



BOISE STATE UNIVERSITY
COLLEGE OF HEALTH SCIENCES

313.0 STUDENT BACKGROUND CHECK POLICY

Purpose:

To establish policy and procedure for requirement of student background checks, and to inform students of criminal background checks required for admission into and progression through programs and courses that include the direct and indirect delivery of patient care services at facilities where background checks are required as part of an affiliation agreement with the university or is required for licensure or certification in the field of study.

Scope:

The College of Health Science requires a Background Check (BGC) as defined below on all students enrolled in courses involving the direct and indirect delivery of patient care services where facilities require a BGC based on an affiliation agreement. Students are expected to have and maintain a clean background, with no record of conviction of any of the crimes identified in Section III of this policy and no pattern of behavior deemed to be unprofessional, or that is believed to put patients, faculty and/or students at risk, as they are admitted to and progress through programs and courses that require a BGC. Such determinations related to behavior or risk are in the sole discretion of the responsible party. Failure to pass a background check may prevent the student from participating in the clinical experiences and may delay the student's completion of the degree program requirements or prevent the student from completing the degree program.

Responsible Party:

The department/school chair or designee of each program, offering courses that involve the direct and indirect delivery of patient care services.

Definitions:

Clean Background Check or BGC: No convictions of crimes listed in Section III, and no pattern of behavior deemed to be unprofessional (that is believed to put patients, faculty and/or students at risk).

Conviction, for purposes of this policy, shall mean:

- Guilty plea or verdict (regardless of the form of the plea or disposition of the case)

- Withheld judgment
- Plea agreement

Note: Arrest (pending charges) until the verdict is rendered, dismissals and acquittals are not considered convictions, but may be considered in the assessment of patterns of behavior.

I. Policy Statement

- A. All students in the College of Health Sciences enrolled in courses that involve the direct and indirect delivery of patient care services where an affiliation agreement exists between the facility and Boise State which requires a BGC are covered under this policy.
- B. Prior to admission into a program or course involving the direct and indirect delivery of patient care, all students may be required to have a recent BGC. Recent is defined as no older than 6 months prior to the start of the class/experience. Failure to undergo the BGC will result in dismissal from the program or course.
- C. A criminal background check may also be required based on certain program requirements related to licensure or certification specifications.
- D. Once admitted into a program or while participating in courses which include the direct and indirect delivery of patient care subject to an affiliate agreement:
 1. Students will have a BGC conducted approximately every six months, within 120 days of placement within facility.
 2. Students are required to immediately self-report ALL ARRESTS for any misdemeanors or felonies to the appropriate Department/School Chair regardless of type and match to those listed in Section III.
 3. Departments/Schools may check arrest records of students without notification.
 4. Failure to immediately (within 48 hours of arrest) notify the Department/School of an arrest is grounds for dismissal from the program.
 5. Failure to undergo the BGC will result in dismissal from the program.

II. Procedure

- A. BGCs will be performed by and results obtained from the company selected by the College and will include the following:
 1. Social security number and identity verification.

2. Criminal search (7 years) national and county including maiden and alias names for any felony or misdemeanor convictions.
 3. National Sex Offender Registry
 4. Office of Inspector General (OIG) List of Excluded Individuals/Entities
 5. General Services Administration (GSA) List of Parties Excluded from Federal Programs.
 6. US Treasury, Office of Foreign Assets Control (OFAC), List of Specially Designated Nationals (SDN).
 7. The company must make an electronic copy of the report available to the Department/School representative.
- B. Depending upon the admission process of each program, students may be conditionally admitted to their educational program prior to passing their background check. All conditionally admitted students will be given a copy of the information sheet describing the procedure used to obtain a BGC. Students will request and pay for the standard College of Health Sciences BGC through the company selected by the College.
1. Results of the BGC will be available through secure electronic access to the company website for review by the School/Department/Program designee of the admitting program.
 2. Results of the BGC will be available to the student through access to the account created by the student when they initiated the background check process.
- C. A designee of the School/Program/Department will access and review the results of each student's background check. Students will be notified if their background check will be printed.
- D. The student will be fully admitted to and retained in the program/course if the BGC result contains:
1. No convictions
 2. Only minor misdemeanor charges that do not violate the policies of the admitting program or professional Code of Ethics.
 3. No pattern of behavior deemed to be unprofessional, believed to put patients, faculty and/or students at risk, or creates concern for the appropriateness of the individual to work in a health care setting.
- E. If a BGC result contains convictions for an offense or offenses listed in Section III, or demonstrates a pattern of behavior deemed to be unprofessional, or that is believed to put patients, faculty and/or students at risk, the student will be provided the CHS-313 policy and notified in writing that his/her admission to the program/course has been withdrawn. If the student wishes to appeal this decision and continue the admission process or retain admission to the program, the student must:

