UND School of Medicine & Health Sciences
Policy on Student Criminal Background Checks

Policy Summary:
Criminal background checks (CBC) are required for all School of Medicine & Health Science (SMHS) health professional students prior to matriculation and/or clinical assignment.

Policy Purpose:
To describe the specific policies and procedures for a criminal background check (CBC) for Health Sciences and Medical students.

Definition:
An “unfavorable” CBC is defined as a CBC where the results of the CBC reveal an offense.

Governing Policies:
Policy Entitled “Policy 511, Student Criminal History Background Checks.” North Dakota University System (NDUS) undergraduate admission applications shall require disclosure of criminal history information. Institutions that offer graduate or professional programs shall require disclosure of criminal history information on graduate and professional program applications. The chancellor shall adopt a procedure implementing this requirement and defining the information required on undergraduate applications. The chancellor shall adopt an implementing procedure and designate the programs for which nationwide criminal history background checks are authorized under N.D.C.C. §12-60-24. The procedure may include uniform requirements or guidelines that apply to all institutions or designated programs at all institutions. Each institution shall adopt policies or procedures implementing this policy, including requirements or guidelines governing criminal history background checks on students and use of criminal history information in admissions decisions.

Policy Entitled “Criminal background checks for accepted applicants for admission to and enrollment in University of North Dakota School of Medicine and Health Sciences, the College of Arts and Sciences and College of Nursing educational programs requiring assignment to a clinical health care facility.” (revised 9-5-07). “The University of North Dakota School of Medicine and Health Sciences and College of Arts and Sciences (here and after referred to as the “University”) have developed a policy on Criminal Background checks for students who have contact in the course of their educational experience with vulnerable populations. The goal is to protect the safety of patients at settings where University of North Dakota students perform educational experiences.”

School of Medicine & Health Science CBC Policy:
The University of North Dakota School of Medicine and Health Sciences requires a CBC of students in all health-related programs prior to matriculation and/or clinical assignment. Professional programs that require a CBC prior to matriculation and/or clinical assignment include:

1. Athletic Training
2. Histotechnician
3. Medical Laboratory Science
4. Medical Education
5. Occupational Therapy
6. Physical Therapy
7. Physician Assistant
8. Public Health
For the above listed programs, a CBC is required and an FBI check is authorized *(NDUS Procedure 511: Student Criminal History Background Checks)*. The student must initiate the CBC. Failure to submit a CBC will suspend the matriculation process and/or assignment to clinical or field experience.

It is essential that the professional program be able to document a CBC for students when requested by hospitals, clinics, and other non-UND training sites. Final acceptance into the program may be contingent upon the outcome of the CBC. In addition, an updated CBC may be required by a clinical site prior to the start of a clinical assignment.

**SMHS Specific Policy** (these policies are specific to the SMHS under the governing policy of the School of Medicine and Health Sciences and College of Arts and Sciences revised on 9/5/07):

A. Each of the Professional programs may have a different procedure for the timing of the CBC. The student is responsible for checking with his or her respective programs to determine when the CBC is to be initiated.

1. The CBC must be completed: (a) as a condition of the student's admission, prior to initial enrollment; and/or (b) prior to a student's clinical assignment and/or continued enrollment in the professional program. The CBC does not have to be part of the program application; however the results of the check must be reviewed and approved by the department and committee (if necessary) prior to matriculation and/or clinical assignment.

2. Students who have an interruption in enrollment for more than one year must undergo another CBC prior to re-enrollment.

3. Students who refuse or who have a negative CBC outcome will not be allowed to matriculate in the professional program. Students who have a negative CBC after they have been admitted or prior to beginning a clinical experience may be dismissed from the professional program.

B. The initial results of the CBC will be reviewed by the Department Chairperson or Program Director and the Director of Clinical Education for that program. If the CBC is favorable, those individuals may approve the background check. Unfavorable CBC results will be brought to the SMHS Background Review Committee (BRC). In that event, matriculation into the professional program and/or clinical site placement will only be granted after review by BRC and approval by the Department Chairperson or the Program Director.

