall be submitted by all District Officers, Chairs, etc.

c. Vouchers and Disbursement instruments shall not be signed or countersigned in advance.

d. Individual budget items shall not be exceeded without recommendation of the Finance Committee and approval of the District Board.

11.14. Charge for Expenditures. All expenditures shall be charged to the proper budget account in the District's books and records.

11.15. Authorization for Expenditures. Authorization for expenditures other than by the District Governor, are to be approved by the District Governor in advance of assuming the obligation or shall become the personal responsibility of that individual.

11.16. Postage. Postage costs for the District Secretary and District Treasurer shall be reimbursed by the District up to the amount set forth in the budget.

11.17. Meetings with the Finance Committee. The Treasurer shall meet with the Finance Committee prior to each meeting of the District Board to review the finances of the District.

11.18. Financial Reports.

a. All financial reports to the District Board shall reflect in detail, income and expenditures for the current year to date, a comparison to the same period of the previous year, variations for the current year's budget and comments, if such variations are material.

b. The proposed budget, as submitted to the incoming District Board, shall reflect in detail estimated income and expenses for the year, a comparison to the budget for the current year, and if available a comparison to the current year's operations considering as estimate of income and expenses to be incurred for the balance of the year and the previous year.

11.19. Financial Reports by District Treasurer.

a. The District Treasurer shall make a financial report to the District Board of Trustees at each of its regular meetings.

b. Quarterly operating statements shall be prepared by the District Treasurer and sent to members of the Finance Committee and to the District Board.

c. The District Treasurer shall make such other reports as directed by the District Governor, the District Board or the Finance Committee.

11.20. Financial Reports by Finance Committee Chair. The proposed budget shall be presented by the Finance Committee Chair to the incoming District Board at its first meeting. The District Board should review a draft budget at its training conference. The proposed budget shall be mailed or sent electronically to the incoming members of the District Board or posted on the District website at least fifteen (15) days in advance of the first meeting.

11.21. District Auditor Appointment. At the first meeting of the District Board, upon recommendation of the Finance Committee, the auditor shall be appointed by the District Board, and the audit report shall be rendered to such District Board when completed. The auditor shall be an independent certified public accountant or an independent public accountant.

11.22. Annual Audit. The annual audit shall be conducted in accordance with generally accepted auditing standards and the report shall contain an opinion and financial statements prepared in accordance with generally accepted accounting principles for the previous fiscal year ended September 30 and shall be completed by December 31. The auditors also shall review the internal control of financial procedures, the District accounting procedures and the financial operations of our sponsored youth organizations.

11.23. Managerial Audit. From time to time, the District Board may call for a review of managerial policy within the District by an independent consultant.

ARTICLE XII. Other Authorities.

12.1 Enforcement of the District policies will comply with all applicable laws in the local jurisdictions of the District.

12.2 For authority on all matters not covered by the District policies, the following documents, will apply, in this order of priority:

First—Kiwaniis International Bylaws

Second—Kiwaniis International Policies and Procedures

Third—District Bylaws

Fourth—Roberts Rules of Order Newly Revised (latest edition)

12.3 The six objects of Kiwanis International shall offer guidance when applying the District policies.

ARTICLE XIII. Amendments

13.1 The District policies may be amended at any time by a 2/3 vote of the District Board.

ARTICLE XIV. Severability

14.1 In the event that any provision of the District policies is held invalid, all other provisions shall remain in effect.

ARTICLE XV. Incorporation and Dissolution.

15.1 The District Bylaws shall be the governing authority for all matters involving the District as to Incorporation and Dissolution.

15.2 Surplus Funds of Dissolved Clubs. In the event that a Club in the District is dissolved, surrenders its Charter or its Charter is otherwise revoked, and there are funds or other Club assets remaining after all Club obligations are paid, the Club may pay over such funds or transfer such assets to the District, to be held for a period of three years in escrow. In the event that during such three years a new Kiwanis Club is chartered in the same Kiwanis service area or community and then survives for two consecutive years, the District will return the escrow funds or assets to that newly chartered club, otherwise such funds and assets shall be paid or transferred over to the Kiwanis Foundation of New England for its general purposes.

