

GADSDEN COUNTY SCHOOL DISTRICT

Administrative Procedures

Public Records Request Administrative Procedures

“**Public records**” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other materials, 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. F.S. Section 119.011(12)

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. F.S. Section 119.07(1)(a)

Requests can be made by any person in any form. Requests can be anonymous. If the request is verbal, the requester does not have to disclose any information about themselves, but must provide information which will facilitate the delivery of copies of records. The District will provide the record in the format that it is maintain. The District will not reformat or create a new record to provide the record in a particular requested format.

Most records maintained by the District are public records. Below are the exceptions:

- Staff Personnel Files Exceptions
 - Derogatory information in file may only be provided 10 days after the employee is notified (F.S. Sec. 1012.13(3)(a)(3))
 - Evaluations –only the prior school year may be provided (F.S. Sec. 1012.31(3)(a)(2))
 - Payroll deductions are exempt (i.e. FICA) (F.S. Sec. 1012.13(3)(a)(4))
 - Social Security Number are exempt (F.S. Sec. 119.07(5)(a)(5))
 - Medical/psychiatric records are exempt (F.S. Sec. 119.071(4)(b)(1))
 - On-going employee investigations are exempt (F.S. Sec. Sec. 1012.31(3))
- Exempt: Name, home addresses, telephone numbers, dates of birth, photographs, and places of employment for certain categories of personnel, their spouses and children (and the location of their school). Examples are judges, law enforcement, firefighters, state attorneys, public defenders, guardian ad litem, EMT's/paramedics, and tax collectors.
- Employees with Public Records Law Employee forms on file are exempt.
- All examination and assessments, including developmental materials and workpapers, prepared by teachers, professors, or administered by a Florida College System institution, a state university, or the Department of Education.

Procedures: Every effort should be made to complete public records within 30 days.

1. All public records requests should be submitted to the office of the administrative assistant of the Deputy Superintendent or Assistant Superintendent for Support Services.
2. All public records should be time stamped upon receipt.

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3. A request for records should be sent to the appropriate custodian of the requested records (e.g. HR, Finance, ESE, school site registrar, etc.)
4. First Response: Within 5 days the requestor will receive an acknowledgement of receipt: "This correspondence is to acknowledge receipt of your request for public records. Thank you."
5. Submit a second response if the records are not readily available. (See Appendix A)
6. Submit a third response if needed. (See Appendix B)
7. Final Response: Forward collected records to the requestor or notify the requestor that the District does not have the records requested. (See Appendix C)
8. An electronic copy of all Public Records Request must be maintained in the office of the Administrative Assistant of the Deputy Superintendent or the Assistant Superintendent for Support Services.

APPENDIX A
Sample Second Responses

Sample 1

We acknowledged receipt of your public records request regarding the above-captioned matter on [date]. As is our usual practice, we have outlined below the process the school district utilizes to comply with your public records request.

We have requested staff to determine which public records maintained by the District are responsive to your request. All such records will be reviewed to determine if the records are exempt from disclosure, and if so, we will comply with the requirements of Section 119.07(1)(e), Florida Statutes (2021), and will provide you with the basis for such exemptions.

In addition, this is to advise you that pursuant to Section 119.07(4)(d), Florida Statutes (2021), should the task of responding to this public records request require extensive use of information technology resources or extensive clerical or supervisory assistance by school personnel, a special service charge may be required; however, we will notify you in advance of the amount, payment for which shall be required in advance. This amount is an estimate, and the actual cost may be more or less than this amount, but this advance deposit must be paid prior to the documents being gathered and produced. Remember that the district has a duty to redact exempted portions of public records before they are released. Because of the numerous categories of records that are exempt, the time spent redacting public records is included in the estimated cost.

Sample 2 (Request for Employee Records)

Your request is for records relating to school board employees. Please understand there are exemptions for public records as stated in various provisions under section 119.071, Florida Statutes. This section of the law provides general exemptions from inspection or copying of public records, and is to be applied only with an abundance of caution. Even though there is no specific exemption for the records of employees of a school district, there are a number of exemptions which do apply to persons who may be employed by the school district as well as to their spouses

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and children. Section 119.071(4) 2.a-u, Florida Statutes, sets forth these specific exemptions. Generally, the home addresses and email addresses of such personnel and their spouses and children are exempt from disclosure. Therefore, before the school district can release information regarding its employees, the school district must first determine from those employees if they are otherwise exempt from disclosure pursuant to section 119.071, F.S.

Sample 3

Our office will contact you once it is determined if there is a cost that must be paid prior to the records being provided. If there is no cost, we will contact you once the requested records are available for your inspection. You may purchase copies of the requested records in accordance with Section 119.07(4), Florida Statutes (2021), without a review.

APPENDIX B

Sample Third Responses

Sample 1

We have determined that pursuant to Section 119.07(4)(d), Florida Statutes (2021), the task of responding to this public records request require extensive use of information technology resources or extensive clerical or supervisory assistance by school personnel. A special service charge will be required to be paid in the amount of [\$_____] which may include the cost of duplication.

If we do not receive payment in this amount within ten (10) days from the date of this notice, we will consider your request for public records to be abandoned and will not take any additional steps to respond to your request. Thank you.

Sample 2

We have determined that the task of responding to this public records request will not require extensive use of information technology resources or extensive clerical or supervisory assistance by school personnel. There will be no special service charge or cost for producing the requested documents.

*Contact [] to arrange for receipt of the public records you have requested. Thank you.

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*This could be your final response if electronically sending records, and if so, advise the requestor that the attached records are all of the records which are responsive to their request.

APPENDIX C
Sample Final Responses

Sample 1

There are no public records maintained by the District that are responsive to your request. Thank you.

Sample 2

Attached are all the public records maintained by the District that are responsive to your request. Thank you.