

**West Virginia University School of Dentistry  
Resident and Student Criminal Background Investigation Policy**

**Approved  
07-24-08**



**WEST VIRGINIA UNIVERSITY**  
School of Dentistry

**West Virginia University School of Dentistry  
Resident and Student Background Investigation Policy**

**Table of Contents**

|             |   |          |
|-------------|---|----------|
| <b>I.</b>   | Rationale and Applicability                           | <b>3</b> |
| <b>II.</b>  | Criminal Background Investigation Policy              | <b>4</b> |
| <b>III.</b> | Procedures  | <b>5</b> |
| <b>IV.</b>  | Criminal Background Investigations Pass/Fail Criteria | <b>7</b> |
| <b>V.</b>   | Student Rights  | <b>8</b> |
| <b>VI.</b>  | Confidentiality and Record Keeping                    | <b>9</b> |
| <b>VII.</b> | Enforcement and Monitoring                            | <b>9</b> |

# **West Virginia University School of Dentistry**

## **Resident and Student Criminal Background Investigation Policy**

### **I. Rationale and Applicability**

The West Virginia University School of Dentistry (WVUSoD) is committed to excellence in education and patient care and upholding the integrity of West Virginia University and the dental profession. The rationale for a criminal background investigation (CBI) policy is to foster patient well-being, safeguard the longstanding trust of the public in the dental profession, and cultivate the highest level of learning environment.

CBI is a mandatory component of pre-matriculation procedures for provisionally accepted candidates to WVUSoD education programs. Final decisions concerning matriculation will be based on findings in the (CBI) report and self-disclosed information. The CBI is independent of the WVUSoD application, interview and selection processes for all education programs. Provisionally accepted candidates to the WVUSoD education programs must consent to and pass a criminal background investigation prior to final acceptance.

## II. Criminal Background Investigation Policy

Residents and students in the WVUSoD programs must undergo a criminal background investigation at their own expense. The two-part screening consists of a formal criminal background investigation and evaluation of self-disclosed information prior to final acceptance in the WVUSoD programs. The WVUSoD identifies and coordinates with an agency experienced in health professional criminal background investigations. All provisionally admitted students must sign a consent for the WVUSoD to release their name, social security number as reported in their application, date of birth, and email address to the designated agency for the purpose of a criminal background investigation. The WVUSoD refers student's information directly to the CBI agency to initiate the investigation. Results of background investigations will be released to the individual student and the WVUSoD. Upon approval of the CBI findings by the WVUSoD, individuals will receive a CBI notification letter regarding the final disposition for his or her application. The criminal background investigation agency is not involved in admission decisions by the WVUSoD.

Individuals will no longer be considered for admission in the education program for the application cycle for which they have applied who:

- a). refuse to consent to the required background investigation,
- b). refuse to provide information necessary to conduct the background investigation or
- c). provide false, misleading or incomplete information in regard to the background investigation.

Any individual who has been admitted into a WVUSoD education program and is found to have falsified information related to the background investigation will be subject to disciplinary action, up to and including dismissal from the program.

### **III. Procedures**

Effective as of the date of this policy, residents and students who receive provisional acceptance to a WVUSoD program must consent to and pass a CBI at their own expense prior to final acceptance. CBI will be conducted by an agency selected by the WVUSoD. **(Attachment I)**

1. Individuals who have been provisionally accepted in the WVUSoD will receive a letter from the Dental Admissions, Recruitment and Access Office, detailing to them the criminal background investigation requirement and procedure. Provisionally accepted dental hygiene applicants will receive a similar letter from the Dental Hygiene Program. The CBI will screen for a). Social Security Number Validation and Verification, b). Statewide, Federal and National and International Criminal Records and c). Sexual Offenses.
2. Individuals must sign a consent form that authorizes WVUSoD to release the person's name, social security number, date of birth, and e-mail address to a designated background screening agency for the purpose of conducting a criminal background investigation. **(Attachment II)** Individuals who refuse to consent or do not answer all necessary inquiries truthfully and completely will not be allowed to enter a WVUSoD program.
3. CBI must be completed within 30 days of receipt of provisionally accepted candidate's acceptance response and approved prior to the first day of class or residency program, except in individually considered cases of late matriculation. Candidates on the alternate list are strongly encouraged to

complete the CBI at their own expense to expedite the admissions process in the event they are selected to fill a late-notice vacancy in the class or residency program. Alternate candidates who have completed a CBI will be given priority if a late-notice vacancy becomes available.

4. CBI reports will be released by the screening agency simultaneously to the student and the WVUSoD.
5. The CBI will include a record of all convictions and criminal sexual offenses. Only conviction information will be considered by the WVUSoD. For purposes of this policy, a "conviction" is considered to be a verdict, a guilty plea or a "No Contest" plea. Each CBI will be conducted by name (current and former), social security number and date of birth. The CBI will include criminal records and a review of the registries of reports of child, spouse, and dependent and non-dependent adult abuse. The WVUSoD will not consider records that have been expunged. If the investigation reveals information that could be relevant to the individual's suitability for enrollment, the designated person or committee within the WVUSoD may request additional information from the individual. If the investigation reveals anything more than minor traffic convictions, it shall be evaluated by a designated WVUSoD committee.
6. Notice of Completion of CBI. The designated person(s) within the WVUSoD will review all CBI results. A background investigation notification letter will be sent to all individuals who have undergone the CBI. If adverse information deemed to be relevant to the individual's suitability for enrollment is contained in the CBI report, the designated person within the WVUSoD will notify the individual in writing and will refer the investigation report to the designated WVUSoD committee.
7. Any adverse CBI report will result in review of all available information including a potential interview with the individual by the Associate Dean of Admissions along with at least two members of the Admissions Committee of

the WVUSoD, and/or others involved with admissions and/or academic affairs. The interview for dental hygiene applicants will be with the Director of Dental Hygiene, Chair of Admissions, at least one other member of the Dental Hygiene Admissions Committee, and/or others involved with admission and/or academic affairs. A report will be generated based on all available information and reviewed with the Admissions Committee and/or Academic Standards Committee. The designated committee will be responsible for making the final decision regarding whether the results of a CBI disqualifies the individual from the education program.

8. Final acceptance into a WVUSoD education program is dependent on approval by the designated committee referenced in paragraph #7 above. Candidates will receive a notification letter regarding their final application status following completion of the CBI.
9. Individuals who receive final acceptance and enroll in the WVUSoD will be required to inform the Associate Dean for Academic Affairs of any infractions of the law following their matriculation and prior to their graduation from the WVUSoD. While enrolled in the WVUSoD, students are held accountable to the guidelines stipulated in the Policy on Academic and Professional Behavior.

#### **IV. Criminal Background Investigation Pass/Fail Criteria**

An individual will be considered to have "passed" the CBI if s/he meets all of the criteria listed below:

- No felony convictions for drug use or distribution.
- No felony convictions for serious or violent crimes.
- No felony convictions for nonviolent offenses.

- No felony convictions related to moral turpitude, that indicate a potential threat to patient safety and/or patient care.
- Not a registered sex offender.

The existence of a felony conviction does not automatically disqualify an individual from entering a WVUSoD program. Relevant considerations may include, but are not limited to: the date, nature and number of convictions; the relationship the conviction bears to the responsibilities and requirements of the program; and successful efforts toward rehabilitation. Any decision to allow an individual to enter a WVUSoD program with a conviction is solely at the discretion of the designated committee within the WVUSoD.

A record of any felony conviction will be grounds for disciplinary action up to and including retraction of provisional acceptance into the WVUSoD program and, if discovered post-acceptance, termination from the program.

Individuals who have passed a CBI prior to beginning a WVUSoD program will not be re-investigated unless the individual has not participated in a WVUSoD program for more than one year or unless the Academic Standards Committee makes the determination that another criminal background investigation is warranted.

## **V. Student Rights**

Provisionally accepted applicants have the right to review the CBI report prepared by the designated background screening agency for accuracy and completeness. Individuals submitting to the CBI have the right to 1) contact the designated agency to challenge the accuracy of the CBI report 2) submit a written response to the WVUSoD, disputing the accuracy of the CBI report, and request review of any additional information by the WVUSoD.

Individuals whose CBI reveals felonies and who believe that there are extenuating circumstances to be taken into account may submit a written request to the WVUSoD for reconsideration within five (5) business days of the release of the CBI Report by the background screening agency. A designated committee (as noted in III. 7) will review the request and may make exceptions where it is deemed to be in the best interests of WVUSoD. Due to the rolling admissions process, criminal background investigations must be completed and approved prior to the first day of class or residency program.

The WVUSoD will notify the individual upon making a final determination, including a decision that adversely affects his or her provisional admittance.

## **VI. Confidentiality and Recordkeeping**

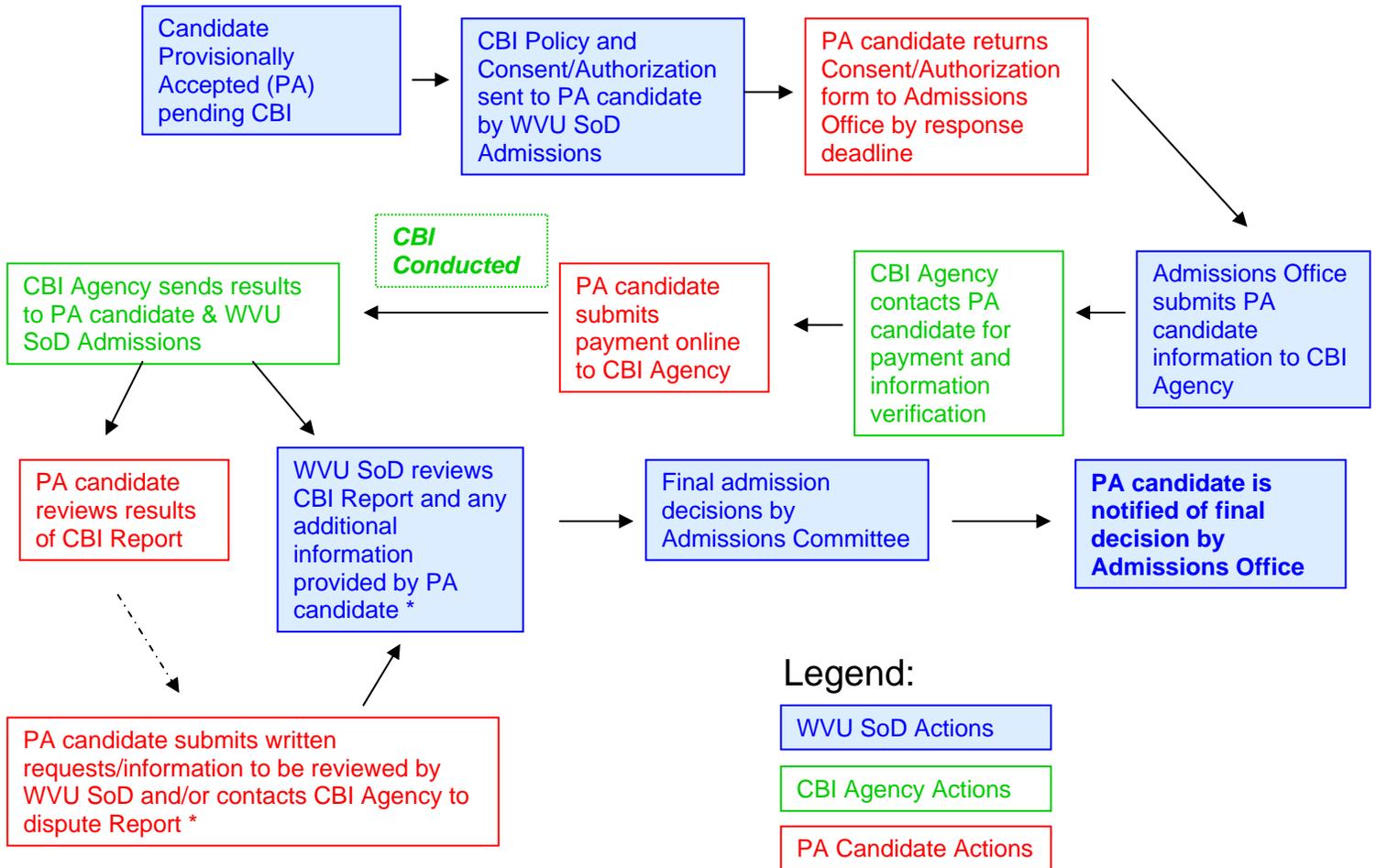
Information obtained via the criminal background investigation, will be retained by the WVUSoD throughout an individual's participation in its educational programs. This information will be considered an educational record and protected by the provisions of Family Educational Rights and Privacy Act (FERPA). CBI reports will be retained in a file separate from other student records and kept as confidential as legally possible with a limited number of authorized persons having access to the results on an as necessary basis. Upon graduation or exiting the WVUSoD program, the CBI file in its entirety will be returned to students or residents. The WVUSoD will not retain any CBI files.

## **VII. Enforcement and Monitoring**

This criminal background investigation policy is enforced and monitored by the WVUSoD Admissions Committee, Academic Standards Committee, and Dental Hygiene Admissions and Academic Standards Committees. Periodic review of the policy by the WVUSoD Admissions Committee, Academic Standards, and Dental Hygiene Admissions and Academic Standards Committees will ensure it is aligned with current West Virginia University, WVU School of Dentistry and American Dental Education Association (ADEA) standards.

ATTACHMENT I.

# Criminal Background Investigation (CBI) Flowchart



\* Report reviewed by designated members of the Admissions Committee and Academic Standards Committee

**ATTACHMENT II.**

**Provisionally Accepted Candidate Information Released to Criminal Background Investigation Agency**

| <b>Application Station CODE</b> | <b>Student's First Name</b> | <b>Student's Last Name</b> | <b>Student's SSN<br/>xxx-xx-xxxx</b> | <b>Student's Date Of Birth<br/>(MM/DD/YYYY)</b> | <b>Email Address to send Notification. (Leave Blank if notification is not requested.)</b> | <b>Student's Class</b> |
|---------------------------------|-----------------------------|----------------------------|--------------------------------------|---|--|------------------------|
|                                 |                             |                            |                                      |   |  |                        |
|                                 |                             |                            |                                      |   |  |                        |
|                                 |                             |                            |                                      |   |  |                        |

**SAMPLE**