C. Prospective students who have an unfavorable CBC, as well as students who have already been admitted to a program but who have a negative CBC prior to a clinical assignment, will be given the opportunity to review the results of the CBC and an opportunity to challenge the results if they so choose, as per the governing policy.

D. If the results of the unfavorable results go unchallenged or unchanged, the results will be reviewed by the BRC, following the guidelines in the governing policy. The BRC has the right to request additional information from the student being reviewed. The BRC may render a decision electronically.
E. The BRC will review the findings of the CBC, and make recommendations to the Department Chairperson or Program Director for a final review and decision on matriculation or continuation in the professional program. The student will be informed of the decision in writing. The written decision may be delivered by electronic means.

F. The results of the CBC will become part of the student’s record and are protected by the Family Educational Rights and Privacy Act. The results will be retained pursuant to the Records Retention Schedule. For those that are not admitted, the results will be destroyed.

G. Students who have an unfavorable CBC, and who are admitted to the professional program, must be informed that admission to the professional program does not guarantee that clinical facilities will allow them to begin a clinical assignment, in which case they may not be able to complete their program and may be removed from the program.

H. Criminal activity that occurs while the student is enrolled in the professional program will undergo the same review process as outlined above. It is the responsibility of the student to inform his or her respective program director or chairperson of any disciplinary or criminal activity that has occurred during his or her enrollment in the professional program. Students may be asked to sign a waiver that allows the program/department to request additional information from any college or university the student has attended.

Related Policies/References:
UND School of Medicine CBC Policy
NDUS Policy 511: Student Criminal History Background Checks, 12/20/07
UND School of Medicine and Health Sciences and College of Arts and Sciences Policy revised 9-5-07
UND School of Medicine & Health Sciences
Procedure for Student Criminal Background Checks

A. All students are required to complete a Criminal Background Check (CBC) prior to enrollment in the professional program and/or placement in any clinical assignment. In addition, students are expected to respond to and sign a supplemental questionnaire documenting behaviors prior to enrollment in a SMHS health professional program. The Background Review Committee (BRC) will review all students who receive an unfavorable CBC to determine whether or not the offer of admission should be rescinded and/or enrollment should be terminated, and/or placement in a clinical assignment should be denied.

B. The BRC will be comprised of one faculty member from each of the Departments and Programs affected by the Student Criminal Background Check Policy and the Associate Dean for Student Affairs and Admissions. The BRC may also request a representative from the Campus Police and/or UND Office of General Counsel, if deemed necessary. If the Committee determines one of its members has a conflict, the individual will recuse himself or herself from the discussion and decision making process.

C. The BRC will be chaired by Associate Dean for Student Affairs and Admissions or in his/her absence the elected Chair of the Health Science chairs and program directors.

D. The BRC will meet as needed to consider unfavorable background check results.

E. If deemed necessary, students who received an unfavorable background check will be asked to submit additional information regarding the CBC results. The department, program, or Associate Dean of Students may ask for additional information, including release of information regarding sanctions from previous educational settings.

F. Unfavorable background check results will be presented to the BRC by the faculty representative from the affected department or program. The representative will provide the application and admission data for each prospective student with an unfavorable background check for discussion and determination of admission status or enrollment in the program, and will bring forward all relevant student information if the unfavorable CBC has been received after admission but prior to a placement in a clinical assignment.

G. The BRC will review the findings of the CBC and any other materials that have been submitted, and make recommendations to the Department Chairperson or Program Director for a final review and decision on matriculation or continuation in the professional program.

H. The Associate Dean, Department Chair, or Program Director of the student’s educational program will notify the student in writing of the BRC decision and his or her decision. The written decision may be delivered by electronic means.

I. The student may petition the decision of the Department Chairperson or Program Director by following the procedures outlined in the SMHS Grievance Policy.