

Guidelines for CCC Background Checks for Experiential Learning Activities

1. This policy only applies to students enrolled in experiential learning where a background check is required i.e. Education and Health.
2. All students enrolled in experiential learning activities are required to complete a background check at the expense of the student. Details will be provided to the student. Background checks must be completed as required by the program/course guidelines and may include the following, but not limited to.
 - a. Applicant Verification (to confirm the SSN is valid);
 - b. County Criminal-Statewide History Record Check for each state/jurisdiction covering all names and locations from the last 10 years;
 - c. Multi-Court Jurisdictional Database;
 - d. Search of Nebraska Justice statewide court system for criminal records;
 - e. National Sex Offender Registry;
 - f. Federal Criminal Search;
 - g. Global Watch;
 - h. State Health & Human Services Adult and/or Child Abuse Registry.
3. Any student not having completed the background check will not be allowed to proceed to the experiential learning placement.
4. The student will request a copy of the report and may be required to provide a printed copy to the practicum site. Background checks will not automatically be furnished to an agency. In some cases, the student may be asked to sign a release of information form before the background check will be shared.
5. All ECED students will complete the DHHS Report of Law Enforcement Contact Form at the beginning of each practicum and *at any time the student is arrested, issued a citation other than a minor traffic violation, or charged with or convicted of any felony, misdemeanor, or infraction.*
6. The ECED student will provide a copy of the Report of Law Enforcement Contact Form to the practicum site.
7. Health Science students will be provisionally accepted into all programs requiring experiential learning activities at CCC pending completion of the background check. Refusal of signature of the release form will result in the student's provisional acceptance into the program being revoked or the student will not be allowed to complete the experiential learning experience thus extending time in the program or the inability to complete the program.
8. If a student's status changes during the semester, s/he is required to update his/her status using the CCC Self-Report of Law Enforcement Contact Form. The student will not be permitted to continue his/her experiential learning until the charges are investigated.

- a. The Dean of Instruction will verify the charge with an additional background check at the college's expense.
 - b. The Dean of Instruction will determine if the offense is a Disqualifying or Reviewable Offense.
 - i. Based on that determination, steps for either of these types of offenses are outlined later in the procedures.
 - ii. If neither, it is not an issue for continuance of experiential learning; however, the self-report stays on file with the Dean of Instruction.
9. Only the Dean of Instruction will have access to each student's background check and will follow up as necessary.
- a. The Dean may provide a listing of students who have completed the background check by the required deadline to the instructors.
 - b. The background check will be kept in a secure location.
 - c. The cooperating affiliate retains the right to refuse admittance of any student to the practicum site.
10. The College may accept a background check that has been completed within the last year by an employer.
- a. The background check must meet the requirements of the program listed above.
 - b. It is the student's responsibility to contact the employer, obtain a copy of the background check and provide it to the Dean of Instruction by the required deadline.
 - c. If no background check is received by the required deadline, the student will have one week to proceed with the procedures outlined above and complete the background check at his/her own expense.
11. The background check will be completed only once, if no more than one year lapses in enrollment. Any student not continuously enrolled at the college will be required to have an additional background check conducted at his/her own expense.
12. Failure to disclose any criminal change in status (i.e. arrest, issued citation other than a minor traffic violation, charge or conviction of any felony, misdemeanor or infraction) to the Dean of Instruction may result in the removal of the student from the experiential learning activity and failure of the course.
- a. When a program is apprised of a pending charge, the Dean will verify the charge with an additional background check at the college's expense.
 - b. If the student has failed to self-report the pending charge within 7 business days of the alleged charge, then the student is contacted by the Dean regarding the failure to report.
 - c. The student is removed from the practicum and fails the course. The student is not allowed to withdraw from the course.

- d. The following semester, the student may re-enroll in the practicum as long as no (a) disqualifying charges are pending or exist or (b) reviewable convictions are pending or exist.
13. A student may request verification or review of the background check. Requests will be directed to the Dean of Instruction.
 14. According to College Policy, “Any conviction, plea of guilty or no contest, deferred adjudication, charges pending or current probation of the following criminal offenses (Misdemeanor or Infraction) appearing on a background check will require review by the dean before an applicant is offered admission to any Central Community College program requiring experiential learning.”
 15. Each student will be given a copy of the Summary of Your Rights Under the Fair Credit Reporting Act, a document explaining the procedures should a student wish to dispute the completeness or accuracy of any information contained in the report. Disputes will be directed to the agency running the background check. Background check information will be stored for one year after the student leaves CCC and will then be destroyed, in accordance with the Fair and Accurate Credit Transactions Act of 2003.
 16. Established CCC Procedures for Background Checks Containing Adverse Offenses are outlined below and apply to students completing an experiential learning activity.

Established CCC Procedures for Background Checks Containing Adverse Offenses

Any conviction, plea of guilty or no contest, deferred adjudication, or charges pending of the following criminal offenses (Felony) appearing on a background check will disqualify an applicant for admission to any Central Community College program requiring experiential learning or to complete experiential learning experience.

Disqualifying offenses are:

- a. Crimes of violence (assault, sexual offenses, arson, kidnapping, murder, any crime against an at-risk adult or juvenile, etc.)
- b. Any offense involving unlawful sexual behavior
- c. Any crime of child abuse
- d. Any offense of sexual assault on a client by a psychotherapist, as defined in section
- e. Registered sex offenders
- f. Any offense in another state, the elements of which are substantially similar to the elements of any of the above offenses.
- g. Any other felony.
- h. Human Services Program exception: Students may be admitted to the Human Services Program with a felony conviction. In this case, the

background check will be considered a reviewable offense and will follow the procedures below.

Reviewable Offenses are:

Any conviction, plea of guilty or no contest, deferred adjudication, charges pending or current probation of the following criminal offenses (Misdemeanor or Infraction) appearing on a background check will require review by the dean of instruction before an applicant (1) may begin/experiential learning experiences associated with a course in which she/he is enrolled or (2) is offered admission or continuance in any Central Community College program requiring experiential learning.

- a. Any crime, the underlying basis of which has been found by the court on the record to include an act of domestic violence
- b. Any crime related to the sale, possession, distribution or transfer of narcotics or controlled substances.
- c. Crimes of theft or larceny
- d. Crimes of moral turpitude (prostitution, public lewdness/exposure, etc.)
- e. Battery
- a. Breaking and Entering
- b. Burglary
- c. Credit Card Fraud
- d. Forgery/counterfeiting
- e. Handgun Violations
- f. Harassment
- g. Hate Crimes
- h. Obscene Matter
- i. Receiving Stolen Goods.

Disqualifying Offenses Procedure

When a student's background check contains disqualifying offenses:

1. The dean (or a representative) will notify, in writing, the enrolled student or student seeking permission to enroll in an experiential learning experience, (or the student's parents/guardian), within seven (7) business days of receiving the background check from the vendor.
2. Within seven (7) days of receiving this written notice:
 - a. The student or parent/guardian may contact the Dean of Instruction that the information is incorrect and they will be contesting the information.
 - b. The student or parent/guardian may contest the results of the investigation. The student or parent/guardian must directly notify the

vendor, to contest the results of the adverse information. Detailed contact information will be provided in a letter to the student.

3. **Failure to complete any of this process in the described time frame will automatically result in the student's provisional admissions status being revoked or admission to the experiential learning experience being denied.**
4. **Until a final decision is made regarding the student's request for review, the student will not be fully admitted into the program (when applicable) or placed in an experiential learning experience.**
5. If the student or parent/guardian contest the results of the investigation, the vendor, is required to re-investigate the disputed information within ten (10) business days from the date of the student's dispute of the report. The re-investigation report will be sent to the Dean of Instruction.
6. The dean will review the report within 30 days to determine the admissions status of the student.
7. If admission is still denied to a student the Dean of Instruction will send a letter to the student notifying him/her of the decision. The student will not be admitted to any program requiring experiential learning.

Reviewable Offense Procedures

Upon the determination that the background check contains reviewable offenses:

1. The student who has a reviewable offense conviction may not participate in any experiential learning activity until the Dean of Instruction reviews the conviction(s).
2. The Dean of Instruction may request from the student a written explanation of the conviction(s) included in the reviewable offense.
3. The student will be cleared for experiential learning or admission status if:
 - a) An affiliate institution may grant an exception and the following procedure will be used:
 - i) The college will disclose, without identifying the student, to affiliate institutions any items reported on the student's background check report including the letter of explanation. The affiliate institutions will report back to the Dean of Instruction whether or not the student would be allowed to complete an experiential learning experience at the affiliate institution. The student may be asked to sign a release to allow his/her advisor to have access to the background check as needed for placement.
 - ii) The student will be notified of his/her admission status in writing within three (3) days of receipt of the affiliate institution's decision.
 - b) If the student is denied access to an experiential learning experience:
 - i) The Dean of Instruction will notify the student in writing of the denial of program admittance.
 - ii) The Dean of Instruction may allow the student to withdraw from the course.
 - iii) The student will not be admitted to any program requiring experiential learning.

