

I. POLICY

SOM and SHP Criminal Background Checks Policy

II. PURPOSE

Student criminal background checks (CBCs) serve to meet the compliance requirements of regulatory bodies and our affiliate hospitals, to identify applicants who may not be able to participate in clinical rotations/internships or obtain professional licensure, and to assure the safety and well-being of students, patients, and employees of Old Dominion University (ODU). As such, it is the policy of the Macon & Joan Brock Virginia Health Sciences Eastern Virginia Medical School (SOM) and the Macon & Joan Brock Virginia Health Sciences EVMS School of Health Professions (SHP) that CBCs are mandatory for all incoming and visiting students. (Please note, however, that CBCs are not a part of the application or interview process.) All CBCs will be reviewed in accordance with the procedure set forth below and information derived from a CBC will neither be used to make a decision about, nor automatically disqualify, any applicant from acceptance to the SOM or SHP. This process also applies to students visiting from other educational institutions, and students who were previously in attendance and are returning from a withdrawal.

III. PROCESS

A. Initiating the Process.

1. *Matriculating Students.*

- a. **SOM Students:** All matriculating SOM students are required to complete a mandatory criminal background and sex offender registry through the American Medical College Application Service (AMCAS). Upon request, students must provide the appropriate authorization and information to initiate the process within seven (7) business days of receiving an email from [Certiphi Screening, Inc.](#) The process for reviewing criminal background checks can be found on the [Institutional Policies and Handbooks web page](#).
- b. **SHP Students:** All matriculating SHP students, including non-degree-seeking students, are required to complete their CBC within ten (10) days of acceptance. Instructions on completing the CBC process with an institutional vendor will be provided upon acceptance.
- c. **Early Assurance Programs (EAP) and Deferred Applicants:** All incoming EAP and Deferred applicants must submit two background checks. The first must be completed within ten (10) days of initial acceptance, and the second must be submitted thirty (30) days prior to matriculation.
- d. **Late Acceptances:** If a student receives an acceptance notice less than ten (10) days business days before orientation/matriculation, they must provide consent to release or conduct the CBC within ten (10) days business days of receiving the offer. Failure to comply will result in the withdrawal of the offer.
- e. **International Students:** Foreign nationals who have been in the United States for more than one year, as well as Canadian citizens and residents, are required to complete a background check through the institutional vendor. All other

international students attending on-campus classes are not required to complete the institutional background check.

- f. **Students Returning from a Leave of Absence or Withdrawal:** Returning students from a leave of absence and a withdrawal are also required to complete a CBC. Instructions will be provided on how to complete the process using the institutional vendor.

Admissions and Enrollment will ensure that all matriculating students complete a CBC before matriculation. Any negative findings from the background checks will be referred to the ODU Police for further review and recommendation. If no further action is recommended, the onboarding process will continue. If further action is recommended, the SOM and SHP Assistant Vice Dean for Admissions and Enrollment will be notified, and Admissions and Enrollment staff will await further instructions.

2. *Visiting Students.* All visiting students from another educational institution, who are coming to the SOM or a SHP program for a clinical or other rotation, must provide a CBC from their home institution that is not more than one (1) year old to the [Visiting Student office](#). Such CBC shall be sent to ODU Police and reviewed as set forth in this procedure.

B. Student Explanation.

Upon receipt of a student CBC with a hit, the SOM and SHP Assistant Vice Dean for Admissions and Enrollment shall review the student's application to determine if the criminal history was disclosed and/or explained on the student's application. If the criminal history was not disclosed on the student's application, or if the explanation on the application does not sufficiently explain the incident, Admissions staff shall send the CBC report to the student and request a detailed written explanation of the criminal history (including a request for any reason why the charge/incident was not disclosed on the student's application, if applicable). This explanation along with the CBC shall be sent to ODU Police for review.

C. Review by Old Dominion University Police Department.

CBCs with a hit status shall be sent to the ODU Police for review. Charges involving violence or threats of violence shall be referred to the Threat Education Assessment Management Team (T.E.A.M.) and ODU Police shall simultaneously notify the SOM and SHP Assistant Vice Dean for Admissions and Enrollment and T.E.A.M. Coordinator of such referral. All other charges will be referred back to the SOM and SHP Assistant Vice Dean for Admissions and Enrollment for review by the CBC Committee (see below).

D. Threat Education Assessment Management Team Review.

Upon receipt of a referral by the T.E.A.M. Coordinator from the ODU Police, T.E.A.M. will review the CBC, the student's explanation and any other supporting documentation and assess whether charges on the CBC are indicative of a future risk to ODU, its patients, employees, students and/or the community at large. T.E.A.M. may also request that the student provide additional information/records or have the student appear in person. Any records requested

must be provided by the student within ten (10) days of the request. Upon receipt of all requested information and/or interview of the student, T.E.A.M. members will review all facts and provide a threat assessment to the CBC Review Committee. Review may be conducted electronically at the discretion of T.E.A.M. If no information is provided, or the student does not appear as requested, the recommendation will automatically be “withdraw admission offer” and the student’s failure to cooperate will be noted. The recommendation by T.E.A.M. will be documented and referred to the CBC Review Committee for review, as described below.

E. CBC Review Committee.

Upon referral of a hit by ODU Police, or a recommendation by T.E.A.M., the SOM and SHP Assistant Vice Dean for Admissions and Enrollment shall convene the CBC Review Committee, which shall consist of the following:

1. SOM and SHP Assistant Vice Dean for Admissions and Enrollment as Chair;
2. Macon & Joan Brock Virginia Health Sciences Senior Associate Vice President of Diversity and Inclusion;
3. For SHP Programs: (1) Program Director and (2) Senior Associate Vice President & Dean of the School of Health Professions (or designees);
4. For the SOM: Chair of the Doctor of Medicine (MD) Admissions Committee (or designee) and a member of the Doctor of Medicine (MD) Admissions Committee
5. Macon & Joan Brock Virginia Health Sciences Associate Vice President of Compliance and Legal Services (non-voting); and
6. Ad hoc members as the Chair may deem appropriate.

The CBC Review Committee will be responsible for reviewing the criminal background report, any T.E.A.M. recommendation, and any other information that was provided and that may be relevant to the final admission decision of the conditionally admitted student. The CBC Review Committee shall consider factors such as the best interests of the program, the number of offenses, the nature, and seriousness of each offense, the circumstances under which each offense occurred and any mitigating circumstances present, the age of the student when each offense was committed and the length of time that has passed since each offense.

Upon review and discussion of all facts the members of the CBC Review Committee shall, by majority vote, determine whether the offer of admission shall be withdrawn. Any CBC Review Committee member who knows, or has a real or perceived conflict of interest with regard to, the student being reviewed shall abstain from acting or voting in such instances and shall notify the CBC Review Committee Chair as soon as such conflict is known.

The CBC Review Committee will document its decision, in writing, for final action by the SOM and SHP Assistant Vice Dean for Admissions and Enrollment, as described below.

F. Final Action.

If the CBC Committee votes to withdraw acceptance, the SOM and SHP Assistant Vice Dean for Admissions and Enrollment shall notify the student within 10 business days of a decision having been made. Notices shall be in writing and, in accordance with the Fair Credit Reporting Act, the student shall be advised that the CBC report was used in making the decision.

IV. UPDATES

Matriculated students/students in attendance have an obligation to notify VHS SOM or SHP, as applicable, of any misdemeanor or felony charges, convictions, or pleas made after the date of the CBC. Notification shall be made to the SOM and SHP Assistant Vice Dean for Student Affairs, in writing, within fifteen (15) days of the occurrence unless the conviction is drug or alcohol related. Students convicted of a drug or alcohol related offense must notify the SOM and SHP Assistant Vice Dean for Student Affairs within five (5) days of such conviction. All charges and convictions will be reviewed in accordance with this CBC procedure outlined above. In addition, such conviction may be grounds for disciplinary action by the student's Program or Student Progress Committee. For drug convictions, ODU may also be required to notify the appropriate federal agency within if the student is receiving federal loans. Failing to disclose a charge or conviction of this section will be a violation of the SOM and SHP Expectations for Student Conduct Policy.

V. CBC REPORT RECORDKEEPING

CBC reports, any supporting documentation, and any actions or referrals shall be part of the admissions record until such time as the student matriculates. The record will then be transferred to the student's academic file and copies will be available to the student, upon request, for purposes of providing CBC verification to rotation/clinical sites. For non-degree seeking students and visiting students, the record will be maintained in the Registrar's office. All records will be maintained and destroyed in accordance with the Family Educational Rights and Privacy Act and the Commonwealth's Records Retention Schedules.