

**SOUTH FLORIDA STATE COLLEGE
DISTRICT BOARD OF TRUSTEES POLICIES**

POLICY NO. 2.22

TITLE: PUBLIC RECORDS

LEGAL AUTHORITY: FLORIDA STATUTE 119.07

OFFICE OF PRIMARY RESPONSIBILITY: VICE PRESIDENT FOR
ADMINISTRATIVE SERVICES

The College president is the records custodian over all College records. The president may designate co-records custodians at his or her discretion.

Public Records are: All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of 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 the College which are used to perpetuate, communicate, or formalize knowledge.

Public records in South Florida State College's custody shall be open for inspection by any person, at a reasonable time and under reasonable conditions, and South Florida State College and its respective custodians of public records, shall furnish copies of public records upon payment of a charge, where authorized by law, for the cost of duplication and/or labor.

Common confidential records and/or public record exemptions include but are not limited to student educational records, medical/psychological records and other personally identifiable medical information, limited access records, including but not limited to academic evaluations, faculty performance evaluations, performance scores, and promotion or tenure, social security numbers, certain personnel, benefit and payroll records, certain safety and security and information technology procedures, audits and plans, records of the College's direct-support organizations, trade secrets, bank account, credit/debit card information and/or other financial information, and deferred compensation and retirement account activities. Documents that are confidential and exempt from public records law will not be produced.

Ownership of the device, machine, or account in which a record is created is irrelevant to whether the record is a public record. For example, if an employee communicates regarding official business through a personal email account, those messages will be public records, assuming the messages otherwise meet the definition of public records. Certain documents, even when created in the course of conducting official business, do not perpetuate or formalize knowledge and, therefore, are not public records. For example, transitory messages, which

generally include such things as voicemail or phone messages, self-sticking notes, and email messages with short-lived or no administrative value. Notes or drafts created by an employee for their personal use are not public records, even when created for work purposes, as long as these personal notes or drafts are neither shared with anyone nor intended as final evidence of the matter to be recorded.

HISTORY: Adopted: 9/20/23

Issued by District Board of Trustees: 9/20/23

Reviewed:

Revised: