

Background Check Policy for FMC Staff and Volunteers

The purpose of the background check policy is twofold: 1.) To protect participants (children, adolescents and adults), at First Mennonite Church (FMC) from abuse and violence which may cause physical and emotional harm, and 2.) To provide a safe environment at FMC so that our commitment to Christian nurture, growth and healing will build a kingdom of God-like community. The authority to implement this policy rests with the congregation's trustees. Decisions about the frequency of background checks, which positions require that a background check be performed, which jurisdictions will be asked to provide background check information, interpretation of the policy, and application of the policy to specific people and situations is solely within the purview of the trustees (and the pastor(s) when there is an appeal). The trustees may enlist the help of people and groups within or outside the church to help them in carrying out tasks associated with the policy. They may at any time create an ad hoc group or committee to propose changes to this policy.

The background searches are intended to gather information about potential staff or volunteers regarding past charges, allegations or convictions in the areas of adult and child abuse, violence and neglect. Persons with this kind of information in their history may not want to share this information when they express interest in serving in a role, and yet it is information that is crucial in order for the congregation to provide a safe environment for all participants. "Positive" information means that an allegation, charge or criminal conviction is identified or discovered through a background check. The trustees may share positive information with FMC pastoral staff, in order for the pastor(s) to provide pastoral care to the identified person. Under exigent circumstances, information discovered via a background check may be provided to the congregation. One example of exigent circumstances would be if there were an imminent risk or threat to person(s) in the congregation. Even though positive information may be shared under the circumstances cited above, the general rule is that positive information which comes to the attention of the trustees through background checks will remain confidential with them. They should develop procedures for keeping this information confidential.

When positive information about abuse, neglect or other violence comes to the attention of the trustees, numerous factors should be evaluated in considering whether a person should be allowed to serve in a particular position. The following factors are important for the trustees to weigh during this process:

- 1.) Will the person be alone with children or adolescents in the proposed role?
- 2.) Will the person present a risk to other adults if they are allowed to serve?
- 3.) How long ago the behavior occurred?
- 4.) Whether the behavior resulted in a conviction (substantiated in a child abuse and neglect case), or is only alleged?
- 5.) Whether the participant volunteered information about the incident prior to a background check being performed?
- 6.) What the person's attitude or demeanor is about the incident in their past (remorse or contrition, particularly when there was a conviction or substantiated abuse report)?
- 7.) If the behavior is only alleged and the participant denies it, what is the participant's explanation about the past incident?
- 8.) Did the person seek any kind of professional assistance to help them change?
- 9.) What did the person learn from or how did they grow from what happened?
- 10.) Does the person display an attitude of cooperation with the trustees?
- 11.) Does the person at some point in the process provide additional information that is helpful to the trustees in understanding the situation?

12.)The person's general character and life history.

13.)As the trustees weigh and deliberate regarding the safety and interest of the congregation and the identified individual, they should always do this in a manner that is consistent with the "Keeping FMC Safe" policy.

When the trustees must decide whether to permit an individual to serve in a specific role at FMC, this decision shall be unanimous in the affirmative in order for the person to serve. A person may ask for immediate reconsideration of a decision which does not allow them to serve. In such a case, the trustees will invite the pastor(s) to join them as they evaluate and decide whether to allow the person to serve, and a unanimous decision of the trustees and pastor(s) is required in order for the person to serve. Also, when an initial decision or the result of an appeal does not allow the person to serve, a person may be allowed to serve at a later time if the person remains interested in doing so, but at least a year shall have passed before such a request is given consideration. At that later time, the trustees must reach a unanimous decision in order for the person to serve.

When the trustees decide to not allow a person to serve in a staff or volunteer role at FMC, a further decision-making process may be utilized as to whether this individual should be allowed to participate in other congregational activities at FMC. In other words, this decision is about whether an individual will be allowed to relate to the congregation in any capacity. If the trustees decide that they need to address this issue, they should use the same 13 factors enumerated above and allow for the same appeal process which has already been described.

When a person with positive background check information is allowed to serve or participate in the life of the congregation in any capacity, the trustees should monitor the person's service or participation for a reasonable period of time (determined by the trustees) to assess whether there are any significant issues of safety that need to be addressed. This should be done without creating undue suspicion among other congregational participants.

Approved by Trustees: 12/23/2019