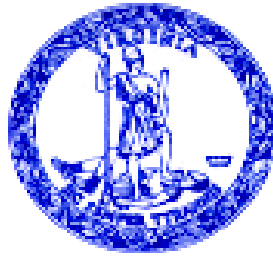


Commonwealth of Virginia



Restrictions to Employment for Individuals with Criminal Histories

Prepared by:

The Virginia Department of Correctional Education
"Fighting Crime Through Education"

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Please note that the information contained in this document was obtained from Occupational Licensure Board websites, the Code of Virginia, the Virginia Administrative Code, The Legal Action Center, and other sources, with special thanks to the Department of Professional and Occupational Regulations. Its accuracy is not guaranteed, as laws, policies, and regulations change frequently. We advise that you check with the source noted in this information to ensure that it is current and correct. We welcome and appreciate any information that you can provide to ensure that the information contained in this document is clear and accurate. Contact: Gwynne Cunningham at 804-225-3335 or gwynne.cunningham@dce.virginia.gov with corrections and updates.

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Introduction:

The Equal Employment Opportunity Commission (EEOC) has ruled that employers governed by Title VII of the Civil Rights Act cannot deny employment based on arrests that did not lead to conviction unless there is a “business justification”; nor can they deny employment because of a criminal conviction unless there is a “business necessity.” To establish business necessity, the employer must show consideration of a) the nature and gravity of the offense(s); b) the time that has elapsed since the conviction and/or completion of the sentence; and c) the nature of the job held or sought. Policies governing employment of people with criminal histories are also dependent upon individual state laws. In Virginia, employers have the right to ask applicants about arrests (whether they do or do not lead to a conviction).

Virginia’s Central Criminal Records Exchange (CCRE) holds arrest records (rap sheets) on file. These records are permanently on file and apply to people who have ever been arrested and fingerprinted for violating a state or local law in VA, even if no conviction resulted. Criminal justice agencies (e.g. police departments, courts, probation offices and prosecutors), certain employing organizations and others have the right under VA law to access these records. Rap sheets cannot be shared with the general public or to employers who have no statutory authorization to get such information. Criminal history information can also be accessed through consumer reporting agencies. These agencies are regulated by the Federal Fair Credit Reporting Act, which forbids the reporting of certain information that is more than seven years old. For instance, information regarding convictions can always be available, but information about arrests not leading to conviction may only be reported if they have occurred within the last seven years or if the statute of limitations has not expired.

There are procedures available to both clear aspects of one’s criminal history and to have civil rights restored. Former offenders may have arrests or charges “expunged”, or removed from their records. The Virginia Criminal Procedure Code states that employers may not inquire about expunged arrest records. Having one’s record expunged, however, requires that the case was resolved in the individual’s favor (e.g. acquittal). Offenders can remove bars to licensure and employment by obtaining a certificate of rehabilitation. Currently, Virginia offers no formal procedure for obtaining a certificate of rehabilitation. Offenders may apply for a restoration of their civil rights (including the right to hold public office, vote, or serve on a jury) upon the completion of sentence. Three types of pardon (absolute, conditional and simple) are also available with varying degrees of rights restoration. Neither restoration of civil rights nor a pardon serves as evidence of rehabilitation or lifts occupational bars.

The primary focus of this report is to inform policy makers and those with a criminal history as to roadblocks in achieving employment. This focus does not address individuals who have previously held an occupational license. For example, most professions that require licensure do not allow licensure to those who have previously had their license revoked in another state. Additional regulations exist regarding criminal activity that occurs while licensed. Again, this summary focuses on obtaining licenses and employment post-release with the assumption that a particular occupational license was never held.

The following table lists restrictions to employment by occupation. It also documents the agency (if any) that regulates licensure as well as procedures for removing existing blocks to employment. Please note that this report is not official and that laws regulating licensure and employment change regularly and should be confirmed by the respective agencies. Also note that in most cases there is a process to appeal even if such a process is not explicitly stated.

*some of the above information was obtained from the Legal Action Council (LAC) website, <http://www.lac.org/lac/index.php> and publication: Employment Discrimination and What to Do About it (2002).

CODE OF VIRGINIA

§ 54.1-204. Prior convictions not to abridge rights.

A. A person shall not be refused a license, certificate or registration to practice, pursue, or engage in any regulated occupation or profession solely because of a prior criminal conviction, unless the criminal conviction directly relates to the occupation or profession for which the license, certificate or registration is sought. However, the regulatory board shall have the authority to refuse a license, certificate or registration if, based upon all the information available, including the applicant's record of prior convictions, it finds that the applicant is unfit or unsuited to engage in such occupation or profession.

B. In determining whether a criminal conviction directly relates to an occupation or profession, the regulatory board shall consider the following criteria:

1. The nature and seriousness of the crime;
2. The relationship of the crime to the purpose for requiring a license to engage in the occupation;
3. The extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved;
4. The relationship of the crime to the ability, capacity or fitness required to perform the duties and discharge the responsibilities of the occupation or profession;
5. The extent and nature of the person's past criminal activity;
6. The age of the person at the time of the commission of the crime;
7. The amount of time that has elapsed since the person's last involvement in the commission of a crime;
8. The conduct and work activity of the person prior to and following the criminal activity; and
9. Evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release.

C. A regulatory board or department may require any applicant for registration, licensure or certification to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such applicant. Such applicant shall pay the cost of the fingerprinting or a criminal records check or both.

The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall make a report to the regulatory board or department or their designee, who must belong to a governmental entity. If an applicant is denied a registration, license or certificate because of the information appearing in his criminal history record, the regulatory board or department shall notify the applicant that information obtained from the Central Criminal Records Exchange contributed to such denial. The information shall not be disseminated except as provided for in this section.

D. A regulatory board or department shall consider the criminal information as contained in the applicant's state or national criminal history in lieu of the applicant providing certified copies of such court records in determining whether a criminal conviction directly relates to an occupation or profession or if an applicant is unfit or unsuited to engage in an occupation or profession. The regulatory board or department may request additional information from the applicant in making such determination.

(1979, c. 408, § 54-1.21; 1988, c. 765; 2003, c. 582.)

Occupation	Agency	Criminal Record /Related Restrictions	Rights and Appeals Procedures
Accountant, Certified Public	Department of Professional and Occupational Regulation Board for Accountancy	Good moral character: <i>18 VAC 5-21-10</i> , which means a lack of history of dishonest or felonious acts.	Person shall not be refused a license because of a prior criminal conviction, unless the criminal conviction directly relates to the practice of public accountancy. Ultimate decisions are left to the Board.
Acupuncturist	Department of Health Professions Board of Medicine	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916; Good moral character. <i>18VAC85-110-155</i> : The board reserves the right to deny a request for reactivation to any licensee who has been determined to have committed an act in violation of §54.1-2914 of the Code of Virginia or any provisions of this chapter.	May request a hearing with the board.
Aircraft Operator	Federal Aviation Administration	Drug-related conviction renders one ineligible for license for one year and is grounds for suspension or revocation. Title 14 CFR 61.15. No person is eligible to hold a certificate, rating, or authorization issued under this part when the Transportation Security Administration (TSA) has notified the FAA in writing that the person poses a security threat. § 61.1: Must have federal license.	
Airport Security Screener	Federal Aviation Administration, Transportation Security Administration	§ 44936 Title 49, U.S. Code: an air carrier, foreign air carrier, airport operator, or government may not employ, or authorize or make a contract for the services of the applicant who in the 10-year period ending on the date of the investigation, was convicted (or found not guilty by reason of insanity) of murder assault with intent to murder, espionage; sedition; treason, rape; kidnapping; unlawful possession, sale, distribution, or manufacture of an explosive or weapon; extortion; armed or felony unarmed robbery; distribution of, or intent to distribute, a controlled substance; a felony involving a threat; a felony involving—willful destruction of property; importation or manufacture of a controlled substance; burglary; theft; dishonesty, fraud, or misrepresentation; possession or distribution of stolen property; aggravated assault; bribery; and illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year, or any	

		other crime classified as a felony that the Under Secretary determines indicates a propensity for placing contraband aboard an aircraft in return for money; or conspiracy to commit any of the acts referred to in abovementioned clauses. Subject to fingerprinting.	
Airtraffic Control Specialist (Tower Controller, Center Controller)	Federal Aviation Administration	May result in not getting a job as Air-traffic Controller if the applicant has been involved in actions and convictions for which there is statutory debarment from federal employment, government loyalty issues, drug-related offenses, felony offenses, firearms or explosives offenses.	
Alarm Respondent	Board of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or certification, except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Subject to fingerprinting.	The Director of the Department may waive such prohibition.
Ambulance driver	SEE EMERGENCY MEDICAL TECHNICIAN		
Architect/ Landscape Architect	Department of Professional and Occupational Regulation APELSCIDLA Board	Any felony or misdemeanor, which, in the judgment of the board, adversely affects the person's ability to perform satisfactorily within the profession. <i>18VAC10-20-20</i> : Must be of "good moral character" (a lack of history of dishonest or felonious acts). <i>18VAC10-20-750</i> : A person licensed to practice profession in other jurisdiction must be in good standing in every jurisdiction where licensed and cannot have the license suspended, revoked or surrendered in connection with a disciplinary action or who has been subject to discipline in another jurisdiction.	<i>18VAC10-20-20</i> : Applicants found ineligible for some reason may request further consideration by submitting in writing evidence of additional qualifications, training, or experience. The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.

Armed Guard/ Courier/ Security Officer	Board of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or certification except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Subject to fingerprinting.	The Director of the Department may waive such prohibition.
Armored Car Personnel	Board of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or certification, except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Subject to fingerprinting.	The Director of the Department may waive such prohibition.
Asbestos Remover/ Inspection Contractor/ Worker/ Supervisor/ Management Planner/ Project Designer/ Project Monitor	Department of Professional and Occupational Regulation Board for Asbestos, Lead and Home Inspectors	<i>18 VAC 15-20-450</i> : May be denied application if convicted, found guilty, regardless of adjudication in any jurisdiction of any felony of any misdemeanor involving lying, cheating or stealing. Complete list of all prior disciplinary actions. <i>18VAC15-20-30</i> : Each application for a license must be signed by an applicant and must include a certification (by the applicant) that the applicant's license has not been suspended or revoked by any jurisdiction and that no enforcement action by any jurisdiction is pending against the applicant. <i>18VAC15-20-150</i> : The board may refuse to issue license to any asbestos contractor applicant if the applicant's license has been revoked, suspended or denied renewal in any jurisdiction. <i>18VAC15-20-440</i> : Must be in other jurisdiction must be in good standing in every jurisdiction, where they are licensed and must not have their license suspended, revoked or	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.

		surrendered in connection with a disciplinary action. Must notify the board within 10 days if the disciplinary action is taking place in another jurisdiction.	
Athletic Trainer	Board of Medicine	§ 54.1-2915: The board may deny license if the applicant knowingly and willfully committing an act that is a felony under the laws of the Commonwealth or the United States, or any act that is a misdemeanor under such laws and involves moral turpitude; conviction in any state, territory, or country of any felony or of any crime involving moral turpitude; the commission or conviction of an offense in another state, territory, or country, which if committed in Virginia would be a felony, shall be treated as a felony conviction or commission under this section regardless of its designation in the other state, territory, or country.	
Attorney	Virginia Board of Bar Examiners	The applicant is a person of honest demeanor and good moral character. The Board is authorized to obtain criminal history record information relating to an applicant from any state or federal law-enforcement agency § 54.1-3925.1. § 54.1-3935: If the Supreme Court, the Court of Appeals, or any circuit court of this Commonwealth observes, or if a complaint, verified by affidavit is made by any person to such court, that any attorney has been convicted of a misdemeanor involving moral turpitude or a felony or has violated the Virginia Code of Professional Responsibility, the court may assign the matter to the Virginia State Bar for investigation.	15VAC5-80-50: An appeal from an order of the disciplinary board imposing sanctions under CRESPA and/or these regulations shall be conducted in accordance with the provisions of Rules of Court, Part Six, Section IV, Paragraph 13 pertaining to an appeal of an order of the disciplinary board imposing sanctions upon findings of attorney misconduct. § 54.1-3935: May, as of right, appeal from the judgment of the court to the Supreme Court pursuant to the procedure for filing an appeal from a trial court.
Auctioneer	Department of Professional and Occupational Regulation Auctioneers Board	Shall not have been convicted within the past five years of a criminal offense related to auction activity in Virginia or any other jurisdiction. § 54.1-603: To obtain a license, one of the requirements is for an auctioneer to be covered by a surety bond, executed by a surety company authorized to do business in the Commonwealth, in a reasonable amount to be fixed by the Board, conditioned upon the faithful and honest conduct of his business or employment. 18VAC25-21-20: Must not have been previously found to have violated any applicable laws or regulations when performing auctioneer duties or convicted within the past five years of a criminal offense related to auction activity in Virginia or any	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.

		other jurisdiction. The board has the right to refuse to grant/renew license in such cases.	
Audiologist	Department of Health Professions Board of Speech Pathology and Audiology and Audiology	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Bail Bondsman	Bureau of Insurance	A prior felony conviction shall prohibit the individual from pursuing the application process § 9.1-186.5. Fingerprinting and FBI criminal background checks.	Have, of right, an appeal to the Supreme Court provided, that the petition for such appeal shall be filed with the Clerk of the Supreme Court within four months from the final judgment or finding of the State Corporation Commission; and provided further that an appeal bond is filed pursuant to § 8.01-676.1. § 38.2-222: § 12.1-39 shall apply to the appeal of any final (i) finding, (ii) decision settling the substantive law, (iii) order, or (iv) judgment of the Commission issued pursuant to this title.
Bail Enforcement Agent	Board of Criminal Justice Services	§ 9.1-186.4: The following persons are not eligible for licensure as a bail enforcement agent and may not be employed nor serve as agents for a bail enforcement agent: persons who have been convicted of a felony within the Commonwealth, any other state, or the United States, who have not been pardoned, or whose civil rights have not been restored; persons who have been convicted of any misdemeanor within the Commonwealth, any other state, or the United States within the preceding five years. This prohibition may be waived by the Department, for good cause shown, so long as the conviction was not for one of the following or a substantially similar misdemeanor: carrying a concealed weapon, assault and battery, sexual battery, a drug offense, driving under the influence, discharging a firearm, a sex offense, or larceny); persons who have been convicted of any misdemeanor within the Commonwealth, any other state, or the United States, that is substantially similar to the following:	

		brandishing a firearm or stalking.	
Barber	Department of Professional and Occupational Regulation Board for Barbers	<i>18VAC41-20-20</i> : Must be in good standing as a licensed barber in every jurisdiction where licensed. Must disclose at the time of application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant's practice. Must not have been convicted in any jurisdiction of any misdemeanor or felony, which directly relates to the profession. Board has the right to determine if an applicant is unfit or unsuited to engage in the profession (case-by-case method) by applying the criteria set forth in § 54.1-204.	Board decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Bingo Distributor	Department of Charitable Gaming	§ <i>18.2-340.34</i> : The Department may refuse to register any supplier who has, or which has any officer, director, partner, or owner who has (i) been convicted of or pleaded nolo contendere to a felony in any state or federal court or has been convicted of any offense which, if committed in the Commonwealth, would be a felony; (ii) been convicted of or pleaded nolo contendere to a crime involving gambling.	
Blaster	Department of Housing and Community Development Training and Certification Office	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : Has a right to appeal decisions of the BHCD. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Body Piercer	Board of Barbers and Cosmetologists	<i>18VAC41-20-20</i> : Must be in good standing as a licensed b. piercer in every jurisdiction where licensed. Must disclose at the time of application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant's practice. Must not have been convicted in any jurisdiction of any misdemeanor or felony, which directly relates to the profession. Board has the right to determine if an applicant is unfit or unsuited to engage in the profession (case-by-case method).	
Boiler and Pressure Vessel Inspector	Department of Labor and Industry	§ <i>40.1-51.9</i> : The Commissioner certifies special inspectors who shall meet all qualifications set forth by the Commissioner and the Board.	§ <i>40.1-51.16</i> : May appeal an order or act of the Board or Commissioner to the Board pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). Final orders of the Board may be appealed pursuant to the Administrative Process Act.

Boxer/Wrestler Manager, Matchmaker, Promoter, Trainer, Second, Cutman	Department of Professional and Occupational Regulation	Department review is required for the following convictions: All felonies or any misdemeanors or findings of any material misrepresentation while engaged in boxing, wrestling or any other athletic activities.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Building Code Official	Board of Housing and Community Development	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Bus Driver/ Commercial Vehicle Driver	Department of Motor Vehicles	Federal restrictions for certain sex offenses; vehicle related felony; a crime involving drugs; or driving under the influence of drugs or alcohol. Further restrictions imposed by the Transportation Security Administration are expected in January 2005. Numerous specific disqualifications apply for commercial licensure. <i>§ 46.2-316</i> : The Department may not issue a driver's license or learner's permit to any resident or nonresident person while his license or other privilege to drive is suspended or revoked because of his conviction of offenses committed in violation of either a law of the Commonwealth or a valid local ordinance or of any federal law or law of any other state or any valid local ordinance of any other state; voluntary or involuntary manslaughter resulting from the operation of a motor vehicle; perjury, the making of a false affidavit to the Department under any law requiring the registration of motor vehicles or regulating their operation on the highways, or the making of a false statement in any application for a driver's license; any crime punishable as a felony under the motor vehicle laws or any felony in the commission of which a motor vehicle is used. The Department shall not issue a driver's license or learner's permit to any person convicted of a crime mentioned above for a further period of three years after he otherwise becomes entitled to a license or permit until he	<i>§ 46.2-321</i> : May appeal in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). From the final judgment of the court, either the petitioner or the Commonwealth shall have an appeal as a matter of right to the Court of Appeals.

		<p>proves to the Commissioner his ability to respond in damages as provided in Article 15 (§ 46.2-435 et seq.) of Chapter 3 of this title or any other law of the Commonwealth requiring proof of financial responsibility.</p> <p>§ 46.2-341.18: The Commissioner may disqualify for a period of one year any person whose record shows that he has been convicted of any of the following offenses, if such offense was committed while operating a commercial motor vehicle: commission of any crime punishable as a felony in the commission of which a motor vehicle is used, other than a felony described in § 46.2-341.19; for a period of three years if any offense listed above was committed while driving a commercial motor vehicle used in the transportation of hazardous materials required to be placarded under federal Hazardous Materials Regulations; non-commercial vehicle, disqualification for one year – the commission of any crime punishable as a felony in the commission of which a motor vehicle is used.</p> <p>The Commissioner may disqualify for life any person whose record shows that he has been convicted of two or more violations of any of the offenses listed above, if each offense arose from a separate incident committed within a period of 10 years.</p>	
Carpenter	Department of Professional and Occupational Regulation, Board for Contractors Tradesman	The applicant shall disclose a conviction, in any jurisdiction, of any misdemeanor or felony	
Cemetery Operator/ Sales Personnel/ Trustee	Department of Professional and Occupational Regulation, Cemetery Board	<i>18VAC47-20-30</i> : Must disclose at the time of the application any current or previous cemeteries managed in Virginia or in any other jurisdictions, and any disciplinary actions taken against those cemeteries or the individuals managing them. Must disclose conviction in any jurisdiction of any felony or any crime of moral turpitude and a conviction of any misdemeanor in any jurisdiction within five years of the date the application is submitted	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Cemetery Compliance Agent	Dept. of Professional and Occupational Regulation, Cemetery Board	Board review is required for the following convictions: All felonies or any misdemeanors involving moral turpitude.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the

			Administrative Process Act.
Central Station Dispatcher	Board of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or certification, except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Subject to fingerprinting.	The Director of the Department may waive such prohibition.
Charitable Gaming Conductor	Board of Charitable Gaming	11VAC15-22-35: The board may deny license when the organization is found to have a member involved in the management, operation or conduct of its charitable gaming who has been convicted of any felony or any misdemeanor crime involving moral turpitude, fraud, theft or financial crime within the past five years.	
Charitable Gaming Supplier	Board of Charitable Gaming	The department shall conduct a background investigation prior to the issuance of a certificate to any supplier. The investigation may include search of the Virginia Central Criminal Records Exchange (CCRE) on all officers, directors and owners.	
Check Casher	State Corporation Commission: Bureau of Financial Institutions	Licensure is dependent on decision of board, in consideration of criminal history and findings regarding one's character and general fitness.	
Child Day Center and Family Home Employee/ Volunteer/ Agent	Department of Social Services	May not have any offense as defined in § 63.2-1719. § 63.2-1719 "Barrier crime": a conviction of murder or manslaughter; malicious wounding by mob; abduction; abduction for immoral purposes; assaults and bodily woundings; robbery; carjacking; threats of death or bodily injury; felony stalking; sexual assault; arson; drive by shooting; use of a machine gun in a crime of violence; aggressive use of a machine gun; use of a sawed-off shotgun in a crime of violence; pandering; crimes against nature involving children; incest; taking indecent liberties with children; abuse and neglect of children; failure to secure medical attention for an injured child obscenity offenses; possession of child pornography;	

