



AB506
New Requirements for Ministries in California

Presented by:
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TOP 5 REASONS

Churches End Up in Court

1 Sexual Abuse of a Minor

Victims frequently allege a church is responsible for their abuse-related injuries, often on the basis of such claims as the negligent selection, retention, and/or supervision of the perpetrator.



2 Property Disputes

Common examples include eminent domain, restrictive covenants, adverse possession, and conflicts over who owns the property.



3 Personal Injury

From slips and falls to vehicle accidents to playground mishaps, potential church liability arises a variety of ways—and through a variety of activities on and off of church property.



4 Zoning

Many of these cases involve claims under the federal Religious Land Use and Institutionalized Persons Act (RLUIPA), a law designed to protect the free exercise rights of individuals and houses of worship.



5 Insurance Coverage Disputes

Common disputes include the employment practices exclusion, the duty of prompt notification, and misrepresentations on the application for insurance.



AB506...new...inconvenient...
different than what churches
have always done...specific...and
it's the law.

You can (and should) do more,
but you can't do less.

“Youth service organization” means an organization that employs or utilizes the services of persons who, due to their relationship with the organization, are mandated reporters pursuant to paragraph (7) of subdivision (a) of Section 11165.7 of the Penal Code.

MANDATED REPORTING STATUTE (Penal Code §11167.5)

11165.7 (a) “mandated reporter” is defined as any of the following:

(7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.



Background: What is a Youth Service Organization?

Business & Professions Code §18975

Schools?

Preschools & Daycares?

Camps?

Denominational Offices?

Churches without anyone under 18?

Top Questions Categorized:

Do these requirements apply to us?



1. An administrator, employee, or regular volunteer of a youth service organization shall complete training in child abuse and neglect identification and training in child abuse and neglect reporting. The training requirement may be met by completing the online mandated reporter training provided by the Office of Child Abuse Prevention in the State Department of Social Services.

Meeting the New Requirements #1 – Training

Training for:

- Child Abuse & Neglect Identification and
- Child Abuse & Neglect Reporting

Meeting the New Requirements

#1 – Training

Who do we train?

Administrator -

Ministry administrators, managers, HR

Employee –

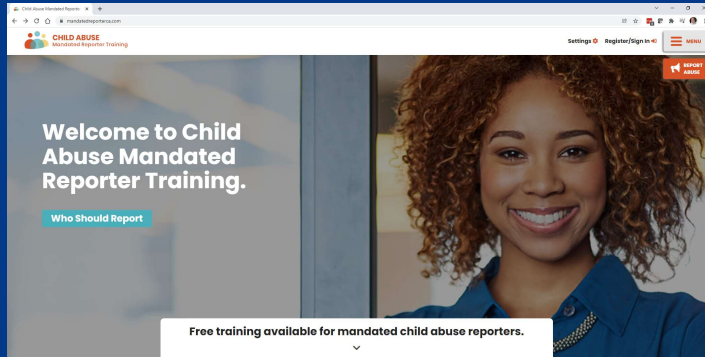
Includes ALL Employees

Includes Part Time Employees

Includes Seasonal Employees


Regular Volunteer –

A “Regular volunteer” means a volunteer with the youth service organization who is 18 years of age or older and who has direct contact with, or supervision of, children for more than 16 hours per month or 32 hours per year.



WHAT YOU WILL LEARN TODAY:

- ✓ History of CANRA (Child Abuse & Neglect Reporting Act)
- ✓ Impacts of childhood trauma/ACEs
- ✓ Why we report
- ✓ Who is mandated to report
- ✓ When, what, and how to report
- ✓ Mandated reporter responsibilities
- ✓ Recognizing child abuse and neglect
- ✓ Reporting process and what happens after
- ✓ Barriers to reporting
- ✓ Consequences of failing to report



Church Network
Providing foundation for ministry

Where can we get the training?

Free:

<https://mandatedreporterca.com/>

- 6 hours for clergy/employees

- 2 hours for volunteers

or

For Subscribers:

www.ChurchHRNetwork.com

90 Minutes

Administrator Module to Assign

2. An administrator, employee, or regular volunteer of a youth service organization shall undergo a background check pursuant to Section 11105.3 of the Penal Code to identify and exclude any persons with a history of child abuse

Section 11105.3 states:

'shall include the applicant's fingerprints'

'a fee shall not be charged to a nonprofit organization'

'Requests received by the department for federal level criminal offender record information shall be forwarded to the Federal Bureau of Investigation by the department to be searched for any record of arrests or convictions.'

