

VIRGINIA DEPARTMENT OF EDUCATION

BACKGROUND CHECK REQUIREMENTS: PROVISIONAL HIRE FLOW CHART

Are you a licensed Child Day Center, Family Day Home, Family day System; or a Religious Exempt Child Day Center, Certified Preschool, Voluntarily Registered Family Day Home, System Approved Home, or Subsidy provider?

NO

YES

Unregulated programs are not subject to background checks pursuant to [§ 22.1-289.035](#). In addition, unregulated programs are not able to use Fieldprint to obtain background check information and instead must request a check from the Virginia State Police directly.

New Employee Hired After July 1, 2024

Completed sworn statement or affirmation and satisfactory fingerprint check signified by written documentation from the Office of Background Investigations stating that the individual is eligible for hire BEFORE first day of work.

Employees Hired Before July 1, 2024

Employees hired before July 1, 2024, are not eligible for provisional hire.

YES

NO

Not eligible for provisional hire.

Requests made for Virginia Central Registry, and if applicable, Out of State Central Registry, Out of State Sex Offender Registry Check, and Out of State Criminal BEFORE first day of work

Eligible for provisional hire.

YES

NO

Not eligible for provisional hire.

Provisionally hired employees and volunteers must be in the line of sight of at least one other staff member who has a complete and satisfactory background check and must not be left alone with children until all components of the background checks required in [§ 22.1-289.035](#) of the Code are complete.
Note: Programs should follow-up on requests within 45 days of making the request.

PROVISIONAL HIRE ELIGIBILITY

§ [22.1-289.035](#) OF THE CODE OF VIRGINIA

*Provisional hire eligibility is limited to prospective employees or volunteers required to have background checks pursuant to [§ 22.1-289.035](#) of the Code, and is not available to applicants, agents and household members required to obtain background checks pursuant to [§ 22.1-289.036](#).