

Florida State College at Jacksonville

Records Management Training Manual

January 2015



and



Florida State College at Jacksonville
Office of Records Management
501 West State St.
Jacksonville, FL 32202
Phone: (904) 632-3196
Email: catherine.hodges@fscj.edu

TABLE OF CONTENTS

| | <i>Page</i> |
|---|-------------|
| RECORDS MANAGEMENT | 3 |
| Records Management Overview | 3 |
| What is a Public Record? | 4 |
| Drafts vs. Support Documents and Working Papers | 5 |
| Public Documents, Blank (Unused) Forms, and Printed Material | 6 |
| Copy of Record vs. Duplicate Records | 6 |
| Electronic Records | 7 |
| Email | 8 |
| ACCESS | 9 |
| Public Records Request | 9 |
| Fees | 10 |
| Who to contact if you receive a Public Records request | 10 |
| RECORDS COORDINATOR RESPONSIBILITIES | 11 |
| Tier I Records Coordinator Contact Information | 11-13 |
| RECORDS RETENTION | 14 |
| Record Appraisal | 14 |
| RECORD TRANSFER AND STORAGE | 15 |
| RECORD DISPOSITION | 16 |
| Destruction | 16 |
| Factors Influencing Disposition of Public Records | 17 |

Records Management

Florida State College at Jacksonville is required by state law to make available, preserve and safeguard public records which document the College's operations, policies, procedures and decisions and those which protect the legal and financial rights of the College. Management of public records is one of the many administrative functions assigned to all College departments and staff.

The College's Records Management Program must apply to all records, regardless of physical form, characteristics, or means of transmission, created or received in connection with the transaction of official business. The College is charged with ensuring compliance with all relevant Florida Statutes and the Florida Administrative Code regarding access, the systematic retention, storage and disposition of all College records, including email.

Section 257.36(5), Florida Statutes (F.S.) directs each agency to establish and maintain an active and continuing records management program to include inventorying, scheduling and disposition of records. Public Records Law, Chapter 119, F.S., provides, in part, Agency obligations for the access, control, storage, preservation and disposition of all Public Records.

Records Management Overview

Records management is the systematic and administrative control of records throughout their life cycle to ensure efficiency and economy in their creation, use, handling, control, maintenance and disposition.

Records management provides:

- Compliance with legal retention requirements.
- Cost savings with reduced space requirements in offices and on servers.
- Increased efficiency in retrieval of information.
- Control over new records creation.
- Support and documentation of institutional policy formation.
- Identification of historical records.
- Litigation support and protection by maintenance of only those records necessary to business activities.

Records management includes:

- Records appraisal for establishing administrative, legal, fiscal or historical value of records' content.
- Establishment of standards for controlling, retaining, and destroying or preserving public records.
- Development of records retention schedules.

- Provisions for adequate protection of records in any format that are vital, archival or confidential in nature.
- Maintenance of public information records in any format, in any manner, to facilitate access by the public as required by Florida law.
- Provisions for disposal of inactive records.

Results of poor records management may include:

- Information loss: Unused records can add to the retrieval time needed to find information and poorly named files can lead to lost records.
- Unnecessary expense: Keeping unused documents takes up valuable storage space.
- Litigation potential: All records created by the College are potential documentation in lawsuits. Keeping records beyond their retention period or destroying documents too soon can be costly.

The intended result of a proper records management program is *intellectual and physical control* of data. To ignore records management or to allow an undisciplined and unregulated system to function invites disaster. Poor records management decisions may cause the loss of rights, loss of time, and certainly represents a waste of funds. Such negligence may result in adverse inferences in litigation, criminal charges, civil charges, sanctions, and even charges of obstruction of justice and contempt of court.

What is a PUBLIC RECORD?

Florida Public Records Law, as codified in **Chapter 119, Florida Statutes (F.S.)**, provides a clear mandate for public agencies to manage public records in a professional manner. In addition to Chapter 119, F.S., a significant body of standards and requirements govern the "life cycle" of Florida's public records, including the Florida Department of State, Division of Library and Information Services' enabling legislation, **Chapter 257, F.S., and Chapters 1B-24 and 1B-26 of the Florida Administrative Code (F.A.C.)**. To address the complexities associated with Public Records management in the State of Florida, a comprehensive records and information management program is an essential component of any business entity, public or private. It is, therefore, critical to define the scope of the program; and especially to define the term "record."

