

AB 506 Imposes New Mandatory Responsibilities on Churches

Effective January 1, 2022, all churches in California that have any form of “youth service organization” within their ministries, which most likely includes Sunday School in addition to more recognizable ministries such as AWANA, Vacation Bible School, and youth sports league participation, must now adhere to a new three-prong “Standard of Care” which includes training their employees who are either mandatory reporters (pastors, church administrators) or employees and volunteers who have direct contact with or supervisory control over children under age 18 (youth and/or children’s ministers, nursery workers, Sunday School teachers, children’s choir directors, children’s church workers, youth sports team personnel . . . the list is virtually endless) in the topics of child sexual abuse and general child abuse and neglect.

These new requirements are imposed on all “youth service organizations” in California as a result of the passage and signing into law of AB 506. CSBC’s child sexual abuse prevention partner, the MinistrySafe organization, has prepared an extensive “White Paper” detailing AB 506 responsibilities and implementation.

Download a copy of the MinistrySafe “White Paper” on AB 506 [here](#).

The second prong of the Standard of Care responsibilities is the requirement to have each of these persons fingerprinted via Live Scan as a type of background check.

The requirement for Live Scan fingerprint checks will mean that EVERY church must apply to become an “Applicant Agency” and obtain an “ORI” number necessary for submitting fingerprints to the Department of Justice (DOJ), set up an optional account to pay the state fees (\$32 for employees, \$0 for volunteers), and at least one person in each church must become the “Custodian of Records” who will receive the fingerprint check results from the DOJ to a “secure” email server (something more than “gmail” or “yahoo mail”) and be responsible for their confidential storage and eventual destruction – and that person will have to submit his or her own Live Scan fingerprints (this will cost \$79) when the church’s application for the ORI is approved.

On top of the state’s fee to perform each fingerprint check, each employee and volunteer will have to pay a separate “rolling fee” to the Live Scan provider who submits the fingerprint images, which can vary from about \$5-\$30 (if the church does not set up the DOJ payment account, the DOJ Live Scan fee will have to be paid to the vendor at the time of rolling, and volunteers could inadvertently be charged \$32). Churches are required to reimburse their employees for all Live Scan expenses, and would be expected to also reimburse their volunteers for their expenses.

Although nationwide fingerprint checks might “hit” on about one-in-ten child sexual abusers, the AB 506 legislation further limits the fact-finding of the Live Scan fingerprint check to California criminal convictions only, so this requirement itself is not as beneficial to the church as the state legislature might have believed when it wrote and passed the new law, which is why the MinistrySafe Skillful Screening Process is long-proved to be a highly valuable tool.

Finally, as the third prong of the Standard of Care, if they don’t already have them as they should, churches must adopt written policies covering the subjects of child abuse and neglect and reporting requirements. Because of the Live Scan limitations, most churches will need to implement a more thorough method of “screening” employees and volunteers than they have been using in the past. AB 506 permits insurance companies to “review” a church’s policies and procedures and other recordkeeping in compliance with the new law. A church which fails to fully implement the requirements could potentially face nonrenewal of their liability insurance policy.

With the exception of Live Scan fingerprinting, the mandates of AB 506 are all part of the “due diligence” that CSBC has been recommending to our churches since late 2017 when we formed our partnership with the MinistrySafe organization. The five-part Child Safety System includes child sexual abuse awareness training, skillful screening of employees and volunteers, criminal background checks, the creation of appropriate policies and procedures, and a proper program of oversight over all these functions and the appropriate record-keeping responsibilities. MinistrySafe will be adding training on general child abuse and neglect.

For more information about enrolling in the MinistrySafe Child Safety System (and the 50% discount on first year enrollment fee), how to apply as an “Applicant Agency” to obtain an ORI submitter number from the DOJ, and how to successfully implement the mandates of AB 506, please contact Max Herr, Ministry Specialist for Human Resources & Church Compliance. 559-256-0858 or via email to hrcc@csbc.com

June 2022 Update (added by GCA) - Max Herr's contact information:

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