Policy Title: Criminal Background Check Policy
Effective Date: 3/1/2000

Policy ID #: HR PO-1400
Date of Last Revision: 2/1/2012

Oversight Department: Human Resources
Next Review Date: 2/1/2013

1. PURPOSE

The purpose of the Criminal Background Check Policy is to promote a safe environment and protect the welfare of students, employees, and visitors to our campus and to protect organizational assets including people, property and information.

2. APPLICABILITY

This policy applies to full- and part-time classified, administrative and professional faculty, teaching and research faculty, and 1500-hour wage positions. Certain other positions may be designated as well.

3. AUTHORITY

University policies fall within a greater hierarchy of laws, statutes and regulations. The Board of Visitors has been authorized by the Commonwealth of Virginia to govern Radford University. (See Code of Virginia section 23-155.7; 23-9.2:3.) The Board of Visitors has delegated the authority to manage the university to the President.

As a part of that management, the President, in conjunction with the Cabinet, will direct the development and implementation of university policies and procedures.

4. DEFINITIONS

Conviction: The result of a trial or a legal proceeding that ends in a judgment or sentence that the person is guilty of a criminal violation.

Crime: The breach of a legal duty, punishable by a penal statute, whether federal, state, or local.

Selected Positions: Positions identified by University management that have access to significant levels of cash or negotiable securities; significant responsibility for the execution or approval of financial transactions; privileged access to highly sensitive data or critical data processing systems; unsupervised access to university, employee or student property, including university dormitories with access to student rooms; and/or positions having responsibilities in safety, law enforcement, medical services, homeland security, and/or fiscal areas; those with significant data and resource access, and positions that have access to or responsibility for significant quantities of hazardous materials.
5. POLICY

As of February 1, 2012, a criminal background check will be processed by Human Resources for all new and rehired employees, and employees who are promoted or who transfer into different selected positions and upon whom a criminal background check has not previously been conducted. Employees rehired within six months of the date their employment became inactive are not required to undergo a criminal background check if a check appropriate to the new position had been previously completed.

Exception: The Radford University Police Department (RUPD) will conduct criminal background checks based on RUPD policies and procedures for their own new employees, rehired employees, and employees who transfer into the RUPD.

Applicants will be advised that a criminal background check is a condition of employment and that all convictions must be included on the application and disclosed during the employment process.

If an applicant or employee possesses an active security clearance issued by the US Federal Government, proof of that active security clearance will be considered in lieu of conducting a new criminal background check.

The accuracy and completeness of the disclosure of prior criminal convictions revealed in the application and employment process will be verified. Convictions disclosed or discovered in the application and employment process may influence the selection of the applicant where such information is job related.

6. PROCEDURES

See Corresponding PROCEDURE # HR PR-1400

(Include Appendices with Procedure)

7. RESPONSIBILITIES

See Corresponding PROCEDURE # HR PR-1400

8. INTERPRETATION

The authority to interpret this policy rests with the President of the University and the President’s Cabinet.

9. EXCLUSIONS

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10. REFERENCES

Code of Virginia 2.2-1201.1

Virginia Department of Human Resource Management, Policy 2.10, Hiring

Developed June 2011
11. APPROVAL AND REVISIONS

Criminal Conviction Investigation Policy, June 2001

Approved by: The President’s Cabinet

Date: 1/19/2012

Penelope W. Kyle, President

Date: 1/20/2012

For information, contact Reaccreditation and Policy Coordinator – 540-831-7122

Developed June 2011