ARTICLE XVI. General Provisions

16.1 Club Use of Professional Fund-raisers.

a. The District does not condone Clubs using professional fund-raisers, and advises that the best method of raising funds is to have Kiwanis members handle their own fund-raising efforts.

b. The District Board may approve a Club's use of a professional fund-raiser if all the following criteria are met:

(i) As required by state or local law, the Club has a current solicitation license, or has been declared exempt from licensure.

(ii) The professional fund-raiser has provided Club with its license number, a complete copy of the license issued by the state, and references from at least three other organizations which have used its services recently.

(iii) The Club has contacted the appropriate state officials to verify accuracy and current status license for the professional fund-raiser, has called all references to ascertain their experiences before signing any contract, and has checked with the Better Business Bureau and/or local Chamber of Commerce for information on file about the professional fund-raiser.

(iv) A written contract between Club and the professional fund-raiser has been executed by an authorized representative of the Club that clearly states the following provisions:

a) The complete legal names of the Club and the professional fund-raiser.

b) The names of persons signing the contract printed below the signatures.

c) The complete mailing addresses for the organization and the professional fund-raiser.

d) The start date and end date of the contract.

e) The amount of money raised that goes to the Club; the fee for the professional fundraiser, and definitions of "gross proceeds", expenses, and "net proceeds"..

f) The Club shall have control over the funds as they come in, including funds arriving after the event, if applicable, and that all monies shall be made payable to the Kiwanis Club.

g) The professional fund-raiser shall provide the Club with a certificate of general liability insurance that names the Kiwanis Club and Kiwanis International as additional insureds and has a liability limit of \$1,000,000. per occurrence with a \$2,000,000. policy aggregate, and that the Club shall be notified within ten (10) days if the policy is cancelled.

h) The professional fund-raiser shall agree to indemnify and hold harmless the Kiwanis Club and Kiwanis International from and against all losses, claims, suits or other legal liability and legal expenses of any nature imposed upon or brought against them by reason of any act or omission of the professional fund-raiser or its agents or employees in the course of performing the work of providing the services that are the subject of the contract.

i) The solicitations made by the professional fund-raiser will be limited to the geographical service area of the Club.

j) The Club may withdraw from the agreement if complaints are received by the Club, other Kiwanis Clubs, other Kiwanians, or the District or International Office.

k) The contract does not go into effect until approved by the District Board.

l) All terms agreed upon are in writing and have been included in the contract.

(v) The contract has been reviewed by an attorney in the Club or other legal representative before and after signing.

(vi) The proposed scripted presentation which the solicitor will use has been given written approval by an officer of the Club, and written permission to use their names has been obtained from other charities mentioned (if any). The script must be courteous, accurate and truthful; identify by name the actual Kiwanis Club being represented; not represent the solicitor as a member of the Club; and disclose what amount of the donation or purchase prices goes to the Club.

(vii) The Club has made provisions to: have a member of the Club present for all solicitations, review sales and financial records on a daily basis, and obtain copies of the following: invoices as received, paid receipts as paid, payrolls as due, payrolls as paid, bank statements, checks and deposit slips.

c. The Governor shall appoint, with the approval of the District Board, a committee of at least three (3), but no more than seven (7) current Lieutenant Governors to review contracts submitted by Clubs and to make recommendations on the contracts to the District Board.

d. Contracts from Clubs must be received by the District office at least twenty (20) days prior to any meeting of the District Board.

16.2 Appropriation of Club or District Equipment.

a. The District disapproves of the practice of appropriating Club banners, gongs, and other equipment.

b. The only circumstance when an exception to this policy may be condoned is where Clubs within a Division mutually agree to accept such practice to encourage interclubbing and fellowship.

c. Notification of possession of Club equipment shall be made within forty-eight (48) hours, and then arrangements for the return of equipment to the owner Club shall be made within a reasonable time.

d. The appropriation of District equipment is strictly forbidden.

16.3 District Emblem.

a. To preserve the distinction and dignity of the District Emblem, it shall not be used for trade or commercial purposes without specific authorization of the District.

b. The District Emblem may be used on approved District badges for present and past District officers and committee chairs.

c. The District Emblem may be used for official District, Division and Club programs, bulletins, stationery and publications connected with Kiwanis programs and activities of a non-commercial nature.

d. For any use not specified in these policies, prior written authorization must be obtained from the District Board by written request submitted through the District Secretary at least ten (10) days prior to any meeting of the District Board.

