



POLICY NUMBER: QAC 2015 - 001
POLICY TITLE: Request for Public Records

PURPOSE:

As part of its responsibility to conduct business in a public manner, the Central Florida Regional Workforce Development Board Inc., d/b/a CareerSource Central Florida has outlined a policy that allows access to public records through a customer-friendly process that is easy and affordable while protecting the confidentiality of its customers. The procedures outlined ensures the efficient and timely processing of public records requests while in accordance with the requirements of Chapter 119 of the Florida Statutes, the "Public Records Act".

BACKGROUND:

The Central Florida Regional Workforce Development Board, Inc., d/b/a CAREERSOURCE CENTRAL FLORIDA is a Florida not-for-profit corporation that serves as one of 24 regional workforce boards in the State of Florida under the direction of the Department of Economic Opportunity and CareerSource Florida. CareerSource Central Florida serves Region 12, which covers Lake, Orange, Osceola, Seminole and Sumter counties. These five counties, which comprise a local workforce investment area under as designated by the Governor under his authority in Title I, subtitle B of the Workforce Innovation and Opportunity Act, entered into an Inter-local Agreement, effective February 18, 2003 and reaffirmed in 2012 , under which CareerSource Central Florida was designated as "the administrative entity and fiscal agent for all programs promulgated" under the Workforce Innovation and Opportunity Act of 2014 and Florida's Workforce Innovation Act of 2000. As such, CareerSource Central Florida is subject to the Public Records Act.

REFERENCE:

Florida Statues, Chapter 119
Workforce Innovation and Opporunity Act, 2014

POLICY:

It is the policy of CareerSource Central Florida that all public records that are not exempt or confidential and are in CareerSource Central Florida's possession shall be made available and open for inspection by any person desiring to do so at a reasonable time, under reasonable conditions, and under the supervision of the Records Facilitator or his or her designee. Reasonable conditions mean that inspection must be done during normal business hours of CareerSource Central Florida, excluding CareerSource Central Florida holidays. CareerSource Central Florida is not required to create a new record, reformat, or provide an explanation of a document CareerSource Central Florida's responsibility is to make the requested existing records available pursuant to the requirements of the Florida Constitution and the Public Records Act.

DEFINITIONS:

1. "Actual Cost" -- The cost of goods and supplies used to duplicate the requested material, but does not include the labor cost or overhead cost associated with such duplication.

2. "Confidential" -- Information that has been declared confidential by Florida or federal law. As used in this policy, the term confidential refers to entire record systems, specific records or individually identifiable data that by law are not subject to public disclosure under Article I, Section 24 of the Florida Constitution, Chapter 119 of the Florida Statutes, or applicable federal laws. Confidential information is not subject to inspection by the public and may be released only to those persons and entities as specifically designated in the relevant statutes. In the absence of a specific statutory provision allowing its release, disclosure of confidential information is prohibited.
3. "Exempt Records" -- Records which are or which contain information which is expressly made not subject to the mandatory access requirements of the Public Records Act.
4. "Extensive" -- As used herein with reference to labor involved to accommodate a public records request, means where CareerSource Central Florida personnel must spend more than thirty minutes to locate, retrieve, copy, refile, review and redact, if necessary, the requested material in order to comply with the request.
5. "Information Technology Resources" -- Data processing hardware and software and services, communications, supplies, personnel, facility resources, maintenance, and training.
6. "Public Records" -- 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 CareerSource Central Florida. Public records include all materials made or received by CareerSource Central Florida in connection with official business which are used to perpetuate, communicate or formalize knowledge, regardless of whether in final form.
7. "Readily Available Documents" -- Documents that are easily accessible and retrievable by CareerSource Central Florida and do not require additional review in order to determine whether they contain confidential or exempt information, such as agendas and meeting minutes.
8. "Redact" -- To conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information.
9. "Special Service Charge" -- The fee that will be charged, in addition to the actual cost of duplication, if the nature or volume of material requested to be inspected, examined or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by CareerSource Central Florida staff, or both.

PUBLIC RECORDS FACILITATOR:

CareerSource Central Florida's President & CEO will designate a Records Facilitator who will act as the contact person for all public records request and will be responsible for logging and tracking public records requests for all CareerSource Central Florida departments, with the exception of those records that the Records Facilitator considers Readily Available Documents.

FEES:

As appropriate, fees may apply to a public records request. The fee structure is as follows:

1. Payment of fees will be payable by U.S. money order, personal check, or cashier's check payable to CareerSource Central Florida at the time the records are delivered to the requestor. If the records are to be sent to the requestor payment must be made in prior to them being sent. Fees that are \$10.00 or less may be paid in cash by a person inspecting the records in person and requesting copies.

When providing a copy of a public record, the fee which may be charged is:

Fee Schedule:

Photocopies	\$0.15 for each letter/legal one-sided copy \$0.20 for each two-sided copy
Audio tape duplication:	Actual cost incurred
Digital Data duplication:	Actual cost incurred
Archived document retrieval:	Actual cost incurred
Postage	Actual mailing fee (when documents are mailed)
Certified copies	\$1.00 for each page
All other copies	Actual cost incurred

2. A Special Service Charge pursuant to subsection 119.07(4)(d) of the Florida Statutes, will be added to the fee for duplicating the requested material if the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of CareerSource Central Florida, or both. The Special Service Charge shall be reasonable and based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by CareerSource Central Florida or attributable to CareerSource Central Florida for the clerical and supervisory assistance required, or both. The Special Service Charge shall be in addition to the actual cost of duplication. CareerSource Central Florida shall assess a Special Service Charge when CareerSource Central Florida personnel spend more than thirty minutes retrieving records, reviewing them for exempt or confidential information, redacting such information (if applicable), and preparing, copying, and refiling them. The rate charged for clerical or supervisory assistance will be based on that of the lowest paid full-time CareerSource Central Florida personnel capable of processing public records requests (based on salary and benefits) even if a specific request requires labor by higher-paid employees. In instances where legal review is necessary, the charge will be based on the attorney fees charged to CareerSource Central Florida. After the first thirty minutes, hourly rates will be charged by the quarter hour.
3. When documents are sent by email, the only charge will be a Special Service Charge, if applicable.

MODIFICATION:

CareerSource Central Florida reserves the right to modify this policy at any time.

EXPIRATION DATE: Indefinite

Board Approved / Effective Date: 12/12/2013	Revision Date: September 2015
Description of Revision(s): NA	



PROCEDURE

As part of its responsibility to conduct business in a public manner, CareerSource Central Florida has outlined a policy that allows the public to access documents and records through a customer-friendly process that is easy and affordable while protecting the confidentiality of its customers (Policy Number: OAC 2013 2015 – 002001- Request for Public Records). The procedure outlined ensures the efficient and timely processing of public records requests while in accordance with the requirements of Chapter 119 of the Florida Statutes, the "Public Records Act".

The following process will be followed by CareerSource Central Florida Staff:

Public records requests, other than Readily Available Documents, will be handled and coordinated by Records Facilitator, as designated by the President & CEO. The individual will be a staff member of the Quality Assurance & Continuous Improvement Department. If a request for public information is received through one of the organizations Career Service Center or by a member of the organization's leaders, the request will be submitted to the Records Facilitator for action.

The following process will be followed as circumstances allow:

1. An acknowledgement of the request will be sent to the requestor by email, letter, or facsimile (see sample letter at **Attachment A**).
2. The request will be logged into CareerSource Central Florida's public records logging and tracking system maintained by the Quality Assurance & Continuous Improvement Department.
3. A request will be sent to the appropriate CareerSource Central Florida individual(s) to notify them of the request and to coordinate efforts to locate – if applicable – documents requested. The Facilitator will establish a deadline for the request to be actualized, based on the volume or extent of the amount of records to be retrieved.
4. Estimate the cost of generating the requested records and any service charge, if applicable (e.g., labor charge for extensive use of information technology resources and clerical or supervisory time).
5. Advise the requestor in writing of the estimated fees, Special Service Charge, and payment information, as applicable and if required (see sample letter at **Attachment B**). Payment of the estimated costs is required prior to the copying, reviewing, redacting, or otherwise processing the records for release if their production meets the definition for extensive time or material costs. All requestors must approve the estimated fees and Special Service Charge prior to CareerSource Central Florida gathering the requested materials.
6. Provide a revised estimate of charges if, upon receiving an initial estimate of charges, a requester alters their original request.
7. Redact confidential and exempt information, as defined in the policy, once the requested materials have been gathered before releasing the records to the requestor or allowing the requestor to view the records.
8. Send an invoice to the requestor indicating the amount due, if applicable (see sample letter at **Attachment C**). For those who were required to pay the estimated costs: if the actual costs incurred are in excess of the estimate, the requestor will be required to pay the balance prior to the public records being released. If the actual costs are less than the estimate, the overpayment will be

refunded to the requestor. In the event the requestor fails to remit additional monies to cover actual costs in excess of the estimate, the requested public records will not be made available. For those who were not required to pay the estimated costs, i.e. for whom processing the records did not meet the threshold for extensive time, the entire amount in the invoice will be due.

9. Send the requested materials to the requestor with a cover letter or notify the requestor that the records are ready for inspection, after collection of the appropriate fees and charges (see sample letter at **Attachment D**). The cover letter must include reference to any exemptions claimed and any redactions made and the statutory authority relied upon for such exemptions and redactions. Advise the requestor how to arrange to inspect the records if they elect to inspect the records rather than pay copying costs.
10. Respond to public records requests in a reasonably timely fashion taking into account the extent and nature of the request. The only delay allowed by law in producing records upon request is the reasonable time allowed to retrieve the record and redact those portions of the records CareerSource Central Florida asserts are confidential and/or exempt.

INSPECTION INSTEAD OF COPIES:

The Records Facilitator will advise individuals of the option to inspect the requested records in the possession of CareerSource Central Florida rather than to obtain copies. In this case, fees may still be assessed if extensive staff time is required to retrieve the records. The Records Facilitator must ensure that the confidential or exempt records are properly redacted. The inspection of records shall be under the supervision of the Records Facilitator or his or her designee.

FEES:

1. As outlined in the policy, -payment of fees will be payable by U.S. money order, personal check, or cashier's check payable to CareerSource Central Florida at the time the records are delivered to the requestor. If the records are to be sent to the requestor payment must be made in prior to them being sent. Fees that are \$10.00 or less may be paid in cash by a person inspecting the records in person and requesting copies.

When providing a copy of a public record, the fee which may be charged is:

Fee Schedule:

Photocopies	\$0.15 for each letter/legal one-sided copy \$0.20 for each two-sided copy
Audio tape duplication:	Actual cost incurred
Digital Data duplication:	Actual cost incurred
Archived document retrieval:	Actual cost incurred
Postage	Actual mailing fee (when documents are mailed)
Certified copies	\$1.00 for each page
All other copies	Actual cost incurred

2. A Special Service Charge pursuant to subsection 119.07(4)(d) of the Florida Statutes, will be added to the fee for duplicating the requested material if the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of CareerSource Central Florida, or both. The Special Service Charge shall be reasonable and based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by CareerSource Central Florida or attributable to CareerSource Central Florida for the clerical and supervisory assistance required, or both. The Special Service Charge shall be in addition to the actual cost of duplication. CareerSource Central

Florida shall assess a Special Service Charge when CareerSource Central Florida personnel spend more than thirty minutes retrieving records, reviewing them for exempt or confidential information, redacting such information (if applicable), and preparing, copying, and refiling them. The rate charged for clerical or supervisory assistance will be based on that of the lowest paid full-time CareerSource Central Florida personnel capable of processing public records requests (based on salary and benefits) even if a specific request requires labor by higher-paid employees. In instances where legal review is necessary, the charge will be based on the attorney fees charged to CareerSource Central Florida. After the first thirty minutes, hourly rates will be charged by the quarter hour.

3. When documents are sent by email, the only charge will be a Special Service Charge, if applicable.
4. Under certain circumstances, a request may be made to the President & CEO to waive the fees. Such circumstances may apply to request from the media, a governmental agency, or at the discretion of the President & CEO.

TRAINING:

Periodic training regarding the Public Records Act and for processing public records requests will be scheduled by CareerSource Central Florida for all staff.

Board Policy Approval Date: 12/12/2013	Revision Date:
Description of Revision(s): Clarifies the procedure for implementing the Request for Public Records Policy.	