

ADMINISTRATIVE POLICY 18-01

Public Records Requests

I. PURPOSE/DEFINITIONS

The Florida Public Records Law (F.S. 119.01 (1)) requires Marion County government to make all public records available for inspection and provide copies upon request. To qualify as a public record, a document must already exist; a request for information that requires staff to compile or create data that does not already exist is not a public record. A public record is anything (including electronic documents) that Marion County employees and elected officials prepare, use, receive, retain or create on behalf of Marion County government.

II. POLICY

Public records requests should be processed with urgency. If staff cannot provide records immediately, then every effort should be made to provide the requested records within five business days. Records requests which are estimated to take longer than five business days must have a clear timeline estimate that can be presented to the requestor. All employees will abide by the following procedure when handling public records requests:

- A. Do not ask for identification or impose any conditions that restrict access to any record.
- B. Determine and communicate the following with the public records requestor:
 - The exact records being requested.
 - The format in which the requestor would like to receive the information (e.g. paper copies, electronic files, DVDs, in person, etc.).
 - The estimated amount of time the request will take (review for redactions should not factor into the time charged to the requestor, but should be included in the estimated time to produce the records. See section II.C of this policy for exemptions).
 - The estimated cost of satisfying the request. Staff time is charged if exceeding 30 minutes, excluding time for redactions. For item charges related to the request, see the public records fee schedule below (section II.E). Items not listed are to be charged at the actual cost to the department. Estimated charges exceeding \$250 must be approved by the Public Relations Director or the County Attorney's Office and require a 10% deposit to be paid prior to processing.
- C. Review for and redact exempt information, which can include phone numbers and addresses of certain employees; social security numbers and other personal information; medical records; on-going investigations and litigation. If an employee is uncertain as to whether a record is exempt, they will contact the County Attorney's Office for direction.
- D. Retain fulfilled records requests for the state-mandated retention schedule of one fiscal year.
- E. Procedure for record search requests that require staff analysis: Any request to search for and produce records should be processed as a public records request pursuant to this policy, and will only result in an applicable charge covered under the policy. The requestor should be informed that if they want a written analysis of the department's interpretation of the records then an additional service charge will apply, pursuant to the department's existing fee schedule, as analysis of records is not covered under public records law.
- F. Public Records Fee Schedule:
 - Copies (8.5" x 11") \$.15 per page, \$.20 per page (double-sided)
 - Copies (8.5" x 14") \$.20 per page
 - Labor Contact HR for loaded salary

Approved: _____

Mounir Bouyounes, P.E.
County Administrator

Date: 1-5-18

Policy History

Created: 1/28/05 policy 05-01; approved by Pat Howard

Revised: 3/4/10 portion of policy 10-02; approved by Lee Niblock

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