

STUDENT BACKGROUND CHECKS

Policy Number:

Owner Department: Student Affairs

Effective Date: 8/24/2011 ~ Implemented with Winter 2012 Intake

Approved By: President's Council

I. POLICY STATEMENT

All students accepted into Southwest College of Naturopathic Medicine's (SCNM) ND program must meet admission and technical standards. As part of the application process, all students accepted into the ND program must submit to a criminal background check (CBC) conducted by the SCNM approved criminal background check provider. Acceptance into the ND program is conditional on a background check that meets the standards set by SCNM.

II. POLICY STATUS

New

III. DEFINITION(S)

"Background checks" is defined as including, but not being limited to, a combination of the following screenings for every state, county and country of residence:

- Social Security Number Validation Report (name/address search)
- County Criminal Record History
- Statewide Criminal Records Search
- Federal Criminal Records Search
- National Criminal Database Search
- National Sexual Offender Database Search
- Search for Dishonorable Discharge from the Armed Forces (when applicable)
- U.S. Department of Health and Human Services Office of Inspector General List of Excluded Individuals/Entities Search
DIG/ GSA EPLS:
 - (DIG) Office of Inspector General List of Excluded Individuals
 - (GSA) General Services Admin. Excluded Parties Listing
- SanctionsBase
 - Proprietary search covering sanctions, disciplinary and administrative actions taken by hundreds of federal/state healthcare regulatory authorities, including FDA, NIH, GSA, OFAC, terrorist watch list.
- International Screening (when applicable)
- Past Employment

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IV. PURPOSE

SCNM requires a background check on all incoming students in order to enhance the health and safety of patients, students, faculty, and staff in the academic and clinical environments and to adhere to applicable healthcare regulations. The background check will determine whether there are incidents in an applicant's history that would pose a risk to patients or others, or would prohibit the individual from being licensed in the future.

V. SCOPE/KEY STAKEHOLDERS

This policy applies to all prospective students.

VI. POLICY ITEMS

Background check results will be available for review from the vendor's website. In cases where the background check results warrant review by a Task Force of the Enrollment Management Committee, the Admissions Office will notify the prospective student. The prospective student will be allowed to respond to the information contained within the report. The background check, and any student response, will be forwarded to the Enrollment Management Committee (EMC) for consideration and action.

The Admissions Office will comply with all laws, including the Fair Credit Reporting Act (FCRA) and all relevant federal, state, local laws, governmental regulations, rules and requirements in enforcing this policy. The Admissions Office will provide training to Admissions staff to ensure that the results of the background checks are recognized and handled as sensitive, privileged and confidential information to be used for permissible purposes only (as outlined in the procedures of this policy). Under no circumstances will SCNM resell any information provided by the CBC vendor to any third party.

Confidentiality: The handling of all records and subject information will be strictly confidential and will adhere to the Family Educational Rights and Privacy Act (FERPA). Adverse findings which result in action taken by the EMC will become part of the student's academic record. Absent adverse findings, background investigation records will be stored for five (5) years after the student leaves SCNM and will then be shredded.

VII. RESPONSIBILITY FOR IMPLEMENTATION

The Admissions Office in conjunction with the Academic Department will develop administrative regulations and procedures as necessary to implement this policy, including provisions for notification, administration, disciplinary consequences, and enforcement.

VIII. APPROVAL BODY

President's Council

IX. DATE POLICY APPROVED

8/24/2011

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X. RELATED POLICIES

This policy does not supersede the student requirement to obtain a criminal background check for a certificate to engage in a clinical training program.

XI. RELATED DOCUMENTS

SCNM will contract with a Background Check Provider to administer this policy. As part of this contract, SCNM will adhere to the requirements outlined in the services agreement.

XII. DATE EFFECTIVE

XIII. NEXT REVIEW DATE

April 2012

XIV. VERSION CONTROL AND CHANGE HISTORY

Version Control	Approved By/Date	Date Effective	Amendment
1			
2			

XV. POLICY AUTHOR/CONTACT

Author – Office of the Vice President of Student Affairs

Contact -

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PROCEDURES:

I. During the Application Process: SCNM must ensure that clear and conspicuous disclosure has been made in writing to the prospective student before the CBC is procured. A statement such as the following shall be included on admission materials for the ND program:

"I understand that, as a condition of admission, I will be required to undergo a criminal background check(s) and to permit the results to be provided by the reporting agency to SCNM. Further, as an enrolled student I may be required to authorize clinical training facilities to conduct this check, and to permit the results to be provided by the reporting agency to SCNM and/or to clinical facilities. All expenses associated with the CBC are the responsibility of the applicant/student. If I am offered conditional admission, the offer will not be considered final, and I will not be permitted to enroll until completion of my background check, with results deemed acceptable by SCNM. If the results of the background check(s) are not deemed acceptable by SCNM, or if information received indicates that I have provided false or misleading statements, have omitted required information, or in any way am unable to meet the requirements for completion of the program, the conditional admission may be denied or rescinded, and/or I may be disciplined or dismissed."

Advising applicants that final acceptance is dependent on successful background investigation. Applicants will be informed in written admissions materials including web pages, MySCNM, and other promotional materials as well as on the application and SCNM enrollment agreement that final acceptance into SCNM's ND program is contingent upon successfully passing a criminal background check.

A. Permission to Conduct the Investigation

Permission to conduct this required background investigation will be obtained for accepted students upon acceptance into the ND program and prior to matriculation. Accepted students must access the vendor's website and complete the appropriate release of information form that allows a background investigation to be conducted via an arrangement with the outside vendor. A copy of "Your Rights under the Fair Credit Reporting Act" will be provided for each student by the vendor. Within the jurisdictions noted by the student, criminal records will be checked and the report may include arrests and convictions for all offenses of any type, including deferred judgments, and records that have been expunged. Appropriate authorization, with pertinent identifying information necessary to initiate the check, will be received from each accepted applicant prior to initiating a criminal background check. This authorization will inform the accepted applicant that he/she will have access to criminal background check data about himself/herself to ensure the accuracy of the criminal background check report.

B. Admission Procedures – Post Acceptance

The criminal background check is not a component of the application, interview, or decision-making process of the school. It is a mandatory component of the post-acceptance matriculation process. The letter sent by the school to each accepted applicant will include information about this requirement, with the contingency that the final decision about medical school matriculation will be made after institutional review of the accepted applicant's criminal background check report.

All students accepted into the ND program will be required to submit to a background check through our vendor, Certiphi Screening Inc., a professional background check service. Accepted students will have ten (10) business days following notification to access the vendor website and to submit to the background check. Information obtained will only be used in accord with state and federal laws.

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1. The Admissions Office will notify the vendor (Certiphi) of accepted students eligible for the background check. This will be done by the Director of Admissions or the Admissions Representatives. An email will be sent to each accepted student directing them to the vendor's website.
2. The vendor (Certiphi) will then conduct the background investigation.
3. The vendor (Certiphi) will return results to the student and the SCNM Admissions Office.
4. In cases where no criminal records appear, the accepted student's record will reflect that the investigation was completed and satisfactory. The accepted student will be notified by Admissions that the background check report has been received. In the interest of maintaining confidentiality, The Director of Admissions and the V.P. of Student Affairs will have exclusive access to the specific findings and results. Admissions Representatives will be able to view the student's progress and completion of a CBC, but not specific findings or results.
5. In cases where a criminal record appears in the results of the background check, the student will be contacted by email and certified mail.
 - a. The accepted student must submit a Letter of Explanation (a formal written response) to the Enrollment Management Committee within fifteen (15) business days of the notification from SCNM. Such written response should be sent to SCNM Enrollment Management Committee, in care of the Director of Admissions. Any student who fails to provide a response prior to matriculation may have their acceptance rescinded by SCNM. Ultimate decisions about the matriculation of an accepted applicant whose criminal background check reveals information of concern will be made by a Task Force of the Enrollment Management Committee.
 - b. The accepted student may contest the results directly with the vendor, but this must be completed within 15 business days of receipt of their Notification from SCNM.
 - c. The Director of Admissions shall submit the Student's criminal background report, the submitted written student response and character references, if submitted, and any vendor response (if applicable) to the Task Force of the Enrollment Management Committee within twenty (25) business days of the student's original notification.
 1. A Task Force of the Enrollment Management Committee (hereafter referred to as The Task Force) will be comprised of the Dean of Students, the Dean of Faculty and Curriculum Development, the Dean of Medical Education, the Chief Medical Officer, the Director of Admissions, and the Chief Human Resources.
 2. The Task Force shall establish criteria to help standardize the background check review process. The Task Force shall receive specialized training for evaluating criminal records to help them better interpret the results and pose appropriate questions. The Task Force may also consult with counselors, psychiatrists, attorneys and other experts for guidance. The evaluation criteria will reflect the experiential site requirements, licensure restrictions, and an attempt to ensure campus and patient safety. The evaluation criteria will be consistent to ensure that any institutional actions made on the basis of a criminal offense are not unreasonable, arbitrary, or capricious
 3. The Task Force will conduct a blind review of the information and then will make a recommendation to the Admissions Committee to allow matriculation or rescind admission to a student based on the timing, severity, number, and nature of any findings. **NOTE:** Any identified misrepresentation, falsification, or

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material omission of information from the application for admission to SCNM discovered during the criminal background review process may result in a recommendation to rescind the admission of the student.

4. The following actions on the part of the applicant or findings derived from a criminal background check will automatically disqualify any applicant or accepted applicant from matriculation in the N.D. program:
 - Refusal to participate in the background check. SCNM may rescind an offer of admission or dismiss a student from the ND program for refusing or failing to participate in the criminal background check process
 - Conviction of Serious Offenses: Serious Violent Felony as defined in the U.S. Code, Title 18 chapter 1, part 16 and as classified in the U.S. Code, Title 18, chapter 227, part 3559). including, but not limited to: a federal or state offense, by whatever designation, consisting of murder; manslaughter (other than involuntary manslaughter); assault with intent to commit murder; assault with intent to commit rape; aggravated sexual abuse and sexual abuse; abusive sexual contact; kidnapping; aircraft piracy; robbery; carjacking; extortion; arson; firearms use; firearms possession; or attempt, conspiracy, or solicitation to commit any of the above offenses.
 - Conviction of crimes against children; domestic violence; assault and battery; possession of a controlled substance with intent to distribute; forgery.
5. The following findings derived from a criminal background check will not warrant a review by the Committee.
 - Traffic Violations. Traffic violations involving drugs or alcohol are not generally considered minor offenses.
 - Singular conviction of a Minor in Possession.
6. The Committee shall make a final decision about matriculation after careful review of factors including, but not limited to:
 - Number of convictions;
 - Nature, seriousness and date(s) of occurrence of the violation(s)
 - Circumstances under which the offense occurred
 - Age of the person when the offense was committed
 - Documented successful rehabilitation;
 - Relevance of the crime committed relative to medical profession standards;
 - State or federal requirements relative to the medical profession;
 - Disclosure and accuracy of the information provided by the applicant in his/her application materials.
 - All submitted information regarding the incident, including the student's written explanation, which may include character references;
 - Any other evidence demonstrating an ability to perform academic and clinical expectations competently and free from posing a threat to the health and safety of others.
7. The Admissions Committee will notify the student in writing of the decision within 10 days of its decision.