



TOWN OF WHITE SPRINGS

PUBLIC RECORDS REQUEST POLICY

1. PURPOSE & INTENT

Every public agency that has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian's designee.

The purpose of this Policy is to establish uniform procedures for the handling of all requests for public records in the custody of the Town of White Springs (TOWS). The TOWS's intent is to fully comply with all laws that may regulate the records of the TOWS, protect confidential records, and maintain appropriate exemptions provided by law.

2. DEFINITIONS

A. Public records - Public Records are currently defined by Florida Statutes as, "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."

B. Public Records Act - Chapter 119, Florida Statutes and affiliated statutes referencing Ch. 119, Florida Statutes.

C. Reasonable time - As used herein, a reasonable time shall be construed by considering the normal business hours of the TOWS.

D. Extensive time - As used herein, an extensive time shall be construed as fifteen (15) minutes or more.

E. Record Custodian - The Record Custodian is the person or persons responsible for the custody and safeguarding of the TOWS's records. A person who has temporary possession of the TOWS's records shall not be construed as a Record Custodian. The Town Clerk, or their designee with authorization to release or communicate public records, shall act as the TOWS's Record Custodian.

F. Requester - The individual or entity that has made a request of the TOWS for public records.

3. EXEMPT OR CONFIDENTIAL INFORMATION IN PUBLIC RECORDS

Although items that perpetuate, communicate, or formalize knowledge are public records, not all information found in that public record is necessarily subject to dissemination or release. For example, employee personnel files are public records; however, information such as social security numbers is protected and is not to be released; and,

even some addresses are exempt.

All records gathered in response to a public records request shall be reviewed prior to disclosure for information that is either exempt or confidential by law and thus not able to be disclosed. Exempt or confidential information shall be redacted from the public record prior to its dissemination or disclosure.

Due to the exhaustive and ever-changing list of public records that are excluded from disclosure by the Florida Statutes, the Record Custodian should contact the TOWS's legal counsel regarding any questions concerning public records disclosure requests and related exemptions or records that are confidential.

4. FEES

All fees imposed for duplication of public records will comply with the Public Records Act.

Unless specifically stated otherwise by law, the following statutory fees shall apply to the duplication of public records:

A. Fees for paper sizes 8 1/2" x 11", 8 1.12" x 14", or 11" x 17", shall cost:

1. Single sided pages shall cost \$.15 per page.
2. Double sided pages shall cost \$.20 per page.

B. Certified Copies shall cost \$1.00 per certified page.

C. Other Media: All other requests for duplication of records shall be charged the actual cost of duplication including for records such as:

- Audio Tape and CD Fees Audio Tapes
- Data CD
- Audio CD
- TOWS maps, aerial photographs

*See below for charges applicable to extensive information technology use, clerical or supervisory assistance.

D. Extensive Information Technology, Clerical, or Supervisory Assistance:

Where the nature or volume of a request requires extensive use of information technology resources or extensive clerical or supervisory assistance, the TOWS may charge a special and reasonable service charge based on the cost actually incurred for the extensive use of information technology resources or the labor cost of the personnel that is actually incurred for the clerical or supervisory assistance required. The charge shall be referred to as a "service charge". A special and reasonable service charge shall be based on the amount of the TOWS's resources both used to fulfill the request and available to the TOWS at the time the request is fulfilled. When calculating the usage of clerical or supervisory assistance the wage (including benefits) of the lowest earning employee who is capable of processing the request shall be used for calculations.

E. Advance Deposits:

When a request is made which will require extensive resources by nature, the TOWS may require a "deposit" before starting the reproduction. The Record Custodian will review the materials needed, and develop an estimate for the cost for reproduction. The TOWS shall notify the requesting person or entity of the estimate and the need for an advance deposit. Service charges that exceed the advance deposit shall be collected before delivery. Any excess advance deposit shall be refunded to the requesting party.

F. No sales tax shall be charged.

G. Fees and Charges Due Prior to Release:

The Record Custodian shall be responsible for the verification that all applicable fees and charges have been paid prior to the release of any records. The Record Custodian shall not allow the TOWS to incur additional debt by the processing of requests from requesters that have outstanding balances owed to the TOWS due to previous requests for records.

5, RECORDS RETENTION

Public records must be retained in accordance with retention schedules set forth by the Division of Library and Information Services (division) of the Department of State of Florida.

6. PROCEDURES

When a TOWS employee receives a public records request for the duplication or inspection of records the following procedures shall be followed:

A. Upon receipt of any request, whether written or verbal, of a public record the person receiving the public records request shall complete the TOWS Public Records Request Form ("TOWPRRF"), attached hereto, to the extent possible based on information offered by the requestor. The completed APRRF along with any written or documented request shall be forwarded to the Record Custodian for data input and action.

Notification to the Record Custodian should be done within a reasonable time.

1. A request for public records is not required to be in writing as a prerequisite for completing the APRRF.
2. Public Records shall be provided in the format of an existing record.
3. The Public Records Act does not require the TOWS to produce an employee to answer questions regarding the records disclosed.

B. Upon receipt of the APRRF the Record Custodian shall assign a tracking number to the request and make an initial determination as to whether an advance deposit is necessary.

C. If a request is determined to be from a requester who has an outstanding balance owed to the TOWS, due to previous requests for records, the processing of the request shall be suspended until the outstanding balance is paid to the TOWS.

D. The Record Custodian shall communicate with the requestor unless arrangements are made between the Record Custodian and the department possessing the requested

public records.

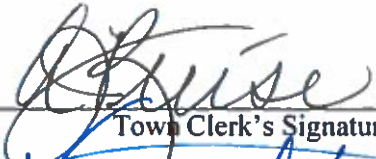
E. The Record Custodian will document and maintain communication with the department possessing the public records throughout the processing of the records request and will notify the department when all aspects of the public records request have been satisfied.

F. The Record Custodian shall review all records gathered in response to a request for statutorily exempt or confidential information, and make all necessary- redactions, prior to the disclosure of the public records.

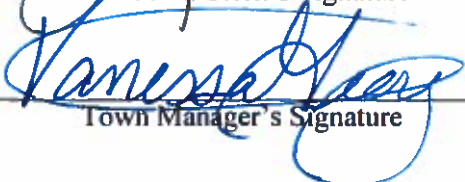
G. For those public records requests seeking records that are a part of litigation, or requests that are made by, or on behalf of, parties to pending litigation, the TOWS's legal counsel shall be notified in order to ensure compliance with legal requirements.

7. REVOCATION:


This policy supersedes and revokes all existing policies of the TOWS that regulate public records requests.



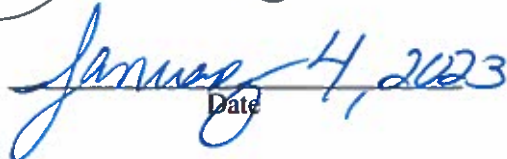
Town Clerk's Signature



Town Manager's Signature



Date



Date



TOWN OF WHITE SPRINGS PUBLIC RECORDS REQUEST FORM (TOWSPRRF)

The information requested below is used to expedite your request and document public records request activity.

Subject / Name of record(s) requested:

1. _____
2. _____
3. _____

Time period requested (if applicable) _____ to _____

Contact information for recipient to be contacted upon completion of the request:

Requestor: _____ Date: _____

Address: _____

Phone: _____ email: _____



INTERNAL USE ONLY:

Date Received: _____ Cost Estimate: _____

Attempts made for notification: 1 2 3 Date requestor notified _____

Amount of deposit paid _____ Date deposit paid _____

Amount of balance paid _____ Date Complete _____

Comments: _____

