Code of Responsibility for Security and Confidentiality of Data

Both federal law (the Family Educational Rights and Privacy Act of 1974, as amended) and state law are in effect to ensure the security and confidentiality of information used in our operations. Thus, security and confidentiality is a matter of concern for all employees within the Office of the Registrar and any other persons who have access to our data systems or physical facilities. Each person working in the Office of the Registrar or who has direct access to student records holds a position of trust relative to this information and must recognize the responsibilities entrusted to them and this office in preserving the security and confidentiality of this information. Therefore, each employee of this department, and any person authorized access to any information through the facilities of this department is:

1. Not to make or permit unauthorized use of any information.
2. Not to seek personal benefit or permit others to benefit personally by any confidential information which has come to them by virtue of their work assignment and in accordance with university and office policies.
3. Not to exhibit or divulge the contents of any record or report to any person except in the conduct of their work assignment in accordance with university and office policies.
4. Not to knowingly include or cause to be included in any record or report a false, inaccurate or misleading entry.
5. Not to remove any official record (or copy) or report from the office where it is kept except in the performance of their duties.
6. Not to operate or request others to operate any university equipment for purely personal business.
7. Not to aid, abet, or act in conspiracy with another to violate any part of this code.
8. To immediately report any violation of this code to his or her supervisor.

While your supervisor can assist you in understanding these policies and how we must operate within them, you should become familiar with its provisions, particularly those regarding required consent to release information, the list of information which can be released for currently enrolled students without consent, and how information is designated when the student has indicated that it cannot be released.

When the student has chosen to indicate information is not to be released, the requestor should be advised “that we are unable to release any information” and be given no indication of whether or not you may have any information on the person. You are advised to refer any questions or requests for information that you are unsure of to your supervisor.

As custodians of official university records, we all share the responsibility for ensuring the security and privacy of the records and data we maintain. Please study the attached document and, after you have read it, sign the statement below.

This acknowledgement will be retained in your personnel file.

A violation of this policy may lead to reprimand, suspension, dismissal or other disciplinary action, consistent with the general personnel policies of the university, and the Code of Student Conduct for student employees.

In addition, the State Revised Code specifies:

“No present or former public official or employee shall disclose or use, without an appropriate authorization, any information acquired by him in the course of his official duties which is confidential because of statutory provisions, or which has been clearly designated to him as confidential when such confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.”

Conviction for violation of this statute is a first degree misdemeanor (up to 6 month imprisonment and/or $1,000 fine).

I hereby affirm that I have read the FERPA Basics and the foregoing statement. I understand the obligations imposed by these documents and will comply with the standards and requirements contained therein. I have retained in my possession a copy of the document for future reference.

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<thead>
<tr>
<th>LAST NAME</th>
<th>FIRST NAME</th>
<th>DATE</th>
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<tbody>
<tr>
<td>WORK-STUDY</td>
<td>STUDENT ID</td>
<td>SIGNATURE</td>
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Integrating Faith in Learning, Leading and Serving
FERPA Basics for Staff/Work-Study

The Essence

- Federal law designed to protect the privacy of education records. It also provides guidelines for appropriately using and releasing student education records.
- It is intended that students' rights be broadly defined and applied. Therefore, consider the student as the owner of the information in his or her education record, and the institution as the custodian of that record.

Key Terms/Definitions

EDUCATION RECORDS include any record maintained by the institution that contains information that is personally identifiable to a student (in whatever format or medium) with some narrowly defined exceptions:

- Records in the sole possession of the maker (e.g., private advising notes).
- Law enforcement records created and maintained by a law enforcement agency for a law enforcement purpose.
- Employment records (unless the employment is based on student status). The employment records of student employees (e.g., work-study, wages, graduate teaching associates) are part of their education records.
- Medical/psychological treatment records (e.g., from a health or counseling center).
- Alumni records (e.g., those created after the student graduated or left the institution).

DIRECTORY INFORMATION: Those data items that are generally not considered harmful or an invasion of privacy if publicly available. This information cannot be released if student has a no release on his or her record. This information is listed in Jenzabar on the Student Information screen and on class rolls. Directory information at Charleston Southern University includes, but is not limited to:

- name, address and telephone listing
- email address
- date and place of birth
- field(s) of study
- participation in officially recognized activities and sports
- weight and height of student-athletes
- dates of attendance, degrees and awards
- photographs
- most recent previous school attended
- full-time or part-time status

Directory information cannot include: race, gender, SSN (or part of a SSN), grades, GPA, country of citizenship, or religion.

- Every student must be given the opportunity to have directory information suppressed from public release. This process is referred to as an opt out. When a student makes this request, everyone within the institution must abide by a student’s request that no information be released about the student, including verification that the student is enrolled at the institution. This can be found in Jenzabar on the name tab and on advisor rosters in MyCSU.
- It is important to understand, that a no release does not mean that a school official within the institution who has a demonstrated legitimate educational interest (e.g., a faculty member teaching the student in class) is precluded from using the information to perform that official’s job duties.

PARENT: With reference to FERPA, the term parent refers to either parent (including custodial and noncustodial,
When do FERPA rights begin?
A FERPA-related college education record begins for a student when he or she enrolls in a higher education institution. At a postsecondary institution, rights belong to the student in attendance, regardless of the student’s age.

Basic Rights of Students under the Act:
- Inspect and review their records.
- Amend an incorrect record.
- Consent to disclosure (with exceptions).

Inspection and Review
Students have the right to see everything in their education record, except:
- Information about other students.
- Financial records of parents.
- Confidential letters of recommendation if they waived their right of access.

FERPA does not prescribe what records are created or how long they are to be kept; however, you cannot destroy a record once there is a request to inspect and review. It is important to know and understand your institution’s records retention policy.

Right to Consent to Disclosure
Start with the premise that the student has the right to control to whom his or her education record is released. Then, there are several exceptions when that permission is not required. In those instances where a signed release is required, regulations now provide the flexibility to accept an electronic signature.

WHEN IS PRIOR CONSENT NOT REQUIRED?
The institution may disclose records without consent if certain requirements are met, but it is not required to do so. Some examples of the exceptions to the release requirement include:
- School officials with a legitimate educational interest. Employees and legal agents have access to education records in order to perform their official, educationally related duties.
- Disclosure to another institution where the student seeks to enroll or is enrolled.
- Disclosure to DOE, state/local education authorities.
- Disclosure in connection with the receipt of financial aid.
- Disclosure to state/local officials in conjunction with legislative requirements.
- Disclosure to organizations conducting studies to improve instruction, or to accrediting organizations.
- To comply with a judicial order or lawfully issued subpoena.
- Disclosure for a health/safety emergency (must document what the emergency was and to whom the information was released).
- Disciplinary information:
  - Disclosure to the alleged victim of a crime of violence, such as information from disciplinary proceedings.
  - Only when found in violation, and only for crimes of violence—release of name, sanction and outcome can be made to anyone.
  - Disclosure to parents of any student under the age of 21, a violation of federal, state, local or institutional laws/regulations related to substance abuse (provided that other laws governing the institution, such as state law, do not preclude such disclosures).