16.4. District Publication. The District Board, in conjunction with the Governor and District Secretary and the District Editor, shall publish a District bulletin, at least quarterly, which shall be available to members on the District web site.

16.5 Public Activities. The District Bylaws will be the governing authority for all matters involving Public Activities.

16.6 Youth Protection. The District will implement and enforce the Youth Protection Risk Management Policies and Procedures attached as Exhibit A.

ARTICLE XVII. ADOPTION AND CERTIFICATION.

17.1 The policies and procedures of the District do not require the approval of Kiwanis International.

Approved by the District Board of the New England and Bermuda District of Kiwanis International:

Date: November 21, 2021

_____ District Governor
Gayla Bartlett

_____ District Secretary
Judy Barrett

EXHIBIT A Divisions

<u>Div 1</u>	Caribou, ME Easton, ME Presque Isle, ME	<u>Div 7</u>	Berlin, NH Colebrook, NH Mt. Washington Valley, NH St. Johnsbury, VT	<u>Div 13</u>	Bourne-Wareham, MA Central Cape, MA Falmouth, MA Hyannis, MA Lower Cape, MA Mashpee, MA Sandwich, MA	<u>Div 18</u>	Berlin, CT Glastonbury, CT Hartford, CT Meriden, CT Middletown, CT New Britain, CT Newington, CT Southington, CT Tri-Town Golden K, CT West Hartford, CT Windsor, CT
<u>Div 2</u>	Bangor Breakfast, ME Brewer, ME Dexter Sunrise, ME Dover-Foxcroft, ME Hampden, ME Moosehead Lake, ME Orono-Old Town, ME Three Rivers-Milo, ME	<u>Div 8</u>	Barre, VT Chittenden Co., VT Claremont, NH Hardwick, VT Montpelier, VT Rutland, VT Upper Valley-Lebanon, NH	<u>Div 14</u>	Bridgewater, MA Brockton, MA E. Bridgewater, MA Kingston-Duxbury, MA Middleborough, MA Plymouth, MA Taunton, MA	<u>Div 19</u>	Cheshire, CT Milford, CT New Haven, CT New London, CT Old Saybrook-Old Lyme, CT Wallingford, CT Waterbury, CT
<u>Div 3</u>	Augusta, ME Greater Pittsfield, ME Rockland, ME Waldo County, ME Greater Waterville, ME	<u>Div 9</u>	Georgetown, MA Lowell, MA Westford, MA Beverly, MA Danvers, MA Wilmington, MA Woburn, MA	<u>Div 15</u>	Aquidneck Island, RI Fall River, MA Greater Seekonk, MA New Bedford, MA Newport, RI Woonsocket, RI	<u>Div 20</u>	Bridgeport, CT Danbury, CT Darien, CT Fairfield, CT Greenwich, CT New Canaan, CT Norwalk, CT Stamford, CT Weston, CT Westport, CT Wilton, CT
<u>Div 4</u>	Lewiston-Auburn, ME Norway-Paris, ME Portland, ME Saco River, ME Sanford, ME Scarborough, ME Standish, ME Westbrook, ME Windham, ME	<u>Div 10</u>	Allston-Brighton, MA Jamaica Plain, MA Natick-Metrowest, MA Rosindale-W. Roxbury, MA Roxbury, MA Waltham, MA Wellesley, MA Worcester, MA	<u>Div 16</u>	Bernardston, MA Brattleboro VT Greenfield, MA Keene, NH Northfield, MA Peterborough, NH Shelburne Falls, MA Winchendon, MA Winchester, NH	<u>Div 21</u>	Hamilton, Bermuda St. George's, Bermuda
<u>Div 5</u>	Dover, NH Laconia, NH Meridith, NH The Seacoast, NH Exeter Area, NH	<u>Div 11</u>	Hanson, MA Hingham-Weymouth, MA Marshfield, MA Pembroke, MA Rockland, MA Whitman, MA	<u>Div 17</u>	Easthampton, MA Holyoke, MA Lee, MA Pittsfield, MA Sheffield, MA Springfield, MA Westfield, MA W. Spfd.-Agawam, MA		
<u>Div 6</u>	Concord, NH Greater Lawrence, MA Haverhill, MA Hooksett, NH Hudson, NH Manchester, NH Pentucket-Haverhill, MA Salem NH	<u>Div 12</u>	Chelsea, MA East Boston, MA Everett, MA Malden, MA Medford, MA Revere, MA Somerville, MA Stoneham, MA Greater Boston YP				

Exhibit B
Policy 16.6 Youth Protection

SLP, YOUTH and/or AKTION CLUB MEMBERS
RISK MANAGEMENT POLICIES

SECTION A. REQUIREMENTS FOR ADULTS WORKING WITH KIWANIS PROGRAMS FOR YOUTH UNDER THE AGE OF 18 AND/OR AKTION CLUB MEMBERS

Purpose of Policy: The children, youth, and adults with disabilities we serve deserve the best Kiwanis has to offer. It is our duty, collectively and individually, to keep those we serve through our Service Leadership Programs, and through other Kiwanis-sponsored programs and projects, safe from harm. This policy seeks to ensure safety by establishing clear rules governing the relationships and interactions between adult Kiwanis Club members and non-member adult volunteers and the children, youth, and adults with disabilities with whom we interact.

1. It is the policy of the District that certain District leadership, enumerated below, shall have Criminal History Backgrounds Checks every two years by a KI-approved vendor. If a Kiwanian has had a background check that includes a criminal history background check from another organization (e.g., a school) within the past two years, that may be acceptable; however they must present a “Clear” CHBC statement from the school or other program. A “Clear” CHBC is required for the person to continue in their District role.
2. This policy, and related procedures apply to all District officers (excepting Governor, Governor-elect, Governor-elect candidates, the District Risk manager, and the District Youth Protection Manager – all of whom are covered on this topic by KI policies and procedures), Lt. Governors, and District Committee and sub-committee chairs.
3. All those District leaders enumerated above are required to read, understand, and agree to abide by the requirements in this Policy, and to sign a District document (See Section C) attesting that they have read, do understand, and agree to abide by requirements in this Policy.
4. All those District leaders enumerated above are required to:
 - a. Immediately notify the District Secretary, and either the Club President or Club Secretary upon learning, via publicly available information, of a District Club member allegedly being currently involved in, documented as having been involved in, or accused of being involved in any of the crimes listed in Section B.7, Crimes and Convictions that Cause Ineligibility. Guidance on Public Relations on such matters is Section F and Section G.
 - b. Immediately notify the District Secretary, and either the Club President or Club Secretary, and law enforcement personnel as appropriate, upon observing, hearing, or being told by a youth, Aktion Club member, or fellow Kiwanian or a non-Kiwanian adult, of a behavior or language that is or appears to be in conflict with our duty to protect youth and Aktion Club members from harm. All local, state and federal laws regarding reporting must be followed.

5. All non-Kiwanian adults (for example, but not limited to, chaperones, parents, guardians) at a District event where youth and/or Aktion Club members are present, shall be instructed to notify a Kiwanian at the event upon personally observing, hearing, or being told by a youth, and/or Aktion Club member, of behavior or language that is or appears to be in conflict with Kiwanis' duty to protect youth and/or Aktion Club members from harm. All local, state and federal laws regarding reporting must be followed.
6. (Available for future use)
7. The District Governor and District Secretary may utilize available records by a qualified investigating organization and/or other responsible agency reports (e.g. courts or sex offender registries) responsible for returning an accurate evaluation of the individual reviewed to verify if any Kiwanians' names are on those organizations' lists convicted sex offenders. If a Kiwanian's name appears in the information accessed, then the procedures in Section A.4 (above) and in Section B.4 and Section B.5 are to be followed.
8. **Guidelines for Adults Working with Youth and/ or Aktion Club Members**
 - a. All adults working with for youth under the age of 18, and Aktion Club Members in certain cases as laid out below, at any District event are expected to read/understand, agree to, and abide by these guidelines. (1/07) (1/13)
 - b. **Chaperone:** A chaperone shall be defined as any Adult or Kiwanis member, faculty member, parent, legal guardian, or person who is in *loco parentis*, over the age of twenty-one (21), who has been approved by the school or agency and registered with the school or agency to accompany the youth members at the specific event. (1/07) (1/13)
 - c. **Use of Alcoholic beverages and Tobacco:** While attending any District event, project, meeting, social event, or other gathering that is produced primarily by or for the benefit of youth, adults are expected to refrain from consumption of alcoholic beverages and/or tobacco products during any portion of the event. (1/07) (1/13)
 - d. **Reporting:** If a Kiwanian observes troubling behavior involving a youth or Aktion Club member at a District event or becomes aware of a situation that is illegal or potentially unsafe for a young person or Aktion Club member at a District event, he/she must immediately contact the appropriate personnel at the event as well as provide notification to law enforcement personnel as appropriate. All local, state, provincial, and federal laws regarding reporting must be followed. (1/13)
 - e. **Overnight stays:** While attending a District event that requires an overnight stay(s) in a hotel or camp/conference setting, adequate adult chaperoning is required, and must include no fewer than one adult male for each ten, or part of ten, youth males, and one adult female for each ten, or part of ten, youth females. Except for a parent or legal guardian sharing a sleeping room or other sleeping quarters (e.g., tent) with his/her own child, no adult shall share a hotel or dormitory sleeping room or other sleeping quarters with a youth, In the event that sleeping quarters consist of multiple beds, such as a bunkhouse or camp cabin, adults may share the sleeping quarters with youth members of the same gender, provided that two or more adults are present. (1/07) (1/13)

- f. **Transportation:** It is required that adults transporting youth, or and/or an, Aktion club member in a motor vehicle should do so with a second adult, or a second youth/Aktion Club member, in the vehicle, or in hardship cases, a single adult shall use the “rule of threes”, meaning at least three people must be in the car at all times, All transportation decisions shall be made in accordance with local laws and school policies. A consent form, signed by a parent or legal guardian, and stating that the adult driver driving each youth in the motor vehicle has the parent’s or legal guardian’s agreement to do so. Once the specified trip is over, the signed forms shall be given to, and maintained by, the District Secretary for a minimum of three years or as required by applicable state laws and regulations, if longer. (1/07) (1/13)
- g. **Medications:** The possession of prescription and nonprescription medications by youth at an event shall be permitted only by dated, written permission of the parent or legal guardian.
- h. **Criminal History Background checks:** Criminal history background checks for adults working with youth, and Aktion Club members at District events shall be required and shall conform to applicable local, state, and national laws and regulations. .
 - (i) All adults working with youth at all Kiwanis International-sponsored events including Key Club International Convention, Key Club Governor and Administrator training conference, and Key Club International Leadership Conference, and any Key Leader weekend, must have a background check that is approved or conducted by Kiwanis International. (1/07) (4/12) See Kiwanis International Policy B and Procedure 197 for complete information regarding criminal history background checks. (4/12)
 - (ii) **Responsibility for Costs:** With the exceptions stated in Section B, each individual subject to a criminal history shall be responsible to pay the charges for the criminal history background check. Checks shall be conducted by the District’s “qualified investigating organization” (QIO) as inexpensively as reasonably possible to assure accurate results. A Club may choose to pay for the cost of a member’s criminal history background check, and/or it may include the cost in the Club’s dues structure.
- i. **Conflicts with other rules:** Whenever these requirements appear to conflict with local school policies or rules, or local, state, or national laws or regulations, the highest applicable standards for conduct are to prevail. Please contact the District Risk Manager if there are questions.
- j. **Personal information:** All documents bearing a youth’s or Aktion Club member’s personal information, including registration forms, medical information forms, permission to treat forms, etc., must be treated as confidential by the District. Processes that protect this information are to be created, including minimizing the number of people who have access to any such documents. The documents are to be maintained a minimum of three years, or longer as required by applicable state and national laws and regulations. After the maintenance period has expired, the documents are to be destroyed in a way that maintains confidentiality, such as shredding. It is also required that the disposal and destruction of all confidential information will conform to applicable state and national laws and regulations. (1/07) (1/13)
- k. **Youth and Social Media:** For any social networking site that involves requesting a connection (such as inviting someone to be a friend on Facebook), adults working with youth and Aktion

