

**SINCLAIR COMMUNITY COLLEGE
STUDENT ACADEMIC PROGRAM
SINCLAIR STUDENT BACKGROUND CHECK POLICY and PROCEDURE**

I. Scope and Purpose of Policy

This policy applies to all students enrolled at Sinclair Community College and to persons seeking reinstatement to a program, transfer students, and pre-program students who intend to seek admission into a program in which a background check is part of the program's curriculum.

The purpose of the policy is to ensure the safety of patients, children, and the public during the student's educational experience, to ensure that property, information, employees, and students of Sinclair Community College and its programs' clinical or field affiliates are reasonably safe from theft, injury or other unprofessional behavior from clinical/practicum students, and to attempt to ensure that students will be eligible to complete clinical/practicum experiences and become licensed in their respective fields.

Ohio is one of many states which mandate criminal background checks for persons working in certain health care, early childhood, and related settings. Criminal records checks are required for persons working in positions of responsibility for the care, control or custody of children and in positions that involves care to a person age 60 and older. The law requires the record checks to be conducted by the Ohio Bureau of Criminal Identification and Investigation (BCI) and prohibits hiring applicant persons who has been convicted of certain offenses or who fails to provide the information necessary for a records check.

In addition, the Joint Commission (JC), which governs many of Sinclair's clinical or field affiliates, includes in its Human Resources standards (HR.1.20) a requirement that agencies include clinical/practicum students in criminal background checks when required by state law, regulation, or hospital policy.

For questions and concerns regarding listed offenses, contact specific department to obtain professional organization or credentialing contact information.

II. Background Check Procedure

- A. Check with specific department for any specific additional directions. For example, ECE students must complete a Non-Conviction Statement **prior** to completing their background checks (contact the Child and Family Education Department for more information).
- B. Sinclair Community College is a provider of National WebCheck. National WebCheck is an electronic fingerprint collection and transmittal system designed by the Ohio Attorney General's Office. It allows background checks to be done through the Ohio Bureau of Criminal Identification and Investigation (Ohio BCI&I) with results being mailed in less than one day. National WebCheck can interface with the FBI's Automated Fingerprint Identification System (AFIS) for the background checks that require the FBI search.

Background Checks are not available to the general public at Sinclair Community College. Only Sinclair Community College students who are required to have the state and federal background checks done will be scheduled.

The cost for both State (BCI) AND Federal (FBI) is **\$ 65.00**. Payment is made in person through the **Sinclair Community College Bursar's office** by the student.

See: <http://www.sinclair.edu/academics/divisions/bps/trainingacademy/national-webcheck-fingerprinting/>

C. Background checks are only good for one year once they have been completed by Sinclair Community College. Please make sure your background check is current for clinical/practicum. Some programs may require the background check prior to beginning the program, again prior to entering the clinical/practicum environment and following graduation for application to the state or national credentialing agency.

D. Background Checks from Other Agencies

1. All programs with the exception of the Early Childhood Education (ECE) Program may accept a background check completed at another agency, institution or department provided it:
 - a. was completed within one year from the start of the clinical/practicum; and
 - b. is sent directly to the program from the agency that had requested the background check in the past.
2. The ECE program cannot accept a background check from any other agency, institution or department, per the requirements of the Ohio Department of Jobs and Family Services.

E. Background Check Results

Most background checks can be processed within two business days. However, due to the investigative nature of the check that involves searching nationwide court records OR if additional information is requested, extra time may be needed.

1. Report returned with “no criminal history on record”.
 - a. **Background Check Results Report will be sent directly to the party designated on the request form.**
 - b. Documentation will be placed in student file. Confidentiality of your records will be maintained.
2. Report returned with “May not meet qualifications for licensing or employment”.
 - a. If Student wants to be considered further, a student must obtain a “rap sheet” by completing the *FBI Request for Rap Sheet* form.
 - i. The form can be obtained from the website www.ohioattorneygeneral.gov under Services and Background Checks, or by calling the toll free number 877-224-0043.
 - ii. Completed form can be faxed to 740-845-2633 ATTN: FBI Records Release Desk or mailed to:

BCI & I
ATTN: FBI Records Release Desk
1560 State Route 56 S.W.
London, OH 43140
 - iii. After receiving a rap sheet, a student must deliver it to the specific program office in its original sealed envelope.

- iv. By law and via standard operating procedures at the clinical/practicum affiliates, conviction of certain criminal offenses (listed in the attached appendixes) disqualifies and/or denies the student access to most clinical/practicum environments.
- 3. The student will provide an explanation for all other misdemeanor or criminal charges and/or convictions. The student has one week from point of contact to provide explanation and/or additional supporting documentation.
 - a. If a student fails to provide an explanation within one week from point of contact, the student will be automatically disqualified to continue in the program and be advised to withdraw and seek career guidance via Academic Advising.
 - b. Department Chair/Program Director/Academic Clinical Coordinator/Fieldwork Coordinator for the specific program will contact the major clinical/practicum affiliates/sites to obtain an opinion on whether or not a student with a particular offense would be permitted to attend clinical rotations at that facility.
 - i. Student's name is not disclosed, only the offense, including years since offense occurred and final conviction code(s).
 - ii. If the clinical/practicum affiliate would not hire an individual with this history as an employee delivering direct patient care, the student will be denied access to clinical/practicum.
 - iii. The student will automatically be disqualified to continue in the specific program and will be advised to withdraw and seek career guidance via Academic Advising.
 - iv. There is no appeal process once a major affiliate denies access if an alternate and equivalent (parallel) clinical instruction cannot be provided.
 - v. The specific program will not be required to attempt an alternative placement in a clinical/practicum environment if student is disqualified, due to requirements for experiencing a variety of patient/client populations in order to complete the curriculum.
- 4. Certain felonies are permissible in the Human Services and Behavioral Health (HSBH) program. A student in this program may request that his/her criminal record be reviewed by a committee of practicum instructors to determine whether the student will be permitted to have access to the clinical/practicum environment.
- 5. For an ECE student, if a background check indicates a student has a prohibited offense, the prohibited offense does not necessarily disqualify the student if the student meets the conditions delineated by Ohio Department of Jobs and Family Services at ODFS 01206 *Rehabilitation Criteria for Child Care*. The determination of whether a student with a prohibited offense has met the requisite criteria is determined by a group/college review. .

F. Criminal Convictions which have been sealed

- A. A criminal conviction which has been sealed may be included in a student's criminal background check. It will be reviewed and considered to determine whether the student may be eligible to be placed at a clinical/practicum site.

- B. A sealed conviction may also be considered by a state professional licensing agency considering an application for licensure.

Sinclair Community College

NATIONAL WEBCHECK® CRIMINAL HISTORY CHECKLIST

1. Complete the Webcheck® Request Form in its entirety.
2. List the appropriate reason for the test (see below).
3. Mark BCI only or BCI & FBI (no FBI only tests).
4. Take to Bursar Office to make payment.
5. **MAKE SURE TO OBTAIN A RECEIPT.** A receipt of payment is sent to my.sinclair email accounts. The test cannot be conducted without proof of payment.

The following **MUST** be with you at the time of the test:

- Government Issued Driver's License or Government Issued ID Card
- Social Security Card
- Paid Receipt from Sinclair Cashier/Bursar

Health Sciences students may bring above mentioned items to Room 14-213 during open walk-in times as follows:

Tuesday: 9-11 a.m. .

Wednesday: 2-4 p.m.

BCI Reason Codes

- Required for licensing or permit
- Responsible for the care, custody or control of a child
- Responsible for direct care of elderly

FBI Reason Codes

- Care, custody or control of children
- Child daycare center owner, licensee or administrator of type A daycare. Home owner and persons 18+
- Direct care of the elderly
- Employee of child daycare center. Type A family daycare, type B family daycare or certified in-home aide
- Medical (nurses, dialysis techs, students entering nursing education or dialysis
- Pre-school program
- Public school district or chartered non-public schools
- Head Start Agency
- Volunteer Children's Act

Sinclair Community College
NATIONAL WEBCHECK® CRIMINAL HISTORY CHECK REQUEST FORM

Name: SAMPLE FORM - NOT FOR USE
Last First Middle

Address: CONTACT PROGRAM MAJOR FOR CORRECT FORM

City State Zip

SS # : _____ Birth Date: _____
MM DD YYYY

Phone: _____ e-Mail: _____

Have you been a resident of Ohio for the past 5 years? Yes No

Note: If you answered **No**, you will be required to complete both State (BCI) and Federal (FBI) checks.

I am requesting the following National WebCheck®:

- | | | |
|-------------------------------------|------------------------------------|----------|
| <input type="checkbox"/> | State (BCI) Only | \$ 35.00 |
| <input checked="" type="checkbox"/> | Both State (BCI) AND Federal (FBI) | \$ 65.00 |

Note: No "FBI Only" checks are permitted by WebCheck®

Purpose of Criminal History Check: Clinical/Practicum
(See Reverse for list) _____

My signature indicates that I request a National WebCheck® be conducted by the Sinclair Community College Police Department or its authorized agent. I grant permission to the Sinclair Community College Police Department or its authorized agent to obtain all criminal history information regarding my past from the Ohio Bureau of Criminal Identification and Investigation (BCI&I) and/or the Federal Bureau of Investigation (FBI).

I understand that the criminal background checks are conducted by the electronic imaging of my fingerprints and then electronically submitting my fingerprints and personal information to the National WebCheck® system, which is administered by the Ohio Attorney General's Office.

By having my fingerprints scanned on a National WebCheck® scanner, I authorize the Ohio BCI&I to release any criminal history information obtained from their files regarding me, and/or the files held by the FBI, and hereby release the Ohio BCI&I and the Sinclair Community College Police Department from all liability in connection with the dissemination of any criminal history information obtained.

I request the results obtained by the National WebCheck® system be delivered:

By US Mail to: _____

Signature: _____ Date _____

Operator Signature: _____ Trans # _____

WEBCHECK® is a registered trademark of the Ohio Attorney General's Office.

Prices effective July 1, 2008

SINCLAIR STUDENT BACKGROUND CHECK POLICY & PROCEDURE

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Final version: October 26, 2012
Revised: December 12, 2019

BACKGROUND CHECKS
FELONY OFFENSES PROHIBITED FOR HEALTHCARE PROFESSIONS

SOURCE: Ohio Revised Code – 109.572 Criminal Records Check
Ohio Code Description

Offenses Related to Domestic Animals

959.13 Cruelty to Animals

Food

2716.11 Adulterated food

3716.11 Placing harmful or hazardous objections in food or confection

Homicide/Assault

2903.01	Aggravated murder	2903.02	Murder
2903.03	Voluntary manslaughter	2903.04	Involuntary manslaughter
2903.11	Felonious assault	2903.12	Aggravated assault
2903.13	Assault	2903.15	Permitting child abuse
2903.16	Failing to provide for functionally impaired person	2903.21	Aggravated menacing
2903.22	Menacing	2903.211	Menacing by stalking
		2903.34	Offenses against residents or patients of care facilities

Kidnapping/Extortion

2905.01	Kidnapping	2905.02	Abduction
2905.05	Criminal child enticement	2905.11	Extortion
2905.12	Coercion		

Sexual Offenses

2907.02	Rape	2907.03	Sexual battery
2907.04	Unlawful sexual conduct with a minor	2907.05	Gross sexual imposition
		2907.06	Sexual imposition
2907.07	Importuning	2907.08	Voyeurism
2907.09	Public indecency	2907.12	Felonious sexual penetration
2907.21	Compelling prostitution	2907.22	Promoting prostitution
2907.23	Procuring	2907.25	Prostitution
2907.31	Disseminating matter harmful to juvenile	2907.32	Pandering obscenity
		2907.321	Pandering obscenity involving a minor
2907.322	Pandering sexually oriented material involving a minor	2907.323	Illegal use of a minor

Arson

2909.02	Aggravated arson	2909.03	Arson
2909.22	Soliciting or providing support for act of terrorism	2909.23	Making a terroristic threat
		2909.24	Terrorism

Robbery/Burglary

2911.01	Aggravated robbery	2911.02	Robbery
2911.11	Aggravated burglary	2911.12	Burglary
2911.13	Breaking and entering		

Theft

2913.02	Theft: aggravated theft	2913.03	Unauthorized use of vehicle
2913.04	Unauthorized use of property	2913.11	Passing bad checks
2913.21	Misuse of credit cards	2913.31	Forgery
2913.40	Medical fraud	2913.43	Securing writings by deception
2913.47	Insurance fraud	2913.49	Identify fraud
2913.51	Receiving stolen property		

Offenses Against the Public Peace

2917.01	Inciting to violence
2917.02	Aggravated violence

Offenses Against the Family

2919.12	Unlawful abortion	2919.22	Endangering children
2919.23	Interference with custody	2919.24	Contributing to unruliness or delinquency of a child
2919.25	Domestic violence		

Public Administration

2921.36	Conveyance of certain items onto grounds of detention, MRDD, or MH facility
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Weapons Offenses

2923.12	Carrying concealed weapons	2923.13	Having weapons while under a disability
2923.161	Improperly discharging a firearm at or into a school or house		

Drug Offenses

2925.02	Corrupting another with drugs	2925.03	Trafficking offenses
2925.04	Illegal manufacture of drugs illegal cultivation of marijuana-methamphetamine offenses	2925.05	Funding, aggravated funding of drug or – marijuana trafficking
2925.11	Drug abuse	2925.06	Illegal administration or distribution of anabolic steroids
2925.22	Deception to obtain dangerous drug	2925.13	Permitting drug abuse
		2925.23	Illegal processing of drug documents