		<p>electronic facilitation of pornography; abuse and neglect of incapacitated adults; employing or permitting a minor to assist in an act constituting an offense delivery of drugs to prisoners; escape from jail; felonies by prisoners, or an equivalent offense in another state. In the case of child welfare agencies and foster and adoptive homes approved by child-placing agencies, "barrier crime" shall also include convictions of burglary and any felony violation relating to possession or distribution of drugs or equivalent offense in another state. "Offense" means a barrier crime and, in the case of child welfare agencies and foster and adoptive homes approved by child-placing agencies, (i) a conviction of any other felony not included in the definition of barrier crime unless five years have elapsed since conviction and (ii) a founded complaint of child abuse or neglect within or outside the Commonwealth. In the case of child welfare agencies and foster and adoptive homes approved by child-placing agencies, convictions shall include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth.</p> <p>§ 63.2-1725: May also require to provide a sworn statement or affirmation disclosing whether or not the person has ever been (i) the subject of a founded case of child abuse or neglect or (ii) convicted of a crime or is the subject of any pending criminal charges within the Commonwealth or any equivalent offense outside the Commonwealth.</p>	
<p>Children's Residential Facilities Employee/ Worker</p>	<p>Department of Social Services</p>	<p>22VAC42-10-70: Must have not been convicted of a crime listed in §§37.1-183.3 and 63.1-248.7:2 of the Code of Virginia and must demonstrate good character and reputation as determined through references, background investigations, driving records, and other application materials.</p> <p>§§37.1-183.3: Subject to fingerprinting, and must not have been convicted of murder or manslaughter; malicious wounding by mob; abduction; abduction for immoral purposes; assault and bodily wounding; robbery; carjacking; extortion by threat; threat; any felony stalking violation; sexual assault; burglary; any felony violation relating to distribution of drugs; drive-by shooting; use of a machine gun in a crime of violence or aggressive use of a machine gun; use of a sawed-off shotgun in a crime of violence; pandering; crimes against nature involving children; taking indecent liberties with children; abuse and neglect of children,</p>	

		including failing to secure medical attention for an injured child; obscenity offenses; possession of child pornography; or electronic facilitation of pornography; incest; abuse and neglect of incapacitated adults; employing or permitting a minor to assist in an act constituting an offense; delivery of drugs to prisoners; escape from jail; felonies by prisoners; or an equivalent offense in another state; or conviction of any felony violation relating to possession of drugs in the five years prior to the application date for employment or conviction of any felony violation relating to possession of drugs and continue on probation or parole or failure to pay required court costs.	
Chiropractor	Department of Health Professions, Board of Medicine	<p>The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916. Of good moral character.</p> <p><i>18VAC85-20-280:</i> The board may request a report on felony convictions including the date of the conviction, the nature of the conviction, the jurisdiction in which the conviction occurred, and the sentence imposed, if any; and final orders of any regulatory board of another jurisdiction that result in the denial, probation, revocation, suspension, or restriction of any license or that results in the warning or censure or the voluntary surrender of a license while under investigation in a state other than Virginia, as well as any disciplinary action taken by a federal health institution or federal agency.</p> <p>Also, the board may request documentation of any final disciplinary or other action required to be reported to the board by health care institutions, other practitioners, insurance companies, health maintenance organizations, and professional organizations pursuant to §§ 54.1-2400.6, 54.1-2908, and 54.1-2909 that results in a suspension or revocation of privileges or the termination of employment.</p>	May request a hearing with the board.
Commissioned Officer (in the Regular Army, Navy, Air Force, or Marine Corps)	U.S. Department of Defense	<i>Title 10, § 532 of U.S. Code:</i> Is of good moral character (a lack of history of dishonest or felonious acts).	
Community Residential Programs Employee	Department of Corrections	<i>6VAC15-70-60:</i> Criminal records checks may be performed on all employees prior to hiring. The Department of Corrections regional administrator must provide written authorization prior to the hiring of any ex-offender who has been convicted of an offense for which a sentence of 12 months or more	

		could have been imposed.	
Competitive Service Provider	State Corporation Commission	20VAC5-312-40: The Commission may deny license based on a disclosure of any (i) civil, criminal, or regulatory sanctions or penalties imposed or in place within the previous five years against the company, any of its affiliates, or any officer, director, partner, or member of an LLC or any of its affiliates, pursuant to any state or federal consumer protection law or regulation; and (ii) felony convictions within the previous five years, which relate to the business of the company or to an affiliate thereof, of any officer, director, partner, or member of an LLC.	
Compliance Agent		No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, a compliance agent certification, or a private security services business license, except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Subject to fingerprinting.	The Director of the Department may waive such prohibition.
Contractor	Department of Professional and Occupational Regulation Board for Contractors	Must report conviction of any felony or misdemeanor (within the past 3 years) and any felony during one's lifetime. § 54.1-204. Based on conviction history, the board may deny licensure according to its discretion.	18VAC50-30-30: Person cannot be refused licensure or certification in any regulated profession/occupation solely because of a prior criminal conviction, unless the conviction directly relates to the occupation or profession for which the license/certification/registration is sought). 18VAC50-22-190: The Board may deny reinstatement of a license for same reasons as it may refuse initial licensure or discipline a licensee. The licensee has a right to appeal any such action by

			the board under the Administrative Process Act (§9-6.14:1 et seq.).
Cosmetologist	Department of Professional and Occupational Regulation Board for Cosmetology	Licensure is left to the discretion of the Board according to conviction history. <i>18VAC41-20-20:</i> Must be in good standing as a licensed cosmetologist in every jurisdiction where licensed. Must disclose at the time of application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant's practice. Must not have been convicted in any jurisdiction of any misdemeanor or felony, which directly relates to the profession. Board has the right to determine if an applicant is unfit or unsuited to engage in the profession (case-by-case method) by applying the criteria set forth in § 54.1-204.	Board decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Counselor, Certified Substance Abuse	Department of Health Professions Board of Counseling	<i>18VAC115-30-45:</i> Verification of all professional licenses or certificates ever held in any other jurisdiction. Must have no unresolved action against a license or certificate. The board will consider history of disciplinary action on a case-by-case basis. The board may revoke, suspend or decline to renew a certificate based upon Conviction of a felony or of a misdemeanor involving moral turpitude, or violation of or aid to another in violating any provision of Chapter 35 (§54.1-3500 et seq.) of Title 54.1 of the Code of Virginia, any other statute applicable to the practice of substance abuse counseling.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Counselor, Professional	Department of Health Professions Board of Counseling	<i>18VAC115-20-140:</i> Conviction of a felony, or of a misdemeanor involving moral turpitude, or violation of or aid to another in violating any provision of Chapter 35 (§54.1-3500). <i>18VAC115-20-45:</i> The board may request verification of all professional licenses or certificates ever held in any other jurisdiction. Must have no unresolved action against a license or certificate. The board will consider history of disciplinary action on a case-by-case basis.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). <i>18VAC115-20-140:</i> Following the revocation or suspension of a license, the licensee may petition the board for reinstatement upon good cause shown or as a result of substantial new evidence having been obtained that would alter the determination reached.

Crime Prevention Specialist	Department of Criminal Justice Services	6VAC20-180-60: The Department may revoke a certificate based on conviction of a crime.	
Dental Hygienist	Department of Health Professions Board of Dentistry	18VAC60-20-80: Must be of good moral character, which means a lack of history of dishonest or felonious acts. Not have committed any act, which would constitute a violation of § 54.1-2706 of the Code of Virginia. Board may refuse licensure if convicted of felony or misdemeanor involving moral turpitude or the violation of any provision of a state or federal law or regulation relating to manufacturing, distributing, dispensing or administering drugs §54.1-2706. 18VAC60-20-105: The board reserves the right to deny a request for reactivation to any licensee, who has been determined to commit an act in violation of § 54.1-2706 of the Code of Virginia.	Petition for rule-making: apply with the board of dentistry.
Dentist	Department of Health Professions Board of Dentistry	Board may refuse licensure if convicted of felony or misdemeanor involving moral turpitude or the violation of any provision of a state or federal law or regulation relating to manufacturing, distributing, dispensing or administering drugs. §54.1-2706.	Petition for rule-making: apply with the board of dentistry.
Dietician or Nutritionist	Department of Health Professions Board of Speech Pathology and Audiology and Audiology	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Division School Superintendent	Board of Education	8VAC20-390-10: Person of good character, which means a lack of history of dishonest or felonious acts.	
Driving Instructor, Commercial	Board of Transportation	24VAC20-120-150: The DMV may refuse to approve any application in which the instructor has been convicted of a felony, including but not limited to bribery, forgery, fraud or embezzlement under the laws of the Commonwealth or any other state or under the laws of the United States of America or a conviction of any offense included in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia (Criminal Sexual	24VAC20-110-50: The action of the department in suspending, revoking or refusing any license or in imposing a monetary civil penalty against the licensee shall be subject to judicial review as provided in §§46.2-1987, 46.2-1992.81, and 46.2-1993.78 and

		<p>Assault) or of any similar laws of any other state or of the United States. Instructor applicants shall not be issued a license if they have a conviction of driving under the influence (DUI), reckless driving, refusal to submit to a breath or blood test under §18.2-268 of the Code of Virginia or vehicular homicide or of any similar ordinances of any county, city or town or of any other state within 18 months of the date of receipt of the application.</p> <p><i>24VAC20-120-180:</i> The DMV may refuse to license a school or instructor and may cancel, suspend, revoke or refuse to renew a license and may impose a civil penalty for any licensee for any of the following: violation or conviction of the owner, manager or instructor of a commercial driver training school of any felony, including but not limited to bribery, forgery, fraud or embezzlement under the laws of the Commonwealth of Virginia or any other state or the laws of the United States of America or of any offense included in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia (Criminal Sexual Assault) or of any similar laws of any other state or of the United States; upon conviction of refusal to submit to a breath or blood test as prescribed under §18.2-268 of the Code of Virginia; and violation or conviction of state or federal safety regulations or the laws of the Commonwealth including without limitation those of the DMV, Education and State Police. The commissioner may immediately suspend, revoke or refuse to renew a license based upon a finding that the instructor's driver's license or commercial driver's license has been suspended, revoked, or disqualified, or upon receiving a record of a conviction of serious motor vehicle related offenses punishable as a misdemeanor or felony including driving under the influence or reckless driving. In addition to other provisions of this chapter, the commissioner may immediately suspend, revoke or refuse to renew license of an instructor based upon a finding of a conviction of Chapter 4 (§18.2-30 et seq.) of Title 18.2 of the Code of Virginia (Criminal Sexual Assault) or any similar laws of any other state or of the United States.</p>	<p>§§46.2-1988, 46.2-1992.82, and 46.2-1993.79 of the Act.</p>
<p>Electronic Security Employee/ Sales Representative</p>	<p>Department of Criminal Justice Services</p>	<p>§ 9.1-139 (§ 9.1-145): Subject to fingerprinting.</p> <p>No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7</p>	<p>Upon written request, the Director of the Department may waive such prohibitions</p>

		of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony may be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or a certification as an electronic security employee, except that, upon written request, the Director of the Department may waive such prohibition.	
Electronic Security Technician/ Technician's Assistant	Department of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony may be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, certification as a technician's assistant, except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Fingerprinting and background checks.	Upon written request, the Director of the Department may waive such prohibitions.
Elevator Mechanic	Board of Occupational and Professional Regulation	No restrictions.	
Emergency Medical Technician/ First Responder	Department of Health Office of Emergency Medical Services (Department of Health)	Must not have been convicted of a felony or of any crime involving moral turpitude within the past 5 years § 54.1-2916. Have never been convicted of a felony involving any sexual crime. <i>12VAC5-31-910</i> : Must have never been convicted or found guilty of any crime involving sexual misconduct where the lack of affirmative consent by the victim is an element of the crime, such as forcible rape; has never been convicted of a felony involving the sexual or physical abuse of children, the elderly or the infirm, such as sexual misconduct with a child, making or distributing child pornography or using a child in a sexual display, incest involving a child, or assault on an elderly or infirm person; has never been convicted or found guilty of any crime (including abuse, neglect, theft from, or financial exploitation) of a person entrusted to his care or protection in which the victim is a patient or is a resident of a health care facility; has never been convicted or found guilty of any crime involving the use, possession, or	<i>12VAC5-31-230</i> Has the right to a hearing. Must notify the Office of EMS in writing of his intent within 10 days of receipt of notification. Hearing must be conducted and a decision rendered in accordance with the Administrative Process Act.

