

1 **OVERTURE 17** from The Ohio Presbytery (to CCB, OC)
2 “Amend BCO 13-6, 21-4, and 24-1 to Require Background Checks for Church Office”
3

4 [Editorial Note: This overture is similar to Overtures 6, 16, 23, and 24.]
5

6 **Be it resolved** that *BCO* 13-6 be amended by adding a final paragraph to the end of the section:
7

8 **13-6.** . . .

9 A Presbytery shall order and review a background check on each candidate,
10 administered under the specific rules and policies of the Presbytery, as part of its
11 examination of the candidate’s Christian experience (if seeking admission from
12 another Presbytery in the Presbyterian Church in America) or acquaintance with
13 experiential religion (if seeking admission from other denominations [see *BCO* 21-
14 4.c.(1)(a)]. The candidate shall be permitted to address the results of the background
15 check.
16

17 **Be it further resolved** that *BCO* 21-4.c.(1) be amended by adding a final unnumbered
18 paragraph to the end of the subsection:
19

20 **21-4.c.(1)** . . .

21 A Presbytery shall order and review a background check on each candidate,
22 administered under the specific rules and policies of the Presbytery, as part of its
23 examination of a candidate’s experiential religion (*BCO* 21-4.c.(1)(a)). The candidate
24 shall be permitted to address the results of the background check.
25

26 So that the unnumbered paragraphs will read

27 “A Presbytery may accept a seminary degree which includes study in the original
28 languages in lieu of an oral examination in the original languages.
29

30 A Presbytery shall order and review a background check on each candidate,
31 administered under the specific rules and policies of the Presbytery, as part of its
32 examination of a candidate’s experiential religion (*BCO* 21-4.c.(1)(a)). The
33 candidate shall be permitted to address the content of the background check.”
34

35 **Be it further resolved** that *BCO* 24-1 be amended by inserting a second unnumbered
36 paragraph after subsection e. and before the unnumbered paragraph that begins,
37 “Notwithstanding the above . . .”:
38

39 **24-1.e.** . . .

40 A Session shall order and review a background check on each candidate, administered
41 under the specific rules and policies of the Session, as part of its examination of a
42 candidate’s Christian experience (*BCO* 24-1.a.). The candidate shall be permitted to
43 address the results of the background check.
44

1 **Be it further resolved** that Presbyteries and Sessions are hereby encouraged to adopt
2 policies for conducting mandatory background checks on every candidate for office.
3

4
5 **RATIONALE:**
6

7 It is well-established that performing background checks is an important part of a global safety
8 policy for churches,¹ but they can also shed light on the character of a candidate for office.
9 Performing a background check provides additional information to the supervising court
10 regarding the biblical and confessional criteria for office. The results of the background check
11 are not dispositive of a man’s fitness for ministry. It should be used as one piece in the
12 examination of a man’s Christian character.
13

14 Biblically, the qualifications for elders and deacons includes being “above reproach” (1 Tim.
15 3:2 and Titus 1:7), “self-controlled” (1 Tim. 3:2 and Titus 1:8), “not violent but gentle” (1
16 Tim. 3:3), “not ... quick-tempered” (Titus 1:7), and “proven blameless” (1 Tim. 3:10). For
17 elders Scripture requires they “must be well thought of by outsiders” (1 Tim. 3:7). The
18 Scriptural command to every believer is to “keep your conduct among the Gentiles honorable”
19 (1 Pet. 2:12). Thus the *Book of Church Order* states that church courts must perform “a careful
20 examination” including “personal character” (21-4.c; 24-1.a) and “Christian experience” (13-
21 6).
22

23 Furthermore, our confession warns leaders against the “careless exposing, or leaving [those
24 in their care] to wrong, temptation, and danger” (WLC 130).
25

26 The use of background checks has previously been encouraged and recommended by the
27 General Assembly and its Committee on Domestic Abuse and Sexual Assault:
28