Miscellaneous Offenses

2927.12	Ethnic Intimidation
4511.19	Operating vehicle under the influence of alcohol or drugs or operating a vehicle under age consumption (two or more offenses committed within the three years immediately preceding the background check)

**BACKGROUND CHECKS
PROHIBITED OFFENSES FOR EARLY CHILDHOOD EDUCATION**

SOURCE: Ohio Department of Jobs and Family Services

Ohio Code Description

Offenses Related to Domestic Animals

959.13 Cruelty to Animals

Homicide/Assault

2903.01	Aggravated murder	2903.02	Murder
2903.03	Voluntary manslaughter	2903.04	Involuntary manslaughter
2903.11	Felonious assault	2903.12	Aggravated assault
2903.13	Assault	2903.15	Permitting child abuse
2903.16	Failing to provide for functionally impaired person	2903.21	Aggravated menacing
		2903.211	Menacing by stalking
2903.22	Menacing	2903.34	Offenses against residents or patients of care facilities

Kidnapping/Extortion

2905.01	Kidnapping	2905.02	Abduction
2905.04	Child stealing	2905.05	Criminal child enticement
2905.11	Extortion		
2905.12	Coercion		

Sexual Offenses

2907.02	Rape	2907.03	Sexual battery
2907.04	Unlawful sexual conduct with a minor	2907.05	Gross sexual imposition
		2907.06	Sexual imposition
2907.07	Importuning	2907.08	Voyeurism
2907.09	Public indecency	2907.12	Felonious sexual penetration
2907.21	Compelling prostitution	2907.22	Promoting prostitution
2907.23	Procuring	2907.25	Prostitution
2907.31	Disseminating matter harmful to juvenile	2907.32	Pandering obscenity
		2907.321	Pandering obscenity involving a minor
2907.322	Pandering sexually oriented material involving a minor	2907.323	Illegal use of a minor

Arson

2909.02	Aggravated arson	2909.03	Arson
2909.04	Disrupting public services	2909.05	Vandalism
2909.22	Soliciting or providing support for act of terrorism	2909.23	Making a terroristic threat
		2909.24	Terrorism

Robbery/Burglary

2911.01	Aggravated robbery	2911.02	Robbery
2911.11	Aggravated burglary	2911.12	Burglary
2911.13	Breaking and entering		

Theft

2913.02	Theft: aggravated theft	2913.03	Unauthorized use of vehicle
2913.04	Unauthorized use of property	2913.041	Unauthorized use of property, computer, Cable, or telecommunication property or service
2913.05	Telecommunications Fraud	2913.06	Unlawful use of telecommunications
2913.11	Passing bad checks	2923.02	Attempt
2913.21	Misuse of credit cards	2913.31	Forgery
2913.32	Criminal Simulation	2913.40	Medical fraud
2913.41	Prima facie evidence of purpose to defraud	2913.42	Tampering with records
2913.44	Personating an officer	2913.43	Securing writings by deception
2913.45	Defrauding creditors	2913.441	Law Enforcement emblem display
2913.47	Insurance fraud	2913.46	Illegal use of food stamps or WIC benefits
2913.49	Identify fraud	2913.48	Workers Compensation fraud
		2913.51	Receiving stolen property

Offenses Against the Public Peace

2917.01	Inciting to violence	2917.03	Riot
2917.02	Aggravated riot		

Offenses Against the Family

2919.12	Unlawful abortion	2919.22	Endangering children
2919.23	Interference with custody	2919.24	Contributing to unruliness or delinquency of a child
2919.25	Domestic violence		

Public Administration

2921.11	Perjury	2921.36	Conveyance of certain items onto grounds grounds of detention, MRDD, or MH facility
2921.13	Falsification		
2921.34	Escape	2921.36	Aiding escape or resistance to authority

Weapons Offenses

2923.12	Carrying concealed weapons	2923.13	Having weapons while under a disability
2923.161	Improperly discharging a firearm at or into a school or house	2923.01	Conspiracy
		2923.02	Attempt, that relates to 109.572(A)(9)
		2923.03	Complicity that relates to 109.572(A)(9)

Drug Offenses

2925.02	Corrupting another with drugs	2925.03	Trafficking offenses
2925.04	Illegal manufacture of drugs illegal cultivation of marijuana-methamphetamine offenses	2925.05	Funding, aggravated funding of drug or – marijuana trafficking
		2925.06	Illegal administration or distribution of anabolic steroids
2925.11	Drug abuse		

Miscellaneous Offenses

2927.12	Ethnic Intimidation		
4511.19	Operating vehicle under the influence of alcohol or drugs or operating a vehicle underage consumption (two or more offenses committed within the three years immediately preceding the background check)		