

Policy Identification Number	
Policy Title	Criminal Background Checks for Students
Classification	Student
Approval Authority	Executive Vice President for Academic Affairs and Provost
Responsible Entity	Associate Provost for Educational Affairs and Student Life
Policy Owner	Darlene Shaw, PhD
New/Revision/Retired	Revision
Original Effective Date	May 20, 2006

I. Policy Statement

MUSC students, as a condition of their acceptance to MUSC, must consent to and undergo a criminal background check ordered through MUSC Human Resources Management. The University reserves the right to request additional criminal background checks during a student's enrollment at MUSC or return from a leave of absence.

II. Scope

This policy applies to MUSC degree-seeking and non-degree-seeking students, distance-based students, employee students, and students returning from a leave of absence. Former students are subject to the standard enrollment process, including a background check.

III. Approval Authority

The Executive Vice President for Academic Affairs and Provost is the approval authority for this policy.

IV. Purpose of This Policy

The purpose of this policy is to protect vulnerable populations, to preserve confidence in MUSC's reputation, to comply with The Joint Commission requirements, and to advise and counsel students who have a reported criminal history.

Protecting Vulnerable Populations

Protection of vulnerable populations, including patients, is of utmost importance to the Medical University of South Carolina.

Preserving Confidence in MUSC's Reputation

MUSC serves the public community and strives continually to build upon and reinforce the trust its patients, families, employees, and students place in the Institution. Criminal background checks provide protection to our community and support our commitment to integrity, compassion, and respect.

Complying with The Joint Commission Requirements

This policy mirrors other MUSC policies that require employees and volunteers to submit to background checks. In compliance with The Joint Commission requirements, "Staff, students and volunteers who work in the same capacity as staff who provide care, treatment, and services" are expected to undergo verified criminal background checks when required by law and/or organization policy.

Affecting Licensure

Because many licensing or certifying bodies require criminal background checks at the time of initial application or continuing eligibility to practice, knowledge of reported criminal background history provides the University with an opportunity to discuss and educate students on the challenges they may encounter and advise them on possible options to mitigate the existence of their criminal history.

V. Who Should be Knowledgeable of This Policy

All incoming, current, and returning students, and MUSC employees engaged in educational programs and activities involving students should be knowledgeable about this policy.

VI. The Policy

A. MUSC students, as a condition of their acceptance to MUSC, must consent to and complete a criminal background check ordered through MUSC Human Resources Management.

1. For incoming students, the Office of Enrollment Management will initiate criminal background checks by sending a list of student names to Human Resources Management (HRM). The list will include non-degree seeking students. The Office of Enrollment Management will bear the costs associated with the background checks for matriculating students.
- B. The University reserves the right to require students to undergo additional background checks during a student's enrollment at MUSC or in conjunction with a student's request to return from a leave of absence. Factors that should be considered when determining whether to request a criminal background check when a student is returning from an LOA include, but are not limited to, concern about fitness for duty, patient safety, prior professionalism issues, and reputational harm to the institution. Colleges will contact Human Resources Management to initiate any additional background checks.
- C. Human Resources Management (HRM) will order criminal background checks. If no criminal history is reported, the student is cleared to proceed with enrollment. If a criminal history is reported, HRM will provide written notification to the proposed student's Dean's Office. The notification will include the student's information (e.g., name, address, phone, date of birth, assigned netID, and the nature and date(s) of the offense(s)). HRM will maintain all searches performed for a minimum of 5 years.
- D. Each college will develop a process to address a report of criminal history resulting from the background check. The process will include the following elements:
1. Identify the decision-making body that will consider the reported history, oversee the assessment process, and determine the relevance of the report.
 2. Gather information that must include contacting the accepted and/or returning student and providing that student with the opportunity to review the report, present documentation negating the reported history, including appropriate paperwork clearing the history.

3. If the student is able to clear the charge of concern (e.g., incorrect charge, not guilty, expungement) by submitting the appropriate paperwork, the student will proceed in the program.
 4. When assessing the history, the decision-making body will evaluate the seriousness and nature of charges, the outcome of the charges, the dates of charges, and risks and/or liabilities posed to the MUSC Community, etc.
 5. The decision-making body may consult with other MUSC departments (e.g., General Counsel, Title IX Coordinator, Public Safety) to assess the nature of the offense and the risk to the MUSC community.
 6. Evaluate whether the nature of the offense will jeopardize the student's ability to proceed in the program and to obtain licensure.
 7. Make an official determination on whether any adverse action is to be taken.
 8. If the student has been charged with an offense considered one of moral turpitude, and the college, in consultation with General Counsel, decides the student can continue in the program, the Dean's Office will provide this information to the administration at the clinical facility where the student is scheduled for experiential learning. The clinical agency will determine if the student can attend or continue with the clinical agency.
 9. The student will be notified of the decision in writing.
 10. The student will be provided with the option to appeal to the Dean and instructions on the appeal process.
 11. Maintain a file with supporting documentation of the process and decisions made until the student graduates or officially ceases to be a student at MUSC.
- E. For non-degree seeking students enrolling/enrolled only in interprofessional (IP) courses and who have a reported criminal history, the Office of

Interprofessional Initiatives (OII) will review the findings to determine an appropriate course of action.

VII. Special situations

VIII. Sanctions for Non-compliance

IX. Related Information

A. References, citations

[SC Department of Labor, Licensing, and Regulation law](#) changed in 2008 to allow specifically for a criminal background check to determine eligibility and continued eligibility to practice in SC.

[Criminal Background Checks – The Joint Commission Requirements](#)

[MUSC Student Arrest Policy](#)

[MUSC College of Nursing Background Check](#)

X. Communication Plan

The policy will be published in The Bulletin and distributed to the Deans' offices and Education and Student Life leadership. Students will be informed during the application process.

XI. Definitions

Student

a campus-based or distance-based, degree-seeking or non-degree-seeking individual who (1) has submitted an application to MUSC and paid the matriculation fee, but who is not officially enrolled until all admission criteria are

met; or (2) is returning after a leave of absence; or (3) is currently enrolled at MUSC

Dean's Office

the office of the dean of the college to which the student has applied or in which the student was enrolled prior to taking a leave of absence

XII. Review Cycle

This policy will be reviewed every 3 years.

XIII. Approval History

Original approval date and subsequent review dates:

Approval Authority	Date Approved
Executive Vice President for Academic Affairs and Provost	May, 20 2006
Executive Vice President for Academic Affairs and Provost	January 9, 2007
Executive Vice President for Academic Affairs and Provost	May 20, 2019

XIV. Approval Signature

Lisa K Saladin, PT, PhD, FAPTA
Executive Vice President for Academic Affairs and Provost

Date

Reference Link: