



**UNIVERSITY POLICY GC-01.05-09/23**

**TO:** The University of West Florida Community

**FROM:** Dr. Martha D. Saunders, President

**SUBJECT:** Public Records

**RESPONSIBLE OFFICE:** Office of the General Counsel

**I. Purpose:**

It is the policy of the University of West Florida (“University”) to comply with Florida Public Records Law as described in Article I, Section 24(a) of the Florida constitution and Chapter 119, Florida Statutes. Therefore, all public records shall be open for inspection and copying by any person. The Office of the General Counsel is responsible for managing and overseeing public records requests.

**II. Definitions:**

Confidential – a provision of general law that provides that a specified record or meeting, or portion thereof, may not be disclosed except to the persons or entities delineated in the statute.

Exemption – a provision of general law which provides that a specified record or meeting, or portion thereof, is not subject to the access requirements of Public Records Law.

Extensive Use of Time – requires more than 15 minutes to locate, scan or make copies, review for exempt information, redact exempt information, and refile the requested material. This may apply to information technology resources, clerical work, or supervisory assistance by University personnel, or a combination thereof.

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. Public records may include electronic mail, SMS & MMS messaging, as well as other digital messaging, communication, and distribution platforms.

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.

Student Education Records – UWF defines student education records in UWF/REG-3.017, Student Education Records. Such records are confidential and exempt pursuant to §1002.225, Florida Statutes, and the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.

### **III. Policy:**

#### **A. Public Records Requests**

1. Public records requests may be made in writing or verbally. They may be made in person or remotely in any format. A requestor is not required to provide their name or state their reason for the request. A requestor is not required to provide any form of contact information, but in refusing to do so, the requestor becomes responsible for communicating with the University to check the status of their request.
2. All UWF employees must accept a request for public records when presented to them. Each employee is then responsible for immediately communicating the request to the Office of the General Counsel.
3. The Office of the General Counsel will promptly acknowledge the request by communicating with the requestor via contact information they have provided.
4. Each custodian of public records is expected to provide responsive requests to the coordinator within the Office of the General Counsel.
5. The Office of the General Counsel will review relevant records for potential exemptions, including confidential records and student education records. Information that is confidential and/or exempt will be redacted and will not be provided. The University will advise the requestor of any applicable exemption(s).
6. The University will respond to requests for public records within a reasonable period of time. What constitutes a reasonable period of time depends upon the circumstances surrounding the request, including the nature of the request, the complexity of the request, the likely quantity of records to be produced, whether extensive use of information technology resources or clerical services is required, staffing levels, and the timing of the request (such as official holidays when the University is closed).
7. If the person making the records request has requested physical copies of the documents, the University may charge the requestor per page the amount permitted by section 119.07(4), Florida Statutes. The University may charge for the cost of an external drive (for example, a thumb drive or a DVD) if documents are downloaded to a drive that is then provided to the requestor.

If the nature or volume of public records requested is such that it requires extensive use of time, the University may charge, in addition to any cost of duplication, a reasonable service charge based on the University's actual incurred costs. The Office of General Counsel will provide the requestor with an estimate of the charges necessary to fulfill the request prior

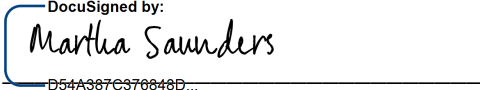
to any work being done. Payment of the estimated costs must be made in full before the University will invest employee time or resources responding to a public records request, and before producing the requested documents.

**B. Retention and Disposal of Public Records**

1. Public records, including digital records and electronic data, are subject to retention requirements established by the Florida Division of Library and Information Services. The UWF Records Management Office is responsible for administration of the records retention and disposition processes pursuant to University Policy FIN-03, Records Management, as it may be amended.
2. Employees may not delete public records except in accordance with the record retention schedules.

**C. Custodian of Public Records**

Individual UWF employees who maintain records within the scope of their employment are considered to be the custodians of those records. It is the responsibility of each custodian of public records to maintain the public records in accordance with applicable Florida General Records Schedules.

**Approved by:**  **Date:** 09/20/2023  
Dr. Martha D. Saunders

**Authority:** BOG Reg. 1.001; Chapter 119, Fla. Stat.

**Cross Ref.:** UWF Policy FIN-03 (as amended); UWF Policy IT-02 (as amended)

**History:** Adopted November 1999; revised September 2001, August 2003, May 2018, and September 2023

**Last Review:** September 2023