

Public Records Requests

Under Chapter 119, Florida Statutes, the public (media, community members) is given access to government records. It is important to the Holmes District School Board that our stakeholders understand their rights to obtain public records.

According to F.S. 119 a public record is defined as the following:

“Public Records” include documents, papers, letter, map, 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.

You may also review the statute in its entirety here: Chapter 119, Florida Statute. To view exemptions to the statute set by the Florida legislature you may follow these links: F.S. 119.07 & F.S. 119.071

Requests for Public Records do not need to be in writing, nor do they need to be made in person. According to F.S. 119.07(d):

“If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be 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 the agency or attributable to the agency for the clerical and supervisory assistance required, or both.”

The Florida Public Records Law authorizes the public to inspect, photograph and copy public records maintained by the Holmes County School District. Public records are records made or received in connection with the district’s official business. However, there are many statutory exemptions from public records disclosure, and some records are statutorily designated as exempt, confidential or both (student information, social security numbers, health care records, etc.). Exempt and/or confidential records are subject to redaction by the district prior to production.

Public Records Fees and Charges:

The Public Records Act allows the Holmes County School District to collect the actual cost of duplication for materials and supplies used to duplicate records. Additionally, the district may collect a **service charge** for any request that requires more than 15 minutes of use of district resources to produce. The cost of the appropriate staff member’s time will be computed to the nearest ¼ of an hour and the charge will be based upon the current hourly rate of pay plus benefits.

General fees/cost for copying Public Records

- \$0.15 one-sided copy, not more than 14 inches x 8.5 inches.
- \$0.20 two-sided copy, not more than 14 inches x 8.5 inches.
- \$1.00 per certified copy, in addition to the per page charge.
- For all other copies, the actual cost of duplication of the public record shall be charged.
- When extensive clerical or administrator time is involved in retrieving, reviewing, or redacting documents for exempt or confidential information (extensive time is defined as more than 15 minutes), the assigned clerical and/or administrator's gross hourly rate will be charged in addition to the per page charge for copies. A cost estimate will be provided to you before production begins. Payment of 50% of the estimate is also required before production begins.
- **Email searches:** When extensive programming is required to collect public records, the district assigned programmer's gross hourly rate must be charged in addition to the per page charge for copies.
- \$1.00 **CD/DVD** -Holmes County School District will not accept any external compact disc or DVD
- **Shipping** – US postage rate or any other necessary shipping costs required to deliver records

Payment Processing:

All payments or deposits must be collected prior to the release of records. Payments should be delivered to the Human Resources Department and will be accepted by check, money order (made payable to Holmes County School Board) or cash (exact amount).

If actual duplication costs and any additional service charges exceed \$100, the requestor will be provided with an estimate and will be required to remit a minimum of 50% of the total invoice prior to any record inspection or production. Holmes County School District may withhold releasing any public records produced until the total invoice is paid in full.

Most costs can be reduced significantly if requests include keywords or phrases instead of "any or all documents/emails", narrowing request to specific individuals, and including a time frame or date range could also be helpful.

In addition, if the time required to produce the Public Records will take longer than one (1) hour, the district charges for the staff time to do the work (the hourly rate of the person(s) doing the work). Also, if the documents are to be reviewed, the review must be done under the supervision of District staff. If the total amount of time to review the documents takes longer than one (1) hour, again, per Florida Statutes, the cost will be the hourly rate of the staff member supervising the review. Again, depending on the type of request made, this charge can be substantial.

One thing to remember about a public record is that it has to exist in order to be provided. That may sound simple, but many times individuals request information they think the district maintains, when in fact, we don't. This can lead to the misconception that we are not providing information, which is not the case at all – we must have it in order to provide it. Any information we have will be made available and you have the right to inspect it – and have copies made if you so choose.