

UNIVERSITY OF HARTFORD

COLLEGE OF EDUCATION, NURSING AND HEALTH PROFESSIONS

Policy on Background Check & Substance Abuse Screening for Nursing and Health Professions Clinical Participation

Purpose

The University of Hartford, College of Education, Nursing and Health Professions (the “College”) is committed to maintaining a safe, healthy and productive environment for its students, staff, and faculty. Students are required to complete one or more clinical education experiences as part of their nursing or health professions degree program (the “Program”). These clinical education experiences are part of the accreditation of any such academic program and cannot be waived. Health care providers are entrusted with the safety and welfare of others and operate in clinical care settings that require the exercise of good judgment and ethical behavior. Students’ suitability to function in such settings during clinical education experiences must be assessed prior to such clinical participation in order to promote the highest level of integrity among the clinical profession.

This policy is established to govern the College’s background check process and drug testing as it relates to clinical education experiences required as part of a Program.

Satisfactory completion of one or more background check and drug screening is typically a condition of participation in clinical education experiences hosted by health care providers or provider organizations that are affiliated with the College (each a “Clinical Affiliate”). In addition, the College recognizes the importance of educating its students about the problems of substance abuse and the serious health risks it may cause. Substance abuse may significantly impact the ability of future healthcare providers to effectively function in the professional workplace. Recognizing that substance abuse is both a disease and a professional hazard, the College has incorporated educational content concerning substance abuse into its curriculum.

Policy

Applicability. This policy applies to all students who have matriculated into the College and are required to complete certain clinical education experience(s) under their Program.

Screening Requirement. Students must consent and submit to, satisfactorily complete, and authorize reporting of a criminal background check and drug screening as a condition of participation in all College clinical education experiences required as part of the student’s Program. Consent to such screening and authorization for reporting is voluntary, but failure to provide consent or to authorize reports may undermine a student’s ability to participate in

clinical education experiences that are required as part of the Program. Eligibility for participation in clinical education experiences will not be final until the satisfactory completion of all required criminal background check and drug screening with results reported as appropriate and deemed acceptable to the applicable Clinical Affiliates, or such eligibility may later be denied or rescinded based on any additional background check and drug screening information obtained by the College or the Clinical Affiliate. The College reserves the right to request additional background checks and/or drug screenings at any time during a student's Program in accordance with this Policy or Clinical Affiliate requirements. Students may be prevented from participating in the clinical education experience with consequences to their ability to complete the Program, based on the findings of background checks and drug screening.

General Student Conduct. Students must comply with [*The Student Handbook \(The Source\)*](#) [*Controlled Substances Policy*](#), the [*Drug Free Schools and Communities Act Notification*](#) [*Student Standards of Conduct*](#), and all policies and procedures of the University governing student conduct. Consistent with these policies, during the Program, any manufacturing, distribution, dispensing, possession or use of controlled substances, including use of marijuana, and any unlawful or improper manufacturing, distribution, dispensing, possession or use of alcoholic beverages or prescribed medications is prohibited. Students must also comply with all local, state, or federal laws and regulations controlling the possession, manufacture, use, or distribution of controlled or illegal substances and alcohol. An alleged violation of these requirements may result in a referral to the Office of Student Conduct & Conflict Resolution ("OSCCR") pursuant to University policy, as well as the Student's removal from clinical experiential, classroom, and/or lab settings in the discretion of the College in consultation with the OSCCR.

Responsibility for Performance. There are circumstances in which students may need to take over the counter or prescribed medications¹ that have the potential to impair their performance or personal behavior. Students are responsible for being aware of the effect these medications may have on performance and must notify an appropriate faculty member within 72 hours prior to clinical attendance or drug testing if they have used any medication that could impair performance or has the potential to influence a drug screen. Students are ultimately responsible for their actions, including any impaired performance or personal behavior, related to or resulting from the use of over the counter or prescribed medications.

Refusal to Comply. Failure or refusal to comply with this Policy, including any applicable College or Clinical Affiliate background check or drug screening requirement or from authorizing reporting of results thereof, may disqualify the student from participation in a clinical education experience at a (or any) Clinical Affiliate under the applicable Program, which may put Program completion at risk and may delay the Student's ability to graduate or graduate on time. Any attempt to delay, hinder, or tamper with any testing or to alter the results of testing will be considered a refusal to comply with this Policy.

¹ Even if prescribed, the use of cannabis is prohibited per the University's Controlled Substance Policy.

Procedures

I. Background Checks

Background Check. The College will designate an approved company (currently, Castlebranch) to conduct certain background checks and issue reports directly to the College. Results from a company other than those designated will not be accepted. Students are responsible for payment of any fees charged by the designated company to provide the background check service.

Background checks include the following and cover at least the past seven (7) years:

- Criminal history search, including convictions, deferred adjudications or judgments, and pending criminal charges involving felonies, Class A, Class B, and Class C violations
- Social Security Number verification
- Violent Sexual Offender and Predator Registry search
- Office of the Inspector General (OIG) List of Excluded Individuals/Entities
- General Services Administration (GSA) List of Parties Excluded from Federal Programs
- U.S. Treasury Office of Foreign Assets Control (OFAC), List of Specially Designated Nationals (SDN)
- Applicable State Exclusion List

Reporting Results. In order to qualify for clinical participation under the Program, students must complete the required background check screening prior to the start of the clinical education experience as designated by the Program. Students must authorize disclosure of the background check report to the College for its review and may authorize disclosure of reports to themselves or directly to Clinical Affiliates.

Clinical Affiliate Procedures. Individual Clinical Affiliates may have their own background check procedures and may designate their own companies to conduct background checks required by the Clinical Affiliate, which are separate and apart from the College's background check procedures set forth above. In addition, Clinical Affiliates may request confirmation from the College of a student's background check findings and/or request reports of the findings. Where possible, the student will be expected to provide the requisite confirmation or documentation of their background check results to the Clinical Affiliate. If the Clinical Affiliate requires the College to confirm or provide such documentation, the College will seek the student's consent to make the requisite disclosures to facilitate the student's participation in the clinical education experience at the Clinical Affiliate.

Negative Findings. If the background check report contains negative findings as determined by the College, which may be unacceptable to Clinical Affiliates, a review committee of the College may request that the applicant submit additional information relating to the negative finding such as, but not limited to, a written explanation, court documents, and/or police reports. The committee will review all information available to it and determine whether a clinical education experience would still be available pursuant to the Clinical Affiliate requirements. In some circumstances, the College may consult with a Clinical Affiliate or facilitate the Student's meeting with the Clinical Affiliate to ascertain whether a clinical education experience with a Clinical Affiliate would be available to the Student.

Right to Review. Students have the right to review the information reported by the designated company for accuracy and completeness and to request that the designated company verify that the background information provided is correct. Upon request, College will provide students a copy of or access to the background check report issued by the designated company, and inform them of their rights, how to contact the designated company to challenge the accuracy of the report and that the designated company is not involved in decisions concerning the Program.

II. Pre-Clinical Drug Screening

Drug Screening. All students assigned to clinical experiences, including those which are observational in nature, must complete pre-clinical drug screening in accordance with this Section. Pre-clinical drug screening will be conducted through a contractual agreement between the College's designated company (currently, CastleBranch) and a designated laboratory in accordance with the Drug Screening Procedures set forth in Section IV of this Policy.

The required panel urine screen for drugs of abuse typically includes the following drugs:

- Amphetamine (AMP),
- Barbiturates (BAR),
- Benzodiazepines (BZO),
- Cocaine (COC),
- Marijuana (THC),
- Methamphetamine (MET),
- Methadone (MTD),
- Opiates (OPI),
- Oxycodone (OXY),
- Phencyclidine (PCP), and
- Ecstasy (MDMA).

Impact of Prior Use. Importantly, a student's drug use prior to such drug screening may be reflected in such drug screening, and may effectively disqualify the student from required clinical participation at any Clinical Affiliate under the applicable Program, and may put Program completion at risk.

Clinical Affiliate Procedures. Clinical Affiliates generally required that students are screened for drugs before beginning clinical education experiences in their facilities, however, specific time frames may be dictated by the specific Clinical Affiliate. Students will be provided with clear instructions and dates for the pre-clinical drug screen.

Reporting Results. Pre-Clinical Drug screening under this Section shall be reported directly to the Dean of the Nursing School and may only be used by the College to assess the appropriateness of the Student's initial participation in clinical education experiences under the Program, and reports are not shared with other members of the University staff or the OSCCR.

III. Screening for Reasonable Suspicion of Drug/Alcohol Use

Drug Testing for Reasonable Suspicion. In addition to Pre-Clinical Drug Screening, the College reserves the right to require students then participating in a clinical education experience (whether off site at a Clinical Affiliate or on campus in a simulated clinical setting in which there is potential patient interaction), to undergo drug and/or alcohol testing for cause when demonstrating impaired performance or behavioral changes that are suspected to be related to drugs or alcohol or if the student is suspected of using drugs or alcohol even if there is no obvious impairment or behavioral changes. All costs associated with this screening are the responsibility of the student.

Referral Basis. The decision to refer a student for drug testing will be made by the College based on, but not limited to, reports from the Clinical Affiliate or on campus simulated clinical setting, of:

- a. Observable/experienced phenomena such as direct observation of drug use or directly experienced odors or residues that are associated with drug use; and/or
- b. Physical symptoms or manifestations of being under the influence of a drug; and/or
- c. Erratic behavior, slurred speech, staggering gait, flushed face, dilated/pinpoint pupils, wide mood swings, and/or deterioration of work performance.

A student who is referred for drug testing by the College will be issued a *Student Drug Testing Notification for Reasonable Suspicion of Drug/Alcohol Use Form* to complete (Appendix A).

Reporting Results. Drug screening under this Section shall be reported directly to the Dean of the Nursing School and may only be used by the College to assess the appropriateness of the Student's continued participation in clinical education experiences under the Program, and reports are not shared with other members of the University staff or the OSCCR.

IV. Drug/Alcohol Testing Procedure

All drug and alcohol testing required by the College under this Policy will be conducted utilizing the following measures:

- A. The student must be tested at the designated laboratory approved by the College.
- B. The student must fully comply with the testing facility's methods and procedures for collecting samples.
- C. The test shall screen for the use of the controlled substances (10-11 panel drug screen). The student will disclose any prescribed or over-the-counter medications, as well as any dietary habits that could modify testing results. If the results of a student's test confirms the presence of a prescribed drug, the student will be required to obtain a written statement from the prescribing physician stating that the drug level is within prescribed limits and that the level does not indicate abuse.
- D. Only those students with a positive drug test will be notified. Positive test results will be communicated to the student through the University email system.

- E. If the accuracy of a positive test is disputed by the student, the student may request a retesting of samples by the designated laboratory, however, the cost of the additional testing would be the responsibility of the student. Testing done outside the appropriate window of time permitted by the designated laboratory will not be considered valid.
- F. Substance abuse is verified if either: 1) the positive test result is not disputed; or 2) if the student-requested retest is positive.
- G. If the test is inconclusive, the screening will be treated as positive until definitive analysis by alternate testing is accomplished. During this time, the College may decide to remove the student from participation in any clinical education experience, but may be allowed to attend on-campus classes.
- H. The designated testing laboratory will make a final report of the test results (positive, negative, or inconclusive) to the appropriate Program Director/Department Chair, subject to the student's authorization to release the results to the Program Director/Department Chair. The student understands that refusal to consent to authorizing release the results to the Program Director/Department Chair may put Program completion at risk.

All interim actions, including requiring the student to undergo drug or alcohol testing, withdrawing students from participating in clinical education experiences, and/or withdrawing students from attending classes will be determined by the Program Director/Department Chair.

In drug or alcohol testing for cause (reasonable suspicion) cases, the cost of any required drug or alcohol testing will be borne by the student and will be conducted at a designated laboratory chosen by the College. A student who refuses to submit to testing will be regarded as having voluntarily relinquished his/her/their clinical participation and may put Program completion at risk. Any attempt to delay, hinder, or tamper with any testing or to alter the results of testing will be considered a refusal to submit to testing and may result in an inference of impairment and/or a violation of this Policy.

V. Confidentiality

Background check reports and drug test results are confidential and may only be reviewed or disclosed by College officials in accordance with the Family Educational Rights and Privacy Act (FERPA), including with student consent or subject to an applicable exception to consent. The College will seek the written consent and/or authorization of the student prior to disclosing such information concerning the student to a Clinical Affiliate. As stated above, the student's refusal to consent to or authorize disclosure of required information will likely disqualify the student from clinical participation at a Clinical Affiliate (or any Clinical Affiliate) under the applicable Program, which may put Program completion at risk. Upon written request, students will be provided a copy of test results. All submitted information will be maintained in accordance with the University's record retention policies.

VI. Reporting

Reporting Suspected Drug/Alcohol Use. A faculty or staff member who suspects possible drug or alcohol use by a student of the College must report the suspicious behavior to the OSCCR in accordance with University policy and to the Dean of Nursing contemporaneous with the report

to the OSCCR. Any report of suspected student drug or alcohol use by a representative of a Clinical Affiliate should be directed to the Program Director/Department Chair.

Voluntary Self-Disclosure. Students who voluntarily self-disclose a substance or alcohol abuse problem to a faculty member, academic advisor, Counseling and Psychological Services (CAPS) staff member, or the Program Director/Department Chair, prior to a positive drug/alcohol test result, and who are willing to enter in and complete an appropriate program of treatment, may be granted a medical leave of absence while the student undergoes treatment. The student, in consultation with the student's health care provider and CAPS counselor, will identify and enter a treatment program. The student must sign appropriate University forms providing CAPS permission to communicate the student's recovery status to the appropriate review committee of the College.

Reporting Violations of Law. Any student of the College who is arrested or convicted of violating any federal, state, or local law, including as it pertains to manufacturing, distribution, dispensing, possession or use of controlled substances, including use of marijuana, and any unlawful or improper manufacturing, distribution, dispensing, possession or use of alcoholic beverages or prescribed medications, must immediately report this event to the OSCCR, as well as to the Program Director/Department Chair and the Dean of the College of Nursing, Education and Health Sciences. Such report should be made prior to any contact with Clinical Affiliates or Clinical Affiliate staff, clients, patients, or families.

VII. Student Conduct Review & College Actions

Student Conduct Review. Upon receipt of a report of suspected use of drugs or alcohol by a student or the arrest or conviction of the student in violation of the law by a student, the Student Conduct Office will investigate such reports in accordance with University policy. For any students who are not yet cleared for clinical education experience under their Program, any report of suspected drug and/or alcohol abuse shall be addressed directly by the OSCCR. However, as noted in Section II, a student's prior drug use may be reflected in mandatory drug screening in preparation for clinical participation. OSCCR will investigate any report that a student is arrested or convicted of violating any law. The OSCCR's review of any report of a student's drug or alcohol use or violations of University policy or applicable law may result in disciplinary action in addition to any College Interim or Final Actions noted below, up to and including expulsion from the University, as well as potential other legal consequences that may result.

College Interim Action. In the interest of patient safety during clinical education experiences and maintaining the highest level of integrity among the clinical profession, the College reserves the right to take certain immediate interim actions with respect to a student's participation in clinical education experiences, including during any pending investigation of the student by the OSCCR. For any student suspected of possible drug or alcohol abuse who is then participating in a clinical education experience involving potential patient interaction off campus at a Clinical Affiliate or on campus in a simulated clinical setting, the College may decide, in its sole discretion, to (a) require the student to undergo additional drug screening in accordance with Section III of this

Policy; and/or (b) remove the student from any clinical education experience, pending the results of any screening required by College pursuant to Section III of this Policy and/or any concurrent investigation and determination of the Student Conduct Office.

College Final Actions. If a positive drug test is confirmed pursuant to the drug screening required by College pursuant to Section II or III of this Policy, or if the College is notified that a student was arrested or convicted of violating the law, the student will immediately be removed from participation in any clinical education experience and/or dismissed from the Program. Results of any drug screenings required by College pursuant to Section II or III of this Policy will not be shared with the Student Conduct Office for purposes of the University's investigation of violations of University policy.

Notice to Clinical Affiliates. College will notify Clinical Affiliates in the event that College and/or the OSCCR withdraws a student from any clinical education experience under this Section.

VIII. Treatment Resources and Academic Planning

Treatment Options. The University offers certain treatment options to students as set forth in the [Drug Free Schools and Communities Act Notification Student Standards of Conduct](#). Students may be referred by the College and/or OSCCR for evaluation and/or treatment relating to alcohol and drug abuse as a non-punitive action to support the student's rehabilitation and eventual return to clinical participation and completion of the Program.

Re-admittance to Clinical Participation. Students pursuing treatment options for alcohol and drug abuse in accordance with University policy may be permitted to continue in theory or classroom courses of the Program subject to College and the OSCCR approval. Such students may also be re-admitted by the College to participate in clinical education experiences in the next semester the clinical education experience and its related content course is offered, subject to a negative additional pre-clinical and random drug screening (i.e., for reasonable suspicion of drug or alcohol use) pursuant to Section II and III of this Policy and the express approval of the Clinical Affiliate. All such follow-on drug screening is the responsibility of the student to complete at the student's cost and to report to the College and Clinical Affiliate, as appropriate. Student who are arrested or convicted of violating the law may be re-admitted to clinical participation at the discretion of the OSCCR and the College upon completion of their investigation.

Student Acknowledgement Form

1. I have read and understand the **Policy on Background Check & Substance Abuse Screening for Clinical Participation** set forth above. I understand my rights and responsibilities with respect to the background check and drug screening requirements described in this Policy.
2. I understand that satisfactory completion and reporting of the background check and drug screening requirements set forth in this Policy are a condition of my participation in clinical education experiences required under my degree program. I also understand that individual health care providers or provider organizations that host student clinical education experiences (each, a “Clinical Affiliate”) may have additional background check and drug screening requirements (e.g., fingerprinting) that I will be required to satisfy in order to participate in the clinical education experience at the Clinical Affiliate.
3. I understand that failure to satisfactorily complete or report any background check or drug screening requirement set forth in this Policy or as required by a specific Clinical Affiliate may disqualify me from participation in the clinical education experience at the intended Clinical Affiliate or under my degree program, as applicable. I further understand that my academic progress may be delayed and/or my ability to graduate or graduate on time may be impacted if I do not complete the required clinical education experience in a timely fashion as part of my degree program.
4. I also understand that the rights and obligations under this Policy are ongoing to the extent that I may be required to complete and report additional background check and drug use screening requirements after matriculating into the College or beginning clinical participation at a Clinical Affiliate, and that clinical participation at a Clinical Affiliate may later be denied or rescinded based on any additional background check and drug use information obtained by the College or the Clinical Affiliate under this Policy.
5. I understand that the College makes no assurance that my clinical participation at a Clinical Affiliate will be finalized initially or that I will complete the required clinical education experience under my degree program if I violate this Policy. I also understand that in addition to my clinical participation, my actions involving criminal misconduct or suspected or actual drug or alcohol use may have further disciplinary consequences for me under [*The Student Handbook \(The Source\) Controlled Substances Policy*](#) and the [*Drug Free Schools and Communities Act Notification Student Standards of Conduct*](#).

I have had the opportunity to discuss these rights and responsibilities with my academic advisor or other College personnel, and all of my questions have been answered to my satisfaction. The signature(s) below acknowledges understanding of, and agreement with, the above statements regarding compliance with the **Policy on Background Check & Substance Abuse Screening for Clinical Participation**.

Student’s Name:

Date:

Signature: