

The University of Mississippi School of Medicine
Procedures for Criminal Background Checks
Amended March 25, 2013

A. AMCAS Application Self-Disclosure:

1. Upon receipt of a verified American Medical College Application Service (AMCAS) application, a student admissions officer will screen for self-reported misdemeanor and felony convictions, other than honorable military discharges and institutional actions. If any are found, the application will be put on hold rendering the applicant ineligible for interviews until further review by either the assistant or associate dean for admissions. If any self-reported incidents are criminal in nature, this information will be reviewed by School of Medicine's Deans' Council, as described below.
 - a. If either no action is warranted (C,5,a), or upon acceptance, participation in the Student Assistance program would be required (C,5,b), the hold will be released and admissions processing will proceed.
 - b. If it is determined that admissions should be denied (C,5,c), the associate dean for medical school admissions will notify the applicant.

B. Accepted applicants:

1. AAMC-Facilitated CBC

- a. Applicants who have received an initial, conditional acceptance to medical school will undergo a national background check administered by Certiphi Screening, Inc. (a Vertical Screen® Company) on Early Decision applicants at the point of acceptance and all other accepted applicants after January 1.
- b. Applicants will be contacted directly by Certiphi Screening, Inc. to initiate the national CBC, and results are made available for the applicant to review prior to being released to the School of Medicine Admission Office.
- c. Once released to the School of Medicine Admission Office, reports are compared to self-reported misdemeanor and felony convictions on the AMCAS application.
- d. Convictions reported (see C below)

2. Fingerprint-Based CBC

Background: Section §37-29-232 of the Mississippi Code specifies that "If the fingerprinting or criminal history record checks disclose a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(g), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault, or felonious abuse and/or battery of a vulnerable adult that has not been reversed on appeal or for which a pardon has not been granted, the student shall not be eligible to be admitted to the health care professional/vocational technical academic program of study. Any preadmission agreement executed by the health care professional/vocational technical academic program shall be voidable if the student receives a disqualifying criminal history record check."

- a. All accepted applicants must call the SOM admissions office to schedule an appointment with UMMC Human Resources sometime between December 1 and June 1 prior to enrollment so that a set of digital fingerprints and photograph can be acquired.

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- b. Fingerprints will be submitted daily to the Mississippi Public Safety Commission and Department of Justice Federal Bureau of Investigation for a criminal background check.
- c. If any potentially disqualifying event is reported, Human Resources will mail to the medical school applicant:
 - (i) A letter (such as Determination of Non-Suitability for Employment in a Healthcare Facility) indicating that a potentially disqualifying event(s) has been reported and
 - (ii) Copies will be sent to the associate dean for medical school admissions.
- d. Upon receiving a copy of this letter and criminal history report, the applicant's file will be put on hold. An accepted applicant may not matriculate until the process outlined below (item C) has been completed.

C. Convictions

1. Fingerprint-Based CBC:

- a. The associate dean will verify the accuracy of the criminal history report record with Human Resources and confer with Counsel to determine whether or not any conviction that is revealed by CBC would disqualify the applicant from either employment at the Medical Center or admission to the M.D. program based on Section §37-29-232 of the Mississippi Code.
- b. The associate dean for medical school admissions will mail the applicant a registered letter indicating that he/she may provide:
 - (i) written explanation for listed offenses including mitigating circumstances and planned appeals of inaccurate information and
 - (ii) documentation supporting adjudications and subsequent actions (such as rehabilitation) taken since the offense and any other information that may assist the School of Medicine in determining whether or not the potentially disqualifying event should affect an admissions decision.
 - (iii) The letter will indicate that failure to respond within 30 days will result in either denial of admission or rescinding an offer of acceptance.
- c. Upon receipt of requested documents, the associate dean for medical school admissions will provide secure storage of the documents throughout the admissions process. Except for purposes of disclosure described below, contents of the criminal history report record will be kept confidential.
- d. The associate dean for medical school admissions will summarize the contents of documents submitted by the applicant to the School of Medicine's Deans' Council for consideration and recommendation based on the seriousness and/or pattern of reported incidents. This group consists of associate deans for admissions, multicultural affairs, student affairs, academic affairs, faculty affairs, graduate medical education, and coordination of education at the Veterans Affairs Medical Center.

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Information contained in a criminal history record check will not be used to unlawfully discriminate in the admissions process; anonymous information only will be provided to the School of Medicine's Deans' Council by the associate dean for admissions.

