

B-2.100
Timing

Timing of Checks

1. Background checks will be performed upon application for membership in the Presbytery of Huntingdon for ministers who will not become called & installed pastors; at the time of commissioning for commissioned lay pastors; at the time of application to move from inquirer to candidacy status for persons preparing for ministry under the care of the Presbytery of Huntingdon; at the time of request by a minister member of another Presbytery or denomination to be approved for a continuing relationship with one of the congregations of the Presbytery;
2. Background checks will be performed upon candidates of particular interest being considered by congregational Pastoral Nominating Committees prior to an invitation to meet with the Pastoral Nominating Committee or do a neutral pulpit.
3. Background checks will be performed at the time of interview for applicants for positions on Presbytery staff.

B-2.200
Release form

All individuals seeking membership in the Presbytery of Huntingdon or to exercise ministerial or candidacy roles in the Presbytery will be given a written copy of this policy and a release form to authorize the Presbytery to perform background checks according the steps listed in this policy. See attached release form.

B-2.220
Forms on file

Completed release forms shall be sent to the General Presbyter. Release forms shall be retained in a separate locked file in the Presbytery office.

B-2.230
Failure to
authorize

Background checks will not be performed until the release form has been received by the General Presbyter. However, no individual shall be received into membership in the Presbytery of Huntingdon or placed in any leadership or ministerial position or on any approved roll or hired for any Presbytery staff position covered by this policy until the background checks have been performed and the results reviewed by the appropriate authority.

1. Failure to authorize performance of background checks will be treated as withdrawal of the application.
2. Both the individual performing the check and the appropriate authority reviewing the results shall acknowledge in writing his/her awareness of the confidentiality of the information obtained through this policy.

B2.300
Performance
of check

The Presbytery will use the services of one or more of the following organizations or other similar organizations, as it deems appropriate, to perform the background checks: GuideOne, Choice Point, Pennsylvania State Police

B-2.350
Authorized
individuals

- The Presbytery representative(s) authorized to perform the checks are:
- a. The General Presbyter.
 - b. In the absence of the General Presbyter, checks may be performed by the Stated Clerk.
 - c. If both the General Presbyter and the Stated Clerk are absent, the checks may be performed by the chairperson of the Committee on Ministry.

B-2.400 Fees Costs associated with the performance of the required background checks will be borne by:

1. Pastoral Nominating Committee or session of a congregation wishing to call a minister, or contract with an interim, a commissionable lay pastor or a stated supply who is not a member of the Presbytery of Huntingdon;
2. SubCommittee on Preparation for Ministry for inquirers moving to candidacy;
3. Personnel Committee of the Presbytery of Huntingdon for staff of the Presbytery itself;
4. Committee on Ministry for any individual seeking membership in the Presbytery of Huntingdon, who will not be called to a permanent or temporary relationship with one of the congregations of the Presbytery.

B-2.450 Billing Upon completion of the background check process, the responsible party will be billed by the Presbytery treasurer. Reception into membership in Presbytery, commissioning as a commissioned lay pastor, approval of a ongoing contractual relationship, move from inquirer to candidate, or hiring as Presbytery staff will not be complete until fees are paid. Fees will vary upon the number and types of background checks required.

B-3.000 **Evaluation of Reports**

B-3.100 Clear report If the background checks reveal no criminal offenses or sexual misconduct, the applicant individual, pastoral nominating committee or session, and Committee on Ministry will be notified of the clear status, and the report will be retained in the locked file designated for that purpose in the Presbytery offices. In the case of applicants for Presbytery staff positions, the Personnel Committee will be so notified.

B-3.200 Reports that are not clear In the event that one or more of the background check reports are not clear, the person performing the check will communicate the results to the applicant and request the applicant individual to confirm or deny the accuracy of the report.

B-3.250 Due Process If the individual denies the accuracy of the report, the person performing the check shall request the applicant to authorize a further background check including the submission of fingerprints.

a. If the applicant refuses to submit to the fingerprint background check, the Presbytery shall proceed as if the individual had withdrawn his or her application.

b. If the applicant agrees to a fingerprint check, the person performing the check shall arrange for the more extensive background check to be performed. If the applicant is then cleared, the person performing the check shall notify the applicant individual, pastoral nominating committee or session, and Committee on Ministry that the individual has received a clear report, and the report will be retained in the locked file designated for that purpose in the Presbytery offices. In the case of applicants for Presbytery staff positions, the Personnel Committee will be so notified.

B-3.350
Automatic
disqualifiers

If the offenses or behaviors reported and confirmed include any of the following, the General Presbyter shall report to the pastoral nominating committee or session, the Committee on Ministry or Personnel Committee, and to the applicant that the General Presbyter must deny the applicant the status or position requested.

- a. Any of the behaviors listed in SC-3 of the Sexual Conduct Policy of the Presbytery of Huntingdon
- b. Physical sexual conduct with a child
- c. Child pornography
- d. Any other offenses deemed by the General Presbyter to be so grave and sufficiently recent as to disqualify the individual for admission to membership in the Presbytery of Huntingdon or placement in one of its congregations.

If the applicant is so denied, the General Presbyter shall send the applicant, in addition to notice of the adverse decision, a copy of the report on which the adverse decision was made.

B-3.400
Reports
requiring
decisions

Unclear Reports:

a. If the offenses or behaviors reported and confirmed are not on the automatic exclusion list, the results will be submitted to the SubCommittee on Ministry to Congregations for its consideration, except for those reports dealing with applicants for staff positions, which will be referred to the Personnel Committee, and those reports dealing with applicants for moving from Inquirer to Candidate, which will be referred to the SubCommittee on Preparation for Ministry.

b. The reviewing committee will make recommendations to the Committee on Ministry on the advisability of admitting the individual to Presbytery or role, based on the likelihood of repetition of the undesirable offenses or behaviors, and the impact on the mission and life of the congregation and Presbytery or particular ministry or role involved. If the referral is to the Personnel Committee, it shall make its decision on the same criteria.

c. The decision will be reported to the individual and the pastoral nominating committee or session, if any. If the decision is to deny the individual admission to the Presbytery or role, the chairperson of the deciding body, shall send the applicant, in addition to notice of the adverse decision, a copy of the report on which the adverse decision was made.

d. Confidentiality of information will be maintained as far as possible. Each member of one of the above committees shall be provided with a copy of this policy and directed to observe its confidentiality provisions.

B-3.500
Advisory role

If the SubCommittee on Ministry to Congregations or SubCommittee on Preparation for Ministry advises the Committee on Ministry that the reported offenses or behaviors are not sufficient to disqualify the individual from consideration for admission to membership in Presbytery, or placement in the requested position or on the desired roll, the Committee on Ministry shall

- a. Counsel the individual and pastoral nominating committee or session, if any, about the report and its potential impact on the life and ministry of the individual, congregation and Presbytery.
- b. Place its report on file in the locked file designated for that purpose in the Presbytery offices.
- c. If the referral is to the Personnel Committee, it shall proceed in like manner.

B-3.600
Hearings

An individual who has been denied admission or placement in a position or on a roll may request a hearing by the full Committee on Ministry, which shall receive a copy of all materials considered by the reviewing body in making its decision and any evidence in mitigation submitted by the requesting individual.

a. When an individual requests a hearing after having been denied access, the applicant will be asked to sign a release acknowledging that the hearing will expand the number of persons who will be privy to the information in the reports.

b. The Committee on Ministry, after receiving the evidence and testimony of the reviewing body and the individual, shall make its decision, which recommendation will be final.

c. If the individual is admitted to Presbytery or placed in a position within the Presbytery, the reports and evidence regarding the individual will be placed on file in the locked file designated for that purpose in the Presbytery offices.

B-4.000
No
Temporary
status

No calls may be extended, no admission granted, no contracts approved, no placements on rolls or to positions shall be made, or temporary relationships authorized until final disposition is made by the Committee on Ministry or Personnel Committee.

B-5.000
Validity

Once a background check has been performed upon an individual, that check is considered sufficient for the duration of their membership in the Presbytery of Huntingdon or one of its congregations, or employment status in the Presbytery.

B-6.000
Destruction
of reports

Destruction of reports

a. If an individual is denied admission or withdraws his or her application for admission or placement on a roll or in a position within the Presbytery, the report on that individual shall be retained on file in the locked file for that purpose in the Presbytery offices for three years following notice that the candidate or applicant was non-selected and then be destroyed.

b. In the case of a pastoral nominating committee or session seeking reports on multiple candidates, when a call or contract has been approved by Presbytery and accepted by a candidate, the reports on other candidates for the position shall be retained on file in the locked file for that purpose in the Presbytery offices for three years following notice that the candidate or applicant was non-selected and then be destroyed. Similarly if an offer of a contract is not extended to an applicant for any other reason, the background check report on that applicant shall be retained on file in the locked file for that purpose in the Presbytery offices for three years following notice that the candidate or applicant was non-selected and then be destroyed.

c. Once an individual becomes a member of Presbytery, is granted a status, or is hired for a position within the Presbytery, their record will be kept on file permanently in the locked file for that purpose in the Presbytery offices.

B-7.000
Not sufficient

Clearance of background checks is a necessary, but not sufficient, step for admission to membership in the Presbytery of Huntingdon, placement on its rolls or into a position of leadership in its congregations, or hiring as a staff person. Clearance of background checks does not guarantee that admission will be granted, placement made, or contracts offered.