

Congregation Beth David Board Meeting

MINUTES:

June 20, 2023

(Approved July 18, 2023)

PRESENT:

- | | | |
|--|--------------------------|--|
| 1. Nathan Handelsman, President | 9. Bonnie Hirsh, DaL | 18. Howard Gannes,
Hazak Representative |
| 2. Art Singer, VP Education | 10. Bonnie Slavitt, DaL | 19. Wendy J. Glasser,
Imm. Past President |
| 3. Daniel Kahn, VP Admin | 11. Cathy Beyda, DaL | 20. Barbara Biran, Dir Ops & Ritual |
| 4. Bill Beyda, VP Finance | 12. Frank Yashar, DaL | 21. Rabbi Nathan Roller,
Rabbi Educator |
| 5. Hanna Firman, Treasurer | 13. Ginny Baird, DaL | 22. Rabbi Jaymee Alpert,
Senior Rabbi |
| 6. Rivka Shenhav, VP Ritual | 14. Irene Spector, DaL | |
| 7. Stephen Schleimer, Financial
Secretary | 15. Joseph Bendahan, DaL | |
| 8. Michael Bierman,
Recording Secretary | 16. Leah Newman, DaL | |
| | 17. Neil Shapiro, DaL | |

ABSENT:

- | | |
|---|----------------------|
| • Susan Greenberg-Englander,
VP Membership | • Wendy Askenas, DaL |
|---|----------------------|

GUESTS:

- | | |
|--------------|------------------|
| • Dov Isaacs | • Zoe Handelsman |
|--------------|------------------|

1. Welcome & Announcements (Nathan Handelsman) **7:30**

2. D'Var Torah (Rabbi Jaymee Alpert) **7:36**

3. Good & Welfare (Nathan Handelsman) 7:40

Our Condolences to:

- The family of Sima Shore
- Dori Jaroslow on the passing of her great-uncle, Bill Beckman

Mazel Tov to:

- Betty & Bill Menkin on the birth of their grandson, Arthur
- Lisa & David Kravitz on the birth of their granddaughter, Rebecca Mae Palasits

4. Adoption of Minutes from previous General Board Meeting (Nathan Handelsman) 7:42

- The minutes from the April 27, 2023 General Board Meeting were approved as amended.
- The minutes from the May 18 2023 General Board Meeting were approved as presented.

5. Priority Discussions (Nathan Handelsman) None

6. Q&A on Officer Reports & Announcements (Nathan Handelsman)

a. Administration (Dan Kahn) 7:44

See Appendix A for Admin report

b. Membership (Nathan Handelsman) 7:43

i) Membership Report & New Member Welcome

Membership Report (Data for May 1-31, 2023)

Membership Units as of May 1, 2023	405
Increases (Welcomed in May)	0
Decreases	3
Membership Units as of May 31, 2023	402
Honorary	5
Friends of Beth David	28
Grand Total	435

May Losses

- Shore, Sima (deceased)

May Resignations

- Krantzler, Adrielle and Irvan
- Namestnik, Ludmila and Guy Mograbi

Resignations are people who leave by choice;

Losses are people who leave as a result of circumstance (moved, death, etc.)

ii) New Member Welcome 7:48

Wendy Glasser is working on a New Member Welcome brunch w/ Board Members Aug 6 2023?

c. Finance (Bill Beyda) 7:50

Bill gave the Finance report and an update on the increase to the requested Sustaining Dues.
See Appendix B for Finance Report

d. Education (Art Singer) 7:55

- Fall Registration - Online / In-person Promotions
- Summer program update: postponed until next year

e. Ritual (Rivka Shenhav) 8:00

- High Holiday Prep
- Requesting all BoD to sign up as High Holiday Ushers/Greeters
- Rabbi Alpert's T'shuva passed! "Egalitarian Divorce and Gittin" Mazel Tov.
<https://www.rabbinicalassembly.org/sites/default/files/2022-12/barmash-egal-divorce-final.pdf>

- Rotating Safe Car Park Update

See Appendix C for Ritual Report

7. Old Business

None

8. New Business

a. Motion: Mask Policy Revision (Dan Kahn)

8:06

Background

The Health Committee met on June 8 at 7:30 pm to finalize mask policy recommendation and surrounding details:

- Committee received questions from three congregation members.
- Committee settled on four recommendations regarding masks.
- No other changes to ANY other health policies or procedures are being considered currently.

Motion

The Board of Directors adopts as policy these four recommendations presented by the Health Committee:

1. Make masks optional at all events at Beth David, including services and on the Bima, starting 7/1/2023.
2. Designate a section of the sanctuary as, “masks required” during services.
3. Allow the Health Committee to work directly with Staff to set location of the “masks required” section.
4. Make masks optional at Shiva homes at the discretion of the Shiva family.

Motion made by **Dan Kahn** Second by Bonnie Slavitt

Vote: 17 **Yes** 0 **No** 1 **Abstain**

The motion passed.

b. Revision the Child Abuse & Neglect Prevention Policy (Nathan Handelsman) 8:25

Background

On July 27, 2022, Congregation Beth David's Board of Directors approved a policy implementing the provisions of a new law aimed at preventing child abuse and neglect in California.

- Among other things, the new law requires Youth Service Organizations to implement policies requiring, to the greatest extent possible, the presence of two mandated reporters when providing services to children.
- Since the adoption of Beth David's policy, the California Legislature has created a limited exception to the two mandated reporter rule for certain one-on-one mentoring relationships provided specified protections are in place.

