NOTIFICATION OF STUDENT RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

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.

   A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes 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 records are not maintained by the University official to whom the request was submitted, 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.

   A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

   If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student's 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 provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

   (a) The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, service provider or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

   A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.

   (b) To officials of other institutions in which the student seeks or intends to enroll provided that the student had previously requested a release of his/her record;
(c) To authorized representatives of the U.S. Department of Education, U.S. Department of Defense (Solomon Amendment), U.S. Attorney General, the Comptroller General of the United States, state education authorities, organizations conducting studies for or on behalf of the University, and accrediting organizations; to the Department of Homeland Security (DHS) and its Immigration and Customs Enforcement Bureau (ICE) in order to comply with the requirements of SEVIS.

(d) In connection with a student’s application for, and receipt of, financial aid;

(e) To comply with a judicial order or lawfully issued subpoena;

(f) To parents of dependent students as defined by the Internal Revenue Code, Section 152;

(g) To appropriate parties in a health or safety emergency; or

(h) To the alleged victim of any crime of violence of the results of any disciplinary proceedings conducted by the University.

(i) The University may disclose the result of a disciplinary proceeding to a parent or guardian so long as the student is under the age of 21 at the time of the incident and the proceeding has resulted in a violation of University drug or alcohol policies, or any federal, state, or local law.

(j) To students currently registered in a particular class, the names and email addresses of others on the roster may be disclosed in order to participate in class discussion.

The University of South Carolina has designated the following items as Directory Information: a student's name, electronic mail address, University identification photo, local and permanent mailing addresses and telephone numbers, semesters of attendance, enrollment status (full- or part-time), date of admission, date of expected or actual graduation, school, major and minor fields of study, whether or not currently enrolled, classification (freshman, etc.), type of degree being pursued, 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 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 request is processed by the staff of the Office of the University Registrar.

(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.

Family Policy Compliance Office
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Washington, DC 20202-5901