

# **WYTHEVILLE COMMUNITY COLLEGE**

## **Reference and Background Check Policy**

**Purpose.** The purpose of the Reference and Background Check Policy is 1) to promote a safe environment and protect the welfare of students, employees, and visitors to our campuses; 2) to protect organizational assets including people, property and information; 3) to verify the identity and credentials of applicants; 4) to perform due diligence in ensuring that we appropriately evaluate candidates' background and suitability for employment within the VCCS; and 5) to enable each college and the System Office to make prudent hiring decisions based upon comprehensive job-related information.

- 1) **Coverage.** All new employees (full-time and adjunct teaching faculty, administrative/professional faculty, classified staff, and wage employees), and current employees who are hired into or transfer to classified, administrative/professional and teaching faculty positions at their current or another VCCS college on or after July 1, 2007 are covered by this policy.
  - a) Work-study students/student assistant positions are not covered by this policy.
  - b) Employees rehired within 18 months of their last assignment are not required to undergo a background check if a check appropriate to the new position had been previously completed.
- 2) **Minimum Reference and Background Check Requirements.** The minimum investigation will always include the following:
  - a) Professional reference checks to verify the skills, past performance, and the candidate's potential and suitability for employment. Immediate supervisors will be responsible for collecting this information using the Reference Check form. Completed forms will be maintained in the Human Resource Office.
  - b) A reference from the current (or most recent) supervisor is strongly preferred for applicants with work experience. If this is not feasible, references from two former immediate supervisors should be obtained in addition to checks of other appropriate references.
  - c) Verification of social security number. The Human Resource Office will verify the social security number of the person hired to fill a position. Verification will be conducted by electronic means with the Social Security Administration. Viewing the social security card or obtaining a copy of the card will not suffice as verification of the social security number.
  - d) Virginia criminal history and sexual offender registry check. The Human Resource Office will request a criminal history/sex offender check with the Dept. of State Police for Virginia residents. For persons residing outside of the State, an outside vendor may be used. Supervisors are required to use the Release of Information sheet requesting permission from the prospective employee and to obtain the required information to run the check.

- e) Verification of academic credentials and professional licensure, as appropriate for the position. The immediate supervisor will verify academic credentialing and professional licensure as appropriate
- 3) **Completion of Reference and Background Checks.** Reference and background checks should be completed prior to an offer of employment; however, the applicant's first day of work in the position must not be prior to the satisfactory completion of appropriate checks.
- a) Exceptions to this policy must be documented and have the joint approval of the Human Resource Officer and appropriate Vice President.
  - b) If an exception is made, the offer letter or Faculty Employment Contract will explicitly state that, "This offer is conditional and will become final only upon receipt of satisfactory results from Wytheville Community College's verification of credentials and other information required by law, regulation, and VCCS policies, including the completion of a criminal history and other background checks. In the event issues are raised in the investigation report that may impact your appointment, this offer and confirmation will be withdrawn."
- 4) **Additional Background Checks Requirements.** Some positions will require additional background investigations based upon the nature or importance of the position to the college and community. Reasons for additional checks include, but are not limited to, positions that handle significant financial transactions, security sensitive positions, executive positions and other positions afforded a degree of special trust and confidence. Such checks may include the following:
- a) Sensitive Positions: In accordance with DHRM policy and Virginia Code, Va. Code § 2.2-1201.1, each agency must designate positions which are directly responsible for the health, safety and welfare of the general populace or protection of critical infrastructures. These positions are required to have a Virginia criminal history and Federal Bureau of Investigation database check conducted through the Department of State Police, and this check must also include fingerprinting.
  - b) Work and Residence History: Candidates who have resided or worked in a state other than Virginia will undergo a criminal history check on the national level or in the communities where they worked and resided, as appropriate. Such checks should be undertaken in addition to Virginia State Police criminal history checks.
  - c) Motor Vehicle History: Motor vehicle record checks should be conducted for positions that involve the operation of a motor vehicle or heavy equipment, or that require a valid driver's or commercial driver's license. Such operators should have their motor vehicle records checked periodically to ensure that the employee maintains a good driving record.
  - d) Credit Check: Positions requiring a credit check are those that have access to material levels of cash or negotiable securities; have responsibility or authority for the execution, approval or commitment of financial resources or transactions; responsibility for creating, collecting, or accounting for material levels of accounts receivable; have significant

inventory control responsibilities, including the receipt and release of inventory; have access to, or responsibility for the payroll/personnel or purchasing systems, or privileged access to sensitive data or critical data processing systems; have unsupervised access to college, employee, or student property or master key access to facilities or have access to pharmaceuticals or other controlled drugs.