Proposed motion would revise Beth David's Child Abuse and Neglect Prevention Policy by:

1. Incorporating the limited exception for one-on-one mentoring relationships
2. Making minor grammatical and cleanup revisions

Final document is at Appendix D

Motion

The Board of Directors adopts revisions to the Child Abuse and Neglect Prevention Policy as submitted.

Vote: 18 **Yes** 0 **No** 0 **Abstain**

The motion passed.

c. Nominating Committee for the 2024 Board (Nathan Handelsman)

8:25

Motion

The Board of Directors accepts the following individuals to serve on the nominating committee for the Board term beginning in 2024

- Wendy J. Glasser
- Wendy Askenas
- Neil Shapiro
- Carol Cassell
- Jerry Bloom
- Lori Cinnamon
- Roland King

Vote: 18 **Yes** 0 **No** 0 **Abstain**

The motion passed.

2. Closed Session

8:32

3. Adjourn

8:33

Board Meeting Summary

Action Items:

None.

Summary of Board Actions Taken at Meeting:

a. Summary of Motions Passed:

1. 2023 Nominating Committee

b. Policies Adopted:

1. Motion:Mask Policy revision
2. Update to Child Abuse and Neglect Prevention Policy

c. Charters Adopted:

None.

Absent at June 20 Meeting

- Susan Greenberg-Englander, VP Membership
- Wendy Askenas, DaL

Absent at May 18 Meeting

- Stephen Schleimer, Financial Secretary
- Joseph Bendahan, DaL
- Frank Yashar, DaL
- Leah Newman, DaL
- Rabbi Nathan Roller, Rabbi Educator
- Rabbi Jaymee Alpert, Senior Rabbi

Absent at April 27 Meeting

- Susan Greenberg-Englander, VP Membership
- Rivka Shenhav, VP Ritual
- Hanna Firman, Treasurer
- Cathy Beyda, DaL
- Leah Newman, DaL
- Frank Yashar, DaL
- Neil Shapiro, DaL
- Wendy J. Glasser, Imm. Past President
- Barbara Biran, Dir Ops & Ritual
- Rabbi Jaymee Alpert, Senior Rabbi

Absent at March 28 Meeting

- Hanna Firman, Treasurer
- Rabbi Jaymee Alpert, Senior Rabbi
- Leah Newman, DaL

Absent at February 28 Meeting

- Wendy Askenas, DaL
- Susan Greenberg-Englander, VP Membership

Absent at February 21 Meeting

- Bonnie Slavitt, DaL
- Joseph Bendahan, DaL
- Irene Spector, DaL
- Wendy Askenas, DaL

Respectfully Submitted,
Michael Bierman
Recording Secretary

Appendix A

“Admin Report”

Congregation Beth David Administration Report to Board of Directors

May 2023

Dan Kahn, Administration VP

IT Committee

- IT Committee will meet for first time in June
- Bill Beyda completed negotiations with Comcast to optimize service plan
 - Reduced monthly internet and phone costs by 30%
 - Board President has signed new Comcast agreement

Facility Operations

- Roof replacement – in progress
 - Effort identified a conduit that needs to be rerouted for ladder safety
 - Conduit is believed to be related to fire alarm
- Bathroom stall glass doors/partitions – in progress
 - Found crack in glass doors and partitions in both bathrooms
 - Glass is tempered, so shattering to cause safety concern is not likely
 - Quote received and approved by Board President with funding from the endowment.
- Front door locks battery back-up – in progress
 - Identified battery back-up location for these locks
 - Will replace batteries so the doors remain locked during next power outage
- Conference room HVAC - complete
 - Was not maintaining temperature in the room
 - Needed new contactor and transformer

Facilities Committee

- Committee met on May 11 at 7:30pm, 5 members were present
- Identified and prioritized 13 Facility, Security, and Safety efforts
- Will initially concentrate on the top 3 priorities
 1. Replacing Removed Eucalyptus
 - Before 7/12 to avoid violating permit conditions and possible fine from Saratoga
 2. Update Security Plan Document
 - No concrete need date, but current plan is out of date
 3. Revise House Rules
 - No concrete need date...would like ASAP

NSGP Security Grant

- Current Status:
 - FEMA requested more pictures of where the projects will be deployed to complete its project assessment
 - Pictures have been submitted
 - Now waiting on FEMA to complete its assessment

- Next two pages show project roadmap and list of projects

Nonprofit Security Grant Program - Sequence of Events

No Change



Nonprofit Security Grant Program - Projects

No Change

Prioritized Project List:

1. Install security cameras to cover two (2) existing gaps
 - Area to the left of front entrance
 - Garbage area behind the kitchen
2. Raise Height of Fence
 - Back of building near kitchen, facing Scully Ave
3. Install floodlights illuminate the field
 - East side of building, beyond Sukkah patio
 - Lights to be automatically switched based on exterior light levels
4. Install protective/obscuring film on windows and entry doors
 - Leaving lots of time for community input and to reconcile with security solutions
5. Install glass break sensors on the windows around the building
 - Cannot start this project until film project is complete

Appendix B

“Finance Report”