As defined by **s. 119.011(12), F.S.**, "Public Records means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other material, regardless of physical form or 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." It is critical to understand that format, media type or duplication does not affect the public record status of information created or received by a public agency.

Drafts vs. Support Documents and Working Papers

There is no *unfinished business* exception. **If the purpose of the record is to perpetuate, communicate or formalize knowledge, then it is a Public Record regardless of whether or not it is in final form. In the absence of a final intended product, precursor or intermediate files (drafts) may constitute the final evidence of knowledge.** Drafts cease to be Public Records only after the final intended record has been produced.

In *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633 (Fla. 1980), the Florida Supreme Court contrasted the definition of “public records” with the concept of *Precursor* records. **Precursors are not Public Records** and can be thought of as *Drafts* or notes which precede the creation of a final intended record product and are not “intended as final evidence of the knowledge to be recorded.” Machine-readable **Intermediate Files** are the digital equivalent to the concept of Precursor as described above. Since media is not a criterion for Public Record status, the concept of a draft allows for editorializing at the word processor during the formulation of a final intended record product. The resulting machine-readable drafts are considered intermediate files “which are precursors of governmental records and not intended as final evidence of the knowledge to be recorded but are utilized by data processing computer equipment to prepare further records.” Intermediate Files **are not public records.**”

Drafts must not be confused with *Support Documents*. **Support Documents or working papers are Public Records.** Working papers support the final intended record product, whereas drafts merely precede the creation of a final intended product. Support Documents are Public Records from point of creation to destruction regardless of the final intended record produced. For example, a handwritten note created during the normal course of business is a Public Record. However, if that handwritten note is formalized by word processing (for example) into a final intended record, the handwritten note ceases to be a Public Record and may be destroyed as non-record material since the information contained within the handwritten note has been transferred to the final intended record. To continue the example, a collection of handwritten notes from which information is extracted as a conclusion and represented in some other record is a Support Document. The extracted data does not reflect the entire informational content of the collection of handwritten notes, but merely supports a conclusion represented by another Public Record.

Understanding the distinction between drafts and working papers is essential to allow for the orderly formulation of final intended records without formal disposition, while protecting informational content used to support other final intended records.

Public Documents, Blank (Unused) Forms, and Printed Material

Chapter 257.05, F.S. defines information that has been funded in whole or in part by the Legislature and printed to distribute information to the public as a *Public Document*. A Public Document, as defined by Chapter 257.05, F.S., **is not a Public Record**, according to the Florida Department of State (DOS). For example, an inventory of promotional information is not a Public Record for scheduling and disposition purposes and is actually a Public Document (i.e. property); however, the camera-ready copy used to create the promotional material is a Public Record. In this way, the Public Record is created and managed per Chapter 119, F. S., yet the printed inventory is not. Blank, unused forms are another example of a non-record. Using this same logic, similar printed material received by the College may also be exempted from the Public Records Program including junk magazines, books and other published works, newsletters, advertising (junk mail and even *personalized* junk mail), and catalogs.

Copy of Record vs. Duplicate Records

Copy of Record or Record (Master) Copy means the public record specifically designated by the College as the official, retention copy.

In order to control the storage of and access to official College records, the College has designated specific operating units to maintain the "files of record" for specific subject areas. Per [APM 02-1401](#), all College personnel receiving or generating documents pertaining to a subject area listed below should ensure that copies of the documents are forwarded to the designated custodian for filing, as follows:

| Record Class/Type | Custodian |
|----------------------------------|--|
| Accreditation | Associate Vice President, Institutional Effectiveness & Accreditation |
| Administrative Procedures | Records Management Program Coordinator/Office of the Vice President of the College/Provost |
| Administrative Services | Vice President, Business Services |
| Assessment Test Scores | Registrar |
| Audit Findings | Office of the General Counsel |
| District Board of Trustees Rules | Records Management Program Coordinator/Office of the Vice President of the College/Provost |
| Collective | Chief Human Resources Officer |

| | |
|---|---|
| Bargaining | |
| Contractual Agreements | Office of the General Counsel |
| Curriculum | Executive Dean of Academic Foundations |
| Equal Employment Opportunity Commission Records | Executive Director, Employee Relations & College Equity Officer |
| Facilities | Executive Director, Facilities Management & Construction |
| Federal Grant Projects | Director of Grants |
| Finance/Accounting | Chief Financial Officer |
| Jacksonville Human Rights Commission Records | Executive Director, Employee Relations & College Equity Officer |
| Litigation | Office of the General Counsel |
| Office of Civil Rights Records | Executive Director, Employee Relations & College Equity Officer |
| Payroll | Chief Financial Officer |
| Personnel Records | Chief Human Resources Officer |
| Property Records | Chief Business Affairs Officer |
| Purchasing Records and Contracts | Chief Business Affairs Officer |
| Student Aid | Director of Financial Aid |
| Student Records | Registrar |

