
Policy Number:	207
Policy Name:	Background Checks for Applicants and Students in the CNPD Department of Nursing
Reviewed by:	Nursing Faculty
Last Review Date:	03/26/2021

A. Applicability

This policy applies to all UND nursing students.

B. Rationale

- I. Clinical experiences are an essential element in professional nursing programs. Students who cannot participate in clinical experiences due to criminal or other adverse activities that are revealed in a background check are unable to fulfill the requirements of the program. Additionally, many healthcare licensing agencies require individuals to pass a criminal background check as a condition of licensure or employment. Therefore, it is in everyone's interest to resolve these issues prior to a commitment of resources by the student, applicant, Department of Nursing or UND,
- II. Health care providers are entrusted with the health, safety and welfare of clients, have access to controlled substances and confidential information, and operate in settings that require the exercise of good judgment and ethical behavior. Thus, the student's ability to function in such a setting is imperative to promote the highest level of integrity in health care services.
- III. Clinical facilities are increasingly required by accreditation agencies, such as The Joint Commission, to conduct background checks for security purposes on individuals who provide services within the facility and especially those who supervise care and render treatment. To meet this requirement with our clinical partners, educational institutions have agreed to require these background checks for students and faculty.
- IV. The Department of Nursing is obligated to meet the contractual requirements regarding background checks contained in affiliation agreements with the various community facilities.
- V. The North Dakota State Board of Higher Education Policy 511 (SBHE Policy 511) requires student criminal history background checks for students in particular courses of study. The policy further requires each institution to adopt policy and procedures for implementation for admission decisions. This policy is intended to comply with SBHE Policy 511.

C. Policy

I. Admission

Upon offer of admission, applicants must self-disclose to the Office of Student Services all occurrences which could result in a discrepancy on a background check. This self-disclosure includes all instances of a criminal charge or conviction including all misdemeanors and felonies, such as minor in consumption, driving under the influence, disorderly conduct and theft. Non-criminal traffic violations such as speeding or parking tickets do not need to be disclosed. Failure to self-disclose may result in a revocation of admission offer.

Applicants must also submit to and satisfactorily complete the approved Department of Nursing background check as a condition of admission. All offers of admission are contingent upon the successful completion of the background check(s) with results deemed favorable. Admission may be revoked based on the outcome of the background check.

II. Enrolled Students

Students who are currently enrolled must submit to and satisfactorily complete an annual background check as a condition of continuing enrollment in the Department of Nursing. Background checks must be completed prior to starting classes.

Students who refuse to submit to the background check will be dismissed from the program. It is expected that all students will self-disclose any occurrences which could result in a discrepancy (criminal charge or conviction) on a background check to the Director of the Office of Student Services within five business days from occurrence. Discrepancies in background checks will be reviewed as outlined in Procedure 207a. Occurrences resulting in a discrepancy (criminal charge or conviction) may be considered grounds for dismissal.

It is a requirement of the Minnesota Department of Human Services (DHS) that any student placed in Minnesota for a clinical/practicum experience and who has direct contact with vulnerable persons (children, elderly, those with mental health issues, disabled, homeless etc.) complete an additional background check. DHS considers any hospitalized patient a vulnerable person and in essence, any client under the care of a health care provider to be vulnerable. Based on the aforementioned information, all undergraduate students are required to complete the additional Minnesota background check otherwise known as a MN NET Study. Graduate students with placements in Minnesota are also required to complete the MN NET Study. Students are responsible for the costs associated with the MN NET Study.

Clinical placement and experiences are a prerequisite for graduation from the nursing program. The Department of Nursing makes no guarantee that a student who has a findings of concern in their background check report, and is nonetheless permitted to enroll in the program will be able to be placed at a clinical facility. Graduation from the nursing program does not guarantee that the student can be registered, permitted or licensed under state law.

III. **General**

Falsification of information, including omission of relevant information, will result in denial of admission or dismissal from the educational program.

Criminal activity of the student may result in disciplinary action, including dismissal from the Department of Nursing and will be addressed through the CNPD and UND's academic and/or disciplinary policies.

D. **Background Check Report**

I. **Obtaining a Background Check Report**

The Department of Nursing will designate an approved vendor to conduct the background checks which will issue reports directly to the Office of Student Services. Results from a vendor other than that designated will not be accepted. Students must complete the background check through the approved vendor in order to assure consistency of collected data. The student is responsible for payment of any fees incurred in obtaining the required background check. If an agency where a student is placed for his or her clinical education requires an additional background check, students are responsible for any cost involved.

II. **Scope**

Background checks will include such things as the following:

- a. Social Security Report (address locator)
- b. County Criminal Record History (unlimited jurisdictions)
- c. National Sex Offender Public Registry Search
- d. National Criminal Database Search, includes but not limited to:
 - i. Multiple AOC/DOC/DPS criminal data sources
 - ii. Federal Bureau of Investigation Terrorist List
 - iii. Federal/State/Local Wanted Fugitive Lists
 - iv. Sexual/Violent Offender Registries

- e. FACIS® Level 1 includes, but not limited to:
 - i. (OIG) Office of Inspector General List of Excluded Individuals
 - ii. (GSA) General Services Admin. Excluded Parties Listing
 - iii. (OFAC) Office of Foreign Assets Control SDN Search
 - iv. (ORA/FDA) Office of Regulatory Affairs/Food & Drug Administration Debarment List
 - v. (ORI) Office of Research Integrity Administration Action List

III. Rights

Students and applicants have the right to review the information reported by the designated vendor for accuracy and completeness and to request that the designated vendor verify that the background information provided is correct. Prior to making a final determination that will adversely affect the applicant or student, the Department of Nursing will inform them of their rights and how to contact the designated company to challenge the accuracy of the report. The process and timeline are delineated in Procedure 207a.

Approved by Nursing Faculty R 11/16/12; 10/24/14; R 09/30/16; R 03/22/19; **R 03/26/2021**