



**Criminal History Background Check  
For all SMHS Health Professional Students**

Section: 3  
Policy number: 3.4  
Responsible Office: Student Affairs and Admissions  
Issued: 07.15.14  
Latest Review: 06.11.19

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**POLICY STATEMENT**

Criminal background checks (CBC) are required for all School of Medicine and Health Sciences (SMHS) health professional students prior to matriculation, clinical assignment and/or returning from a leave of absence (LOA).

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**REASON for POLICY**

This policy provides procedures for a criminal background check for medical students and health sciences students.

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**SCOPE of POLICY**

This policy applies to:

<input checked="" type="checkbox"/> Deans, Directors, and Department Heads	<input checked="" type="checkbox"/> Faculty
<input checked="" type="checkbox"/> Managers and supervisors	<input checked="" type="checkbox"/> Staff
<input checked="" type="checkbox"/> Students	
Others:	

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**WEB SITE REFERENCES**

Policy Office: <http://www.med.und.edu/policies/index.cfm>  
Responsible Office: <http://www.med.und.edu/administration/deans-office/index.cfm>

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## DEFINITIONS

CBC	Criminal Background Check
SMHS	School of Medicine and Health Sciences
Unfavorable	A CBC where the results of the CBC reveal an offense
BRC	Background Review Committee
FERPA	Family Educational Rights and Privacy Act
Leave of absence (LOA)	The definition shall be determined by each department/program
Interruption in enrollment	The definition shall be determined by each department/program

## RELATED INFORMATION

North Dakota University System (NDUS) policy	<a href="http://www.ndus.edu/makers/procedures/ndus/default.asp?PID=331&amp;SID=57">http://www.ndus.edu/makers/procedures/ndus/default.asp?PID=331&amp;SID=57</a>
Criminal background checks for accepted applicants for admission to and enrolment in University of North Dakota School of Medicine and Health Sciences, the College of Arts and Sciences, and the College of Nursing educational programs requiring assignment to a clinical health care facility (revised 09.05.07)	The University of North Dakota School of Medicine and Health Sciences and College of Arts and Sciences have developed a policy on criminal background checks for student 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 experience.

## CONTACTS

General questions about this policy can be answered by your department's administrative office. Specific questions should be directed to the following:

Subject	Contact	Telephone/FAX	Email contact
Policy clarification	Student Affairs	777.4221/777.4942	
Policy format	Dean's Office	777.2514/777.3527	judy.solberg@med.und.edu

## PRINCIPLES

- I. Criminal background checks (CBC) are required for all School of Medicine and Health Sciences (SMHS) health professional students prior to matriculation, clinical assignment, and/or returning from a leave of absence.
- II. The SMHS requires a BC 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: Athletic Training; Medical Laboratory Science; Medical

Education; Occupational Therapy; Physical Therapy; Physician Assistant Studies; and Public Health.

- III. For the above-noted programs, a CBC is required and an FBI check is authorized.

## PROCEDURES

- I. Students must initiate the CBC. Failure to submit a CBC will suspend the process of matriculation, assignment to a clinical or field experience, and/or returning from a leave of absence.

It is essential that the professional program be able to document a CBC for students when requested by hospital, 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.

- a. The CBC must be completed as a condition of the student's admission, prior to initial enrollment; and/or 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.
- b. Students who have an interruption in enrollment for more than one year must undergo another CBC prior to re-enrollment.
- c. Students who refuse or who have an unfavorable negative CBC outcome will not be allowed to matriculate in the professional program. Students who have an unfavorable negative CBC after they have been admitted or prior to beginning a clinical experience may be dismissed from the professional program.
- II. 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, clinical site placement, and/or return from an LOA will only be granted after review by BRC and approval by the Department Chairperson or the Program Director.
- III. Prospective students who have an unfavorable CBC, as well as students who have already been admitted to a program but who have a unfavorable 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.
- IV. 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.
- V. The BRC will review the findings of the CBC, and make recommendations to the department chairperson or the 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.

- VI. The results of the CBC will become part of the student's record and are protected by the Family Educational Rights and Privacy Act (FERPA). For those that are not admitted, the results will be destroyed.
- VII. 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.
- VIII. 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 department chairperson or program director 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 that student attended. Students on LOA are subject to the same rules of self-reporting as an enrolled student.

Relevant information:

All students are required to complete a 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, or re-enrollment, in a SMHS health professional program. The 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.

The BRC will be comprised of one faculty member from each of the departments and programs affected by the policy and the associate dean for student affairs and admissions. The BRC may also request a representative from University Policy and/or UND's General Counsel's Office, 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.

The BRC will be chaired by the associate dean for student affairs and admissions or in his or her absence, the associate dean for health sciences.

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

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 student affairs and admissions may ask for additional information, including release of information regarding sanctions from previous educational settings.

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.

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.

The associate dean of student affairs and admissions, 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.

The student may petition the decision of the department chair person or program director by following the procedures outlined in the SMHS Grievance Policy.

## RESPONSIBILITIES

Student	Initiate the CBC and check with the Program for any additional or slightly different procedures or timing commitments.  Inform respective department chairperson or program director of any disciplinary or criminal activity that has occurred during enrollment (or in the case of a student on LOA affiliation) in the professional program.
SMHS Background Review Committee (BRC)	Review unfavorable CBC results, and make recommendations to the department chairperson or program directors for final decision.
Associate Dean for Student Affairs and Admissions	Chairs the SMHS Background Review Committee (BRC)

## FORMS

UND’s Criminal History Background Check form	<a href="http://und.edu/finance-operations/human-resources-payroll/files/docs/chrc-authorization-form-2016.pdf">http://und.edu/finance-operations/human-resources-payroll/files/docs/chrc-authorization-form-2016.pdf</a>
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## REVISION RECORD

07.15.14—FAC Approved  
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 06.11.19—Minor Edits