

## **POLICY – for Department Policies**

### **CRIMINAL BACKGROUND INVESTIGATION**

- I. Purpose: To maintain a safe and productive educational and clinical environment, potential students who have been accepted into one of the health sciences programs will undergo a criminal background investigation.
  
- II. General Information
  - A. Beginning in 2004 the Joint Commission on Accreditation of Hospital Organizations (JCAHO) began requiring criminal background checks on all employees and students who attend a JCAHO accredited hospital for clinical laboratory experience. Some agencies may request a copy of background information.
  - B. To comply with agency requirements, the Mesa State College Department of Nursing and Radiologic Science will begin criminal background checks on applicants prior to admission to the programs.
  - C. All acceptance into the program is provisional, pending successful completion of the criminal background investigation
  - D. Mesa State College has partnered with American DataBank (<http://www.mesacx.com>) to provide these background checks.
  - E. The criminal background investigation will include a record of all convictions. Only conviction information will be considered. A “conviction” is considered to be a verdict, a guilty plea or a Nolo Contendere (“No contest”) plea. If the investigation reveals information that could be relevant to the application, the designated individual or committee within the Department may request additional information from the applicant. If the investigation reveals more than minor traffic convictions, it shall be reviewed by the designated committee.
  - F. The existence of a conviction does not automatically disqualify an applicant from entering the programs. Considerations may include, but are not limited to: 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. Any decision regarding admission is at the discretion of the Department Head/committee.
  - G. Information obtained for the purpose of and during the background investigation will be retained by the Department Head in a separate file from the student’s records. Reasonable efforts will be made to ensure that results of criminal background checks are kept as confidential as possible with a limited number of persons authorized to review results.

- H. The following criminal offenses that appear on a background investigation may disqualify an applicant for admission to the Nursing and Radiologic Sciences program.
1. A crime of violence as defined in §18-1.3-406. C.R.S.
  2. Crimes against persons (homicide, assaults, kidnapping and unlawful sexual behavior) as defined in Title 18-3-101 through 18-3-405.5 and 18-6.5-101.C.R.S.
  3. Any act of domestic violence, as defined in Title 18-6-800.3. C.R.S.
  4. Any crime of child abuse or incest, as defined in Title 18-6-401 and 18-6-301. C.R.S.
  5. Any offense involving moral turpitude (prostitution, public lewdness, indecent exposure, etc.), unlawful sexual behavior as defined by Colorado law.
  6. Any crimes of theft, burglary or robbery except misdemeanor shoplifting.
  7. Felony crimes of arson, criminal mischief, fraud or forgery.
  8. Any felony conviction for drug abuse or distribution in the 10 years prior to application.
  9. Multiple Driving Under the Influence (DUI) or Driving with Ability Impaired (DWA) offenses.
  10. Any felony or misdemeanor in another state, the elements of which are substantially similar to the elements of any of the offenses listed above.

III. Procedure

- A. Upon notification for need for background investigation the incoming health sciences student will access the American DataBank website <http://www.mesacx.com>. Applicants who refuse to complete this section or who do not answer truthfully and fully will not be allowed to enter any of the programs.
- B. The disclosure and written consent is on the web. The applicant is instructed to **download two copies and sign and return one copy to the Department of Nursing and Radiologic Sciences office** and keep the other for his/her file.
- C. Individuals must complete the application online including payment of associated fees directly to American DataBank (approximate cost \$60.00).
- D. American DataBank will send report electronically to the Department Head of Nursing and Radiologic Sciences. The Applicant may review the criminal background investigation information received by the department by contacting the Department Head or designee.

- E. The designated individual/committee will review all criminal background investigation results. If adverse information is considered relevant, the committee will notify the applicant in writing. The committee will be responsible for making the final decision regarding whether results will disqualify an applicant from admission.
- F. If the applicant disagrees with the accuracy of information obtained, he/she may request in writing a review of the accuracy of the information. The process of application will be on hold pending results of the review.

If the applicant feels that there are extenuating circumstances to be considered, he/she may submit a written request to the Department Head/committee. These individuals may make exceptions where it is deemed to be in the best interests of the Mesa State College Department of Nursing and Radiologic Sciences.