

**POLICY REGARDING VOLUNTEER COMPLIANCE
WITH CALIFORNIA ASSEMBLY BILL 506 OF 2021**

1. Purpose:

- 1.1.** The purpose of this policy is to ensure compliance with California Assembly Bill 506 of 2021 (AB-506) (formally referred to as California Business and Professions Code Section 18975), which was enacted in order to prevent child abuse and neglect with respect to California youth service organizations. AB-506 requires training, fingerprinting and background checks for individuals to whom the law applies, and requires the implementation of policies designed to further the goal of prevention of child abuse and neglect. This policy supplements, and does not replace, BSA's existing policies, duties and obligations regarding the prevention and reporting of child abuse and neglect. Employees and Administrators, as defined below, are also required to comply with this law, and are subject to separate compliance policies implemented through Human Resources.

2. Definitions:

- 2.1.** **AB-506** means California Assembly Bill 506 of 2021, which is formally referred to as California Business and Professions Code Section 18975.
- 2.2.** **Employee** means an individual hired for a paid position at a Council, including paid administrators.
- 2.3.** **Administrator** means an individual holding an executive position at a Council with a fiduciary duty to the organization, whether or not such individual is serving in a paid or volunteer role, such as a board member. A member of an advisory committee is not, solely by virtue of that role, an Administrator.
- 2.4.** **BSA** means the Boy Scouts of America.
- 2.5.** **COR** means the Custodian of Records.
- 2.6.** **Council** means the local BSA entity responsible for compliance with AB-506.
- 2.7.** **Regular Volunteer** means an individual 18 years of age or older who volunteers his or her time and has direct contact with, or supervision of, minors for more than 16 hours per month or 32 hours per year.

3. Overview of the Law:

- 3.1.** AB-506 was enacted in order to prevent any individual with a child abuse or neglect background from interacting closely with children or supervising children, as well as requiring the reporting of any suspected child abuse or neglect.

4. Individuals to Whom the Law Applies:

- 4.1.** AB-506 applies to all California youth service organizations. As such, out-of-state BSA troops visiting California are not subject to AB-506. However, out-of-state troops must still comply with BSA policies and the laws of their respective states. For further guidance on out-state-troops, please refer to Volunteer Compliance Policy FAQ No.7.
- 4.2.** AB-506 applies to Administrators, Employees and Regular Volunteers, all of whom must complete additional training and undergo a background check as detailed in this policy.
- 4.3.** AB-506 defines Regular Volunteer as a “volunteer . . . 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.” If you know that you will spend more than 16 hours in any given month, or 32 hours in a year, in direct contact with, or supervising children, then you qualify as a Regular Volunteer. BSA policy requires that every individual in California who qualifies as a Regular Volunteer comply with AB-506. BSA understands that it may not be obvious in all circumstances whether you qualify as a Regular Volunteer, and provides the following guidelines.
- 4.4.** A BSA Regular Volunteer includes:
 - 4.4.1.** All Registered Adult Volunteers, including volunteers for Cub Scouts, Scouts BSA, Sea Scouts, Venturing and Exploring, Order of the Arrow and Merit Badge Counselors, Council Board Members and District Members.
 - 4.4.2.** Volunteer Camp staff members, whether paid or unpaid.
 - 4.4.3.** Explorer Advisors and Associate Explorer Advisors.
 - 4.4.4.** Individuals/parents/guardians who volunteer at: (a) a camporee or camping event; or (b) recurring activities and/or events where the individuals are in charge of children other than their own.
 - 4.4.5.** Individuals/parents/guardians responsible for transporting scouts, other than their own children, to Council or unit events. If your unit organizes carpooling to an outing, activity, and/or meeting, the drivers and adult passenger(s) (for two-deep leadership requirements) are considered Regular Volunteers.
 - 4.4.5.1.** Carpooling is considered “organized by the unit” if the unit leaders (1) identify or arrange the drivers and participants in the carpool; and (2) provide any type of direction or control over the transportation, even if such direction or control is limited.

- 4.4.5.2. Carpooling organized by individuals/parents/guardians on their own initiative does not make those individuals Regular Volunteers even if the unit is aware that the individuals/parents/guardians are setting up transportation to a meeting or an event.
 - 4.4.6. Individuals/parents/guardians who anticipate supervising scouts on an ongoing basis, regardless of the total hours spent. The Council wants to ensure that any ongoing supervisory activities do not exceed the hours minimum established by AB-506.
 - 4.4.7. Any volunteer designated as a Regular Volunteer by a Council or unit committee.
 - 4.5. The following individuals are not normally considered a Regular Volunteer:
 - 4.5.1. Individuals/parents/guardians who are merely attending events as spectators or guests, including fundraisers, ceremonies or meetings.
 - 4.5.2. Individuals/parents/guardians who organize amongst themselves to carpool without unit oversight or involvement.
 - 4.5.3. Eagle Boards of Review community volunteers who are not otherwise supervising scouts.
 - 4.5.4. Scouts who are participants in BSA activities and therefore not volunteers, even if over the age of 18. If such an individual will or may assume a supervisory role, though, please contact your unit committee or the Council for further guidance.
 - 4.5.5. Individuals/parents/guardians providing minimal assistance at an event, such as assisting with clean-up after a meeting on an infrequent basis.
 - 4.5.6. Council volunteers not classified as Administrators who do not satisfy the definition of a Regular Volunteer.
 - 4.6. Should you have any questions regarding whether you need to undergo a background check and complete training, please reach out to your unit committee or your Council representative. BSA also recommends, but does not require, that any individual, parent or guardian interested in volunteering in the future comply with the requirements of AB-506 at the earliest possible time. You are free at any time to comply whether or not you qualify as a Regular Volunteer.
 - 4.7. Your Council will notify you if it believes you qualify as a Regular Volunteer and are subject to the requirements of AB-506. If you are so notified, you must comply with the requirements below in order to continue serving as a volunteer.

- 4.8. You should contact your unit committee or Council if you believe that you are subject to AB-506, but are not specifically notified by the unit committee or identified in the above list, or if you are unsure as to whether you qualify as an Administrator, Employee or Regular Volunteer subject to AB-506.

5. **Training:**

- 5.1. AB-506 requires Administrators, Employees and Regular Volunteers to complete training in child abuse and neglect identification and reporting. The training is available at: <https://mandatedreporterca.com/training>.
- 5.2. Employees and Administrators are required to complete the “General Training”, which lasts for four hours.
- 5.3. Volunteers, including but not limited to those providing administrative support who qualify as Regular Volunteers, as well as those individuals identified in Section 4.4, are required to complete the “Volunteer Training”, which lasts for two hours.
- 5.4. If you are unsure as to whether you should complete the “General Training” or “Volunteer Training”, contact your unit committee or your Council for further guidance.
- 5.5. At this time, AB-506 only requires individuals to complete training once. This training is in addition to BSA Youth Protection Training, which is required every two years. (Available at <https://www.scouting.org/training/youth-protection/>.) The Council may determine to require the California training more frequently. Should this happen, you will be notified of the change.

6. **Fingerprinting:**

- 6.1. AB-506 requires Administrators, Employees and Regular Volunteers to undergo fingerprinting and background checks. Instructions on how to submit fingerprints and background checks are available from the Council.
- 6.2. Step-by-step instructions on how to complete the **Request for Live Scan Service** form, as well as copies of the form itself, are available from the Council.
- 6.3. The COR, appointed by the Council, will receive and review the background check results. All results will be kept strictly confidential. Additional information can be found in the **Policy on Serving as Custodian of Records Pursuant to California Assembly Bill No. 506 of 2021**.
- 6.4. The volunteer will bear the cost of the fingerprinting and background checks. However, each individual Council may determine to bear all or part of the cost. The

State of California also offers fee waivers in certain circumstances. Please check with your Council should you need financial assistance.

7. **Policy:**

- 7.1. AB-506 requires California youth service organizations to implement policies and procedures to ensure: (1) the reporting of suspected incidents of child abuse to outside organizations; and (2) the presence of mandated reporters when administrators, employees or volunteers are in direct contact with, or supervising, children.
- 7.2. AB-506 requires commitment to BSA's already existing policies regarding child abuse prevention and reporting. BSA mandates that all persons involved in Scouting must immediately report to local authorities any good-faith suspicion or belief that any child is or has been physically or sexually abused; physically or emotionally neglected; exposed to any form of violence or threat; or exposed to any form of sexual exploitation including the possession, manufacture, or distribution of child pornography, online solicitation, enticement, or showing of obscene material. No person may abdicate this reporting responsibility to any other person. Additionally, any known or suspected abuse or behavior that might put a youth at risk must also be reported to the local Scout executive or the Scouts First Helpline (1-844-SCOUTS1 or 1-844-726-8871) if your Scout executive or Council cannot be reached. Additional information about BSA's existing policies regarding child abuse reporting and prevention and other youth protection policies is available at <https://www.scouting.org/training/youth-protection/>, <https://www.scouting.org/health-and-safety/incident-report/>, as well as in the [Scouter Code of Conduct](#), the [Sweet Sixteen of BSA Safety](#), and the **Guide to Safe Scouting**.
- 7.3. BSA's already existing policies also require two registered adult leaders 21 years of age or over at all Scouting activities, including meetings. Such individuals are required to complete mandatory reporter training. BSA policies additionally prohibit one-on-one contact between adult leaders and youth members both inside and outside of Scouting.

8. **Portability:**

- 8.1. Individuals undergoing a background check pursuant to AB-506 will be required to complete and return a **Background Check Consent Form** in addition to any form(s) required by the agency conducting the background check.
- 8.2. Once individuals have given their express written consent, to the extent necessary, the Council COR will be permitted to share with BSA and other councils whether that individual is authorized to participate in Scouting activities pursuant to AB-506. Upon the express written consent of each individual, the Council COR is also authorized to share information necessary with a designated individual at BSA

headquarters to obtain guidance when evaluating background check results. The designated individual at BSA's headquarters will maintain the confidentiality of that information.

9. Employees:

- 9.1.** Employees are subject to the requirements of AB-506. With respect to these individuals, training and fingerprinting will be conducted as part of your onboarding or for existing employees as determined by Human Resources. Employee compliance is controlled by separate policies administered by Human Resources

10. Questions:

- 10.1.** Should you have any questions about AB-506 or this policy, please reach out to your unit committee at your Council.