



# **Florida District of Kiwanis Policies and Procedures**

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As revised by the Florida District Board of Trustees  
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## **A. DEFINITIONS AND OBJECTS**

### **1. Name and Territorial Limits**

The Florida District and Kiwanis International Bylaws shall be the governing sources for this section.

### **2. Objects**

The six Objects of Kiwanis International shall offer guidance when any situation arises not specifically addressed by these Policies and Procedures.

Kiwanians should be mindful of the six Objects of Kiwanis International when conducting themselves at Kiwanis functions.

## **B. DIVISIONS**

### **1. Names and Composition**

The Florida District and Kiwanis International Bylaws shall be the governing sources for this section.

### **2. Division Committee of Past Lieutenant Governors**

Under the chairmanship of the Lieutenant Governor, an advisory committee of past Lieutenant Governors who are members of clubs in the division should meet periodically to counsel with the Lieutenant Governor on Kiwanis matters and all aspects of division administration.

## **C. DIVISION ADMINISTRATION**

### **1. Statement of Purpose of Divisions**

For effective administration, it has been found advisable to divide the district into divisions. A Lieutenant Governor is elected to assist the Governor in each of these divisions. The divisions of the district are not additional organization units, but simply an administrative area in which the Lieutenant Governor carries on his duties of assisting the Governor. Lieutenant Governors are trustees of the District.

### **2. Guidelines for Division Councils**

Division councils composed of representatives of the clubs of the divisions should be convened by the Lieutenant Governor for the purposes of discussion, consultation and coordination of Kiwanis programs and activities between the Clubs of that Division.

### **3. Purposes**

- a.** To promote divisional cooperation between the Clubs of the Division for the exchange of ideas without infringing on the authority of the Club or the Florida District as Kiwanis entitles.
- b.** To provide leadership, education and cooperation between the Clubs for promoting programs of the Florida District and Kiwanis International.

### **4. Meetings**

- a.** The number and place of meetings should be determined by each Lieutenant Governor according to local requirements. It is recommended that monthly meetings should be held. A minimum of one Division Council Meeting per quarter shall be held.
- b.** At least 14 days written or electronic notice shall be made by the Lieutenant Governor to the clubs of the Division and the Executive Director of the date, time and location of the annual Division election. The election shall be conducted as outlined in Florida District Bylaws and shall be concluded not later than the second week in March. (adopted 1-15-2011)
- c.** In the absence of a quorum, a subsequent meeting shall be scheduled and announced by the Lt. Governor, during the Division Council where the quorum could not be reached, that a new meeting will be convened within 14 days of the initial meeting, for the sole purpose of conducting Division elections. The Lt. Governor must provide written or electronic notice, within 72 hours of the originally scheduled meeting, of the date, time and location of the rescheduled meeting to all eligible participants and the Executive Director. (adopted 1-15-2011)
- d.** The names and signatures of each club's eligible and voting two members shall be included into the written Report of Division Elections. The report form shall include the names of the elected Lt. Governor, Lt. Governor-elect and Florida Kiwanis Foundation Trustee, as designated. The form shall also be signed by the current Lt. Governor, Immediate Past Lt. Governor and the designated election

teller and forwarded to the District Office within 5 days of the election.  
(adopted 1-15-2011)

- e. The presiding officer at Divisional Council Meetings should be the Lieutenant Governor. If he cannot be present, the presiding officer should be the Lieutenant Governor-Elect, or if he too, is unable to attend, a Past Lieutenant Governor chosen by the Lieutenant Governor. At the first meeting of the new administrative year a Division Secretary/Treasurer should be appointed by the Lieutenant Governor.
- f. At the Division Council Meeting persons with voting and motion privileges shall be the Lieutenant Governor and two representatives of each Club within the Division. Division Chairmen, other officers or members of the Clubs of the Division may address the Council but shall not have the privilege of motions or voting.

## **5. Organization and Operations**

- a. The agenda for a Council Meeting should be similar to a Kiwanis Club Board of Directors meeting with appropriate opening and closing.
- b. The program of the meeting, if any, shall be determined by the Lieutenant Governor.
- c. A Division Council may, with the full cooperation of the leadership of the various Clubs, reach decisions for the mutual benefit of all in the Division, and which may require the clubs to be asked for some financial support on a voluntary basis.
- d. No Club in any Division shall be obligated by any action taken at a Division Council.
- e. It is recommended that the Division Council consider approval of a voluntary dues structure with proceeds to offset the expenses of the Division and its Lieutenant Governor's activities.
- f. Each Division Council should formulate written "Operating Procedures" as guidelines for the operation and continuity of its Division Council. The "Operating Procedure" shall be in harmony with the Bylaws or Policies of Kiwanis International and the Florida Kiwanis District. A Division may not have its own Bylaws.

## **D. REDIVISIONING**

### **1. Procedure for Request**

- a.** When a club, division or District wishes to consider possible redivisioning, the requesting party notifies the Governor and District Office, in writing, of the intent. The governor then appoints a committee, of no less than three nor more than five Kiwanians, chaired by the Governor-Elect to work with the division in an advisory capacity.
- b.** The current seated Lieutenant Governor calls for a redivisioning discussion at least 30 days in advance of a division council meeting. The redivisioning discussion meeting can be held at a regularly scheduled or special division council meeting.
- c.** The current seated Lieutenant Governor notifies club Presidents and Secretaries of record. This notification is supplemented by publication in the District's official publication, noting the time and place of the meeting.
- d.** Representation by two official representatives from each club, with a minimum of two-thirds of the clubs in the division represented, shall constitute a quorum. A member of the advisory committee shall be in attendance to validate the request and serve as parliamentarian.
- e.** A presentation shall be made by the petitioning party. The presentation should include reasons for redivisioning, including, but not limited to: the potential of increasing membership and the Kiwanis presence in the community, the composition for the new divisions and the plan of implementation.
- f.** Only the two official representatives, or their designated alternates, from each club are eligible to vote. A two-thirds approval vote, of those voting, is required.
- g.** The current seated Lieutenant Governor notifies the Governor of the meeting details. Included in the notification are: the reasons the petition for redivisioning was requested, a list of the official club representatives and the clubs they represented present at the Division Council Meeting when the vote occurred, the details of the vote, and the proposed composition and number designation of the new divisions, if any.

- h.** If the redivisioning involves clubs in more than one division, the Governor notifies the affected divisions and requests the current seated Lieutenant Governors of those divisions to follow these same procedures to approve or disapprove the proposed redivisioning.
- i.** The completed proposal is presented at the next scheduled Board of Trustees Meeting, following 45 days written notice. The current seated Lieutenant Governor(s) involved in this redivisioning process shall make the presentation and motion.
- j.** If the motion for redivisioning is approved by the board of Trustees, the redivisioning will take place at the beginning of the Kiwanis year of which all the regularly scheduled training would have been completed.

**2. Mandatory Review of Division Composition**

In addition to redivisioning conducted in accordance with other policies, the District Board of Trustees of Florida Kiwanis shall conduct a mandatory review of division composition every four years, corresponding to the years of the United States presidential elections. The intention of this policy is to assure that the Board regularly addresses Article II, Section 4 of the Bylaws, based on the number of clubs, membership within the division and geographical area, the Board of Trustees may realign division designations. A review committee composed of 3 members of the current Board of Trustees shall be appointed to the review committee by the Governor and shall report its findings and recommendations to the Board for consideration at the first meeting of that Board following January 1<sup>st</sup> of the appropriate year. The Governor and Governor-elect shall serve as ex-officio members of the committee. The number and territorial limits of Divisions may be changed at any regular or special meeting of the District Board held pursuant to the provisions of Article VI of the Bylaws hereinafter. A majority vote of the trustees shall be sufficient to effect a change in the number or boundaries of Divisions, provided the Trustees from Divisions affected by any such change vote in favor thereof; otherwise, a two-thirds (2/3) vote of all the Trustees shall be necessary to effect such change.

(Moved from FL District bylaws Article III Section 5, 08/15/15)

## **E. MEMBERSHIP**

The Florida District Bylaws, the Kiwanis International Bylaws and the Administrative Manual for Kiwanis Leaders shall be the governing sources for this section.

## **F. OFFICERS AND BOARD OF TRUSTEES**

### **1. Definition**

The Florida District Bylaws, the Kiwanis International Bylaws and the Administrative Manual for Kiwanis Leaders shall be the governing sources for this article.

### **2. Role of the Florida Kiwanis Foundation Officers and the Governors of the Florida District of Key Club and Circle K**

The Florida Kiwanis Foundation President, President-elect and Vice President; the Florida Key Club District Governor; and the Florida District Circle K Governor shall have the right of full participation in all Florida Kiwanis District Board Meetings, except for voting privileges. (Revised 8-25-11.)

## **G. COMMITTEES**

### **1. District Chairmen**

- a.** Within the Florida Kiwanis District, the designation “District Chairman” is gender neutral and is synonymous with the term “Chairperson” or the Governor’s designation of “Standing” or “Special” committees as set forth in the District Bylaws.
- b.** The annual District roster entitled District Chairpersons published by the Florida Kiwanis District identifies the specific Standing and Special Committees that the Governor, for that Administrative Year, has selected to give direct and effective leadership to attaining the goals and objectives which he has determined for the year, with the approval of the Board of Trustees.
- c.** The Chairpersons of the Committees on Circle K (CKI), Key Club, K-Kids, Builders Club and Aktion Club are also known as “District Administrators.”

- d. District Chairmen and Administrators are limited to a maximum of six (6) years of total service as chairman of the same committee. Participation as a member of a committee is the decision of the chairman and could be unlimited.

## **2. Personnel Committee**

- a. The purpose of the committee is to enable the District Board to make informed and timely decisions, in a professional manner, which affect all District Employees (salaried or contracted). The Personnel Committee will make recommendations to the District Board on matters relating to employees, both permanent and temporary.
- b. The following 12 Kiwanians will be members of the Personnel Committee: Governor (Chair), Governor-Elect (Vice-Chair), Immediate Past Governor, Past Governor (2), Past Governor (3), Vice-Governor, 2 Lt. Governors (current year), 2 Lt. Governors (prior year), and 2 members appointed by the Executive Director. The Lt. Governors will be elected by their class of peers and will serve a two-year term, or until their class replaces them. Their term shall begin the day they are installed as Lt. Governor. Should a Lt. Governor be replaced, the replacement will serve until the completion of the term for the Lt. Governor he/she is replacing. The two members (must be Kiwanians) appointed by the Executive Director will serve at the pleasure of the Executive Director.
- c. The following is a list of duties the Committee is expected to address, but not be limited to, and for which procedures should be established:
  - i. Any matter that arises in the District that affects employees (salaried, contracted, full-time, part-time, permanent or temporary) shall be referred to the Personnel Committee for recommendation.
  - ii. Advertising for new employees
  - iii. Job Descriptions
  - iv. Salary Scales
  - v. Staffing Patterns
  - vi. Benefit Packages
  - vii. Workman's Compensation Claims
  - viii. Sexual Harassment Policy (for both employees and volunteers)
  - ix. Leave Policies
  - x. Screening Applicants to Ensure Qualifications Are Met
  - xi. Employee Performance Appraisals, Procedures and Format

- xii. Payroll Functions
- xiii. Holidays and Work Schedules

**d.** The Governor shall be the convening authority of the Personnel Committee or if he/she should be incapacitated, then that shall become the duty of the Governor-Elect. Meetings will be called only when there is work to be done. All recommendations of the Personnel Committee will be taken to the District Board for their action.

### **3. Executive Committee**

**a.** The purpose of this committee is to act on behalf of the District Board under extraordinary circumstances, as detailed below.

**b.** The committee will consist of the Governor (Chair), the Governor-Elect (Vice Chair), the Vice-Governor, Immediate Past Governor, Past Governor (2), the Executive Director and 3 Lt. Governors. [corrected to two past governors as per FL District Bylaws]

**c.** The Lt. Governors will be elected by their class of peers.

**d.** This committee is authorized to act in place of the Florida District Board of Trustees under the following conditions:

- i. An issue arises that requires immediate action from the District Board.
- ii. The District Board cannot be convened in time to resolve the issue without the risk of potential legal, financial and/or reputational harm to the Florida District of Kiwanis and/or any clubs or members within the district.

**e.** The District Governor is responsible for determining if cause exists to call a meeting of this committee.

**f.** Any action of the Executive Committee must be ratified by a majority vote of the District Board of Trustees at their next regularly scheduled meeting.

#### **4. District Long Range Finance Committee**

- a.** To establish financial continuity and a thorough understanding of the District's budgeting process, the Long Range Finance Committee shall make recommendations to the Board.
- b.** The Committee shall be comprised of the Governor and 2 Lt. Governors from the current administrative year; the Governor and 2 Lt. Governors from the immediate past administrative year; the Governor and 2 Lt. Governors from the incoming administrative year; the current Executive Director; and the current Vice-Governor. Declared candidates for Vice-Governor shall have the right to participation without a vote. The current Governor shall preside over the meetings.
- c.** Those in attendance, following 3 weeks' notice, shall constitute a quorum.
- d.** The District Board shall not be bound by the Committee's recommendations.

#### **5. Procedures Review Committee**

- a.** At the annual District Convention, the Governor-Designate will appoint three (3) of the Lt. Governors-Designate to serve on a Procedures Review Committee chaired by the Governor-Designates Laws and Regulations District Chair. The current seated Governor and one Past Governor shall be appointed to the Committee by the Governor-Designate. The Governor-Designate shall be an ex-officio member of the Committee.
- b.** The Committee shall review the Bylaws and Policies and Procedures for the Florida District to determine that the Florida District is operating in compliance with the governing documents.
- c.** The Committee shall inform the Governor of any exceptions to the governing procedures not later than ninety (90) days following the appointment of the Committee. The Committee shall also make recommendations for changes to these documents, if any, within the same time frame.
- d.** Any exceptions to the Bylaws or Policies and Procedures shall be reported by the Committee to the Board at the next Board Meeting. Remedies or corrections for these exceptions shall be reported by the Governor.

- e. If amendments are required to remedy the exceptions, or if changes are recommended by the Committee, the Board shall approve the continuation of the Committee so that proposed amendments can be drafted. The draft amendments, if necessary, shall be distributed to the Board not later than 30 days prior to the next Board meeting.
- f. The Board shall approve or disapprove any changes. If approved by an affirmative vote, proposed change(s) to the Bylaws shall be made at the first opportunity that meets the procedures outlined in the Bylaws for amendments. Any changes to the Policies and Procedures shall be adopted in accordance with the approved procedures. (effective date of policy 8-24-08)

## **H. CONVENTIONS**

### **1. District Convention**

- a. The Executive Director, each year, shall be charged with the responsibility for recommending a suitable location for the District Convention. The location of each District Convention shall be selected at least two (2) years in advance.
- b. Before an invitation of any Club or Division is submitted to the District Board of Trustees, the Executive Director shall survey and check all available facilities and accommodations, anticipated rates and expenses, potential entertainment and recreation, local assistance available for operating the convention, and availability of suitable open dates. All such information will be submitted to the District Convention Committee appointed pursuant to the District Bylaws.
- c. The District Convention Committee for the year in which the convention is held shall be responsible for all matters pertaining to the District Convention of that year. Inasmuch as the District Convention is the responsibility of the District, the District Convention Committee shall be composed of the District Governor-Elect, Vice-Governor District Treasurer, Executive Director and the District Convention Committee Chairperson who shall be appointed by the Governor, and such other members as may be appointed by the Chairperson and approved by the Governor.

