

# Non-Consensual Access to Electronic Information Resources Request Form

Use this form to request non-consensual access to electronic files or communications as provided under Clarendon College policy ([Policy Compliance](#)).

## A. REQUESTOR NAME, TITLE AND DEPARTMENT

**Full Name, Title, and Department of Requestor:**

## B. ANNUAL AUTHORIZATION (Must comply with Clarendon College [Policy Compliance](#))

The following staff members have blanket approval to access data on the Clarendon College network to fulfill their FY    /    \_duties.

## C. ONE-TIME ACCESS BASIS FOR REQUEST (Must comply with Clarendon College Policy Compliance)

**Provisions under which records are to be accessed**  
(check all that apply):

- ☐ Required by and consistent with law or policy
- ☐ Legal obligation (subpoena, court order, etc.)
- ☐ Protect and sustain the operational performance and integrity of the college's information systems and business processes.
- ☐ Review, audit, or investigations by an authorized party
- ☐ Protect the legitimate interests of the college or other users.

**Reason(s) why the holder's consent cannot be obtained**  
(check all that apply):

- ☐ Holder has denied a request to allow access
- ☐ Absence, illness, or death precludes requesting the holder's consent
- ☐ Compelling circumstances preclude requesting the holder's consent (describe in comment)
- ☐ Post-authorization: the records have already been accessed to address time-dependent, critical operational needs
- ☐ The record holder is no longer an employee or student

**Comments:** (Record holders Network ID, account name(s), system name(s), or folder name(s))

## D. REQUESTING PARTY/DEPARTMENT HEAD SIGNATURES

**Signature of Requesting Party:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature of Department Head:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Printed Name of Department Head:** \_\_\_\_\_

## E. APPROVAL OF IRM OR DESIGNEE (Required for All)

**Non-Consensual access authorized?** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Signature of IRM or Designee:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Printed Name** \_\_\_\_\_

# **Non-Consensual Access to Electronic Information Resources Request Form Procedures**

## **Policy Background:**

Clarendon College highly values individual privacy and recognizes its importance in academics. The College generally prohibits access to stored electronic records and voice and data communications by other than the designated owner of the computer account or electronic resource containing the information or communication or the sender or recipient of a particular communication unless the applicable owner, sender, or recipient has granted prior consent.

Clarendon College cannot guarantee the privacy or confidentiality of electronic documents. Consistent with Texas Administrative Code Chapter 202, Rule 202.75(9), users should not expect privacy when using Texas State information technology resources. Consequently, persons that use these Clarendon College-owned resources, or any personally owned device that may be connected to a Clarendon College resource, have no right to privacy in their use of these resources and devices.

However, Clarendon College will take reasonable precautions to protect the privacy and confidentiality of electronic documents and to assure persons that Clarendon College will not seek access to their electronic messages or documents without their prior consent except where necessary to:

- Satisfy the requirements of the Texas Public Information Act or other statutes, laws, or regulations;
- Satisfy other legal obligations, such as subpoenas and court orders;
- Protect and sustain the operational performance and integrity of college information systems and business processes;
- Facilitate security reviews, audits, and investigations by authorized individuals in the performance of their assigned duties;
- Allow system administrators to perform routine maintenance and operations, security reviews, and respond to emergencies;
- Allow institutional officials to fulfill their responsibilities when acting in their assigned capacity;
- Protect and support the college's and other users' legitimate interests, as the IRM and ISO determined.

## **Procedures for Obtaining Non-Consensual Access to Electronic Records:**

To appropriately preserve the privacy of electronic documents and allow authorized individuals to perform their assigned duties, specific college staff and law enforcement will sign a Clarendon CollegeC Non-Consensual Access to Electronic Information Resources Request Form annually and submit the form to the Office of the Information Resources Manager (IRM). At the beginning of each fiscal year, the IRM will resubmit, review, and approve or deny non-consensual access requests.

Individuals may request non-consensual access to specific data by initiating the attached Non-Consensual Access to Electronic Information Resources Request Form, obtaining the approval of their organizational head, and submitting the form to the Office of the Information Resources Manager (IRM). If the request appears compliant with college policy, the IRM or designee will coordinate with the Information Security Officer (ISO) as necessary to satisfy the request. Perusal will be limited only to the records that meet the criteria specified in the request.