

## **MSAT BACKGROUND CHECK POLICY**

Helen and Arthur E. Johnson Beth-El College of Nursing and Health Sciences operates educational programs in the health disciplines, the MSAT being one of these programs, that require students to complete clinical training rotations at affiliated health and educational institutions as a component of the degree programs. Some of these affiliated institutions are subject to the Joint Accreditation Commission for Health Care Organizations (“JACHO”) Standard 1.20, which addresses background investigations for students who will have access to the affiliated institution’s patients, and these institutions require students to pass criminal background checks for clinical placement.

### **Initial Background Checks**

The MSAT Program aims to ensure the safety of all clients at our clinical sites. Students admitted to the MSAT Program must consent to and pass a criminal background investigation prior to final confirmation of admission into the MSAT Program.

- Background checks will be done in accordance with Health Science Department Policy and Procedures.
- Students who refuse to consent to the required background investigation, refuse to provide information necessary to conduct the background investigation, or provide false or misleading information in regard to the background investigation will have their admission to the MSAT Program revoked.
- The inability to successfully complete a background investigation would render a student unable to complete clinical training experiences at affiliated sites, and will result in the student’s admission to the MSAT Program revoked.
- Background checks shall be conducted in mid-May.

### **Continuing Student Background Checks**

Background investigations are valid for one-year. Currently enrolled students in the MSAT Program must have a current background investigation on file, and therefore, will be required to consent to and pass subsequent background investigations to continue participation in clinical education rotations. Some clinical sites may not accept the Health Sciences Background Check, resulting in the student having an additional background check requirement; this background check may also be at the expense of the student.

- Students who refuse to consent to the required background investigation, refuse to provide information necessary to conduct the background investigation, or provide false or misleading information in regard to the background investigation shall be placed on administrative leave of absence, preventing their progression through the MSAT Program, until such time as they consent to and pass a criminal background investigation.
- Background checks shall be conducted prior to expiration of prior investigations.

## **Request and Consent to Conduct Background Investigation.**

- Students request and consent to a background investigation when they complete the online form at TCLoqiQ authorizing Beth-El College of Nursing and Health Sciences or its agents to conduct a background investigation.
- All background investigations will be at the expense of the student.
- Criminal Records include in-state, out-of-state, and international criminal history, including misdemeanor and felony convictions. A “conviction” is generally defined as a verdict, a guilty plea or a Nolo Contendere (“No Contest”) plea. Only conviction information will be considered.

Required Information for background investigations includes name (including any former names), address (including address history), date of birth and social security number.

- Any MSAT applicant or student who is found to have falsified information related to the background investigation will be subject to disciplinary action, up to, and including withdrawal of acceptance, and dismissal from the program.
- Additionally, failure to self-disclose all previous convictions, other than minor traffic convictions, will be considered falsification of information and will be grounds for disciplinary action up to, and including withdrawal of acceptance into the program, and if discovered post-admission, dismissal from the program.

## **Pass/Fail Criteria for Criminal Background Investigations.**

1. Criteria to “pass” a background investigation: An applicant or student will be considered to have “passed” the criminal background investigation if s/he meets all of the criteria listed below:
  - No convictions (felony or misdemeanor) for drug use or distribution.
  - No convictions (felony or misdemeanor) for serious or violent crimes including, but not limited to, homicide or sexual assault.
  - No convictions (felony) for nonviolent offenses.
  - No convictions (felony or misdemeanor), related to moral turpitude, that indicate a potential threat to patient safety/patient care.
  - Not a registered sex offender.
2. Convictions.
  - The existence of a conviction listed above does not automatically disqualify an applicant or student from the program. Relevant considerations may include, but are not limited to: the date, nature and number of convictions; the relationship the conviction bears to the duties, responsibilities, and requirements anticipated during clinical training; and successful efforts toward rehabilitation. Any decision to allow an applicant or student to enter the program with a conviction is solely at the discretion of the MSAT Program.
  - If an applicant or student truthfully self-discloses conviction(s), an evaluation of each conviction will be made by the program before the applicant or student is allowed to enter the program.

- Failure to self-disclose all previous convictions other than minor traffic convictions will be considered falsification of records and will be grounds for discipline, up to and including denial of admission or withdrawal of acceptance into the program and, if discovered post-acceptance, dismissal from the program.

**Right of Applicants/Students to Review Information.** Applicants and students may view their own background check directly through the background investigation vendor's systems. Applicants and students should not send their online confidential background investigation vendor password nor their background investigation report to Helen and Arthur E. Johnson Beth-El College of Nursing and Health Sciences. The report is made available to the MSAT Program directly from the background investigation agency.

**Disagreement with Accuracy of Information.** Applicants or students who disagree with the accuracy of information found in the background investigation should follow the dispute processes outlined by the background investigation vendor and may also submit a written request to the MSAT PD for disputed information to be re-verified. It is the applicant's or student's burden to produce substantial evidence to prove inaccuracy of the background investigation information. Such accuracy disputes will be considered in collaboration with the Admissions, Retention and Progressions Committee.

**Determination Process.** If the investigation reveals information that could be relevant to suitability for enrollment, additional information may be requested from the applicant or student. If the investigation reveals anything more than minor traffic convictions, it shall be reviewed collaboratively and confidentially by the Admissions and Progressions Committee to determine whether the results disqualify the applicant or student from the program. Eligibility for admission or continuation in the program is based on the nature of the investigation findings, the pass/fail criteria below, as well as clinical affiliate site requirements. All determinations made by the program are final.

**Confidentiality.** Information obtained for the purpose of and during the background investigation will be retained by the MSAT Program department. The department will make every effort to ensure that results of criminal background investigations are kept as confidential as possible with a limited number of persons authorized to review results.

### **Continuing Duty to Disclose After Initial Background Check and/or After Admission**

1. Students have a continuing duty to disclose any relevant circumstances subsequent to their passing the initial background investigation. The MSAT PD Chair has discretion to determine that additional background checks may be warranted.
2. Any subsequent DUI citation, driving while ability impaired citation, or any felony or misdemeanor conviction (excluding a minor traffic infraction resulting in a traffic citation) that occur after the initial background check and/or after admission must be brought to the attention of the MSAT PD within 10 business days of its occurrence.
3. Failure to notify the MSAT PD of any new circumstances may result in the student being administratively dropped from MSAT courses or refused consideration for admission if pending.

4. It is the student's responsibility to follow up on any outstanding charges that may affect continuance or progression in the MSAT Program, or attendance at a required clinical assignment.
5. Proofs of both a deferral agreement and completion of a deferred sentence (court minute order) are required. A student will be blocked from clinical course registration until the documents are submitted to the MSAT PD.

#### **Additional Clinical Requirements for Specific Agencies**

1. If a student meets the MSAT Program's background check requirements but does not satisfy a more stringent clinical agency requirement, an alternative clinical site will be sought for the student.
2. While every effort will be made to place the student in an alternative clinical site, alternative clinical placement is not always available.
3. If a student is unable to complete any course due to an inability to participate at a clinical site, the student may be dismissed from the MSAT Program.