	Apr 23	Budget	\$ Over Budget	Jul '22 - Apr 23	YTD Budget	\$ Over Budget	Annual Budget
Income							
10 - Ritual	3,568	3,508	60	47,076	55,583	(8,507)	62,600
20 - Religious School	0	1,715	(1,715)	21,253	34,621	(13,368)	38,050
30 - Adult Ed	0	0	0	435	100	335	100
40 - Admin	153,269	1,500	151,769	182,069	15,000	167,069	18,000
60 - Programs	1,731	480	1,251	17,961	7,440	10,521	14,200
70 - Finance	41,496	60,083	(18,588)	716,970	842,666	(125,696)	908,500
80 - Board of Directors	530	12,300	(11,770)	243,150	272,413	(29,263)	281,000
Total Income	200,594	79,586	121,008	1,228,915	1,227,823	1,091	1,322,450
Expense							
10 - Ritual	5,285	11,587	(6,303)	103,431	141,355	(37,924)	163,530
20 - Religious School	2,792	5,003	(2,211)	35,109	46,663	(11,554)	52,187
30 - Adult Ed	0	1,250	(1,250)	1,073	5,000	(3,927)	5,000
40 - Admin	155,483	17,194	138,288	345,984	207,401	138,583	242,112
50 - Youth Group	0	0	0	1,727	2,000	(273)	2,000
60 - Programs	5,527	0	5,527	23,274	30,700	(7,426)	34,850
70 - Finance	653	667	(14)	32,064	39,673	(7,608)	103,006
80 - Board of Directors	5,660	3,500	2,160	29,296	25,250	4,046	56,000
90 - Staff Costs	68,714	71,653	(2,939)	685,222	723,898	(38,676)	867,203
Total Expense	244,114	110,854	133,260	1,257,181	1,221,939	35,241	1,525,888
Net Income	(43,520)	(31,268)	(12,252)	(28,266)	5,884	(34,150)	(203,438)

	Apr 30, 23	Mar 31, 23	\$ Change	Apr 30, 22	\$ Change
ASSETS					
Current Assets					
Checking/Savings					
1001 · Operation Ca Bank & Trust	87,478.19	31,780.72	55,697.47	306,226.65	-218,748.46
1002 · Market Affiliate	97,606.52	97,606.52	0.00	248,752.63	-151,146.11
1003 · PayPal Account	0.00	0.00	0.00	100.00	-100.00
1004 · Petty Cash - Admin	1,549.50	1,473.50	76.00	587.06	962.44
1006 · Smith Barney Parent Acct.	1,256,450.64	1,252,904.46	3,546.18	1,031,789.96	224,660.68
Total Checking/Savings	1,443,084.85	1,383,765.20	59,319.65	1,587,456.30	-144,371.45
Other Current Assets					
1200 · Due From Addison Penzack JCC	2,200.00	2,200.00	0.00	2,200.00	0.00
Total Other Current Assets	2,200.00	2,200.00	0.00	2,200.00	0.00
Total Current Assets	1,445,284.85	1,385,965.20	59,319.65	1,589,656.30	-144,371.45
Fixed Assets					
1601 · Building Cost	10,298,935.40	10,298,935.40	0.00	10,298,935.40	0.00
1602 · Office Equipment / Furniture	149,179.82	149,179.82	0.00	149,179.82	0.00
1603 · Signage	28,131.65	28,131.65	0.00	28,131.65	0.00
1604 · Sound Equipment	28,513.30	28,513.30	0.00	28,513.30	0.00
Total Fixed Assets	10,504,760.17	10,504,760.17	0.00	10,504,760.17	0.00
Other Assets	2,200,000.00	2,200,000.00	0.00	2,200,000.00	0.00
TOTAL ASSETS	14,150,045.02	14,090,725.37	59,319.65	14,294,416.47	-144,371.45
LIABILITIES & EQUITY					
Liabilities					
Current Liabilities					
Accounts Payable	-12,085.43	1,105.00	-13,190.43	806.50	-12,891.93
Credit Cards	18,626.55	10,484.95	8,141.60	3,402.68	15,223.87
Other Current Liabilities					
Endowment fund Loan	82,230.66	0.00	82,230.66	0.00	82,230.66
2210 · Payroll Liabilities	6,503.50	1,997.71	4,505.79	1,190.56	5,312.94
2400 · Prepayment on Account	126,841.85	109,252.21	17,589.64	119,625.96	7,215.89
Total Other Current Liabilities	215,576.01	111,249.92	104,326.09	120,816.52	94,759.49
Total Current Liabilities	222,117.13	122,839.87	99,277.26	125,025.70	97,091.43
Total Liabilities	222,117.13	122,839.87	99,277.26	125,025.70	97,091.43
Equity					
3000 · Named Fund	500,594.57	499,062.28	1,532.29	503,088.82	-2,494.25
3100 · Organizational Restricted Funds	-69.00	-141.00	72.00	-1,091.00	1,022.00
3200 · Special Purpose Fund	46,166.87	44,814.87	1,352.00	57,443.24	-11,276.37
3300 · Restricted Funds Ritual	51,879.17	51,787.97	91.20	57,839.12	-5,959.95
3400 · Unrealized Income	4,292.40	3,787.35	505.05	7,538.76	-3,246.36
3500 · Unrestricted Net Assets	13,352,640.00	13,352,640.00	0.00	13,260,712.54	91,927.46
3600 · Retained Earnings	689.69	689.69	0.00	689.69	0.00
Net Income	-28,265.81	15,244.34	-43,510.15	283,169.60	-311,435.41
Total Equity	13,927,927.89	13,967,885.50	-39,957.61	14,169,390.77	-241,462.88
TOTAL LIABILITIES & EQUITY	14,150,045.02	14,090,725.37	59,319.65	14,294,416.47	-144,371.45

Appendix C

“Ritual Report”

Ritual Committee Minutes, May 3, 2023

Attendees: Rivka Shenhav, chair; Rabbi Nathan Roller, Rabbi David Kunin, Michael Bierman, Howard Gannes, Kristin Gustavson, Nathan Handelsman, Dov Isaacs, Madelyn Isaacs, Michael Leitner, Sheryl Rattner.

