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## DEFINITIONS

A subpoena is a legal order to produce documents or testimony. A valid subpoena is one issued by a Tennessee court, a federal court, or agency with such powers under the Patriot Act or other legislation. Subpoenas issued by courts in other states are generally not valid unless also issued by a Tennessee court. If there is a question about the validity of a subpoena, the Chief Academic and Compliance Officer should be consulted.

Educational records are as defined in FERPA or other documents specified by the court.

## POLICY

Bethel University will release educational records as defined in FERPA upon the receipt of a valid subpoena issued by any court or agency legally authorized to issue subpoenas. In the case where a release accompanies the subpoena, the records will be released immediately. In cases where a release does not accompany the subpoena, notification in writing should be made to the student at the last known address. The Office of Development should be contacted if the student is not currently enrolled to determine if a current address is on file. Notification should be made to the student's Bethel email address and by mail to the most recent address. If the student does not have a Bethel email address, notification will be made via mail only.

The notification should include a copy of the subpoena and state that unless the University receives communication directly from the court quashing the subpoena, the University will release the records in fourteen (14) days or the date indicated on the subpoena whichever occurs first. The communication should state that the

University will not act on the student's behalf to quash the subpoena.

A subpoena may include instruction from the issuer not to notify the student. In this case, the Chief Academic and Compliance Officer will contact University counsel for additional guidance. No fees are charged for transcripts produced under subpoena.

**RESPONSIBLE PARTIES**

University Registrar and Chief Academic and Compliance Officer

**PUBLICATION**

This policy shall be published on the University website and Employee Handbook.