

# UCSB Nonconsensual Access Request Form

Use this form to comply with the provisions for nonconsensual access to electronic communications records as specified in the UC Electronic Communications Policy, Section IV, Privacy and Confidentiality.

Requests for access should be made by a manager, or in cases in which an investigation will be conducted, the duly appointed investigator or investigating department duly appointed investigator or investigating department (ex. Audit and Advisory Services, Human Resources, OEOSH). Complete and print the form. Attach detailed documentation as described below. Obtain Signatures. Submit a copy of the signed form to the Electronic Communication Policy Coordinator for annual reporting purposes.

Name of record holder \_\_\_\_\_

Type of records sought \_\_\_\_\_

Records sought from (date) \_\_\_\_\_ to (date) \_\_\_\_\_

**Check one:**

- Records have not yet been accessed                       Records have already been accessed

**Attach an explanation of the circumstances that justify access without consent.**

The explanation must explicitly address one or more of the following circumstances defined in the UC Electronic Communications Policy, IV.B and Appendices A, B, and C.

- Required and consistent with law
- Substantiated reason to believe a violation of law or University policy occurred
- Compelling circumstances that preclude holder's consent
- Time-dependent, critical operational circumstances.

If records have already been accessed, the attached explanation must note the emergency circumstances, subpoena, or search warrant that justified access in advance of authorization (must explicitly reference one or more of the circumstances described in UC Electronic Communication Policy, IV.B.1 and IV.B.6 and Appendix A.)

Requested by: \_\_\_\_\_

Signature \_\_\_\_\_ Department \_\_\_\_\_ Date \_\_\_\_\_

Is access without consent recommended?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Signature _____		_____
Department head or ECP Coordinator	Date	

Has advice of Counsel been sought?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date consulted _____	Attach documentation	

The Executive Vice Chancellor must consult, in writing with the Academic Senate prior to approving access of the records of faculty as defined in APM 110-4(15)	
Date consulted _____	Attach documentation

Is nonconsensual access authorized?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Authorizing Signature _____		_____
Executive Vice Chancellor (faculty) or Vice Chancellor – Student Affairs (students) or Vice Chancellor – Administrative Services (staff and other users)	Date	