

Creighton University
School of Medicine
Background Investigation Policy and Procedure

PURPOSE: To enhance the health and safety of patients, students, faculty, and staff in the academic and clinical environments, to adhere to applicable healthcare regulations, and to attest to affiliated clinical facilities and licensure entities a student's background and eligibility status. The background check will determine whether there are incidents in an applicant's or student's history that would pose a risk to patients or others, or would prohibit the individual from being licensed in the future.

SCOPE: This policy applies to all students accepted to or currently enrolled in the School of Medicine.

POLICY: All students accepted and enrolled in the Creighton University School of Medicine must meet admission and technical standards. As part of the application process, all students accepted into the School of Medicine will be required to sign a background check release form that allows a background investigation to be conducted via a contractual arrangement with an outside vendor. Acceptance will be made conditional on a background check that meets the standards set by the School of Medicine. Currently enrolled students must also sign a background check release form prior to gaining eligibility to participate in any clinical activity. Failure to do so will result in the student's case being forwarded to the Advancement Committee for action. Additional checks will be performed when required by law or by affiliated clinical facilities.

In cases where a criminal record appears in the results of the background check, a copy of the report will be given to the prospective or current student and he/she will be allowed to respond to the information contained within the report. The criminal background check and any student response will be forwarded to the Advancement Committee of the School of Medicine for consideration and action.

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 Advancement Committee will become part of your academic record. Absent adverse findings, background investigation records will be stored for three (3) years after the student leaves Creighton University and will then be shredded.

DEFINITIONS:

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

- County Criminal Record Search (Required)
- Alias Name Search (Required)
- Found Wants and Warrants (Required)
- Found Protection Orders (Required)
- Residential History Search (Required)
- Social Security Number Search (Required)
- Abuse Registry (Required)
- Sex Offender Registry (Required)
- Office of the Inspector General (OIG) Cumulative Sanction Report (Required)
- Federal Criminal Record Search
- Education and/or License Verification
- Employment or Personal Reference Check

"Advancement Committee" shall mean the Advancement Committee of the School of Medicine.

“Background Standards Committee” shall mean the Background Standards Committee of the School of Medicine.

“Dean” shall mean the Dean of the School of Medicine.

“School” shall mean the School of Medicine.

PROCEDURES:

1. Investigating Entity

Background checks will be conducted by an outside vendor through a contractual arrangement with the School of Medicine.

2. Permission to Conduct the Investigation

Permission to conduct this required background investigation will be obtained for accepted students upon acceptance into medical school and prior to matriculation, and for current students within ten (10) business days of the request by the School of Medicine. Students must complete the “Background Investigation Acknowledgement and Authorization” form. A copy of “Your Rights under the Fair Credit Reporting Act” will be given to each person with the appropriate permission or assent form. 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, records that have been expunged, and sealed juvenile records.

3. Admission Application Procedures

1. All students accepted into the School of Medicine will be required to sign a background check release form that allows a background investigation to be conducted via a contractual arrangement with an outside vendor. Accepted students will have ten (10) business days following receipt of the form to complete and return the background check release form to the School of Medicine, Office of Admissions.

2. The School will conduct the background investigation with its contractor vendor.

3. The vendor will return results to the Office of Admissions.

4. In cases where no criminal records appear, the accepted student’s record will reflect that the investigation was completed and satisfactory.

5. In cases where a criminal record appears in the results of the background check, a copy of the report will be given to the prospective student within ten (10) business days of its receipt via an “Adverse Letter of Notification.”

a. The accepted student must submit a written response to the Background Standards Committee within twenty (20) business days of the accepted student’s receipt of the Adverse Letter of Notification. Such written response should be sent to the School of Medicine Background Standards Committee, in care of the Associate Dean for Student Affairs. Any student who fails to provide a response that may be reviewed by the Background Standards Committee prior to matriculation will have their acceptance rescinded by the School of Medicine.

b. The accepted student may contest the results directly with the vendor within 10 business days of receipt of the Adverse Letter of Notification.

c. The Associate Dean for Student Affairs shall submit the Student's AMCAS and Creighton University SOM Secondary applications, background report, the submitted written student response and any vendor response to the Background Standards Committee within twenty (20) business days of the student's receipt of the "Adverse Letter of Notification" and prior to matriculation.

d. The Background Standards Committee will review the information and will then make a recommendation to the Admissions Committee to allow matriculation or rescind admission to any student based on the timing, severity, number, and nature of any findings.

The Committee shall make this decision on:

- Number of convictions;
- Nature, seriousness and date(s) of occurrence of the violation(s);
- Rehabilitation;
- Relevance of the crime committed relative to medical profession standards;
- State or federal requirements relative to the medical profession;
- All known information regarding the accepted student, including the written explanation;
- 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.

NOTE: Any identified misrepresentation, falsification, or material omission of information from the application discovered during the criminal background review process may result in a recommendation to rescind the admission of the student.

e. The Background Standards Committee will notify the accepted student in writing of its decision within 10 days.

6. No student will be allowed to matriculate until a background check is completed and approved by the School of Medicine. The fee for the background check is \$TBD and will be deducted from the student's admissions deposit.

4. Current Student Procedures

1. Students who matriculated prior to the institution of this Policy are required to sign a background check release form that allows a background investigation to be conducted via a contractual arrangement with an outside vendor. Such release form shall be signed and returned to the Associate Dean for Student Affairs within 10 business days of receipt by the student. The fee for the background check is \$TBD and will be assessed on the student's next university billing statement.

2. The School will conduct the background investigation with its contractor vendor.

3. The vendor will return results to the Associate Dean for Student Affairs.

4. In cases where no criminal records appear, the student's record will reflect that the investigation was completed and satisfactory.

5. In cases where a criminal record appears in the results of the background check, a copy of the report will be given to the student within ten (10) business days of its receipt via an “Adverse Letter of Notification.”

a. The student must submit a written response to the Background Standards Committee within twenty (20) business days of the student’s receipt of the Adverse Letter of Notification. Such written response should be sent to the Advancement Committee Background Standards Committee, in care of the Associate Dean for Student Affairs.

b. The student may contest the results directly with the vendor within 10 business days of receipt of the Adverse Letter of Notification.

c. The Associate Dean for Student Affairs shall submit the student’s AMCAS and Creighton University SOM and Secondary applications, background report, the submitted written student response and any vendor response to the Background Standards Committee within twenty (20) business days of the student’s receipt of the “Adverse Letter of Notification” and prior to matriculation.

d. The Background Standards Committee will review the information and will then make a recommendation to the Advancement Committee regarding the status of the student based on the timing, severity, number, and nature of any findings. The Committee shall make this decision on:

- Number of convictions;
- Nature, seriousness and date(s) of occurrence of the violation(s);
- Rehabilitation;
- Relevance of the crime committed relative to medical profession standards;
- State or federal requirements relative to the medical profession;
- All known information regarding the student, including the written explanation;
- 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.

NOTE: Any identified misrepresentation, falsification, or material omission of information from the application discovered during the criminal background review process may result in the recommendation for dismissal of the student.

e. The Background Standards Committee will notify the student via email of its recommendation and whether the background check information will be forwarded to the Advancement Committee. If forwarded to the Advancement Committee, the Advancement Committee protocol will be followed as outlined in the Student Handbook. Such notice shall be delivered within 10 days.

5. Frequency of Background Checks

Background checks will be conducted once following acceptance and prior to matriculation. Current students must have a background check conducted prior to July 1, 2006. Once a student matriculates within the School of Medicine, the student is responsible for notifying the Advancement Committee,

through the Associate Dean for Student Affairs, of any misdemeanor or felony arrests/indictments. Failure to do so will result in action by the Advancement Committee.

COMPOSITION OF THE BACKGROUND STANDARDS COMMITTEE: The Background Standards Committee will be composed of the Associate Dean for Student Affairs (ex-officio and non-voting; student advocate), the Vice-President of Health Sciences – Multicultural and Community Affairs (ex-officio and non-voting), five elected faculty, a representative from the Office of the General Counsel, and one student elected from the M3 year. The chair shall be appointed by the Dean for the School of Medicine. A quorum shall consist of a minimum of 50% of voting members. Decisions will be made by majority vote.

ADMINISTRATION AND INTERPRETATIONS: Questions about this policy and its procedures may be directed to the Associate Dean for Student Affairs. In addition, the General Counsel's Office or Associate Counsel for the Health Sciences may be consulted.

AMENDMENTS OR TERMINATION OF THIS POLICY: Creighton University School of Medicine reserves the right to modify, amend, or terminate this policy at any time.

As determined by the Advancement Committee, any official action taken by the Advancement Committee is subject for inclusion within the student's file and the Medical Student Performance Evaluation (MSPE).

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