- e) **Fingerprint Check:** Fingerprint checks are required for all security positions, and information technology positions designated as security sensitive, consistent with the requirements of Code of Virginia § 2.2-1201. Fingerprint checks may also be conducted for other positions designated as “sensitive” by Wytheville Community College.
- f) **Medical/Physical Evaluation:** A pre-employment, post-offer, or return-to-work physical may be required for positions that require a certain degree of physical exertion based upon the essential functions of the position in question, or medical qualification requirements (if applicable). Such requirements exist to ensure applicants can perform the essential functions of the job with or without reasonable accommodation, or that they possess the minimum abilities necessary for safe and efficient performance of the duties that characterize the position.
- g) **Drug and Alcohol Testing:** In accordance with the Code of Federal Regulations, all drivers of vehicles requiring a Commercial Driver’s License (CDL) are subject to the pre-employment testing for controlled substances and reasonable suspicion, random, and post-accident, return-to-work testing for the use of controlled substance (drugs) and alcohol.

5) **Current Employee Responsibility to Report Convictions.** Current employees must report to their immediate supervisor and the Human Resource Office within five days:

- a) Any drug convictions they receive, whether they are felonies or misdemeanors.
- b) Convictions related to child molestation, indecency with a minor, or other sexual offenses.
- c) Convictions for alcohol related and serious motor vehicle violations, including but not limited to DWI/DUI, reckless driving, evading arrest, hit-and-run, and similar offenses if their duties involve the operation of college heavy machinery equipment or motor vehicles, life safety, security.
- d) Any convictions involving financial impropriety or similar matters for employees who work in positions with fiduciary responsibilities.
- e) The System Office and Colleges reserve the right to conduct a criminal background check when circumstances are identified that warrant further investigation for job-related convictions. Results of the background check will normally not affect opportunities for continued employment unless information discovered regarding prior or current convictions leads to a conclusion that the safety of students, clients, and/or co-workers may be compromised. The individual may be reassigned or his/her employment may be terminated.

**6) College Responsibilities.**

- a) All applicants will be required to complete a Commonwealth of Virginia employment application or submit a résumé as a part of the recruitment process.
- b) Applicants who submit résumés must complete a state employment application prior to the time of interview.
- c) Advertisements will announce and applicants will be advised that satisfactory reference and background checks are a condition of employment.

**7) Use of Background Check Information.** The discovery of either a job-related conviction or falsified conviction information or other information on the application may result in denial of employment. A previous conviction does not automatically disqualify an applicant from consideration from employment within the VCCS.

- a) Job relatedness: In making the determination of job-relatedness of convictions, consideration will be given to the 1) nature, 2) recency, 3) frequency, 4) severity of the crime(s), and 5) the age of the individual at the time the crimes were committed.
- b) Other factors: that will impact the decision include the nature of the position for which selected; the relationship that a conviction has to the duties and responsibilities of the position; whether the circumstances arose out of an employment situation; whether the conviction related to harm to others, such as murder, rape, assault, domestic violence, etc.; the nature and scope of position's fiduciary responsibilities; the nature and scope of the position's student, public or other interpersonal contact; the nature and scope of the position's autonomy and discretionary authority; the sensitive nature of the data or records maintained or to which the position has access; the potential opportunity presented for the commission of offenses; the extent to which acceptable job performance requires the trust and confidence of the college or public; and other factors as deemed appropriate.
- c) Withholding Conviction Information: If an applicant fails to reveal any previous job-related conviction, he/she will likely be disqualified from employment in that or any other position within the VCCS for falsification of an application
- d) Final Decision: A decision to not hire, or rescind a previous offer will be made jointly by the chief human resources officer and the appropriate vice president/vice chancellor.