D'var Torah: The meeting began at 7:00 p.m. Rabbi Kunin gave a D'var Torah.

Minutes: Correction to the March 29, 2023 minutes: [the number of in-person attendees at the particular Ruach service was 50, not 20]. The minutes were approved as corrected.

Business:

I. Formation of the High Holy Days Committee

Rivka announced the primary leaders of the High Holy Days committee: Dov Isaacs is the High Holy Days Committee coordinator. Other HHD chairs are as follows:

- Michael Leitner (service leaders)
- Madelyn Isaacs (HHD honors)
- Barbara Biran (Torah readers)
- Jeff Englander (greeters)
- Marty Newman (ushers)
- Wendy Glasser (floor gabbais)
- Stephen Green (health)

II. The Question of Whether to have Online Participation for High Holy Days

Madelyn reviewed what we've done in past years: In 2020, High Holy Days were online only. In 2021, we did HHD services online for two services out of six, and for the other four services, we did hybrid services, under a tent, outdoors, with strict COVID restrictions.

The year 2022 was the first year we did hybrid services in the sanctuary, all six services. The COVID restrictions were fewer, but some limitations remained: There was pre-registration required, vaccination proof required, and an attendance cap. The Torah "processionals" were omitted, instead Torah carriers held scrolls on the bimah, and didn't walk through the aisles. The customary reception queue with clergy after services was omitted. Most noteworthy: in the interest of COVID safety, we reduced the overall number of individuals on the bimah, primarily by *limiting the number of ark openings* by congregants. Instead, many of the ark openings were performed by the designated board member already seated on the bimah. Madelyn stated that having board members, rather than congregants, open and close the ark, worked really well, and was beneficial in a number of ways. Ark openings have always been difficult honors to fill anyway. The pacing of services went quicker and smoother as well.

Regarding aliyot and honors being in-person vs. online, Madelyn said that all the aliyot last year were in person, all the honors were in person, and all Torah readings except three were in person; at least one or two of those who read Torah remotely last year have indicated a willingness to come into the sanctuary this year. (1) It was suggested that all HHD aliyot, honors, and Torah readings be in person this year, **but no motion was made tonight.**

It was pointed out that this question needs to be settled very soon, before Madelyn and her sub-committee start calling people for honors. Prospective honorees will need to be fully informed of the requirements.

(2) Next, we discussed the question of whether masks would be required or optional for HHD this year. The decision is not for the ritual committee, but for the board to decide according to the recommendation of the health committee, chaired by Dr. Stephen Green.

(3) Next, we discussed the idea of not using the Zoom monitor (TV screen) on the bimah for HHD services this year. This is not a matter for the ritual committee, but rather, is a matter for the Mara D'Atra, who by this summer will be Rabbi Kunin. Rabbi Kunin requested some time to consider this question, gather input, and make an informed decision.

III. Question of a second (alternative) service on High Holy Days

(4) A second service had been held last year, designated as *screen-free*, for those who'd preferred a more traditional atmosphere. Tonight, we discussed whether a second service would be beneficial this year, whether screen-free, or for other reasons.

We reviewed some of the reasons why an alternative service, or Kehillah K'tanah, has been appealing for four decades. Some of the reasons of the distant past, such as quicker pacing, accommodation of overflow crowds, and proximity to babysitting, are no longer applicable.

Whether or not it is screen-free, general advantages of an alternative service have been:

- (1) Smaller, more intimate setting
- (2) Lay-led, without cantorial embellishments
- (3) Informal disability-friendly atmosphere; more forgiving of behavioral differences.

Disadvantages of an alternative service:

- (1) The feeling of those in the small service being second-class citizens.
- (2) Difficulty of finding Torah readers, service leaders, and gabbayim, for the small service.
- (3) The rabbi's sermon must be given twice in order for all participants to be able to hear it.

There was further discussion. Rabbi Roller pointed out that the Beit Tefilah may not be available for a second service this year; as it may be occupied with youth services. (5) Michael Leitner suggested that an alternative service might be more comfortable for some immune-compromised individuals, esp. if face masks become optional in the main service. We may consider holding it outdoors on the Sukkah patio, if the Beit Tefilah is not available.

No motion was made. However, it was pointed out that if we do have an alternative service, in whatever location, with whatever format, then we need to begin planning now, rather than waiting until HHD are almost upon us, as we did last year.

IV. Question of Repetition of the Amidah, for HHD

There was some discussion about the advantages and disadvantages of restoring the pre-Covid format of HHD services. Last year the service format had been abbreviated and various parts such as Piyutim and the Repetition of the Amidah, had been omitted or curtailed. As a result, congregants' participation (i.e. communal singing) had been significantly reduced.

There was wide consensus that communal singing during the Repetition of the Amidah has value for people. The communal singing omitted since the COVID emergency has been missed.

The disadvantage of the Repetition is to make the services slightly longer. Dov Isaacs pointed out that the unpleasantness of prolonged services is really more about pacing than about length. By limiting the extent of introduction of each prayer, the length of service was shortened in past years by one hour.

