

Policy and Procedure

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Division/Department: Academic Affairs

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Subject: Background Checks

Authorities:

Federal Firearms Regulations, U.S. Bureau of Tobacco and Firearms

Minnesota Department of Human Services Regulations

Minnesota Board of Nursing Regulations

Minnesota Department of Education

Purpose:

State and Federal regulations require that individuals entering certain occupations meet sets of criteria before they may practice that profession. These criteria often take the form of background information on the prospective practitioner. The purpose of this policy is to establish entrance requirements for disciplines and professions to which such Federal or State background requirements apply.

Policy:

It is the policy of Pine Technical College that students wishing to enter a profession or occupation conform to Federal or State requirements for that occupation prior to entering the program. Consequently, students wishing to enroll in these programs must undergo a background, criminal history background or personal history check as a prerequisite to matriculation. Prospective students who do not meet the background requirements of the program or industry may be admitted to the college but not to that program. It will be the policy of the college to provide those students with counseling or academic advising to assist them in selecting an alternative program.

Procedure:

For students wishing to enroll in Gunsmithing:

1. Gunsmithing students must have in their Master Academic file in Student Services a criminal history record and a signed and notarized Federal Firearms License (FFL) questionnaire.
 - a. Prospects will be sent with their program information an informational sheet on the procedures involved in a mandatory background check for the Gunsmithing program. Prospective students will also be sent a questionnaire with the same questions asked when applying for an FFL.
 - b. Before entrance into the Gunsmithing Program, a student must have an official clean criminal history check from the Bureau of Criminal Apprehension (BCA) in Minnesota or a criminal history check from their State Crime Center, if they have not been a Minnesota resident for more than a year. A clean record is one that is free of an FBI number, a National Information Center (NIC) number or a State Identification (SID) number.
 - c. Online background checks issued to students are not acceptable.
 - d. Ineligibility will be determined by the program faculty after review of the applicant's criminal background check report. Prospective students who are deemed ineligible will not be allowed to enroll in program courses. Advising will be provided by program faculty and/or Student Services staff to support the ineligible student in determining another program of study if deemed appropriate.
 - e. Review of documents will be completed within two weeks of receipt from BCA.
 - e. In cases where a student is exposed as having provided false information on Pine Technical College's FFL questionnaire, expulsion from the Gunsmithing program will be mandatory and immediate.

For students wishing to enroll in Early Childhood Development:

1. Minnesota Statutes (Chapter 245C) governing early childhood program licensing requires individuals who provide direct care to children to have successfully completed a criminal background study. Early Childhood Development (ECD) students must have on file the results from a criminal history background check before they are allowed to work with young children in the on-site child care center or other community early childhood care and education program. Students who complete a site-based experience in a Wisconsin facility that requires a criminal background study will need to complete a study through the Wisconsin licensed facility's process. Minnesota criminal background studies are not transferable to Wisconsin.

- a. Before registering for program courses, a required Minnesota Department of Human Resources (DHS) online criminal history background study must be successfully completed by the student and the results received by Pine Technical College Early Childhood Development faculty.
- b. ECD faculty or ECD designee will verify the online information and submit payment to the DHS background study agency.
- c. DHS will notify the student and the college with written documentation regarding the student's eligibility. The master copy of the report will be stored in the students' locked advising files in the ECD's instructors' office area and a scanned copy of the report will be kept in the students' master academic record in Student Services.
- d. Ineligibility would be determined by the program faculty after review of the applicant's criminal background check report. Prospective students who are deemed ineligible to work directly with young children in licensed community early childhood care and education programs will not be allowed to enroll in program courses. Advising will be provided by program faculty and/or Student Services staff to support the ineligible student in determining another program of study if deemed appropriate.
- e. In cases where it is determined a student has provided false or misleading information during the criminal background check process, removal from the ECD Program will be mandatory and immediate.
- f. Students enrolling in the courses agree to have the information released to early care and education sites should they request a copy.
- g. More information on the background studies process and Minnesota Statutes can be found through the Department of Human Services website (www.dhs.state.mn.us).

For students wishing to enroll in the Nursing or Health Science program:

1. Minnesota law requires that any person who provides services that involve direct contact with patients and residents at a health care facility licensed by the Minnesota Department of Health (MDH) have a background study conducted by the state. An individual who is disqualified from having direct patient contact as a result of the background study, and whose disqualification is not set aside by the Commissioner of Health, will not be permitted to participate in a clinical placement in a Minnesota licensed health care facility. Failure to participate in a clinical placement required by the academic program will result in ineligibility to qualify for an award in that program. Students attending clinical at a Wisconsin facility will be required to have a Wisconsin background study completed.

- a. The Director of Nursing and Health Sciences (DON/HS) or faculty designee will assist students in completing background studies for the identified nursing and health science program clinical courses.
- Each student will complete the required MDH online criminal background information.
 - Nursing Students only:
 - Several facilities require Federal background studies to be completed. A vendor will supply the federal background study. Federal studies completed with any disqualifying information will be reviewed. If the review finds information different than the MDH or WI Background study, consultation will occur with MDH or WI background study division. Students will not be allowed at clinical until the consultation has been completed and the disqualification resolved. In some cases this may require a student to wait a semester before completing the coursework. If the resolve indicates a failed study then the student will not be eligible to continue in the program.
- b. Background Study results will be provided to both the students and the college. . Background studies are housed with the student file in the Nursing and Health Sciences Division until graduation or one year past the last date of attendance after which it will be transferred to the student's master academic record in Student Affairs.
- c. Ineligibility is determined by the Minnesota state statute 245C.15 DISQUALIFYING CRIMES OR CONDUCT. Disqualified students will be notified and not allowed to attend the clinical course. Advising will provide by the DON/HS or faculty designee to support the ineligible student in determining another program of study if deemed appropriate.
- d. Completed background results (from each entity) must be received before a student will be allowed to participate in the clinical course. If a background study is pending the student is not allowed to participate in the course until it is has been completed.
- e. In cases where it is determined a student has provided false or misleading information during the criminal background check process, removal from the Nursing or Health Science Program will be mandatory and immediate.
- f. Students enrolling in the courses agree to have the information released to the clinical sites should they request a copy.

For Post-Secondary Enrollment Options (PSEO) Students:

PSEO student wishing to enter any of the programs listed above must secure approval from their high school counselor. Pine Technical College Student Services and program faculty will work with high school counselors to inform them of the issues, including the fact that the College will not be able to determine eligibility based on a criminal history background and,

therefore, must depend on counselor assistance. If the high school counselor of a prospective PSEO student recommends against enrollment in one of the above programs based on the student's history, then this shall be treated by Pine Technical College as a determination of ineligibility and the same as a negative report from DHS or MDH.

Responsibilities:

1. Student Services and/or Program Personnel will insure that students entering the programs listed here complete the appropriate forms for background checks.
2. Program faculty will assist in determining whether or not a student should be excluded from a program based on the results of a background check.
3. Counseling and program advisors will work with ineligible students to determine whether or not placement in an alternative program is appropriate.
4. In the case of PSEO students, Student Services and program faculty will work with high school counselors to determine eligibility.

Dissemination: Standard

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Reviewed by Managers Meeting: (Insert name of person/group that did the review and the date)

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