Club members at District events shall not initiate such connections with youth. If a youth requests such a connection from such an adult, he/she should use their best judgment in responding. Such adults should treat their interaction with youth on social networking sites as though the interaction were occurring in public, in front of other adults and young people. In other words, if it would not be appropriate to say something to a young person in public, it should not be said as a comment on a social networking site either. Such adults should refrain from interactions that can be seen as excessive (such as constantly “liking” or commenting on a person’s posts on Facebook). Prior to posting any media online, such as photographs, such adults should obtain permission from any and all individuals (or parents for minors) that appear in that media; it could be illegal to do otherwise. (4/12) (1/13)

- l. **Behavioral or Health Issues:** Kiwanians are often seen by a young person as an adult to trust with personal and/or sensitive information. Kiwanians working with youth and Aktion Club members at District events should refrain from counseling youth and should instead find, or assist the young person in finding, appropriate expert assistance. (4/12) (1/13)
- m. **Education:** The District will endeavor to provide annually at its district convention or another district conference an educational forum or workshop on guidelines and best practices for adults working with youth and Aktion Club members, using materials provided by Kiwanis International. District CLE training programs should also include training on these policies and requirements.

SECTION B. CRIMINAL HISTORY BACKGROUND INVESTIGATIONS

Purpose of Policy: This Policy outlines responsibilities and procedures for District completion of Criminal History Background Checks (CHBC).

1. To ensure the highest standards of leadership, the District requires a favorable criminal history background check for this policy, and related procedures apply to all District officers (excepting Governor, Governor-elect, Governor-elect candidates, the District Risk manager, and the District Youth Protection Manager – all of whom are covered on this topic by KI policies and procedures), Lt. Governors, and District Committee and sub-committee chairs, as part of the eligibility criteria to hold such positions.
2. Additionally, to ensure that adults working with youth and/or Aktion Club members, are of the utmost moral fiber, the District requires a “Clear” criminal history background check for any Kiwanian or adult nonmember participating in or staying overnight at any event organized by the District involving youth under age 18 and/or Aktion Club members.
3. **Definitions:**
 - a. **Criminal records** – A criminal record is a report obtained from law enforcement agencies and county courthouses listing all criminal offenses committed by an individual during a given period of time. Offenses which are found on the criminal record fall into the following categories:
 - (i) Traffic offenses – Normally, the only traffic offenses that show on a criminal record would be serious offenses such as “driving under the influence” or “hit and run” violations.
 - (ii) Misdemeanors – Usually considered a less serious or minor offense, the misdemeanor is a crime punishable by incarceration, typically in a local confinement facility. The maximum incarceration period is usually limited to one year or less.
 - (iii) Felonies – These offenses are considered more serious than the previous two categories. Typically, a felony carries a penalty of incarceration from one year to life in a state prison, to the death penalty.
 - (iv) Civil cases – Lawsuits between individuals or corporations and bankruptcies are not included on the criminal records.
 - b. **Qualified Investigating Organization (QIO)** – An organization licensed by the State, or other governing body, to use State, or other governing body, databases to check criminal records, driving records, and to verify identity. These are commonly known as “CORI” checks. Currently, the District has chosen KI’s recommended vendor, Safe Hiring Solutions, Inc., as the District’s QIO.
 - c. **Criminal History Background Check (CHBC)** – A review of all available records by a “qualified investigating organization” responsible for returning an accurate evaluation of the individual reviewed.

4. The District Secretary will perform the following duties:

- a. Develop and publish the procedures for receiving requests from individuals or Kiwanis Clubs for a CHBC and forwarding these requests to the QIO , the District has chosen to perform the CHBCs.
- b. Be responsible for developing a secure database in which to record investigation requests, dispositions, and results of investigations.
- c. Advise the District Governor and Risk Manager, and/or the Club President (or Club Secretary in the President's absence) when a favorable investigation report has been received.
- d. Upon receipt of an unfavorable report, immediately notify the Governor and Club President (or Club Secretary in the President's absence), and the individual who requested the CHBC. If required by Kiwanis International Policy or procedures, the Governor shall notify the responsible Kiwanis International person.
- e. Receive required fees from the individual or Club for the required reports and act as the central payment office for the Qualified Investigating Organization's invoices.