- d.** The Executive Director will provide the Host Committee with a manual for the District Convention operational guidelines.
- e.** It shall be the policy of the Florida District that the Governor, Executive Director, Governor-Elect, and Kiwanis International Counselor to the Florida District be guests of the host hotel.
- f.** The remaining complimentary rooms that are accrued on the basis of attendance shall be assigned in the following priority:
  - i.** District Convention Staff: Administrative Secretary, Special Convention Staff approved by Executive Director
  - ii.** Speakers, entertainers or others to whom the District is contractually or financially obligated.
  - iii.** Vice-Governor
  - iv.** Additional complimentary rooms may be exchanged in lieu of District Board per diems.
- g.** A list of delegates shall not be available to any group or individual before or during the convention for electioneering or other purposes, other than those required by the Bylaws and necessary to the conduct of the District Convention.
- h.** The delegates and their alternates shall be active members in good standing of the chartered clubs they represent, and shall be elected by such clubs not less than thirty (30) days prior to the date of the annual convention or less than fifteen (15) days prior to the date of any special convention. Their election shall be evidenced by a certificate to the Executive Director duly authenticated by the president and secretary of the club. Should any chartered club fail to so certify the election of its delegates and alternates, then the Committee on Credentials shall have the right to determine the seating of the delegates or alternates for such chartered club. (Moved from FL District bylaws Article VI Section 8 08/15/15)
- i.** Any resolution presented to the delegate body at the annual District Convention shall be in writing and shall be in the hands of the members of the Board of Trustees fifteen (15) days prior to the annual convention Board of Trustees Meeting.

**2. Area Conferences**

The bylaws, policies, and procedures set forth in the Florida District and Kiwanis International Bylaws, and the Florida District Policies and Procedures shall be the governing source for this topic.

**I. CONVENTION PROCEDURE**

**1. Official Program**

The official program of the District Convention shall be approved by the District Board. This approval shall include the selection of speakers, entertainers, venues and schedules.

**2. Presiding Officer**

The Governor shall be the presiding officer over all convention meal functions and assemblies, except the Sunday morning breakfast, which shall be presided over by the Governor-Designate.

**3. Board Meetings in Conjunction with District Convention**

- a.** The seated Board shall hold its final official meeting on Thursday during the District Convention at the time established for the meeting by the Governor and Executive Director and approved by the Board when it approves the annual Board Calendar.
- b.** The incoming Board shall hold its first official meeting on Sunday during the District Convention at the time established for the meeting by the Governor-Designate and Executive Director.

**4. Board and District Chairmen Assistance in Registration Process**

The seated and incoming Board Members and District Chairs shall assist in the registration and credentials processes at the request of the Governor and Executive Director.

**5. Board Invitation to District Social and Dinner Functions**

Effective October 1, 2006, single Board Members shall be allowed to invite no more than 1 person to accompany them to District Social and Dinner functions as their guest, at the District's expense, if the District customarily pays for two people in married or committed partnerships, provided that the additional cost does not include housing costs. This

policy specifically excludes District Convention and Conference Registration and Meal fees.

**6. Forums, Workshops and Resource Tables**

The Governor-Elect is responsible for establishing assignments for forums, workshops and resource tables. Generally, these workshops are coordinated by the District Education Chair, the Governor-Elect and the incoming District Chairmen. The Governor-Elect and Education Chair shall select the presenters, panelists and/or moderators.

**7. Appropriation of Club or District Equipment**

Appropriation of District or Club banners gongs and other equipment on display at the District Convention, or other District conferences or meetings, is forbidden by the Florida District Board.

**8. Prayer or Memorial Breakfasts**

Prayer Breakfasts are not intended as a substitute for church services. Rather, they are inspirational and nondenominational observances structured to call to mind the first two Objects of Kiwanis International, which read: “To give primacy to the human and spiritual, rather than to the material values of life,” and “To encourage the daily living of the Golden Rule in all human relationships.”

**9. Standing Rules for the House of Delegates at the Annual Convention**

The standing rules of the House of Delegates shall be included as part of this document as Appendix 1, and shall carry the same weight as any other policy of the District.

**10. Sales of Booths at District Convention**

- a. The control and sale of convention booths and exhibits shall be the responsibility of the Kiwanis District and handled by the Executive Director. There are three principal reasons for this policy: 1. The convention services department is instructed to follow the instructions outlined in the function sheets and that any modifications need to be approved by the Executive Director. 2. The booths need to be attractively maintained and the district has a convention committee, which oversees the area on a regular basis. 3. All aspects of the convention are centralized under the direction of the District Office.

- b.** Proceeds of booth rental and merchandise sales shall be deposited into the Operational Account of the Kiwanis District. The Kiwanis District Board shall establish a booth rental fee. Additional charges for electricity or other special requests will be added to the base fee.
- c.** Commercial, club and individual exhibitors will be required to pay the established booth rental fee.
- d.** Candidates for Vice-Governor shall have the Booth rental fee waived, provided the candidate has followed the proper procedure for filing and announcing their candidacy.
- e.** A booth rental agreement prepared by the District Office outlines specifically that the allocation of space and the assignment of locations shall be at the discretion of the Kiwanis District and that any booth rentals shall be allocated after those booths needed for Kiwanis purposes. Booths will be centrally located, whenever possible, in the Kiwanis Exhibit Hall. When this is not possible, every attempt will be made to provide exhibitors and sellers locations in high traffic areas.
- f.** The agreement shall also stipulate that the booths have to be attractively maintained and adequately staffed. Exhibitors are also required to pay the convention registration fee and attend the major convention meal functions in addition to the booth rental.
- g.** It is the District Board's opinion that the sales of Kiwanis supplies and general merchandise helps increase the organization's visibility. Therefore exhibitors are permitted to sell their products at the convention, after the items offered for sale have been approved by the Executive Director and Chairman of Finance and Fundraising.
- h.** Exhibitors shall be advised that other booths may be selling the same or similar merchandise. The Kiwanis District makes no guarantees of exclusivity.
- i.** All exhibitors shall be made aware from the very beginning that they may be competing for product sales and that an individual's decision to buy will be based on quality and price and that they will need to be competitive.

- j. All solicitations for funds during conventions/conferences by a Kiwanis club or Kiwanis Family club must have Kiwanis District Board approval and must be confined to the booth space unless otherwise approved by the Kiwanis District Board.
- k. No Kiwanis or Kiwanis family club may solicit funds, unless it has complied with this procedure.

**11. Convention Fund Raising**

Funds derived from the sales of goods and/or services shall be used to supplement the Kiwanis District's operational budget. This includes but shall not be limited to the sales of advertising, booths, Kiwanis supplies and/or souvenirs, trips and tours and the general revenues resulting from promotional activities which result in noncharitable contributions. Funds raised as a result of this policy shall be deposited in the District's General Fund and incorporated into the annual budget.

**J. DISTRICT-WIDE SALE OF MERCHANDISE AND SUPPLIES USING FLORIDA DISTRICT KIWANIS LOGO**

**1. Establishing Procedures for Use**

The Finance and Fundraising Committee shall establish and implement the necessary procedures for submission of requests for the use of the Florida District Logo on merchandise or products.

**2. Requesting Approval for Use**

Any club, individual or business desiring to sell merchandise or products with the Florida District Logo must submit a request for approval to the District Finance & Fundraising Committee. The Committee shall have the authority to grant approval.

**3. Fee for Use**

Any club, individual or business selling merchandise or products with the Florida District Logo must pay to the Florida District five per cent (5%) of the gross sales as district administrative costs for Logo use. This administrative allowance is in addition to the booth rental fee outlined under booth sales.

#### **4. Booth Availability**

Booths for approved clubs/businesses to sell their merchandise at various Kiwanis events will be made available on a first come, first served basis. Booths will only be available if the facility where the event is being held has adequate space.

### **K. NOMINATION AND ELECTION OF OFFICERS**

#### **1. Election Guidelines**

The Executive Director will provide the Committee on Elections with a manual of election guidelines.

#### **2. Announcing Candidacy**

Before announcing one's candidacy, the candidate should meet with a Committee of Past Governors, whose sole function will be to outline the requirements and expenses related to the position. The Past Governors will not prevent anyone from running.

#### **3. Election Campaign Standards**

- a.** The Florida District Board and the Past Governors of the Florida District believe that it is necessary for a Kiwanian to have a broad exposure to Kiwanis in order to fulfill the responsibilities required of anyone holding an Executive Office. The Board believes that this experience can best be gained by serving for several years on various District Committees, following service as a Lt. Governor. Therefore, before a person can seek the office of Vice-Governor, he/she must have served as Chairman of at least three (3) District Committees.
- b.** Any member of the Florida District of Kiwanis, who has otherwise qualified to under the Bylaws and the Policies and Procedures of the Florida District of Kiwanis International for election to the office of Vice-Governor, shall also be required to submit to a personal background check, which shall include the submission of the proposed candidate's fingerprints and a current U.S. passport style photograph, in the format of the background check as is regularly and from time to time conducted by the United States Federal Bureau of Investigation. No candidate shall become qualified for election to the office of Vice-Governor who is determined, pursuant to said background check, to have been convicted of

or entered a plea of nolo contendere to any crime involving improper sexual conduct or has otherwise been designated as a sex offender or predator as those terms are otherwise defined by Florida Statute. Candidates shall be responsible for and pay all related expenses of conducting the background check. (*board action 8-27-09.*)

- c.** Campaign literature may only be distributed in the exhibit areas and private rooms of the convention center or hotel. No literature may be distributed in convention sessions, workshops, or other meetings, nor may literature be distributed in rooms in which these sessions are held.
- d.** After filing the appropriate written notice of candidacy, announced candidates may request and receive, at no charge, one district directory.
- e.** Candidates for Vice-Governor shall receive one complimentary table-top exhibit space. The standard exhibitors' fee has been waived for candidates by Board Action on January 26, 2008.
- f.** Campaigning or distribution of campaign materials for election at future District Conventions may not commence until after the retirement banquet of the current Board of Trustees.
- g.** In order to prescribe guidelines concerning campaign behavior, each candidate for District office shall conduct themselves as follows:
  - (a) Candidates will conform to the following ethical standards: honesty, trustworthiness, integrity, good character, fairness, caring and respect. Candidates shall at all times conduct themselves and their campaigns in accordance with basic rules of ethical conduct so as to uphold the good name of Kiwanis. Acceptable ethical campaign behavior includes, but is not limited to, the following: personal contacts, telephone calls, letters, and brochures.
  - (b) Candidate, campaign committees and supporters shall refrain from such conduct as the following: giving erroneous or misleading campaign information; making derogatory statements about any candidate; giving gifts of anything with a value that exceeds \$10.00; giving gratuities; and being involved in undignified gimmicks or practices.

(c) Any candidate may request an opinion from the Executive Director as to whether any anticipated campaign practice is acceptable behavior. The Executive Director shall submit all questions of campaign ethics to the campaign Ethics Committee for their opinion. An opinion shall be rendered within 5 working days. The campaign Ethics Committee shall be composed of the District Governor, the immediate Past Governor and one Lt. Governor selected by the District Board at the second District Board meeting of the current Administrative Year.

(d) A candidate who commits unacceptable behavior or allows and/or encourages a campaign committee or supporter to commit unacceptable behavior after receiving an opinion of the Campaign Ethics Committee stating that such behavior is unacceptable is subject to censure. Said censure to be made public knowledge by notifying each member of the Florida District Board and all Presidents and Secretaries. Further, said censure will be read to the House of Delegates at the District Convention prior to delegate's casting votes in the race the censured candidate is involved in.

(Moved from FL District bylaws Article VII Section 3(3) 08/15/15)

#### **4. Candidates for International Office (R08-21-2014)**

Per the Kiwanis International Bylaws, no person shall be considered as a candidate until or unless the following requirements have been met:

- The candidate shall have completed a full term as a district governor prior to announcing his/her candidacy to Kiwanis International;
  - Written consent of such person has been given;
  - The candidate has been endorsed by the candidate's district house of delegates prior to the candidate announcing his/her candidacy to Kiwanis International. If extenuating circumstances make it impossible for the district house of delegates to endorse a candidate, he/she may be endorsed instead by the district board in authority during the administrative year in which the election will take place.
  - A clear criminal history background check has been conducted and verified by Kiwanis International.
- a.** Whenever the District becomes eligible to present a candidate for International Trustee, the Chair of the Past Governors shall, on or before December 1st, send a letter to all Past Governors of the Florida District asking if they might be interested in running for the office. Prior to

January 15th, those who are interested shall respond to either the Chair of the Past Governors or to the Executive Director.

The Chair of the Past Governors shall appoint a candidate review committee to interview each of the Past Governors who express an interest in standing for election. This committee shall consist of no more than nine and no less than seven Kiwanians who have served or are currently serving in District leadership positions including no more than four past Governors, one of who shall also have been a past Kiwanis International Board member.

- b.** At least 30 days prior to the annual Past Governor's Retreat (meeting), the committee shall interview those who have indicated interest in standing for election. If applicable, the interviews should include the spouse of the potential candidate. After the interviews have been completed, the committee would then make a recommendation to the Past Governors. The committee may recommend endorsing a particular candidate, making a recommendation to run no candidate in the next election cycle, or refrain from making any recommendation.
- c.** At their meeting, the Past Governors shall then take the committee's recommendation under consideration. After their deliberations, the Past Governors will make a recommendation to the District Board.
- d.** At their summer Board Meeting, the District Board will review the Candidate Review Committee's and the Past Governor's recommendations before making the final recommendation to the Florida House of Delegates as to endorsement of a particular candidate, recommendation not to run a candidate or abstention from endorsement. This shall be done through the submission of a formal resolution to the House of Delegates.
- e.** At the annual Florida District Kiwanis Convention, the Florida House of Delegates shall deliberate and vote on whether to endorse any candidate for Kiwanis International Trustee.

## **L. REMOVAL OF OFFICERS AND OTHER VACANCIES IN OFFICE**

The Florida District and Kiwanis International Bylaws shall be the governing sources for this article.

## **M. FINANCE AND REVENUE**

### **1. Solicitation of Funds**

All solicitations for funds by a Kiwanis Club shall be confined to the general area in which the Club functions, except by mutual understanding and agreement of Clubs soliciting of funds by a professional fund raiser shall be prohibited whether it be a Kiwanian or a non-Kiwanian.

### **2. Compliance with Statutes**

Every Club must conform to the Florida State Statutes with regard to fund raising activities.

### **3. Sponsorship of Kiwanis Tours and Trips**

- a.** Tours and travel promotions are generally planned annually in conjunction with the International Convention to encourage participation and attendance at the annual convention.
- b.** Sponsorship of any tour or organized trip in the name of the Florida Kiwanis District, or promoted within the District, requires prior authorization and approval by the District Board of Trustees of the plans and arrangements. Funds derived from the sponsorship of such tours shall be used to benefit the operating budget of the Florida District of Kiwanis.
- c.** A full financial report and payment of all net proceeds shall be made to the Florida District of Kiwanis and filed in the District Office within thirty (30) days after completion of the tour.

### **4. Fund Raising Efforts of the District and the Foundation**

- a.** Funds derived from the sales of goods and/or services shall be used to supplement the Kiwanis District's operational budget. This includes but shall not be limited to the sales of advertising, booths, Kiwanis supplies and/or souvenirs, trips and tours and the general revenues resulting from promotional activities which result in non-charitable contributions.
- b.** A Committee to explore areas of Alternative Sources of Revenue shall be established to review possible sources of additional funds and make recommendations to the full Board for final action.

- c. Funds raised as a result of this policy shall be deposited in the District's General Fund and incorporated into the annual budget.

**5. Use and Sale of Merchandise and Supplies Using Florida District Kiwanis Logo**

- a. The Finance and Fundraising Committee shall establish and implement the necessary procedures for submission of requests for the use of the Florida District Logo on merchandise or products.
- b. Any club desiring to sell merchandise or products with the Florida District Logo must submit a request for approval to the District Fundraising Committee. The Committee shall have the authority to grant approval.
- c. Any club selling merchandise or products with the Florida District Logo must pay to the Florida District five per cent (5%) of the gross sales as district administrative costs for Logo use. This administrative allowance is in addition to the shared revenues outlines under booth sales.

**6. DISTRICT OPERATIONAL BUDGET**

This budget process and time frame have been incorporated into this Board Policy to assure a uniform procedure for preparing and approving the annual budget.

- a. **February/March** – Governor-Elect and Executive Director shall draft a proposed budget for presentation to the Long Range Finance Committee, and current and incoming Boards.
- b. **March/April** - Proposed Operational Budget presented to Long Range Finance Committee for review and recommendations to incoming and seated Boards.
- c. **May/June** – Proposed Operational Budget, with recommendations of Long Range Finance Committee, presented to incoming Board at the Governor-Elect's Training Conference for Lt. Governors for its review and recommendations to the seated Board.
- d. **June/July** – Proposed Operational Budget, with recommendations from the Long Range Finance Committee and the incoming Board, be presented to seated Board at its Board Meeting at the International

Convention for its approval or deferral to its final Board Meeting in August/September at the District Convention.

- e. **August/September** – Final action on Proposed Operational Budget, if not previously approved at the International Convention Board Meeting.
- f. **August/September** – Final approved budget is presented to the incoming Board at its first official Board Meeting.
- g. **October 1** – Implementation of Board Approved Operational Budget.

## 7. ANNUAL AUDIT

Upon completion of the requisite annual audit, members of the auditing firm shall meet, in person or by teleconference, with the Executive Committee of the District Board, as said committee is constituted under Article VI, Section 9 of the By-Laws, for the purpose of conducting and participating in an appropriate exit interview related to the previously completed audit of the books of account of the Florida District of Kiwanis International.

## N. INVESTMENT POLICY

### 1. **Background and Purpose:**

This statement of investment policy reflects the objectives and constraints for the long-term investment portion of the assets of the Florida District of Kiwanis International. The Florida District of Kiwanis International is defined as the Florida District of Circle K International, the Florida District of Key Club International, the Florida AKTION Clubs, and the Florida District of Kiwanis International. The purpose of this Investment Policy Statement (IPS) is to establish guidelines for the prudent investment of the assets of the Florida District of Kiwanis International. This IPS covers all funds the Florida District Board of Trustees is responsible for, including those funds designated for the support of Service Leadership Program organizations listed above. In the process of identifying the investment strategies to be used, these guidelines provide stability in the management of the portfolios. The policy furthermore provides parameters for the portfolios by providing guidelines for selecting appropriate investments and classes of assets. It is recognized that from time to time the Board of Directors' attitudes, expectations and objectives may change. Therefore, this policy statement is intended to be

used as a guideline rather than a rigid statement of policy from which there can be no deviation.

## **2. Roles and Responsibilities:**

### **a. Board of Trustees:**

The Florida District Board of Trustees maintains the ultimate responsibility for approving and adopting the Investment Policy Statement and managing the investment assets. As the primary fiduciary, the major responsibilities of the Board of Trustees are:

- Control and account for all investment record keeping and administrative expenses associated with the accounts.
- Monitor and supervise all committees, service vendors and investment options.
- Avoid prohibited transactions and conflicts of interest.
- Select custodians for District assets.
- Review all reports and analysis provided by the Investments Oversight Committee to insure the investment approach reflects the true intention of the Florida District and the investment performance and resulting progress is commensurate with the Florida District's long-term planning.

### **b. Investments Oversight Committee:**

The Investments Oversight Committee is responsible for overseeing the management of Foundation assets. This committee shall act solely in the best interest of the District and in concert with the mission of the District. It is authorized to engage the services of investment professionals. The Investment Oversight Committee's responsibilities include:

- Preparing and maintaining an investment policy statement.
- Setting and revising investment policies that the Board of Trustees must approve.
- Developing investment objectives, asset allocation strategies and performance guidelines.
- Recommending annual spending rates.
- Selecting Investment Consultants, Advisors, and Money Managers.
- Reviewing and evaluating investment results and approving changes as needed.
- Providing periodic performance reports to the Board.

**c. Investment Consultant:**

The Investment Consultant's role is that of an advisor to the Investments Oversight Committee. Investment advice concerning the investment management of assets will be offered by the Investment Consultant and will be consistent with the investment objectives, policies, guidelines and constraints established in this statement. Specific responsibilities of the Investment Consultant include:

- Provide monitoring of the investments to ensure manager compliance with their stated investment objectives.
- Provide the Investment Committee with quarterly performance updates, including any qualitative changes with regards to the managers.

**d. Investment Managers:**

Investment managers are responsible for making investment decisions based upon their predetermined process and philosophy. The specific duties and responsibilities of each manager are:

- Manage the assets in accordance with the guidelines and objectives set forth within the individual manager's marketing materials and/or that which is reported to institutional investment consultants.
- Use the same care, skill, prudence and diligence under the prevailing circumstances that experienced investment professionals, acting in like capacity, and fully familiar with such matters, would use in like activities for like portfolios, with like aims, in accordance and compliance with the Prudent Investor Rule and all applicable laws, rules, and regulations.

**e. Custodian:**

Custodians are responsible for the safekeeping of the District's assets. The specific duties and responsibilities of the custodian are:

- Provide monthly reports that detail transactions, cash flows, securities held and their current value, and change in value of each security and the overall portfolios since the previous report.
- Value the holdings.
- Collect all income and dividends owed to the District.
- Settle all transactions initiated by the Investment Managers.

### **3. Investment Philosophy and Objectives:**

The Board's investment philosophy is to exercise ordinary business care and prudence in its investment of District assets considering the long and short-term needs of the District in carrying out its charitable purposes, its present and anticipated financial requirements, expected total return on its investments, price level trends, and general economic conditions. The Board recognizes that the uncertainty of future events, volatility of investment assets, and the potential loss in purchasing power are present to some degree with all types of investments. While high levels of risk are to be avoided, the assumption of a moderate level of risk is warranted and encouraged in order to allow the opportunity to achieve satisfactory results consistent with the objectives and investment philosophy of the District.

- a. General Objectives.** Assets of the District shall be invested in a manner consistent with the exercise of ordinary care and prudence under the facts and circumstances prevailing at the time of the investment action or decision.
  - Assets of the District should be invested in a manner consistent with the fiduciary standards and prudent investment standards as set forth in the Third Restatement of the Law: Trusts (Prudent Investor Rule) (1992), directed that a prudent man, acting in a similar capacity familiar with such matters, would use an investment of like character with like aims and with due consideration given to the tax exempt status of the District.
  - All transactions must be undertaken for the sole interest of the District's portfolios and its beneficiaries.
  - The assets must be invested with the safeguards to which a prudent person would adhere.
  - Investments shall be diversified so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so.
  
- b. Investment Goals.** The District seeks to achieve a reasonable rate of total return, consistent with prudent investment choices having a medium or moderate relative volatility.

#### **4. Portfolio Constraints:**

a. Time Horizon:

The investment guidelines for the portfolio are based upon an investment horizon of greater than 5-10+ years and interim fluctuations should be viewed with appropriate perspective. As such, the policy allocation should be based upon the appropriate long-term time horizon.

b. Liquidity Requirements:

With liquidity defined as either anticipated or unanticipated needs for cash in excess of contributions, the District's liquidity requirement is average. To minimize the possibility of a loss occasioned by the sale of a security forced by the need to meet a required withdrawal, the Florida District will periodically provide the advisors with an estimate of expected net cash flow. The Florida District will notify the investment advisor in a timely manner, to allow sufficient time to build up necessary liquid reserves. Expectations for ongoing annual capital contributions are expected to be \$ \_\_\_\_\_ annually and will be used to offset regularly scheduled distributions from the portfolio.

c. Taxes:

The taxable implications of the District are generally not an issue and tax exempt investments should not be considered for investment unless the risk/return profile of the investment is advantageous to the long-term objectives of the District.

#### **5. Asset Allocation:**

The Investments Oversight Committee believes that long-term investment performance, in large part, is primarily a function of asset class mix, and the tactical approach to adjusting exposure to available asset classes in accordance with market conditions.

History shows that while interest-generating investments, such as bond portfolios, have the advantage of relative stability of principal value, they provide little opportunity for real long-term capital growth due to their susceptibility to inflation. On the other hand, equity investments, such as common stocks, have a significantly higher expected return but have the disadvantage of much greater year-by-year variability of return.

Alternative investments, which can have a wide range of volatilities and

incorporate additional risk factors over traditional long-only portfolios, are recognized as having low correlation relative to those traditional long only portfolios. From an investment decision-making point of view, this year-by-year variability may be worth accepting, provided the time horizon for the equity portion of the portfolio is sufficiently long (five years or greater). In general, the District shall be invested in accordance with the target levels set forth in the table immediately below, with maximum and minimum percentages for each asset class as stated.

	Lower Limit	Strategic Allocation	Upper Limit
Domestic Equity	0.0%	30.0%	70.0%
International Equity	0.0%	20.0%	30.0%
RE & Tangibles	0.0%	10.0%	20.0%
Alternative Investments	0.0%	10.0%	60.0%
Fixed Income	20.0%	25.0%	40.0%
Cash Equivalents	0.0%	5.0%	80.0%

The Investments Oversight Committee will periodically determine optimum asset allocation targets based on market conditions, and convey those targets to the Investment Consultant. Rapid unanticipated market shifts may cause the asset mix to fall outside the policy range provided by the Investments Oversight Committee. The Investment Consultant(s) and/or the Investment Oversight Committee will be responsible for rebalancing aggregate fund assets and ensuring that any deviations are as brief as possible.

Modest asset allocations falling outside the minimum and maximum ranges may be rebalanced back to target levels using normal Fund cash flows. Asset allocations significantly exceeding minimum and maximum ranges should be re-balanced to target levels, or levels within the prescribed ranges by the reallocation of assets among the Fund's investment pools.

**6. General Investment Guidelines:**

**a. General:**

To ensure that the District's assets are invested within the specified asset allocation targets, are well diversified, and are of appropriate quality, the Investments Oversight Committee has developed

specific investment guidelines for the Investment Consultant(s) retained by the District. These guidelines should be viewed as providing general boundaries to the Investment Consultant(s)/Portfolio Managers as they implement their role in carrying out the District's overall investment strategy and their investment mandate. The Investment Consultant/Portfolio Manager is expected to oversee the management of the Foundation's assets in a manner consistent with the investment objectives, guidelines and constraints outlined in this statement.

**b. Performance Measurement:**

The Investments Oversight Committee will perform periodic comparative performance analysis on the portfolio. The evaluation process will compare each manager's performance against a representative benchmark as well as universe of comparable peers. The management style and process of the money manager must be maintained throughout the life of the investment contract.

A manager may be placed on a "watch list" and a thorough review and analysis of the investment manager may be conducted, when:

- A manager performs below median for their peer group over a 1, 3 and/or 5-year cumulative period.
- A manager's 3-year risk adjusted return (Alpha and/or Sharpe) falls below the peer group's median risk adjusted return.
- There is a change in the professionals managing the portfolio.
- There is a significant decrease in the product's assets.
- There is an indication the manager is deviating from his/her stated style and/or strategy.
- There is an increase in the product's fees and expenses.
- Any extraordinary event occurs that may interfere with the manager's ability to fulfill their role in the future.

**c. Cash Equivalents**

Cash equivalent investments will be held as necessary to meet the liquidity needs of the Fund. Additionally, cash equivalents may be held by the Fund's investment managers, consistent with the Fund's asset allocation guidelines, as a hedge against market volatility. Safety of principal is the primary consideration for the Fund's cash

equivalent investments. The Fund's cash should be invested in a well-diversified portfolio of high quality cash equivalent instruments or money market funds that use similar diversification and quality constraints. It is desirable that the Board use interest bearing money market funds, FDIC insured certificates of deposit, U.S. Treasury Bills and other cash equivalent securities with a maturity of one year or less. A commitment to any federally insured institution shall not exceed that covered by insurance.

**d. Fixed Income**

**i. Guidelines.**

Fixed income assets selected for the portfolios must have a readily ascertainable market value and must be readily marketable.

Bond and corporate debt obligation maturities may not exceed 30 years. Adequate diversification across the individual holdings should be maintained. The investment manager may not::

- Invest more than 15% of the assets taken at cost in any one industry or group of related industries.
- Invest more than 5% of the assets taken at cost in any one company.
- Invest more than 5% of the assets taken at cost in any one issue. (U.S. Government guaranteed issues and its agencies are excluded from these limitations.).

**ii. Restrictions.**

U.S. Government Obligations, including fully guaranteed Federal Agencies. - No restrictions

Commercial Paper

- Must be rated within the two highest classifications, by two rating services.
- Must mature within 270 days or less from issue.

U.S. Government-sponsored Agency Obligations (not fully guaranteed). - No restrictions.

Corporate Debt Obligations. - Must be investment grade.

Individual derivatives may not be purchased.

**e. Equity Investments – Common Stocks.**

The following guidelines on common stock investments shall apply.

**i. Individual issue or individual common stock purchases shall:**

- Be registered on a national securities exchange.
- Not exceed more than 5% of the outstanding common stock of any one company. Not exceed more than 5% of the portfolios' assets in any one corporation valued at cost.

**ii. Restrictions – Common Stock Investments.** The District is not authorized to invest in the following classes of securities, nor will it allow the employment of any of the following market techniques without the Board's written approval.

- Purchase individual issues of unregistered or restricted stock.
- Deal in individual issues or direct naked options. Covered option writing is permitted as are options utilized in a hedging program designed to protect portfolio values.
- Purchase on margin or with borrowed funds or sell short.
- Purchase private placement debt.
- Directly purchase real estate.
- Mortgage, pledge, hypothecate or in any manner transfer, as security for indebtedness, any securities owned or held by the District portfolios.
- Purchase Conditional Sales Contracts or Lease-Backs.

**7. Market Timing and Shifts**

To the extent the Investments Oversight Committee engages outside professionals to manage the District's assets, the Board of Trustees desires to grant the Investment Consultant(s) reasonable discretion in such fund management. At the same time, however, the Board of Trustees desires to make clear that this policy statement was developed based on the Investments Oversight Committee's study of proven performance patterns in the capital markets. The Investments Oversight Committee in turn recognizes the considerable evidence showing that the passage of

time causes the greatest rewards to accrue in favor of consistent investing approaches, and that, without reasonable, careful adherence to the asset allocation guidelines contained in this IPS, the portfolio's risk exposure could deviate from expectations.

## **8. Changes in Investment Policy**

- a.** The Board of Trustees recognizes that the existence and growth of its funds are critical to the successful accomplishment of its stated purpose and therefore recognizes the necessity for a sound and responsive investment policy set forth in this IPS. Given this importance, the Investment Oversight Committee will typically review this IPS quarterly, but no less frequently than annually, and subsequently make recommendations to the Board of Trustees as to any changes that the Investment Oversight Committee considers appropriate.
- b.** Subsequent to its review of the Investment Oversight Committee's recommendations, the Board of Trustees will direct the Investment Oversight Committee to make such changes to this IPS as the Board of Trustees deem appropriate.
- c.** Despite the mandate for the reviews called for in the preceding paragraphs, the Board is fully aware that frequent major changes to investment policy can produce potentially damaging inconsistencies. In particular, the Board of Trustees recognize fully that periodic changes, or even "responses", to current market conditions, particularly the type that can be characterized as reversals of direction, may be particularly undesirable.
- d.** Notwithstanding the above, however, the Board of Trustees believes that it is important that this IPS be responsive to changing conditions.

## **9. Frequency of Policy Review**

The Investment Oversight Committee will use each of its periodic investment performance evaluations as occasions to also consider whether any elements of existing policy are either insufficient or inappropriate. At a minimum however, the investment policy will be reviewed annually. Environmental or operational occurrences which could result in policy modification include:

- Significant changes in expected patterns of the District's obligations;

- Impractical time horizons;
- Change in the District’s priorities, as set by the Board of Trustees;
- Convincing arguments for change presented by the Investment Consultant; and
- Areas found to be important, but not covered by the investment policy

**10. Investment Policy Review:**

- a. The Investment Oversight Committee will review this IPS with the Board of Trustees at least annually to determine whether stated investment objectives are still relevant and the continued feasibility of achieving the same. It is not expected that the IPS will change frequently. In particular, short-term changes in the financial markets should not require adjustments to the IPS. It is the obligation of the Board of Trustees to notify all interested parties of any material changes that would alter the objectives or construction of this portfolio. If all interested parties are not notified of these material changes, then the current investment policy statement is invalid.
- b. This IPS is not a contractual agreement of any kind and therefore by signing it the Board of Trustees will not be bound to any arrangement. It is only meant to be a summary of the agreed upon investment management techniques.