		distribution of illegal drugs except that the person is eligible for affiliation five years after the date of final release if no additional crimes of this type have been committed during that time; has never been convicted or found guilty of any other act that is a felony except that the felon is eligible for affiliation five years after the date of final release if no additional felonies have been committed during that time.	
Emergency Medical Service Vehicle Operator	Department of Health, Office of Emergency Medical Services	<i>12VAC5-31-910</i> : May not act as an operator of an EMS vehicle if he has been convicted upon a charge of driving under the influence of alcohol or drugs, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to §18.2-271.1 of the Code of Virginia, hit and run, or operating on a suspended or revoked license within the past five years.	<i>12VAC5-31-230</i> : Have the right to a hearing. Must notify the Office of EMS in writing of his intent within 10 days of receipt of notification. Hearing must be conducted and a decision rendered in accordance with the Administrative Process Act.
Emergency Services Employee	Department of Emergency Services	§ <i>44-146.25</i> : Must not have been convicted of, or is under indictment or information charging any subversive act against the United States.	
Engineer, Professional	Department of Professional and Occupational Regulation APELSCIDLA Board	Board review is required for the following convictions: All felonies or any misdemeanors which adversely affect the applicant's ability to perform within the regulated discipline. <i>18 VAC 10-20-20</i> : All applicants must be of good moral character (a lack of history of dishonest or felonious acts). <i>18VAC10-20-750</i> : A person licensed to practice profession in other jurisdiction must be in good standing in every jurisdiction where licensed and cannot have the license suspended, revoked or surrendered in connection with a disciplinary action or who has been subject to discipline in another jurisdiction.	Applicants found ineligible for some reason may request further consideration by submitting in writing evidence of additional qualifications, training, or experience. The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Explosives Manufacturer/Storer/Handler/User/Seller, Blaster	Statewide Fire Prevention Code Act	§ <i>27-97.2</i> : Subject to fingerprinting. The Board may require a background investigation, to include a national criminal history record information check. The Board or other issuing authority may deny a permit or certification as a blaster if the applicant or designated person representing an applicant has been convicted of any felony.	
Firefighter	Virginia Department of Fire Programs	Must clear a criminal history background check. Must have a driver's license.	
Flight Crew Member	U.S. Code § 1544.229	§ <i>1544.229 U.S. Code</i> : Must undergo a fingerprint-based CHRC that does not disclose that the applicant has been convicted, or found not guilty by reason of insanity, of any of the	

		<p>disqualifying crimes listed in this paragraph in any jurisdiction during the 10 years before the date of the individual's application: forgery of certificates, false marking of aircraft, and other aircraft registration violation; interference with air navigation; improper transportation of a hazardous material; aircraft piracy; interference with flight crew members or flight attendants; commission of certain crimes aboard aircraft in flight; carrying a weapon or explosive aboard aircraft; conveying false information and threats; aircraft piracy outside the special aircraft jurisdiction of the United States; lighting violations involving transporting controlled substances; unlawful entry into an aircraft or airport area that serves air carriers or foreign air carriers contrary to established security requirements; destruction of an aircraft or aircraft facility; murder; assault with intent to murder; espionage; sedition; kidnapping or hostage taking; treason; rape or aggravated sexual abuse; unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon; extortion; armed or felony unarmed robbery; distribution of, or intent to distribute, a controlled substance; felony arson; felony involving a threat; felony involving—willful destruction of property; importation or manufacture of a controlled substance; burglary; theft; dishonesty, fraud, or misrepresentation; possession or distribution of stolen property; aggravated assault; bribery; or illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year; violence at international airports; conspiracy or attempt to commit any of the criminal acts listed in this paragraph.</p>	
<p>Funeral Services Practitioner/ Funeral Director/ Embalmer</p>	<p>Department of Health Professions Board of Funeral Directors and Embalmers</p>	<p>§ 54.1-2806: The Board may refuse to issue, suspend or revoke any license if the applicant has been convicted of any crime involving moral turpitude, and if there has been any disciplinary action against a license, certificate or registration issued by another state, the District of Columbia or territory or possession of the United States.</p> <p>A March 221, 2005 amendment to § 54.1-2813 and §54.1-2817 removed language that specifically restricted licensure or resident trainee participation for persons convicted of a felony.</p> <p>§ 54.1-2813: The Board may license an individual convicted of a felony if he has successfully fulfilled all conditions of sentencing, been pardoned, or has had his civil rights restored. The Board may refuse to license an individual who has a criminal or</p>	

		disciplinary proceeding pending against him in any jurisdiction in the United States. This amendment also added “the Board shall not, however, approve an application to be a resident trainee for any person convicted of embezzlement or f violating subsection B of § 18.2-126.” (disinterment or defilement of a dead body).	
Geologist	Department of Professional and Occupational Regulation Board for Geology	Must be of ethical character § 54.1-1403. Board review is required for the following convictions: Any felony conviction, which adversely affects the practice of geology.	18VAC70-20-140: Cannot be refused a certificate based solely on the prior conviction of a crime unless that conviction directly relates to the geology profession. 18VAC70-20-150: Individual whose certificate has been revoked in accordance with 18VAC-20-140 above can file a new application and obtain approval to regain certificate. The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Guard Dog Handler/ Detector Canine Handler	Board of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or a certification, except that, upon written request, the Director of the Department may waive such prohibition. § 9.1-139 (§ 9.1-145): Subject to fingerprinting.	The Director of the Department may waive such prohibition.

Hair Braider	Dept. of Professional and Occupational Regulation, Board for Barbers and Cosmetology	Board review is required for the following convictions: All felonies or any misdemeanors which directly relate to the profession of cosmetology or hair braiding.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Hairdresser	Department of Professional and Occupational Regulation	§ 54.1-204: May not have been convicted in any jurisdiction of a misdemeanor or felony, which directly relates to the profession of barbering, cosmetology, or nail care.	
Healing Arts Practitioner	Board of Professional and Occupational Regulation	§ 54.1-2915: The Board may refuse to issue a license or certificate, or suspend or revoke the license based on the applicant's conviction in any state, territory, or country of any felony or of any crime involving moral turpitude; or the commission or conviction of an offense in another state, territory, or country, which if committed in Virginia would be a felony, may be treated as a felony conviction or commission under this section regardless of its designation in the other state, territory, or country.	§ 54.1-2917: May apply to the Board for reinstatement of his certificate or license. May be entitled to a hearing not later than the next regular meeting of the Board after the expiration of thirty days from the receipt of such application, and may have the right to be represented by counsel and to summon witnesses to testify in his behalf.
Hearing Aid Specialist	Department of Professional and Occupational Regulation Board for Hearing Aid Specialists	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916. <i>18VAC80-20-30</i> : Cannot have been convicted or found guilty of any crime directly related to the practice of fitting and dealing in hearing aids in any jurisdiction in the U.S. Must disclose if the applicant has had the license suspended, revoked, or surrendered in connection with disciplinary action or if he has been subject do disciplinary action in any jurisdiction.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. <i>18VAC80-20-30</i> : The board may refuse initial licensure; the licensee is entitled to review of such action and he has a right to appeal in accordance with the Administrative Process Act (§2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.
Home Care/ Hospice Employee	Department of Health	<i>12VAC5-381-110 (12VAC5-391-110)</i> : Subject to criminal record check. Must not have been convicted of murder or manslaughter, malicious wounding by a mob, abduction, abduction for immoral purposes, assaults and bodily woundings, robbery, carjacking, threats of death or bodily injury, felony stalking, sexual assault, arson, drive by shooting, use of a machine gun in a crime of violence, aggressive use of a machine gun, use of a sawed-off shotgun in a crime of violence, pandering, crimes against nature involving children, incest, taking indecent liberties with	

		<p>children, abuse and neglect of children, failure to secure medical attention for an injured child, obscenity offenses, possession of child pornography, electronic facilitation of pornography, abuse and neglect of incapacitated adults, employing or permitting a minor to assist in an act constituting an offense under Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2, delivery of drugs to prisoners, escape from jail, felonies by prisoners, or an equivalent offense in another state. Home care organization or hospice may hire an applicant convicted of one misdemeanor specified above not involving abuse or neglect or moral turpitude, provided five years have elapsed since the conviction. Must provide a sworn disclosure statement regarding their criminal history.</p>	
<p>Home Inspector</p>	<p>Board for Asbestos, Lead and Home Inspection Contractors and Workers</p>	<p><i>18VAC15-40-30:</i> Board may accept proof of membership in good standing, in a national or state professional home inspector association approved by the board. A good reputation for honesty, truthfulness, fair dealing, and must be competent to transact his job to safeguard interests of the public. Must disclose if license has ever been suspended, revoked or surrendered in connection to disciplinary action, or which has been subject to discipline in any jurisdiction prior to applying for certification in Virginia. Board may deny certification to any applicant so disciplined. Must disclose any conviction or finding of guilt in any jurisdiction in the U.S. or any misdemeanor involving violence, repeat or multiple offenses, or crimes that endangered public health or safety, or of any felony. Board decides case by case taking into account the totality of circumstances.</p> <p><i>18VAC15-40-110:</i> Board may deny renewal or reinstatement for the same reasons as it may refuse initial certification or discipline current certification holder.</p> <p><i>18VAC15-40-190:</i> Must notify the board of any conviction or finding of guilt (as said above) within 30 days.</p>	

Homes Manufacturer/ Manufactured Homes Dealer	Board of Housing and Community Development	No restrictions.	
Humane Investigator	Board of Agriculture and Consumer Services	2VAC5-100-10: Must not have been convicted of a felony or a crime of moral turpitude.	
Inspector, Agricultural Commodities	Department of Agriculture and Consumer Services Office of Commodity Services	Police criminal history screen.	
Inspector, Amusement Device	Department of Housing and Community Development Training and Certification Office	13VAC5-21-31: No restrictions, the applicant must obtain BHCD certificate.	13VAC5-21-70: The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Inspector, Building Maintenance/ Building Plans Examiner	Department of Housing and Community Development Training and Certification Office	13VAC5-21-31 No restrictions, the applicant must obtain BHCD certificate.	13VAC5-21-70: The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Inspector, Combination/ General	Board of Housing and Community Development	13VAC5-21-31: No restrictions, the applicant must obtain BHCD certificate.	13VAC5-21-70: The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.

