

*The George Washington University School of Medicine and Health Sciences
Policy and Procedures
on Criminal Background Checks (CBC) and Drug Screening (DS)
for the Health Sciences Programs
Policy effective September 1, 2008*

TITLE Criminal Background Check (CBC) and Drug Screen (DS) Policy

RATIONALE Some criminal offenses preclude students from participating in patient care. In addition, some professional licensure boards prohibit licensure for those convicted of specific offenses. Thus, students from professional programs are subject to the statutory and/or regulatory requirements independently imposed by law, or as required by affiliating entities. Students must meet any and all requirements of the clinical facility, which may be more extensive than referenced herein. Inability to participate in patient care or being subject to any other exclusion prescribed by law will preclude successful completion of the requisite curriculum. As such, affected students may not be eligible for matriculation, continuation in the program, or graduation, if applicable.

This policy is designed to provide a safe environment for patients, visitors, faculty, employees and students at The George Washington University School of Medicine and Health Sciences Health Sciences Programs (“HSP”) and its affiliated institutions. Criminal background checks (CBCs) and Drug Screens (DS) allow the Health Sciences Programs to evaluate whether students possess the character and fitness to participate in clinical education activities.

The Health Sciences Programs do not guarantee that state licensure boards will ultimately issue a license to an individual with or without a criminal record.

POLICY: Policy on Criminal Background Checks (CBC) and Drug Screens (DS)

This policy applies to all Health Sciences Programs students whose program of study requires them to complete a clinical rotation.

CRIMINAL BACKGROUND CHECK (CBC)

Prospective Students:

Prospective students seeking admission to the Health Sciences Programs will be informed of this policy and its requirements will be posted on the admissions website.

New Students:

Students admitted to any Health Sciences Programs that require clinical practica will be informed of this policy and its requirements at the time of acceptance. Once admitted, students will be required to complete a criminal background check and authorize release of the results to appropriate academic and/or clinical personnel. A criminal background check will be considered a condition of acceptance and it must be completed by the end of the first month of classes.

Enrolled Students:

Students currently enrolled in Health Sciences Programs that require clinical practica will be required to complete a criminal background check and authorize release of the results to appropriate academic and/or clinical personnel before starting their next rotation. Any disruption in enrollment may require the student to undergo an additional criminal background check. Students will be required to report any criminal convictions subsequent to completion of the initial criminal background check.

DRUG SCREEN (DS)

Prospective Students:

Prospective students seeking admission to the Health Sciences Programs will be informed of this policy and its requirements will be posted on the admissions website.

New Students:

Students admitted to any Health Sciences Programs that require clinical practica will be informed of this policy and its requirements at the time of acceptance. Once admitted, students will be required to complete a drug screen and authorize release of the results to appropriate academic and/or clinical personnel. The drug screen check will be considered a condition of acceptance and it must be completed by the end of the first month of classes.

Enrolled Students:

Students currently enrolled in Health Sciences Programs that require clinical practica will be required to complete a drug screen and authorize release of the results to appropriate academic and/or clinical personnel before starting their next rotation. Any disruption in enrollment may require the student to undergo an additional criminal background check.

Students may be required to undergo additional CBCs and/or DSs during their tenure as a Health Sciences Program student, as deemed necessary by the academic and/or clinical facility. The cost of all CBCs and DSs shall be the responsibility of the student. The cost of all drug screens shall be the responsibility of the student unless the clinical facility completes the screen on site as part of an internal process. Further, the student shall be deemed responsible for completing all CBCs and DSs in a timely manner.

Failure to comply with this policy will preclude participation in clinical rotations. As a result, the student may not be able to complete the requirements of the education program, may not be eligible for federal or state credentialing required for practice, and may be dismissed from the Program.

Failure of either the CBC or DS may preclude participation in any further clinical rotations. As a result, the student may not be able to complete the requirements of the education program, may not be eligible for federal or state credentialing required for practice, and may be dismissed from the Program. Decisions are subject to right of appeal.

All information will be retained until such time as an appeal, if any, has concluded and determination regarding continued participation in the various GW programs has been made.

Results of all background checks and drug screens shall be privileged and confidential, will be maintained in a secure place and shall not be released or otherwise disclosed to any person or agency, other than (1) individuals involved in Health Sciences Programs admissions and student services; (2) persons who have a legitimate need to know, as determined by the Senior Associate Dean of Health Sciences; (3) upon direction of a court order; (4) any affiliated entity providing clinical training; or, (5) with the written consent of the student. Records will be maintained on students until graduation or end of matriculation.

*PROCEDURES
for CBC:*

1. Prospective students for any of the Health Sciences Programs requiring clinical practica will be notified through the admissions web page that if admitted they would be required to complete a criminal background check and authorize release of the results to appropriate academic and/or clinical personnel after admission.
2. Students accepted for admission will be notified that matriculation is contingent upon the evaluation and acceptable outcome of all required CBCs.
3. Once admitted, students will be notified verbally and by letter or e-mail of the deadline for completion. The School will provide students with the name(s) of vendor(s) with which the Health Sciences Programs has established reporting relationship(s). Students will be given instructions on obtaining and reporting the results of their CBC. Students will be responsible for all costs associated with completion of a criminal background check.
4. The Director of Student Services will receive certification letters for all CBCs that result in no records found and will store them in a locked file.

5. In those CBC where a record of conviction is found, the record will be screened as to severity by the vendor and the student will be notified:
 - Serious offenses (as defined in the Appendix) will result in notification of the Senior Associate Dean of the Health Sciences Programs and the Director of Security. A decision will be made regarding continued matriculation in the Program. If it is determined that the student can continue in the Program, when placed in a clinical site, the site can request a copy of the CBC report and determine whether to accept or not accept the student. If a student is unable to be placed in a clinical facility, s/he will be unable to complete his/her educational requirements pending the outcome of an appeal, should such right be invoked.
 - Minor offenses will be considered on a case by case basis. No certification letter will be issued and the student will be notified. When a student is sent to a clinical site, the site can request a copy of the CBC report and determine whether to accept or not accept the student. If a student is unable to be placed in a clinical facility, s/he will be unable to complete his/her educational requirements and will be dismissed from the Program pending the outcome of an appeal, should such right be invoked.

The student will be notified of his/her right to appeal and all information will be retained until such time as an appeal, if any, has concluded and determination regarding continued participation in the Health Sciences Program has been made.

Students claiming inaccuracies in their CBC will be referred to the entity completing the initial CBC for procedures as required by the Fair Credit Reporting Act.

Students may appeal to the Dean as described under the “Regulations on the Evaluation of Professional Comportment” in the School of Medicine and Health Sciences Bulletin.

*PROCEDURES
for DS:*

1. Prospective students for any of the Health Sciences Programs that require clinical practica will be notified through the admissions web page that, if accepted, they would be notified that they will be required to complete a drug screen and authorize release of the results to appropriate academic and/or clinical personnel.
2. Students accepted for admission will be notified that matriculation is contingent upon the evaluation and acceptable outcome of all required drug screens.
3. Once admitted, students will be notified verbally and by letter or e-mail of the deadline for completion. The School will provide students with instructions on obtaining an authorized drug screen. Students will be responsible for all costs associated with completion of a drug screen.
4. The Director of Student Services will receive certifications of drug screens and will store them in a locked file.
5. In the event that a student fails a drug screen Director of Student Services will notify the Senior Associate Dean who will notify the student and appropriate Program Director. Students may also be notified directly by the vendor. At that time, the student will be notified that s/he can not be placed in a clinical facility and will be unable to complete his/her educational requirements pending the outcome of an appeal, should such right be invoked.

Any student who fails the drug screen will be notified of his/her right to appeal and all information will be retained until such time as an appeal, if any, has concluded and determination regarding continued participation in the Health Sciences Program has been made. Students claiming inaccuracies in their DS will be referred to the vendor and/or authorized laboratory completing the screen.

Students may appeal to the Dean as described under the “Regulations on the Evaluation of Professional Comportment” in the School of Medicine and Health Sciences Bulletin.

CRIMINAL BACKGROUND CHECK REPORTING CRITERIA

Some criminal offenses preclude students from participating in patient care (i.e., Red Flags). In addition, some professional licensure boards include specific offenses which constitute those crimes for which licensure are prohibited. Several issues arising from the background check involves what constitutes a failing report and to what extent clinical sites would refuse a student based on the failed status. All felony cases listed below will be posted as a "FAIL". In addition, each clinical facility may require more or less stringent criteria for placement.

Major Offenses (Red Flags are those that indicate clear potential threat or harm to the community - constitutes an automatic failure of the CBC and dismissal from the Program):

- Assault and related offenses when resulting in a felony
- Battery and related offenses when resulting in a felony
- Arson, Attempted Arson
- Child abuse, aggravated child abuse, neglect of a child, exploitation of a child
- Endangering the welfare of a child
- Theft and related offenses resulting in a felony
- Contributing to the delinquency or dependency of a child
- Fraud
- Credit Card Crimes; Credit Card Fraud, Credit Card Theft, Illegally use a Credit Card
- Hate Crimes and related offenses
- Sale, Distribute, Deliver controlled substances and related offenses when resulting in a felony
- Possession of a controlled substance when resulting in a felony
- Incest
- Kidnapping, False Imprisonment
- Killing of an unborn child by injury to the mother
- Lewd and Lascivious Behavior when resulting in a felony
- Murder, Maiming, Manslaughter, Attempted Murder, Attempted Maiming, Attempted Manslaughter
- Malicious Wounding, Unlawful Wounding
- Obscene literature
- Prohibited acts of persons in familial or custodial authority
- Prostitution, Sexual Solicitation
- Rape, Sexual Abuse, Sexual Assault, Incest
- Sexual Misconduct
- Sexual Assault, Sexual Battery and other Sexual Offenses
- Robbery and related offenses resulting in a felony
- Vehicular Homicide, Vehicular Assault, Hit and Run
- Breaking and Entering
- Weapon Crimes and related offenses
- Embezzlement

Minor Offenses (Yellow Flags - may not constitute an automatic failure of CBC) These will be reviewed independently and a decision will be made based on the nature of the crime and the nature of the position:

- (e.g., 10 year old charge of Possession of Marijuana, DWI, etc)