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Purpose

The purpose of this procedure is to inform College employees of the requirements of Chapter 119 of the Florida Statutes ("Florida Public Records Act") and to establish processes for responding to requests for records in the College's custody and control.

Procedure

- A. As required by the Florida Public Records Act, the College will permit its records to be inspected or examined by any person desiring to do so, at reasonable times and under reasonable conditions, or otherwise upon request, the College will furnish copies of public records in accordance with the procedure.
 1. Requests do not have to be in writing; however, a department may suggest that it be in writing to ensure they that they fully understand what is being requested.
 2. The person requesting the information does not have to identify himself/herself, nor do they have to explain why they are requesting the information. However, contact information, preferably an email address, is helpful in order to notify the requestor when or if the records are available and if there will be a charge for the records.
- B. Public records are all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other material, regardless of physical form or characteristics or means of transmission, including emails and electronic records, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. This includes College related records stored or transmitted through personal computers, laptops, personal email accounts and mobile devices.
- C. For purposes of the Florida Public Records Act, any College employee may be considered a custodian of College records that are in their possession and control. As such, any employee may be asked to allow inspection of records, produce public records or assist in the production of public records.
- D. The College is required to produce public records in a timely manner. If a public records request is received, the recipient of the request will notify the Records Management Program Coordinator and/or the Office of the General Counsel of the request as soon as is practicable. Either the recipient of the request or the Records Management Program Coordinator will promptly acknowledge receipt of the request.
- E. The Records Management Program Coordinator will collaborate with the Office of the General

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Counsel to first determine whether the requested record is public or confidential. If the requested record is a public record and not exempt, the Records Management Program Coordinator will collaborate with the recipient of the request or the appropriate records Custodian to assemble, review and produce the public records within a reasonable time in accordance with the law.

F. The Records Management Program Coordinator will maintain a centralized list of public records requested and provided by the College.

G. Material Costs and Expenses

1. Where actual cost of duplication and copies of the public records is expected to exceed ten dollars (\$10), the College may charge for the actual costs of duplication as follows:

- One-sided copies no more than 8 ½ x 14 inches - 15 cents per page
- Two-sided copies no more than 8 ½ x 14 inches. - 20 cents per page
- All other copies - actual cost of duplication
- Certified copy of a public record - Up to \$1.00 per copy

2. When the nature or volume of public records requested to be inspected, examined, or copied is such as to require *extensive* use of information technology resources or *extensive* clerical or supervisory assistance by personnel of the agency involved, or both, the College may charge, in addition to the cost of duplication, a special service charge, which shall be based on the cost incurred for such extensive effort.

3. To comply with this provision, the custodian or Records Management Program Coordinator shall collect the estimated service charge in advance in addition to the fee for duplication. The service charge shall be calculated using the lowest hourly wage of a College employee capable of performing the service.

- a. If the estimated fee for duplication and service charge represent an overpayment upon completion of the effort, a refund shall be made to the requestor.
- b. If the estimated fee for duplication and service charge represent an underpayment upon completion of the effort, the custodian or Records Management Program Coordinator shall collect the remaining balance due prior to delivery of the public record.

H. Information and Common Exemptions




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1. The Records Management Program Coordinator will collaborate with the Office of the General Counsel to determine if and to what extent any request records are exempt from the Florida Public Records Act. The following is a list of some of the most common exemptions:
 - a. Student Records and Information
 - b. Social Security Numbers
 - c. Banking information
 - d. Academic Evaluations of Faculty performance
 - e. Certain Collective Bargaining Records
 - f. Third party software acquired under license
 - g. Certain Information Technology security data, procedures and audits
- I. Personal correspondence (not work related) is not a public record. Personal notes, even if they are work related, which are neither shared with anyone nor filed as a permanent record are not public records. This includes notes made at meetings that are kept solely for later recollection of the events.
- J. The College is not required to create any records to fulfill a request where no records otherwise exist or to change the format of an existing record to fulfill a request. The College is not required to answer any questions related to a public record.
- K. Contact information for the Records Management Program Coordinator and the Office of the General Counsel is as follows:

Records Management Program Coordinator
Florida State College at Jacksonville
501 West State Street
Jacksonville, FL 32202
(904) 632-3196

The Office of the General Counsel
Florida State College at Jacksonville
501 West State Street
Jacksonville, FL 32202
(904) 632-3232

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REFERENCES: F.S. Chapter 119, 257.36, 1001.64, 1001.65, Rule Chapters 1B-24 and 1B-26, FAC, Section 24, Article 1 State Constitution

Adopted Date: October 7, 2014
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