



## Virginia Commission for the Arts Criminal Background Check Policy for Teaching Artists Revised June 2026

### Overview

Each Teaching Artist approved by the Commission for the Teaching Artist Roster is required to undergo a criminal background check upon Roster acceptance and renewal. Background checks ensure that the Commission has performed its due diligence to the fullest extent possible, as Teaching Artists are properly vetted, to work with Pre-K-12 students, life-long learners, and/or potentially (other) vulnerable populations. All criminal background checks are confidential. Background checks will be conducted with the Virginia State Police (VSP) to determine whether a Teaching Artist has a criminal history in Virginia, including that as a sex offender. The Commission will contract with a third-party vendor to determine a U.S. criminal record outside of the Commonwealth. Fieldprint, or whatever successor vendor is contracted through the VSP will be used for conducting background checks.

### Background Check Renewal Requirement

All Teaching Artists are required to complete a criminal background check every five (5) years as part of the application renewal process. Failure to complete the required background check by December 15th will result in suspension or ineligibility for continued Roster participation.

### Organizational Background Check Limitation

For organizations approved for the Teaching Artist Roster that contract with multiple Teaching Artists, the VCA will process a maximum of eight (8) background checks on behalf of the organization during a given application or renewal cycle. Organizations that need additional background checks beyond this limit are responsible for arranging and covering associated costs independently.

### Consideration of Information Obtained

Convictions and other information disclosed by candidates or revealed through background checks will influence the funding decision only if considered by the Commission to be relevant to the duties of the position and the Commission's responsibilities to the public and public funding. For convictions and other past conduct deemed potentially relevant, the following will be considered:

- the nature and severity of the offense or conduct,
- the nature of the possible assignments of the Teaching Artist, and populations with whom they would engage, and/or
- a candidate's explanation of a past event and other contextual information, including the candidate's age at the time the event or conduct occurred and the time elapsed since. If the Commission denies approval based on criminal background check information (other than information solely disclosed by the candidate) or any other information provided by a consumer reporting agency, the Commission will notify the candidate in accordance with the Fair Credit Reporting Act.

### Consideration of Offenses

Examples of offenses which are considered unacceptable for working with children/youth, seniors and/or other vulnerable populations include, but may not be limited to:

- Offenses or cases involving care or treatment of other persons
- Misdemeanor offenses or cases involving violence, or drug and alcohol offenses within the past seven years.
- Felony offenses or cases involving violence or sex
- Other felony offenses such as embezzlement, theft, drugs, within the past ten years

## Criminal Background Check Continued

This shall include persons who have been found guilty or entered a plea of guilty or no contest. This listing of examples of offenses is not exhaustive, and other offenses may be considered unacceptable. For offenses not listed below, evaluations will be made on a case-by-case basis. \*\*Shall include prior adult offenses, juvenile offenses, and adjudication of delinquency\*\*

### **Confidentiality and Reporting**

In compliance with applicable requirements and the Virginia Records Act, §§ 42.1-76, et seq. of the Code of Virginia, the Commission will manage criminal background checks once they have served their purpose of determining a criminal background of an applicant. Information will be collected and handled confidentially to the extent permitted by law by designated Commission staff—the Executive Director, Deputy Director and Grants and Artist Rosters Coordinator.

Information will be retained only as required by law, and will not become part of any Teaching Artist's file. In accordance with direction from Department of Human Resources and Management (DHRM), the Commission will maintain a list of these artists with documentation of when/how their background checks were conducted and that they successfully passed or had an unfavorable background check. DHRM only records employees in "sensitive positions" and does not record independent contractors in the Cardinal Human Capital Management system. The Commission will absorb the cost for the background check and the applicant's background check information shall not be redisclosed.