**O. CRIMINAL HISTORY BACKGROUND CHECKS**

**Applicability:** To ensure the highest standards of leadership and that adults working with youth in Kiwanis’ Service Leadership Programs are of the utmost moral fiber, this district requires a clear criminal history background check for:

- Any district board-approved chairperson(s) and their assistants for Kiwanis-branded programs involving youth under age 18;
- All adults (Kiwanis members and non-members) registered for, participating in, and staying overnight at any Kiwanis-branded program or event organized by a Kiwanis district that involves interaction between adults and youth under age 18;

1. **Clear Check:** Successful completion of the background check (a “clear check”) is based on verification that none of the convictions stated in Kiwanis

International Procedure or similar thereto have been determined for that person. For adults working at the youth events stated in the Youth Protection Guidelines, a clear check is necessary prior to arrival at the event.

2. **Service Provider:** This district uses the same criminal history background check service provider as used by Kiwanis International.
3. **Criteria:** All background checks shall be reviewed and evaluated by the Executive Director and determined to be clear or not clear, based on the criteria established by Kiwanis International.
4. **Notification:** The person being checked and the District Board shall be advised if a check indicates a problem or concern that requires further investigation or is determined to be not clear.
5. **Validity:** 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.
6. **Copy:** An individual may receive a copy of his/her background check by requesting it in writing.
7. **Cost:** 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.
8. **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 district shall refer to the representative examples of such convictions found in Kiwanis International Procedure. Other types of felony convictions will be reviewed on a case-by-case basis by the Executive Director. Any conviction legally reversed or overturned by the proper authorities shall not be considered when evaluating the background check.
9. **Discipline:** A check that is not clear causes automatic denial of the right to participate in the event in question or to hold the office or position in question or to be a candidate for such office or position.

**10. Appeal:** Anyone subject to action as a result of a background check shall have the right to appeal such action.

**A. Appeal Committee**

A standing committee on Background Check Appeals shall be appointed by the Governor, subject to approval by the District Board, to be composed of three persons, none of whom may be a current District Board Member. Initial appointments will include a one-year, two-year, and three-year term; thereafter, all members shall serve for a three-year term, with each new Governor adding one new member to the committee. The committee's duties shall be to review the action taken based on something reflected in a criminal history background check, if disputed and appealed by the person in question and if referred to the committee by the District Board, in accordance with the district policy and procedure on background checks.

**B. Appeal Process**

The action resulting from a conviction shown on a background check may be appealed by the following process:

- a. The appeal must be submitted in writing to the Executive Director within thirty (30) days from notification, stating the grounds of the appeal. The appeal may only come from the person who has been checked.
- b. The Executive Director shall refer the matter to the Background Check Appeals Committee within fifteen (15) days of receipt.
- c. The Appeals Committee shall consider the merits of the appeal within ten (10) days to determine if a hearing is warranted.
- d. If a hearing is warranted, the Appeals Committee shall meet within thirty (30) days to consider the grounds of the appeal and the alleged facts. The person making the appeal shall be given twenty (20) days notice of the committee meeting and shall have the right to attend at his/her own expense.
- e. The appellant shall have the option to have legal counsel present, at his/her own expense. If the appellant has legal counsel present, the district may also wish to have legal counsel present.

- f. The Appeals Committee shall hear testimony and consider the evidence presented. All parties shall be allowed to ask questions of witnesses. The hearing shall be recorded.
- g. The Appeals Committee shall report its findings and recommendations to the District Governor and Executive Director within fifteen (15) days after meeting, with such report to include all relevant information including a summary of discussion and any votes taken in connection with the proceedings. The report shall then be forwarded to the District Board to consider at the next scheduled Board meeting or a special Board meeting.
- h. After considering the Appeals Committee report, the District Board, shall consider a motion to uphold the appeal, which shall require a two-thirds (2/3) vote to adopt. If not adopted, the appeal shall be considered denied and the original action shall stand.

## **P. YOUTH PROTECTION GUIDELINES**

All adults working with youth under the age of 18 at any district event are expected to read/understand, agree to, and abide by these guidelines.

- 1. Chaperone:** A chaperone is defined as a Kiwanis member, faculty member, parent, legal guardian, or person who is in loco parentis, twenty-one (21) year or age or older, 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.
- 2. Use of Alcoholic Beverages and Tobacco:** While attending any district event that is produced primarily by or for the benefit of youth, adults are expected to refrain from consumption of alcoholic beverages and/or the use of tobacco products during any portion of the event.
- 3. Reporting:** If a Kiwanian observes troubling behavior involving a youth at a district event or becomes aware of a situation that is illegal or potentially unsafe for a young person 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, provisional, and federal laws regarding reporting must be followed.
- 4. Overnight Stays:** While attending a district event that requires an

overnight stay in a hotel or camp/conference setting, adequate adult chaperoning is expected 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 sharing a sleeping room or other sleep quarters (e.g., tent) with his/her own child, no adult should 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 quarter with youth members of the same gender, provided that two or more adults are present.

- 5. Transportation:** Adults transporting youth in a vehicle should do so with a second adult in the vehicle, or in hardship cases, the “rule of threes,” being at least three people in the vehicle at all times, is recommended. All transportation decisions should be made in accordance with local laws and school policies.
- 6. Medications:** The possession of prescription and non-prescription medications by youth at a district event should be permitted only by the written permission of the parent/guardian.
- 7. Criminal History Background Checks:** Criminal history background checks for adults working with youth at district events may be required for adults and, if conducted, should conform to applicable local and state/provincial laws and requirements.

All adults working with youth at district-sponsored events must have a background check that is considered to be ‘clear,’ based on the criteria established by Kiwanis International. Such events include, but are not limited to the Kiwanis district convention, Key Club district convention, and Kiwanis Mid-Year Conference, etc.

*\*Note: Consult Kiwanis International Procedure regarding the criteria for a ‘clear’ background check.*

- 8. Conflicts with Other Rules:** Whenever these guidelines conflict with local school policies or rules, or local state/provincial, or national laws or regulations, the highest applicable standards for conduct shall prevail.
- 9. Personal Information:** All documents bearing personal information of any youth attending a district event, including registration forms, medical

information forms, permission to treat forms, etc. should be treated as confidential. Processes that protect this information must be created, including minimizing the number of people who have access to any such documents. The documents shall be maintained a minimum of three years or longer as may be required by applicable state/provincial laws and regulations. After the maintenance period has expired, the documents shall be destroyed in a way that maintains confidentiality, such as shredding. The disposal and destruction of all confidential information shall conform to applicable state/provincial laws and regulations.

**10. 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 should never initiate such connections with youth. If a youth requests such a connection from a Kiwanian, he/she should use their best judgment in responding. 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. Kiwanians 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, obtain permission from any and all individuals (or parents for minors) that appear in that media; it could be illegal to do otherwise.

*Note: Consult Kiwanis International Policy for recommended social media guidelines.*

**11. Behavioral or Health Issues:** Kiwanians are often seen by a young person as an adult to trust with personal and/or sensitive information. Kiwanians should refrain from counseling youth and should instead find, or assist the young person in finding, appropriate expert assistance.

**12. Education:** Every Kiwanis district is expected to provide an educational forum or workshop at every district-produced convention and conference on guidelines and best practices for adults working with youth, using materials provided by Kiwanis International.

## **Q. ALCOHOL GUIDELINES**

- Alcohol may be served or consumed at district events in a legal and

responsible manner, provided such serving or consumption is done in accordance with the applicable customs and laws.

- The presence of alcohol at a function greatly increases the risk of personal injury, and districts must be conscious of liability exposure whenever alcohol is offered. When providing alcohol at a district event, the district will adhere to the alcohol guidelines established by Kiwanis International, as stated below.

