

Public Records Procedures

A. Receipt of Public Records Request Directly from Requester

1. Any department /school receiving a public records request directly from a requester shall respond by immediately acknowledging that the request has been received. A prompt acknowledgment is required by law, and it assists in building a rapport with the requester, reflects good customer service and builds positive long-term relationships.
2. As soon as a request is received from the requester via telephone, fax, e-mail, mail, or in person, the request should be processed or routed immediately to the school's / department's record custodian, who will forward the request to the appropriate school or department personnel, to search for and provide the requested materials. Any custodian or designee who requires assistance in routing a public records request should immediately contact the Public Information Coordinator (PIC), Willie Williams, Jr., or, in his absence, the Department of Public Affairs Executive Secretary, Connie Ayers, to ensure that processing of the request is not delayed.
3. If a public records request is received from the requester by a school/department where the requested materials are located, the records custodian or designee should immediately process the request in-house. If any issues arise, the custodian or designee should communicate with the requester directly to seek clarification of the request, or consult the Public Information Coordinator (PIC), Willie Williams, Jr., in the Department of Public Affairs, for assistance.
4. If a department or school records custodian or designee receives a request that he or she is uncertain about – such as identifying what records are being sought, where records are located, or whether certain information may be exempt and subject to redactions, please contact the PIC. Once the school or department records custodian has contacted the PIC and receives clarification for routing, the records custodian should, if he/she has not already done so, acknowledge the request immediately to ensure quality customer service and compliance with state statute. The PIC will offer assistance. However, if the requester seeks records located at your school or department, the school or department records custodian will be required to either perform or oversee a diligent search for the records and review the records for possible redactions to complete the request in a timely manner.
5. Records custodians should notify the requester within three (3) hours of receipt of the request and provide the requester with a good faith estimate of the reasonable time needed to comply with the request. If materials are readily available without exemptions, the response should be ready on the day they are requested or the next business day if the request is received late in the day.
6. If any of the responsive materials would be redacted or not provided based upon some exemption or confidentiality, the records custodian MUST provide to the requester a citation of the particular statutory exemption which is the basis of the withheld material. A list containing common exemptions can be found on the District's web site at:
http://www.palmbeach.k12.fl.us/Records/Pub_publ.htm

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7. If a school or department records custodian receives a "complex" public records request (a request that requires the attention of more than one department/school or will require extensive use of staff time to comply), the receiving school or department records custodian must acknowledge the request immediately and then forward the request to the PIC for processing. Again, it is the legal responsibility of the receiving school or department records custodian to acknowledge the request immediately and then forward the request to the PIC in Public Affairs.

8. In the event of a "complex" request as stated above (#7), records custodians must state the following verbatim to the requester: "I am in receipt of your public records request and have forwarded it to the Public Information Coordinator to send to the appropriate departments for processing. Someone will contact you when the record(s) is/are available or with another response. If you have any questions, please contact the Public Information Coordinator, Willie Williams, Jr., in the Department of Public Affairs, Suite B-102, Monday - Friday 8:00 a.m. - 5:00 p.m. at (561) 357-7663."

9. If the material requested cannot be produced without extensive use of clerical or supervisory time in excess of one hour would require extensive use of information technology resources, is not readily available, or is not in the format requested, a special service charge may be appropriate. (See School Board Policy 2.041 for information on Special Service Charges.) Any special service charge in excess of \$100.00 must be approved in advance by either the Chief Academic Officer or the Chief Operating Officer. This information needs to be provided to the requester or the PIC before the work compiling the records is begun.

10. Regarding Public Records fees, the Department of Public Affairs has determined that if the information requested is less than seven pages or under \$1.00, the department and school records custodians should waive the fee. It is important that each designated records custodian familiarize themselves with the special services fees that can be found within School Board Policy 2.041 (8) & (9). For example, the duplication of a single copy is .15 cent and double-sided copies are .20 cent.

