


 Florida State University
Online New Employee Orientation
Office of Human Resources

Records Management




 Florida State University
Records Management
Office of Finance and Administration

What are Public Records?

"Public records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Section 119.011(11), FS

2


 Florida State University
Records Management
Office of Finance and Administration

Florida Supreme Court Interpretation

In 1980, the Florida Supreme Court ruled that this definition included "any material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type."



Shevin v. Byron, Harless, Schaffer, Reid, and Associates - (379 So. 2d 633, Fla. 1980)

3


 Florida State University
Records Management
Office of Finance and Administration

Examples of Public Records

Correspondence
Photographs
Recordings
Microfilm
Email
Electronic records
Blueprints
Maps
Meeting transcripts


4

 Florida State University
Records Management
Office of Finance and Administration

These are not public records

- Magazines, newspaper clippings, law books
- Blank forms
- Printed publications
- Personal email
- Junk mail
- Office supply catalogs

5


 Florida State University
Records Management
Office of Finance and Administration

Public Access

Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under **reasonable** conditions, and under supervision by the custodian of the public records.

Section 119.07(1)(a), FS

6




Florida State University
Records Management
Office of Finance and Administration

What is reasonable?

- Reasonable Place - location, environment, ADA accessible
- Reasonable Time - regular work hours
- Reasonable Conditions - security and supervision

7




Florida State University
Records Management
Office of Finance and Administration

Providing Access to Records

- Access is a right guaranteed to “any person”
- No special or legitimate interest is required
- Agencies may not reject requests due to lack of particularity
- Agencies may not impose restrictions

8



Florida State University
Records Management
Office of Finance and Administration


Allowable Fees

- Maximum Fee Schedule:
 - 15 cents per one-sided legal or smaller
 - 20 cents per two-sided legal or smaller
 - 1 dollar per certified copy

Section 119.011(4)(a) and (c), FS
- Extensive use fee equals labor hours multiplied by the hourly wage of the person who normally would make copies, including any necessary supervisory assistance

Section 119.011(4)(d), FS


9

 Florida State University
Records Management
Office of Finance and Administration

Exemptions from Florida's Public Records Law



- There are certain records that are exempt from public disclosure, usually for reasons of public safety, public health, law enforcement and/or personal privacy, and additional exemptions
- These exemptions can be found under Florida Statute 119.071
- Exemptions to Public Access are created by *statutory authority ONLY!*

10


 Florida State University
Records Management
Office of Finance and Administration

Examples of Exemptions

- Identifying information on law enforcement officers
- Information identifying a child in a government-sponsored recreation program
- Building blueprints of a building owned or operated by an agency
- Social security numbers
- Bank account and credit card numbers


 

11

 Florida State University
Records Management
Office of Finance and Administration

E-Mail

12


 Florida State University
Records Management
Office of Finance and Administration

What is E-mail

Email is an electronic means of communication in which:

- Information is transmitted electronically (including graphics and/or audio information)
- Operations include sending, processing, receiving and storing information
- Messages are held in storage until called for by the addressee


13

 Florida State University
Records Management
Office of Finance and Administration

When is Email a Public Record



- When it is prepared and transmitted in connection with official FSU business
Florida Statutes
- When it is intended to perpetuate, communicate, or formalize knowledge
Florida Supreme Court

14


 Florida State University
Records Management
Office of Finance and Administration

Examples of Email as a Public Record

- Policies and Directives
- Correspondence and Memos
- Agendas and Minutes
- Drafts that are circulated for Comment and Approval
- Schedules and Calendars
- Budgets

15




Florida State University
Records Management
Office of Finance and Administration

Electronic Mail as a Public Record

Email messages are potentially official government records so you should incorporate email into your electronic records management strategy.

16




Florida State University
Records Management
Office of Finance and Administration

Electronic Mail as a Public Record

- The *content* of the message determines whether it is a public record or not
- The *content* determines to which record series the message belongs
- The *content* determines how long the message needs to be retained

17



Florida State University
Records Management
Office of Finance and Administration


Transitory Messages

A transitory message:


- IS created primarily for the communication of information
- Does NOT perpetuate knowledge
- Does NOT set policy, establish guidelines or procedures

Examples include, but are not be limited to: e-mail messages that are short-lived or have no administrative value, voice mail, self-sticking notes, and telephone messages.


18


Florida State University
Records Management
 Office of Finance and Administration

Email Record Decision Tree



19



Florida State University
Records Management
 Office of Finance and Administration

Preserving Email That are Public Records

Once you ascertain that an email is a public record, you should store it in a manner that makes it easily accessible.


To prevent Outlook from becoming overwhelmed, store your emails in your personal files. Be sure to back your files up on a regular basis. Each employee is responsible under FSU policy and Florida law for maintaining their own public records.

20


Florida State University
Records Management
 Office of Finance and Administration

Basic Record Retention

21




Florida State University
Records Management
Office of Finance and Administration

How Long Do I Have To Keep My Public Record

The State of Florida provides General Records Schedules that provide minimum retention periods for categories of records that are likely to be maintained by a large number of agencies.

The retention periods set forth in the general records schedules are based on a combination of federal and state laws, general administrative practices, and fiscal management principles.

22




Florida State University
Records Management
Office of Finance and Administration

How Long Do I Have To Keep My Public Record

The General Records Schedule for state and local government agencies (GS1-SL) provides minimum retention periods for public records that are common to all public agencies, such as personnel files, payroll records, correspondence files, financial records, and legal records.

The General Records Schedule for universities and community (GS-5) provides minimum retention periods for records specific to higher education.

23



Florida State University
Records Management
Office of Finance and Administration

How do I use a General Schedule

- Arranged alphabetically by record series title
- Item numbers are assigned
- Record series descriptions are written broadly to be inclusive
- Minimum retention periods for record copy and duplicates

24



Florida State University
Records Management
 Office of Finance and Administration


Records Management Liaison Officer

Each state agency has a Records Management Liaison Officer or RMLLO. This is the person who serves as a primary contact between the agency and the division's records management program.

As RMLLO for Florida State University, I can assist you in utilizing the General Records Schedule, completing disposition documents, storing documents in the State Records Center, or by helping your department determine your current records status.

Melanie Welch - 850-644-7934

25




Florida State University
Records Management
 Office of Finance and Administration

Disposition of Records

A public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the State Library and Archives of Florida.

Section 257.36(6), F.S.

26




Florida State University
Records Management
 Office of Finance and Administration

Documenting Disposition of Public Records

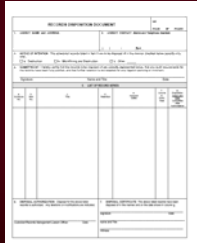
- Rule 1B-24 .003(10) requires agencies to document the following for each records disposition:
 - Schedule Number
 - Item Number
 - Record Series Title
 - Inclusive Dates
 - Volume in Cubic Feet

27




Florida State University
Records Management
Office of Finance and Administration

Records Disposition Document



28




Florida State University
Records Management
Office of Finance and Administration

Once the Document is Completed

Disposition of FSU documents are covered by policy number *OP-F-6 Destruction/Shredding of Confidential Documents and Records*:

- May be shredded “in-house”
- May be given to an authorized vendor for disposition
- Confidential information must ALWAYS be destroyed

29




Florida State University
Records Management
Office of Finance and Administration

Accidental Destruction

Untimely destruction does occasionally occur. The most common reasons are:

- Natural disaster
- Inadequate storage
- Human error

30




Florida State University
Records Management
Office of Finance and Administration

What to Do

- Notify your RMLO
- As soon as possible, document as you would a regular disposition
- Attach to the disposition a written explanation of what happened
- Have the records custodian sign the disposition document
- Retain disposition documentation PERMANENTLY pursuant to GS1-SL, item 45

31



Florida State University
Records Management
Office of Finance and Administration

THE END

32