Inspector, Electrical/ General/ Electrical Plans Examiner	Board of Housing and Community Development	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Inspector, Elevator	Board of Housing and Community Development	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Inspector, Fire Code/ Fire Prevention	Department of Housing and Community Development Training and Certification Office	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Inspector, Fire Protection Systems/ Fire Protection Plans Examiner	Department of Housing and Community Development Training and Certification Office	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.

Inspector, Mechanical/ General/ Mechanical Plans Examiner	Department of Housing and Community Development Training and Certification Office	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Inspector, Plumbing/ General/ Plumbing Plans Examiner	Department of Housing and Community Development Training and Certification Office	<i>13VAC5-21-31</i> : No restrictions, the applicant must obtain BHCD certificate.	<i>13VAC5-21-70</i> : The applicant has a right to appeal decisions of the BHCD regarding an applicant for a certificate or a certificate holder. Actions under this regulation are governed by the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.
Insurance Sales Agent	Virginia State Corporation Commission, Bureau of Insurance	§ 38.2-1820: Of good character and have a good reputation for honesty. § 38.2-1831: Must not have been convicted of a felony.	§ 38.2-1832: The license of a business entity may be suspended, revoked or refused if the Commission finds, after notice and an opportunity to be heard, that a violation by an individual licensee acting at the direction of, on behalf of, or with the permission of the business entity was known to be a violation by one or more of the partners, officers or managers acting on behalf of the business entity, and the violation was neither reported to the Commission nor corrective action taken. § 38.2-1025: The Commission shall not fail to renew the license of any insurer without giving the insurer ten days' notice and giving it an opportunity to be heard. The hearing may be informal, and the Commission and the insurer may waive the required notice.
Insured	Federal Deposit	Must not have been convicted of a crime of	May receive a written

<p>Depository Institution (Financial Institution, Bank) Employee</p>	<p>Insurance Act, Section 19, U.S. Code § 1829</p>	<p>dishonesty, breach of trust, or money laundering from working in, owning, or controlling an “insured depository institution” (i.e., a bank), unless he or she has received written consent from the Federal Deposit Insurance Corporation (FDIC). <i>12 U.S.C. § 1829(2):</i> Individuals convicted of certain financial crimes are subject to an outright prohibition on working in (or owning or controlling) a bank for 10 years. The crimes include: receipt of commissions or gifts for procuring loans; theft, embezzlement, or misapplication by bank officer or employee; filing or making false/misleading bank entries, reports and transactions; filing or making false/misleading federal credit institution entries, reports and transactions; concealment of assets from conservator, receiver, or liquidating agent of financial institution; bank fraud; obstructing examination of financial institution; laundering of monetary instruments; engaging in monetary transactions in property derived from specified unlawful activity; frauds and swindles; and fraud by wire, radio, or television.</p>	<p>consent from the Federal Deposit Insurance Corporation (FDIC).</p>
<p>Insurer</p>	<p>Virginia State Corporation Commission, Bureau of Insurance</p>	<p>§ 38.2-1040: Must not have violated any law of this Commonwealth, or has in this Commonwealth violated its charter or exceeded its corporate powers. § 38.2-1831: Must not have been convicted of a felony.</p>	<p>§ 38.2-222: § 12.1-39 shall apply to the appeal of any final (i) finding, (ii) decision settling the substantive law, (iii) order, or (iv) judgment of the Commission issued pursuant to this title. § 38.2-1832: The Commission may suspend, revoke or refuse the license, if it finds, after notice and an opportunity to be heard, that a violation by an individual licensee acting at the direction of, on behalf of, or with the permission of the business entity was known to be a violation by one or more of the partners, officers or managers acting on behalf of the business entity, and the violation was neither reported to the Commission nor corrective action taken. § 38.2-1025: The Commission shall not fail to renew the license of any insurer without giving the insurer ten days' notice and giving it an opportunity to be heard. The hearing may</p>

			<p>be informal, and the Commission and the insurer may waive the required notice.</p> <p>Have, of right, an appeal to the Supreme Court provided, that the petition for such appeal shall be filed with the Clerk of the Supreme Court within four months from the final judgment or finding of the State Corporation Commission; and provided further that an appeal bond is filed pursuant to § 8.01-676.1.</p>
Interior Designer, Certified	Department of Professional and Occupational Regulation APELSCIDLA Board	<p><i>18VAC10-20-20:</i> A person must be of “good moral character” (a lack of history of dishonest or felonious acts). Any felony or misdemeanor, which, in the judgment of the board, adversely affects the person’s ability to perform satisfactorily within the profession.</p> <p><i>18VAC10-20-750:</i> A person licensed to practice profession in other jurisdiction must be in good standing in every jurisdiction where licensed and cannot have the license suspended, revoked or surrendered in connection with a disciplinary action or who has been subject to discipline in another jurisdiction.</p>	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act. Applicants found ineligible for some reason may request further consideration by submitting in writing evidence of additional qualifications, training, or experience.
Interns and Residents	Department of Health Professions Board of Medicine	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916. Is of good moral character.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Juvenile Residential Facility Employee	Board of Juvenile Justice	<i>6VAC35-140-260:</i> Each employee undergoes a check of references, criminal records, central registry and, if appropriate, driving record to ascertain whether there are criminal acts or other circumstances that would be detrimental to the safety of juveniles in the program. Subject to fingerprinting.	
Land Surveyor	Department of Professional and Occupational Regulation APELSCIDLA Board	<p><i>18 VAC 10-20-20:</i> All applicants must be of good moral character (a lack of history of dishonest or felonious acts).</p> <p><i>18VAC10-20-750:</i> A person licensed to practice profession in other jurisdiction must be in good standing in every jurisdiction</p>	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in

		<p>where licensed and cannot have the license suspended, revoked or surrendered in connection with a disciplinary action or who has been subject to discipline in another jurisdiction.</p> <p>Board review is required for the following convictions:</p> <p>All felonies or any misdemeanors which adversely affect the applicant's ability to perform within the regulated discipline.</p>	<p>§ 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act. <i>18VAC10-20-20</i>: Applicants found ineligible for some reason may request further consideration by submitting in writing evidence of additional qualifications, training, or experience.</p>
Landscape Architect	Department of Professional and Occupational Regulation APELSCIDLA Board	<p><i>18 VAC 10-20-20</i>: All applicants must be of good moral character (a lack of history of dishonest or felonious acts).</p> <p><i>18VAC10-20-750</i>: A person licensed to practice profession in other jurisdiction must be in good standing in every jurisdiction where licensed and cannot have the license suspended, revoked or surrendered in connection with a disciplinary action or who has been subject to discipline in another jurisdiction.</p> <p>Board review is required for the following convictions:</p> <p>All felonies or any misdemeanors which adversely affect the applicant's ability to perform within the regulated discipline.</p>	<p>The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act. <i>18VAC10-20-20</i>: Applicants found ineligible for some reason may request further consideration by submitting in writing evidence of additional qualifications, training, or experience.</p>
Lead Abatement Worker/ Inspector/ Risk Assessor/ Project Designer	Board of Asbestos, Lead, and Home Inspection Contractors and Workers	<p><i>18VAC15-30-50</i>: May be denied application if convicted of felony or misdemeanor or if any disciplinary action has been taken in connection with applicant's environmental remediation practice.</p> <p><i>18VAC15-30-800</i>: Must be in good standing in other jurisdictions. Ten days to notify of any disciplinary action.</p>	<p>The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act. <i>18VAC15-30-270</i>: Applicants denied approval have one year from the date of receipt of the application by the board to correct any deficiencies and notify the board in writing.</p>
Librarian	Library Board	No restrictions.	
Local Government Personnel	Counties, Cities and Towns	§ 15.2-1503.1: Subject to fingerprinting and background check for criminal history information.	
Long-Term Care Administrator/ Nursing Home Administrator	Board of Long-Term Care Administrators	<i>18VAC95-20-470</i> : The Board may refuse to issue, suspend or revoke the license if the applicant has been convicted of a felony or any misdemeanor involving abuse, neglect or moral turpitude.	

Marriage and Family Therapist	Department of Health Professions Board of Counseling	18VAC115-50-120: Conviction of a felony or of a misdemeanor involving moral turpitude.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). 18VAC115-50-120 Following the revocation or suspension of a license, the licensee may petition the board for reinstatement upon good cause shown or as a result of substantial new evidence having been obtained that would alter the determination reached.
Massage Therapist	Department of Health Professions Board of Nursing	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-3007. (§ 54.1-3029 includes this line: 4. Has not committed any acts or omissions that would be grounds for disciplinary action or denial of certification as set forth in this chapter.)	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Medicine Practitioner	Board of Medicine	18VAC85-20-280: The board may request a report on felony convictions including the date of the conviction, the nature of the conviction, the jurisdiction in which the conviction occurred, and the sentence imposed, if any; and final orders of any regulatory board of another jurisdiction that result in the denial, probation, revocation, suspension, or restriction of any license or that results in the warning or censure or the voluntary surrender of a license while under investigation in a state other than Virginia, as well as any disciplinary action taken by a federal health institution or federal agency. Also, the board may request documentation of any final disciplinary or other action required to be reported to the board by health care institutions, other practitioners, insurance companies, health maintenance organizations, and professional organizations pursuant to §§ 54.1-2400.6, 54.1-2908, and 54.1-2909 that results in a suspension or revocation of privileges or the termination of employment.	
Midwife	Midwifery Advisory Board, Virginia Board of Medicine	§ 54.1-2915: Unprofessional conduct; grounds for refusal or disciplinary action states that the Board may refuse to license or may suspend or revoke the license for “acts of unprofessional conduct”; including	

