

National Capital Presbytery's Background Check Policy—Q&A

What is the policy?

At the September 2002 presbytery meeting, presbytery adopted an amendment to the Sexual Misconduct Policy that requires a criminal background check on all prospective incoming clergy and candidates for ordination. The background check will be conducted by the presbytery staff as part of the examination/clearance process.

To whom does the policy apply?

The policy applies to all ministers seeking to become members of this presbytery, as well as candidates under care of NCP or another presbytery who are seeking to be ordained.

Why was the policy adopted?

This policy helps PNCs and the Committee on Ministry make informed decisions about prospective pastors. It also seeks to mitigate the risk of lawsuits based on a claim of inadequate pre-employment screening. Its ultimate goal is to protect our congregations.

Who actually conducts the background check?

Presbytery has contracted with an investigative firm, National Background Investigations, Inc. to perform the background check on all persons living in the United States, and with HireRight for background checks on all persons currently living outside the United States.

How will the background check happen?

The background check will be conducted as part of the person's preparation for the examination/clearance interview. When a call is extended by a PNC/APNC and accepted by the minister/candidate, presbytery staff will send the person a release form that must be signed and returned to the presbytery immediately. The Stated Clerk will then request the background check from the appropriate investigative firm.

A similar process will be followed for persons in specialized ministries or doing interim/stated supply work.

What happens to the information that is gathered?

The Stated Clerk will review the report and confer with the General Presbyter if there is a conviction on record. Otherwise the Stated Clerk will advise the COM that the process can go forward. The reports are kept in locked files in the Stated Clerk's office.

Are all criminal convictions considered equally important?

No. Convictions related to auto-related offenses such as speeding are clearly not as significant as a conviction for embezzlement or spousal abuse. At the same time the presbytery is free to make a judgment about the person's not voluntarily disclosing this information.

Who bears the cost?

Presbytery bears all costs incurred in this process.

What about the person's privacy rights?

The minister or candidate has no right to privacy concerning the presbytery's gathering of publicly available information related to criminal convictions. The presbytery's right to know this information related to those seeking membership, and the presbytery's role in protecting PNCs is the controlling consideration. The person does have a right to be assured that the process is confidential—only those who need to know get to know—and that alleged incorrect information can be challenged with the investigative firm.

What happens if the person declines to cooperate with the policy?

The person will be barred from consideration.

Policy statement updated February, 2012.