

KUSM-W Policy and Procedure on Contact by Governmental Investigative Agencies
Effective July, 2003

Policy Statement: The University of Kansas School of Medicine-Wichita requires a subpoena, search warrant, or other court order for any information to be released to governmental agencies, including law enforcement agencies.

Background: Governmental responses to the terrorist events of September 11, 2001, and the passage of new legislation are increasingly important for University faculty and staff. Several legislative changes have occurred in light of those events, the most important of which is the USA Patriot Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act).

Under the PATRIOT Act, educational institutions are affected in several ways, including:

1. A provision that allows representatives of the US Attorney General to submit a written application to a court for an order requiring an educational institution to collect and produce educational records that might otherwise be protected.
2. University personnel are prohibited by law from disclosing that the FBI has sought or obtained records for foreign intelligence and international terrorism investigations to anyone other than those absolutely necessary (Dean, Associate Deans).
3. Immunity for the University as a provider of electronic communication services if it furnishes information or assistance in accordance with a court order or a request for emergency assistance under the Act.

KUSM-W Procedures:

Requests for Information by a Governmental Agency

Involving Students: Refer the requesting agency to the Director of Academic and Student Affairs.

Involving Employees: Refer the requesting agency to the Director of Human Resources.

Involving Residents: Refer the requesting agency to the Director of Graduate Medical Education.

Involving Computer, Networking, or Phone Resources: Refer the requesting agency to the Director of Information Technology.

These individuals will:

1. Verify the person's governmental credentials; document the agent's name, agency, date, time, and the information requested.
2. Confirm with the agent that the release of requested information may require service of a subpoena, search warrant, or other court order. If such a document is

- produced, consult with KUMC Legal Counsel. If the agent refuses to wait until such a document is available, consult with KUMC Legal Counsel but do not inhibit the progress of the investigation.
3. Immediately contact the Dean or Associate Dean for Administration regarding the request for information.

Exceptions: Student directory information (name, address, phone number, E-mail address, date of birth) may be released unless a student has specifically requested that it not be released. Academic and Student Affairs staff will know if a student has requested personal information not be released.

Procedures for Reporting Suspected Computer Tampering

Any member of the KUSM-W online community who knows or believes that the KUSM-W computer system has been compromised should immediately report their concerns to the Director of Information Technology. This person will determine the need to contact law enforcement.

Procedures for Reporting Other Critical Information

If any employee believes that they have accessed information during the regular course of business about an emergency involving immediate danger, death, or serious injury, contact the KUSM-W Safety Officer, the Associate Dean for Administration or the Dean immediately.

Contacts:

Dean S. Edwards Dismuke 293-2600

Associate Dean for Administration – Jan Arbuckle 293-2676

Safety Officer – Les McDarty 293-2625

Director of Graduate Medical Education – Penny Vogelsang 293-2665

Director of Academic and Student Affairs – Heather Morrison 293-2694

Director of Human Resources – Lisa Brommer 293-3525

Director of Information Technology – Tom Knapp 293-3462

KUMC Legal Counsel – 913-588-7281

KU General Counsel Office (Lawrence) 785-864-3276