LiveScan is required for Youth Service Organizations in California.

Meeting the New Requirements #2 – Background Checks



What if someone refuses to get a background check?
Do all volunteers (including those who don't work with youth) need a background check?
Which Employees Need a LiveScan?
Which Volunteers Need a LiveScan? Board Members?
What About Those That We've Already Conducted a Background Check?
Should we do the state background check plus an online check?
What if Someone Has Already Had a LiveScan From Another Organization? Are LiveScans Transferrable?
Can our Denomination Run a LiveScan for Each Church?

Top Questions Categorized:

Questions about background checks...



Your Ministry will need to apply to become an 'authorized applicant agency'

There are 4 fees involved:

State Check - \$32 for employees
Waived for Volunteers

Federal Check - \$17 for Employees
\$15 for Volunteers

Subsequent Arrest Notice - Waived for Non-Profits
(sometimes)

Fingerprint Rolling Fee - Free to \$99
To find a location, [click here](#), choose your county
and sort by 'Rolling Fee'.

Top Questions Categorized:

Questions about background checks...



3.A youth service organization shall develop and implement child abuse prevention policies and procedures, including, but not limited to, both of the following:

- (1) Policies to ensure the reporting of suspected incidents of child abuse to persons or entities outside of the organization, including the reporting required pursuant to Section 11165.9 of the Penal Code.
- (2) Policies requiring, to the greatest extent possible, the presence of at least two mandated reporters whenever administrators, employees, or volunteers are in contact with, or supervising, children.

Meeting the New Requirements #3 – Policies & Supervision





AB-506 and New Mandated Reporting Requirements

Webinar



Our team of experts discussed AB-506 and new requirements for mandated reporting in churches and youth serving organizations. These changes are applicable to your ministry; you'll want to pay attention to them. Join our friends, Bob Brockman, Leslie DeMattia, and our fearless leader, Charlie Cutler.

This webinar covers:

- New mandated reporter training for administrators, employees & volunteers
- New requirements for LiveScan background checks on administrators, employees and volunteers.
- How to stay compliant with child abuse prevention policies & procedures.
- A model abuse prevention program and avenues for customization.



Watch On Demand

[Watch Now](#)

Downloads

- [Webinar Slide Deck](#)
- [Everything You Need to Know About LiveScan](#)
- [Sample Church Child/Youth Protection Policy](#)
- [HR 360 by Church HR Network](#)

Available at ChurchWest.com

What you'll find:

- Replay of our in-depth webinar on the topic
- ChurchHRNetwork's guide 'Everything You Need to Know About LiveScan'
- Sample Church Child/Youth Protection Policy
- Overview of HR360 Services
- Contact information for Bob & Leslie



Training Screening Policies & Procedures

Recap of the Specifics:

- 1- Training – Abuse Identification and Reporting as per California Regulations
- 2- Screening – Every employee at your church and volunteers who have direct contact with or supervisory control over children, must be fingerprinted via a LiveScan background check.
- 3- Policies & Procedures – Written protocols for reporting abuse outside the organization and 2 mandated reporters present during youth activities.

Is this all that we must do?

This is the baseline and provides the minimum standard of care. You can, and should do more.

The template provided is 'fine'. However, much like an employee handbook, this needs to be customized for you with professional guidance and annual reviews.

Richard Hammar's 14 Point Plan

1. Interview
2. A Written Application
3. Institutional References
4. A Six-Month Rule
5. Benchmark Your Policies Against Those of Your Peers
6. Periodic Review of Your Policies by Legal Counsel
7. Adopt a Two-Adult Policy Prohibiting a Child From Being Alone with an Unrelated Adult
8. A Criminal Record Background Check Consisting of a Nationwide Search of Sex Offender Registries, and a National Criminal File Search
9. Prompt Reporting of Child Abuse (known & suspected)
10. Promptly Address & Halt High-risk Behaviors
11. Social Media Policy
12. Use of Video Technology
13. Training
14. Prevent Negligent Supervision

Source: <https://www.churchlawandtax.com/>

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