

## **BACKGROUND CLEARANCE POLICY-**

Background checks are commonly completed on health care personnel including students. Our affiliate clinical sites now require background clearance of all students assigned to their facilities prior to placement. If a student cannot obtain background clearance, *it will not be possible to place the student in the clinical area which is a required component of the program and the student will be withdrawn from the program.*

Applicants selected into the program will be required to complete the background clearance at their expense as part of their clinical requirements for admission. In the event a student cannot obtain background clearance, the applicant's space in the program will be forfeited. Potential applicants are strongly encouraged to assess their personal criminal background prior to submitting an application to the program. The affiliate health care facilities will have the final determination as to student placement.

Factors that will definitely affect clearance include:

- Acts of violence
- Sexually violent crimes
- Recent (less than 7 years) arrests and/or conviction

The above is a partial listing. Following is a more complete description of screen scoring:

### **Background Screen Scoring**

#### **Definitions**

- **Non-Conviction**: Any disposition other than a plea of guilty, no contest or a finding of guilt. Non-Convictions can be one of three categories.
  - **Passing**: Non-Conviction leading to charge being dismissed, Nolle Prose, Nolle Prosequi, Expunged, Not Guilty verdict or acquittal of defendant.
  - **Failing**: Any adjudication withheld/deferred where the charge was not dismissed, expunged, Nolle Prose or Nolle Prosequi.
- **Passing Disposition**: Any Non-Conviction disposition leading to the case being dismissed, Nolle Prose, Nolle Prosequi, Expunged, Not Guilty verdict or acquittal of defendant.
- **Failing Disposition**: Any disposition resulting in a Conviction or Non-Conviction (adjudication differed/withheld) that has **not** led to the case being dismissed.
- **Healthcare Related Misdemeanor**: Any Misdemeanor crime related to the following categories:

Theft	Assault and/or Battery	Contributing to Delinquency
Embezzlement	Simple Assault	Any child-related sexual activity
Forgery	Domestic Violence	Any nonconsensual sexual activity with child or adult
Fraud	Resisting Arrest	Sale and/or possession of a controlled substance
Misuse of Credit Card	Obstructing Officer	Public intoxication/drunkenness
Unauthorized Use	Evade Officer/Lawful Arrest	Elder abuse/neglect
Shoplifting	Weapons Charges	
Receiving Stolen Property	Stalking	
Unemployment or Worker's Compensation Fraud	Menacing	
Worthless Check	Child Abuse/Neglect	
	Child Endangerment	

### **Pass**

Score all candidates as "Pass" for the following conditions:

- Any Misdemeanor or Felony offense with a disposition date older than 7 years, **with the exception of any Misdemeanor or Felony violent crimes, nonconsensual sexual crimes, and crimes against children with a Failing Disposition.**
- Any Misdemeanor or Felony crime with a Passing Disposition.
- Any Misdemeanor Marijuana offense over two years old in the state of California.
- Any misdemeanor (or lower) traffic violations.

### **Fail**

Score all candidates as "Fail" for the following conditions:

- Any case with a Failing Disposition for Misdemeanor or Felony violent crimes, nonconsensual sexual crimes, and crimes against children regardless of elapsed time from disposition date.
- Any other Felony crime with a Failing Disposition within the last 7 years.
- Any Healthcare Related Misdemeanor crime with a Failing Disposition within the last 7 years (except in California, exclude misdemeanor marijuana convictions more than two years old).
- Any Controlled Substance Offense with a Failing Disposition within the last 7 years (except in California, exclude misdemeanor marijuana convictions more than two years old).

(Challenges to actions regarding the above policy may be addressed through the program's grievance procedure.)

(Policy 8/10/05)