		<p>“knowingly and willfully committing an act that is a felony under the laws of the Commonwealth or the United States, or any act that is a misdemeanor under such laws and involves moral turpitude”. The definition of “practitioner” is not defined, thus it this applies to midwives. Contact the Virginia Board of Medicine for clarification.</p>	
Motor Vehicle Dealer Salesperson/ Dealer Operator	Motor Vehicle Dealer Board	<p>46.2-1575: Board may deny license for having been convicted of any criminal offense classified as felony, criminal act involving the business of selling vehicles, any fraudulent act in connection with the business of selling vehicles or any consumer-related fraud, larceny of the vehicle or receipt or sale of a stolen vehicle, odometer tampering or any related violation.</p>	
Nail Technician	Department of Professional and Occupational Regulation Board for Cosmetology	<p>Licensure is left to the discretion of the Board according to conviction history. 18VAC41-20-20: Must be in good standing as a licensed nail technician in every jurisdiction where licensed. Must disclose at the time of application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant’s practice. Must not have been convicted in any jurisdiction of any misdemeanor or felony, which directly relates to the profession. Board has the right to determine if an applicant is unfit or unsuited to engage in the profession (case-by-case method) by applying the criteria set forth in § 54.1-204.</p>	<p>Board decisions may be appealed to circuit court in accordance with the Administrative Process Act.</p>
Notary Public	Office of the Secretary of the Commonwealth Notary Public Division	<p>Conviction of a felony § 47.1-4. Must have civil rights restored.</p>	
Nurse Aide, Advanced Certified	Department of Health Professions Board of Nursing	<p>18VAC90-25-110: May never have had a finding of abuse, neglect or misappropriation of patient property entered on the Nurse Aide Registry and have not had any disciplinary actions taken by the board within the five years preceding application for advanced certification. 18VAC90-25-80: An individual who has previously had a finding of abuse, neglect or misappropriation of property is not eligible for reinstatement of his certification, except if a finding of neglect was made against a certificate holder based on a single occurrence.</p>	<p>18VAC90-25-80 : An individual may petition for removal of the finding of neglect provided if period of at least one year has passed since the finding was made; and if the individual seeking reinstatement demonstrates sufficient evidence that employment and personal history do not reflect a pattern of abusive behavior or neglect.</p>

Nurse, All	Department of Health Professions Board of Nursing	<p>Board may refuse licensure if convicted of felony or misdemeanor involving moral turpitude. §54.1-3007.</p> <p><i>18VAC90-25-110:</i> May never have had a finding of abuse, neglect or misappropriation of patient property entered on the Nurse Aide Registry and have not had any disciplinary actions taken by the board within the five years preceding application for advanced certification.</p> <p><i>18VAC90-25-80:</i> An individual who has previously had a finding of abuse, neglect or misappropriation of property is not eligible for reinstatement of his certification, except if a finding of neglect was made against a certificate holder based on a single occurrence. An individual may petition for removal of the finding of neglect provided if period of at least one year has passed since the finding was made; and if the individual seeking reinstatement demonstrates sufficient evidence that employment and personal history do not reflect a pattern of abusive behavior or neglect.</p>	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Nurse Practitioner, Licensed (LNP) - Authorized to Prescribe	Department of Health Professions Board of Nursing	Conviction of any felony or any misdemeanor involving moral turpitude, § 54.1-3007.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Occupational Therapist	Department of Health Professions Board of Medicine	<p>The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.</p> <p><i>18VAC85-80-35:</i> If licensed in another jurisdiction, must disclose verification that there has been no disciplinary action taken or pending in that jurisdiction.</p>	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). <i>18VAC85-80-80:</i> An occupational therapist, whose license has been revoked by the board, and who wishes to be reinstated may make a new application to the board and payment of the fee for reinstatement of his license as prescribed in 18VAC85-80-26 pursuant to §54.1-2921 of the Code of Virginia.

Optician	Board For Opticians	<i>18VAC100-20-10:</i> Must be in good standing as a licensed optician in every jurisdiction where licensed. Must not have been convicted in any jurisdiction of a misdemeanor/felony involving sexual offense, drug distribution, or physical injury, or any felony that directly relates to the profession of opticianry. The Board can determine if applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204.	<i>18VAC100-20-70:</i> The Board can deny renewal of license. If so, applicant for renewal may request proceeding be held in accordance with the provision of the Administrative Process Act (§9-6.14:11 et seq.) of the Code of Virginia.
Optometrist	Department of Health Professions Board of Optometry	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Osteopathy Practitioner	Board of Medicine	<i>18VAC85-20-280:</i> The board may request a report on felony convictions including the date of the conviction, the nature of the conviction, the jurisdiction in which the conviction occurred, and the sentence imposed, if any; and final orders of any regulatory board of another jurisdiction that result in the denial, probation, revocation, suspension, or restriction of any license or that results in the warning or censure or the voluntary surrender of a license while under investigation in a state other than Virginia, as well as any disciplinary action taken by a federal health institution or federal agency. Also, the board may request documentation of any final disciplinary or other action required to be reported to the board by health care institutions, other practitioners, insurance companies, health maintenance organizations, and professional organizations pursuant to §§ 54.1-2400.6, 54.1-2908, and 54.1-2909 that results in a suspension or revocation of privileges or the termination of employment.	
Pawn Broker	Local city, town or county court	§ <i>54.1-4001:</i> Not been convicted of a felony or a crime involving moral turpitude in the last ten years.	
Personal Protection Specialist	Board of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony shall be (a) employed as a registered or certified employee by a private	The Director of the Department may waive such prohibition.

		<p>security services business or training school, or (b) issued a private security services registration, a private security services training school or instructor certification, or a private security services business license, except that, upon written request, the Director of the Department may waive such prohibition.</p> <p>§ 9.1-139 (§ 9.1-145): Subject to fingerprinting.</p>	
Pharmacist	Department of Health Professions Board of Pharmacy	<p>§ 54.1-3316: Has been convicted of violating any federal drug law or any drug law of Virginia or of another state.</p>	<p>Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).</p>
Pharmacist Technician	Department of Health Professions Board of Pharmacy	<p>§ 54.1-3322: The Board may deny licensure if applicant has been convicted of any felony or any crime involving moral turpitude, or has been convicted of violating any federal drug law or any drug law of Virginia or any other state or jurisdiction.</p>	<p>Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).</p>
Physical Therapist	Department of Health Professions Board of Medicine	<p>The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.</p> <p>§ 54.1-3480: Must not have a conviction of an offense in another state, territory or foreign jurisdiction, which if committed in Virginia would be a felony. Such conviction shall be treated as a felony conviction under this section regardless of its designation in the other state, territory or foreign jurisdiction.</p>	<p>Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).</p>
Physical Therapist Assistant	Department of Health Professions Board of Medicine	<p>The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.</p> <p>§ 54.1-3480: Must not have a conviction of an offense in another state, territory or foreign jurisdiction, which if committed in Virginia would be a felony. Such conviction shall be treated as a felony conviction under this section regardless of its designation in the other state, territory or foreign jurisdiction.</p>	<p>Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).</p>
Physician	Department of Health Professions Board of Medicine	<p>The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.</p>	<p>Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in</p>

			accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Physician Assistant	Department of Health Professions Board of Medicine	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916. <i>18VAC85-50-50</i> : The board may require documentation that the applicant has not had a license or certification as a physician assistant suspended or revoked and is not the subject of any disciplinary proceedings in another jurisdiction.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Pilot, Ship's/ Branch	Department of Professional and Occupational Regulation Board for Branch Pilots	Applicants for examination shall submit to the Board a certificate from the circuit court in the county or city of their residence stating that the applicant is of good character and a resident of the Commonwealth § 54.1-905. <i>18VAC45-20-40</i> : Can be denied initial licensure/extension/renewal of the licensure if having been convicted or found guilty by any jurisdiction of any felony or a misdemeanor involving moral turpitude or any alcohol- or drug-related offense, or when the applicant fails to inform the board within 30 days in writing of pleading guilty or being convicted or found guilty of any misdemeanor involving moral turpitude.	§ 54.1-919: From any action of the State Corporation Commission under §54.1-918, an appeal may be taken by the individual pilots/company/associates affected or by any other person/firm/corporation aggrieved by such action in the manner prescribed in Article IX Sec.4 of the Constitution of Virginia. The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Plumber	Department of Professional and Occupational Regulation Board for Contractors Tradesman	Each applicant shall disclose a conviction, in any jurisdiction, of any misdemeanor or felony in accordance with §54.1-204 of the Code of Virginia and decisions will be made at the discretion of the board. <i>18VAC50-30-30</i> : The Board may deny licensure or certification to any applicant in accordance with 54.1-204 Code of Virginia (person cannot be refused licensure or certification in any regulated profession/occupation solely because of a prior criminal conviction, unless the conviction directly relates to the occupation or profession for which the license/certification/registration is sought.).	<i>18VAC50-22-190</i> : The Board may deny reinstatement of a license for same reasons as it may refuse initial licensure or discipline a licensee. The licensee has a right to appeal any such action by the board under the Administrative Process Act (§9-6.14:1 et seq.).

Podiatrist	Department of Health Professions Board of Medicine	<p>The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.</p> <p><i>18VAC85-20-280:</i> The board may request a report on felony convictions including the date of the conviction, the nature of the conviction, the jurisdiction in which the conviction occurred, and the sentence imposed, if any; and final orders of any regulatory board of another jurisdiction that result in the denial, probation, revocation, suspension, or restriction of any license or that results in the warning or censure or the voluntary surrender of a license while under investigation in a state other than Virginia, as well as any disciplinary action taken by a federal health institution or federal agency.</p> <p>Also, the board may request documentation of any final disciplinary or other action required to be reported to the board by health care institutions, other practitioners, insurance companies, health maintenance organizations, and professional organizations pursuant to §§ 54.1-2400.6, 54.1-2908, and 54.1-2909 that results in a suspension or revocation of privileges or the termination of employment.</p>	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Police Officer	Virginia State Police	<p>§ 15.2-1705: not have been convicted of or pleaded guilty or no contest to a felony or any offense that would be a felony if committed in Virginia. Must be of good character and reputation as established by a background investigation to include but not limited to: a fingerprinting, polygraph examination, educational achievements, prior work experience, character and reputation, credit history and police record.</p>	
Polygraph Examiner	Department of Professional and Occupational Regulation Polygraph Examiners Advisory Board	<p>Submit to a fingerprinting. § 54.1-1804. Must disclose if he has been convicted in any jurisdiction of a felony or misdemeanor involving lying, cheating, stealing, sexual offense, drug distribution, physical injury; or relating to the practice of the profession.</p>	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Post Office Employee	U.S. Postal Service	<p><i>Title 39, Chapter 10, Sec. 1005 U.S. Code:</i> Subject to fingerprinting, criminal history record.</p>	
Precious Metals Dealer	Department of Occupations and Professions Regulation	<p>§ 54.1-4108: Subject to fingerprinting; must not have been convicted of a felony or crime of moral turpitude within seven years prior to the date of application.</p>	

Private Detective/ Investigator	Department of Criminal Justice Services	No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony may be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or a private security services business license, except that, upon written request, the Director of the Department may waive such prohibition.	Petition the board.
Private Security Service Instructor	Board of Criminal Justice Services	§ 9.1-139 (§ 9.1-145): Subject to fingerprinting. 6VAC20-171-280: Must not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.	
Psychologist	Department of Health Professions Board of Psychology	18 VAC 125-20-160: Board may deny licensure due to a conviction of a felony, or a misdemeanor involving moral turpitude.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Public Weighmaster	Board of Agriculture and Consumer Services	§ 3.1-972: Must be of good moral character (a lack of history of dishonest or felonious acts).	
Radioactive Material Manufacturer/ Distributor	Department of Health	No restrictions.	
Radioactive Material Devices Operator/ Repairer	Department of Health	No restrictions.	

Radiologic Technologist	Department of Health Professions Board of Medicine	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Radiologic Technologist, Limited	Department of Health Professions Board of Medicine	The Board may deny the right to practice in Virginia to any practitioner convicted of any felony or of any crime involving moral turpitude § 54.1-2916.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Real Estate Appraiser	Department of Professional and Occupational Regulation Board for Real Estate Appraisers	The applicant may not have been convicted, found guilty or pled guilty, regardless of adjudication, in any jurisdiction of a misdemeanor involving moral turpitude or of any felony. Must be of good moral character (a lack of history of dishonest or felonious acts). § 54.1-2016: The Board may establish other categories of licensure, as well as the conditions required for such licensure, in order to safeguard the public interest or as may be required to satisfy any additional qualification criteria adopted by any federal agency or instrumentality.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Real Estate Appraiser Trainee	Department of Professional and Occupational Regulation Board for Real Estate Appraisers	Board review is required for the following convictions: All felonies or any misdemeanors involving moral turpitude.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Real Estate Broker/ Sales Agent	Department of Professional and Occupational Regulation Real Estate Board	Not convicted or found guilty of a misdemeanor involving moral turpitude, sexual offense, drug distribution or physical injury, or any felony, or violation of the fair housing laws. 18VAC135-20-30: Must have a good reputation for honesty, truthfulness, and fair dealing, and be competent to transact the business of a real estate broker or a real estate salesperson in such a manner as to safeguard the interests of the public. Must be in good standing in every jurisdiction where licensed. Must not have had a license suspended,	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.

		<p>revoked or surrendered in connection with any disciplinary action. Must not be a subject to disciplinary action in any jurisdiction.</p>	
Registered Nurse	Department of Health Professions Board of Nursing	<p>§ 54.1-3007: Conviction of any felony or any misdemeanor involving moral turpitude; Use of alcohol or drugs to the extent that such use renders him unsafe to practice, or any mental or physical illness rendering him unsafe to practice.</p>	<p>Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).</p>
Rehabilitation Provider	Board of Counseling	<p>18VAC115-40-25: The board may require documentation of the applicant's national or out-of-state license or certificate in good standing where applicable.</p> <p>18VAC115-40-40: Must not have committed any act, which is a felony under the laws of this Commonwealth, other states, the District of Columbia or the United States, or any act, which is a misdemeanor under such laws and involves moral turpitude.</p> <p>18VAC115-40-50: The Board may revoke, suspend or decline to issue or renew licensure in the case of the licensee's denial, revocation, suspension or restriction of a registration, license or certificate to practice in another state, or a United States possession or territory or the surrender of any such registration, license or certificate while an active administrative investigation is pending and for a conviction of any felony, or of a misdemeanor involving moral turpitude.</p>	<p>18VAC115-40-61: The board in its discretion may, after a hearing, grant the reinstatement when the license has been revoked, suspended, or declined to be issued or renewed.</p>
Restaurant Worker/ Alcoholic Beverages Server/ Seller	Virginia Department of Alcoholic Beverage Control	<p>Anyone convicted of a felony, any crime involving moral turpitude (lying, cheating, or stealing), or a drug-related offense within the past five years. This does not apply to busboys, cooks, or other kitchen help. §4.1-225.</p> <p>§ 4.1-222: Board may refuse to grant license if the applicant has been convicted in any court of a felony or any crime or offense involving moral turpitude under the laws of any state, or of the United States; has been convicted, within the five years immediately preceding the date of the application, of a violation of any law applicable to the manufacture, transportation, possession, use or sale of alcoholic beverages; is not a person of good moral character and repute; has demonstrated, either by his police record or by his record as a former licensee of the Board, a lack of respect for law and order.</p> <p>§ 4.1-225: The Board may suspend or revoke</p>	<p>Prior approval by the board.</p>

		licenses within the five years immediately preceding the date of the hearing held in accordance with § 4.1-227, if the applicant has (i) been convicted of a violation of any law, ordinance or regulation of the Commonwealth, of any county, city or town in the Commonwealth, of any state, or of the United States, applicable to the manufacture, transportation, possession, use or sale of alcoholic beverages; (ii) violated any provision of Chapter 3 (§ 4.1-300 et seq.) of this title; (iii) committed a violation of the Wine Franchise Act (§ 4.1-400 et seq.) or the Beer Franchise Act (§ 4.1-500 et seq.) in bad faith; has been convicted in any court of a felony or of any crime or offense involving moral turpitude under the laws of any state, or of the United States.	
Sanitation Worker	Virginia Waste Management Board	<i>18VAC155-20-30:</i> Must not have had any felony convictions or any final order actions issued by an administrative body or court regarding environmental violations or crimes resulting in the significant harm or the imminent and substantial threat of significant harm to human health or the environment.	
School Bus Driver	Board of Education	<i>8VAC20-70-280:</i> Within the preceding five years, has not been convicted of a charge of driving under the influence of intoxicating liquors or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony, or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to §18.2-271.1 of the Code of Virginia or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or has not been required to attend a driver improvement clinic.	
School Security Officer	Department of Criminal Justice Services	<i>6VAC20-240-20:</i> Subject to a background investigation to include fingerprint-based criminal history record inquiry of both the Central Criminal Records Exchange (CCRE) and the Federal Bureau of Investigation (FBI). Must possess a valid driver's license if required to operate a motor vehicle. The Department may decertify/deny certificate if the applicant has been convicted of or pled guilty or no contest to a felony or any offense that would be a felony if committed in Virginia.	<i>6VAC20-240-60:</i> The findings and the decision of the department may be appealed to the board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services within 30 days following the date notification of the decision was served, or the date it was mailed to the respondent.
Sex Offender Treatment Provider	Board of Psychology	<i>18VAC125-30-110:</i> The board may revoke, suspend, restrict or refuse to issue a certificate if the applicant has been convicted of a felony or a misdemeanor involving moral turpitude. <i>18VAC115-20-45:</i> The Board may require the verification of all professional licenses or	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in

		certificates ever held in any other jurisdiction. In order to qualify for endorsement the applicant shall have no unresolved action against a license or certificate. The board will consider history of disciplinary action on a case-by-case basis.	accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). <i>18VAC115-20-140:</i> Following the revocation or suspension of a license, the licensee may petition the board for reinstatement upon good cause shown or as a result of substantial new evidence having been obtained that would alter the determination reached.
Social Worker	Department of Health Professions Board of Social Work	<i>18 VAC 140-20-160:</i> The board may deny licensure due to conviction of a felony or of a misdemeanor involving moral turpitude.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Soil Scientist/ Specialist/ Professional Wetland Delineator	Department of Professional and Occupational Regulation Board for Soil Scientists and Wetland Delineators	§ 54.1-2204: Must be of good moral character (a lack of history of dishonest or felonious acts). Board review is required for the following convictions: Any felony.	<i>18VAC145-20-1:</i> A certificate suspended by board order cannot be renewed until the period of suspension has ended and all terms and conditions of the board's order have been met. A revoked certificate cannot be renewed. An applicant must file a new application and obtain approval from the board to recover certification. The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Special Conservator of the Peace	Department of Criminal Justice Services	<i>6VAC20-230-40:</i> Subject to fingerprinting. The Department may request a list of all criminal history conviction information. <i>6VAC20-230-120:</i> May be denied registration when having a criminal conviction for a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances, prohibited sexual behavior, firearms, or any felony.	<i>6VAC20-230-340:</i> The findings and the decision of the director may be appealed to the Board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services within 30 days following the date

			notification of the hearing decision was served, or the date it was mailed to the respondent.
Speech-Language Pathologist	Department of Health Professions Board of Speech Pathology and Audiology and Audiology	<i>18VAC30-20-280:</i> The board may deny license to the applicant if he has been convicted of a felony or a misdemeanor involving moral turpitude.	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
State Community Correctional Units Employee	Department of Corrections	<i>6VAC15-61-50:</i> Criminal record check conducted on all employees prior to employment.	
Substance Abuse Treatment Practitioner	Board of Counseling	<i>18VAC115-60-140:</i> The Board may deny license if the applicant has been convicted of a felony, or of a misdemeanor involving moral turpitude, or violation of or aid to another in violating any provision of Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia, any other statute applicable to the practice of substance abuse treatment.	<i>18VAC115-60-150:</i> Any person, whose license has been revoked, suspended or denies by the board may, two years subsequent to such board action, submit a new application to the board for the reinstatement of the licensure. May petition for a rehearing following the revocation or suspension of a license upon good cause shown or as a result of substantial new evidence having been obtained that would alter the determination reached.
Tattooer	Dept. of Professional and Occupational Regulation, Board for Barbers and Cosmetology	Board review is required for the following convictions: All felonies or any misdemeanors which directly relate to the profession of tattooing.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Taxi Driver/ Commercial Vehicle Driver	Department of Motor Vehicles	Federal restrictions for certain sex offenses; vehicle related felony; a crime involving drugs; or driving under the influence of drugs or alcohol. Further restrictions are expected to be imposed by the Transportation Security Administration in January, 2005. <i>§ 46.2-316:</i> The Department shall not issue a driver's license or learner's permit to any resident or nonresident person while his	<i>§ 46.2-321:</i> May appeal in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). From the final judgment of the court, either the petitioner or the Commonwealth shall have an appeal as a matter

		<p>license or other privilege to drive is suspended or revoked because of his conviction of offenses committed in violation of either a law of the Commonwealth or a valid local ordinance or of any federal law or law of any other state or any valid local ordinance of any other state; voluntary or involuntary manslaughter resulting from the operation of a motor vehicle; perjury, the making of a false affidavit to the Department under any law requiring the registration of motor vehicles or regulating their operation on the highways, or the making of a false statement in any application for a driver's license; any crime punishable as a felony under the motor vehicle laws or any felony in the commission of which a motor vehicle is used.</p> <p>The Department shall not issue a driver's license or learner's permit to any person convicted of a crime mentioned above for a further period of three years after he otherwise becomes entitled to a license or permit until he proves to the Commissioner his ability to respond in damages as provided in Article 15 (§ 46.2-435 et seq.) of Chapter 3 of this title or any other law of the Commonwealth requiring proof of financial responsibility.</p> <p>§ 46.2-341.18: The Commissioner may disqualify for a period of one year any person whose record shows that he has been convicted of any of the following offenses, if such offense was committed while operating a commercial motor vehicle: commission of any crime punishable as a felony in the commission of which a motor vehicle is used, other than a felony described in § 46.2-341.19; for a period of three years if any offense listed above was committed while driving a commercial motor vehicle used in the transportation of hazardous materials required to be placarded under federal Hazardous Materials Regulations; non-commercial vehicle, disqualification for one year – the commission of any crime punishable as a felony in the commission of which a motor vehicle is used.</p> <p>The Commissioner may disqualify for life any person whose record shows that he has been convicted of two or more violations of any of the offenses listed above, if each offense arose from a separate incident committed within a period of 10 years.</p>	<p>of right to the Court of Appeals.</p>
<p>T&M Vehicle/ Trailer/ Motorcycle Dealer</p>	<p>Department of Motor Vehicles</p>	<p>§ 46.2-1985: The Board may deny license if the applicant has been convicted of any fraudulent act in connection with the business of selling vehicles or any consumer-related fraud; any criminal act involving the business of selling vehicles; felony; larceny of a</p>	<p>§ 46.2-1987: Any person aggrieved by the action of the Commissioner is entitled to judicial review in accordance with the provisions of the</p>

		vehicle or receipt or sale of a stolen vehicle; odometer tampering or any related violation.	Administrative Process Act (§ 2.2-4000 et seq.). § 46.2-1988: Either party may appeal from the decision of the court under § 46.2-1987 to the Court of Appeals. These appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases appealed as a matter of right to the Court of Appeals.
Teacher, Elementary School/ Secondary School/ Special Education	Virginia Department of Education Office of Professional Licensure, (Board of Education)	Possess good moral character; free from conviction of any felony or any offense involving the sexual molestation, physical or sexual abuse or rape of a child nor a crime of moral turpitude. Applicant has also not been the subject of a founded case of child abuse and neglect; applicant possesses no personal condition detrimental to the health, welfare, discipline, or morale of students or to the best interest of the public schools of the Commonwealth of Virginia. § 22.1-296.1.	§ 22.1-308: File a grievance with the board 8VAC20-21-700: Right to counsel and transcript. 8VAC20-21-720: A license holder shall have the right to appear in person at the hearings held by the local school board, Board of Education, or board committee, unless he is confined to jail or a penal institution.
Tractor Driver	Department of Motor Vehicles	No restrictions	§ 46.2-304: The conviction of a person for driving under the influence of intoxicants or some other self-administered drug in violation of any state law or local ordinance may not prohibit the person from operating a farm tractor on the highways when it is necessary to move the tractor from one tract of land used for agricultural purposes to another tract of land used for the same purposes, provided that the distance between the said tracts of land does not exceed five miles. § 46.2-321: Any person denied a license or whose license has been revoked, suspended, or cancelled under this article may appeal in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). From the final judgment of the court, either the petitioner or the Commonwealth shall

			have an appeal as a matter of right to the Court of Appeals.
Tradesman (Plumber, Electrician, Heating, Ventilation and Air Conditioning) Note: same requirements apply for Backflow Prevention Device Workers, Liquefied Petroleum Gas Fitters and Elevator Mechanics.	Department of Professional and Occupational Regulation Board for Contractors	<i>18VAC50-30-30:</i> The Board may deny licensure or certification to any applicant in accordance with 54.1-204 Code of Virginia. <i>18VAC50-22-190:</i> The Board may deny reinstatement of a license for same reasons as it may refuse initial licensure or discipline a licensee. Board review is required for the following convictions: Any felony or misdemeanor.	<i>18VAC50-30-30:</i> Person cannot be refused licensure or certification in any regulated profession/occupation solely because of a prior criminal conviction, unless the conviction directly relates to the occupation or profession for which the license/certification/ registration is sought. The licensee has a right to appeal any action by the board under the Administrative Process Act (§9-6.14:1 et seq.).
Truck Driver/ Commercial Vehicle Driver	Virginia Department of Motor Vehicles	Federal law prohibits those convicted of a vehicle-related felony, a crime involving drugs, or driving under the influence of drugs or alcohol from driving a heavy truck across state lines. <i>§ 46.2-316:</i> The Department shall not issue a driver's license or learner's permit to any resident or nonresident person while his license or other privilege to drive is suspended or revoked because of his conviction of offenses committed in violation of either a law of the Commonwealth or a valid local ordinance or of any federal law or law of any other state or any valid local ordinance of any other state; voluntary or involuntary manslaughter resulting from the operation of a motor vehicle; perjury, the making of a false affidavit to the Department under any law requiring the registration of motor vehicles or regulating their operation on the highways, or the making of a false statement in any application for a driver's license; any crime punishable as a felony under the motor vehicle laws or any felony in the commission of which a motor vehicle is used. The Department shall not issue a driver's license or learner's permit to any person convicted of a crime mentioned above for a further period of three years after he otherwise becomes entitled to a license or permit until he proves to the Commissioner his ability to respond in damages as provided in Article 15 (§ 46.2-435 et seq.) of Chapter 3 of this title or	<i>§ 46.2-321:</i> May appeal in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). From the final judgment of the court, either the petitioner or the Commonwealth shall have an appeal as a matter of right to the Court of Appeals.

		<p>any other law of the Commonwealth requiring proof of financial responsibility.</p> <p>An extensive list of further restrictions also applies to those seeking hazardous materials endorsements.</p> <p>§ 46.2-341.18: The Commissioner may disqualify for a period of one year any person whose record shows that he has been convicted of any of the following offenses, if such offense was committed while operating a commercial motor vehicle: commission of any crime punishable as a felony in the commission of which a motor vehicle is used, other than a felony described in § 46.2-341.19; for a period of three years if any offense listed above was committed while driving a commercial motor vehicle used in the transportation of hazardous materials required to be placarded under federal Hazardous Materials Regulations; non-commercial vehicle, disqualification for one year – the commission of any crime punishable as a felony in the commission of which a motor vehicle is used.</p> <p>The Commissioner may disqualify for life any person whose record shows that he has been convicted of two or more violations of any of the offenses listed above, if each offense arose from a separate incident committed within a period of 10 years.</p>	
Unarmed Security Officer	Department of Criminal Justice Services	<p>§ 9.1-139 (§ 9.1-145: No person with a criminal conviction for a misdemeanor involving (i) moral turpitude, (ii) assault and battery, (iii) damage to real or personal property, (iv) controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (v) prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (vi) firearms, or any felony may be (a) employed as a registered or certified employee by a private security services business or training school, or (b) issued a private security services registration, or a certification as an unarmed security officer, except that, upon written request, the Director of the Department may waive such prohibition.</p> <p>Fingerprinting for national and Virginia background check.</p>	Upon written request, the Director of the Department may waive such prohibitions
Veterinarian	Department of Health Professions Board of Veterinary Medicine	<p>§ 54.1-3807: Board may refuse licensure if applicant is convicted of any felony or of any misdemeanor involving moral turpitude; Has violated any federal or state law relating to controlled substances as defined in Chapter 34 (§ 54.1-3400 et seq.)</p>	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the

			Administrative Process Act (§ 2.2-4000 et seq.).
Veterinarian Technician	Department of Health Professions Board of Veterinary Medicine	§ 54.1-3807: Board may refuse licensure if applicant is convicted of any felony or of any misdemeanor involving moral turpitude; Has violated any federal or state law relating to controlled substances as defined in Chapter 34 (§ 54.1-3400 et seq.)	Any person aggrieved by any action of the Department § 54.1-2400 shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
Viatical Settlement Broker	Board of Insurance	§ 38.2-1865.1: Must provide satisfactory evidence that no disciplinary action has resulted in the suspension or revocation of any federal or state license pertaining to the business of viatical settlements or to the insurance or other financial services business. § 38.2-1865.2: Must not have been convicted of a felony.	
Volunteer Local Court-Appointed Special Advocate	Department of Criminal Justice Services	§ 9.1-153: Must disclose a copy of his criminal history record or certification that no conviction data are maintained on him, and a copy of information from the central registry maintained pursuant to § 63.2-1515 on any investigation of child abuse or neglect undertaken on him or certification that no such record is maintained on him.	
Waste Management Facility Operator	Department of Professional and Occupational Regulation Board for Waste Management Facility Operators	§ 54.1-2211: Any person can apply for licensing or training. Training and licensing requirements may vary for the classes of license established by the Board based upon the type of facility and the type of waste managed at the facility. 18VAC155-20-30: Any individual seeking licensure from the Board must disclose on the application any felony convictions or any final order actions regarding environmental violations or crimes resulting in the significant harm or the imminent and substantial threat of significant harm to human health or the environment. Each licensee must notify the Board in writing within 30 days of a conviction.	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act. 18VAC155-20-160: Revoked or suspended licenses are not renewable until reinstated by the board.
Waterworks and Wastewater Works Operator	Department of Professional and Occupational Regulation Board for Waterworks & Wastewater Works Operators	18 VAC 160-20-140: The board may restrict licensure for any conviction by a court in any jurisdiction of any felony or of any misdemeanor involving lying, cheating or stealing, or of any misrepresentation while engaged in waterworks or wastewater works activities. Must not have been found guilty of any activity in the course of performing his operating duties that resulted in the harm or the threat of harm to human health or the	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the

		environment. <i>18VAC160-20-106</i> : The board may deny renewal of a license for the same reasons as it may refuse initial licensure or discipline a licensee.	Administrative Process Act.
Wax Technician	Department of Professional and Occupational Regulation, Board of Barbers and Cosmetologists	<i>18VAC41-40-21</i> : Must be in good standing as a licensed wax technician in every jurisdiction where licensed. Any disciplinary action in another jurisdiction must be disclosed at the time of the application. Must not have been convicted in any jurisdiction of misdemeanor or felony that directly relates to the profession of waxing. Board determines if the applicant is unfit or unsuited (case-by-case method).	The Board makes a determination whether the applicant is unfit or unsuited to engage in the profession or occupation by applying the criteria set forth in § 54.1-204. All case decisions may be appealed to circuit court in accordance with the Administrative Process Act.
Weights and Measurers Service Technician	Board of Agriculture and Consumer Services	No restrictions.	