

## Youth Protection Policy and Procedures

### 1. Introduction

Strong support and effective management of youth programs throughout the district are essential to ensure all youth protection policies, including RI policies, and local laws and regulations, are followed. All district, club-level volunteers and program officers must understand Rotary and district policies and communicate all youth protection concerns to district leaders and/or local law enforcement promptly.

The purpose of this document is to provide specific policies and procedures that apply to the membership of Rotary District 5180 (hereinafter referred to as “District 5180”) and anyone else acting on behalf of District 5180, when dealing with youth in connection with District-authorized activities.

These activities include, but are not limited to, Rotary Youth Exchange, Rotaract, Interact, and RYLA. These policies and procedures are written in accordance the Rotary International Youth Protection Guide.

Current revisions of these documents can be obtained from the Rotary District 5180 website at: <http://www.clubrunner.ca/Portal/SitePages/SitePage.aspx?did=5180&pid=49410>

It is important to note that while certain policies and procedures related to Rotary Youth Exchange are included in this District 5180 Youth Protection Policy, the detailed policies and procedures for RYE are to be superseded by the District RYE Certification Requirements document or other mandates which may be more frequently updated by Rotary International, the U.S. Department of State or other RYE governing bodies. It is recommended that all persons affiliated with any Rotary youth program review Rotary International’s Rotary Youth Protection Guide (<https://my-cms.rotary.org/en/document/rotary-youth-protection-guide>).

In District 5180, we have the D5180 Youth Protection Policy and the D5180 Crisis Management Plan for Youth. Any District 5180 crisis involving youth shall follow the D5180 Crisis Management Plan for Youth as the lead guidance for addressing that crisis. The D5180 Crisis Management Plan for Youth is maintained as Attachment B in the D5180 Crisis Management Plan.

## 2. Statement of Conduct for Working with Youth

District 5180 strives to create and maintain a safe environment for all youth who participate in Rotary activities. To the best of their abilities, Rotarians, Rotarians' spouses and partners, and other volunteers must safeguard the children and young people they come in contact with and protect them from physical, sexual, and psychological abuse.

## 3. Policy

Officers and members of District 5180 will make every reasonable effort to ensure that no Rotarian or other participant is subjected to physical, sexual, or emotional abuse in the context of Rotary activities. Harassment or abuse by members or those associated with authorized District 5180 activities will not be tolerated in any form. The District will treat all allegations seriously, and make the protection of children, minors, and all people at risk a fundamental concern, and assist with any investigation initiated as a result of any allegation associated with Rotary activity.

According to Rotary International's [Rotary Youth Protection Guide](#), persons who have admitted to, have been convicted of, or are known to have engaged in sexual abuse or sexual harassment of a youth or program participant are ineligible for Rotary membership — even if these crimes were committed long ago. Any volunteer who admits to, is convicted of, or is otherwise known to have engaged in sexual abuse or sexual harassment or other act that violates the accepted standard of behavior in the community must be prohibited from working with youths through Rotary.

## 4. Definitions

### Casual Contact

Persons having casual contact (incidental and infrequent group contact) are unscreened persons not directly responsible for the youth but who may provide incidental transportation or invite a youth to an event such as dinner, movie, sports event, weekend activity, or travel approved by the Host Family and YEO if the youth is a Rotary Youth Exchange Student. Once again, casual contact must be infrequent and incidental so that a regular pattern is not developed. Further, casual contact must take place in a group setting with no reasonably foreseeable risk of abuse or harassment.

### Casual Contact Overnight Travel

These include occasions that may include trips of up to 72-hours duration, such as ski weekends, in which the youth will be in the care and custody of an adult who is not a screened volunteer. For travel outside of these boundaries, refer to the Rotary District 5180 Youth Exchange travel policy. Similar to "casual contact" above, casual contact overnight **travel must take place in a group setting** with no reasonably foreseeable risk of abuse or harassment.

### **Continued Contact**

Persons having continued contact (significant and unsupervised one-on-one contact) are persons assigned to support Rotary functions such as Youth Exchange Officer, Counselor, and Host Families, persons assigned to transport students to and from Rotary meetings and events on a continuing basis; or where a youth will be in the custody of a screened volunteer for 72 hours or more.

### **Psychological, Emotional or Verbal Abuse**

Incidents of willful verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes another. This may include ridiculing, yelling, swearing, or making derogatory statements based on characteristics that include age, ethnicity, race, color, abilities, religion, socioeconomic status, culture, gender, sexual orientation, and gender identity.

### **Neglect**

Failure to provide adequate food, clothing, shelter, or medical care necessary for another person's well-being.

### **Physical Abuse**

Physical contact intended to cause pain, injury, or other physical suffering or harm.

### **Prohibited Person**

A person prohibited from participating in a Rotary youth program is anyone who has admitted to, been convicted of, or otherwise been found to have engaged in sexual abuse, sexual harassment or neglect;

### **Rotary Youth Services**

All District and club activities involving youth, including but not limited to, Rotary Youth Exchange, Rotary Youth Leadership Award (RYLA), Rotaract, and Interact.

### **Sexual Abuse**

Engaging in or arranging implicit or explicit sexual acts, whether they are performed alone or with another person of any age or gender, through force or coercion or with anyone who is unable to give consent. Any sexual activity between a legal adult and a minor is considered sexual abuse. Sexual abuse can also include non-touching offenses, such as voyeuristic behavior, indecent exposure, or showing a young person sexual or pornographic material.

## **Sexual Harassment**

Sexual advances, requests for sexual favors or verbal or physical conduct of a sexual nature that is unwanted or directed at someone unwilling or unable to provide consent. In some cases, sexual harassment precedes sexual abuse and is used by sexual predators to desensitize or “groom” their victims. Examples of sexual harassment include, but are not limited to:

- Sexual epithets or jokes, written or oral references to sexual conduct, gossip about one’s sex life, and comments about an individual’s sexual activity, deficiencies, or prowess;
- Verbal abuse of a sexual nature;
- Displaying sexually suggestive objects or images;
- Sexual leering or whistling
- Inappropriate physical contact such as brushing or touching
- Obscene language or gestures, and suggestive or insulting comments.

## **Youth Program Participant**

Anyone who participates in a Rotary youth program, whether child or adult.

## **Volunteer**

Any adult involved with Rotary youth activities who interacts directly with youth, whether supervised or unsupervised.

For Youth Exchange, volunteers include, among others: (1) club and district Youth Exchange officers and committee members, (2) Rotarian counselors, (3) Rotarians and non-Rotarians, and their spouses and partners who work with students during Rotary activities or outings or who transport students to Rotary events, and (4) host parents and other adult residents of the host home, including host siblings and other family members.

## **5. Incorporation and Liability Insurance**

District 5180 youth programs carry liability insurance with appropriate coverage and policy limits. This policy protects the organization from third-party claims and lawsuits alleging negligence by the organization, its employees, or its volunteers.

Liability insurance protects an organization from claims and lawsuits alleging negligence by that organization, its employees, or its volunteers. All District 5180 Rotary clubs and are automatically provided with liability insurance via a Rotary International policy. Regardless of their location, Youth Exchange host families should consider protecting themselves as well by having personal liability insurance.

## 6. Club Compliance

The District Governor is responsible for supervision and control of all youth activities in the district, including those associated with Rotary Youth Exchange. District 5180 will monitor all participating clubs and ensure that they comply with youth protection and Rotary Youth Exchange certification requirements.

All clubs that participate in Rotary Youth Programs must provide the district with a copy of the following for review and approval:

- Confirmation that volunteers will be prohibited from contact with program participants until a written application, interview, reference check, and criminal background check have been conducted and clearance for unsupervised contact with program participants has been issued
- For Clubs participating in Rotary Youth Exchange:
  - All club materials that advertise the Youth Exchange program, including brochures, applications, policies, and websites
  - List of services in the area (rape and suicide hotlines, alcohol and drug awareness programs for teenagers, relevant law enforcement agencies, community services, private services, etc.)
- Any club youth-protection training materials

## 7. Responsibilities

The Club President has overall responsibility for operating and coordinating all club youth activities, with the support of club committee members. Other specific responsibilities are included below.

### **Club President**

Appoints the Club Youth Protection Officer (YPO) and on recommendations from the Club YPO, approves members of the Youth Protection Committee.

Club President and Youth Committee Chairs should:

- Know all Rotary and district youth protection policies and program operations that apply to the club's involvement, and ensure that the club programs meet policy requirements.
- Implement required training, screening, program logistics, and risk management procedures.
- Engage regularly with youth program participants to get feedback on the programs.
- Coordinate with the District 5180 YPO to respond immediately and thoroughly to all allegations of abuse, harassment, and other crises.

### **Club Youth Protection Officer (YPO)**

- Chair the Club Youth Protection Committee (if one exists).
- Utilize YEAH to track screened Youth Exchange volunteers and their current documentation status.
- Utilize Youth Volunteer Management (YVM) Youth Protection Awareness (YPA) system to track all other screened youth program volunteers. If a volunteer is screened and vetted in YEAH, they do not need to be entered into the YVM YPA system.
- Maintain liaison with the Rotary District 5180 YPO.
- Conduct an annual Club Youth Protection training session at a regular Club meeting at least once per year.

### **Club Youth Protection Committee** (if created)

- Provide oversight to the Club youth protection program-related activities to assure day-to-day compliance with program policies and procedures.
- Identify the need for new or modified youth protection policies and procedures.
  - Develop and review the Club youth protection policy and procedures.
- Identify, develop and facilitate youth protection policy training for Club participants.
- Evaluate Club youth protection policy compliance with District 5180 and Rotary International youth protection policy requirements.
- Solicit advice from psychologists, social workers, law enforcement, attorneys or other professionals, as required, in order to advise the Youth Protection Committee on relevant matters.

## **8. Procedures**

### **Volunteer Selection and Screening**

All Rotarian and non-Rotarian volunteers interested in working with youth program participants must meet RI and District eligibility requirements. RI prohibits membership and participation of any volunteer who has admitted to, been convicted of, or otherwise been found to have engaged in sexual abuse or harassment of any person regardless of age.

All Rotarians and non-Rotarian volunteers must complete the on-line Youth Protection Awareness training course.

All Volunteers who will have continued contact with youth must meet the following requirements:

- Complete the on-line youth program volunteer application form.
- Undergo a criminal background check.
  - The District Youth Exchange Compliance Officer will conduct criminal background checks on all volunteers and Rotary Youth Exchange host family members who are 18

- or older.
- The Club YPO will perform a criminal background check for non-Youth Exchange volunteers utilizing Intellicorp.
- Be interviewed, preferably in person.
- Provide a list of personal references with contact information
  - Personal references will be reviewed by YEAH Administrators for Youth Exchange volunteers, and by the Club YPO for all other Rotary youth program volunteers.
- Comply with RI and District guidelines for Rotary Youth Programs.

Youth Exchange host families must also meet these selection and screening requirements:

- Undergo a comprehensive interview that determines their suitability, demonstrating:
  - Commitment to the safety and security of students
  - Appropriate motives for hosting a student that are consistent with Rotary ideals of international understanding and cultural exchange
  - Financial ability to provide adequate accommodations (room and board) for the student
  - Ability to provide appropriate supervision and parental responsibility that ensures the student's well-being
- Complete a written application
- Complete the Youth Protection Awareness training course
- Undergo home visits with and without notice, both before and during the placement; home visits must be conducted annually, even for repeat host families

**Note:** All adult residents of the host home must meet all selection and screening guidelines. This includes adult children of the host family and other members of the extended family or household staff who are full-time or part-time residents of the home.

For those who are involved in Rotary Youth Exchange, records will be retained in the YEAH system. For those involved in all other Rotary Youth Programs, the records will be maintained in the YVM Youth Protection Administration System. Records shall be retained for a minimum of 20 years.

Youth Exchange students (both Inbound and Outbound) must be appointed a Rotarian counselor who meets the criteria for all volunteers. Also:

- A counselor must not be a member of the student's host family. It is also recommended that counselors not hold another role of authority with respect to the student's exchange (e.g., school principal, club president, district Youth Exchange chair).
- Counselors must be able to respond to any problems or concerns that may arise, including instances of physical, sexual, or emotional abuse or harassment.

## 9. Participant Selection and Screening

All students interested in the District 5180 Youth Exchange program must meet district guidelines and:

- Complete a written application
- Be interviewed at the club and district levels
- Attend and participate in all club and district orientation and training sessions

All parents or legal guardians of Youth Exchange participants must also be interviewed at the club and/or district level to determine the student’s suitability for program participation.

**Casual Contact Policy**

Club members who will be involved with youth, but whose activities fit the definition of casual contact, are not required to submit Youth Volunteer Affidavits or undergo reference and criminal background checks. Those activities may include a school mentoring program where the school solicits a background check on club members involved.

**Managing the Screening Process**

The Club YPO will ensure completion of the volunteer screening processes identified herein, with the assistance of members of the Club Youth Protection Committee that he/she may designate, and will ensure that no “prohibited person,” as defined herein, is authorized to work with youths in any Club-sanctioned activities. If a non-Rotarian candidate host family is recruited, the volunteer screening processing will be performed by someone other than the person who recruited the family as designated by the Club YPO.

An individual cannot perform a background check or screening on themselves or their families, the screening must be done by another trained and certified individual. For Host Families, an individual cannot both perform and approve any process.

**10. Training**

District 5180 and clubs may provide youth-protection training and information on youth programs.

**Club Training**

All Club Members are recommended to complete the online Youth Protection Awareness training. Club Members will also be provided annual training regarding the Youth Protection Program components and requirements, including the recognition of sexual abuse and harassment and Club reporting procedures. This will be done at least once per year as a regular club meeting program.

**District Youth Protection Training**

The Club Youth Exchange Officer, counselors and other youth protection committee members are strongly encouraged to participate in youth protection training offered by District 5180 at the District Training Assembly (DTA). The Club YPO shall attend this training as soon as possible upon



assuming the position and at least every three years thereafter. Until the new YPO is trained, the old Club YPO or a trained adjacent Club YPO must perform this function.

The District 5180 Youth Exchange program must provide youth-protection training and information to all students and volunteers. Youth Exchange Committee members will conduct the training sessions.

Specifically, District 5180 will:

- Adapt Rotary’s Youth Protection Guide to reflect district guidelines, information on local customs and culture, and legal requirements
- Develop a training schedule that specifies who will be trained, how often, and how
- Conduct specialized training for those involved in Youth Exchange:
  - District Governor
  - District Youth Exchange Officer and committee members
  - Rotarian counselors
  - Other Rotarians and non-Rotarians who participate in Youth Exchange activities, such as local tours or district events
  - Host families
  - Students (outbound and inbound)
- Maintain records of participation to ensure compliance

## **11. Allegation Handling and Follow-Through**

District 5180 takes all allegations of abuse or harassment seriously and will handle them in accordance with the Rotary Youth Protection Guide.

The district will cooperate with all law enforcement agencies, child protective services, and legal investigations and will not interfere with official investigations when conducting its own independent review.

District 5180 may appoint a youth protection officer or district review committee to evaluate and review files, policies, and allegations regularly.

## **12. Travel by Youth**

Youth travel outside of the local community must comply with youth protection policies. For all youth travel sponsored by District 5180 or its clubs, the following will be done before departure:

- Obtain written permission from the parents or legal guardians of program participants
- Give parents and legal guardians details about the travel, including locations,

- accommodations, itineraries, and the organizer’s contact information
- When traveling more than 150 miles, or 240 kilometers, from the residence, verify that program participants have adequate insurance, including benefits for medical services, emergency medical evacuation, repatriation of remains, and legal liability
- All adults who supervise youth at overnight Rotary events must be screened and vetted volunteers.

For the travel of Youth Exchange students outside their host communities, either with their host families or to attend Rotary events, District 5180 shall obtain written permission from the students’ parents or legal guardians.

For all other Youth Exchange student travel that is not customarily a part of the exchange program, organizers must:

- Receive authorization from District 5180 in advance
- Obtain written permission from the parents or legal guardians for travel outside of the local host community as defined in the District 5180 Youth Exchange Travel Policy
- Provide parents or legal guardians details about the trip, including locations, accommodations, itineraries, and the organizer’s contact information

### **13. District Youth Exchange Administration**

The District 5180 Youth Exchange program, in collaboration with participating clubs, must also:

- Confirm that all inbound students have insurance that meets or exceeds what is prescribed in the Rotary Code of Policies.
- Store participant and volunteer records securely in the Youth Exchange Administrative Hub (YEAH) for at least 20 years after participation, in accordance with all applicable privacy laws.
- Provide each student a list of local services (rape and suicide crisis hotlines, alcohol and drug awareness programs, relevant law enforcement agencies, community services, private services, etc.). This list must include the following district and club contacts:
  - For inbound students: Rotarian counselor, host club president, host district Youth Exchange chair, and host district governor
  - For outbound students: Rotarian counselor, sponsor club president, sponsor district Youth Exchange chair, sponsor district governor
- Provide each student with the names and contact information of at least two non-Rotarian resource people — one male and one female, who are not related to each other and do not have close ties to the host families or Rotarian counselor — who can help the students with any problems.
- Submit inbound program participants’ data to RI before or shortly after the exchange begins.
- Provide a 24-hour emergency contact phone number to students.
- Report all serious incidents (abuse or harassment allegations, accidents, crimes, early returns, death) involving Youth Exchange students to RI Youth Exchange staff within 72

hours.

- Prohibit placement of students outside of the district Youth Exchange program structure (“backdoor” exchanges).
- Establish criteria and procedures for a student’s removal from the host family and arrange for contingent temporary housing in advance.

## 14. Conflict Resolution

Conflicts or disagreements that may occur between parties responsible for the implementation of this policy or these procedures contained herein shall be arbitrated by the District Youth Protection Officer or other individual designated by the District Governor.



### ROTARY INTERNATIONAL’S STATEMENT OF CONDUCT FOR WORKING WITH YOUTH

Rotary International strives to create and maintain a safe environment for all youth who participate in Rotary activities. To the best of their ability, Rotarians, Rotarians’ spouses and partners, and all other volunteers must safeguard the children and young people they come in contact with and protect them from physical, sexual and emotional abuse.

*Adopted by the RI Board of Directors, November 2006*

## Changes to This Procedure

Changes to this procedure will only be made with the District Governor’s approval.

<p>District Governor</p>  <p>11/13/22</p>	<p>District Youth Protection Officer</p>  <p>11-13-2022</p>
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# Appendix A - DISTRICT 5180 ABUSE AND HARASSMENT ALLEGATION REPORTING GUIDELINES

District 5180 is committed to protecting the safety and well-being of all youth program participants and will not tolerate abuse or harassment. All allegations will be taken seriously and must be handled within the following guidelines.

***The safety and well-being of program participants must always be top priority.***

## RECEIVING AN ALLEGATION REPORT

Any adult to whom a program participant reports abuse or harassment must:

***Listen attentively and stay calm.*** Acknowledge that it takes courage to report abuse or harassment. Be encouraging, but remain neutral; do not express shock, horror, or disbelief.

***Assure privacy but not confidentiality.*** Explain that you will have to tell someone about the abuse or harassment to make it stop and ensure that it doesn't happen to others.

***Get the facts, but don't interrogate.*** Ask questions that establish facts: who, what, when, where, and how. Reassure the young person that he or she did the right thing in telling you. Avoid asking "why" questions, which may be interpreted as questioning the young person's motives. Remember that your responsibility is to report this information to the proper authorities.

***Be nonjudgmental and reassure.*** Avoid criticizing anything that has happened or anyone who may be involved. It's especially important not to blame or criticize the young person. Emphasize that it was not his or her fault and that it was brave and mature to come to you.

***Document the allegation.*** Record the conversation, including the date and time, as soon after the report as you can. Try to record the young person's exact words.

## ALLEGATION RESPONSE

The following steps must be taken immediately after alleged abuse or harassment is reported. Some of them may be performed by any program volunteer, while others should be performed by a district officer, as specified.

### 1. Protect the young person.

Ensure the safety and well-being of the young person by removing him or her from the situation immediately and preventing all contact with the alleged abuser or harasser. Reassure the young

person that this is for his or her safety and is not a punishment.

Take immediate action to ensure the young person's health and well-being, and get him or her medical or psychological care, if necessary.

## **2. Report the allegations to appropriate authorities.**

Immediately report all cases of abuse or harassment — first to the appropriate law enforcement authority for investigation and then to club and district leaders for follow-through. Interrogations related to allegations of abuse or harassment must be left entirely to law enforcement agencies.

*Most people are not trained professionals with expertise in determining the gravity or legal implications of an allegation. No Rotarian or volunteer should ever determine whether an allegation constitutes criminal behavior; that should be left to qualified youth protection agency personnel or law enforcement professionals. After ensuring the safety of the youth involved, immediately report all allegations to the appropriate youth protection agency or law enforcement. This helps ensure an objective review of the allegation.*

In most situations, the first Rotary contact is the District Youth Protection Officer, who is responsible for seeking advice from and interacting with appropriate agencies. If the allegation involves the conduct of this Rotarian, the district governor should be the first Rotary contact.

