BACKGROUND CHECKS

Policy and Procedures on Criminal Background Checks (CBC) for Health Professions Programs in the Quinnipiac University School of Health Sciences (SHS), School of Medicine (SOM) and School of Nursing (SON) Revised 7/20/18, Revised 4/30/2019, Revised 5/28/2020

Purpose
Health care providers are entrusted with the health, safety and welfare of patients. They have access to controlled substances and confidential information and operate in settings that require they exercise good judgment and ethical behavior. Therefore, an assessment of a student’s suitability to function in such a setting is imperative to promote safety and the highest level of integrity in the delivery of health care.

Clinical facilities are required by accreditation agencies, such as The Joint Commission, to conduct criminal background checks for security purposes on individuals who provide services within the facility and especially those who supervise care and render treatment. The Joint Commission indicates that students must have a criminal background check if mandated by state law for health care providers, or by the clinical facility’s policy. To meet these requirements and to comply with the requirements stipulated in contracts between clinical agencies and the Schools of Medicine (SOM), Nursing (SON), and Health Sciences (SHS), all schools require criminal background checks of all students.

For all items in this document the primary dean's representative is as follows (but alternative designees may be named, as appropriate):

- The appropriate dean’s representative for SON is the Assistant Dean for Student Services.
- The appropriate dean’s representative in the SOM is the Associate Dean for Student Affairs.
- The appropriate dean’s representative for SHS is the Assistant Dean for Career Development.

Policy Statement
This policy applies to all students prior to enrollment, at additional points in their curricula as specified in their program manuals and summarized in the Timing of Background Checks (p. 1), and/or prior to beginning clinical rotations or fieldwork placements as required by their assigned sites. Additionally, all students who have had a break in their enrollment (e.g., academic or other leave of absence, suspension, etc.) must have a background check prior to returning to their program. Students must comply with all applicable state and federal regulations as required by the State of Connecticut, the state in which they reside, and the state in which clinical or field work placements are located. Coursework cannot begin until a cleared background check is on record in their school.

Timing of Criminal Background Checks
Completed criminal background check due dates are specific to each program within the SOM, SON and SHS, and are outlined below:

<table>
<thead>
<tr>
<th>School</th>
<th>Department</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>School of Medicine</td>
<td>All students</td>
<td>Prior to matriculation and again prior to first clerkship</td>
</tr>
<tr>
<td>School of Nursing</td>
<td>Full-time Undergraduate</td>
<td>Prior to junior year and as required by the clinical site</td>
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Background Check Procedure
The university will designate an approved vendor(s) to conduct criminal background checks. All issues will be reported from the vendor(s) directly to the appropriate designee within each schools’ dean’s office. Results from vendors other than those designated by the university to conduct criminal background checks will not be accepted. If a clinical site requires
a fingerprint background check, students may obtain a fingerprint check as outlined in Appendix 6. Incoming and current students must contact the designated vendor(s) and comply with instructions in authorizing and obtaining criminal background checks.

Incoming and current students are responsible for payment of any fees charged by the vendor(s) designated to provide the criminal background checks. The university insists that its vendor(s) conduct all criminal background checks in compliance with the Fair Credit Reporting Act Standards and other applicable laws (see Appendix 1: A Summary of Your Rights Under the Fair Credit Reporting Act).

Incoming and current students are responsible for reviewing the information contained in any criminal background check required by the university for accuracy and completeness. Students may request verification of the accuracy of the report from the designated vendor(s). The designated vendor(s) will advise students of their rights and assist incoming or current students in verifying the accuracy of the report. It is the responsibility of the student to ensure that any misinformation in the initial criminal background check report is corrected with the vendor. The designated vendor(s) will not be involved in any decision made by the university.

Criminal background check reports and other submitted information are confidential and may only be reviewed by university officials and affiliated clinical or field work facilities with a legitimate educational interest in the material in accordance with the Family Educational Records and Privacy Act (FERPA).

Criminal background check reports and other submitted information of incoming and current students will be maintained in the designated office in accordance with the university’s record retention schedule for student records. Criminal background check reports and other submitted information of applicants denied admission into the program will be maintained in accordance with the university’s record retention policy.