- 29 ● The report of the Ad Interim Committee on Domestic Abuse and Sexual Assault to the
30 Forty-Ninth General Assembly of the Presbyterian Church in America (the “DASA
31 Report”) implores that “Churches protect their members with policies that take into
32 consideration the most vulnerable in the congregation,” including “Presbyteries
33 enacting policies to require background checks and abuse training for all ordinands
34 and transfers, and policies to protect whistleblowers against retribution” (*M49GA*
35 [2022], 965, 965 n.11).
- 36 ● The DASA Report further recommends, “Candidates for the gospel ministry and
37 others employed for spiritual oversight (Sunday school teachers, youth leaders, etc.)
38 should be examined carefully to determine their godly character. Presbyteries and
39 Sessions are encouraged to carefully investigate a candidate for leadership roles
40 including but not limited to the candidate’s knowledge of theology. Background
41 checks, social media checks, and careful reference checks should be used to screen for
42 abusive leadership” (*ibid.*, 1183).

¹ See, e.g., Richard R. Hammar, *Pastor, Church & Law*, 5th ed. (Carol Stream, IL: Christianity Today, 2019), 918–947.

- 1 ● The 42nd General Assembly resolved that churches prevent types of abuse “by
2 screening staff and volunteers” (*M42GA* [2014], 59).
- 3 ● The 42nd General Assembly resolved that churches “must cooperate with those
4 authorities as they ‘bear the sword’ to punish those who do evil ‘in such an effectual
5 manner as that no person be suffered . . . to offer any indignity, violence, abuse, or
6 injury to any other person whatsoever’ (Romans 13:1-7; 1 Peter 2:13-14; WCF 23.3)”
7 (*ibid.*).

8
9 **Response to Common Objections:**

10 There are two objections to this proposal— noted in responses to Overture 6 at the 50th
11 General Assembly from South Texas Presbytery—that warrant consideration and response:

- 12
13 ● “Some candidates who have nothing to hide may refuse to submit to a background
14 check, because they do not trust the State and do not believe the church should be
15 looking to the state for the approval of candidates. This liberty of conscience should
16 be left free and not bound by extra-biblical rules.” (*M50GA*, 108)
- 17 ● “It is also not clear what will happen if a candidate refuses to submit to a criminal
18 background check. If a man refuses to be fingerprinted or undergo a background check
19 for reasons of conscience, is he disqualified for office? Is refusal to submit to a
20 criminal background check by the civil magistrate is not a legitimate ground to
21 disqualify a man for office. Thus, the overture would add an extra-Biblical requirement
22 for officers.” (*M50GA*, 108–109)

23
24 Of the qualifications for church officers in 1 Timothy 3, the majority correspond to moral
25 character. Only two are related to theological ability (as reflected in “able to teach” and “hold
26 the mysteries of the faith”). Hence, the *Book of Church Order* reflects this importance by
27 stating church courts must perform “a careful examination” including “personal character”
28 (21-4.c; 24-1.a) and “Christian experience” (13-6). At the 50th General Assembly, the PCA
29 again stressed the importance of moral character by amending our constitution stating church
30 courts should give “specific attention to potential notorious concerns” and “to his practical
31 struggle against sinful actions, as well as to persistent sinful desires” (*BCO* 21-4.c(e); 24-1).
32 It is, therefore, clear from the recent debates and votes that the presbyteries of the PCA desire
33 more reflection on the moral character of candidates’ ministries. Background checks are
34 consistent with the recent emphasis on moral character within the PCA and its officers.

35
36 Further, the concept of “extra-biblical” in the objections is not properly defined or defended
37 in the reasoning given by the Overtures Committee of the 50th General Assembly. For
38 instance, neither examination in church history nor the *Book of Church Order* are required by
39 a clear scriptural command; nonetheless they are requirements for ordination, along with
40 many other things that are not explicitly named in Scripture (*BCO* 21-4.c; 24-1). This is
41 because they are consistent with the instruction of scripture and the qualification of church
42 officers. And this distinction between *command* and *consistent with* applies across our
43 confession (WCF 1.6) and *Book of Church Order*. In particular, we confess “there are some
44 circumstances concerning the . . . government of the Church, common to human actions and
45 societies, which are to be ordered by the light of nature and Christian prudence” (WCF 1.6).

1 While background checks might not find any direct command in Scripture, they are consistent
2 with biblical instructions to walk properly in the world since an officer “must be well thought
3 of by outsiders” (1 Tim. 3:7) and Christians are instructed to “keep your conduct among the
4 Gentiles honorable” (1 Pet. 2:12). Though background checks might conform to guidance
5 “common to human actions and societies” this requirement is not derived in an effort to please
6 the world or the state. Perhaps counterintuitively, Paul says officers must be well thought of
7 by outsiders so that they “may not fall into disgrace, into a snare of the devil” (1 Tim. 3:7). It
8 is therefore pastorally wise to care for our church bodies *and our candidates* by requiring
9 presbyteries and sessions to perform background checks.

10
11 Given the Scriptural consistency as well as consistency of recent amendments to the PCA’s
12 *Book of Church Order*, background checks should not be considered as binding or violating
13 men’s consciences unlawfully (PP 1 and PP 7). Instead, they are a consistent application of
14 Scriptural standards for officers. If approved by the General Assembly and Presbyteries as a
15 desired application of Scriptural principles, they would be capable of binding the conscience
16 of officers (PP 1) who “promise subjection to your brethren in the Lord” (*BCO* 21-5; 24-6).

17
18 Candidates for office who cannot submit to the standards of their courts are not to be
19 considered lesser brethren (Rom. 14:22) but should not be viewed as qualified to serve in the
20 PCA if they cannot fulfill vows to their brethren.

21
22 **Lower Court Policies:**

23 The General Assembly ought not dictate the particular procedures Presbyteries and Sessions
24 implement in performing background checks. Each Presbytery and Session will have local
25 considerations that dictate how it can wisely fulfill this new constitutional requirement.
26 However, the following forms are examples of the kinds of policies that could be adopted or
27 amended to fit the needs of the court and to adhere to local laws and regulations.

28
29 **Sample Presbytery policy:**

30 Prior to any candidate coming before the Presbytery for examination for ordination or
31 transfer of credentials, the [insert committee name] Committee shall order a
32 background check on the candidate ordinarily at the cost of the Presbytery. The report
33 of the background check shall only be received by the Committee in executive session.
34 The candidate shall be furnished with a copy of the background check and given the
35 opportunity to respond to the results of the background check. The Committee shall
36 report to the Presbytery (1) that it has received the report of the background check, and
37 no concerns were raised; (2) that it has received the report of the background check,
38 and potential concerns were satisfactorily explained by the candidate without
39 reflecting negatively on his *BCO* 13-6 or 21-4.c.(1)(a) examination; or (3) that it has
40 received the report of the background check, and potential concerns should be weighed
41 by the Presbytery in the candidate’s *BCO* 13-6 or 21-4.c.(1)(a) examination. Any
42 details of possible concerns found in the background check may be disclosed only to
43 the Presbytery and/or the Session of the church calling the candidate when in executive
44 session. Such details may be disclosed outside the Committee only at the Committee’s

1 discretion or upon the request of the Presbytery or Session properly seeking the
2 information.

3
4 **Sample Session policy:**

5 Prior to any candidate coming before the Session for examination for the office of
6 Ruling Elder or Deacon, the Session shall order a background check on the candidate
7 at the cost of the Session. The report of the background check shall only be received
8 by the Session in executive session. The candidate shall be furnished with a copy of
9 the background check and given the opportunity to respond to the results of the
10 background check. Information learned should ordinarily only be considered as part
11 of the Session's examination of the candidate's personal character under *BCO* 24-1.a.
12 and should not ordinarily be disclosed to the congregation.

13
14 *Adopted by The Ohio Presbytery at its stated meeting, February 3, 2024.*

15 *Attested by /s/ TE Jason Piland, Stated Clerk*