



Background Screening Guide for Religious Institutions



Given the unique positions of trust held by clergy and other church workers—and the lessons learned from civil litigation—it is now common practice for religious institutions to make greater use of this information as part of a comprehensive candidate screening process. Though not a substitute for using other screening tools or risk reduction techniques, relevant information on an individual may be found in criminal history checks, motor vehicle checks and credit bureau records.

Religious institutions value the safety of children in care, employees, volunteers and the people whom they serve. Therefore they should proactively take prudent measures to protect their human and material resources. Criminal history background checks should be conducted for all Church personnel, clergy, religious contractors and volunteers working in any religious institution who have unsupervised contact with a child, the elderly or persons with disabilities. Criminal history background checks are required in addition to proper, screening, interviewing and reference checks conducted by all hiring personnel.

The threat of abuse or molestation of children and vulnerable adults is real and the perpetrator can be operating right in your town serving as a volunteer, coach or other religious leader. Under The Volunteers for Children Act of 1998, an organization can be held liability if it can be determined that the molester has been previously convicted of a similar crime.

Philadelphia Indemnity Insurance Company (PIIC) has developed this *Background Screening Guide for Religious Institutions* to use in an effort to educate and inform these institutions to be proactive and develop and implement site specific policies. PIIC wants you to be aware of the real life abuse and molestation threat to our children and vulnerable population, while participating in organized religious programs, by people who have interaction with this vulnerable population.

CRIMINAL BACKGROUND CHECKS (CBC)

Who should be screened?

All paid church personnel and volunteers who have direct contact with children and vulnerable adults during normal organized events must be screened and have a thorough CBC performed (Recommended screening requirements are shown in Table #1). This includes but is not limited to: clergy, employees, civil servants, board members, counselors, church personnel, religious contractors, and volunteers working with the vulnerable population, etc. To simplify and manage many variables, we recommend that you divide your workers into the following three categories:

CLERGY & PAID EMPLOYEES

Paid Workers – Employees of the religious institution. A paid worker may be called upon to perform almost any duty and is in a position of great trust. Paid workers with youth contact should be screened most diligently.

"Employee" is defined as: Any lay person who is employed by or engaged in ministry in any religious entity, whether part-time or full-time, who is given payment for services rendered, and for whom the religious institution is obligated to withhold payroll taxes. This definition does not include independent contractors, consultants, vendors or other persons who are not subject to the supervision of the religious institution and for whom no such duty to withhold payroll taxes exists.

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PRIMARY VOLUNTEERS

Primary Volunteers – Volunteers with regular contact with youth or vulnerable population. This category also includes volunteers active in higher risk activities: largely unsupervised activities, off-site activities, overnight activities, drivers, etc. Primary volunteers should also be diligently screened.

"Volunteer": Any unpaid person engaged or involved in a religious activity, and who is entrusted with the care and supervision of children, and/or persons engaged or involved in ministry who have regular individual contact with the elderly or disabled whether in a hospital, nursing home or residential setting either through visiting or through special service visits to them.

SECONDARY

Secondary Volunteers – Volunteers who have occasional contact with youth or vulnerable population, but never in a one-to-one setting. This category also includes volunteers less than 18 years of age working with participants. Your organization may review the risks and decide to require less diligent screening.

TABLE #1
Recommended Screening Requirements for Paid, Primary, and Secondary Workers

	PAID	PRIMARY	SECONDARY
Employee / Volunteer Application Form	Yes	Yes	Yes
Employee / Volunteer Release and Consent Waiver Form	Yes	Yes	Yes
Interview	In Depth	In Depth	Brief
References	3	3	2 or more
Employment History	Yes (Last 5 Yrs)	Yes (Last 5 Yrs)	Optional
IntelliCorp Criminal/Court Records Check (Federal and State Levels)	Yes	Yes	Optional
Child Abuse Registry Records	Yes	Yes	Optional
Driving Record *unless no driving duties	Yes*	Yes*	Yes*
Drug Screen Test (Note 1)	Yes*	Yes*	Optional

***WARNING:** Table #1's sample screening requirements are suggestions only. Job descriptions and positions vary from place to place, so it is impossible for the authors to accurately categorize workers at your organization. Each user of this product is responsible for developing appropriate screening and safety policies. Please carefully customize this list to reflect the responsibilities and situations of workers in your organization. Consult legal counsel before implementation.

(Note 1: Federal DOT regulations make drug screening mandatory for some vehicle operators)

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How often should background screening checks be completed?

During the initial screening process and annually for all the above persons who have contact with children in the religious institution or its programs. Every three years for employees or volunteers that participate in supervised activities with children or vulnerable population. There are no exceptions permitted.

What is the cost of screening?

PIIC has partnered with IntelliCorp to help your institution meet your strict screening requirements at a specially reduced cost. The Platinum Package Search will be conducted for all background screenings. You can view our specially offered services and discount prices by clicking on the attached link:

[Intelicorp \(PHLY Insured's Pricing\)](#)

The cost of failing to screen, and having an incident occur, could:

- cause life-long harm or even death to a participant;
- cost you personally as the result of a lawsuit; or destroy your organization through financial ruin and a shattered reputation.

DISQUALIFIER GUIDELINES

What results are reasons to be disqualified for a position as employee, volunteer, leader, etc?

A person shall be disqualified and prohibited from serving as a representative of the religious institution, volunteer, and/or affiliated with the institution in any fashion:

- Refuses to consent to a personal criminal background search.
- Convicted of a crime of child abuse, sexual assault, child neglect, murder, voluntary manslaughter, felony assault, arson, robbery, burglary, indecent exposure, public lewdness, terrorist threat, and offenses against a minor, kidnapping, or felony of the Controlled Substance Act (including crimes whereby a plea of “No Contest” was entered).
- Has been convicted, in any combination, of the following offences: misdemeanor assault and battery, Misdemeanor Theft.
- Has been twice convicted, in any combination during the past seven years, of the following offenses: Driving While Intoxicated (DWI) or Driving Under Influence (DUI), or any violation of the Controlled Substance Act.
- Judged liable for civil penalties or damages involving sexual or physical abuse of children; or subject to any court order involving any sexual abuse or physical abuse of a minor, including but not limited to domestic order for protection.
- Convicted of any lesser crime in which sexual relations is an element, including “victimless” crimes or a sexual nature (including pornography).
- Convicted of any lesser crime involving cruelty to animals.

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A QUICK GUIDE

- ✓ **Refrain from one-on-one only contact or individual counseling** -Two adults are recommended to be present at all times.
- ✓ **Avoid private conversations with youth members** – Conduct all conversations and private counseling in a gym or field instead of a private office.
- ✓ **Prohibit Pick Up/Drop Off** - A no transportation policies will help to reduce potential abductions or custody disputes.
- ✓ **Prohibit sleepovers** – Violates no one on one rule.
- ✓ **Touching policy** – Touching is acceptable provided it is appropriate and respectful.
- ✓ **Name Distribution Policy** – Limit roster handouts to persons on a “need to know” basis.
- ✓ **Conduct Policy** – Refrain from name calling, ridicule or put-downs (verbal child abuse) Refrain from hurting, touching or excessive exercise used as punishment (physical abuse) - Refrain from threats to perform unreasonable tasks (emotional abuse) - Refrain from unwanted sexual contact or attempt at sexual contact that occurs between the responsible adult and a child for the purpose of the adult’s sexual gratification or financial benefit (sexual abuse).
- ✓ **Buddy System:** We recommend that every activity sponsored by your religious institution have a buddy system in space. Each participant should be assigned a buddy during sponsored activities. No child should go anywhere – to the bathrooms or other locations – without his or her buddy.
- ✓ To protect youth, as well as clergy and volunteers, we strongly advise that no adult person allow him/herself to be alone with a child or group or children during a sponsored event.
- ✓ **Supervision / Chaperone ratio:** The ratio of adults to youth should be a minimum of 1:8.
 - Note: a maximum of at least two adult participants **MUST** always be present.
 - When traveling overnight, children should be paired up with other children of same gender and similar age. Chaperones should be in separate but nearby rooms.
- ✓ **Prompt response to accusations:** The institution must act quickly regarding all accusations of sexual or physical abuse. A person accused may be asked to resign voluntarily or may be suspended until the matter is resolved. A person who is accused but later cleared or charges, may apply to be reinstated. Reinstatement is not a right, and there should be no guarantee made that he or she will be reinstated to their former position.
- ✓
 - **Communication:** All information will be communicated to the authorities for investigation and will be reviewed by the organization’s directors. The alleged offenders will be notified of any allegations immediately.

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Training / Awareness Program: One of the most important features of a screening program is the establishment and implementation of a formalized procedure for reporting abuse or suspected abuse. A very specific awareness program must be established that highlights the key guidelines and steps required when identifying and reporting suspected abuse. These steps must be documented and communicated to all participants in the organization. Initial training and continued-education training should also be an integral part of the Training / Awareness Program. Suggested areas of the program would include:

1. Incident report documentation
2. Reporting information to authorities
3. Reporting procedures and communication procedures internally

Policyholder Links

For more information on background checks you can review our E-Brochure:

[INTELLICORP - CRIMINAL BACKGROUND CHECKS](#)

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