



## POLICY

<b>SECTION: CSTB</b>	<b>POLICY# 019-C0044</b>	<b>PAGE: 1 of 4</b>
<b>TITLE: Request for Public Records Policy</b>		<b>EFFECTIVE DATE: 1.22.2020</b>
<b>REPLACES:</b>		<b>DATED:</b>

### **DISTRIBUTION: CAREERSOURCE TAMPA BAY STAFF**

**PURPOSE:** To outline CareerSource Tampa Bay's (CSTB) guidelines 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:** CSTB 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. CSTB 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, CSTB is subject to the Public Records Act. Every person who has custody of a public record shall permit the record to be inspected by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the Records Facilitator of the public record or his or her designee. Upon request, they shall furnish a copy of the record upon payment of the fees noted below.

### **POLICY:**

It is the policy of CSTB that all public records are not exempt or confidential and are in CSTB 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 CSTB, excluding CSTB holidays. CSTB is not required to create a new record, reformat, or provide an explanation of a document. CSTB'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 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 1, 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 relevant statutes. In the absence of specific statutory provision allowing its release, disclosure of confidential information is prohibited.
3. **Exempt Records:** Records that 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 CSTB personnel must spend more than thirty (30) 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 CSTB. Public records include all materials made or received by CSTB 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 CSTB 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 CSTB staff, or both.

## **Public Records Facilitator**

CSTB's Chief Executive Officer 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 CSTB 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 at the time records are picked up or prepaid if records are mailed.

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

**Fee Schedule**

Photocopies:	No charge for first ten (10) copies \$0.15 for each additional letter/legal one-sided copy \$0.20 for each additional two-sided copy
Audio tape duplication:	Actual cost incurred
Digital data duplication:	Actual cost incurred
Archived document retrieval:	Actual cost incurred
Postage:	Actual mailed fee <i>*When documents are mailed.</i>
Certified copies:	\$1.00 for each page
All other copies:	Actual cost incurred
Special Service Charge:	Charges will be calculated based on the cost of wages and benefits of the personnel who perform the public records request

2. A **Special Service Charge** pursuant of 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 CSTB, 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 CSTB or attributable to CSTB for the clerical and supervisory assistance required, or both. The Special Service Charge shall be in addition to the actual cost of duplication. CSTB shall assess a Special Service Charge when CSTB personnel spend more than thirty (30) 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 CSTB 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 CSTB. After the first thirty (30) 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.

**References:**

- Florida Statutes, Chapter 119  
[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0100-0199/0119/0119.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119.html)

**INQUIRIES:** Any questions about this procedure should be directed to the Chief Executive Officer or their designee.