1. Follow the COHS Clinical/Non-Clinical Internship/Practicum Suspension/Dismissal Policy process.
- F. Results of BGCs will be securely maintained by the background check company designated by the COHS for program access.
- G. Results of a BGC performed for hire at a local health care agency may not be used for affiliation with Boise State University due to variances in quality of the background checks.
- H. Students who leave the program, regardless of reason, will need to repeat the BGC before being readmitted.
- I. Students who have an arrest for any crime listed in this policy while in the program will be removed from clinical. In order to return to clinical, students must follow step E, and abide by the decision of the COHS Clinical Affiliation Committee.
- J. All affiliated agencies have the ability to request copies of any student's BGC when the student is scheduled for clinical participation at that specific agency.

III. Conviction Categories, Crimes and Time Periods

- A. A pattern of behavior deemed to be unprofessional, or that is believed to put patients, faculty and/or students at risk or which will preclude licensure or certification, may result in dismissal from the program or class which has a direct or indirect patient care requirement. As stated in the Scope, such determinations related to behavior or risks are in the sole discretion of the responsible party.
- B. Felony or misdemeanor convictions, plea agreement or withheld judgment as defined in this policy, for any crimes listed in this section will result in notification to the student that his/her admission to the program/class has been withdrawn. If the student wishes to appeal this decision and continue the admission process or retain admission to the program, the student must follow the process outlined in Section II.E.
- C. The time period for the following crimes is not limited:
 1. Sexual assault, rape, indecent exposure, lewd and lascivious conduct, or any crime involving nonconsensual sexual conduct committed at any time.
 2. Child abuse, sexual exploitation of children, child abduction, child neglect, contributing to the delinquency or neglect of a child, enticing a child for immoral purposes, exposing a minor to pornography or other harmful materials, incest, or any other crime involving children as victims or participants committed at any time.
 3. Reckless endangerment
 4. Homicide or manslaughter committed at any time.
 5. Abuse, exploitation or neglect of a vulnerable adult (disabled or elderly) committed at any time.
 6. Drug trafficking

7. Kidnapping
8. Mayhem, as defined by Section 18-5001, Idaho Code.
 - a. Reference: <https://legislature.idaho.gov/statutesrules/idstat/Title18/T18CH50/SECT18-5001/>
9. Poisoning

- D. The time period for these crimes is the past seven years:
2. Assault or Battery
 3. Offenses involving substantial misrepresentation of any material fact to the public or an employer including embezzlement, bribery, fraud, racketeering or allowing an establishment to be used for illegal purposes.
 4. First or second degree arson.
 5. Forgery or fraudulent use of a financial transaction card.
 6. Forgery and counterfeiting.
 7. Insurance fraud
 8. Grand theft
- E. The time frame for these crimes is the past 5 years:
1. Misdemeanor theft (all categories, including willful concealment).
 2. Any charge related to alcohol, narcotics, controlled substances, or illegal drugs such as (but not limited to) possession of drugs or paraphernalia.
 3. More than one, felony or misdemeanor driving under the influence (DUI) which is not a first offense.
- F. The time frame for these crimes is the past 3 years:
1. First offense DUI.

IV. Additional BGCs required by affiliated clinical agencies

- A. Clinical sites and other agencies may require additional BGCs. The criteria used may be more stringent than used by the College of Health Sciences and students may be charged an extra fee for this BGC by the agency. This may prohibit some students from being allowed into some sites.
- B. If a student is accepted into a program based on the required College of Health Sciences BGCs, but is denied clinical agency entrance based on the outcome of an agency BGC, no guarantee can be made as to clinical placement and will result in dismissal of the student.
- C. Students may be required to obtain an additional BGC or obtain a copy of the agency BGC to continue in the program. Additional information discovered will be considered in determining if the student may continue in his/her program.

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