### Kiwanis International Guidelines for Serving Alcohol

1. The preferred method for providing alcohol at a district event is to transfer the risk by hiring a licensed entity to provide the alcohol. A certificate should be requested from the entity naming the district and Kiwanis International as an additional insured on its alcohol liability policy. When it is not possible or practical to hire a professional entity, the following steps should be taken to reduce the chance of an occurrence:
  - Prevent underage service; check identification on all patrons 40 and younger.
  - Alcohol consumption must remain on the premises, with prominently displayed signs that inform attendees of this requirement.
  - Entrance to the facility or event must be staffed by club members.
  - Control consumption and avoid over-serving.
  - Food should be readily available at the event.
  - Minors at event limited to areas without alcohol.
  - Enlist volunteer support in watching over the grounds.
  - Consider the presence of local police.
  - Be sure to check with the local municipality, state or province whether a license is required for your event. If a license is required and one is not obtained, there will be no coverage for an injury attributable to alcohol. Coverage will not be provided without a valid license.
2. The Kiwanis alcohol liability insurance coverage offered to districts in the U.S., Canada, and the Caribbean is intended to protect the majority of those districts that sell alcohol at an event under the following circumstances:
  - There are up to 500 participants at the event.
  - The event is a one-day event.
  - Alcohol receipts are less than 50 percent of the total receipts.
3. If the district conducts an event that is outside of the above circumstances, it will purchase primary alcohol liability for the event, with limits of at least US\$1,000,000 per occurrence. The Kiwanis insurance policy would be in

excess of the event coverage.

4. Coverage under Kiwanis International's alcohol liability insurance is intended to protect Kiwanis from third-party liability. No coverage is provided to club members, district volunteers, or employees for their injury.

## **R. AMENDMENTS AND OTHER AUTHORITIES**

### **1. Order of Authority**

For authority on all matters not specifically covered by these Policies and Procedures, the following documents, current or as amended in the future, shall be consulted in order of priority to determine such matters:

- a. Kiwanis International Bylaws
- b. Kiwanis International Policies and Procedures
- c. Florida District Bylaws
- d. Roberts Rules of Order Newly Revised (latest edition)

### **2. Distribution of District Bylaws and Policies and Procedures**

Prior to the District Convention, the Governor-Elect will ensure copies of the District's Bylaws and Policies and Procedures are provided to all of his/her Board Members.

### **3. Parliamentary Authority**

"Robert's Rules of Order Newly Revised" shall be the parliamentary authority for all matters of substance or procedure not specifically covered in these policies and procedures.

### **4. Amendments**

Any changes, additions, or deletions deemed necessary may be made to these policies and procedures with the approval of 75% of the entire seated board of trustees. If the 75% affirmative vote is not attained, a majority vote of two (2) boards in two consecutive administrative years shall enact the change.

### **5. Voting**

If any vote taken verbally is unclear, it should be taken by roll call; however, only adoption or failure of the motion must be included in the minutes. If written votes are desired, they may be made by e-mail, fax, or postal mail within a designated period of time following the meeting, as determined by the board. (Moved from FL District bylaws Article IV, Section 6 08/14/15)

**6. Severability**

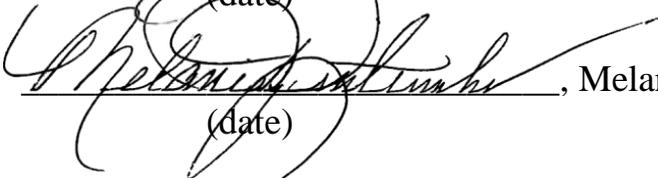
In the event that any provision of these policies and procedures is held invalid, all other provisions shall remain in effect.

**7. Approval of Kiwanis International**

The Policies and Procedures of the Florida District do not require approval by Kiwanis International.

**Adopted by the Board of Trustees of the Florida District of Kiwanis International on April 8, 2017:**

  
\_\_\_\_\_, Gary Frechette, District Governor  
(date)

  
\_\_\_\_\_, Melanie Winternheimer, Executive Director  
(date)

Note— The current Policies and Procedures Manual shall be available on the Florida District of Kiwanis International Website at [www.floridakiwanis.com](http://www.floridakiwanis.com).

Questions concerning these Policies and Procedures shall be directed to:

Melanie J. Winternheimer, Executive Director  
Florida District of Kiwanis International  
5545 Benchmark Lane, Sanford, FL 32773-8116  
407-324-9800 ext. 12  
melanie@floridakiwanis.com

**APPENDIX 1**  
**Standing Rules for the House of Delegates at the Annual Convention**

Rule 1 - The official language of the Convention shall be English.

Rule 2 - Only delegates with official delegate credentials may present or speak on motions and vote.

Rule 3 - Only delegates may be seated in the area designated for delegates.

Rule 4 - Access to the House of Delegates shall remain open for late arriving delegates.

Rule 5 - Any main motion or amendment shall be written in English, signed by the maker and seconded, and presented to the Executive Director before it is moved.

Rule 6 - No delegate may speak more than two minutes at a time unless allowed to do so by a majority vote of the delegates.

Rule 7 - No delegate may address the assembly a second time on the same question until all delegates who desire to speak on the topic have spoken.

Rule 8 - The maker of a motion shall be entitled to speak first in support of such motion or may immediately yield the floor to another delegate.

Rule 9 - Debate shall alternate between those speaking for and those speaking against a motion.

Rule 10 - Microphones shall be designated by number. Speakers in support of the motion shall use the odd numbered microphones. Speakers opposed to the motion shall use the even numbered microphones. The chair shall recognize speakers at microphones in rotating order.

Rule 11 - A delegate shall not speak for or against a motion and move to close debate on the same recognition.

Rule 12 - Candidates for the offices of Governor, Governor-Elect and Vice-Governor shall each have one nominating speech not to exceed three minutes and a seconding speech not to exceed one minute. The nominator and the seconder may

be any Florida District Kiwanis member in good standing. The nominator and the seconder may not endorse more than one candidate at this convention. (08/16/15)

Rule 13 - Candidates for the office of Vice-Governor shall personally address the House of Delegates for no more than three minutes each.

Rule 14 - Any candidate who is unopposed for office may be elected by a voice vote.

Rule 15 - Whenever there are two or more candidates seeking the position of Vice-Governor, Governor-Elect or Governor, each candidate shall be asked two pre-determined questions by the Chair on Elections, following the candidate's speech. Candidates shall be given 2 minutes to respond to each question. Questions will not be posed to candidates running unopposed.

Rule 16 - Debate on any proposed resolution or amendment to the Bylaws, including all amendments thereto, shall be limited to 20 minutes.

Rule 17 - There shall be a limit to six speakers on each side of the pending motion or resolution.

Rule 18 - A motion to move the previous question will not be in order until 12 minutes of debate has taken place or all microphones are clear.

Rule 19 - Voting on all motions or resolutions shall be determined by the chair using the following sequence:

A. Voice vote

B. Division of the House (Standing vote) – The Elections Committee will report the position of any delegates unable to rise to a vote. Locations of delegates requiring this assistance will have been previously noted by the Committee and the Sgt.-At-Arms as the House is organized.

C. Written ballot

Rule 20 - The chair may state it's ruling at the point in the voting sequence where it can clearly determine the outcome. A challenge to a ruling of the chair must be made immediately following the ruling. If a ruling is challenged after the chair has moved on to other orders of the day, the challenge shall be ruled out of order.

Rule 21 - When a written ballot is required, voting on subsequent motions and resolutions shall be continued once the chair has determined that all ballots have been properly collected. The chair shall inquire from the podium if any delegates still have any uncollected ballots.

Rule 22 - Nominating speeches for officers shall not be waived.

Rule 23 - Speeches from candidates for Vice-Governor shall not be waived.

Rule 24 - Subject to the discretion of the chair, no proposed amendment to the Bylaws shall be introduced later than 15 minutes before the scheduled adjournment of any delegate session. A second delegate session may be scheduled later in the convention, scheduling permitted. If there is no opportunity to schedule an additional delegate session, unfinished business shall be postponed until the next annual convention of the Florida District of Kiwanis International.

Rule 25 - Any of the above rules may be suspended by a majority vote.

Rule 26 - Roberts Rules of Order Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by the Bylaws of Kiwanis International, the Bylaws of the Florida District of Kiwanis International and these Standing Rules.