



<b>Policy Title:</b>	<b>Confidentiality and Releasing Information</b>
<b>Policy Number:</b>	<b>STUD-325</b>
<b>Revision Date:</b>	<b>May 2024</b>
<b>Policies Superseded:</b>	<b>1874; STUD-174</b>
<b>Policy Management Area(s):</b>	<b>University Belonging and Student Affairs</b>

**SUMMARY:**

This policy governs the confidentiality, maintenance, security and release of Counseling and Psychological Services records.

**POLICY:**

**I. POLICY**

- A. Counseling and Psychological Services communications and records, including attendance records, are confidential and not part of other records at the University. Counseling and Psychological Services staff may consult with each other to provide students with the best possible service, but all Counseling and Psychological Services personnel are legally bound to keep the information confidential. In general, information is released to individuals outside of Counseling and Psychological Services staff only with the student’s written permission. However, there are some relatively rare exceptions:
  - 1. When abuse of a child, elderly or disabled person is suspected, a report to the appropriate state agency must be made;
  - 2. According to South Carolina law, Chapter 100-4(G)(2), “The psychologist [or counselor] may disclose confidential information without the informed written consent of the client when the psychologist judges that disclosure is necessary to protect against a clear and substantial risk of imminent serious harm being inflicted by the client on the client or another person.” This may entail notification of parents, next of kin, law enforcement, and the Dean of Students Office.
  - 3. A judicial authority may order disclosure in some legal proceedings; and
  - 4. A parent or legal guardian may have the right to access records of students younger than 18.
  
- B. Professional and legal standards require records to be kept of services provided. These records are written by and for mental health professionals. Therefore, a counselor must personally respond to concerns or questions about treatment

records. Records, or a summary, can be provided to another mental health professional should the student seek treatment elsewhere. Release of records to clients is at the discretion of the counselor. A counselor can deny a student access to records pertaining to that student if the counselor judges that access to the records could be harmful to the student.

1. Students participating in group counseling are required by Counseling and Psychological Services staff to protect the confidentiality of other group members.
2. Students who are employed by Counseling and Psychological Services may see clients in the office and are also bound by confidentiality. Student employees do not have access to clinical records.
3. Secure electronic clinical records are maintained for 10 years in accordance with South Carolina law. After 10 years electronic records are deleted. Paper records are scanned into the electronic system for long-term storage. Paper records are periodically destroyed in accordance with University policy.