5. The District Secretary is responsible for:

- a. Reviewing the results of CHBCs that contain information of an unfavorable nature.
- b. Communicating any failure on a background check to the individual who requested the CHBC.
- c. Assure the applicant that he/she may work with the QIO, or other responsible reporting agency, for a period of 30 business days to correct the report should the applicant believe there is an error.
- d. Overseeing the appeal process should a member with an unfavorable report elect to appeal the determination. The appeal process will follow these steps:
 - (i) Applicant must confidentially bring the appeal to a Special Committee consisting of the Governor, Governor-elect, and Immediate Past Governor. The Special Committee Role and procedures must be explained to the member appealing the determination.
 - (ii) The burden of proof rests on the person bringing the appeal to convince the Special Committee that the findings in the CHBC to the District Secretary were incorrect and that the determination should be reversed.
 - (iii) The results of the appeal shall be communicated to the applicant by the Governor.
 - (iv) All appeal decisions shall be made solely made by the Special Committee and shall be considered final.

6. The District will:

- a. Require a District CHBC prior to each October 1 for the following:
 - (i) District Lt. Governors

- (ii) All District Officers, Chairpersons and sub-committee chairpersons, and those involved with or implementing a program for youth under the age of 18, and/or programs for Aktion Club members, as part of the eligibility criteria to hold such positions.
 - (iii) Those District Lt. Governors and District Chairpersons serving consecutive terms are required to have a CHBC performed every other year.
- b. Be responsible for the cost of the above investigations and will include such cost in the District's administrative budget.
- c. Require a completed favorable District CHBC before any adult may attend any District event for youth under the age of 18, and/or for Aktion Club events. These events include but are not limited to:
- (i) Key Leader
 - (ii) Key Club District Convention
 - (iii) Circle K District Convention
 - (iv) AKTION Club Convention
 - (v) K-Kids District gatherings
 - (vi) Builder's Club District gatherings
 - (vii) Any conferences, workshops, or meetings sponsored by Kiwanis, CKI, or Key Club for youth under the age of 18, or for Aktion Club members.
- d. With the exception of Key Leader chaperones (whose CHBCs are paid for by Kiwanis International), the adult(s) planning to attend items c.(i) -c.(vii) above are responsible for the cost of the required investigations.
- e. Require a completed, favorable District CHBC for any individual running for, elected to, or appointed to, the office of Lt. Governor-elect, or any individual nominated for a position of Administrator/Chair prior to the commencement of service in such position.
- f. Transitional Rule: To implement the Criminal History Background Check (CHBC) Policy for the 2013-2014 and 2014-2015 administrative years:
- (i) District Lieutenant Governors, District Officers, Chairpersons and sub-committee chairpersons for the 2013-2014 administrative year may continue to serve without a CHBC until the end of the current administrative year.
 - (ii) District Lieutenant Governors, District Officers, Chairpersons and sub-committee chairpersons for the 2014-2015 administrative year shall:
 - (1) Complete the Application for a CHBC no later than October 1, 2014; and
 - (2) Receive a favorable CHBC no later than December 1, 2014.
 - (iii) Except as permitted by this Transitional Rule, no District Lieutenant Governor, District Chairperson or sub-committee chairperson shall perform any of their official duties until receiving a favorable CHBC.

7. **Convictions that Cause Ineligibility**

A criminal history background check is considered “not favorable” 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.

Other types of felony convictions will be reviewed on a case-by-case basis by the District Secretary. Any conviction legally reversed or overturned by the proper authorities shall not be considered when evaluating the background check.

A . Conviction(s) within the past ten years:

- Arson
- Arrest without violence
- Contraband
- Disorderly conduct
- Domestic violence
- DUI – three (3) or more incidents
- Extortion
- Forgery/repeated insufficient funds check-writing
- Misdemeanor drug or paraphernalia
- Misdemeanor of a concealed weapon
- Petty theft
- Exhibiting weapons or firearms at school events, property or within 1,000 feet of a school
- Trespassing
- Vehicular homicide
- Welfare and unemployment fraud

B Conviction(s) with no time limit

- Abuse, aggravated abuse, or neglect of an elderly person or disabled adult
- Adult abuse, neglect, or exploitation of aged persons or disabled adults
- Aggravated assault
- Aggravated battery
- Battery
- Carjacking
- Child abuse, aggravated child abuse, or neglect of a child
- Contributing to the delinquency or dependency of a child
- Exploitation of an elderly person or disabled adult
- False imprisonment
- Felonies or registrations of a physical nature
- Home-invasion robbery
- Incest
- Kidnapping

