

# **Criminal Background Check/Drug Screen Policy for Conditionally Admitted Students**

## **University of Kentucky College of Pharmacy**

### **A. Introduction**

Criminal background checks (CBC) and drug screens (DS) are becoming standard for employment, especially at health care facilities, in order to enhance the safety and well-being of patients. In addition, both may be required prior to granting of licenses or permits to practice by regulatory boards. Such requirements are in place for students who rotate through health care facilities as part of required educational experiences. The College of Pharmacy is being asked to attest that criminal background checks and drug screens, plus other requirements (e.g., CPR, HIPAA compliance, health insurance, immunizations etc.) have been completed prior to students being allowed in clinical education sites. If students are not eligible for entry to clinical education sites required to complete their degree, they are not eligible for admission to the college.

Level one admission CBCs and DSs will therefore be performed on conditionally admitted students to the College of Pharmacy. A conditionally admitted student is one who has been given an initial offer of admission, but who has not yet satisfied all of the requirements for full admission. Subsequent CBCs and DSs will be required prior to participation or continuation in experiential education courses if the most recent CBC and DS is more than one-year-old.

The presence of a criminal record does not mean automatic denial of admission. Failure to fully truthfully disclose the details of a criminal record however, can be a basis for denial.

### **B. Applicability, Expenses, Policy Statement and Disclosure**

Conditionally admitted applicants must consent to, and satisfactorily complete a criminal background check and drug screen prior to final acceptance and matriculation into the College of Pharmacy. Enrollment will not be final until the completion of the admission CBC and DS with results deemed acceptable by the College. All expenses associated with admission CBCs and DSs are the responsibility of the applicant. Applicants who do not consent to the required CBC and/or DS, refuse to provide information necessary to conduct either, or provide false or misleading information or samples in regard to the CBC and/or DS, will be subject to disciplinary action up to, and including, refusal of admission or dismissal from the program if the infraction is discovered after admission.

By accepting admission to the College of Pharmacy the applicant also gives permission to the College of Pharmacy to conduct initial (admission) and subsequent CBCs and DSs as needed. If there is ever concern by

the College of Pharmacy as to whether a student would be acceptable to any site, they may be asked to give their permission for the College of Pharmacy to disclose the results of their CBCs and DSs to the sites where the student may do experiential education rotations.

Please understand that acceptable CBC and DS by the College of Pharmacy for admission do not guarantee that a student will be eligible to complete the program or obtain a pharmacy license to practice upon graduation. A clinical education site or any regulatory board may interpret CBC and DS information more severely, or uncover new information not revealed in previous checks and/or screens making the student ineligible to complete the program.

### C. Procedures and Conditions

As part of the Supplemental Application to the College of Pharmacy, applicants will be asked questions regarding their criminal background and given the opportunity to explain any incidents reported. For the purposes of this policy, a conviction is considered to be a guilty plea, a guilty verdict, an Alford Plea or a Nolo Contendere (No Contest) plea. Answers to such questions do not necessarily disqualify a student

from admission, but failure to truthfully disclose information will be grounds for discipline up to and including withdrawal of conditional acceptance or termination from the program.

Answers to the above questions are kept as confidential as possible and screened by the Director of Admissions. Information will be retained by the college separate from other student educational and academic records and are not shared with the admissions committee but evaluated by a four member CBC/DS Advisory committee separate from the Admissions Committee. The CBC/DS Advisory committee reports to the Dean as to the potential seriousness of the information disclosed and any explanations provided by the student. The CBC/DS Advisory Committee makes a recommendation as to any stipulations or requirements placed on potential conditional admission. The Dean then makes a decision as to whether this information affects the relative ranking among all applicants to the program.

When applicants are given conditional acceptance to the College of Pharmacy they will be provided with information regarding the performance of an admission CBC and DS. Failure to have both the admission CBC and DS performed within the deadlines specified may result in revocation of conditional admission.

Information from the CBCs and DSs are also kept as confidential as possible, are not shared with the admissions committee, and are retained in a file separate from other educational and academic records. Information from CBCs and DSs is evaluated on a case by case basis by the Director of Admissions.

Information disclosed by the criminal background check that was not disclosed by the applicant in the Supplemental Application, as well as information from the drug screen, may also result in revocation of conditional acceptance. Applicants have access to the results of the criminal background check and drug screen, and are responsible for ensuring the accuracy of the information. It is the responsibility of the conditionally admitted applicant to ensure that any misinformation in the initial criminal background check and drug screen report is corrected, and to ensure that a written statement with supporting documentation indicating the correction is submitted to the Director of Admissions within 10 days of results being reported.

Conditional admission may be revoked by the Director of Admissions on the basis of information appearing in the CBC that was not disclosed by the applicant in the Supplemental Application, by the absolute bars to admission described below, or by the results of a DS positive for banned substances or psychoactive substances without a prescription (except for medications available without a prescription).

If conditional admission is revoked the applicant may appeal the decision to the CBC/DS Advisory committee through the Director of Admissions within 10 working days of notification, provide any additional information the applicant feels important, and appear in person before the advisory committee if they wish. The advisory committee will then make a recommendation to the Dean. Applicants may be admitted, admitted with specific stipulations for continuing in the program, or have admission revoked. The decision of the Dean regarding the revocation of the offer of admission, and any stipulations for admission and continuation, is final and cannot be appealed. Applicants who are admitted with stipulations, but who do not follow those stipulations, forfeit their admission and/or are subject to dismissal with due process.

#### D. Factors affecting decisions from CBCs and DSs

Factors in affecting decisions on applicants may include, but are not limited to;

- i. the nature, circumstances, and frequency of any reported offense(s)
- ii. the length of time since the offense(s) were committed
- iii. whether the pattern of the offenses indicates a continuing behavior pattern
- iv. available information that addresses efforts at rehabilitation
- v. the accuracy of the information provided by the applicant in their application materials
- vi. the relationship between the responsibilities of a student pharmacist participating in the educational program and the offense(s) committed.

Absolute bars to admission from information disclosed in CBCs include

- i. Crimes involving abuse of a dependent person.
- ii. Child sexual offenses.
- iii. Murder conviction.
- iv. Felony drug trafficking.

E. Absolute bars to admission from DSs include the presence of banned substances or psychoactive medications without a prescription, except for medications available without a prescription.