11. Regarding invoices and receipts for Public Records Request. The requester has the right to come and examine the documents to avoid a charge for duplication. The requester must be advised of that option. However, if there are extraordinary costs associated with obtaining the material then a special service charge may be appropriate. If so, the requester must be notified in advance before any work is undertaken to produce the requested material. You should refer the requester to School District Policy 2.041, which includes a section on the special service charges. Once it is determined that the requester wants the documents produced and/or copied, it will be necessary to create an invoice/receipt for the charges and present it to the requester. The school/department will keep a copy of the receipt, marked paid when it receives the payment from the requester. Payment can be in cash, but a check or money order is preferable. All monies received should be handled in the same manner as any other receipts received by the school/department. The paid receipt should be placed in storage for auditing purposes.

12. If the requested records contain material that can be considered derogatory concerning an employee, the records custodian must check to ensure that the employee has received notice of the document (signed acknowledgment by the employee if hand-delivered or provided by certified mail), and that at least 10 days has passed since the notice of the material existing in his or her file was provided to the employee. If there are any questions, please contact the PIC. You do not have to give a separate notice to the employee for each public records request. As long as the employee receives the notice of the alleged derogatory statement, that is sufficient enough, although a courtesy notice of the request may be sent.

13. Each records custodian **MUST** maintain a log of all Public Record Requests received by his or her school or department. The Master Log must include the following information: date each public records request was made; the requester's contact information, if known; description of the requested records; the departments/schools within the School District which have or may have responsive records; contact person responsible for fulfilling the request; any statutory exemption(s) which the custodian asserts is applicable to part or all of the public records request; a description of all public records produced to the requester for inspection and copied; and the dates(s) when the information such as public records were produced to the requester. Please contact the PIC should you have any questions regarding your Public Records Request Log.

14. Please ensure that all exempt information is redacted **before** it is submitted to the requester and/or the PIC in the Department of Public Affairs. **DO NOT MAKE THE REDACTIONS ON THE ORIGINAL DOCUMENT.**

15. Any request deemed as a "routine request" (records exist solely in your department/school or providing documents will not involve extensive use of staff time) must be acknowledged by the department or school records custodian to the requester via mail, email, telephone, and/or fax, then routed to the appropriate department or school personnel to gather the material responsive to the request. When a department or school records custodian receives a "complex request" (requires the attention of more than one department/school or extensive use of staff time) please route the request to the Public Information Coordinator immediately (See #8).

B. Public Records Requests Directed to PIC and Routed to Schools/Departments

1. The PIC will acknowledge every request submitted to the Department of Public Affairs, whether "routine" or "complex", by contacting the requester via mail, email, telephone, and/or fax. After the request is acknowledged, the PIC will route the request to the appropriate department or school records custodian(s). Once a request is received by a department or school records custodian from the PIC, he/she must acknowledge to the PIC that the request has been received. If assistance is needed, such as to seek clarification of the request, please contact the PIC.

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2. It is important that the school/department that has custody of the requested records make a good faith effort to determine—generally within three hours of actually receiving notice of a public records request—whether the requested records are readily available (e.g., not in off-site storage) and, if so, whether the requested records include, or are likely to include, exempt or confidential information. After the school/department has conducted a diligent search for all records responsive to the request, the custodian shall immediately notify the PIC that said records are available for inspection and copying at the location where the records are kept, at the Department of Public Affairs, or at such other location as the School District and the requester may agree.
3. If a department/school that has custody of the requested records determines that the records are not readily available, or that they contain or are likely to contain confidential or exempt information, the custodian of the records shall promptly retrieve the records and/or determine whether they contain exempt or confidential information. In addition, if the custodian determines that the requested public records are not readily available, he/she shall inform the PIC in the Department of Public Affairs of an estimated date that the records would be available for inspection and the PIC shall promptly notify the requester of such determination along with an estimate of the time needed to retrieve the records. It is important so that the requester and custodian can establish an amicable relationship that will, in turn, lead to customer satisfaction, fulfill state law and build long-term success.
4. As stated in item #2, above, a public records request should be processed or routed immediately to the appropriate person(s) to locate and provide the information. Even if the request originated with the Public Information Coordinator in the Department of Public Affairs, it is important that the custodian follow all of the aforementioned steps to ensure that the public records request is processed accurately, thoroughly and in a timely manner. Once some of the requested records are available for inspection, the department/school records custodian must notify the PIC to contact the requester that the records (even if in piecemeal) are available for inspection and copying at the location where the records are kept, at the Department of Public Affairs, or at such other location as the School District and the requester may agree (EVEN IF IN PIECEMEAL).