The University of Iowa
College of Nursing
Policy/Procedure on Criminal Background Checks
(Approved 08/12/09) Updated January 2013

I. Introduction and Rationale

The College of Nursing, in order to promote the highest level of integrity in the profession, will review the history of all students. 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), and felony, or any misdemeanor (serious or aggravated) regardless whether the record has been expunged or the sentence deferred. The purpose of this policy is 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 and a formal background check at the time of acceptance in the college. Such a two-part system affords the college greater flexibility in managing situations where a student discloses a criminal history.

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

II. Policy

Effective with the 2011-2012 academic year, all College of Nursing students will be subject to a criminal background check upon acceptance in the nursing program regardless of when a criminal background check was completed by any other entities. Students will also be required to complete a Statement of Disclosure at the time of application to the program, verifying that no felonies, misdemeanors, or reports of child or dependent adult abuse or neglect have been made against them. Additionally, a review of the registries for child and dependent adult abuse as well as OIG/CMS Sanctions will be conducted upon acceptance.

Each student’s background will be checked by social security number for each state showing any activity for that social security number. The check will include criminal records, including arrests, charges 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.

Exceptions and Accommodations

Early Decision students to the pre-licensure program will have the check completed after the spring semester of their second year in the program.
Graduates of a University of Iowa nursing program who apply to a graduate program within the next academic year will be required to have a second background check conducted. The supplemental verification form will be required as part of the graduate application.

A student who is interrupted in progress toward degree and then re-enters the College of Nursing after a period of 12 months or more from last day of session enrolled at the University of Iowa will be required to have a second background check. If a student re-enters and changes their plan of study a new criminal background check must be completed. All re-entering students must complete a Statement of Disclosure at the time of re-entry confirming there have been no felony or misdemeanors charges and that no reports of child or dependent adult abuse or neglect have been lodged against them.

III. Procedure

a. All applicants to the College of Nursing will be asked on the supplemental application to the college whether they have been charged, plead guilty to or convicted of any offense other than a minor traffic offense not involving alcohol or drugs (including deferred judgments). 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 will review all applications containing an affirmative response to the criminal history question (see section IV below)

c. The college will notify all applicants upon acceptance that their acceptance is conditional and dependent on a satisfactory CBC.

d. All students must initiate the CBC with an entity contracted by the CON. Results will be reported to the college and the information will be maintained in a secure platform to assure confidentiality. Students will have online access to their background study.

e. If the background check reports an incident that was not disclosed upon application or an incident that occurred since admission, the student will be contacted to confirm that the report is valid. A student maintains the right to dispute any report. If the report is valid, the student will provide a written explanation that will be reviewed by a college based review committee. (See section IV below.) Results of student criminal background checks that report an incident will be forwarded to the Office of Academic Affairs for appropriate action if deemed necessary.

f. If the abuse registry reports a possible abuse incident, the case will be referred to the appropriate college committee for review (see section IV below). Additionally, in the case of students who are required to be licensed for participation in the academic program (RN-BSN, MSN, PhD, DNP), staff will re-check the status of licensure, verifying that there are no recent or pending actions or suspensions of the license. A copy of the licensure screen from the Iowa Board of Nursing website will be provided to the Associate Dean of Academic Affairs for licensed students who have either a criminal background or abuse registry hit.

g. In cases where a clinical agency requests confirmation of a background check, the college will make results of the background check report available to non-collegiate sites sponsoring
clinical rotations. Release of this information will be in the form of a letter of good standing signed by the Associate Dean of Academic Affairs.

h. Students will be required to inform the Office of Academic Affairs of any infractions of the law following their matriculation and prior to their graduation from the college.

IV. Procedure in the Event of Student Criminal Conduct

The student’s written explanation, the report and any relevant information provided by the applicant or student will be reviewed and if deemed necessary sent to the committee or Dean. The committee will advise the student of the effect of the disclosure on the student’s status. In those cases where the college provides results of the background check to another agency, at which the student anticipates completing a clinical rotation, the agency 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 regarding a student’s admission or progression in the program.

V. Review Standards

The college-based committee, appointed by the Dean for Academic Affairs, will follow the standards stated below in its review of an applicant’s or student’s record:

a. The committee will engage in a thoughtful case-by-case analysis of any situation involving student criminal background.

b. The committee will conduct its review as soon as possible after the disclosure or discovery of the information.

c. The committee will determine whether the background check reports an incident or conviction, or a group of them, that is detrimental to the student’s professional responsibilities. The relationship between the offense(s) and the duties and responsibilities must be reasonable and demonstrable. The committee will bear in mind both the safety interest 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 application from admission, or a student from progression in the academic program.

d. The committee’s review must be consistent with university and College of Nursing policies including, but not limited to, the due process requirements outlined in the Code of Student Life. Any determination that may have the effect of interrupting or ending a student’s pursuit of a particular course of study must show a reasonable relationship between the offense and the duties and responsibilities of the student. The committee must balance the student’s interests with the institution’s responsibility to provide the highest quality of patient care and safety.
e. The college, upon review of the facts and circumstances of a particular background check, may

1) allow the student to proceed in the academic program without restriction;
2) allow the student to proceed in the academic program with specified terms and conditions;
3) in the case of clinical rotations at remote sites, defer to the determination made at that site.
4) rescind the offer of admission.
5) a record of action shall be placed in the student’s file