2. AAMC-Facilitated CBC:
 - a. The Deans' Council will consider all available information on convictions reported from Certiphi Screening, Inc. including documents submitted by the applicant and the accuracy of information provided by the applicant in AMCAS materials, on a case-by-case basis and decides what impact the incident(s) or disqualifying event(s) might have with regard to medical school admission. The Deans' Council will consider information that may be available from additional sources such as centralized criminal background checks conducted by AMCAS-contracted third party vendors.
 - b. The assistant or associate dean for medical school admissions will summarize the contents of reports and documents submitted by the applicant to the School of Medicine's Deans' Council for consideration and recommendation based on the seriousness and/or pattern of reported incidents.
3. Section §37-29-232 stipulates that the health care professional/vocational technical academic program may grant waivers for those mitigating circumstances, which shall include, but not be limited to:
 - a. the age at which the crime was committed;
 - b. circumstances surrounding the crime [the nature and frequency of all reported offenses];
 - c. length of time since the conviction and criminal history since the conviction;
 - d. work history; current employment and character references;
 - e. other evidence [such as rehabilitation] demonstrating the ability of the student to perform the clinical responsibilities competently and that the student does not pose a threat to the health or safety of patients in the licensed health care entities in which they will be conducting clinical experiences.
4. The Deans' Council will render a final decision as to whether or not the incident(s) or disqualifying event(s) will preclude admission to this medical school. Outcomes include the following.
 - a. No action; proceed with admissions decision or prior offer of acceptance remains intact.
 - b. Require participation in Student Assistance Program counseling and/or monitoring
 - c. Deny admission or rescind prior offer of acceptance
5. The associate dean for medical school admissions will notify the applicant of the above decision.
 - a. If it is determined that the disqualifying event should not preclude admission to this medical school, then the applicant will be notified by email that the hold on their file

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has been released and normal admissions and matriculation procedures will proceed.

- b. If it is determined that the disqualifying event should preclude admission to this medical school, then the applicant will be notified that either admission has been denied or an existing offer of admission has been rescinded. The format will be a standard letter sent by registered mail that indicates the reason(s) why admission was denied or the offer of admission rescinded; it will also invite the applicant to schedule an appointment with the associate dean for medical school admissions to discuss the basis for the decision and its impact on future applications to this medical school.
- D. **Failure to Report:** If a conviction(s) revealed on any of an applicant's criminal history report is **not** appropriately disclosed in response to the criminal background question on the applicant's American Medical College Application Service (AMCAS) application, the following will occur:
- 1. The assistant or associate dean for medical school admissions will summarize the contents of the CBC, as well as documents submitted by the applicant, to the Deans' Council.
 - 2. The Dean's Council will review the information and make a recommendation regarding whether the event(s) would disqualify the applicant (see section C, above).
 - 3. The Dean's Council will also make a recommendation regarding whether the failure to report the event in question constitutes unprofessional conduct that might disqualify the applicant.
 - 4. The associate dean for admissions may notify AMCAS resulting in a formal investigation into possible falsification of application. This halts processing of an AMCAS application, including matriculation, until the conclusion of the investigation.
- E. **Subsequent convictions:** Applicants must inform the Admissions Office if they are convicted of, or plead guilty or no contest to, a misdemeanor crime after the date of submission of the application and prior to medical school matriculation. Communication must be in writing, and must occur within thirty (30) days of the occurrence of the conviction. Failure to report may result in rescindment of an offer of acceptance.
- F. **Confidentiality:** To maintain confidentiality, applicants' criminal history report records and supporting documents submitted by the applicant will be stored in a secure manner. Destruction of such records shall be done in a secure manner (such as shredding).
- 1. For applicants NOT ACCEPTED to this medical school, criminal history report records and supporting documents shall be destroyed as soon as possible after this admission action is taken.
 - 2. For applicants ACCEPTED to this medical school who withdraw, criminal history report records and supporting documents shall be destroyed as soon as possible after this admission action is taken.
 - 3. For applicants ACCEPTED to and who matriculate at this medical school, criminal history report records and supporting documents shall be maintained in the office of the associate dean for admissions until about June prior to matriculation, at which time they will be transferred to the associate dean for student affairs who shall store these records in a secure manner and separate from student academic files.

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4. Upon TERMINATION OF ENROLLMENT due to either graduation or dismissal, the associate dean for student affairs shall destroy the criminal history report records.

5. When each new class matriculates, medical school admissions will provide the associate dean for student affairs a list of matriculating students and dates when criminal background checks were done and any criminal history report records and supporting documents (9c) to maintain a secure manner and separate from student academic files until the class graduates.

Approved by the School of Medicine Deans' Council
December 15, 2004
Most Recent Amendment Date in Header