

**SOUTH CAROLINA STATE UNIVERSITY
PERSONNEL POLICIES AND PROCEDURES MANUAL**

SECTION: Recruitment and Employment	Section: I
	Subject: J
SUBJECT: Disclosure of Applicant Information	Effective: 06/05/09
	Revised: 05/29/09

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND SOUTH CAROLINA STATE UNIVERSITY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE UNIVERSITY 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.

DISCLOSURE OF APPLICANT INFORMATION

Release of any information on applicants applying for positions at South Carolina State University is done so only in accordance with the Freedom of Information Act (FOIA). The following guidelines will be used in disclosing such information.

- A. The University's Office of Human Resource Management (OHRM) is designated as the office to process FOIA requests related to disclosure of applicant information. All applicant information will be stored in OHRM and the Human Resources Director or designee is the designated custodian of this applicant information and shall maintain the official count of the number of applications that are accepted for an open position.
- B. Documents generally gathered for all applicants are applications, resumes, reference checks, criminal background checks, and confirmation of salary for a State employee. Documents which may be gathered dependent upon the specific position being filled are credit checks, school transcripts, driver's license records, drug tests, medical examinations, certification or licensing verification, and proficiency test scores.
- C. Information shall only be made available upon written request submitted to OHRM. When a written request under the FOIA for information concerning an applicant is received, the Human Resources Director or designee will respond in writing to the request within 15 days (excepting Saturdays, Sundays, and University observed holidays). Information in the response shall include a summary of the information being provided under the request, a summary of the information that is not being disclosed and the reasons therefor, an estimate of the fees that will be charged, and any deposit to be made by the requester.
- D. OHRM will charge the person requesting the information the actual cost incurred in providing the information. This charge shall consist of the hourly rate of the individual who is assigned the task of gathering the requested information plus any copying costs. The fee, or a minimum of a 50% deposit, shall be paid prior to any action being taken on the request. The entire cost must be paid prior to the information being provided to the person requesting it.

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- E. The Office of Human Resource Management will assemble all materials, regardless of their form or location that were gathered in the search to fill the employment position. The Human Resources Director or designee shall determine which information to disclose under the FOIA request, subject to approval by the President. The University's general counsel will also be consulted in this process. Each FOIA request will be examined on a case-by-case basis for determining which information will be disclosed. In determining what information to disclose, the privacy interests of the applicant will be weighed against the public's interest in disclosure.

- F. The applicant's social security number, medical records, and income tax returns information are exempt from disclosure by the FOIA. Depending on the specific situation, the following information will be evaluated to determine whether its disclosure would constitute an unreasonable invasion of personal privacy: drug test results, unlisted phone numbers, salaries, criminal convictions, Family Independence Act information, reasons for job terminations, credit check information, criminal background check information, reference letters, and driver's license number.