

The University of Iowa
College of Pharmacy
Policy/Procedure on Criminal Background Checks
For Doctor of Pharmacy Students

Approved at Executive Committee meeting 30 September 2004

Introduction and Rationale*

The University of Iowa has developed a policy on Criminal Background Checks for students who have contact in the course of their educational experience with vulnerable populations. This policy was established to comply with emerging accreditation standards and to promote the highest level of integrity in the health professions. The goal is to protect the safety of patients at settings where University of Iowa students perform educational experiences.

The College of Pharmacy requires students to participate in direct contact with patients, many of whom (e.g., elderly, children) may be vulnerable to issues of unsafe practice behaviors. Therefore, the College of Pharmacy will fully implement the University of Iowa Policy on Criminal Background Checks.

Policy

The College of Pharmacy will only accept and retain students that meet the College of Pharmacy's Principles and Technical Standards for Admission and Retention in the Doctor of Pharmacy Program.

The University of Iowa College of Pharmacy requires and will contract for the performance of criminal background checks[†] of all students enrolled in the Doctor of Pharmacy program. This policy was developed in response to requirements in the professional practice environment stating that facilities providing care to patients must minimize the risk to patients that may be presented by persons with prior criminal activity.

The University of Iowa College of Pharmacy will provide the results of the criminal background check to the individual student. Students will be given the opportunity to respond and/or comment on any report stating they have a criminal background[‡].

A copy of the student's criminal background check will be provided to any Doctor of Pharmacy rotation site participating in the academic training of that Doctor of Pharmacy student. The health care facility will make a determination whether the student may participate in that setting. Such a determination will be independent from any determination by the college or program regarding a student's admission or progression in the clinical sequence.

If criminal activity is reported on a background check or if requested by the board, a copy of the student's criminal background check will be provided to the Iowa State Board of Pharmacy Examiners.

All criminal background data will be maintained in a secure place to assure confidentiality.

* Unless otherwise noted, sections follow UI policy.

† Specifically, screening will be conducted for past incidents of and arrests for criminal conduct and any history or evidence of child or dependent adult abuse/neglect.

‡ Criminal conduct includes any non-traffic offense or arrest (OWI is NOT a traffic offense for this purpose), any felony, or any misdemeanor (serious or aggravated) regardless whether the record has been expunged or the sentence deferred.

Procedures

Criminal Background Checks

The College of Pharmacy check will be conducted by an entity that contracts with The University of Iowa.

Each student's background will be checked, by social security number, for the prior 7 years for each state of residence showing any activity for that social security number. The check will include criminal records, including arrests and convictions for all offenses of any type, and a review of the registries of reports of child and dependent adult abuse. The check will include records that have been expunged and judgments that have been deferred.

Doctor of Pharmacy Application Procedures

All applicants to the Doctor of Pharmacy program will be notified that they will be required to undergo a criminal background check upon admission. Applicants will report on their application whether they have ever been arrested or convicted of any offense other than a traffic offense not involving alcohol or drugs. This includes expunged and deferred judgments.

Upon Matriculation:[@]

During the first semester of school (P1, fall semester), all students will sign a consent to undergo a criminal background check (appendix 1) and sign an additional consent (appendix 2) authorizing the college or program to make the background check report available to any Doctor of Pharmacy clinical rotation setting in which the student will be placed.

Background checks will be initially run during the first semester of the Doctor of Pharmacy program. At the initiation of this policy the plan was to only run one background check. However, additional checks will be run if requirements change.

Procedure in the Event of Student Criminal Conduct

Admission procedures:

Applicants who answer in the affirmative on past criminal activity and would otherwise have a reasonable chance for admission will be given the opportunity to explain that history on the application.

The Academic Performance Committee of the college will review all applications containing an affirmative response to the criminal history question. (See review procedures below) A recommendation for continued admission review or discontinuation of admission review will be made to the Associate Dean for Academic Affairs.[@]

Students will be notified if it appears they will not meet due to their past criminal history the Principles and Technical Standards of the Doctor of Pharmacy program or other University and Collegiate policies. They will be given an opportunity to provide further information. The Collegiate appeal process does not apply to non-students.[@]

The decision on whether to continue the application procedure will be made by the Associate Dean in consultation with the Chair of the Admissions Committee.[@]

[@] Section operationalizes policy and is unique to College

After matriculation procedures:[@]

The Academic Performance Committee of the college will review all findings of criminal activity reported on criminal background checks. (see review procedures below)

Students will be notified if it appears they will not meet the Principles and Technical Standards of the Doctor of Pharmacy program due to past criminal history. They will be given an opportunity to provide further information.

The decision on whether to continue enrollment will be made by the Associate Dean in consultation with The University of Iowa Office of the General Counsel.

Appeals of dismissal will be made directly to the Dean of the College of Pharmacy.

Review Procedures:[@]

The Academic Performance Committee will conduct reviews on a thoughtful case-by-case analysis of any situation involving student criminal behavior discovered by the background check. The committee will conduct its review as soon as possible after the disclosure or discovery of the information.

The Academic Performance Committee will use the Principles and Technical Standards of the Doctor of Pharmacy program, the University of Iowa Code of Student Life and other University and Collegiate policies to inform its decision.

If a student failed to inform the College about past criminal activity on their application, they will also be reviewed for unprofessional conduct / unethical behavior.

The Academic Performance Committee will provide a formal, written recommendation. The content of the recommendation will include information on the criminal behavior, the process undertaken by the committee, the basis upon which the committee came to a recommendation and the recommendation itself.

Recommendations from the Academic Performance Committee may be any of the following:

- Recommendations at time of application
 - allow the student to continue their application for the doctor of pharmacy program without restriction;
 - discontinue the student's application for the doctor of pharmacy program, prohibiting the student from matriculation.
- Recommendations after matriculation
 - allow the student to proceed in the academic program without restriction;
 - allow the student to proceed in the academic program with specified terms and conditions (i.e., following the UIPRN Substance Abuse policies of the College); or
 - discontinue the student's academic program.

Fees and Courses:

Students will be assessed a fee for completion of the criminal background check.

Students will be enrolled in a non-credit course for the purpose of monitoring completion of the background check and assessing fees for the criminal background check.

[@] Section operationalizes policy and is unique to College

THE UNIVERSITY OF IOWA
College of Pharmacy
Consent to External Background Check

Professional degree programs customarily include practicum requirements for graduation. As a pre-requisite for enrollment in a practicum course, students are required to undergo a criminal background check. This check includes, but is not limited to, past criminal offenses and registry information, such as child and dependent adult abuse information.

In connection with your enrollment in a course with a clinical practice component you agree to undergo a criminal background inquiry. This inquiry will be based on your social security number and will evaluate state, local, and federal data bases for each of your reported addresses. If there is evidence of arrest for a crime(s), conviction for a crime(s), presence on an abuse registry, or other information which reasonably suggests that patient safety might be compromised, the College of Pharmacy will be notified, and you will be asked to provide additional information.

In the event of a reported incident, a determination about your continued progress in the academic program will be made by the College of Pharmacy in accordance with collegiate and university procedures.

Name of Student _____
Last Name First Name Middle Name

Other Names Used _____ Date of Name Change _____

Gender: Male _____ Female _____

Street Address _____

City _____ State _____ Zip Code _____

List all cities, states, and zip codes of residences for the past seven years: _____

Social Security Number _____ Drivers License Number _____

Appendix 2

Name of Student _____

Date of Birth _____

AUTHORIZATION
College of Pharmacy Student

I hereby authorize, without limitation, any party or agency contacted by the University of Iowa, any of its agents or any entity employed by the University of Iowa to conduct an external review of my background as described above.

I hereby release the University of Iowa and its agents, employees and agents and employees of any party or entity contacted by the University of Iowa for purposes of providing criminal background information from any and all claims that I may have arising from or relating to the collection or reporting of information obtained in the process of a criminal background investigation to assure my qualification for participation in a clinical practicum.

I understand that my date of birth is used solely as an identifier to avoid possible misidentification while completing the background check process.

I HAVE READ AND UNDERSTAND THE INFORMATION ABOVE AND I GIVE MY PERMISSION TO THE UNIVERSITY OF IOWA TO CONDUCT A CRIMINAL BACKGROUND INVESTIGATION AS A PRE-REQUISITE TO ENROLLMENT IN A CLINICAL PRACTICUM.

Signature of Student

Date

Signature of Witness

For reference this is
The University of Iowa
Policy/Procedure on Criminal Background Checks

I. Introduction and Rationale

The University of Iowa, through its colleges and major administrative units, has multiple missions: education, research and service. Within these basic missions, the interests and needs of many constituents must be balanced. These interests include educational quality and opportunity, patient safety, institutional integrity and accountability, and fairness. Constituents include patients at the University of Iowa Hospitals and Clinics, students in the health colleges and in other programs, accrediting bodies and others to whom the University is accountable.

The University of Iowa, in order to safeguard the patients at UIHC, to comply with emerging accreditation standards and to promote the highest level of integrity in the health (and other professions) will review the history of students who have contact with vulnerable populations in the course of their educational experience. Specifically, screening will be conducted for past incidents of and arrests for criminal conduct and any history or evidence of child or dependent adult abuse/neglect. Criminal conduct includes any non-traffic offense or arrest (OWI is NOT a traffic offense for this purpose), any felony, or any misdemeanor (serious or aggravated) regardless whether the record has been expunged or the sentence deferred.

The reason for conducting the background check is to comply with applicable health care regulations, as currently interpreted, and to protect the safety of patients at the University of Iowa Hospitals and Clinics and patients/clients at other sites where the University's students are performing clinical rotations. It is also the purpose of this policy to promote the highest quality of professional practice and to uphold the integrity of the university and its professional colleges and programs.

It is proposed that screening will consist of two components: self-disclosure by individuals upon application to the college or program and a formal background check at the start of clinical rotations. Such a two-part system would afford the colleges greater flexibility in managing situations where a student discloses a criminal history and decisions have to be made as to whether they can be subsequently admitted into a program with required clinical experiences.

The responses given on the application and the results of the formal criminal background check will be reviewed by the appropriate colleges and departments and action taken will be consistent with university and college policies regarding admission and promotion.

II. Policy

All University of Iowa students who have clinical practicum experiences at the University of Iowa Hospitals and Clinics and at other sites pursuant to an agreement between the University and the site will be subject to a criminal background check. This requirement is effective for students beginning in the summer, 2004. Note: “clinical experience” means a clinical practicum, clerkship, clinical rotation or other educational experience in which the student provides direct patient care, is supervised by a faculty member or staff member, but is not always under direct observation.

This requirement does not apply to students who have brief observational or “job-shadowing” experiences, during which they do not provide direct patient care and are under the direct supervision of a staff member.

Each student’s background will be checked, by social security number, for the prior 7 years for each state showing any activity for that social security number. The check will include criminal records, including arrests and convictions for all offenses of any type, and a review of the registries of reports of child and dependent adult abuse. The check will include records that have been expunged and judgments that have been deferred. .

III. Procedure

- a. All applicants to a college or program requiring criminal background checks of its students will be asked on the application to the college or program whether they have ever been arrested or convicted of any offense other than a traffic offense not involving alcohol or drugs. If the applicant answers in the affirmative, the applicant will be given the opportunity to provide additional information regarding any such incident.
- b. The admissions committee of the college or program, or another committee designated by the college or program for this purpose, will review all applications containing an affirmative response to the criminal history question. (see IV below).
- c. The college or program will notify all applicants before admission, and all admitted students that it will conduct a criminal background check. Before beginning clinical rotations, all students will sign a consent to undergo a criminal background check. Students may be asked to sign an additional consent and release authorizing the college or program to make the background check report available to non-University sites sponsoring clinical rotations.
- d. The check will be conducted by an entity that contracts with the university. Results will be reported to the college and the information will be disclosed to the student and maintained in a secure place to assure confidentiality.
- e. If the background check reports an incident that was not disclosed upon application or an incident that occurred since admission, the case will be referred to the appropriate college committee for review (see IV below).

IV Procedure in the Event of Student Criminal Conduct

Review by College-based Committee

If an applicant or student discloses criminal history during application, or if the background check report identifies criminal history, the report and any relevant information provided by the applicant or student will be sent to a college-based

committee for review and decision on admission or progression in the clinical sequence. The committee will advise the student of the effect of the disclosure on the student's status. In those cases where the college or program makes the background check report available to another site (only with the student's prior written authorization) at which the student anticipates completing a clinical rotation, the site itself will make a determination whether the student may participate in that rotation. Such a determination will be independent from any determination by the college or program regarding a student's admission or progression in the clinical sequence.

Review Standards

Each college-based committee should follow the standards stated below in its review of an applicant's or student's record:

- i. The committee should engage in a thoughtful case-by-case analysis of any situation involving student criminal background.
- ii. The committee should conduct its review as soon as possible after the disclosure or discovery of the information;
- iii. The committee should determine whether the background check reports an incident or conviction, or a group of them, that has a nexus to the applicant's or student's duties and responsibilities during the clinical rotation. [This language is similar to the UIHC policy.] The relationship between the offense(s) and the duties and responsibilities must be reasonable and demonstrable. 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. Only in an exceptional case should a simple misdemeanor prevent an applicant from admission, or a student from progression in a clinical sequence.
- iv. The committee's review must be consistent with university policies including, but not limited to, the Code of Student Life. Any review that may have the effect of ending a student's pursuit of a particular course of study must be subject to the due process requirements outlined in the Code of Student Life or equivalent protection for professional students.
- v. Review processes should be as consistent as possible across colleges and units, given differences in mission and context.
- vi. The college or program, on review of the facts and circumstances of a particular background check, may:
 - a. allow the student to proceed in the academic program without restriction;
 - b. allow the student to proceed in the academic program with specified terms and conditions;
 - c. prohibit the student from entering the program or beginning the clinical rotations.
 - d. in the case of clinical rotations at remote sites, defer to the determination made at that site.

For reference this is the recommended

UNIVERSITY OF IOWA

Consent to External Background Check

Professional degree programs customarily include clinical practicum requirements for graduation. As a pre-requisite for enrollment in a practicum course in UIHC, students are required to undergo a criminal background check. This check includes, but is not limited to, past criminal offenses, and registry information, such as child and dependent adult abuse information.

As a pre-requisite to your enrollment in a course with a clinical practice component you must agree to undergo a criminal background inquiry. This inquiry will be based on your social security number and will evaluate state, local, and federal data bases for each of your reported addresses. If there is evidence of arrest for a crime(s), conviction for a crime(s), presence on an abuse registry, or other information which reasonably suggests that patient safety might be compromised, your College will be notified, and you will be asked to provide additional information. A determination about your continued progress in the academic program will then be made by the College in accordance with collegiate and university procedures.

Please indicate your consent to this check by completing the form below

Name of Student _____
Last Name First Name Middle Name

Other Names Used _____ Date of Name Change _____

Gender: Male _____ Female _____

Street Address _____

City _____ State _____ Zip Code _____

List all cities, states, and zip codes of residences for the past 7 years: _____

Social Security Number _____ Drivers License Number _____

For reference this is the recommended
UNIVERSITY OF IOWA
Authorization to External Background Check

Name of Student _____

College _____

Date of Birth _____

AUTHORIZATION

I hereby authorize, without limitation, any party or agency contacted with by the University of Iowa, any of its agents or any entity employed by the University of Iowa to conduct an external review of my background as described above.

I hereby release the University of Iowa and its agents, employees and agents and employees of any party or entity contacted by the University of Iowa for purposes of providing criminal background information from any and all claims that I may have arising from or relating to the collection or reporting of information obtained in the process of a criminal background investigation to assure my qualification for participation in a clinical practicum.

I understand that my date of birth is used solely as an identifier to avoid possible misidentification while completing the background check process.

I HAVE READ AND UNDERSTAND THE INFORMATION ABOVE AND I GIVE MY PERMISSION TO THE UNIVERSITY OF IOWA TO CONDUCT A CRIMINAL BACKGROUND INVESTIGATION AS A PRE-REQUISITE TO ENROLLMENT IN A CLINICAL PRACTICUM.

Signature of Student

Date

Signature of Witness