District 5180 will cooperate with police or legal investigations.

District 5180 has researched local, state, and national laws related to youth protection, including reporting allegations, and notes the following legal requirements of which all volunteers must be aware: **In the USA, the law requires that any claim of sexual impropriety must be immediately reported to the proper authorities. Under California law, it is required that an individual who will be working directly with children or vulnerable persons undergo a criminal background check.**

## **3. Remove the accused person from contact with youth.**

District 5180 will remove the alleged offender from all contact with Rotary youth program participants until the matter is resolved.

Follow established criteria and procedures for removing a Rotary Youth Exchange student from a host family if they report a problem with, or make an allegation against, a host family member. If appropriate, move the student to the temporary housing that was screened in advance.

## **4. Avoid gossip and blame.**

Don't tell anyone about the allegation other than those who need to know. Be careful to protect the rights of both the victim and the accused during the investigation.

District 5180 maintains the privacy (as distinct from confidentiality) of any accused person by

enforcing the following procedures: Information is only shared with those who are either in a supervisory position that requires such information or who are directly involved in the investigation regarding an allegation.

## **5. Follow through.**

All allegations of sexual abuse or harassment must be reported to RI by a District Officer, and (in the case of inbound Youth Exchange students, to the WESSEX Responsible Officer). These reports should be made as soon as possible, but no later than 72 hours of the disclosure of the incident to any Rotary member. The district officer will also provide ongoing status reports.

If the allegation involves a Youth Exchange Student, the complaint must also be reported immediately to the District 5180 Youth Exchange Chair or to a Country Officer on the District Youth Exchange Committee.

District 5180 will ensure that the program participant's parents or legal guardians have been notified and offer the young person an independent, non-Rotarian counselor to represent his or her interests. If law enforcement agencies will not investigate, or if the investigation is inconclusive, the district governor will appoint a district review committee to coordinate an independent review to ensure that district youth protection policies were followed, confirm that youth safety was the highest priority, and determine any necessary modifications to district procedures. This review is not responsible for determining the validity of any allegations; that can only be done by youth protection agency personnel or trained law enforcement professionals.

If law enforcement has found the allegations to be noncriminal, the district governor is responsible for contacting the alleged offender. The district governor may delegate this task to a district youth protection officer or district review committee.

District 5180 will document all accusations of inappropriate behavior and the actions taken to resolve the situation, so that patterns of inappropriate behavior are identified and addressed.

*After making an allegation, the program participant is likely to feel embarrassed or confused. He or she may become withdrawn and have mixed feelings about continuing in the program. For example, Youth Exchange participants who make an allegation may want to stay in the program but not continue their relationship with their host club. Although Rotarians and other volunteers may have trouble understanding the participant's feelings, it is necessary to continually reassure them.*

After the investigation, it may be necessary to enhance the District's youth protection policy to prevent recurrences.

The Club must terminate the membership of any Rotarian who admits to, is determined to be convicted of, or is otherwise found to have engaged in sexual abuse or harassment. Non-Rotarians who fall into this category must be permanently prohibited from working with Rotary youth program participants.

If a law enforcement investigation is inconclusive, or if law enforcement declines to investigate, the accused person may be reinstated as a program volunteer at the District's discretion. However, additional safeguards are necessary to protect both the person named in the allegation and any program participant who may have future contact with him or her.

Additional safeguards for program volunteers can include limiting or suspending their roles, depending on the allegation's circumstances. For example, the Club may allow the volunteer to participate in the program only when other volunteers can monitor their behavior and determine whether further prohibitions are appropriate. Each district should consider the local standard of care and review the practices of other youth-serving organizations in its area to determine what safeguards are necessary.

Reinstatement is not a right and is not guaranteed. Subsequent claims of sexual abuse or harassment against the same person will prohibit him or her from working with program participants, even if criminal charges are not brought.

## **Appendix B - Listing of Rotary Youth-related Activities**

The following is a listing of Rotary youth-related activities requiring scrutiny under this Youth Protection Policy. That scrutiny applies to all youth programs and is not limited to the following:

- Youth Exchange Program
- Interact Clubs at Elementary and Middle Schools
- Interact Clubs
- Rotaract Clubs
- Anti-Bullying Programs
- School Tutoring Programs (where not screened by the school or host agency)
- Foster Care Volunteer and Mentoring Programs
- Rotary Youth Leadership Awakening Camp
- All other club-sponsored youth programs



## Appendix C - Consent and Waiver for Volunteers

This Consent and Waiver must be obtained for each volunteer prior to running a Background check. It can be incorporated with the Youth Volunteer Application.

### CONSENT

I certify that all of the statements in this application and any attachments are true and correct to the best of my knowledge and that I have not withheld any information that would affect this application unfavorably. I understand that District 5180 will deny a volunteer position to anyone convicted of a crime of violence, sexual abuse or harassment, or any other crime of a sexual nature and may deny a volunteer position to anyone who has been charged with these crimes.

I give District 5180 permission to verify the information on this application, including by reviewing the public records that I have provided, which are duly certified, or by searching law enforcement and other published records (including driving records and criminal background checks) in addition to contacting my former employers and the references I provided. I understand that this information will be used in part to determine my eligibility for a volunteer position. I also understand that as long as I remain a volunteer, this information may be checked again at any time. I understand that I will have an opportunity to review my criminal history.

### WAIVER

In consideration of my acceptance and participation in the Rotary youth program, I, to the full extent permitted by law, hereby release, defend, hold harmless, and indemnify participating Rotary clubs, Rotary districts, multidistrict organizations, and their members, officers, directors, committee members, agents, and employees, and Rotary International, its directors, officers, committee members, employees, agents, and representatives ("Indemnitees") from any or all liability for any claim, loss, damages, liabilities, expenses, bodily injury, or death, including any such liability that may arise out of the negligence of any of the Indemnitees or may be suffered or claimed by me as a result of an investigation of, action concerning, or communication of my background in connection with this application.

I further agree to conform to the rules, regulations, and policies of Rotary International, the District 5180 youth program, and its affiliates.

I hereby confirm, represent, and warrant that I have never been convicted of or charged with a violent crime, child abuse or neglect, child pornography, child abduction, kidnapping, rape, or other sexual offense, nor have I ever been ordered by a court to receive psychiatric or psychological treatment in connection therewith.

If any provision of this agreement is determined to be illegal or unenforceable, the remaining provisions shall remain in full force and effect. By signing this Application, I acknowledge that I have read this Application and fully understand its contents.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date

# Appendix D - Evaluating and Interpreting Criminal Background Checks (CBCs)

## Overall process

The District Youth Exchange Compliance Officer is responsible for reviewing reported information, including industry standard CBCs, self-disclosures, and reference reports for Volunteers and Host Family members over the age of 18 who are associated with Rotary Youth Exchange.

The Club YPO is responsible for reviewing reported information, including industry standard CBCs, self-disclosures, and reference reports for all other Rotary Youth Program volunteers.

The term “applicant” used throughout this document refers to those applying to become Rotarians or those applying or already serving as Rotary youth program volunteers.

Applicants may be automatically disqualified for certain convictions related to themselves or other household members; other offenses and/or charges may warrant further review.

The California Department of Justice provides these guidelines for assessing the results of Background checks which are to be applied for determination of approval or rejection:

From California Penal Code 11105 (n):

(A) Every conviction, except a conviction for which relief has been granted pursuant to Section 1203.49, rendered against the applicant for a violation or attempted violation of an offense specified in subdivision (a) of Section 15660 of the Welfare and Institutions Code. However, with the exception of those offenses for which registration is required pursuant to Section 290, the Department of Justice shall not disseminate information pursuant to this subdivision unless the conviction occurred within 10 years of the date of the agency’s request for information or the conviction is over 10 years old but the subject of the request was incarcerated within 10 years of the agency’s request for information.

(B) Every arrest for a violation or attempted violation of an offense specified in subdivision (a) of Section 15660 of the Welfare and Institutions Code for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.

(C) Sex offender registration status of the applicant.

(D) Sentencing information, if present in the department’s records at the time of the response.

## Background Check Results

If adverse information is returned from a background check, each case will be considered individually on its merits or demerits with the following criteria:

- **Type of information.** Types might include (not all-inclusive)
  - Felonies
  - Misdemeanors
  - Business ethics violations
  - Traffic and/or behavior incidents
  
- **Seriousness of the adverse information.** Seriousness might include the type of felony or misdemeanor or abuse of power in business situations.
  
- **Recurrence of the adverse action or event.** For example: Is the infraction a recurring event such as multiple speeding tickets or multiple intoxication events?
  
- **Timing of adverse action or events.** Greater weight should be given to incidents that have occurred in the near past versus isolated incidents that may have occurred in the distant past.

**Presumptive Rejection of a Candidate**

Some adverse information shall be considered grounds for presumptive rejection of a candidate. These include, but are not limited to, convictions or admissions of the following crimes:

**FELONY CRIMES**

- Attempt (CA Penal Code (PC), section 664)
  - *\*\*\*Can be used in conjunction with below-listed crimes\*\*\**
- Murder (PC 187, et al.)
- Mayhem (PC 203, et al.)
- Manslaughter (PC 191.5, PC 192, PC 192.5, PC 193, et al.)
- Kidnapping (PC 207, et al.)
- Assault With Intent to Commit Rape, etc. (PC 220, et al.)
- Assault (PC 243, PC 245, PC 273ab, et al.)
- Child Abuse, Endangerment, or Neglect (PC 273d, PC273a, PC270, et al.)
- Lewd and Lascivious Acts Upon a Minor (PC 288, et al.)
- Rape (PC 261, PC 262, et al.)
- Unlawful Sexual Intercourse (PC 261.5)
- Robbery (PC 211, PC 212.5, et al.)
- Arson (PC 451, et al.)
- Burglary (PC 459, et al.)
- Extortion (PC 518, et al.)
- Drug Possession, Sales & Transportation (Healthy & Safety (HS) Code 11377, HS 11378, HS 11379, HS 11358, HS 11359. HS 11351.5, et al.)
- Incest (PC 285, et al.)
- Pimping (prostitution) (PC 266h, et al.)
- Communication With a Minor With Intent to Commit PC 207, PC 261, PC 273, PC 288, et al. (PC 288.3, et al.)

- False Imprisonment (PC 236, et al.)
- Sex Trafficking (PC 236.1, et al.)
- Stalking (PC 646.9)
- Theft (PC 487, et al.)
- Forgery (PC 470, et al.)
- Threats of Crime Resulting in Great Bodily Injury or Death (PC 422, et al.)
- Child Pornography (Producing, Transporting, Possessing, Coercing Child to Participate in Production) (PC 311.1, et al.)
- Buying or Selling of Children (18 U.S. Code § 2251A)

### **MISDEMEANOR CRIMES**

- Child Abandonment (PC 271, et al.)
- Malicious or Annoying Harassment (PC 653m, et al.)
- Prostitution [PC 647(A). PC 653.22, et al.]
- Indecent Exposure (PC 314, et al.)
- Violation of Restraining Order (PC 166, 273.6, et al.)

**NOTE:** Understanding there are varying factors which can affect the context of any particular situation, although the above crimes are generally grounds for presumptive rejection of a Youth Volunteer candidate, situations may be evaluated on an individual basis. An appeal can be submitted in writing to District 5180. The Rotarians who will assess the appeal as a group will generally be the District Governor, the District Youth Protection Officer, and the District Youth Services Chair. In the event any of those persons have a personal relationship with the appealing candidate, a substitute Rotarian shall be identified to prevent any conflict of interest in the evaluation of the candidate. When assessing the written appeal, the evaluating Rotarians should consider: (1) the circumstances surrounding the situation, (2) the relevance of the criminal activity to the duties and responsibilities of a Youth Volunteer, (3) the seriousness of the crime, (4) the presence or absence of other related incidents, and (5) the timeframe from the incident to the submission of the Youth Volunteer application.

### **Non-Automatic Rejection**

Other adverse information which may result in the rejection of a Volunteer applicant may include, but not be limited to, the following:

- Some misdemeanor criminal offenses not listed above
- Civil lawsuits, (depending upon issues involved)
- Misdemeanor drug possession/use

For all non-Youth Exchange Volunteers, results of the additional review will be provided to the associated Club President. Final approval of any applicant will be made by the Club President.

For all Rotary Youth Exchange Volunteers and Host Family members who are 18 or older, results of the additional review will be provided to the District Youth Exchange Chair. Final approval of any applicant will be made by the District Youth Exchange Chair.