

# **GUIDELINES ON BACKGROUND CHECKS**

## **by THE HOLY SYNOD OF BISHOPS**

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### **I. Introduction**

#### **A. What is a “background check”?**

The term “background investigation” is confusing when it comes down to implementation. While it is easy to say “We insist on background investigations for Church workers,” or “Every Church worker has been cleared through a background check,” the reality is that such statements are subject to wide-ranging interpretation. Worse, interpretation of what is or is not a “background check” can lead to serious gaps in risk management exposure and, most important of all, could lead to harm being done to innocent people.

Simply put, “background investigation” can be any number of processes, to varying degrees of thoroughness, depending on who is checking whom and for what purpose. For example, a bank conducting a background check will want to focus on fiduciary trustworthiness, while a background check for a correctional officer might want to focus on corruptibility and anger management, among other facets. It is therefore important to understand that there is no “one size fits all” background check.

Church background checks present a dichotomy in their own right. After all, Churches are places of spiritual solace, love and sanctity. As is often pointed out, they are not museums for saints, they are hospitals for sinners. Church is the place where one comes for repentance, forgiveness and a chance to put aside earthly cares. Yet, Churches have been introducing background checks for Church workers for a number of years, deliberately seeking out things that might not be pleasant, which, in fact, might even be considered to be evil.

There are two main reasons why background checks have come to occupy so much attention in religious institutions. The first can easily be discerned simply by reading newspaper accounts of past errors by church officials when dealing with unpleasant matters. For literally hundreds of years, it was believed that internal matters of a church should be handled internally and that repentance should be considered as part of rehabilitative efforts. As the media coverage has revealed, great harm has resulted from that approach, including damaged credibility of religious institutions, loss of confidence in spiritual leaders and substantial financial loss.

The second reason for background checks is even more important, however. It is the innate right of people to have expectations that churches will be places of refuge and of joy, not of criminality and abuse. In order to create such an environment, due diligence is required to ensure that persons with prior risk issues are not given further risk potential in the trusting church environment.

### **II. Obtaining the background check**

#### **A. Who should obtain the background check?**

Prior to conducting a background check, written permission must be obtained from the prospective employee or volunteer. Documentation from the background checks on all lay church workers for whom such checks are required by OCA regulations shall be obtained by the parish rector (or head of church institution). In cases of clergy and the minor orders, the Ruling Bishop shall obtain the necessary check. In cases of seminary and diaconal program applicants, the institution or program director shall obtain the check.

## **B. Who is required to receive a background check?**

Ordained clergy (Bishop, Priest and Deacon)

Minor Orders (Subdeacon and Reader)

Youth Workers (Church School Teachers, camp counselors, youth advisors / mentors, etc.)

Paid Church employees

Seminary Applicants

Diaconal Program Applicants

Candidates for Ordination

## **C. National Sex Offender Registry**

The following leadership positions are **not** required to undergo a full background check, however, they **must** be checked on the free [National Sex Offender Registry](http://www.nsopw.gov) (<http://www.nsopw.gov>). Anyone who appears on a sex offender registry **CANNOT** hold any position of leadership in the Church. These positions include but are not limited to:

Metropolitan Council Member\*

Diocesan Council Member\*

Parish Council Member\*

Church Officer

Choir Director

Altar server (adult and teen)

\*Council members who are nominated should be checked on the National Sex Offender Registry **prior to** the voting process so as to avoid removal after appointment should a negative finding be discovered.

## **D. Where should background check documents be stored?**

All background files for lay workers (consisting of application, interview notes, reference checks and background check results, plus related documents) are to be stored **confidentially and securely** at the parish. Each volunteer or employee should have their own personnel file where the background check documents are to be stored.

Background documentation on readers, subdeacons, deacons and priests is to be requested and received by the ruling bishop and stored **confidentially and securely** at the central diocesan location. If the background check raises questions about the person's suitability for church service, then the rector (or head of church institution) is to pass this information on to the ruling bishop and consult with him about the next steps to take.

## **E. How often are criminal history checks run?**

A criminal history check must be obtained, and renewed **every three years** for the required positions.

## **F. How long are background records kept on file?**

The criminal history documents are to be kept on file for three years until the individual's next background check is conducted, at which point the original may be destroyed. All other documents (original application, reference check, interview notes, etc.) must be retained as long as the volunteer/employee is in his/her role and for 5 years after the individual has left his/her position.

### **G. Which company do we use to run a criminal history and/or driver history check?**

GuideOne Insurance recommends [ClearStar](#) background screening company. [Various packages](#) are available at a discount for GuideOne customers.

The “Package 4 - Comprehensive” is recommended for screening of **clergy, minor orders, paid employees, and anyone working with children**. This package includes:

- Discovery multi-jurisdiction database search
- Residence Trace
- 7 yr. Felony/Misdemeanor county criminal searches (Three counties included in package); and
- Driving History (MVR)

It is recommended that parishes consult their insurance provider to determine which screening company to use. A package containing the above components should be chosen.

### **H. Child Abuse Clearance**

In addition to the criminal check, each applicant is required to consent to a child welfare check to determine if he/she has been the subject of a child abuse investigation by the state or county. This can be obtained through each state by contacting the local child welfare agency or police department. There is typically a cost associated with obtaining this check, however, some non-profits are exempt from paying a fee.

### **I. How do I ensure private information stays private?**

Sensitive data, such as social security numbers, should be blacked out when documents are placed in the file. The files should be kept in a secure location at the parish (in the case of lay workers) or diocesan office (in the case of clergy).

Further questions regarding background checks and the screening process should be directed to Cindy Heise at [cheise@oca.org](mailto:cheise@oca.org).

**NOTE FOR PENNSYLVANIA RESIDENTS:** The Commonwealth recently passed a law which requires that anyone working with youth in any capacity in a church must undergo a criminal background check. Our current procedure is consistent with this new Pennsylvania legislation.