

## SCHOOL OF NURSING

### CRIMINAL HISTORY CHECK AND URINE DRUG SCREEN POLICY

#### **Rationale and Purpose**

The Oakland University School of Nursing (SON) has determined that all students applying for admission and/or who have been conditionally admitted into the SON (Students) must complete both a criminal history check (CHC) and a urine drug screen (UDS). In addition, enrolled SON students must update their CHC and UDS annually and/or periodically at the request and discretion of the SON. Any Student who does not comply with this SON Criminal History Check and Urine Drug Screen Policy will forfeit their admission/current-enrollment status in the SON and must re-apply if they wish to be considered for admission/readmission to the SON at a later date.

The SON's decision to utilize CHCs and UDSs for admission and continuing enrollment purposes is consistent with the recommendations of the Joint Commission on the Accreditation of Healthcare Organizations, the American Nurses Association Code of Ethics, the policies of most SON clinical affiliates, and State of Michigan and Federal laws (Laws), respectively.

Under the applicable Laws, individuals who will regularly have direct access to or provides direct services to patients or residents in a health facility or agency that is a nursing home, county medical care facility, hospice, hospital that provides swing bed services, home for the aged, home health agency or adult foster care facility, may not be granted clinical privileges if the individual has been convicted of certain felonies or misdemeanors (Crimes). Depending on the Crime, the period of exclusion from clinical privileges may be *permanent*, or for *15, 10, 5, 3, or 1 year(s)*. Crimes that may preclude the granting of clinical privileges for some period of time and therefore clinical placements include, for example, felonies and misdemeanors involving: the intent to cause death or serious impairment of a body function; cruelty or torture; criminal sexual conduct; abuse or neglect; the use of a firearm or dangerous weapon; diversion or adulteration of a prescription drug or other medication; home invasion; embezzlement; negligent homicide; retail fraud; larceny; assault; fraud; theft; and the possession or delivery of a controlled substance. The SON also maintains a no tolerance policy for substance abuse. A positive UDS precludes admission and continuing enrollment in the SON, and also precludes eligibility for clinical placements.

Most SON clinical affiliates require that Students be eligible to be granted clinical privileges under the Laws and have a negative drug screen before a Student will be accepted for a clinical placement.

#### **Criminal History Check:**

All Students must obtain a CHC at the Student's own expense. The results of the CHC must be submitted to the School of Nursing Dean's Office no later than **[identify time period with specificity]** prior to the start of the Student's first semester in the SON.

In addition, any currently enrolled Student who has been convicted of a Crime must contact the School of Nursing Dean's Office (248-364-8787) immediately. Conviction of a Crime may preclude continued enrollment in the SON and/or eligibility for clinical placement.

### **Urine Drug Screen:**

All Students must obtain a UDS at the Student's own expense. The results of the UDS must be submitted to the School of Nursing Dean's Office no later than **[identify same time period stated above]** prior to the start of the Student's first semester in the SON. A negative UDS is a requirement to begin the nursing program. An annual negative UDS must be submitted to verify continued enrollment and eligibility for clinical placement.

### **Clinical Placements:**

Students may also be required to obtain additional CHCs and UDSs by the SON's clinical affiliate at which they are accepted, which will also be at the Student's own expense.

### **Other Sources to Consult:**

When the SON is making its decisions on admission, continued enrollment and/or a clinical placement, and when otherwise deemed necessary by the SON, the SON may seek input from various other sources, including, for example, representatives from the University's offices of Admissions or Legal Affairs, or the Oakland University Police Department (University Representatives).

### **Confidentiality of Information:**

All information relating to Student CHCs and UDSs, whether obtained prior to or after admission or after the information has been used, will be stored and managed in confidence by the SON and University Representatives. The principles of the Family Educational Rights and Privacy Act and the regulations promulgated thereunder, specifically those at CFR §99.31 regarding disclosures to individuals and entities determined to have legitimate educational interests, are incorporated into this SON Criminal History Check and Urine Drug Screen Policy and will govern access to such confidential information. Therefore, generally, all information contained in the Student's self-reported information, if any, and the information in the CHC and UDS reports will be stored and maintained in confidence (Confidential Information). Specifically, any information that is unrelated to decisions about admission, continued enrollment and clinical placements; and information entered by the Student regarding the Student's criminal history in the SON's application, or otherwise shall be Confidential Information:

All such Confidential Information will be maintained in and by the SON in a separate file, apart from a Student's academic file, for seven (7) calendar years from the date a Student's application was first received by the SON if the Student was ultimately admitted, and eighteen (18) calendar months from the date a Student's application was first received by the SON if the Student was ultimately not admitted.

**Limitation of Effect and Other SON Policies and Procedures:**

This SON Criminal History Check and Urine Drug Screen Policy deals only with admission, continued enrollment, and clinical placement decisions for Students whose CHCs and/or UDSs reveals information of concern. This SON Criminal History Check and Urine Drug Screen Policy is not intended to, nor does it address other policies or procedures for the admission, continued enrollment, or clinical placement decisions for applicants or Students with medical, physical, psychiatric, or other conditions or disabilities.

**Management Materials:**

The SON may develop and use, and periodically revise or discard, forms designed to manage this SON Criminal History Check and Urine Drug Screen Policy (i.e. Authorizations, decision trees, forms and other written materials).