

**TULSA COMMUNITY COLLEGE**  
**SCHOOL OF ALLIED HEALTH**

**STUDENT GUIDELINES: CRIMINAL BACKGROUND CHECK PROCEDURES**

**I. SCOPE & PURPOSE**

A comprehensive criminal background check will be performed on all School of Allied Health students prior to their initial clinical rotation as required by TCC Clinical Affiliation Agreements, for the primary purpose of safeguarding the well-being of patients, and to ascertain the students' eligibility to maintain program enrollment and to participate in clinical rotation experiences.

**II. RATIONALE**

All School of Allied Health students must consent, submit to, and satisfactorily complete a criminal background investigation as a condition of participation in clinical rotations in the respective School of Allied Health programs. Eligibility for participation in clinical rotations will not be final until the completion of the criminal background check with results deemed acceptable to the applicable clinical affiliates of the program/School. Any positive findings may be subject to anonymous review by the clinical affiliates and could prevent the student from completing clinical requirements. All expenses associated with the CBC are the responsibility of the student. Students who do not consent to the required background check, who refuse to provide information necessary to conduct the background check, or who provide false or misleading information in regard to the background check will be subject to disciplinary action up to, and including, dismissal from the program.

**III. BACKGROUND INVESTIGATION PROCEDURE**

This procedure will be implemented, monitored, and enforced by the School of Allied Health at Tulsa Community College. Uniform procedures for the implementation of the criminal background check procedures will be employed by all School of Allied Health programs.

**a. Criminal Background Check Procedure**

Program materials will include instructions for completing the on-line application process and a release/consent form that authorizes CastleBranch (the vendor), on behalf of TCC, to conduct a comprehensive criminal background investigation on all School of Allied Health students. Students who refuse to complete these inquiries, do not answer truthfully and completely, or refuse to consent to a criminal background check may not be allowed to enter a clinical rotation of the health professions educational program.

Information available/sought through background screening/investigation process. The following databases are examples of those that may be examined as part of the comprehensive criminal background check (CBC).

**i. Residency History Check**

Provides former work, school and residential addresses. The Address History pulls data from hundreds of public and private databases, including tax, property, voting, and credit information. It verifies names, addresses, DOB and Social Security information. All maiden names and aliases will be reviewed.

**ii. Social Security Number Search**

Verifies that the student's Social Security Number (SSN) is valid and is not associated with fraudulent activity. This search also identifies the State that issued the SSN and the year it was issued.

**iii. County Criminal Records Search**

A direct search of county courthouse records for any felony or misdemeanor criminal history. All records are researched to help ensure positive identification and complete, easy-to-read details. County criminal records are the most accurate and up to date records that exist. They are updated from the moment the court clerk enters the information into the system. CastleBranch maintains a network of over 12,000 court researchers that physically enter the courthouses to pull the records. County criminal records are considered to be the ideal method of attaining accurate and thorough criminal background information. County criminal searches take approximately 24 – 72 hours to complete.

**iv. National Criminal Database Search**

The Nationwide Database is a key supplementary search which reveals multiple sources for criminal records and includes State and county criminal record repositories, Department of Corrections, parole records, federal fugitive files and sex offender registries, and is complimentary to county searches. It includes information from the following sources: Proprietary Offender Data, Nationwide 50 State Sex Offender Database, AppALERT Office of Foreign Assets Control (OFAC), the FBI Terrorist List and Federal/State/Local Wanted Fugitive Lists, Traffic Court, Department of Public Safety, seven years' worth of information from the Administrative Office of the Courts and the Department of Corrections. This database contains over 150 million criminal records from all participating states and D.C. The age of the information and the type of information varies from state to state. A multi-jurisdiction private database search covering more than 194 million criminal records collected from across the country. While the database does not contain information from all states, it supplements county, statewide and federal criminal searches. To ensure compliance with Fair Credit Reporting Act (FCRA), all database "hits" are verified directly through the source of information to ensure that records reported are current and up-to-date.

**v. National Wants and Warrants Search**

N/A

**vi. National Sexual Offender Database Search**

A search of a national private database which contains sex offender data collected from across the country. All records are researched to help ensure positive identification. Provides records from Sex Offender Indexes from all 50 states.

**vii. Healthcare Fraud and Abuse (FACIS III)**

The Fraud and Abuse Control Information System (FACIS) Level 3 Search combines the FACIS Level 1 Search of the federal agencies with disciplinary action information from multiple agencies as well as those taken by licensing and certification agencies in all 50 states. This search contains information from all 50 states on individuals who have been the subject of state licensing board sanctions. This includes OIG, GSA and other federal sources as well as state agencies. An individual may be the subject

of adverse action by more than one agency for the same or different events. Also includes Medicare and Medicaid Sanctions.

**viii. International Screening** - (when applicable, for example, if the student has been a citizen or resident of the U.S. for less than one year.) International criminal records searches are generally performed by facilitating the applicant in obtaining an official Police Clearance or Police Certificate from the desired country. The TCC vendor for international background checks is Accufax, with the cost ranging from \$35 to \$500, payable by the student.

**b. Consideration of Criminal Background Activities**

The existence of a felony conviction, alone, does not automatically disqualify a student from entering clinical rotation experiences within a TCC School of Allied Health program. Relevant 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 to allow an applicant to enter a TCC School of Allied Health Program clinical rotation with a conviction is solely at the discretion of the clinical affiliate.

