

CRIMINAL BACKGROUND CHECK (CBC) POLICY¹

St. John Fisher University recognizes its role in maintaining a safe community for its students and University employees. As part of this effort, applicants for admission to the University (undergraduate or graduate) are required to disclose any prior criminal convictions or pending criminal charges (felony or misdemeanor, with the exception of any proceedings involving “youthful offender adjudication” as defined in NYS Criminal procedure Law Section 720.35 or any conviction sealed pursuant to NYS Criminal procedure Law Sections 160.55 or 160.58) as well as any past disciplinary suspensions or dismissals from higher educational institutions. In all cases in which an applicant to the University has a criminal conviction, pending criminal charges, or has been suspended or expelled from an institute of higher education, additional information will be requested and reviewed by the Admissions Special Review committee. For more information please see the [Policy for Admissions Review Involving Prior Convictions, Pending Criminal Charges, and Prior Suspensions/Dismissals](#).

Additionally, the Wegmans School of Pharmacy requires that criminal background checks after an applicant has been accepted to the pharmacy program, but prior to matriculation; all expenses related to this requirement are the responsibility of the applicant. Applicants with a misdemeanor or felony conviction must report this in their application to the Wegmans School of Pharmacy through PharmCAS. Applicants with criminal records will have their records reviewed by the Associate Dean of Student Affairs of the Wegmans School of Pharmacy, the Assistant Dean of Students, and the Director of Safety and Security. If adverse records are found the student may be required to do the following:

1. Provide a signed written statement stating that the records found were in error, correcting the error with the company that first identified a criminal record or charge by calling 1.888.666.7788, and completing another criminal background check with the adverse record removed.
2. Provide a signed written statement describing their situation and circumstances surrounding the charge(s).
3. Meet with the Associate Dean of Student Affairs of the Wegmans School of Pharmacy, the Assistant Dean for Students, and the Director of Safety and Security.
4. Produce legal documentation related to the records found.

Adverse information may lead to withdrawal of the offer for admission or a dismissal from the program. In reviewing the background check reports and any information submitted, Associate

¹ **NOTE:** the criminal background check process does not guarantee safety of students, patients, or faculty. An acceptable criminal background check does not guarantee students acceptance to experiential sites, rights for graduation, or the ability to obtain licensure upon graduation. Experiential sites and state boards of pharmacy may treat the information obtained from a background check differently or uncover new information not previously revealed. If a student has a criminal record or is concerned about licensure issues for any reason the student should contact the state board of pharmacy in the state for which they are seeking licensure. Contact information for all the state boards of pharmacy is available at: <https://nabp.pharmacy/boards-of-pharmacy/>

Dean of Student Affairs of the Wegmans School of Pharmacy, the Assistant Dean for Students, and the Director of Safety and Security may consider the following factors in making its decision:

- The nature and seriousness of the offense or event
- The circumstances surrounding the offense or event
- The relationship between duties to be performed as a part of the educational program and the offense committed
- The age of the person when the offense or event occurred
- Whether the offense or event was an isolated or repeated incident
- The length of time that has passed since the offense or event
- Past employment and history of academic or disciplinary misconduct
- Evidence of rehabilitation
- The accuracy of the information provided by the candidate who has received an offer of admission
- The accuracy of the information provided by the student in the application materials, disclosure forms and other materials
- Experiential site or state board licensure policies

Background check reports and other submitted information are confidential and will be kept in the student's academic file under the direction of the Office of Student Affairs. This information may only be reviewed by university officials, the designated background check provider, and affiliated experiential sites in accordance with the Family Educational Rights and Privacy Act (FERPA). It is the student's responsibility to pay for all expenses and for providing a copy of the results to the Wegmans School of Pharmacy by the appropriate deadlines. Criminal background checks may include a review of the applicant's criminal history for at least seven years prior to the requesting date. These criminal background checks may include, but are not limited to, any or all of the following:

Social Security Number Search

A search of credit report header data to help confirm the applicant's identifying information such as name, aliases, address(es), Social Security Number and to determine areas of prior residence.

County Criminal Records Searches

A direct search of county courthouse records for any felony or misdemeanor criminal history. All records are researched to help ensure positive identification and complete, easy-to-read details.

Statewide Criminal Records Search

A search conducted through statewide criminal records repositories or court systems for any felony or misdemeanor criminal history.

Federal Criminal Records Search

A direct search of federal courthouse records for any felony or misdemeanor criminal history. All records are researched to help ensure positive identification and complete, easy-to-read details.

National Criminal Database Search

This search is an instant, multi-jurisdiction private database search covering more than 194 million criminal records collected from across the country. All database “hits” are verified directly through the source of information to ensure that records reported are current and up-to-date.

National Sexual Offender Database Search

A search of a national private database which contains sex offender data collected from across the country. All records are researched to help ensure positive identification.

US Department of Health and Human Services Office of Inspector General List of Excluded Individuals/Entities Search

A search of the U.S. Department of Health and Human Services Office of Inspector General List of Excluded Individuals/Entities (LEIE), a database which provides information to the public, health care providers, patients, and others relating to parties excluded from participation in the Medicare, Medicaid, and all Federal healthcare programs.

Search for Dishonorable Discharge from the Armed Forces

Military records are verified through either telephone interviews with the subject's former commander or by obtaining the applicant's DD-214 form. Verification generally includes subject's name, Service Number, rank, dates of service, awards and decorations, and place of entrance and separation.

International Screening

International criminal records searches are performed where applicable.

SanctionsBase Screening

A search covering sanctions, disciplinary and administrative actions taken by hundreds of federal and state healthcare regulatory authorities, including FDA, NIH, GSA, OFAC, terrorist watch lists and more.

The applicant/student has the right to appeal any decision by addressing the Dean of the Wegmans School of Pharmacy in a letter² (not e-mail) with the student's signature and date indicating the appeal. The Dean of the Wegmans School of Pharmacy, reserves the right to request a repeat criminal background check at any time from the current vendor or any

² This letter should be written using standard business letter format.

alternate criminal background check vendor. Applicant/students who fail to submit to a repeat criminal background check may have their offer of admission rescinded or be dismissed from the program. The decision of the Dean of the Wegmans School of Pharmacy is final. Experiential sites may request that a student submit to a criminal background check at any time prior to or during the time of the rotation; the costs for any such request may be at the expense of the student.

Any student who is arrested or charged with any crime while attending the Wegmans School of Pharmacy should report the incident to the Associate Dean of Student Affairs immediately and present copies of all legal documents. Failure to notify the Associate Dean of Student Affairs may result in dismissal from the Wegmans School of Pharmacy.