

STATEMENT OF UNDERSTANDING REGARDING REPORTING OF CHILD ABUSE

As a prerequisite to employment with or being a volunteer at _____ Church, all pastoral and other employees and volunteers desiring to work in positions that require direct contact and supervision of minors must read this statement and sign the acknowledgement at the bottom of the page.

Section 11166 of the Penal Code requires any child care custodian, health practitioner or clergy member who has knowledge of, or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

For purposes of this section, "child care custodian" includes administrators and employees of public or private organizations whose duties require direct contact and supervision of children and who have been trained in the duties imposed by this article.

"Health practitioner" includes physicians, psychiatrists, psychologists, licensed nurses, or any other person who is licensed under Division 2 (commencing with Section 500) of the Business and Professions Code; marriage, family, and child counselors; psychological assistants registered pursuant to Section 2913 of the Business and Professions Code; marriage, family, and child counselor trainees as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code; unlicensed marriage, family, and child counselor interns registered under Section 4980.44 of the Business and Professions Code.

"Clergy member" includes a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized religious denomination or organization.

A clergy member who acquires knowledge or reasonable suspicion of past or present child abuse during a penitential communication is not subject to reporting requirements, but shall be expected to maintain such information as confidential until such a time as the involved individual gives permission to communicate the information.

For the purposes of this section, "penitential communication" means a communication, intended to be in confidence, including, but not limited to, conversation during a counseling session or someone "confessing their sins" to a clergy member. In the spirit of restoration, the individual suspected of child abuse should be encouraged to seek professional counseling and to take whatever corrective steps are necessary for spiritual repentance and relational healing, regardless of the potential consequences.

A clergy member who acquires knowledge or reasonable suspicion, through any means, that an illegal or criminal act is about to be committed, shall immediately report such information to the appropriate law enforcement authorities.

I hereby acknowledge that I have read this statement and have knowledge of the provisions of Section 11166 of the California Penal Code and will comply with those provisions.

Signature _____ Print Name _____ Date _____

STATEMENT OF UNDERSTANDING REGARDING REPORTING OF CHILD ABUSE (Option 1a)

As a prerequisite to employment with or being a Volunteer at _____ Church, all ministers and all individuals desiring to work in positions that require direct contact and supervision of minors must read this statement and sign the acknowledgement at the bottom of the page.

Section 11166 of the Penal Code requires any child care custodian, health practitioner, firefighter, animal control officer, or humane society officer, employee of a child protective agency, or child visitation monitor who has knowledge of, or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

For purposes of this section, "child care custodian" includes teachers, an instructional aid, a teacher's aide, or a teacher's assistant employed by any public or private school, who has been trained in the duties imposed by this article, if the school district has so warranted to the State Department of Education; a classified employee of any public school who has been trained in the duties imposed by this article, if the school has so warranted to the State Department of Education; administrative officers, supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school; administrators of a public or private day camp; administrators and employees of public or private youth centers, youth recreation programs, or youth organizations; administrators and employees of public or private organizations whose duties require direct contact and supervision of children and who have been trained in the duties imposed by this article; licensees, administrators, and employees of licensed community care or child day care facilities; headstart teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; social workers, probation officers, or parole officers; employees of a school district police or security department; any person who is an administrator or a presenter of, or a counselor in, a child abuse prevention program in any public or private school; a district attorney investigator, inspector, or family support officer unless the investigator, inspector, or officer is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor; or a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of this code, who is not otherwise described in this section.

"Health practitioner" includes physicians and surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, optometrists, or any other person who is licensed under Division 2 (commencing with Section 500) of the Business and Professions Code; marriage, family, and child counselors; emergency medical technicians I or II, paramedics, or other persons certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code; psychological assistants registered pursuant to Section 2913 of the Business and Professions Code; marriage, family, and child counselor trainees as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code; unlicensed marriage, family, and child counselor interns registered under Section 4980.44 of the Business and Professions Code; state or county public health employees who treat minors for venereal disease or any other condition; coroners; and paramedics.

"Child visitation monitor" means any person as defined in Section 11165.15

I hereby acknowledge that I have read this statement and have knowledge of the provisions of Section 11166 of the California Penal Code and will comply with those provisions.

Signature _____ Print Name _____ Date _____

STATEMENT OF UNDERSTANDING REGARDING REPORTING OF CHILD ABUSE (Option 1b Minister)

As a prerequisite to employment with or a volunteer at _____ Church, all Ministers must read this statement and sign the acknowledgement at the bottom of the page.

Section 11166 of the Penal Code requires any clergy member who has knowledge of, or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

For purposes of this section, "clergy member" includes a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized religious denomination or organization.

A clergy member who acquires knowledge or reasonable suspicion of past or present child abuse during a penitential communication is not subject to reporting requirements, but shall be expected to maintain such information as confidential until such a time as the involved individual gives permission to communicate the information.

A clergy member who acquires knowledge or reasonable suspicion, through any means, that an illegal or criminal act is about to be committed, shall immediately report such information to the appropriate law enforcement authorities.

For the purposes of this section, "penitential communication" means a communication, intended to be in confidence, including, but not limited to , conversation during a counseling session or someone "confessing their sins" to a clergy member. In the spirit of restoration, the individual suspected of child abuse should be encouraged to seek professional counseling and to take whatever corrective steps are necessary for spiritual repentance and relational healing, regardless of the potential consequences.

I hereby acknowledge that I have read this statement and have knowledge of the provisions of Section 11166 of the California Penal Code and will comply with those provisions.

Signature _____ Print Name _____ Date _____

STATEMENT OF UNDERSTANDING REGARDING REPORTING OF CHILD ABUSE (Option 2a)

As a prerequisite to employment with or being a volunteer at _____ Church, all individuals desiring to work in positions that require direct contact and supervision of minors must read this statement and sign the acknowledgement at the bottom of the page.

Section 11166 of the Penal Code requires any child care custodian or health practitioner who has knowledge of, or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

For purposes of this section, “child care custodian” includes administrators and employees of public or private organizations whose duties require direct contact and supervision of children and who have been trained in the duties imposed by this article.

“Health practitioner” includes physicians, psychiatrists, psychologists, licensed nurses, or any other person who is licensed under Division 2 (commencing with Section 500) of the Business and Professions Code; marriage, family, and child counselors; psychological assistants registered pursuant to Section 2913 of the Business and Professions Code; marriage, family, and child counselor trainees as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code; unlicensed marriage, family, and child counselor interns registered under Section 4980.44 of the Business and Professions Code.

I hereby acknowledge that I have read this statement and have knowledge of the provisions of Section 11166 of the California Penal Code and will comply with those provisions.

Signature _____ Print Name _____ Date _____

These samples are provided as input to assist you in developing procedures, but are not a substitute for considering the risks at your church and establishing your own policies and procedures to reduce those risks to acceptable levels. Transformation Ministries provides these as a convenience for its churches but directly states to you, the user that Transformation Ministries is not providing these to you as legal advice or even a substitute for legal advice. Use of these samples is at your own risk. Laws change and best practices change, sometimes rapidly. It is your church’s responsibility to stay abreast of changes in laws and best practices. It is recommended you always consult with your attorney and/or CPAs part of the process of developing your policies and procedures.