Leading, taking, enticing or removing a minor beyond the state limits or concealing the location of a minor with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor

Lewdness and indecent exposure

Luring or enticing a child

Manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child

Homicide

Obscenity

Possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property

Prostitution

Resisting arrest with violence

Robbery

Sexual activity with or solicitation of a child by a person in familial or custodial authority

Sexual battery

Sexual misconduct

Unlawful sexual activity with certain minors

Voyeurism

Felonies related to larceny or theft

Coordinating the commission of theft in excess of \$3,000

Dealing in stolen property

Larceny and grand larceny

Identity theft

Misdemeanors

Battery, if the victim of the offense was a minor

Luring or enticing a child

**SECTION C. SIGNATURE FORM FOR ATTESTING TO REQUIREMENTS FOR ADULTS WORKING WITH
KIWANIS PROGRAMS FOR YOUTH UNDER THE AGE OF 18 AND/OR AKTION CLUB
MEMBERS**

The person who has signed below attests that he/she has read, understands, and agrees to abide by the requirements delineated in **Policy No. 16.6 Exhibit B.**

Printed Name

Signature

Date Signed

Kiwanis Member #

Kiwanis Club

This signed form shall be maintained by the District Secretary for a minimum of three years.

SECTION D. CONDUCT UNBECOMING A MEMBER OF THE KIWANIS FAMILY ALLEGATION REPORT

Procedure:

The Allegation Report , written by the Kiwanian reporting the concerning behavior shall include as much detail as possible regarding the time, place, persons, actions, etc. (KI-10/12)

Name of Kiwanian who observed or has knowledge by another club member that he or she believes constitutes 'conduct unbecoming a member of the Kiwanis family,' as defined in the Kiwanis International policy:

First MI Last

PLEASE RESPOND TO ALL OF THE BELOW TOPICS:

SPECIFIC ALLEGATION OF OBSERVED BEHAVIOR (BRIEF):

DATE & TIME OF ALLEGED OBSERVATION: _____

LOCATION(S) OF ALLEGED BEHAVIOR: _____

NAME(S) OF PERSON(S) ALLEGEDLY INVOLVED: _____

WITNESS(ES): _____

NARRATIVE – PLEASE PROVIDE SUFFICIENT DETAIL:

SIGNED: _____

DATE: _____

SECTION E. Education Curriculum: Guidelines for Adults Working with Youth and/ or Aktion Club Members

1. The District Governor shall direct the appropriate District resources to develop and implement the Education Curriculum. These resources shall also develop necessary supporting materials for use in CLE training, and in programs at the District conventions and conferences. The training programs shall include training on the policies and requirements spelled out in these pages, and any updates from Kiwanis International on this topic.

SECTION F. Statements for Use by District Governor and Club President or Public Relations Chairperson

“The New England and Bermuda District of Kiwanis and the Kiwanis Club of _____ have been made aware of this situation. To our knowledge, none of the allegations relate to this individual’s membership or role in our fraternal organization. We understand that this matter is being investigated by the authorities in _____ (Enter TOWN, STATE) and any further questions should be directed to them. The District and the Club are cooperating fully with the investigation. Please keep in mind that these allegations have been made against one person and should not reflect on the entire club.”

SECTION G. Statement for Use by Club President or Public Relations Chairperson

“We are saddened and deeply disappointed by the allegations facing (ENTER Club Name of Kiwanis member) XXX YYY. Our thoughts and prayers are with the alleged victims during this difficult time. We expect all of our members to act professionally, morally and ethically in all of their interactions with children, colleagues and community members. Please keep in mind that these allegations have been made against one person and should not reflect on the entire club.

We will not tolerate any conduct that is inappropriate and unbecoming of a New England and Bermuda District Kiwanian. The Club and the District are cooperating fully with the investigation being conducted by the authorities in _____ (Enter TOWN, STATE). Any further questions should be directed to them.

The Kiwanis Club of _____ will take corrective action and all disciplinary measures under organization by-laws whenever there is evidence of any misconduct. We encourage members of the New England and Bermuda District and the community to support each other through this difficult time, and continue to work together to create a more positive future for our children and our community.”