

Statement of Chastity Mitchell
Northeast Regional Director, Government Relations – Boys & Girls Clubs of America
Opposition to Provisions of H.B. 5306
Before the Connecticut Joint Education Committee Public Hearing
February 24, 2016

Good morning, Chairpersons Slossberg, Fleischmann, and members of the committee, my name is Chastity Mitchell and I am the Northeast Regional Government Relations Director for Boys & Girls Clubs of America, headquartered in Atlanta. I've traveled here today because this issue is of critical importance to our mission, and I join the Alliance of Boys & Girls Clubs in Connecticut along with numerous local Connecticut Clubs in strong opposition to the provision of H.B. 5306 which singles out BGCA, dramatically altering our ability to serve the children of Connecticut, many of whom are in daily crisis.

Boys & Girls Clubs of America's has a long history of concern for the protection of youth at our local Clubs. BCGA humbly began here, in Hartford in 1860 and in the 1950's became one of only six congressionally chartered youth development organizations in the nation. Our mission is to enable all young people, especially those who need us most, to reach their full potential as productive, caring, responsible citizens. We provide youth services to over 4 million young people between the ages of 5-18 in more than 4000 club sites nationwide aimed at our priority outcome goals: Academic Success, Good Character and Citizenship, and Healthy Lifestyles.

All local Boys & Girls Clubs are sanctioned and monitored by Boys & Girls Clubs of America and must adhere to the National organization's requirements of membership which hold child safety as our #1 priority. I have attached a summary of safety-related membership requirements as an addendum to my testimony, but to summarize: BGCA has a dedicated national safety team which supports local clubs, implements best practices which meet or exceed all national safety standards, conducts safety assessments and works with Clubs to continually improve Club safety. BGCA was among the first national youth-serving organizations to require criminal background checks for any staff or volunteer working directly with children and we have a zero tolerance policy for abusers. Critical safety incidents occurring at Clubs are required to be immediately reported to the National organization for immediate expert help and guidance. In addition, Clubs have access to the Child & Club Safety Hotline managed by Praesidium an independent third-party to help Clubs prevent, identify and manage potential risks.

Connecticut Boys & Girls Clubs are affiliates of the national organization. Boys & Girls Clubs offer programs at little to no cost to Club members or their families. If our licensure exemption were removed, clubs simply could not absorb the resulting costs without reducing services, staff, and more importantly, turning away the young people at the moment they need us most.

Today, you will hear from others about what this devastating move would mean to Clubs in the communities you represent. We hope you take these words into account as you consider this bill. We respectfully ask you to remove the provision of the bill applying to Boys & Girls Clubs of America. By doing so, you will put Connecticut Clubs on solid ground knowing that they will be able to continue to provide youth development programs at their current service levels and give kids in Connecticut a fighting chance for Great Futures! Thank You.



Summary of Safety-Related Membership Requirements

	Membership Requirement
<p>Safety</p> <p><i>Article II, Section 1</i></p>	<p>Effective as of April 1, 2014</p> <p>The safety in Club facilities and during all Club activities shall be maintained and operated in a reasonable and prudent manner to protect children, employees, volunteers and visitors. Each Club facility shall comply with all applicable federal, state and local laws for protection and safety.</p>
<p>Insurance</p> <p><i>Article II, Section 7</i></p>	<p>Effective as of October 1, 2014</p> <p>Maintain comprehensive, General Liability insurance coverage that includes Sexual Misconduct Liability insurance coverage, with a combined minimum single limit of coverage in the amount of at least \$1 million. Organization will have a third party review their coverage amounts every three years. Boys & Girls Clubs of America must be named as an additional insured under that general liability policy and the certificate of insurance must be filed with Boys & Girls Clubs of America annually.</p> <p>Maintain comprehensive Directors & Officers Liability insurance coverage and Employment Practices Liability insurance coverage, each with a minimum policy limit of \$1 million.</p> <p><i>NOTE: Military organizations will maintain liability insurance in accordance with Department of Defense Federal Insurance requirements.</i></p>
<p>Communication & Reporting –</p> <p><i>Article II, Section 9</i></p>	<p>Effective as of April 1, 2014</p> <p>Maintain at least one computer capable of electronic communication with BGCA</p> <p>Report immediately, but no later than 24 hours, to BGCA if there has been a critical incident related to your organization involving:</p> <ol style="list-style-type: none"> 1. A major medical emergency with a child, staff or volunteer at a Club site or Club sponsored activity leading to extended hospitalization, permanent injury or death or a mental health crisis with a child requiring outside care. 2. A child who may be abducted or missing from a Club site or Club sponsored activity. 3. An instance or allegation of child abuse, including physical, emotional or sexual abuse; sexual misconduct or exploitation against any child (Club-related or not) by a current employee or volunteer or any Club-related instance by a former employee or volunteer. 4. An instance or allegation of child abuse, including physical, emotional or sexual abuse; sexual misconduct or exploitation by a youth towards another youth at a Club site or Club sponsored activity. 5. A known or suspected felony-level criminal act committed at a Club site or Club sponsored activity. 6. The misappropriation of organizational funds in the amount of \$25,000 or greater or any amount of federal funds.

**Background
Checks**

*Article II
Section 10*

7. A felony criminal action or civil legal action that would be reportable to an insurance carrier involving the organization, its employees or volunteers.
 - i. For an open organization-related court case, report within 24 hours any change in the status of the case.
8. Negative media that could compromise the reputation of the organization or the Boys & Girls Club brand.
9. Any other incident deemed critical by the organization.

NOTE: Military Organizations report critical incidents in accordance with the Department of Defense Child Abuse and Critical Incidents Reporting Requirements.

Effective on January 1, 2016

Conduct criminal background checks of all employees, including minors, board volunteers, volunteers who serve on a standing or enumerated committee, advisor or otherwise. Conduct background checks on all volunteers, including minors who have direct, repetitive contact with children. Name-based or fingerprint-based record searches may be used in any combination but shall, at a minimum, (a) verify the person's identity and legal aliases, (b) provide a national Sex Offender Registry search, and (c) provide a national criminal record search. Such checks shall be conducted prior to employment and at regular intervals not to exceed twelve (12) months.

All background check findings shall be considered when making employment or volunteer decisions and each Club shall have a policy defining eligibility for employment or volunteer service, if such individual:

- a) refuses to consent to a criminal background check,
- b) makes a false statement in connection with such criminal background check,
- c) is registered, or is required to be registered on a state or national sex offender registry,
- d) has been convicted of a felony consisting of:
 1. murder,
 2. child abuse,
 3. a crime against children, including child pornography,
 4. spousal abuse,
 5. a crime involving rape or sexual assault,
 6. arson or
 7. physical assault, battery,
- e) has been convicted of a drug-related offense committed within the last five years.

NOTE: Military organizations must comply with their branch of service rules and regulations for background checks.