

NUMBER: ACAF 3.03
SECTION: Academic Affairs

SUBJECT: Handling of Student Records

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Policy for: All Campuses
Procedure for: All Campuses
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Issued by: University Registrar

I. Policy

The University of South Carolina collects personal student information that is considered necessary to fulfill its purpose as an institution of higher education. Information is maintained and made available in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and the South Carolina Family Privacy Protection Act of 2002.

- A. The University of South Carolina complies with The Family Educational Rights and Privacy Act (FERPA), which affords students certain rights with respect to their education records.
1. The right to inspect and review their records.
 2. The right to request an amendment of records that the student believes are inaccurate or misleading.
 3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (outlined in the Annual Notification of Student Rights under FERPA.)
 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of South Carolina to comply with the requirements of FERPA.
- B. In accordance with section 99.7 of the Family Educational Rights and Privacy Act (FERPA), the University of South Carolina provides students annual notification of their FERPA rights.
- C. The University of South Carolina has designated the following items as Directory Information: a student's name, electronic mail address, local and permanent mailing addresses and telephone numbers, semesters of attendance, enrollment status (full- or part-time), date of admission, date of graduation, school, major and minor fields of study, whether or not currently enrolled, classification (freshman, etc.), type of degree being pursued, **expected graduation date**, degrees, honors, and awards received (including scholarships and fellowships), weight and height of members of athletic teams, and whether the student has participated in officially recognized activities and sports sponsored by the University. The University may disclose any of these items without prior written consent, unless the student has submitted a written request to the Office of the University Registrar not to release directory information pertaining to him

- or her. The student must submit the written request no later than May 31 in order to prevent disclosure in the printed student directory (See procedures).
- D. The University of South Carolina reserves the right to refuse to permit a student to inspect the following records:
- (a) Parents' financial records
 - (b) Confidential letters of recommendation requested by the student and filed before November 19, 1974, or letters written after that dates for which the student has waived access. Students may request the names of those who have submitted confidential recommendations.
 - (c) Documents revealing non-directory information about other students (such as class rolls).
- E. The University of South Carolina may refuse to release transcripts and verification of records for students who have a financial obligation to the University (see ACAF 3.09).
- F. **The South Carolina Family Privacy Protection Act of 2002 (Bill 204) was signed into law by Governor Hodges on May 1, 2002 and was made effective immediately. The University of South Carolina complies with The South Carolina Family Privacy Protection Act of 2002, which requires that:**
- 1. **We must clearly display our privacy policy and the name and phone number of who is responsible for administering the policy,**
 - 2. **We must only collect information necessary to fulfill our legitimate public purpose,**
 - 3. **We must advise students that some of the information we collect is subject to public scrutiny or release,**
 - 4. **We must provide notice to all requestors/obtainers that using public records information for commercial solicitation is prohibited.**
- G. **LISTS of students are not generated or released to anyone outside the University unless the requesting organization has a contractual agreement with the Board of Trustees to provide University-related services, or it is determined by the data steward that the release is for services considered to be an essential element of our legitimate public purpose and will not be used for commercial solicitation. Non-directory information is considered confidential and made available only as allowed by FERPA and as outlined in University Policy.**

II: Procedures

- A. Student procedures related to FERPA rights:
- 1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access: Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the University official to whom the request was submitted does not maintain the records, that official shall advise the student of the correct official to whom the request should be addressed.
 - 2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading: Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write to the University official

- responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (outlined in the annual Notification of Student Rights under FERPA.) The University may disclose directory information without prior written consent, unless the student has submitted a written request to the Office of the University Registrar not to release directory information pertaining to them. Requests will be processed within 24 hours after receipt. Telephone directories are published during the summer; students eligible to enroll for the upcoming fall term are listed in the printed directory unless the Office of the University Registrar is notified by May 31. The electronic directory is updated each weekend; requests for non-disclosure will be honored with the next update after the staff of the Office of the University Registrar processes the request.
 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of South Carolina to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:
Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington DC 20202-4605

Questions concerning this law and the University's procedures concerning release of academic information may be directed to the Office of the University Registrar at 777- 5555.

- B. University of South Carolina procedures related to FERPA
1. The methods used to inform students are as follows:
 - (a) Annually by publication in the Columbia campus undergraduate & graduate bulletins
 - (b) Three times a year in the Columbia campus master schedule of classes
 - (c) Annually by publication in the Carolina Community
 - (d) On the Registrar's web site in conjunction with the registration process
 - (e) Annually in Law School & Medical School handbooks
 - (f) Regional and senior campus bulletins
 2. Records of requests for access and disclosure without student consent are maintained in the Office of the University Registrar and will be available for review by the student. The University will maintain a record of the requests for and disclosure of personally identifiable information from the education record of the student, except for disclosure:
 - (a) Of directory information;
 - (b) By written consent of the student;
 - (c) to the student;
 - (d) to school officials.
 3. Educational records are records directly related to a student and maintained by the institution or by a party acting for the institution.

The term "education records" does not include the following:

- (a) Records that are in the sole possession of the maker and are not accessible or revealed to any other individual except a substitute who performs on a temporary basis;
- (b) Records maintained by a law enforcement unit of the institution that were created by that unit for the purpose of law enforcement;
- (c) Records relating to employees of the institution, which are maintained exclusively for that purpose. Work records related to student employment (those who are employed as a result of their status as students) are considered educational records;
- (d) Records created or maintained by a physician, or other recognized professional used solely in connection with the provision of treatment to the student, not disclosed to anyone other than the providers;
- (e) records containing only information relating to a person after that person is no longer a student (i.e. alumni accomplishment records are not included).

4. Types of Educational Records and Appropriate Officials

- (a) Academic Records - University Registrar/Academic Affairs
 - (i) Information in permanent academic records files is confidential and is only released in accordance with FERPA and this policy.
 - (ii) The transcript of the record will permanently and clearly note all courses, grades, credits, degrees, and dates, as well as academic dismissal or suspension.
- (b) Disciplinary Records - Office of Student Judicial Programs/Student & Alumni Affairs
- (c) Employment Records - Career Center/Student & Alumni Affairs
- (d) Student Financial Aid Records - Office of Financial Aid & Scholarships/Student & Alumni Affairs
- (e) Graduate Student Records - Graduate School/Academic Affairs
- (f) Other educational records (referred to the appropriate official as defined in ACAF 7.03-Access to Data)

C. Student procedures related to the South Carolina Family Privacy Protection Act of 2002:

- 1. Students who wish to withhold their directory information from release to anyone outside the University may do so using the processes available to them (see ACAF 3.03 and Notification to Students).**

D. University procedures related to the release of personal information:

- 1. The University of South Carolina will honor appropriate requests for student directory information from within the University. Requestors will sign a privacy statement with notification of the law and the statement will accompany the file or report when released.**
- 2. Requests from private entities offering an official University service to students will require a contractual agreement between the University and the vendor. Terms of the contract will specify how the information will be used and what actions the law prohibits.**