All names (aliases) for which the student has been or is currently known must be included in the background check. Students who change their legal name while enrolled in the program, whether within or outside of the university must notify the program chair immediately and may be required to complete another background check under their new name. Falsification or omission of information or failure to report an arrest or name change that occurs while a student is enrolled in the program will result in consequences up to and including denial of admission or dismissal from the program and submission of an academic integrity violation report. Failure to disclose all aliases and previous convictions will be considered falsification of records and will be grounds for disciplinary action up to and including withdrawal of an acceptance or dismissal from the program and/or submission of an academic integrity violation report.

Individuals are not required to disclose the existence of any arrest, criminal charge or conviction, the records of which have been erased pursuant to Sections 46b-146, 54-760 or 54-142a of the Connecticut General Statutes, or similar laws in other states. If discovery of a falsification or omission occurs post-admission, such discovery will be grounds for disciplinary action up to and including dismissal from the program, submission of an academic integrity violation report, and/or termination of enrollment for the student.

A criminal background check will be honored for the duration of enrollment if the student is continuously enrolled, unless a clinical or fieldwork site or the academic program requires an updated report, or the student is required to have an additional criminal background check due to a name change. A student who has a break in enrollment (e.g., suspension, leave of absence) is required to complete a new criminal background check.

Criminal activity that occurs while a student attends the university must be reported by the student to the dean within 5 business days of its occurrence and could result in disciplinary action, including dismissal. Failure to report criminal activity or breach of university policy will be addressed through the university’s academic integrity or student conduct disciplinary policies as determined by the dean’s office and the Background Check Review Committee process outlined in this document.

A student with a positive criminal background check does not comply with clinical affiliation contractual agreements and, therefore the student’s program will likely be unable to secure the clinical or fieldwork placements necessary to complete requirements for graduation. In addition, a student with a positive criminal background check may not comply with state board standards to test for licensure.

Incoming and current students will be advised that final program acceptance is dependent upon a successful background investigation. Incoming and current students are required to review the Fair Credit Reporting Act Disclosure Authorization Form for Criminal Background Checks (Appendix 2).

The criminal background check will be conducted utilizing the following measures (see Appendix 5):

1. The background check must be completed by the approved vendor(s).
   a. If a clinical site requires a fingerprint background check, students may obtain a fingerprint check as outlined in Appendix 6.

2. The student must comply with the vendor's method for completing background checks.

3. The standard criminal background check for Quinnipiac University includes:
   a. Social Security Number Validation/Verification
   b. Criminal Record Searches (Statewide, County & Federal Searches)
   c. National Criminal Database Search
   d. Sex Offender Registry Search
   e. OIG/GSA Search (Office of Inspector General/General Services Administration) Sanctions-Based Search
   f. The following additional options are available if needed:
      i. Fingerprinting (PA only)
      ii. Child Abuse Registry Search
      iii. Elder Abuse Registry Search
      iv. Global Homeland Security Search
      v. International Criminal Record Check
      vi. Education Verification
      vii. Professional Licensing Verification
      viii. Employment History Verification

4. All states in which the student has resided must be included in the report.

5. If the accuracy of the background test is disputed by the student, it is the responsibility of the student to ensure that any misinformation in the initial criminal background check report is corrected with the vendor.
Criminal Background Check Report Scoring

The university will maintain a current contract with the outside vendor(s) and will provide the vendor(s) with Quinnipiac scoring criteria.

Report Results

Negative Criminal Background Checks

The names of all incoming and current students with negative criminal background checks ("green") will be forwarded to the assigned designee in each school, with the date of the criminal background check. No further action by the student or school is required.

Positive Criminal Background Checks

Any student whose report indicates a positive result in their criminal background check will receive notification by email from the dean's office within 5 business days. Students are required within 5 business days of the emailed notification to schedule a time to discuss the findings with the appropriate dean/designee. Following that meeting, the student will be notified of the dean’s decision within 5 business days regarding whether the student may begin or continue their program or be dismissed from the program in which he/she is enrolled.

Appeals Process

Any student who receives a letter of dismissal for a positive criminal background check may elect to proceed to the appeals process. Relevant considerations in the appeal may include: the date, nature, and number of convictions; the relationship the conviction bears to the duties and responsibilities of the position; and successful efforts toward rehabilitation.

The appeal must be made by the student in writing within 5 business days of the emailed notification by the dean’s office. It is the student’s responsibility to initiate the appeal process by emailing or sending by post a written appeal to the dean. The dean’s office will schedule a meeting of the Background Check Review Committee within 14 business days of receipt of the appeal request and will notify the student of the meeting date. Students currently enrolled and attending classes will be permitted to attend classes but will not be permitted to begin or continue their clinical or field work experiences until the Background Check Review Committee has made a final decision.

Once a final decision is made regarding the student’s appeal, the Background Check Review Committee will notify the student by certified letter. The dean’s office will copy all related correspondence to the chair, program directors & clinical coordinator/s of the respective programs.

The decision of the Background Check Review Committee regarding the ability of an incoming student or current student to enter or continue in the program is final and cannot be appealed. The Office of Admissions and appropriate programs will be notified of the decision.

Background Check Review Committee

A Background Check Review Committee will be convened with the assistance of a representative of the dean’s office. Members of the Background Check Review Committee will include representation from, but not limited to, the following offices:

- Dean of the school in which the student is enrolled
- Admissions

A careful review of the self-reported information in the applicant/current student’s file will occur. This review will include:

- criminal convictions
- pending adjudications
- information in the criminal background check report
- relevant supplementary materials obtained from the applicant/current student and from other sources including court documents
- institutional policies and procedures

Factors considered in reviewing an individual case may include, but are not limited to:

- the nature, circumstances, and frequency of any reported offense(s)
- the length of time since the offense(s)
- available information that addresses efforts at rehabilitation
- the accuracy of the information provided by the student in their application materials
- the relationship between the duties to be performed as part of the educational program and the offense committed

Any incoming or current student who is referred to the Background Check Review Committee has the right to appear before that committee to contest or explain the findings from the criminal background check and/or drug screen.

A student appearing before the Background Check Review Committee will not be permitted to have legal representation, parents, family members, or students or faculty from the Quinnipiac University School of Law at the appeal hearing. A student may request, in writing, to have an adviser assigned by the dean. If a student requests an assigned adviser and then refuses this adviser, no further advisers will be assigned. An adviser may assist the student in preparing for the appeal and may not attend the appeal.

Students receiving a positive report who are not dismissed and who elect to continue the program do so at their own risk (see Appendix 4: Quinnipiac University Disqualifying Crimes for Students). Because state licensure requirements are subject to change without notice, Quinnipiac University and the SON/SOM/SHS cannot guarantee that any student will be eligible to sit for any state examination, should there be any findings in their background check report. Students with a positive result who receive permission from the dean’s office or the Background Check Review Committee to proceed in their program and who decide to continue in their program must sign a Student Waiver Regarding Background Check Results (see Appendix 3).

Maintenance of Records and Confidentiality

Information obtained for the purpose of and during the criminal background check will be retained by the dean's office separate from other student educational and academic records. Confidentiality will be maintained consistent with FERPA guidelines. The program chair, program director and clinical coordinator will be provided with the student's name and the date the report was cleared or failed to clear. In the event a clinical or field work site requires a copy of any report, the student must either email a copy of their report directly to the facility
Appendix 1: A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA.

For more information, including information about additional rights, visit Federal Trade Commission Consumer Rights Credit and Loans (http://www.ftc.gov/credit/) or write to:

Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580

• You must be told if information in your file has been used against you.
  Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance or employment — or to take another adverse action against you — must tell you, and must give you the name, address and phone number of the agency that provided the information.

• You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  • a person has taken adverse action against you because of information in your credit report.
  • you are the victim of identity theft and place a fraud alert in your file.
  • your file contains inaccurate information as a result of fraud.
  • you are on public assistance.
  • you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. Visit Federal Trade Commission Consumer Rights Credit and Loans (http://www.ftc.gov/credit/) for additional information.

• You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. Visit Federal Trade Commission Consumer Rights Credit and Loans (http://www.ftc.gov/credit/) for an explanation of dispute procedures.

• Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

• Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need — usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

• You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer, or a potential employer, academic institution or affiliated educational sites without your written consent. For more information, visit Federal Trade Commission Consumer Rights Credit and Loans (http://www.ftc.gov/credit/).

• You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

• Identity theft victims and active duty military personnel have additional rights. For more information, visit Federal Trade Commission Consumer Rights Credit and Loans (http://www.ftc.gov/credit/).

Appendix 2: Fair Credit Reporting Act Disclosure and Authorization Form for Criminal Background Checks

I understand that, as a condition of admission to Quinnipiac University (QU)’s Schools of Medicine, Nursing and Health Sciences program, I will be required to obtain a criminal background check(s) through QU’s nationwide application service. Accordingly, I hereby authorize QU or its agent(s) to conduct a criminal background check(s) during my participation in the School of Medicine, Nursing or Health Sciences program. Further, I also authorize clinical training facilities to conduct criminal background check(s), and the reporting agency to provide the results to QU and/or clinical or field work facilities. In all cases, all expenses associated with the criminal background check(s) are my responsibility, as applicable per my program.

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 criminal background check(s), with results deemed acceptable by QU. If the results of the criminal background check(s) are not deemed acceptable by QU, or if information received indicates that I have provided false or misleading statements, have omitted required information, or in any way I am unable to meet the requirements for completion of the program, the conditional admission will be denied or rescinded, and/or I will be disciplined or dismissed.

Appendix 3: Student Waiver Regarding Background Check Results

In the event of positive findings on the criminal background check, the student is required to acknowledge that the results of the criminal background check for the SOM, SON, and SHS at Quinnipiac University (the “results”) were received. The student will be required to sign a document acknowledging that, to the best of the student’s knowledge, the results are accurate, and will also acknowledge that the university has
advised that because of these results the student may not be eligible for participation in clinical affiliations and may not be eligible to sit for the certification examination and/or individual state licensure in the student’s desired profession.

Student must, after careful consideration, voluntarily elect to continue with as much of the curriculum for which they are cleared to participate regardless of the results. Student must be aware that they do so at their own risk, and agree that Quinnipiac University will not be liable in any way if they are unable to participate in clinical affiliations, sit for any certification examination and/or individual state licensure examination or receive any benefit for which the student would otherwise be eligible but for the results.

Appendix 4: Quinnipiac University Disqualifying Crimes for SON Students

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 involve 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 stringent criteria for placement.

Major Offenses

Red flags are those that indicate clear potential threat or harm to the community. These constitute an automatic failure of the criminal background check and dismissal from the program. Examples include but are not limited to:

- Abduction
- Arson (first through third degree); attempted arson
- Assault (first through fourth degree) including domestic assault (spousal abuse); assault by a caregiver against a vulnerable adult and related offenses when resulting in a felony
- Battery and related offenses when resulting in a felony
- Burglary; breaking and entering resulting in a felony
- Child abuse, neglect of a child, endangering the welfare of a child; malicious punishment of a child
  - Contributing to the delinquency or dependency of a child
  - Exploitation of a child; solicitation of children to engage in sexual conduct
  - Termination of parental rights resulting in a felony
- Coercion or attempt to coerce
- Controlled substances and illicit drugs-sale, distribution (including great bodily harm caused by distribution of drugs), delivery or possession of controlled substances and/or illicit drugs and related offenses when resulting in a felony
- Credit card crimes; credit card fraud, credit card theft, illegal use of a credit card
- Criminal abuse; neglect; financial exploitation of a vulnerable adult
- Embezzlement
- Forgery including check forgery and related offenses
- Fraud
- Harassment; stalking
- Hate crimes and related offenses
- Incest
- Kidnapping, false imprisonment
- Killing, murder, manslaughter, injury, death, assault of an unborn child by injury to the mother
- Lewd and lascivious behavior; indecent exposure when resulting in a felony
- Mistreatment of confined persons or residents or patients
- Murder, maiming, manslaughter, attempted murder, attempted maiming, attempted manslaughter
- Distribution of or possession of obscene literature and materials in any form, including pornography when resulting in a felony
- Obtaining signature by false pretense
- Prohibited acts of persons in familial or custodial authority
- Prostitution, sexual solicitation and related offenses
- Robbery and related offenses resulting in a felony
- Sexual abuse, sexual assault, sexual battery, rape, incest and other sexual offenses
- Sexual misconduct; criminal sexual conduct (first through fourth degree); indecent exposure; use of minors in sexual performance; possession of pictorial representations of minors resulting in felony convictions
- Shooting at or in a public transit vehicle or facility; drive-by shootings
- Tampering with a witness resulting in a felony
- Terrorist threats or actions
- Theft and related offenses resulting in a felony
- Vehicular homicide, vehicular assault, hit and run
- Weapon crimes (i.e., dangerous weapons, machine guns, short-barreled shotguns etc.) and related offenses
- Wounding — malicious wounding, unlawful wounding

Minor Offenses

Minor offenses will still appear as red but may not constitute an automatic failure of criminal background check. These will be reviewed independently by representatives from the dean’s office and the program and a decision will be made on the nature of the crime and the nature of the position. If this review results in failure of the criminal background check and dismissal from the program, the student may appeal this result to the Background Check Review Committee.

Examples include but are not limited to:

- 10-year old charge of possession of marijuana
- Driving Under the Influence
- Positive drug screen
- Riot resulting in a misdemeanor
- Shoplifting
- Disorderly conduct
- Failure to report maltreatment of a vulnerable adult

Appendix 5: Sample Criminal Background Check Contents

Analyzed Social Security Number Search — credit bureau data analyzed/or names, SSNs & addresses

CT Statewide Criminal Records Repository — for CT residents only
Background Checks

County Criminal Records Search — searches conducted in all counties of residence outside of CT

National Criminal File Search — national database search covering more than 810 million criminal, sex offender and violation records, includes verification of hits

National Sexual Offender Database Search — database search covering sex offender records collected nationwide

OIG / GSA EPLS Search — search covers the federally mandated Health and Human Services Office of Inspector General’s (OIG) List of Excluded Individuals/Entities (LEIE), and the General Service Administration (GSA)- Excluded Parties List (EPLS)

SanctionsBase® — proprietary search covering sanctions, disciplinary and administrative actions taken by hundreds of federal and state healthcare regulatory authorities, including Food and Drug Administration, National Institutes of Health, GSA, Office of Foreign Asset Control, terrorist watch lists and more

Criminal Background Check, Recheck
Primary name and address only.

OIG & GSA Excluded Parties Search
SanctionsBase® search
Analyzed Social Security Number Search — credit bureau data analyzed for names, SSNs & addresses

County Criminal Records Search — current county only, searches conducted on current county of residence

National Criminal File Search — national database search covering more than 810 million criminal, sex offender and violation records, includes verification of hits

Appendix 6: Fingerprint Background Check Procedure

There are occasions when a clinical site may require a student to obtain a fingerprint background check. In these instances, the student must consult with their clinical coordinator, who will notify the university’s Department of Public Safety that a fingerprint background check is to be obtained. The following options may or may not be available.

Connecticut Only Criminal History Searched by Fingerprint

For a fingerprint background check to be completed in the state of Connecticut, the student will:

1. Obtain fingerprinting at one of the following locations:
   a. Hamden Police Department, 2900 Dixwell Avenue, Hamden, CT 06518 — cost for Fingerprint is $25.
   b. State Police Headquarters, 1111 Country Club Road, Middletown, CT 06457 — cost for Fingerprint is $15. Students may obtain fingerprints at the State Police headquarters while they are obtaining the background check.


   a. Have results sent to the email address FingerPrints@qu.edu or the street address: Quinnipiac University Department of Public Safety, 275 Mount Carmel Ave., Hamden, CT 06518.
   b. It is most expedient to have results sent electronically; mailed results can take several additional weeks to process.

3. Take the completed fingerprint card AND the Criminal History Record Request Form along with $50 to the State Police Headquarters, 1111 Country Club Road, Middletown CT. (The $50 processing fee in addition to the $15.00 fee charged for obtaining Fingerprints. Exact change is required.)

Outside of Connecticut Criminal History Searched by Fingerprint

For a fingerprint background check to be completed in a state other than Connecticut, the student will advise their clinical coordinator, who will coordinate with the associate vice president for finance to determine the process the student will follow to obtain the background check.

For All In-State and Out-Of-State Completed Results

The chief of public safety and/or their designee will be responsible for monitoring, receiving and storing all fingerprint results received via email (FingerPrints@qu.edu) or through the mail from the State of CT.

As soon as results have been received by the Department of Public Safety the chief and/or their designee will contact via email the clinical coordinator with the results of each individual students’ fingerprints. Only a pass or fail result will be provided to the individual coordinator.

Any student who fails the Criminal History Record will follow the procedures outlined in this document. If the student would like to obtain more information regarding the result, they will be required to set up an appointment with the chief of public safety.

All students are required to confirm with their clinical facilities whether an updated background check or other information is required and complete these requirements prior to starting the rotation. Failure to successfully pass any of the clinical facility’s requirements will preclude the student from participating in clinical or field work.