POLICY FOR CRIMINAL BACKGROUND SCREENING

The Lamar University (LU) Department of Nursing adheres to the policies of all clinical facilities with which the department is affiliated for student clinical learning experiences. Many clinical facilities and school districts require criminal background screening of all students.

Purpose
Clinical agencies used by the LU Department of Nursing stipulate in the clinical affiliation agreements that students’ criminal background be prescreened before they are permitted into the clinical facility. This prescreening requirement is the same as that required of employees of public and private clinical agencies. The rationale for this requirement for clinical students is based on the concept of due diligence and competency assessment of all individuals whose assignments bring them in contact with patients and employees. Competency assessment extends beyond technical skills to include an individual’s past behavior as indicated by their criminal history. This approach ensures uniform compliance with Joint Commission standards pertaining to human resource management. Moreover, the public is demanding greater diligence in light of the national reports of deaths resulting from medical errors. Successful completion of a background check does not guarantee licensure or employment after graduation. Full acceptance into the nursing program is contingent upon satisfactory results.

Timing
All background checks will be conducted as a condition of full acceptance into LU nursing program. Verification must be received from the designated company prior to being fully admitted to the nursing program. The results will be accepted for the duration of the student’s enrollment in the nursing program if the participating student has not had a break in the nursing program and if the student has had no convictions while enrolled. A break in enrollment is defined as nonattendance of one full semester or more. Attendance must be verifiable through the university.

The Department of Nursing will designate the company selected to do the criminal background screening. The Department of Nursing will not accept criminal background screening results from any company other than the one designated by the Department of Nursing. The student will pay the cost of the criminal background screening at the time of the screening. The cost is non-refundable.

Process
Criminal background checks will be performed by an external vendor and will review the student’s criminal history. The check should include the cities and counties of all known residences. Criminal background checks must include a person’s criminal history for seven years prior to the date of application. The following histories will disqualify an individual from consideration for admission in the nursing program:

Misdemeanor convictions/deferred adjudication or felony convictions/deferred adjudications involving crimes against persons;
Misdemeanor convictions/deferred adjudication related to moral turpitude;
Misdemeanor/felony convictions/deferred adjudications for the sale, possession, distribution, or transfer of narcotics or controlled substances; Registered sex offenders.

Individuals with any of the above histories will not be eligible to enroll in the nursing program, and if the history is discovered or a conviction occurs after enrollment, the student will be required to withdraw from the program. A student who is convicted of a criminal offense while enrolled in the program must report the conviction to the Department Chair within three days of the conviction. The term conviction for these purposes includes probated sentences and deferred adjudications.

A student may be considered for admission to the program if the Board of Nurse Examiners for the State of Texas issues a Declaratory Order stating the individual is eligible for initial licensure or license renewal.

Notes:
1. The student should be aware that the disqualifications listed above are used for employment eligibility by most hospitals in Texas.
2. Completion of a specific program will be determined by the student’s ability to successfully complete the required clinical rotations.
3. Clinical rotations are completed at sites specified by and contracted with Lamar University. Lamar University will not locate or provide alternative sites for clinical rotations for student ineligible to attend clinical rotations at the specified sites.

**Compliance and Record Keeping**

The vendor will notify Lamar University (Department of Nursing Chair) of all individuals who fail a criminal background check. Verification sent by the vendor to LU will include only the student’s name and social security number.

The LU Department of Nursing will send verification on adherence to the policy to the clinical affiliate prior to the clinical rotation start date. Verification is accomplished by sending a letter from the Department of Nursing on letterhead stating that these standards have been met by the student, listing the student’s full name and clinical rotation start date. If more than one student is attending a clinical rotation, a comprehensive list with all of the student’s names may be submitted.

Notes: Verification information will be filed in a secured area to ensure confidentiality. In the event that the student feels that an error has been made in the results of the criminal background check, it is the responsibility of the student to contact the external vendor for a verification check and the student is responsible for any cost associated with this check. Other than error relative to identify, there will be no appeal of this policy.