



## COLLEGE of CENTRAL FLORIDA

### ADMINISTRATIVE PROCEDURE

#### Title: Public Records — Access

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Implementing Procedure For Policy # 3.17

Date Approved/Revised:  
2/26/01, 1/21/20

Division: Administration and Finance

### **SECTION I — GENERAL**

As a political subdivision of the state of Florida, the college is required by law to comply in a timely manner to all requests for public records. Public records may be requested in person, by phone, or by email. Requestors are not required to provide their identity or purpose for seeking the records. The Vice President of Administration and Finance is designated as the college's Records Management Liaison Officer (RMLO) and should be promptly notified of all requests for access and/or copying of public records. The RMLO will instruct the department receiving the initial request on how to proceed.

In many cases, compliance with public records requests will require the cooperative efforts of more than one college department. Any and all college departments receiving a request for production of records from the college's RMLO are expected to comply in a timely fashion.

A log of all requests for public records will be maintained by the RMLO.

### **SECTION II — PROCESSING OF PUBLIC RECORDS REQUESTS**

In the event the college is required to provide access and/or copies of public records, the department receiving the request will be instructed by the RMLO to complete Section I (Receiving Department Information) and Section II (Requestor Information) of a CF *Public Records Request Form* (located on Intranet under "Forms" in the "Public Records" section). The form should then be submitted, via e-mail attachment, to the college's RMLO who will complete Section III and the Statement of Charges. In addition, any written documentation applicable to the request should be forwarded to the RMLO. To complete the form, follow the step-by-step instructions below. **(NOTE: Use the tab key to move from section to section within the form.)**

#### **Receiving Department Information**

The department receiving the initial request should complete this section by providing the following information:

- Date initial request was received
- Time of day request was received
- Name of department submitting form
- Name of person in department to contact regarding request
- Extension number of departments contact person

### **Requestor Information**

The department receiving the initial request should complete this section by providing the following information, if available. NOTE: This information is not required. Requestors are not required to provide their identity or purpose for seeking the records.

- Name of person/entity requesting access to records
- Address of requestor
- Contact number for requestor
- Form of request (Indicate whether request was written or verbal. If both, check each box.)
- Brief description of request
- Nature of request (Indicate whether request was made to physically inspect records, attain copies of records, or both.)

### **Request Preparation Estimate**

Upon receiving requests for public records, the RMLO, or designee, will complete this section of the form and provide an itemized estimate to the person initiating the request:

- Name of person preparing the records request
- Amount of deposit required, if any, based upon the:
  - Estimated time required to gather, review, and fulfill the request
  - Estimated special services charges, if applicable (See Section III below)
  - Estimated number/type of copies, copy charges, and storage media (See Section III below)
  - Estimated shipping charges, if applicable

The RMLO, or designee, will also acknowledge receipt of a new request as soon as practicable and may provide one or more of the following initial responses:

- A statement that the RMLO is initiating a search for responsive records
- An inquiry to clarify the scope of the request when more information is necessary to initiate a search or an inquiry on the format preferred by the requestor to receive the records
- A statement that the college does not have the requested records
- Referral to the proper custodian of the requested records, if external to the college
- An estimate of time required to fulfill the request
- An estimate of fees associated with processing and redacting protected information in the request

If upon receipt of an initial estimate of charges, a request is changed or otherwise limited in scope, for example, limiting individuals or time periods of the request; the person initiating the request will be provided with a new estimate of charges.

### **Statement of Charges and Payments for Public Records Request**

Record gathering and review will not begin until payment of the estimated charges is received. If the actual time required to process the request exceeds the initial estimate, the actual cost must be paid before the records are released. Payment must be made in U.S. dollars and any checks presented must be drawn on a bank domiciled in the U.S. Payment in coins will only be

accepted up to a maximum of \$5.00. Exceptions to items in this paragraph may be approved by the RMLO.

After final payment is received, the RMLO or designee will complete this section of the form and submit it, along with the requested records as a payment receipt. The following information is included in this section:

- Date of submittal
- Requestor's name
- Requestor's mailing address
- Compliance statement that includes:
  - Date of initial request
  - Special Service Charges (see Section III below)
  - Number and cost per page of prepared copies (see Section III below)
  - Other actual duplicating and storage media costs (see Section III below)
  - Estimated shipping charges, if any,
  - Total amount charged
  - Total amount due (total charges less any deposit and other payments)

**If additional assistance is needed to complete the public records request form, please contact the Office of Administration and Finance at extension 1637.**

### **SECTION III — DUPLICATION, MATERIALS, AND SPECIAL SERVICES COSTS**

If documents are requested in hard copy or disc format, they may be provided upon payment of the following actual duplication and materials costs when applicable:

- One-sided copy: \$0.15 per page of not more than 8½ x 14 inches (includes photocopies made in order to generate an electronic response, for example, a scanned PDF file)
- Double-sided copy: \$0.20 per page of not more than 8½ x 14 inches
- All other duplication: Actual cost (material and supplies, not labor)
- CD-ROM: \$0.85 each
- DVD: \$1.15 each
- USB Flash Storage Drive: actual cost (materials and supplies, not labor)
- Certified Copies: \$2.00 per page
- Packaging and shipping charges: Estimated costs may be changed to reflect actual cost incurred.

Certified copies shall be provided for the charge prescribed by Florida Statute 28.24 for similar services by the Clerk of the Circuit Court.

#### **Special Service Charge**

A special service charge will be imposed pursuant to section 119.07(4)(d), Florida Statutes, if the nature or volume of the requested public records requires extensive use of information technology resources and/or extensive clerical or supervisory assistance; direct inspection monitoring; multi-department assistance; or the college's General Counsel. This charge will be separate and in addition to actual duplication and material costs.

- a. A special service charge will be warranted if the nature or volume of the requested records to be inspected or copied requires more than 30 minutes of agency resources. Once 30 minutes of agency resources have been expended on a request, the charge will

apply only to any time expended in addition to the first 30 minutes. Therefore, there will not be a special service charge for the first 30 minutes of time regardless of how long it takes to fulfill the request.

- b. Clerical or supervisory assistance includes searching for and/or locating the requested record; reviewing records for legally exempt or confidential information; withholding or redaction of such exempt or confidential information; and preparing, copying, and re-filing of the requested records.
- c. When direct inspection of records is requested, examination of the records will be made in the presence of the record custodian regularly responsible for maintenance of the particular record or his/her designee and is subject to the special service charge.
- d. If multiple college departments are involved, the special service charge will be based on the aggregate amount of time expended by all personnel and information technology resources when applicable.
- e. The rate charged for clerical or supervisory assistance will be based on the lowest paid full-time personnel capable of processing public records requests (salary and benefits), even if a specific request requires labor by higher paid employees (such as managerial review). In those cases where legal review is necessary, the charge will be at the negotiated contract rate with the college's General Counsel

### **Reducing Costs and Limiting Charges**

Labor costs can be reduced significantly if requests include keywords instead of open-ended terms such as "all documents or emails." Similarly, narrowing a request to certain individuals or a particular date range can greatly reduce the use of extensive labor.

### **SECTION IV — Non-Responsive Requestors**

If a requesting party fails to respond to inquiries for clarification, cost estimates, or any other communication from the RMLO for 30 business days, the request will be closed. A non-responsive request may be resubmitted and will be processed as a new request.

### **SECTION V — PUBLIC RECORDS ACCESS UPDATE**

In order to ensure compliance with the public records law, the RMLO will send an annual update memorandum on public records to all college administrators.

Vice President, Administration & Finance		Date:
Approved by President		Date: