

STUDENT BACKGROUND CHECK POLICY

I. Applicability

This policy applies to applicants who have received an offer of admission to or students enrolled in an educational program that includes, or may include at a future date, assignment to a clinical health care facility. Visiting students who enroll in courses with such an assignment may also be subject to the policy.

Exception: Applicants to the Master of Science in Toxicology program must follow the Graduate School of Biomedical Sciences policy on background checks.

Exemption: Applicants to the Emergency Health Sciences Department programs who are employed by the San Antonio Fire Department or are serving in the U.S. military are exempt from the Student Background Check Policy.

II. Policy

Applicants who have received an offer of admission must submit to and satisfactorily complete a background check review as a condition of matriculation to the School of Health Professions. An offer of admission will not be final until the completion of the background check(s) with results deemed as satisfactory. Admission may be denied or rescinded based on a review of the background check.

III. Rationale

A. Health care providers are entrusted with the health, safety and welfare of patients, have access to controlled substances and confidential information, and operate in settings that require the exercise of good judgment and ethical behavior. Thus, an assessment of a student or applicant's suitability to function in such a setting is imperative to promote the highest level of integrity in health care services.

Exchange students who participate in a program for a defined period of time, are not seeking a degree or certificate from a SHP program, and who are required to have a US Department of State Visa to enter the country shall be considered as having met the requirement for a background check.

B. Clinical facilities are increasingly required 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 facilitate this requirement, educational institutions have agreed to require these background checks for students and faculty.

C. Clinical rotations are an essential element in the School of Health Professions curricula. Students who cannot participate in clinical rotations due to criminal or other adverse activities that are revealed in a background check are unable to fulfill the requirements of professional school.

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 School of Health Professions, the student, or applicant.

- D. The School of Health Professions is obligated to meet the contractual requirements contained in affiliation agreements between the university and various healthcare facilities.

IV. Background Check Report

A. Obtaining a Background Check Report

The School of Health Professions will designate an approved company to conduct the background checks and issue reports directly to the School of Health Professions. Results from a company other than those designated will not be accepted. Students and applicants who have received an offer of admission must contact a designated company and comply with its instructions in authorizing and obtaining a background check. Students and applicants who have received an offer of admission are responsible for payment of any fees charged by a designated company to provide the background check service.

B. Scope

Background checks include the following and cover at least the past seven years:

- Criminal history search, including convictions, deferred adjudications or judgments, and pending criminal charges involving felonies, Class A, Class B, and Class C violations
- Social Security Number verification
- Violent Sexual Offender and Predator Registry search
- Office of the Inspector General (OIG) List of Excluded Individuals/Entities
- General Services Administration (GSA) List of Parties Excluded from Federal Programs
- U.S. Treasury Office of Foreign Assets Control (OFAC), List of Specially Designated Nationals (SDN)
- Applicable State Exclusion List

C. Rights

Students and applicants who have received an offer of admission have the right to review the information reported by the designated company for accuracy and completeness and to request that the designated company verify that the background information provided is correct.

Prior to making a final determination that will adversely affect the applicant or student, the School of Health Professions will provide applicants or students a copy of or access to the background check report issued by the designated company, and inform them of their rights, how to contact the designated company to challenge the accuracy of the report, and that the designated company was not involved in any decisions made by the School of Health Professions.

V. Procedure

A. Applicants

1. **Following an offer of admission, applicants must complete the required background check screening prior to matriculation.**
2. The background check report will be submitted to the School of Health Professions for its review. If the report contains negative findings, a Review Committee consisting of a SHP administrator (Associate Dean, Assistant Dean or Director of Business Operations) and the Department Chair may request that the applicant submit additional information relating to the negative finding such as a written explanation, court documents, and/or police reports. The Review Committee will review all information available to it and determine appropriate action.
3. Admissions decisions are final and may not be appealed.

B. Current Students

1. For students who did not have a background check review at the time of their admission into the educational program, students must complete the background check review prior to commencement of an assignment at a health care facility as required.
2. Background check reports will be submitted to the School of Health Professions for its review. If the report does not contain any negative findings, the student will be allowed to participate in clinical rotations.

If the report contains negative findings, the Review Committee (consisting of a SHP administrator such as the Associate Dean, Assistant Dean or Director of Business Operations and the Department Chair) may request that the student submit additional information relating to the negative finding, such as a written explanation, court documents and police reports. The Review Committee will review all information available to it and determine whether the student should be permitted to participate in clinical rotations or be dismissed from the program.

3. If the Review Committee determines that dismissal from the program is warranted, a student may appeal that decision in accordance with the university's grievance procedure for academic matters found in the HSC Catalog.

C. School of Health Professions Review Committee Standards

1. In reviewing the background check reports and any information submitted, the Review Committee may consider the following factors in making its determinations: the nature and seriousness of the offense or event, the circumstances surrounding the offense or event, the relationship between the duties to be performed as part of the educational program and the offense committed, the age of the person when the offense or event occurred, whether the offense or event was an isolated or repeated incident, the length of time that has passed since the offense or event, past employment and history of academic or disciplinary misconduct, evidence of successful rehabilitation, and the accuracy of the information provided by the applicant who has received an offer of admission or student in the application materials, disclosure forms, or other materials.

2. The committee should bear in mind both the safety interests of the patient and the workplace, as well as the educational interest of the student. In reviewing background checks and supplementary information, advice may be obtained from university counsel, university police, or other appropriate advisors.

VI. Confidentiality and Record Keeping

- A. Background check reports and other submitted information are confidential and may only be reviewed by university officials and affiliated clinical facilities in accordance with the Family Educational Rights and Privacy Act (FERPA).
- B. Students: Background check reports and other submitted information of students will be maintained in the Office of the Dean in accordance with the university's record retention policy for student records.
- C. Applicants Denied Matriculation: Background check reports and other submitted information of applicants denied matriculation into the program will be maintained in accordance with the university's record retention policy.

VII. Other Provisions

- A. The School of Health Professions shall inform students who have negative findings in their background check report and are nonetheless permitted to enroll that the School of Health Profession's decision is not a guarantee that every clinical facility will permit the student to participate in the educational program at its facility, or that any state will accept the individual as a candidate for registration, permit, or licensure.
- B. A background check will be honored for the duration of enrollment if the student is continuously enrolled. An assigned clinical health care facility may require a repeat background check. A student who has a break in enrollment is required to complete a new background check. A break in enrollment is defined as non-enrollment of at least one semester in the approved curriculum of the certificate or degree program. However, a student whose attendance has been suspended due to a licensing agency's eligibility certification process will not be considered as having a break in enrollment. An officially approved leave of absence is not considered a break in enrollment.
- C. Falsification of information, including omission of relevant information, may result in denial of admission or dismissal from the educational program.
- D. Criminal activity that occurs while a student is in attendance at the university may result in disciplinary action, including dismissal, and will be addressed through the university's academic or disciplinary policies