

Criminal Background Checks Policy

Background

As a result of growing nationwide concerns regarding the suitability of today's health care providers, many hospitals, health care systems, clinics, physician offices, or pharmacies providing health care services require disclosure of an individual's criminal history. In addition, many state statutes also require disclosure of an individual's criminal history in order to apply for certain health professional certificates, registrations, and licenses. Existence of a criminal history may subject an individual to denial of an initial application for a certificate, registration, or license to practice in a clinical setting or result in the revocation or suspension of an existing certificate, registration, or license. In response to this growing trend, Appalachian College of Pharmacy ("ACP") requires students to submit to criminal background checks.

It is the policy of ACP that all accepted students must submit to a criminal background check prior to matriculation. In addition, students who remain enrolled may be required to submit to an additional criminal background check as needed to remain eligible for continued participation and/or to participate in experiential rotations. In some cases, ACP may obtain public record information from consumer reporting agencies as well.

The criminal background check involves obtaining an authorization from a matriculating or current student that allows ACP to obtain the student's individual criminal history from Certiphi Screening, Inc. or one of its subsidiaries. The results of the background check are reviewed by Assistant Dean of Student and Alumni Affairs to determine whether or not there is a record of misdemeanor and/or felony convictions. If there is a positive record, the Assistant Dean of Student and Alumni Affairs will inform the ACP legal counsel and the Dean so ACP can make a determination whether the criminal history will negatively impact the student's admission status or is anticipated to affect the student's ability to complete the experiential rotation requirements of the degree program.

Criminal background checks are conducted by a third party, Certiphi Screening, Inc., or one of its subsidiaries, as part of the initial student matriculation process and on an as-needed basis thereafter while a student is actively enrolled at ACP.

Policy

1. All matriculating students must complete the Disclosure and Authorization for Criminal Background Check Form, to allow ACP to use the criminal background information for its own review and to allow ACP to disclose the information to experiential rotation sites, as needed.
2. Accepted applicants will then request a criminal background check from Certiphi Screening, Inc. or one of its subsidiaries and will authorize the results to be released to ACP.
3. The Assistant Dean of Student and Alumni Affairs will review all criminal background reports and determine whether or not a misdemeanor or felony conviction record exists,

and whether further investigation is needed. The investigation may include any of the following components:

- A. Request for additional detailed information about the criminal background check report. This may entail one or more meetings and further communications with the student.
- B. Consultation with the state licensing agency of the state in which the student is enrolled about the impact of the misdemeanor or felony conviction on the student's ability to undertake/resume experiential rotations. Such consultation may be conducted by ACP legal counsel and/or the Assistant Dean of Student and Alumni Affairs with representatives from the state licensing agency.
- C. Collection of additional data, *e.g.*, Federal Bureau of Investigation fingerprints and report, additional criminal background check reports, or consumer reports.

Following any criminal background investigation, the Assistant Dean of Student and Alumni Affairs, in consultation with ACP legal counsel and the Dean will determine whether or not the student should be disqualified from matriculation or continued enrollment. Criminal convictions will not automatically disqualify a student from enrollment or continued enrollment. ACP will consider such factors as (but not limited to) the nature of the crime, the age of the individual at the time the crime was committed, length of time since the conviction, the nature of the clinical program and the relationship it has to the conviction, and whether ACP will be able to provide appropriate professional clinical training to the student. If an adverse action is taken based on a criminal background report, the student will be provided with a copy of the report as well as a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act."

4. Failure to disclose a conviction or material misrepresentation of information by an incoming or enrolled student is deemed to be falsification of the application and may result in denial of admission, matriculation and/or dismissal from ACP.
5. Failure of the student to authorize a criminal background check will bar the student from initial matriculation and/or continued enrollment.
6. Students with a criminal history are individually responsible for checking the licensing and certification requirements in any state other than Virginia where the student is interested in participating in a preceptorship, internship, clinic, or other experiential rotation to determine whether or not their conviction may be a barrier to participation.
7. Students are required to disclose, within seven days, to the Assistant Dean of Student and Alumni Affairs and/or the Dean any arrests, criminal charges, or convictions against them during their entire period of enrollment as a student at ACP. Such arrests, criminal charges, or convictions may negatively impact a student's ability to remain enrolled at ACP or to obtain and/or complete experiential rotations.
8. ACP does not guarantee experiential rotations for students who have a history of felony or misdemeanor convictions. In such cases, ACP confidentially shares information about

the student's criminal background history with potential practice site representatives as necessary and on a need-to-know basis. This may include releasing a copy of the original Criminal Background Check report or consumer report for the site's review. This gives the site representatives an opportunity to decide whether the student is acceptable to the site. Due to the time to process/evaluate the records of students with criminal histories, scheduling and completion of experiential rotations and graduation may be delayed. In some instances, it will not be possible to arrange for experiential rotations at specific sites as a result of criminal history.

- A. If the student's criminal history is known by ACP prior to the student's matriculation, the Assistant Dean of Student and Alumni Affairs and/or Academic Dean (or their designee) will meet with the potential student to discuss the consequences of the criminal history on the student's ability to complete degree requirements so that appropriate action can be taken.
 - B. If this information becomes known by ACP after the student's matriculation, the Assistant Dean of Student and Alumni Affairs and/or Dean (or their designee) will meet with the student to discuss the consequences of the criminal history on the student's ability to start/resume experiential rotations and the student's ability to graduate so that appropriate action can be taken.
9. Records concerning a student's positive criminal background check are stored in a confidential file in Office of the Director of Academic Records and Admissions.