

PROCEDURE

Number: 31-18
Title: Criminal Background Check
Responsibility: Human Resources
Original Approval Date: 00/00/0000
Last Cabinet Review: 08/05/2025
Last Revision: 08/05/2025

Reference (Policy and/or Procedure)

SBTCE:

FDTC:

Other:

Procedure Description

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Purpose

To establish procedures for handling the criminal background checks of the following: Students participating in clinical rotations or field work placements, and to be in compliance with Article 23, Section 44-7-2920 of the S.C. Code of Law.

- Students will be informed that the results of the criminal background check can

affect their ability to complete required clinical rotations/field work placements and/or become credentialed (e.g., some felony convictions can make a student ineligible to take the licensing exam required by the profession or prevent the student from participating in the clinical training component).

Work-study students and temporary employees in sensitive areas as designated by the College (e.g., information technology, financial aid, business office).

Other employees and students as deemed necessary by the College.

PROCEDURE:

A. Students in Clinical Rotations or Field Work Placements

SLED record checks must be completed prior to the admission of students to curriculum courses. In the semester prior to the admission to the first curriculum course of the designated program, students must complete and sign the SLED State Criminal Records Check Disclosure Statement – Applicant Consent Form and submit it to the program director or secretary for processing. Students will be assessed a one-time fee to cover the cost of the SLED background check.

The program director or designee electronically transmits the information to SLED. SLED returns the completed criminal background checks to the program director electronically.

In the semester prior to the admission of any student to a curriculum that requires SLED record checks, the program director notifies all primary clinical affiliates of any charges or convictions identified in all students' SLED checks. The students are to be identified by number (Student # 1, #2, etc.) only, with no personally identifiable information disclosed relative to the student's name, race, gender, age, etc., in compliance with FERPA regulations.

Clinical agencies agree to accept or deny a student for a clinical rotation based on

the agency's interpretation of the of the SLED State Criminal Records Check results for each student.

The program director meets with those students who have been denied access to a clinical agency to share the report and inform the student that he/she is not admissible to the designated curriculum and should withdraw from the major until the student can get the criminal charges removed from his/her record.

Any student who is participating in curriculum courses and is subsequently forced to withdraw from his/her curriculum courses due to SLED check results will not be entitled to a tuition refund.

B. Employees in designated areas that require a SLED check

Applicants under consideration for assignment to sensitive areas of the college including work study students will be informed of the SLED check requirements and the Human Resource Office will have the responsibility of obtaining the applicant's written consent, requesting the SLED check, and sharing the results with the appropriate Executive Committee member and the President or designee.

A felony conviction may result in immediate disqualification, depending on how much time has passed since the conviction, the requirements of the specific position, and the nature and gravity of the offense.

If the SLED check reveals a prior felony conviction, the College promptly will provide a copy of the report to the applicant, along with a summary of his/her rights, and give the applicant an opportunity to dispute or explain inaccurate or incomplete information in the report—before the College makes a final determination as to whether to disqualify the applicant.