

Policy Number/Title:	1.3.2.03 Privacy of Educational Records
Effective Since:	09/01/2018
Last Revision Approved:	09/01/2018
Responsible Office:	Registrar / Academic Affairs; Office of the President

1. Scope:

This policy applies to: all enrolled students, whether full-time or part-time, and also includes those students who have been enrolled but not yet begun attending classes; all persons employed by Winthrop University; and all other parties who may have access to educational records due to a written agreement, such as but not limited to: internship placement facilities, other schools, foreign universities under exchange programs, and vendors who are performing services for the University.

2. Definitions:

This section was intentionally left blank.

3. Policy:

Winthrop University policy regarding access to student records (such as grades, grade-point ratios, and class rank) is governed by the Family Educational Rights and Privacy Act (FERPA) of 1974 as amended, commonly known as "The Buckley Amendment." (20 U.S.C. § 1232g; 34 CFR Part 99) Under this law, students have the right to inspect and challenge the accuracy of information contained in their Winthrop educational records.

The Office of Records and Registration is responsible for the security and dissemination of student record information in accordance with FERPA. 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 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 specify a method to review the records. 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 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. One exception which permits disclosure without consent is 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 (including law enforcement unit personnel and health staff); 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.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by this 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

Also, these regulations restrict Winthrop to the release of certain records only to the student (current or former) and to certain other authorized school and government personnel, except with the student's prior written consent to release the records to another specified person. Without this consent to release the records to another specified person, Winthrop cannot release a student's records even to parents, except in one instance. Parents or guardians of a student may be given access to certain student records if the parents or guardians sign a statement in the Office of Records and Registration and provide proof that they have claimed the student as a dependent on their last federal income tax return.

FERPA does allow the University to release the following kinds of information (not considered private records) unless the student requests that it be withheld: student's name, address, telephone number, e-mail address, date and place of birth, enrollment



status (full- or part-time), dates of attendance, date of graduation, major and minor fields of study, degrees and awards received, date of admission, whether or not currently enrolled, classification (freshman, etc.), most recent previous educational institution attended, eligibility for honor societies, participation in officially recognized activities and sports, weight, and height of members of athletic teams, and other similar information. Photographic, video, or electronic images of students taken and maintained by the University also are considered directory information. Any student not wanting this information released must make a written request to the Registrar. In accordance with South Carolina law, the University does not sell or give away lists which are in unpublished or computerized form to any outside agency, individual, or business for commercial solicitation purposes.

Questions concerning Winthrop's policy for release of academic information or students who have concerns about a FERPA violation should be directed to the Registrar in the Office of Records and Registration.

4. Procedures:

This section was intentionally left blank.

5. Resources:

PRIVACY OF EDUCATION RECORDS:

<https://www.winthrop.edu/recandreg/ferpa.aspx>

6. History of Revisions:

03/08/2021	Minor Revisions
09/01/2018	Minor Revisions
02/01/2017	Policy first established