

**AMERICAN RIVER COLLEGE  
NURSING DEPARTMENT**

**Nursing Assistant Course**

**Declaration of Conviction/No Conviction**

**In order to be considered for admission to the precertification Nursing Assistant Training Program (NRSA-3) students must submit this completed form.**

The State of California requires that all persons preparing to be a CNA, prior to registering, acknowledge whether or not they have been convicted by any court of a crime other than a minor traffic violation

You must complete the following form:      Sex: F \_\_\_\_ M \_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

SSN or TIN: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Have you ever been convicted by any court of any crime, other than a minor traffic violation?

\* Yes  \_\_\_\_\_ No  \_\_\_\_\_

I hereby certify that all statements made on this form are true and complete.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\* Please be aware, if you answered Yes to this question, you must supply the following information **to the California Department of Public Health, Nurse Assistant Section** when you apply for the certification exam at the end of this course. Do not submit to American River College or include with your CNA course application:

1. Dates and nature of the incident(s).
2. Disposition of the case. (Provide court papers)
3. Current status.
4. Letters from probation officer (if applicable).
5. Letters of recommendation (if available).

## Disqualifying Penal Code Sections

If they have been convicted of any of the penal codes listed, CNA/HHA applicants will be automatically denied certification or ICF/DD, DDH OR DDN applicants will be denied employment.

**All CNA/HHA applicants should review this list carefully to avoid wasting their time, effort and money by training, testing and submission of fingerprints since they cannot receive the required criminal background clearance if they have been convicted of any of these violations.**

### Section

187	Murder
192(a)	Manslaughter, Voluntary
203	Mayhem
205	Aggravated Mayhem
206	Torture
207	Kidnapping
209	Kidnapping for ransom, reward, or extortion or robbery
210	Extortion by posing as kidnapper
210.5	False Imprisonment
211	Robbery (includes degrees 212.5 (a) and (b))
220	Assault with intent to commit mayhem, rape, sodomy, oral copulation
222	Administering stupefying drugs to assist in commission of a felony
243.4	Sexual battery (includes degrees (a) – (d))
245	Assault with deadly weapon, all inclusive
261	Rape (includes degrees (a) – (c))
262	Rape of spouse (includes degrees (a) – (e))
264.1	Rape of penetration of genital or anal openings by foreign object
265	Abduction for marriage of defilement
266	Inveiglement or enticement of female under 18
266a	Taking person without will or by misrepresentation for prostitution
266b	Taking person by force
266c	Sexual act by fear
266d	Receiving money to place person in cohabitation
266e	Placing a person for prostitution against will
266f	Selling a person
266g	Prostitution of wife by force
266h	Pimping
266i	Pandering
266j	Placing child under 16 for lewd act

266k	Felony enhancement for pimping/pandering
267	Abduction of person under 18 for purposes of prostitution
273a	Willful harm or injury to a child; (includes degrees (a) – (c))
<u>Section</u>	
273d	Corporal punishment/injury to a child (includes degrees (a) – (c))
273.5	Willful infliction of corporal injury (includes (a) – (h))
285	Incest
286(c)	Sodomy with person under 14 years against will
286(d)	Voluntarily acting in concert with or aiding and abetting in act of sodomy against will
286(f)	Sodomy with unconscious victim
286(g)	Sodomy with victim with mental disorder or development or physical disability
288	Lewd or lascivious act acts with child under age of 14
288a(c)	Oral copulation with person under 14 years against will
288(d)	Voluntarily acting in concert with or aiding and abetting
288(f)	Oral copulation with unconscious victim
288(g)	Oral copulation with victim with mental disorder or development or physical disability
288.5	Continuous sexual abuse of a child (includes degree (a))
289	Penetration of genital or anal openings by foreign object (includes degrees (a) – (j))
289.5	Rape and sodomy (includes degrees (a) and (b))
368	Elder or dependent adult abuse; theft or embezzlement of property (includes (b) – (f))
451	Arson (includes degrees (a) – (e))
459	Burglary (includes degrees in 460 (a) and (b))
470	Forgery (includes degrees (a) – (e))
475	Possession or receipt of forged bills, notes, trading stamps, lottery tickets or shares (includes (a) – (c))
484	Theft
484b	Intent to commit theft
484d-j	Theft of access card, forgery of access card, unlawful use of access card
487	Grand theft (includes degrees (a) – (d))
488	Petty theft
496	Receiving stolen property (includes (a) – (c))
503	Embezzlement
518	Extortion
666	Repeat convictions for petty theft, grand theft, burglary, carjacking, robbery and receipt of stolen property

Certification of applicants with convictions on this list MAY be reconsidered by ATCS only if misdemeanor have been dismissed by a court of law or a Certificate of Rehabilitation has been obtained for felony convictions. Any other convictions, other than minor traffic violations, must also be reviewed by ATCS.

### Reporting Prior Convictions

Applicants are required under law to report all convictions unless they are only minor traffic violations. ("Driving under the influence" convictions must be reported.) Convictions must be reported even if they have been expunged under Penal Code Section 1000.

When reporting prior convictions or disciplinary actions, the applicant is required to provide a full explanation of: the underlying circumstances, date of incident, date of conviction/disciplinary action, specific violation (cite section of law if conviction), court location or jurisdiction, sanctions or penalties imposed and completion dates. Court documents should also be included.

The burden of proof lies with the applicant to demonstrate sufficient competent evidence of rehabilitation. Examples of rehabilitation evidence would include, but not be limited to:

1. Recent, dated letter from applicant describing rehabilitation efforts or changes in life to prevent future problems.
2. Letters from professional counselors, instructors, employers, probation or parole officers on official letterhead.
3. Letters from recognized recovery programs or counselors attesting to current sobriety, if there is a history of alcohol or drug abuse.
4. Proof of community work, schooling, self-improvement efforts.
5. Court-issued certificate of rehabilitation or evidence of expungement.
6. Current mental status examination by clinical psychologist or psychiatrist, if applicable.