**8) Maintaining Information.** Any information derived from reference or background checks shall be maintained in the strictest confidence possible and will be maintained in the Human Resource Office under separate cover; only minimal information will be placed in the employee's official personnel file. Only essential personnel involved in the hiring process shall be informed, on a need-to-know basis.

- a) The Human Resource Officer will administer the gathering of this information, except in the case of Campus Police Officers and security positions, which pursuant to DHRM Policy 2.10 will be conducted by the Campus Police/Public Safety Department.

- b) Colleges must follow the guidelines of DHRM Policy 2.10 and the requirements of the Fair Credit Reporting Act, where appropriate, for conducting background checks.
- c) Information retained in personnel files shall be kept to a minimum, briefly identifying the outcome of the results. For individuals rejected, the file documents will indicate that the offer was retracted because of information obtained through a reference or background check. For the person hired, the file documentation would indicate that the appropriate reference and background checks were conducted and revealed no problem areas related to employment.

Attachments: Background Check Instruction Sheet  
Release for Information form  
Reference Check form

Implemented July, 2007  
(Final Copy)

# BACKGROUND CHECK INSTRUCTIONS

	References	VA Criminal	Sex Offender	SSN	Credentials/ Licensure	Federal/ FBI	Other States	DMV (Driving)	Credit
All (VA)	✓	✓	✓	✓	✓				
Non-VA Residents	✓	✓	✓	✓	✓	✓ and	✓ /or		
Expanded (important)	✓	✓	✓	✓	✓				
Financial	✓	✓	✓	✓	✓				✓
Drive State Vehicle	✓	✓	✓	✓	✓			✓	
CDL License	✓	✓	✓	✓	✓			✓	
Sensitive (DHRM)	✓	✓	✓	✓	✓	✓			
Works with Children, Disabled or Elderly	✓	✓	✓	✓	✓	✓			
Physical Demands	✓	✓	✓	✓	✓				

**WYTHEVILLE COMMUNITY COLLEGE**  
**Release for Information**

I hereby give permission for Wytheville Community College to request a criminal history/sex offender background check and fully understand that a satisfactory check must be received as a condition of employment. Information derived from the background check will be maintained in the strictest confidence possible.

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Signature

Date

The following information will only be used to request a criminal history/sex offender background check for my employment with Wytheville Community College.

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Last Name

First Name

Middle Name

Maiden Name

Race:    \_\_\_ White  
          \_\_\_ Black  
          \_\_\_ Hispanic  
          \_\_\_ Asian  
          \_\_\_ American Indian

Gender:   \_\_\_ Male  
           \_\_\_ Female

Date of Birth:   \_\_\_\_\_ (MM/DD/YYYY)

Social Number:   \_\_\_\_\_

Some positions will require additional background investigations based upon the nature or importance of the position to the college and community. Additional information may be requested for these investigations.

Please return this completed form to the Human Resource Office as soon as possible.  
Thank you.

Linda Nye  
Human Resource Manager

## REFERENCE CHECK

Applicant's Name:

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Person Giving Reference:

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Relationship to Applicant:

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- ❖ How long have you known this person and in what capacity?
  
- ❖ What are this person's strengths?
  
  
  
  
  
  
  
  
  
  
- ❖ What are this person's weaknesses?
  
  
  
  
  
  
  
  
  
  
- ❖ Why is this person leaving his/her present position of employment?
  
  
  
  
  
  
  
  
  
  
- ❖ Are there or have there been any problems that I should be aware of concerning this person?
  
  
  
  
  
  
  
  
  
  
- ❖ How well does this person work with supervisors and co-workers? (In other words, what would co-workers and supervisors tell me about him/her?) Explain.





❖ Additional questions to be added by the Division Dean:

Person completing this form: \_\_\_\_\_  
Date

Additional questions/information derived from this reference check: