

UC Santa Barbara
Policies

Policy 7035

Issuing Unit: Administrative Services

Date: May 1, 1981

ACCEPTANCE OF SUBPOENA DUCES TECUM FOR PERSONAL RECORDS

I. REFERENCES:

- A. Code of Civil Procedure (1985, et seq. and 2019).
- B. UCSB Policies Manual, Policy 4005, Use and Release of Student Data.
- C. UCSB Policies Manual, Policy 7000, Privacy and Access to Information.
- D. University of California Staff Personnel Manual, Section 605, Employee Records.

II. POLICY:

No employee of the University shall produce as evidence records or documents of the University in any non-University sponsored judicial, legislative, or administrative proceedings unless he/she has been properly subpoenaed or unless authorized by an appropriate University official to produce such information.

A. Acceptance:

Officers authorized to accept subpoenas for UCSB student or employee records and responsible for the release of these records in accordance with such subpoenas:

1. Vice Chancellor, Student and Community Affairs - student record. (Exempted are subpoenas received directly by the Custodian of Medical Records, Student Health Service. For these records, the Custodian will forward an information copy of the subpoena to the Vice Chancellor, Student and Community Affairs, and proceed to comply with the subpoena in accordance with Policy 7040.)
2. The Vice Chancellor or Associate Vice Chancellor, Academic Affairs - academic Personnel records.
3. Assistant Vice Chancellor, Staff Personnel - staff personnel records.
4. The Vice Chancellor or the Assistant Chancellor, University Relations, may accept subpoenas in the absence of the above listed officials.

B. Offices of Record:

The official offices of record, for the purposes of releasing records are:

1. Undergraduate student records

Registrar - for academic records (including Summer Sessions)

Student Health Service - for medical records

Counseling Center - for counseling and other psychological records

Placement Center - for records regarding qualifications for employment on and off campus

Student Financial Services - for financial aid award records

Student Services - for all other records, including disciplinary action

2. Graduate student records - Registrar and/or Graduate Division

3. University Extension students - Director, University Extension

4. Academic personnel - Office of The Vice Chancellor, Academic Affairs

5. Staff personnel - Staff Personnel Office.

C. Compliance:

Such subpoena must comply with the provisions of Code of Civil Procedures 1985, requiring that subpoena duces tecum be served with a copy of an affidavit showing good cause for the production of matters and things described in the subpoena, specifying the exact documents to be produced, setting forth in full detail the materiality of such documents to the issues involved in the case, and stating that the witness has the desired documents in his/her possession or under his/her control.

Please direct questions about these policies to Meta.Clow@vadmin.ucsb.edu. For questions or comments regarding the format of the above information, please contact webcontact@ucsbuxa.ucsb.edu.

Return to the [UCSB home page](#).

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