It was pointed out that the decision of whether to include a Repetition of the Amidah can make a difference of 15-20 minutes and has an impact on congregants, for example, those attending Netivot which happen to be concurrent with services. People try to time how long they spend in services as opposed to Netivot. Last year, people missed the rabbi's sermon due to unexpected pacing changes.

Whatever we decide, we should not make decisions primarily based on the perspectives of remote participants, such as, 'too much silence doesn't come across well on video'. Our decision should be based primarily on the perspectives of in-person participants.

Announcements:

There was a question about the status/progress of lay-leader training classes which we are offering and which have been publicized in the adult education publicity.

Svetlana Veksler is working on leading Shabbat Shaharit. David Baird is almost ready to lead Shabbat Musaf. Meanwhile Iris Bendahan will be training to serve as Calling Gabbai.

Adjournment

The meeting was adjourned at 8:27.

Submitted by Sheryl Rattner

Next Meeting: Wednesday, June 7, at 7:30 p.m.

Appendix D
“Revised Child Abuse & Neglect Prevention Policy”

Congregation Beth David

Child Abuse and Neglect Prevention Policy

A. Background and Policy Overview

Congregation Beth David (the “Congregation”) aims to provide a safe and secure environment for children who attend our synagogue and participate in our programs and events. We strive to offer a positive and enriching Jewish, educational, spiritual, and social environment that promotes intellectual, moral, and emotional growth. We hold the safety and well-being of children as sacred.

As part of our commitment to providing a safe and secure environment for children, the Congregation complies with applicable provisions of the California Child Abuse and Neglect Reporting Act (“CANRA”) and Section 18975 of the California Business and Professions Code (“Section 18975”), relating to Child Abuse and Neglect Prevention in Youth Services Organizations. CANRA requires employers to promote the identification and reporting of Child Abuse and Neglect by Mandated Reporters such as teachers and clergy. This includes making sure that Mandated Reporters are given information about their reporting obligations and obtaining a signed statement from each Mandated Reporter acknowledging that they intend to comply. Employers are strongly encouraged to provide Mandated Reporters with training on their duties under CANRA but are not required to do so.

Section 18975 requires that Youth Service Organizations¹ perform background checks on administrators,² employees and Regular Volunteers (defined below). Youth Service Organization also are required to provide these individuals with training on how to identify and report Child Abuse and Neglect, and to develop and implement certain child abuse policies and procedures.

B. Definitions

For purposes of this policy, the following terms are defined as follows:

1. Child is any person under the age of 18 years old.
2. Child Abuse and Neglect includes the following: (1) A physical injury or death inflicted by other than accidental means on a child by another person; (2) Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code § 11165.1³; (3) Neglect of a child as defined in Penal Code § 11165.2; (4) Willful harming or injuring a child or the endangering of the

¹ The definition of “Youth Services Organization” set forth in Section 18975 is somewhat vague. Specifically, a “Youth Services Organization” is defined as “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.” Section 11165.7(a)(7), in turn, identifies as a Mandated Reporter as “An administrator or employee of a public or private youth center, youth recreation program, or youth organization.”

² Section 18975 does not define the term “Administrator”. However, it’s our belief that the Congregation does not currently utilize the services of any individual who would be considered an Administrator who is not otherwise covered by this policy as an employee or Regular Volunteer. Accordingly, this policy does not list Administrators as individuals subject to its terms. If the Congregation does utilize the services of an Administrator now or in the future, that individual will be subject to this policy.

³ All references to the Penal Code are to the California Penal Code.

person or health of a child as defined in Penal Code § 11165.3; and (5) Unlawful corporal punishment or injury defined in Penal Code § 11165.4.

3. Congregation Beth David refers to the Congregation as well as its auxiliary groups and other groups affiliated with the Congregation.
4. Mandated Reporter is an individual required to report observed or suspected Child Abuse or Neglect to designated law enforcement or social services agencies under CANRA.⁴ Mandated Reporters include but are not limited to: teachers; instructional aides; teacher's aides or teacher's assistants employed by a public or private school; board members of a public or private organization whose duties require direct contact or supervision of children⁵; administrators and employees of private or public youth organizations; clergy⁶; and any custodian of records of a clergy member. For a complete list of Mandated Reporters, see Penal Code § 11165.7(a), attached to this policy as Appendix A.
5. Reasonable Suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect Child Abuse or Neglect. Reasonable Suspicion does not require certainty that abuse or neglect has occurred nor does it require a specific medical indication of Child Abuse or Neglect.
6. Regular Volunteer is any individual who is 18 years of age or older who provides services to Congregation Beth David without monetary compensation and who in this volunteer role:
 - (a) has direct contact with or supervision of children for more than 16 hours per month or
 - (b) has direct contact with or supervision of children for more than 32 hours per year, even if the individual has less than 16 hours direct contact with or supervision of children in a month.

C. Background Checks

1. Employees. All employees of the Congregation, as well as individuals offered employment by the Congregation, whether full-time or part-time, are required as a condition of employment to: (1) undergo a LiveScan background check (including fingerprints) at the local sheriff's office or other location, and (2) authorize Congregation Beth David to conduct a sex offender background check or checks annually. The Congregation will reimburse the cost of LiveScan Fingerprinting up to the amount charged for the service by the local sheriff's office. Sex offender background checks will be performed by the Congregation at its own expense. An individual may be denied or removed from employment based on the results of a LiveScan check or other background check to the extent permitted by applicable law. For example, if a LiveScan or sex offender background check reveals that the individual has a history of Child Abuse or Neglect, the individual will be denied or removed from employment at Congregation Beth David.

