

# NOTIFICATION OF STUDENT RIGHTS UNDER FERPA

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

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 division, 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 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 or misleading.* Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identifying 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.* The University of South Carolina will disclose information from a student's education records only with the written consent of the student, except:

- a. 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 (such as an attorney, auditor, 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 responsibility.

- b. To officials of other institutions in which the student seeks or intends to enroll provided that the student has previously requested a release of his/her record;
- c. To authorized representatives of the U.S. Department of Education, the Comptroller General of the United States, state educational authorities, organizations conducting studies for or on behalf of the University, and accrediting organizations;
- 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 or 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 e-mail 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**:

- 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

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 Registrar not to release directory information pertaining to them. Requests will be processed within 24 hours after receipt. Directory information will be withheld from student directories and telephone books only if notification is received prior to the publication of these documents. 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 Registrar.

4. *The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University 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 Registrar at 864-503-7646.**

**The Student Right-to-Know Act** requires higher education institutions that receive federal funds to report graduation rates for students who enter the institutions as first-time, full-time degree-seeking students. In the case of four-year institutions, the rate is based on the number of those students who graduate within six years of enrolling.

The graduation rate for first-time students who entered the University of South Carolina Upstate on a full-time basis in the fall of 2021 is 43 percent.

The figure does not include students who transferred from other institutions and graduated from USC Upstate, or those who transferred from USC Upstate to other four-year institutions and graduated from them. The graduation rate is also affected by students who change from full-time to part-time status, those who discontinue studies and later return, as well as those who drop out permanently.