

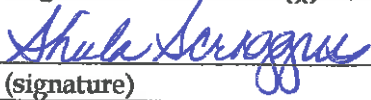
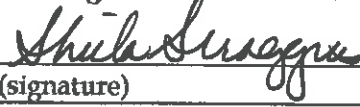


Manual: POLICIES AND PROCEDURES
 Policy Procedure

Section: ADMISSIONS

Number: 001.1

Title: **Criminal Background (Convictions) & Drug Screen (Pre-Admission) Policy - ADDENDUM 1.1**

Originator: Sheila Scroggins, Director of Nursing  (signature) February 18, 2011 (Date)	
Committee Member: (signature) (Date)	Date Approved: Full Faculty Meeting (2/18/11) Approval Date for Survey Votes (Quorum): 4/12/2011
Current Content Expert: NA (signature) (Date)	Nursing Director: Sheila Scroggins  (signature) 4/12/2011 (Date)
Effective Date: SPRING 2011	
<input type="checkbox"/> New <input type="checkbox"/> Reviewed (no changes) <input checked="" type="checkbox"/> Revised Replaces: 4/23/10	

Pre-Admission Criminal Background and Drug Screening Policy

It is the policy of the Yuba College Department of Nursing to adhere to all policies of the clinical facilities with which the College affiliates for student clinical learning experiences. Current clinical facilities require drug testing and criminal background screening of all students. Applicants must complete and clear a criminal background check and demonstrate a negative drug screen before admission in the nursing program. Failure to complete the background or drug screening in accordance with the policy detailed below will result in denial of admission in the program.

The College will designate the company to do the drug testing and criminal background screening. The College will not accept drug and criminal background screening results from any company other than the one designated by the College.

Applicants are responsible for all costs associated with the criminal background checks and drug screening. Applicants must further agree that all results will be released to the Director of Nursing and/or the Director's authorized designee.

Background Check and Drug Screening Process

As stated above, Yuba College will designate the company to do the drug testing and criminal background screening and will not accept drug and criminal background screening results from any other company. At an informational meeting, an individual conference, or through the mail (postal or electronic), the student will be given a packet containing detailed instructions for

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completing the background check and drug screening test. Students who deviate from these instructions will not be admitted.

Any applicant who has any concerns about the drug screening or criminal background check is encouraged to contact the Director of Nursing for confidential advising prior to completing either procedure.

Criminal Background Checks

In 2004, the Joint Commission for Healthcare Accreditation passed a standard that staff, students, and volunteers who work in the same capacity as staff who provide care, treatment, and services obtain criminal background checks when required by law and regulation and organization policy. The most common form of background investigation is a review of the applicant's criminal conviction history for a seven year period.

Existence of convictions will not necessarily disqualify an applicant from admission. However, failure to fully disclose the existence of convictions may be considered falsification of a record and will result in offer of admission being rescinded; and is grounds for immediate termination upon discovery at any time during enrollment. Furthermore, students who fail to fully disclose the existence of convictions will not be eligible to reapply.

Exclusions from Clinical Placement

It is ultimately the clinical agencies right to permit students into their facilities for clinical rotations. In accordance with the clinical agencies used by Yuba College, a student will be excluded from participating in clinical rotations and therefore unable to enroll in Yuba College nursing programs for the following background check results.

Convictions including, but not limited to:

- Any felony within the past 7 years*
- Any misdemeanor conviction within the past 3 years*
- Crimes against persons*
- Crimes against property*
- Crimes involving drugs*
- Driving Under the Influence of drugs or alcohol (in accordance with above time frames for felony or misdemeanor)*
- Medicare/Medicaid fraud
- Any crime resulting in the requirement to register as a sex offender

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*Note: Felony or misdemeanor convictions involving crimes against persons or property, any drug charges, and driving under the influence must fall outside the above timelines for students to be eligible for admission.

An applicant denied admission due to criminal history not meeting clinical affiliates placement standards may submit a new application to the program (if they want to be considered for admission) and repeat screening when able to meet the established pre-admission screening requirements.

An applicant denied admission due to criminal history restrictions set by state/federal statute or hospital policy **may not reapply to the program.**

Any applicant having any concerns about the criminal background check is encouraged to contact the Director of Nursing for a confidential discussion of this issue prior to completing the request for a background check.

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Drug Screening

The Department of Nursing maintains a “no tolerance” policy regarding substance abuse. Prior to admission, applicants must complete a urine drug test. Either a positive test result (of illegal drugs) or failure to complete the drug test will result in the offer of admission being withdrawn. An applicant denied admission due to a positive drug test (for illegal substances) or failure to complete the drug test may make a new application to the nursing program (if want to be considered for admission) and begin the admission process again in accordance to established procedure. The applicant will not be granted any special consideration in priority and is eligible to re-apply only once.

(Note: The California Supreme Court has ruled that prescriptions for marijuana do not exempt users from workplace rules, and they may be fired for a drug test that is positive for marijuana. Accordingly, any student who tests positive will not be eligible for admission as defined in this policy).

****LEGAL DRUGS - Clinical Agencies prohibit students who are taking, (or under the influence of) any (DEA) Schedule II, and some Schedule I, III and IV drugs from participating in a clinical setting--even with a valid prescription. If a student is using a legal psychoactive drug at the direction of a health care provider, the student is required to report to the Director of Nursing for review of the information prior to the start of the program, or course in program. Such information will be maintained in a confidential, secured file by the Director of Nursing. This information may preclude the student from participating in clinical, but will be discussed with the student individually. Students who are determined by the Clinical Agency as “ineligible” due to the use of legal drugs, will have their progression evaluated on a case by case determination by the Director of Nursing.***

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Background Check/Drug Screening Results

The results of the applicant's background check and drug screening will be emailed to the Director of Nursing or the director's authorized designee. These results are confidential and will be kept in files separate from the student's academic file. The Director of Nursing will inform the student if findings potentially or conclusively exclude them from admission.

Criminal Convictions

A student convicted of a criminal offense while enrolled in a nursing clinical program must report the conviction to the Director of Nursing within five days of the conviction. Such convictions are likely to render the student unable to participate at any clinical site, in which case the student will be removed from the nursing clinical program in which he or she is enrolled.

Note: Even if a student is convicted of a criminal offense while enrolled in the nursing clinical program and succeeds in completing the program because he or she did not disclose this conviction to the Director of Nursing, he or she will be subject to further background checks prior to testing for licensure and may be prevented from ever becoming licensed.

Any student having any concerns about drug screening, criminal background checks, or criminal convictions is encouraged to contact the Director of Nursing for a confidential advising.

Approved and Signed: 4/12/11
S. Scroggins, DON