

ADMINISTRATIVE DIVISION ACAF Academic Affairs		POLICY NUMBER ACAF 3.03
POLICY TITLE Handling of Student Records		
SCOPE OF POLICY USC System		DATE OF REVISION July 15, 2020
RESPONSIBLE OFFICER Executive Vice President for Academic Affairs and Provost		ADMINISTRATIVE OFFICE Office of Academic Affairs

PURPOSE

This policy addresses how the University of South Carolina collects and maintains student education records in compliance with the federal Family Educational Rights and Privacy Act (FERPA) and the South Carolina Family Privacy Protection Act of 2002.

DEFINITIONS AND ACRONYMS

Directory Information: Information contained in a student education record that is not generally considered harmful or an invasion of privacy if disclosed. Directory Information can be released by the University without direct consent by the student.

Enrolled: A Student is enrolled for FERPA purposes on the first day the student begins class. FERPA protections begin the first day of enrollment, which is the Student’s first day of class at the University of South Carolina.

FERPA: The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Student: A person who is admitted, enrolled or registered for study at the University of South Carolina Columbia for any academic period, is participating in any university-sponsored academic or preparatory program and/or resides in a University of South Carolina Columbia residence facility.

- A person is considered a student during any period that follows the end of either the spring or fall semester that the student has completed until the last day for registration for the next semester.
- A person is considered a student while under suspension from the university until the student misses a major term (fall or spring).
- A person is considered a student while attending or participating in any activity prior to the beginning of a semester, including, but not limited to, fraternity or sorority recruitment, orientation, placement testing and residence hall check-in.

POLICY STATEMENT

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. 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. The University of South Carolina has designated certain items as Directory Information. At the University of South Carolina, these items are as follows:
 - Name
 - Dates of Attendance
 - Campus
 - College or School
 - Classification
 - Primary Program of Study
 - Full-time or Part-time Status
 - Degree(s) Awarded Including Dates
 - Honors and Award Including Dean's and President's List
 - University Email Address
 - City, State, and Zip Code Associated with a Student's Permanent Address
 2. 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 him or her. Students are notified annually, both in the academic bulletins and via email, of their rights under FERPA and are provided with instructions on how to request a "Confidentiality Indicator" on their academic record which prevents the disclosure of Directory Information.

A Confidentiality Indicator will be placed on the release of Directory Information filed with the University Registrar, which will remain in effect until the student files a written request to remove it. A request not to disclose Directory Information applies to the entire category of such information and cannot be selective with regard to specific items defined as Directory Information. Similarly, a request not to disclose Directory Information applies to all individuals and cannot be selective with regard to specific individuals or organizations.

- B. The University of South Carolina reserves the right to refuse to permit a student to inspect the following records:
 - 1. Parents' financial records.
 - 2. Confidential letters of recommendation requested by the student and filed before November 19, 1974, or letters written after that date for which the student has waived access. Students may request the names of those who have submitted confidential recommendations.
 - 3. Documents revealing non-directory information about other students such as class rosters.
- C. 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.
- D. The University of South Carolina complies with The South Carolina Family Privacy Protection Act of 2002 <http://www.scstatehouse.gov/code/t30c002.php>. For additional information please see <http://www.scstatehouse.gov/code/t30c002.php>.
- E. 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 required for compliance reasons, or it is determined by the data steward (as defined in UNIV 1.51) 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.

PROCEDURES

- A. Student procedures related to FERPA rights are outlined in the annual notification to students available in the academic bulletins and on each campus website.
- 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 campus undergraduate & graduate bulletins;
 - b. Annually by email to all students;
 - c. On the Registrar's website

2. Records of requests for access and disclosure without student consent are maintained in the responsible office 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 to those allowed by exception on the Notification of Student Rights under FERPA, including:
 - a. disclosure of Directory Information;
 - b. disclosure by written consent of the student;
 - c. disclosure to the student;
 - d. disclosure to school officials--A person is a school official if he/she has a legitimate educational interest and needs to review a record to fulfill his or her professional responsibilities for the university;
 - e. disclosure to appropriate parties in a health or safety emergency.
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 "educational 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 the employment of a student which are maintained exclusively for that purpose. Work records related to student employment because of their status as students (graduate teaching, research assistants, work study 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. Alumni accomplishment records are not included.
4. Types of Educational Records and Appropriate Officials
 - a. All Official Academic Records - University Registrar
 - 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 dates of attendance or suspension.
 - b. Disciplinary Records – Campus Offices of Student Conduct/Student Affairs and Academic Support
 - c. Student Employment Records – Payroll & Human Resources
 - d. Student Financial Aid Records – Campus Offices of Financial Aid & Scholarships
 - e. Graduate-specific Student Records and Professional School Student Records - The Graduate School, Medical School, or Law School
 - f. Health Center Records – Campus student health services
 - g. Other educational records referred to the appropriate official as defined in UNIV 1.51- Data and Information Governance
- C. Student procedures related to the South Carolina Family Privacy Protection Act of 2002:
- 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 Notification to Students available in the academic bulletins and on each campus website.
- 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 and will be advised of restrictions.
 2. Requests from non-university 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 allows.
 3. Requests from non-university entities not covered by a FERPA exemption or other federal law will be denied. Exceptions can be made with approval of the Office of General Counsel, but in no case will the information released be non-directory or for the purpose of commercial solicitation.
 4. This policy is administered by the University Registrar, in cooperation with Data Trustees and Stewards as defined in UNIV 1.51.

RELATED UNIVERSITY, STATE AND FEDERAL POLICIES

[UNIV 1.51 Data and Information Governance](#)

[Family Educational Rights and Privacy Act \(FERPA\)](#)

[South Carolina Family Privacy Protection Act of 2002](#)

HISTORY OF REVISIONS

DATE OF REVISION	REASON FOR REVISION
February 1, 1995	New policy approval
October, 31, 2016	References to deleted policy ACAF 7.02 changed to UNIV 1.51.
July 15, 2020	Updated definition of information classified as Directory Information