

Conditional Acceptance Policy

Conditional Acceptance- Acceptance to the School of Graduate Studies is conditional; the Admission Committee may rescind an offer of acceptance at any time before matriculation if an applicant fails to maintain expectations upon which the acceptance was based. Examples include, but are not limited to, a significant decline in academic performance, failure to complete prerequisites or other course work and degrees in progress, patterns of unprofessional behavior and incidents discovered in a criminal background check.

Criminal Background Checks (CBCs)- Any preadmission agreement executed by the health care program with a student shall be void if there is a disqualifying incident or pattern of unprofessional behavior in the CBC prior to enrollment.

Fingerprint-Based CBC- Effective July 1, 2004, Section 37-29-232 of the Mississippi Code requires that students enrolled in a health care professional academic program undergo fingerprinting and CBC. All accepted applicants must call the School of Graduate Studies to schedule an appointment with UMMC Human Resources prior to enrollment so that a set of digital fingerprints and photograph can be required. Fingerprints will be submitted to the Mississippi Public Safety Commission and Department of Justice Federal Bureau of Investigation for a criminal background check. If any potentially disqualifying event is reported, Human Resources will mail to the Graduate School applicant a letter (such as Determination of Non-suitability for Employment in a Healthcare Facility) indicating that a potentially disqualifying event(s) has been reported and a copy of the criminal history report record. Copies will be sent to the Dean of the School of Graduate Studies. Currently, there is no charge to the applicant for this service.

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Miss. Code Ann. § 37-29-232

MISSISSIPPI CODE of 1972

*** Current through the 2014 Regular Session and 1st and 2nd Extraordinary Sessions ***

TITLE 37. EDUCATION CHAPTER 29. JUNIOR COLLEGES STUDENTS

Miss. Code Ann. § 37-29-232 (2014)

§ 37-29-232. Criminal history record checks and fingerprinting for health care professional/vocational technical students

(1) For the purposes of this section:

(a) "Health care professional/vocational technical academic program" means an academic program in medicine, nursing, dentistry, occupational therapy, physical therapy, social services, nutrition services, speech therapy, or other allied-health professional whose purpose is to prepare professionals to render patient care services.

(b) "Health care professional/vocational technical student" means a student enrolled in a health care professional/vocational technical academic program.

(2) The dean or director of the health care professional/vocational technical academic program is authorized to ensure that criminal history record checks and fingerprinting are obtained on their students before the students begin any clinical rotation in a licensed health care entity and that the criminal history record check information and registry checks are on file at the academic institution. In order to determine the student's suitability for the clinical rotation, the student shall be fingerprinted. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety, the Department of Health, or any other legally authorized entity to the FBI for a national criminal history record check. The fee for the fingerprinting and criminal history record check shall be paid by the applicant, not to exceed Fifty Dollars (\$ 50.00); however, the academic institution in which the student is enrolled, in its discretion, may elect to pay the fee for the fingerprinting and criminal history record check on behalf of any applicant. Under no circumstances shall the academic institution representative or any individual other than the subject of the criminal history record checks disseminate information received through any such checks except insofar as required to fulfill the purposes of this section.

(3) If the fingerprinting or criminal history record checks disclose a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault, or felonious abuse and/or battery of a vulnerable adult that has not been reversed on appeal or for which a pardon has not been granted, the student shall not be eligible to be admitted to the health care professional/vocational technical academic program of study. Any preadmission agreement executed by the health care professional/vocational technical academic program shall be voidable if the student receives a disqualifying criminal history record check. However, the administration of the health care professional/vocational

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technical academic program may, in its discretion, allow any applicant aggrieved by the admissions decision under this section to appear before an appeals committee or before a hearing officer designated for that purpose, to show mitigating circumstances that may exist and allow the student to be admitted to or continue in the program of study. The health care professional/vocational technical academic program may grant waivers for those mitigating circumstances, which shall include, but not be limited to: (a) age at which the crime was committed; (b) circumstances surrounding the crime; (c) length of time since the conviction and criminal history since the conviction; (d) work history; (e) current employment and character references; (f) other evidence demonstrating the ability of the student to perform the clinical responsibilities competently and that the student does not pose a threat to the health or safety of patients in the licensed health care entities in which they will be conducting clinical experiences. The health care professional/vocational technical academic program shall provide assurance to the licensed health care entity in which the clinical rotation is planned that the results of a health care professional/vocational technical student's criminal history record check would not prohibit the student from being able to conduct his or her clinical activities in the facility, institution, or organization. The criminal history record check shall be valid for the course of academic study, provided that annual disclosure statements are provided to the health care professional/vocational technical academic program regarding any criminal activity that may have occurred during the student's tenure with the health care professional/vocational technical academic program. The criminal history record check may be repeated at the discretion of the health care professional/vocational technical academic program based on information obtained during the annual disclosure statements. In extenuating circumstances, if a criminal history record check is initiated and the results are not available at the time the clinical rotation begins, the academic institution in which the student is enrolled, at its discretion, may require a signed affidavit from the student assuring compliance with this section. The affidavit will be considered void within sixty (60) days of its signature.

(4) Criminal history record checks that are done as part of the requirements for participation in the health care professional/vocational technical academic program may not be used for any other purpose than those activities associated with their program of study. Students who may be employed as health care professionals outside of their program of study may be required to obtain additional criminal history record checks as part of their employment agreement.

(5) No health care professional/vocational technical academic program or academic program employee shall be held liable in any admissions discrimination suit in which an allegation of discrimination is made regarding an admissions decision authorized under this section.

HISTORY: SOURCES: Laws, 2004, ch. 538, § 1, eff from and after July 1, 2004.

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