

# Calvary South O.C

## How can I get involved?

Review the Servant Requirements and the Ministry Opportunities; determine what level of requirements is required for the particular ministry in which you want to serve.

Review the Statement of Faith of Calvary Chapel located on page 3. If there is anything that you do not agree with, before you proceed to fill out the questionnaire, please make an appointment to speak to the minister or pastor to discuss these differences

**“Can two walk together, unless they are agreed?” Amos 3:3**

If you agree with the Statements of Faith and have completed the prerequisites, please continue by filling out the questionnaire.

Lastly, return the completed questionnaire to the Church Office “Attention Administration.”

If you are filling out this form to serve in the Children’s Ministry, Youth Ministry, or any other ministry that involves the elderly or minors, you will be asked to sign an additional California Department of Law Enforcement waiver form for a national criminal background check.

## Calvary South O.C.

Dear Brother or Sister in Christ:

Congratulations on your decision to serve the Lord here at Calvary Chapel.

The desire to serve is a natural and proper response to the work of Christ within you. Where to serve becomes the big question. This Ministry Questionnaire has been designed to help us to get to know you better to assist you in determining your place in the Body of Christ. Each of us has a unique blend of experience, talents, traits, gifts, and past tragedies that God will use to accomplish his work.

The Apostle Paul uses the “Body” as a metaphor to describe how the local church should function. Each one of us is a unique part of the body of Christ, and just like our human bodies each part has a specific purpose. The motivation for our service is to be our love for the Lord Jesus Christ. As we are in love with Jesus and serving His people there is a tremendous joy that we experience. Jesus said, the greatest in the kingdom is the servant of all.

You might be surprised to see a background consent and waiver among the forms, which we have asked you to complete. Please let me encourage you not to let this form intimidate you. Because many of our areas of ministry involve children, and other groups which require these background checks, we have found it necessary to have all ministry volunteers screened since so many times we have a need to call upon one area of ministry for help in another. I also want to encourage you that just because you may have something in your background that preempts you legally from serving in an area of ministry we feel that no one has sinned so greatly that the blood of Christ cannot make a place for you to serve in the Body of Christ. We may not be able to offer certain avenues of ministry because of legal prerequisites (Romans 13), but we can find a ministry area in which God will be glorified through the gifts and talents He has given you. Trust God and He will prove faithful in placing you exactly into the area for which He designed you in the Body of Christ.

Enjoy the excitement and challenge of this truth as you complete the enclosed Ministry Questionnaire and find the destiny of your mission for God.

In Christ,

Pastor John Randall  
Senior Pastor

# Calvary South O.C. Statement of Faith

We believe that there is one living and true GOD, eternally existing in three persons: The Father, the Son, and the Holy Spirit, equal in power and glory; that this triune God created all, upholds all, and governs all things. (Genesis 1:1; Deuteronomy 6:4; Isaiah 44:8 and 48:16; Matthew 28:19-20; John 10:30; Hebrews 1:3).

We believe that the scriptures of the Old and New Testaments are the Word of God, fully inspired without error and the infallible rule of faith and practice. The Word of God is the foundation upon which this church operates and is the basis for which this church is governed. We believe that the Word of God supersedes any earthly law that is contrary to the Holy Scriptures. We believe that the King James Version of the Bible is the most accurate translation from the original ancient text. It is from this translation that we establish our doctrine and Statement of Faith. (Isaiah 28:13; Nehemiah 8:8; John 17:17; 2 Timothy 3:16-17; Hebrews 4:12; 1 Peter 1:23-25; 2 Peter 1:3-4 and 1:21).

We believe in the person of God the Father, an infinite, eternal, personal Spirit, perfect in holiness, wisdom, power and love; that He concerns Himself mercifully in the affairs of men; that He hears and answers prayer; and that He saves from sin and death all those who come to Him through Jesus Christ. (Deuteronomy 33:27; Psalms 90:2; Psalms 102:27; John 3:16 and 4:24; 1 Timothy 1:17; Titus 1:3).

We believe in the person of Jesus Christ, God's only begotten Son, conceived by the Holy Spirit. We believe in His virgin birth, sinless life, miracles and teachings, his substitutionary atoning death, bodily resurrection, ascension into heaven, perpetual intercession for His people and personal, visible return to earth. (Isaiah 7:14; Micah 5:2; Matthew 1:23; Mark 16:19; Luke 1:34-35; John 1:1-2, 8:58 and 11:25; 1 Corinthians 15:3-4; 1 Timothy 3:16; Hebrews 1:8; 1 John 1:2; Revelation 1:8).

We believe in the person of the Holy Spirit, Who came forth from the Father and Son to convict the world of sin, righteousness, and judgment, and to regenerate, sanctify and empower for ministry all who believe in Christ; (Acts 1:8; 2 Corinthians 3:18; John 16:8-11; Romans 8:26 and 15:13,16; Hebrews 9:14),

We believe the Holy Spirit indwells every believer in Jesus Christ and that He is an abiding helper, teacher, and guide. (John 6:13, 14:16-17 and 16:8-11; Romans 8:26).

We believe in the present ministry of the Holy Spirit and in the exercise of all Biblical gifts of the Spirit according to the instructions given to us in 1 Corinthians 12-14. (1 Corinthians 14)

We believe that all people are sinners by nature and, therefore, are under condemnation; that God saves and regenerates based upon faith by the Holy Spirit, those who repent of their sins and confess Jesus Christ as Lord. (Acts 8:15-17; Ephesians 2:1-3 and 8-9; Romans 3:23 and 5:8; Titus 3:5).

We believe in the universal church, the living spiritual body, of which Christ is the head and all who are born again are a part of the Body of Christ. (1 Corinthians 12:12-13; Ephesians 4:15-16)

We believe that the Lord Jesus Christ instituted two ordinances for the church: (a) full immersion water baptism of believers, and (b) the Lord's Supper. (Matthew 28:19; Luke 22:19-20; Acts 2:38; 1 Corinthians 11:23-26) We also believe that the Lord Jesus Christ validated the ordinance of marriage. (Matthew 19:4-5 and John 2:1-11)

We believe in the Second Coming of Jesus Christ which is His personal, visible return to earth and the establishment of His millennial kingdom, in the resurrection of the body, the final judgment and eternal blessing of the righteous and endless separation of the wicked. (Matthew 16:27; Acts 1:11; Revelation 19:11-16, 20:11-15)

We believe in a literal Heaven and a literal Hell and that all those who place their faith, hope and trust in Jesus Christ will spend eternity in Heaven with the Lord, while those who reject Jesus' free gift of salvation will spend eternity separated from the Lord. (Psalm 9:17; Matthew 5:3, 5:22, 18:9 and 25:31-34; Mark 9:42-49; Luke 12:5; John 3:18; Hebrews 12:23; 1 Peter 1:4; Revelation 14:10-11 and 20:11-15)

We believe in the Pre-Tribulation Rapture of the Church where all believers will meet the Lord in the air and be taken out of this world prior to the Tribulation that will come upon the earth. (Isaiah 26:20; Matthew 24:29-31; Luke 21:36; Romans 1:18, 5:9; 1 Thessalonians 1:10, 4:13-16 and 5:9; 2 Peter 2:7-9; Revelation 3:10, 5:7-10 and 7:13-14)

## **Ministry Opportunities**

Children's Ministry, Roots Jr. High Ministry, High School Ministry, Refuge Young Adults Ministry, Bookstore Ministry, Kitchen / Hospitality Ministry, Janitorial / Maintenance, Security, Parking Lot Ministry, CARES Ministry, Prayer Quilt Ministry, Setup/Tear Down Team, Usher, Greeter, Sound Audio/Visual Ministry, Men's Ministry, Calvary Women.

## **Servant's Requirements**

- Must be saved
- Must have attended Calvary South O.C. weekly for at least three months
- Must have interviewed with a Staff/Overseer of the ministry

**Calvary South O.C.**  
**Ministry Questionnaire**

**Attention: Administration**

Please read Calvary Chapel's Statement of Faith carefully.

Do you agree with it without reservation? \_\_\_\_\_ Date: \_\_\_\_\_

**Personal Information**

*Please print clearly*

Name: \_\_\_\_\_ Birth Date: \_\_\_\_\_ Age: \_\_\_\_\_

Address: \_\_\_\_\_ Apt.No \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ E-mail \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

May you receive personal calls at your place of work? \_\_\_\_\_

Trade or profession: \_\_\_\_\_

Place of Employment \_\_\_\_\_

Marital Status: \_\_\_\_\_ Spouse's Name (if applicable) \_\_\_\_\_

Children: \_\_\_\_\_ Names and ages (if applicable) \_\_\_\_\_

When are you available to serve? \_\_\_\_\_

How long have you walked with the Lord? \_\_\_\_\_

How long have you fellowshiped at Calvary Chapel South O.C.? \_\_\_\_\_

Which service(s) do you attend? \_\_\_\_\_ How Often? \_\_\_\_\_

Have you been water baptized? \_\_\_\_\_ When? \_\_\_\_\_ Where? \_\_\_\_\_

Do you currently serve as a volunteer in any areas? \_\_\_\_\_ if yes

where? \_\_\_\_\_

What ministry would you like to serve in? \_\_\_\_\_

**Which statement best describes you? (Check one)**

- I have no experience in serving in this area of ministry, but am eager to learn
- I have very little experience, but I am learning
- I have a lot of experience in this area

**Everyone who serves at Calvary Chapel must:**

- Be born again and have a clear testimony
- Honor Jesus Christ as the number one priority in your life
- Be reliable, dependable, committed
- Agree with Calvary Chapel's Statement of Faith with no reservations

**Background Information**

Briefly, give your testimony. When did you become a Christian and how has your life changed?

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Describe your devotional life spiritually. Where are you reading right now and what the Lord is teaching you?

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What part does prayer play in your life?

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What, if any, Christian authors, books, pastors or teachers have influenced you most?

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Please list or describe your spiritual gifts. What indications in your life confirm these gifts?

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Please list or describe your talents, skills, hobbies, etc:

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Please list any Bible College, Adult Education Classes, workshops and/or retreats, you have attended:

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Is there anything else we should know about you? Perhaps you would like to discuss a circumstance God allowed to occur in your life that equipped you to minister to others?

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**Please list three people who would provide a personal reference:**

(A staff Member or someone in leadership at Calvary Chapel is Preferred)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_



# Consent and Waiver Form

In consideration of my role with Calvary Chapel, its affiliates, integrated auxiliaries, and supporting organizations, hereinafter "Calvary South O.C." and recognizing the importance of my character being above reproach, I HEREBY CONSENT TO THE FOLLOWING:

- Complete in full a Calvary South O.C. Consent and Waiver Form.
- Complete in full a Calvary South O.C. Background Information Form.
- Allowing Calvary South O.C. to screen me through the California department of Law Enforcement of any other criminal history records as well as any other historical or background records pertaining to me.
- Allowing Calvary South O.C. to verify the information and to contact any personal references listed on the Background Information Form.
- Allowing Calvary South O.C. to verify current and prior employment.
- Provide Calvary South O.C. with a photocopy of my current state driver's license, official stat identification card, or valid passport.
- Make myself available for a personal interview by a Pastor or overseer of Calvary South O.C.

I HEREBY WAIVE, RELEASE AND HOLD HARMLESS FROM LIABILITY all persons, organizations, and other entitles which provide references or information to Calvary South O.C. pertaining to me or my background.

I HEREBY FURTHER WAIVE, RELEASE, AND HOLD HARMLESS FROM LIABILITY Calvary South O.C., it's staff, employees, volunteers, and agents with regard to any decision that it makes on my application for involvement with Calvary South O.C. based on the information I provide or that is obtained through the criminal history and background screening process.

I consent to a copy of this Consent and Waiver Form together with the Background Information Form being furnished to any reference that I have provided to Calvary South O.C. and to any other person, organization, or entity that Calvary South O.C. deems necessary in connection with its investigation of my background, character, or qualification.

**PRINT NAME:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**\*\*\* NOTIFICATION \*\*\***

**INTRODUCTION TO CALVARY SOUTH O.C. NEW CHILD ABUSE POLICY AND FORMS**

Calvary South O.C. is implementing a prevention and screening policy for children and youth workers to continuously provide a safe and secure environment for the minors to learn and grow in Christ. We also intend to protect volunteer and compensated workers from any false accusations by providing adequate supervision during church sponsored activities.

Who does this apply to?

Everyone who is involved in children's ministries and youth camps, directly or indirectly, and/or who potentially could be around children on any periodic situation. This is not limited to but would include: pastors, teachers, teacher's aids, overseers, supervisors, janitors, staffers, ushers, etc...

Calvary South O.C. will begin providing background checks of everyone who falls into the above category. California's Department of Justice (DOJ) Penal Codes require background checks be implemented by all churches, schools, businesses, etc., that have access to children.

Enclosed are packets (forms and documents) addressed to each employee/volunteer of Calvary South O.C. involved in the above mentioned categories:

1. Calvary South O.C. Child Sexual Abuse Policy for all employees and volunteers;
2. Live Scan Finger Printing Request for Background Check and Authorization;
3. Screening Form for all employees and volunteers.

Since all of us work in an environment that includes children, all Calvary employees and volunteers are required to fill out these forms, undergo a background check, and be aware of this policy and its purposes.

So as to not alarm you, these records will be reviewed only by the officer certified by both California State and the church. Additionally, these records will NOT be kept in your church personnel file, but be secured and kept in a separate file controlled by a designated, state approved officer of the church in order to insure your protection of your privacy. Lastly, the background records will be reviewed and destroyed by the same certified officer as required by state law.

**The purposes of this new policy are:**

1. To establish a familiarity with the problem of child sexual abuse as a general problem in society and the church;
2. To increase awareness of the symptoms and consequences of child sexual abuse;
3. To underscore the church's vulnerability to child sexual abuse;
4. To create an understanding of liability concerns and church policy guidelines pertaining to screening, supervision, and reporting;
5. To provide instruction on worker selection and worker training;
6. To describe the church policies governing ministry to children and youth;
7. To discourage child abuse offenders from infiltrating the children ministries at Calvary South O.C.

The tools that will be used to implement this policy are:

1. Employment/volunteer application forms that insure proper worker selection by supervisors;
2. Screening of all with appropriate forms designed separately for both volunteers and employees;
3. Education in proper supervising procedures and guidelines;
4. How to recognize suspicious behavior;
5. Procedure for responding to inappropriate behavior;
6. A line of reporting procedure;
7. Informing you of the statutory requirements and reporting procedures for church employees and volunteers;
8. Informing you of the mandatory reporting obligations as required by California law and the criminal liabilities that are personally imposed upon those who violate this law;
9. Informing the pastor on the exception this law provides to the clergyman-penitent privilege

By way of background, the California Penal Code states that churches have a legal and moral obligation to report any questionable or inappropriate behavior. Under California law, with some limited exceptions, “child abuse” means a physical injury that is inflicted by other than accidental means, cruel or unjustifiable punishment, sexual abuse, unlawful corporal punishment, or neglect of child in out-of-home care. *California Penal Code Section 11165.6*. Child care custodians **must** report abuse to a child protective agency when they have knowledge of, or observe, a child whom they know or reasonably suspect has been the victim of child abuse. *California Penal Code Section 11166*, subd. (a). Child care custodians may be “mandatory” or “permissive” reporters. “Mandatory reporters” are those church employees who are (a) teachers, (b) youth pastors and paid assistants, (c) pastors, (d) involved in a day care center, (e) administrators of the church whose duties require direct contact with and supervision of children. “Permissive Reporters” include volunteers at churches who are in contact with and supervise children, and are “encouraged” to obtain training in the identification and reporting of child abuse. *California Penal Code Section 11165.7*.

As a condition of your continued employment and/or volunteer service with the church, these polices must be reviewed and initialed and signed by you where indicated. Since some may be classified as “mandatory reporters,” you must fill out the Request for Criminal Records Check and Authorization. This information will be secured and kept in confidence and handled as prescribed under this law. A CORI officer under this law have been appointed by the Board of Trustees to insure this information is properly handled AND evaluated, recognizing that not all criminal actions would impact upon a person’s ability to serve in this ministry. **These forms, fully completed, must be returned to the CORI officer within 7 days of being hired.**

Initials: \_\_\_\_\_

CALVARY SOUTH O.C.  
CHILD SEXUAL ABUSE POLICY

**OBJECTIVES FOR ESTABLISHING A CHILD SEXUAL ABUSE POLICY:**

1. To establish a familiarity with the problem of child sexual abuse as a general problem in society and the church.
2. To increase awareness of the symptoms and consequences of child sexual abuse.
3. To underscore the church's vulnerability to child sexual abuse.
4. To create an understanding of liability concerns and church policy guidelines pertaining to screening, supervision, and reporting.
5. To provide instruction on worker selection and worker training.
6. To describe the church policies governing ministry to children and youth.
7. To discourage child abuse offenders from infiltrating the children ministries at Calvary South O.C..

**PROCEDURES FOR REDUCING THE RISK OF CHILD SEXUAL ABUSE**

**I. Proper worker selection.**

**A. All workers (both paid employees and volunteers) require some degree of screening.**

**1. Church Employee Screening Procedures:**

- a. For all church employees who work with or are around minors, including the pastoral staff or children's ministry
- b. The primary screening procedures require the following forms and procedures be used:
  - 1) church employment application
  - 2) screening form
  - 3) personal interview by immediate supervisor and/or pastor
  - 4) completion of reference checks by immediate supervisor and/or pastor; and
  - 5) criminal records check authorization form, if applicable

**2. Volunteer Worker Screening Procedures:**

- a. To be used only with volunteer church workers (must have been attending our church for at least 3 months and desire to work with youth or children. Examples of these workers would include Sunday School teachers and aides, Youth Camp workers, nursery workers, Jr. High and Sr. High school ministry volunteers, etc.
- b. The secondary screening procedures require the following forms and procedures be used:
  - 1) screening form
  - 2) personal interview prior to start date by ministry overseer/supervisor (if different person than head of ministry)
  - 3) interview and oral review of the completed screening form by head of ministry.
  - 4) reference checks; and
  - 5) the request for criminal records form (if the volunteer works with children) which will be processed only if deemed necessary .

**II. Supervising Procedures And Rules (Sunday school, youth and children clubs, youth camp, and nursery)**

**A. General Rules:**

1. 1. The 2-Adult Policy – at least two adult supervisors should be present during any church activity. One of the adults should be a parent or someone over 21 years of age. All one-on-one cross-gender encounters (i.e. male alone with female or visa versa), discussions and counseling should be avoided. This heightens accountability and eliminates problems of credibility that occur with person-to-person encounters.
2. The Three-Month Policy - volunteers should only be permitted to work with youth or children after they have been regular attendees of the church for a period of at least three months.

Initials: \_\_\_\_\_

3. Sunday School and Children's Ministry Policies and Guidelines - the senior pastor, Board of Trustees and head of children's ministry will develop as soon as possible a set of guidelines and procedures that in the most practicable fashion meets the objectives as expressed in this policy memorandum.
  4. Maintenance and Review of Completed Screening Forms. - Each supervisor of (nursery, children's ministry, youth clubs, Youth Camp, etc.) should make sure that each present worker and new worker has filled out a child prevention screening form. The completed forms should be returned to their supervisor for review and then sent to the church office for filing in the given employees or volunteers personnel records.
- B. Recognizing Suspicious Behavior
1. Procedure for Responding to Inappropriate Behavior
    - a. Immediate response - church employees and volunteers should immediately address any inappropriate conduct or relationships between an adult worker and a child.
    - b. Immediately inform your supervisor and/or pastor and insure that they are involved with you in addressing and investigating the situation.
  2. Factors Indicating Possible Abuse/Inappropriate Behavior:
    - a. physical signs of abuse and molestation:
      - lacerations and bruises
      - irritation, pain, or injury to the genital area
      - difficulty with urination
      - discomfort when sitting
      - torn or bloody underclothing
      - venereal disease
    - b. behavioral signs:
      - anxiety when approaching church or nursery area
      - nervous or hostile behavior toward adults
      - sexual self-consciousness
      - "acting out" of sexual behavior
      - withdrawal from church activities and friends
    - c. verbal signs - statements from the child such as:
      - telling of repeated nightmares
      - "I don't like [a particular church worker]"
      - "[A church worker] does things to me when we're alone."
      - "I don't like to be alone with [a church worker]"
      - "[A church worker] fooled around with me."

### III. **Statutory Requirements and Reporting Procedures For Church Employees and volunteers.**

- A. Reporting Obligations
1. California Penal Code - the church has a legal and moral obligation to report any questionable or inappropriate behavior. Under California law, with some limited exceptions, "child abuse" means a physical injury that is inflicted by other than accidental means, cruel or unjustifiable punishment, sexual abuse, unlawful corporal punishment, or neglect of child in out-of-home care. *California Penal Code Section 11165.6*. Child care custodians **must** report abuse to a child protective agency when they have knowledge of, or observe, a child whom they know or reasonably suspect has been the victim of child abuse. *California Penal Code Section 11166, subd. (a)*. Child care custodians may be "mandatory" or "permissive" reporters. "Mandatory reporters" are those church employees who are (a) teachers, (b) youth pastors and paid assistants, (c) pastors, (d) involved in a day care center, (e) administrators of the church whose duties require direct contact with and supervision of children. "Permissive Reporters" include volunteers at churches who are in contact with and supervise children, and are "encouraged" to obtain training in the identification and reporting of child abuse. *California Penal Code Section 11165.7*.

Initials: \_\_\_\_\_

- B. Line of Reporting - Calvary South O.C. policy requires that a Senior Pastor (or in his absence, his representative associate pastor, receive reports on known or suspected child abuse. Under California Law, the Pastor must or shall cause to be informed a child protective agency as soon as possible by telephone. Within 36 hours of receiving the information, the Senior Pastor must prepare and send a written report to the agency. *California Penal Code* Section 11166.
- C. Contents of Report - the telephone report must include the name of the person making the report, the child's name, present location, nature and extent of injury to the child, and any other information that led the person making the report to suspect child abuse, or that the agency requests. *California Penal Code* Section 11167, subd. (a).
- D. Liability for Failure to Report - a pastor is subject to criminal prosecution and conviction for failure to report known or suspected child abuse.

#### **IV. Procedure for Responding to Actual Allegations of Abuse**

- A. All allegations needed to be taken seriously and reported to his or her supervisor AND pastor. Remember, you are the person responsible, both legally and spiritually, to inform AND fill out the report.
- B. Investigation Procedure:
  1. Protocol - situations must be handled forthrightly with due respect for people's privacy and confidentiality.
  2. Do not confront the accused until the safety of the child or youth member is secured.
  3. If the accused is a church worker, that person should be relieved temporarily of his or her duties until the investigation is finished. Accused church workers shall have no contact with children while allegations are pending.
- C. Immediately contact church attorney.
- D. Contact the proper civil authorities following the guidance of the insurance company and attorney. Do not attempt an in-depth investigation.
- E. Full cooperation to be given to all reasonable and lawful requests from civil authorities.
- F. Following verification of allegations, adequate care must be shown for the well being of the victim(s), including joining with the children's or youth pastor in immediately informing the parents of the child of the situation, **if verified**.
- G. The child victim should not be held responsible in any way.
- H. Maintain adequate records:
  1. adequate records of workers' application, references, and screening forms. They should be up-to-date and accessible.
  2. document all efforts at handling the incident.
- I. Designated spokesperson - the senior pastor or legal representative will speak for the church. He will present a clear position statement of the church position which states the church policies and establish safeguards against sexual abuse. He will not engage in denial, minimization, or blame.

Initials: \_\_\_\_\_

**Calvary South O.C.**  
**Children and Youth Workers' Prevention and Screening Policies**

Calvary South O.C. is implementing a prevention and screening policy for children and youth workers to continuously provide a safe and secure environment for the minors to learn and grow in Christ. We also intend to protect volunteer and compensated workers from any false accusations by providing adequate supervision during church sponsored activities.

1. **Why Churches And Church Leaders Are Sued** - Most of the lawsuits filed against churches for acts of child molestation have alleged that the church was legally accountable either on the basis of *negligent hiring* or *negligent supervision*. Both theories of liability are pivotal issues. The term *negligence* generally refers to conduct that creates an unreasonable risk of foreseeable harm to others. It connotes carelessness, heedlessness, inattention, or inadvertence. Negligent hiring simply means that the church failed to act responsibly and with due care in the selection of workers (both volunteer and compensated) for positions involving the supervision or custody of minors. A church may exercise sufficient care in the hiring of an individual, but still be legally accountable for acts of molestation on the basis of negligent supervision. Negligent supervision means that a church did not exercise sufficient care in supervising a worker. Churches are not “guarantors” of the safety and well-being of children. They are not absolutely liable for every injury that occurs on their premises or in the course of their activities. Generally, they are responsible only for those injuries that result from their negligence. Victims of molestation who have sued a church often allege that the church was negligent in not adequately screening applicants or for not providing adequate supervision.
2. **Answers to Pertinent Questions in Relation to Child Abuse**
  - A. What constitutes an occasion for reporting child abuse?
  - B. What reporting channels should church workers use to report abuse?
  - C. What information must the report include, and who receives the report?
  - D. What are church workers' liabilities for failure to report?
  - E. Does reporting child abuse violate the clergyman-penitent privilege?
3. **Discussion**
  - A. Occasions for Reporting - Under California's Child Abuse and Neglect Reporting Act, “child abuse” generally means a non-accidental physical injury, cruel or unjustifiable punishment, sexual abuse, unlawful corporal punishment, or neglect of a child in out-of-home care. *California Penal Code* Section 11165.6. Child care custodians must report abuse to a child protective agency when they have knowledge of, or observe, a child whom they know or reasonably suspect has been the victim of child abuse. *California Penal Code* Section 11166, subd. (a). Reporters may be “mandatory” or permissive.” Mandatory reporters include child care custodians, teachers, employees of public or private youth centers, day care centers, foster parents, and employees and administrators of public or private organizations whose duties require direct contact with and supervision of children. Permissive reporters include any person who has knowledge or reasonable suspicion of abuse. *California Penal Code* Section 11166. Church volunteers are permissive reporters, which means they are “encouraged” to obtain training in the identification and reporting of child abuse. *California Penal Code* Section 11165.7. are mandatory reporters because they are “employee[s] of...a private organization whose duties require direct contact and supervision of children.”
  - B. Reporting Channels - Organizations may establish internal procedures for reporting provided that they are consistent with the Child Abuse and Neglect Reporting Act. For example, the organization cannot impose any sanction for reporting child abuse, nor can it require that mandatory reporters disclose their identities beyond the requirements of the law. The internal procedures may, however, facilitate reporting and apprise supervisors and administrators of the report. *California Penal Code* Section 11166, subd. (f).

Initials: \_\_\_\_\_

- C. Contents and Routes of Reports - The telephone report must include:
- (1) the name of the person making the report;
  - (2) the name, present location, nature and extent of injury to the child; and,
  - (3) any other information that led the person making the report to suspect child abuse, or that the agency requests. California Penal Code Section 11167, subd. (a). As for the written report, the Department of Justice publishes forms that must be used to report abuse. In addition to the information contained in the telephone report, the written report calls for a narrative description of the abuse or its discovery, any history of similar incidents, and certain biographical information about the parties involved. A copy of the written report form is attached. Upon receipt of the report, Child Protective Services reports the incident to local law enforcement agencies and the district attorney having jurisdiction over the matter. Similarly, if a law enforcement agency or district attorney's office receives the report, then they will notify Child Protective Services. The reporting law is designed to ensure that all appropriate authorities receive notice of the report, regardless of which agency first received the report. *California Penal Code Section 11166, subd. (g).*
- D. Liability for Failure to Report - Mandatory reporters are subject to civil liability for failure to report. In Landeros v. Flood (1976) 17 Cal. 3d 399 [131 Cal. Rptr. 69], a physician and a hospital failed to report abuse inflicted upon a minor by her parents. The court held that the plaintiff was entitled to prove that the defendants violated the reporting act, in order to raise the presumption that the doctor and hospital violated their duties of care. In addition to civil liability, mandatory reporters are subject to criminal prosecution and conviction for failure to report child abuse. In People v. Hodges (1992) 10 Cal. App. 4th Supp. 20 [13 Cal. Rptr. 2d 412], a pastor and assistant pastor were convicted of violating the reporting law when they failed to report that a student sought help regarding molestation by her stepfather. The court found that the pastors were mandatory reporters because they operated a school. The court wrote, "[W]hen, as here, a student seeks assistance from them as administrators of the school, their obligation under the statute arises. See Hodges, 10 Cal. App. 4th Supp. at p. 32. Because the pastors are mandatory reporters as "employee[s] of...a private organization whose duties require direct contact and supervision of children," they would face criminal prosecution and civil liability for failure to report. Church volunteers are permissive reporters, which may preclude imposing criminal or civil liability on them for failing to report. On the other hand, church volunteers have an obligation to report abuse to a Pastor. Failing to fulfill that duty could expose church volunteers to civil liability.
- E. Clergyman-Penitent Privilege - The court in the Hodges case did not address specifically whether the clergyman-penitent privilege provided a viable defense for the pastors. The court alludes to the pastors' argument that their faith required them to keep the victim's communication secret, and that the abuse issue be handled within the church. Hodges, 10 Cal. App. 4th Supp., at 209. However, the court did reject the pastor's argument and defense on the ground that the Legislature did not intend to create any exceptions to the reporting requirements. Moreover, the court did state that this law did not interfere with the pastors' First Amendment rights. *Id.* at 30-34. The court's analysis, therefore, would not support the contention that the clergyman-penitent privilege can defeat a mandatory reporter's duty to report abuse.

Initials: \_\_\_\_\_



Even if the privilege were to be asserted as a defense, its elements would have to be satisfied. *California Evidence Code* Sections 1030-1034 defines the clergyman-penitent privilege. Under those sections, a penitent and a clergyman have the privilege to refuse to disclose, and to prevent others from disclosing, penitential communications. A “penitential communication” is a confidential communication to a clergyman who is authorized or accustomed to hear penitential communications, and who has a duty under the tenets of the church to keep such communications secret. *Evidence Code Section 1032.*

**BY MY SIGNATURE BELOW, I AGREE AND ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS POLICY MEMORANDUM AND AGREE TO FULLY COMPLY WITH ANY AND ALL REQUIREMENTS AND OBLIGATIONS THAT MAY BE PLACED UPON ME AS SET FORTH IN THIS POLICY MEMORANDUM BY VIRTUE OF MY EMPLOYMENT WITH CALVARY CHAPEL OF SAN JUAN CAPISTRANO, INC. DBA CALVARY SOUTH O.C.**

DATED: \_\_\_\_\_

BY: \_\_\_\_\_

By my signature below I acknowledge that I have been given a copy of this “Child Sex Abuse Policy” Memorandum.

By: \_\_\_\_\_

Calvary South O.C.  
Screening Form For Employees/Volunteers

**Confidential**

This form is to be completed by all employees and volunteers for any position involving the supervision, custody of or possible interaction (even in limited circumstances, including ushers, maintenance workers and janitors) with minors. This is not an employment application form. As a paid employee or volunteer, you are required to complete this screening form. It is being used to help the church provide a safe and secure environment for those children and youth who participate in our programs and use our facilities.

**SCREENING CRITERIA AND STANDARDS:**

1. Persons convicted of child sexual abuse cannot be employed or volunteer to serve in the children's or youth ministry or otherwise have opportunity on church grounds to interact with minor children.
2. The Calvary South O.C. church family loves and accepts adult survivors of sexual and physical abuse. It is our hope and desire that survivors of abuse recognize the need to discuss their desire to work with or around children or in the youth ministry with a pastor or supervisor as part of their involvement and service in this ministry. It is our hope and desire that those who serve in the ministry of Calvary South O.C. recognize the need and value of obtaining and screening all employees and/or volunteers of the church and its related ministries in order to be diligent and be proper stewards of the minors and young children entrusted to our care and supervision.
3. Employees/volunteers must never violate the "Two Adult Policy," which prohibits employees/volunteers from being alone with children or youth.
4. Employees/volunteers should report abusive or inappropriate behavior to their immediate supervisor, and the Senior Pastor or Associate Pastor.
5. Employees/volunteers MUST read the "Calvary South O.C. Child Sexual Abuse Policy" before completing this form.



**APPLICANT'S STATEMENT**

I acknowledge that I have read and understand the information, guidelines and procedures contained in "Calvary South O.C. Child Sexual Abuse Policy," which was given to me with this screening form. The information contained in this form is correct to the best of my knowledge. I further state that **I HAVE CAREFULLY READ THE FOREGOING INFORMATION AND KNOW THE CONTENTS THEREOF AND I SIGN THIS DOCUMENT AS MY OWN FREE ACT.** I understand this is a legally binding agreement.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Witness Signature (mandatory) \_\_\_\_\_ Date \_\_\_\_\_

Read, reviewed and filed by:

\_\_\_\_\_  
Nichole Rouse Custodian of Record (CORI) or any other Calvary South O.C. designated Child Abuse Officer

Approved by:

\_\_\_\_\_  
Nichole Rouse Custodian of Record (CORI) or any other Calvary South O.C. designated Child Abuse Officer