



Pre-Employment Background Investigations

Virginia Wesleyan College is committed to providing the safest possible environment for students, faculty, staff, visitors, and physical resources. In an effort to maintain a safe environment, the College shall conduct background checks on all applicants, excluding student applicants for student positions, hired after January 1, 2006.

Just cause for immediate termination of employment/discontinuance action towards employment shall include the following acts or omissions:

- 1) Conviction of a Felony in the State of Virginia or any other jurisdiction of the United States within the last 15 years.
- 2) Conviction of a Misdemeanor in the State of Virginia or any other jurisdiction of the United States for one of the following crimes within the last 15 years including, but not necessarily limited to:

- Abduction
- Abuse or neglect of an adult
- Arson
- Assault with the intent to commit a crime
- Breaking and entering
- Burglary
- Carjacking
- Carrying or wearing a weapon
- Child Abuse/Neglect
- Confinement of an unattended child
- Contributing to the delinquency of a minor
- Cruelty to animals
- False imprisonment
- Forgery
- Hiring, soliciting, engaging, or using a minor for the purpose of manufacturing, distributing, or delivering a controlled dangerous substance
- Incest
- Kidnapping
- Maiming or Mayhem
- Manslaughter or Murder
- Manufacturing, distributing or dispensing a controlled and dangerous substance
- Possession of CDS or Paraphernalia

Pornography (child)
Possession with intent to manufacture, distribute, or dispense a controlled dangerous substance
Prostitution or pandering
Rape
Reckless endangerment
Robbery
Sex offenses
Weapons (firearms) violations of federal or state laws
Religious or ethnic crimes
Unnatural or perverted practices
Any other crime that brings into question a person's suitability

The following actions may make an applicant ineligible for employment:

1. New applicants receiving Probation Before Judgment (PBJ) for any of the above mentioned crimes within the last four years especially if additional information obtained indicates that undesirable activity is involved.
2. Pending criminal action that precludes an employee from working in a facility.
3. Failure to disclose a Conviction, Probation Before Judgment, or pending criminal or social services issue on the employment application or background check application.

Procedure:

1. All applicants being offered employment at Virginia Wesleyan College, excluding student applicants for student positions, are required to have a criminal background check conducted. While employment may begin prior to receipt of the results of each background screening, all new employees will sign a statement indicating their understanding that their continued employment will be contingent on the results of their background check.
2. Prior to conducting the criminal background check, the hiring supervisor, the Academic Dean, or Human Resources/Payroll, as appropriate, shall obtain the signed, written consent from the potential employee. An applicant who refuses to complete, sign, and submit the form will be removed from further consideration for the position.
3. This written consent form shall be forwarded to the Human Resources Department. The Human Resources Director, Business Office Secretary, or Payroll Manager shall forward the request to Kroll Background America Inc. for a background check.
4. In accordance with the signed agreement, Kroll shall perform the appropriate background check and transmit the results to the Director of Human Resources.
5. If the results of an applicant's criminal history record investigation indicate that the applicant may be a risk to the campus, the Director of

Human Resources shall evaluate the findings along with the potential risk. The evaluation shall be based upon such factors as the duties of the position, the nature and number of offenses, the dates of the offenses, employment and rehabilitation history, accuracy of the information on the employment application, and other job-related factors.

6. The Director of Human Resources shall make the final recommendation to the hiring supervisor on the advisability of continuing the relationship with the potential employee.
7. If the results of an applicant's criminal history record investigation indicate that the applicant may be a security risk, the Director of Human Resources shall ensure that the applicant receives a copy of the investigation results along with a printout of his/her legal rights.

General Information:

1. Criminal history record information will be used only for the purpose of evaluating applicants for employment, and shall in no way be used to discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, disability, age, or any other protected category.
2. Offers of employment will be made on a contingent basis pending satisfactory criminal background check results.
3. Criminal history or criminal conviction information shall be treated as confidential information as required by law. Such information will not be made a part of the applicant's file, or the employee's personnel file, or communicated to any unauthorized person when prohibited by law. The release of such information must be authorized in writing by the Vice President for Business Affairs.
4. Nothing in this policy shall be construed to prevent a hiring supervisor or the Director of Human Resources from discussing with the applicant information from the criminal background check for purposes of verification or clarification.
5. All Background Checks will be conducted in accordance with the Fair Credit Reporting Act.
6. Background history reports will be maintained in a secured file in the Human Resources Department.