**c. Examination of Information Obtained Through Criminal Background Investigations**

The criminal background check will include a record of all arrests, convictions, and dismissals. For the purposes of this policy, a conviction is considered to be a guilty plea, a guilty verdict, Alford Plea, or a Nolo Contendere (“No Contest”) plea.

It is the responsibility of the student to ensure that all maiden names and aliases are reported and to ensure that any misinformation in the initial criminal background check report is corrected, and to ensure that a written statement with supporting documentation indicating the correction is submitted to the College.

All positive findings will be reported anonymously, as required by clinical affiliation agreements, to each major local hospital whose Human Resources department will review the initial criminal background check report results for all conditionally admitted students.

A positive report may affect Students’ progression in the program. Any student who disagrees with the accuracy of information found in the background investigation process should seek independent legal counsel in their efforts to obtain a clear report.

**IV. BACKGROUND CHECK REVIEW PROCESS**

The Dean for School of Allied Health will be responsible for reviewing all relevant materials related to any adverse background check report containing information that pertains to the student’s suitability for participation in clinical rotations. No School of Allied Health faculty will have access to students’ individual CBC records, nor will they be part of the individual background check review and decision process.

A student with a positive background check may be asked to write a letter of explanation that may be sent to the human resources departments of the clinical affiliates along with the background check findings to assist in their fair review of the students’ screening results. Factors involved in the individual case review by the clinical affiliate may include, but not be limited to the:

- nature, circumstances, and frequency of any reported offense(s);
- length of time since the offense(s);

- available information that addresses efforts at rehabilitation;
- accuracy of the information provided by the applicant in their application materials; and
- the relationship between the duties to be performed as part of the educational program and the offense committed.

**V. COLLEGE PRACTICE FOR REVIEW OF CRIMINAL BACKGROUND CHECKS**

- a. The Dean will report any positive student background check findings (in a non-identifying manner) to the local Tulsa Hospital Education Contacts and/or Human Resources contacts as required by clinical affiliation agreements, to obtain an individual decision, determined on a case-by-case basis, as to the clinical facility's consideration of the student's eligibility for on-site rotations. If the Dean receives a denial of entrance into clinical rotations based upon the student's background check records, and is unable to successfully place the student in required clinical rotations, the respective Associate Dean/Dean will notify the student in writing that their enrollment will not continue because of ineligibility for completion of clinical requirements of the program.
- b. It is NOT the responsibility of the College or any member of the College to actively resolve any issue for the student.
- c. If the student has questions about the report, feels the report contains erroneous information, or includes other factors such as a guilty plea or conviction that has been expunged, the burden is on the student to resolve the issue(s). There is an appeal process available through the Castlebranch web-site. The student may wish to contact a personal attorney to address the issues with the appropriate legal authorities. If a resolution is reached, the student may provide the College with an updated report following the procedures outlined previously.

**VI. MAINTENANCE OF RECORDS AND CONFIDENTIALITY**

Information obtained for the purpose of and during the criminal background check, will be retained by the individual college/program separate from other student educational and academic records. Confidentiality will be maintained consistent with FERPA guidelines.

**VII. OTHER CONSIDERATIONS**

Applicants and/or admitted students, as well as currently enrolled health professional students, must be aware that:

- The expense for the background check must be borne by the student (contained in the student's fees). An individual criminal background check may cost between \$40- \$60. Such costs are subject to change, and beyond the control of the School of Allied Health Programs or college.
- Once admitted to a School of Allied Health Program, students will be required to submit to, and satisfactorily complete, a criminal background check as a condition of participation in the clinical education experience. Failure to submit to such a check and to satisfactorily pass the same may limit the ability of the student to enter clinical rotations and complete the program. Completion of the program does not guarantee the opportunity to sit for licensure.
- If a student fails to pass a criminal background check, he or she may be ineligible for enrollment in experiential courses, ineligible for program completion/graduation, and therefore ineligible to continue in the program. Additionally, he or she may be ineligible for licensure as a health care professional.
- The School of Allied Health does not accept responsibility for any student being ineligible for experiential coursework, owing to failure to pass a criminal background check.

- Students who provide any false information regarding criminal offenses in any documents may be subject to immediate dismissal from the college pending confirmation via a hearing body convened as provided in student disciplinary policy due process rights. Failure to disclose correct information at any time also may be the basis for professional discipline and/or program dismissal.
- **Any student convicted of a felony of any type and/or and Disciplinary Action for OIG Fraud while a student in a School of Allied Health Program must report that offense to the Dean in writing within 5 days of conviction. The term “Conviction” includes plea agreements, guilty pleas etc.**

#### VIII. ON-LINE BACKGROUND CHECK APPLICATION PROCEDURE

##### a. Background Check as Requirement of Clinical Affiliation Agreements

These background checks will be conducted by one private vendor (CastleBranch). Each student must complete the comprehensive criminal background check online through [castlebranch.com](http://castlebranch.com) by providing their personal information for the background check.

##### b. CastleBranch

CastleBranch is a background check service that allows students to apply for their own background check. The results of a background check are posted to the [castlebranch.com](http://castlebranch.com) website in a secure, tamper-proof environment, where the student, as well as the College can view the background check.

The results will be available in approximately 48-72 hours. Students are encouraged to print the results of their background check, if they wish to have a copy for their personal records.