⁴ This policy goes beyond CANRA and also requires Regular Volunteers to report instances of Child Abuse and Neglect. See Reporting Requirements on pages 6 and 7 below.

⁵ Currently, the Congregation does not have any board members whose duties require direct contact or supervision of children. Should the duties of any board member change to require such direct contact or supervision, the provisions of this policy governing Mandated Reporters will apply to that board member.

⁶ A member of the clergy who acquires knowledge or a suspicion of Child Abuse or Neglect during a penitential communication is not subject to the mandated reporting requirements under CANRA.

2. Regular Volunteers. All Regular Volunteers are required, as a condition of serving as a regular volunteer, to: (1) undergo a LiveScan background check (including fingerprints) at the local sheriff's office or other location, and (2) authorize the Congregation to conduct a sex offender background check or checks annually. The Congregation will reimburse the cost of LiveScan Fingerprinting up to the amount charged for the service by the local sheriff's office. Sex offender background checks will be performed by the Congregation at its own expense. If a LiveScan or other background check reveals that the individual has a history of Child Abuse or Neglect, the individual will not be able to work with children at or on behalf of Congregation Beth David.

D. Notification to Individuals who are Mandated Reporters

The Director of Operations shall provide all new employees who are deemed Mandated Reporters under CANRA with a statement that informs the employee of: (1) their status as a Mandated Reporter, (2) their reporting obligations under Penal Code § 11166, and (3) their confidentiality rights under Penal Code § 11167. The Director of Operations shall also provide new employees who are Mandated Reporters with a copy of Penal Code §§ 11165.7, 11166 and 11167.

The Mandated Reporter will be required to sign a statement, as a prerequisite to employment, acknowledging that they have knowledge of their reporting obligations and will comply with those obligations.

E. Training Requirements

All employees and Regular Volunteers of the Congregation are required to successfully complete a Mandated Reporting Training Course approved by the Director of Operations whether or not they are deemed Mandated Reporters under CANRA. Among other things, the training must address: (1) how to identify Child Abuse and Neglect, and (2) how to report Child Abuse and Neglect. As a matter of policy, the Congregation's President and Vice President of Education also are required to complete the training regardless of their status as a Mandated Reporter or Regular Volunteer.

Employees must complete the course within ten (10) business days of employment. The individual must provide a certificate of completion to the Director of Operations within one week of completing the course. Failure to submit a certificate of completion in a timely manner may result in disciplinary action up to and including termination of employment.

Regular Volunteers must complete the course within ten (10) business days of the belief that the individual will attain Regular Volunteer status. The individual must provide a certificate of completion to the Director of Operations within one week of completing the course. Failure to submit a certificate of completion in a timely manner may result in the individual not being allowed to serve as a Regular Volunteer until a certificate of completion is submitted.

The President and Vice President of Education must complete the course no later than ten (10) business days after assuming office. The individual must provide a certificate of completion to the Director of

Operations within one week of completing the course. Failure to submit a certificate of completion in a timely manner may constitute cause for removal from office in accordance with the Congregation Beth David Bylaws.

F. Protecting Children

All employees and volunteers must establish and preserve appropriate boundaries in their interactions with children. This applies to all volunteers, not just Regular Volunteers. To this end, the following rules are designed to help ensure the safety of children during functions and activities taking place at Congregation Beth David as well as during Congregation sponsored or supervised events taking place off synagogue property.

1. Open Door Policy

- (a) All interactions with children must take place in spaces that are both observable and interruptible. This requirement applies to both instructional and non-instructional interactions as well as to both group and one-on-one interactions.
- (b) Classroom and activity room doors should remain open when in use. If this is not practical, a room with sufficient glass to view conduct must be used.
- (c) Doors should never be locked while children are inside the room, except during safety drills and emergency situations during which doors may be locked as appropriate under the circumstances.

2. Two Mandated Reporter Rule

- (a) The following provisions regarding the Two Mandated Reporter Rule do not apply to interactions between a child and a member of Beth David's clergy that are pastoral in nature or to Exempted Mentoring Relationships as defined in subparagraph (4) below.⁷ Two Mandated Reporters must be present to the greatest extent possible. This requirement can be satisfied by having one Mandated Reporter in the room with the children and a second Mandated Reporter present in the vicinity who checks in periodically either by entering the room or observing through a window or open door.
- (b) If it is not possible to have two Mandated Reporters present, the following procedures must be followed:
 - 1) One Mandated Reporter must be present in the room, and
 - 2) A second adult employee or volunteer who is not a Mandated Reporter but has completed Mandated Reporter training and agreed to report instances of observed or suspected Child Abuse or Neglect, must be in the room or check in periodically either by entering the room or observing through a window or open door.
- (c) The Two Mandated Reporter Rule should be considered whenever activities are planned involving the instruction or supervision of children at Congregation Beth David or offsite events supervised by the Congregation.

⁷ Members of Beth David clergy and any mentors exempted from the Two Mandated Reporter Rule under subparagraph (4) below are strongly encouraged to hold pastoral and exempted sessions at a time when and place where another adult who has completed Mandated Reporter Training is in the vicinity.

- (d) If an employee or volunteer inadvertently finds themselves in a situation where the employee or volunteer is alone with a child, the employee or volunteer must take the child to an area occupied by other adults who can easily observe the interaction.

3. One-on-One Interactions (In-person and online)

Except as specified below, the following provisions relating to one-on-one interactions do not apply to interactions between a child and a member of Beth David's clergy that are pastoral in nature.

- (a) One-on-one instructional sessions must be scheduled in advance and a notice with details about the session (e.g., location or Zoom link, date, and time) must be provided to a parent or guardian. The Congregation's Rabbi Educator shall be included in the notice whenever the session is scheduled to take place online.
 - 1) Notice of a one-on-one session with Beth David clergy must be provided to a parent or guardian unless the nature of the meeting request requires confidentiality. The Rabbi Educator need not be included in the notice.
- (b) The following additional procedures must be followed when one-on-one instructional interactions take place in-person at or on behalf of Congregation Beth David:
 - 1) A second Mandated Reporter, or another adult who has completed Mandated Reporter Training and has agreed to report cases of known or suspected Child Abuse or Neglect, must be in the vicinity and must periodically observe the activity. If this is not possible due to emergency situations, such as when access to the building is limited due to COVID, a parent must be in the vicinity and must be able to interrupt the meeting.
 - 2) This provision does not apply to Exempted Mentoring Relationships as defined in subparagraph (4) below.
- (c) The following additional procedures must be followed when one-on-one interactions take place online (e.g., Zoom):
 - 1) The Congregation's Rabbi Educator, or a Mandated Reporter designated by the Rabbi Educator, must periodically join online sessions, without prior notice, and observe a portion of the session.
 - 2) A parent or guardian must be notified that the Congregation strongly recommends that they be present in the home at the time of the session and within sight and hearing of the interaction.
 - 3) To ensure that all materials, such as documents or images, that are visible or potentially visible during the online session are appropriate for children, only tabs used for the current lesson should be open during the session. This provision applies to interactions that are pastoral in nature.
 - 4) Online sessions should never be saved or recorded on personal accounts. This provision applies to interactions that are pastoral in nature.

4. Exempted Mentoring Relationships

- (a) In limited situations (e.g., training for B-Mitzvot or other religious rituals), one-on-one mentoring relationships may be exempt from the Two Mandated Reporter requirements specified above but only if the following conditions are satisfied:
 - 1) The mentor has used best efforts to have a second adult present who is either a Mandated Reporter or has completed Mandated Reporter training and

agreed to report instances of Child Abuse and Neglect in accordance with this policy.

- 2) The mentor is an adult who has been comprehensively screened to identify risk factors associated with child abuse and neglect. At a minimum, this screening should include applications, interviews, and the background checks required by this policy.
- 3) The mentor has undergone training as set forth in this policy.
- 4) The parents or guardians of the child being mentored have received training in child abuse and neglect identification and reporting; and
- 5) Representatives of the Congregation have regular contact with the parents or guardians of the child being mentored.

(b) For the above exemption to apply, the Director of Operations, Mara D'atra, or Rabbi Educator must confirm in writing that the above conditions are satisfied with respect to the mentoring relationship. When the Director of Operations is the mentor, the Mara D'atra or Rabbi Educator must confirm in writing that the conditions are satisfied.

5. Supervision

- (a) Employees and volunteers are expected to provide age-appropriate supervision⁸ to children under their care.
- (b) Mandated Reporters, employees, and volunteers are prohibited from using or being under the influence of alcohol or any illegal drugs while supervising children. A token amount of wine (e.g., a sip or two) may be consumed by an adult Mandated Reporter, employee, or volunteer for ritual purposes provided that the adult is not impaired.

6. Discipline

- (a) Employees and volunteers are prohibited from using physical punishment in any way for management of the behavior of children. **No form of physical discipline is acceptable.**
- (b) Physical force may only be used to stop a behavior that may cause immediate harm to an individual, and the force utilized must be the minimal amount necessary to protect the safety and wellbeing of the individuals present.
- (c) Employees and volunteers may not use overly harsh language, degrading punishment, or mechanical restraint for behavior management.

7. Communications Generally

- (a) Employees and volunteers must act professionally when communicating and interacting with children.
- (b) Communications with children should be encouraging and respectful. Employees and volunteers may not use language that teases, belittles or shames a child.
- (c) Inappropriate communications must be avoided. These include, but are not limited to, lewd or sexually suggestive language and information about the adult's own intimate relationships and sexual activities.
- (d) Employees and volunteers should never ask a child to keep a secret.

8. Electronic Communications

⁸ Age-appropriate supervision is defined as providing supervision appropriate to the age, needs, capabilities, activities, and location of the child. For example, a child under the age of six requires closer supervision than does a child of six or older.

- (a) The rules set forth in paragraph 7 above regarding communications generally apply equally to electronic communications.
- (b) Any email, electronic text, social media, or other electronic communication must copy or include the child's parent or guardian. The parent or guardian may request in writing (including email) that their child not be contacted through electronic communications and that request must be honored. Children should be encouraged to copy their parents or guardians on electronic communications.
- (c) Subject to the above requirements, employees and volunteers may communicate with children on social media sites like Facebook and Twitter, but all communications need to be in group form and public (no direct messages or private communications).
- (d) The use of Snapchat or similar services where messages disappear is not permitted.
- (e) The posting of photos or other images of children on social media sites may only be done with the permission of the child and the child's parent or guardian. Pictures and other images posted on public sites should not include the names of individual children.

9. Recognizing Problematic Behavior – The Grooming Process

- (a) Grooming involves building trust with a child and the adults around the child in an effort to gain access and time alone with the child. The purpose of grooming is to manipulate the perceptions of other adults around the child and to manipulate the child in becoming a cooperating participant.
- (b) Red flags that a person may be grooming a child for Abuse or Neglect include, but are not limited to:
 - 1) Special attention, outings, or gifts for no apparent reason
 - 2) Treating a child as if they are older, more mature than is developmentally appropriate
 - 3) Creating opportunities to be alone with the child
 - 4) Creating a special or secretive type of relationship with the child that excludes others
 - 5) Befriending a child's family, but showing more interest in the child than with the adults
 - 6) Sharing inappropriate sexual language or behavior that should only be shared with adults
 - 7) Appearing too good to be true
- (c) An employee, volunteer or other adult who suspects that a person (adult or youth) is engaging in grooming behavior should report their concerns as discussed below.

G. Reporting Requirements for Mandated Reporters and Regular Volunteers

All Mandated Reporters are required to report cases of observed or suspected Child Abuse or Neglect to local law enforcement agencies in accordance with CANRA. It is the Congregation's policy to further require all Regular Volunteers to comply with the CANRA reporting requirements. The following is a brief overview of those reporting requirements and identifies the local agencies who will receive reports of Child Abuse or Neglect. Mandated Reporters and Regular Volunteers should refer to the information provided in their training for more details about their reporting obligations.

1. Initial Telephone Report

When a Mandated Reporter (acting in his or her professional capacity or within the scope of his or her employment) or Regular Volunteer has knowledge of or observes a child whom they know or reasonably suspect has been the victim of Child Abuse or Neglect, the Mandated Reporter or Regular Volunteer must immediately or as soon as possible make an initial telephone report as follows:

- (a) In the case of a life-threatening emergency, the Mandated Reporter or Regular Volunteer should call 911;
- (b) In all other cases, the Mandated Reporter must:
 - Call the Santa Clara County Department of Family & Children’s Services (DFCS), Child Abuse and Neglect Center (CANC) reporter hotline at (833) 722-5437. The hotline is available 24 hours a day, 7 days a week; or
 - Call a police department or Sheriff’s Department
The Santa Clara County Sheriff’s Office may be reached at (408) 808-4400 or (800) 211-2220 (toll free) or by e-mail at so.website@shf.sccgov.org

Employees, volunteers and other members of the Congregation who are not Mandated Reporters or Regular Volunteers are encouraged, but not required, to report cases of known or suspected Child Abuse or Neglect to the above agencies.⁹

2. Written Report

Within 36 hours of receiving the information concerning the incident, the Mandated Reporter or Regular Volunteer shall prepare a written follow-up report using a Department of Justice Form SS 8572. The form can be obtained from the DFCS website at https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf

The Mandated Reporter or Regular Volunteer must submit this form to DFCS, even if some of the information is unknown or is uncertain, using one of the following methods:

- Email: SSA_CANC_eFAX@ssa.sccgov.org.
- Fax: [\(408\) 975-5851](tel:(408)975-5851).
- Mail: Department of Family & Children’s Services
Attn: Child Abuse & Neglect Center (CANC)
373 W. Julian St.
San Jose, CA 95110

H. Reporting Expectations for All Employees and Volunteers (Regardless of Mandated Reporter Status)

⁹ Penal Code section 152.3 requires *any* person who witnesses the commission of a murder, rape or certain lewd and lascivious acts (as defined in Penal Code §280) against a child under the age of 14 to notify a peace officer.

Congregation Beth David expects all employees and volunteers (regardless of Mandated Reporter status) to report cases of observed or suspected Child Abuse or Neglect to the Director of Operations, the Mara D'atra, the Rabbi Educator, the President of the Congregation, or the Vice President of Education. In addition, all questions or concerns related to inappropriate behavior, including suspected grooming behavior, should be directed to one these individuals.

A Mandated Reporter who uses this process to report a case of observed or suspected Child Abuse or Neglect internally is still required to report the instance to local law enforcement agencies as described above and in the Mandated Reporter training.

I. Recordkeeping Requirements

The Director of Operations or his or her designee, must maintain the following records:

1. Records demonstrating that all employees and Regular Volunteers have undergone a LiveScan fingerprint background check and other background checks required by this policy.
2. Records demonstrating that all employees, Regular Volunteers, and Board Members who are required by this Policy to receive training have completed a Mandated Reporting Training Course approved by the Director of Operations. This may be satisfied by retaining copies of the Certificate of Completion provided the individuals taking the course.
3. Signed statements obtained from Mandated Reporters at the time of hire acknowledging knowledge of their reporting obligations and intent to comply.
4. An acknowledgement of Receipt of the Child Abuse and Neglect Prevention Policy from all employees and Regular Volunteers.
5. With respect to Exempt Mentoring Relationships, written confirmation that the conditions for the exemption have been satisfied.

J. Policy Dissemination and Affirmation

This policy will be posted on the Congregation's website and will be distributed to all employees and Regular Volunteers.

In addition, the Congregation requires all employees and Regular Volunteers to sign a statement acknowledging that they have received, read, and agree to abide by the terms of this policy. The acknowledgement should specifically state that the employee or Regular Volunteer agrees to report cases of observed or suspected Child Abuse or Neglect in accordance with this policy and applicable state law.