

How to Respond to Information Requests

Introduction

In the conduct of its mission of research, teaching, and public service, the University creates, collects, stores, and transmits a wide variety of information. Access to information under the University's stewardship is governed by multiple laws and University policies designed to sustain the openness of public information, the privacy of protected information and the integrity of all information. The requirements to secure and limit access to information increase the more sensitive or the more an individual may be identified by the data.

As a member of the University community you play an important role in managing the University's information assets. The appropriateness of releasing or not releasing information to others depends on the law, University policy, the type of information, the request, and often the surrounding circumstances. The release of information, including personnel records, to ANYONE should be done in accordance with the applicable policy, procedures and/or collective bargaining agreements. The following guide and resources are provided to assist you. They apply regardless of any non-disclosure language contained in the documents requesting or ordering the production of information. These policies are consistent with law.

Federal Bureau of Investigations (FBI) and other Federal or State Agencies Requests

If the FBI or another agency calls or comes to you with a request for preservation or production of records, whether written or oral, direct the agent to call the Risk Management & Insurance Administrator at 805/893-2860 or direct the agent to go to the Risk Management Office located in the Environmental Health and Safety Building on Mesa Road. Do not release any records without the appropriate campus authorization.

If the agent insists on giving the directive to you and will not take it to the Risk Management Office, accept it and take it immediately to the Risk Management & Insurance Administrator.

If the order or the agent states that disclosure of its existence is prohibited it's critical that you don't tell anyone other than the Risk Management & Insurance Administrator. Be careful not to let anyone else see the order. Criminal penalties may be imposed for unauthorized disclosures.

Subpoenas and other Court Orders or Legal Summons

If you or your department is served with a subpoena for University records, do not accept the subpoena or legal instrument, but direct the server to the Risk Management Office in the Environmental Health and Safety Building on Mesa Road. For questions about the subpoena process, you may call Risk Management at 893-2860 or 893-5837.

Public Records Requests

Please direct requests for public records to Mari Tyrrell Simpson, Public Records Office, Environmental Health and Safety, Mail Code 5132; pra@ehs.ucsb.edu; 893-4169.

Student Education Records Requests

For guidance on whether to release student information, please read [Student Education Records – Disclosure of Information](#). Additional resources, including a Quick Reference and Student Information Release Matrix, are available on the [Office of the Registrar's web site](#), select "Student Records." If you have questions or concerns about releasing student information, please contact the Registrar.

Electronic Communications Requests

Electronic communications and records contain a wide variety of information. The procedure for releasing electronic information is largely dependent on the content being requested, where it is stored, and the type of request. For example, if the request is a subpoena, see subpoena process above. The Interim [Electronic Communications Implementing Guidelines](#) and [UC Electronic Communications Policy](#) govern electronic communications and their disclosure. You may contact policy@ucsb.edu if you have questions or for more information.

Security Clearance Checks by Potential Employers – Access to Employment Files

When asked to see an employment file by an agent acting on behalf of a potential outside employer (for instance a post doctorate has applied to work for a firm requiring a security clearance), ask to see the signed release by the employee. Verify that the consent is from the individual it purports to be from, either by contacting the individual or by comparing signatures. If confirmed, only the specific information that the individual granted access to should be shared. If there is information in the file about others (such as a research associate or a group evaluation) this information must be redacted to protect their privacy. A copy of the release and a record of what was shown to the requestor should be kept by the department. The requestor shouldn't be left alone with the files and may not take copies unless specifically authorized by the individual to whom the information pertains. If in doubt about what may be released, for academic employment files contact Academic Personnel and for staff employment files contact Human Resources.

Information that is considered public that may be maintained in the employment file may be released without the employee's permission. Public information is defined in [Access to and Release of University Administrative Records](#). All public information requests (regardless of requestor) should be directed to pra@ehs.ucsb.edu.

Search Warrants and Arrest Warrants

Search warrants and arrest warrants are not requests or orders that we produce information. They are court orders that permit an immediate search or arrest by law enforcement authorities. You need to comply with the terms of search or arrest warrants. Please advise the Risk Management Office, at 893-2860 or 893-5837, as soon as possible, if your department is served with a search or arrest warrant.

The Value

The consistent handling of information enhances our research, teaching, public service, business operations, public relations, and it helps us with the legislature and in the courts. If you have any questions about managing or disclosing University records or information, please contact policy@ucsb.edu.

Links to Data & Records Management Policies and Resources

General

[California Information Practices Act 1977](#)

[California Public Records Act](#)

[Freedom of Information Act](#)

[Privacy of Personal Information in Mailing Lists and Telephone Directories](#)

[University of California Business and Finance Bulletins \(BFB\) - RMP Series](#)

Health Information

[Health Insurance Portability and Accountability Act of 1996 \(HIPPA\)](#)

[UCSB Health Insurance Portability and Accountability Act Implementing Guidelines](#)

Information Technology (IT)

[University of California IT Security Policies and Program](#)

[University of California Electronic Communications Policy](#)

[UCSB Interim Electronic Communications Policy Implementing Guidelines](#)

[UCSB Office of Information Technology Security Services](#)

Student Information

[Family Educational Rights and Privacy Act \(FERPA\)](#)

[Student Education Records - Disclosure of Information](#)

[Frequently Asked Questions about Student Education Records - Disclosure of Information \(FAQ\)](#)

[UC Policies Applying to Campus Activities, Organizations, and Students, Section 130,](#)

[Policies Applying to the Disclosure of Information from Student Records](#)