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**COMMITTEE ON MINISTRY**  
**PRESBYTERY OF MIDDLE TENNESSEE**  
**POLICY ON BACKGROUND CHECKS**

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*“The Church’s ministry is a gift from Jesus Christ to the whole Church. Christ alone rules, calls, teaches, and uses the Church as he wills, exercising his authority by the ministry of women and men for the establishment and extension of God’s new creation. Christ’s ministry is the foundation and standard for all ministry, the pattern of the one who came “not to be served but to serve” (Matt. 20:28). The basic form of ministry is the ministry of the whole people of God, from whose midst some are called to ordered ministries, to fulfill particular functions. Members and those in ordered ministries serve together under the mandate of Christ.” G-2.0101*

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*“The Church’s ordered ministries described in the New Testament and maintained by this church are deacons and presbyters (teaching elders and ruling elders). Ordered ministries are gifts to the church to order its life so that the ministry of the whole people of God may flourish. The existence of these ordered ministries in no way diminishes the importance of the commitment of all members to the total ministry of the church.*

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*The government of this church is representative, and the right of God’s people to elect presbyters and deacons is inalienable. Therefore, no person can be placed in any ordered ministry in a congregation or council of the church except by election of that body.*

*Ordination to the ministry of teaching elder, ruling elder, or deacon is unique to that order of ministry.” G-2.0102*

The Committee on Ministry of the Presbytery of Middle Tennessee seeks to fulfill its responsibility to the churches, sessions, and teaching elders by ensuring quality pastoral leadership that is Presbyterian and Reformed. Background checks are required as an additional assessment of a candidate’s character and fitness, so that the presbytery through its COM, the congregation through the pastor nominating committee, and the candidate through prayer and discernment, are all guided towards the movement of God’s will for the Church.

The Committee on Ministry strongly encourages its churches to develop and utilize similar policies for its employees and volunteers.

**A. Purpose and Scope**

The Presbytery of Middle Tennessee adopts this policy so that Pastor Nominating Committees, the Committee on Ministry, and the Committee on Preparation for Ministry may make informed decisions about those persons seeking membership or employment in the Presbytery of Middle Tennessee. This policy reflects the presbytery’s commitment to exercise appropriate diligence and oversight to its churches and ministers. Its purpose is to:

1. Implement policies intended to prevent abuse of children and other abuses of authority;
2. Discover and verify background information provided by all candidates and teaching elders seeking membership or employment in the Presbytery of Middle Tennessee; and

- 1           3.       Accomplish these purposes without limiting or compromising the existing authority  
2                   of the Committee on Ministry to recommend termination of a call or employment  
3                   based on reasons wholly unrelated to the findings (or lack thereof) of a background  
4                   check pursuant to this policy.  
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6       Effective the date this policy is adopted, the Presbytery will conduct background checks as part of  
7       the clearance process for all teaching elders seeking to become members of the Presbytery; ruling  
8       elders seeking to be commissioned; candidates; and applicants for Presbytery staff positions.  
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10       Background checks will also be required for teaching elders transferring within the bounds of the  
11       presbytery. Exceptions to background checks for teaching elder members of the Presbytery of  
12       Middle Tennessee may be made on a case-by-case basis by the Committee on Ministry.  
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14       **B.       Required Background Checks**

15       The following background checks will be required:

- 16           1.       Presbytery-to-Presbytery reference checks (usually handled by the Executive  
17                   Presbyter)  
18           2.       Criminal Record History, to include both Federal and state sexual offenders registries  
19           3.       Education  
20           4.       Employment History  
21           5.       Motor Vehicle Record  
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23       Records and histories will be for the past seven to 10 years; pre-employment screening will include  
24       specific questions related to previous complaints of sexual misconduct contained in Personal  
25       Information Forms or revealed through the background checks.  
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27       **C.       Persons Authorized to Order Background Checks and Review Reports**

28       The Executive Presbyter will ordinarily perform the presbytery-to-presbytery check; either the  
29       COM chair or the Stated Clerk will order the remaining background checks (2 - 5). Normally, the  
30       Stated Clerk will receive, review, and retain (with parameters defined) the background checks,  
31       providing a summary when necessary.  
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33       **D.       Process and Cost of Background Checks**

34       The Committee on Ministry shall select and engage a firm to conduct these checks that is  
35       experienced and recognized as a timely and reliable source.  
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37       The Presbytery will conduct background checks as part of the clearance process. The Presbytery  
38       will pay for background checks.  
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40       **E.       Procedure**

- 41           1.       Prospective members and employees of Presbytery shall be informed during the  
42                   interviewing and selection process that a background check will be conducted and asked to  
43                   sign a consent and release form to authorize it.

1 2. Copies of the consent and release form will go to the Stated Clerk. A background  
2 check will be initiated upon receipt of the form.

3 3. Background check reports will be sent to the Stated Clerk, who will consider the  
4 results of the presbytery-to-presbytery reference check and the background check report,  
5 as well as the PIF / resume to determine if any of the following are present:

- 6 a. Pending criminal or civil proceeding of any kind;
- 7 b. Conviction of any criminal offense;
- 8 c. A deferred adjudication on any offense;
- 9 d. A judgment against the candidate in a civil case;
- 10 e. A pending ecclesiastical disciplinary proceeding;
- 11 f. A judgment or act of censure entered in an ecclesiastical disciplinary  
12 proceeding;
- 13 g. An alternative form of resolution agreement approved by a permanent judicial  
14 commission in the Presbyterian Church (U.S.A.) or equivalent body of another  
15 church resolving an ecclesiastical disciplinary proceeding;
- 16 h. Any inconsistency between the background check report and the educational,  
17 employment, and criminal background information provided by the  
18 candidate;
- 19 i. Allegations of sexual misconduct that did not result in criminal charges will be  
20 considered on a case-by-case basis. The COM chair, in consultation with the  
21 Executive Presbyter and the Stated Clerk, shall investigate the allegations and  
22 make a determination on whether to proceed with the candidacy.

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24 Where appropriate the Executive Presbyter and the COM Chair will counsel both the  
25 prospective candidate and the Pastor Nominating Committee.

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27 4. The Committee on Ministry will take into account the failure of a candidate to  
28 volunteer critically important information regarding criminal or misdemeanor history. A  
29 formal interview process shall be established with the Executive Presbyter and the COM  
30 chair, who will decide on the next steps and document those findings.

31 5. Should an otherwise qualified candidate be unwilling to sign a release, the candidacy  
32 shall not proceed.

33 6. A teaching elder, candidate, or potential employee who believes that information in  
34 the report is inaccurate, misleading, false, or incomplete, shall have the right to dispute it  
35 with the investigative firm and the Committee on Ministry.

36 7. These reports will be kept in a secured file in the Stated Clerk's office.

37 8. If the background check report discloses no relevant information or inconsistencies,  
38 the Stated Clerk will notify the COM Transitions Team liaison and the chair of the church's  
39 PNC of that fact in writing. The Stated Clerk shall retain evidence of the completion of the  
40 background check process; the background check report will be archived in a secure file.

41 9. If the background check report discloses relevant information or inconsistencies:  
42 a. *Notice to Candidate* - If a background check report or presbytery-to-presbytery  
43 reference check discloses the existence of any information or inconsistencies, the

1 Stated Clerk shall promptly contact the candidate and inform him/her of such  
2 information or inconsistencies. The Stated Clerk shall also provide him/her a copy of  
3 the background check report.

4 b. *Response by Candidate* - Within ten (10) days of the notification in 9a, the  
5 candidate shall deliver to the Stated Clerk a letter confirming or denying the  
6 information contained in the report, along with any evidence relevant to support the  
7 candidate's position.

8 c. *Continuation of Candidacy* - Upon receipt of the candidate's letter and  
9 supporting evidence, the Stated Clerk, the Executive Presbyter, the COM chair,  
10 and/or the PNC (as provided herein) shall determine whether the person's candidacy  
11 will continue using the following criteria:

12 (1) *Conviction or Other Final Disposition in Case Involving Any Criminal*  
13 *Offense or Sexual Misconduct*

14 (a) If the background check confirms that the candidate's personal  
15 history contains a conviction or deferred adjudication for any  
16 criminal offense or any other criminal charge involving sexual  
17 misconduct, the candidacy shall be terminated and the  
18 candidate notified in writing and, if applicable, the chair of the  
19 PNC shall be notified in writing.

20 (b) If the background check confirms the candidate's personal  
21 history contains (i) a judgment against or settlement involving  
22 the candidate in a civil case involving sexual misconduct; or (ii) a  
23 judgment, act of censure, or alternative form of resolution  
24 agreement resolving an ecclesiastical disciplinary proceeding  
25 involving sexual misconduct, the candidacy shall be terminated  
26 and the candidate, and if applicable, the chair of the PNC, shall  
27 be notified in writing.

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29 (2) *Pending Criminal Charges, Civil Complaint Involving Any Offense, Sexual*  
30 *Misconduct, or Ecclesiastical Proceeding*

31 If the background check confirms the existence of any pending criminal, civil  
32 or ecclesiastical proceeding against the candidate involving any criminal  
33 offense or sexual misconduct, the Stated Clerk shall advise the COM Chair, the  
34 candidate, and the chair of the PNC (if applicable) in writing that the candidacy  
35 will be suspended. The candidate may submit written information to the PNC  
36 and the Stated Clerk regarding the charges. The PNC shall advise the COM  
37 Chair and the candidate as to whether it wishes to await final disposition of  
38 the charges or to discontinue its consideration of the candidate.

39 (3) *Cases Involving Matters Other than a Criminal Offense or Sexual*  
40 *Misconduct*

If the background check confirms that the candidate's personal history contains  
matter(s) other than a criminal offense or sexual misconduct, the Stated Clerk  
shall prepare a summary of the relevant information in the background check

and the information provided by the candidate and deliver such summary to the candidate and, as applicable, the COM chair and the PNC chair. Upon request of the members of the PNC chair, the Stated Clerk shall provide copies of specific documents to the members of the PNC for review during a PNC meeting attended by the Stated Clerk. At the conclusion of such meeting, the Stated Clerk shall collect all copies of such documents from the PNC members and shall destroy them.

The Stated Clerk, the Executive Presbyter, the COM Chair, and the PNC chair (in the case of a candidate seeking installation in a parish) shall determine whether the person's candidacy will continue, based on its consideration of all relevant factors, including, but not limited to, the following:

- (a) The nature and seriousness of the matter;
- (b) The relationship of the matter to the purpose of the church;
- (c) The extent to which call or employment might offer the opportunity to engage in similar activity;
- (d) The age of the candidate at the time of her/his commission of the crime or engagement in the activity that is the subject matter of the proceeding;
- (e) The time elapsed since the candidate's last engagement in the activity that is the subject of the engagement; and
- (f) Other evidence of the candidate's fitness including letters of recommendation from law enforcement, prosecution, probation, or other persons of good community standing and reputation who may have been in contact with the candidate.

(4) *Inconsistencies in Employment or Education Information*

If the background check confirms that the candidate's personal history is inconsistent with the educational or employment information provided by the candidate, the Stated Clerk shall advise the COM chair, the candidate and, if applicable, the chair of the PNC, of that fact in writing and shall deliver to them copies of the background check, all documents provided by the candidate, and other relevant information. The Stated Clerk, the Executive Presbyter, the COM Chair, and the PNC chair (in the case of a candidate seeking installation in a parish) shall determine whether the person's candidacy will continue, based on its consideration of all information received, including but not limited to the following factors:

- (a) The nature and seriousness of the inconsistency;
- (b) The relationship of the inconsistency to the purpose of the church; and

- (c) Other evidence of the person’s fitness or veracity including letters of recommendation from persons of good community standing and reputation.

**F. Timing of Background Check**

1. *Candidate seeking installation in a church:* At the request of a PNC, the Executive Presbyter makes presbytery-to-presbytery reference checks on the candidate the PNC wants to interview. The PNC selects its top candidate. The selected candidate is informed that a background check will need to be performed before proceeding any further. The PNC sends the candidate’s name, email address, and a copy of the candidate’s Personal Information Form to the Stated Clerk, who then sends to the candidate a form requesting permission to perform the background check. Once the background check is clear, the Stated Clerk will let the PNC know if it can proceed, and will inform the COM chair and the Examinations Task Force chair that there is a candidate to examine. This process also applies to Teaching Elders transferring within the bounds of the Presbytery and to Ruling Elders being commissioned.
2. *Candidate seeking membership not in connection with installation in a church:* Background checks will be performed at the time the person submits his/her name for membership. A presbytery-to-presbytery reference check will be done first. If cleared, the candidate, or sponsoring entity / employer shall provide the Stated Clerk a fully-executed authorization and release form, and a copy of the candidate’s Personal Information Form. The candidate or sponsoring entity / employer will be billed for the actual cost of the background check upon its completion.

If the background check is clear, the candidate will be examined by the COM Examinations Task Force. The Examinations Task Force will make a recommendation to the COM regarding the candidate’s membership in the Presbytery of Middle Tennessee.

*“To those called to exercise special functions in the church—deacons, ruling elders, and teaching elders—God gives suitable gifts for their various duties. In addition to possessing the necessary gifts and abilities, those who undertake particular ministries should be persons of strong faith, dedicated discipleship, and love of Jesus Christ as Savior and Lord. Their manner of life should be a demonstration of the Christian gospel in the church and in the world. They must have the approval of God’s people and the concurring judgment of a council of the church.” G-2.0104a.*

The Committee on Ministry is guided by the Book of Order in its work, and seeks to ensure the best leadership for the Presbytery of Middle Tennessee.

*Adopted by the COM: June 8, 2010  
Adopted by the Presbytery of Middle Tennessee: October 21, 2010  
Amended by the Presbytery of Middle Tennessee: February 2, 2013  
Amended by the Presbytery of Middle Tennessee: May 17, 2014  
Revised January 2017*