

# Florida's Public Records Laws

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# Public Records Law

F.S. Chapter 119 defines Public Records as:

- All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other materials.
  - *Regardless of physical form or means of transmission.*
  - Made or received pursuant to law in connection with transaction of official business by the agency.
- Not applicable to truly personal records.

# Public Records Law Application

- Public records law applies to FSCJ records.
- Applies to all types of records including letters, notes and emails.
- To be broadly construed, exemptions narrowly construed.

# Personal and Mobile Devices

- Yes!
- If you're using your devices to do work, then the "work" content is public record and could be requested.
- It must be produced upon request.

# Public Records Exemptions

- Common college records which are exempt from public disclosure include:
  - Student records under FERPA
  - Social Security numbers
  - Medical information
  - Disciplinary/Investigatory records while investigation is in process

# Public Records Requests

- Requests can be:
  - Verbal or written.
  - Made by any person.
- Must promptly acknowledge receipt.
- FSCJ must use “good faith” to search and has a “reasonable” time to respond.
- FSCJ can charge the cost of retrieving records to the requestor if the amount requested actually requires extensive use of IT resources or FSCJ labor.



# Public Records: What is Not Required

- Does not require:
  - The creation of records or provision of records in the format requested.
  - Turning records over on-the-spot to a requestor.
  - Verbal explanation or reason given for request.

Any questions about the public record law may be directed to the Office of the General Counsel.

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