Duplicate Record means all reproductions of the copy of record or record (master) copies, prepared simultaneously or separately, which are designated by the College as not being the copy of record.

Generally, the office of origin for *internally* generated documents is the copy of record while receiving offices have duplicates. For *externally* generated records received by the College, the office, which performs the last administrative act has the copy of record.

Electronic Records

An electronic record is any information that is created or maintained in an electronic format.

Records retention schedules apply to records regardless of their physical format. Records created or maintained in electronic format must be retained in accordance with the minimum retention requirements presented in the General Records Schedules. Printouts of standard correspondence in text or word processing files are acceptable in the place of the electronic files. Printouts of electronic communications (email, instant messaging, text messaging, multimedia messaging, chat messaging, social networking messages, etc.) are acceptable in place of the electronic files, provided that the printed version contains all date/time stamps and routing information.

Electronic records include numeric, graphic, audio, video and textual information which is recorded or transmitted in an analog or digital format such as electronic spreadsheets, word processing files, databases, email, instant messages, scanned images, digital photographs and multimedia files. Electronic records that meet the definition of a public record must be managed and made available according to applicable laws and rules.

Remember, it is the content, not the format, that is the record.

The College is obligated to ensure all records, including digital and electronic (email) communications are retained and disposed of in accordance with retention schedules as documented on the College's Disposition List. This List is prepared by the College RMLO and distributed to the Tier I and Tier II Record Coordinators. Because email retentions are content driven, there is no specific retention for email, or any other digital data.

Email

Email often causes considerable confusion relative to Public Records Law. Retentions are not written for media types. Email is a media type and has no specific retention. Remember... The retention for email is content driven. Some email is *interoffice memoranda* and *correspondence*. Some email (or more often attachments to email) may include record series titles with greater retention periods. Most often, email is a *transitory message* with an OSA (Retain until Obsolete, Superseded or Administrative Value is Lost) retention. Some email is personal and private.

The vast array of potential Record Series Titles reflected in the College's email server, each with a specific retention and further complicated by the designation of *copy of record* or *duplicate*, is an issue faced by every Florida Public Agency.

ACCESS

In Florida, all Public Records are open to inspection during reasonable times and under reasonable conditions, to any person for whatever reason; unless specifically exempted by law. Access to Public Records in Florida is the most complicated and challenging aspect of managing information in a Public Agency (for staff *and* for the public). During the 1970's most court cases relative to Florida's Public Record Laws were triggered by the question of whether a particular piece of information *was* a Public Record.

Following the 1980 Florida Supreme Court Case, *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633 (Fla. 1980) and through to the present, most Public Record cases concern access.

One of the very best sources of information relative to Florida Public Records access is the **Government-in-The-Sunshine Manual** published by the **First Amendment Foundation (FAF)**. A new volume is usually available every January, however ordering, delivery and printing delays often reach into February. The telephone number to secure a copy is (850) 224-4555. A copy may also be ordered via the FAF website [www.floridafaf.org].

Public Records Request

As a public agency of the state of Florida, FSCJ is required to provide public records in accordance with Chapter 119 of the Florida Statutes. As such, FSCJ has developed procedures for processing these requests to be responsive and timely to requests for public information. Fees and/or service charges may apply.

Here are some basic guidelines regarding Public Records requests:

- Public records requests may be made to any employee.
- Requests do not have to be in writing, however, a department may suggest that it be in writing to ensure they that they fully understand what is being requested.
- The person requesting the information does not have to identify himself / herself, nor do they have to explain why they are requesting the information. However, contact information, preferably an email address, is helpful in order to notify the requestor when or if the records are available and if there will be a charge for them.
- Employees at no time should make a determination of what is or isn't a public record in responding to requests. Such determinations should be made by the Office of the General Counsel.
- Should there be a cost associated with producing the records, the requestor will be notified in advance by the Office of Records Management.

Fees

Section 119.07, F.S., provides, in part, “the custodian shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law”, or, if a fee is not prescribed by law; for duplicated copies of not more than 14 inches by 8.5 inches, upon payment of not more than 15 cents per one-sided copy, and for all other copies, upon payment of the actual cost of duplication of the record. An agency may charge not more than an additional 5 cents for each two-sided duplicated copy of not more than 14 inches by 8.5 inches. Actual cost of duplication means the cost of the material and supplies used to duplicate the record, but does not include the cost of labor or overhead costs associated with such duplication. An agency may charge up to \$1.00 per copy for a certified copy of a public record.

However, when the nature or volume of public records 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 personnel of the College, the College 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 effort.

Who to contact if you receive a Public Records Request:

Employees should contact the following as soon as possible after receiving a Public Records request:

Records Management Program Coordinator
501 W. State Street, Room 407H
Jacksonville, FL 32202
904.632.3196
Catherine.Hodges@fscj.edu

OR

Office of General Counsel
501 W. State Street, Suite 403
Jacksonville, FL 32202
904.632.3232

For requests from the Media contact:
Director, Communications and Marketing
601 W. State Street, Room 206
Jacksonville, FL 32202
904.632.5016
jill.johnson@fscj.edu

Records Coordinator Responsibilities

Each campus, center or department has an assigned Records Coordinator responsible for campus, center and/or departmental records management functions.

To assist with the tasks involved, Records Coordinators have been appointed at the campus, center and department level. The Tier 1 Records Coordinators, as listed below, have the responsibility to interact with the College's Office of Records Management. Tier 2 Records Coordinators at the department- or office-level work through the Tier 1 Records Coordinators at their campus or center.

Campuses and departments may appoint more than one Records Coordinator for various functional areas (e.g., fiscal, grant, contract, student, etc.), if deemed appropriate. However, there will be one Tier 1 Records Coordinator at the campus or center level who is responsible for interacting with the Office of Records Management. All Tier 2 Records Coordinators will interact with their Campus-wide or Center-wide Tier 1 Records Coordinator.

Campus and Center Records Tier I Coordinators:

North Campus/Nassau Center

Steve Park

Director of Administrative Services

Phone: (904) 766-6768

Email: Steve.Park@fscj.edu

Open Campus/Deerwood Center

Dawn Button

Operations Manager

Phone: (904) 997-2681

Email: Dawn.Button@fscj.edu

Downtown Campus

William V. Smithey

Director of Administrative Services

Phone: (904) 633-8171

Email: wsmithey@fscj.edu

Kent Campus

Morris Bellick

Director of Administrative Services

Phone:(904) 381-3612

Email: Morris.A.Bellick@fscj.edu

South Campus

Cathy Horn

Director of Administrative Services

Phone: (904) 646-2308

Email: Catherine.Horn@fscj.edu

Information Technology (IT)

Ron Smith

Executive Director, Computer Infrastructure, Security and Compliance

Phone: (904) 997-2997

Email: Ron.Smith@fscj.edu

For Vice President of Student Services, Dr. Christopher Holland

Shawniselynn Miller

Administrative Assistant

Phone: (904) 632-5091

Email: Shawniselynn.Miller@fscj.edu

For Vice President, Business Services, Mr. Al Little

Logan Becker

Budget Project Coordinator

Phone: (904) 632-3364

Email: Logan.Becker@fscj.edu

For Vice President, Institutional Advancement, Mr. Jim Stevenson

Calvin Leavell

Institutional Advancement Support Manager

Phone: (904) 632-5032

Email: cleavell@fscj.edu

For Vice President of the College and Provost, Dr. Judith Bilsky

Catherine Hodges

Records Management Program Coordinator

Phone: (904) 632-3196

Email: Catherine.Hodges@fscj.edu

For College President, Dr. Cynthia Bioteau

Jamie Bickerstaff

Administrative Assistant

Phone: (904) 632-3203

Email: J.Bickerstaff@fscj.edu

Records Coordinators are not meant to be an additional level of administration, but because of their organizational placement are in the best position to provide the Office of Records Management with contacts and information concerning the administrative units at their campus, center, or department. Employees designated as Records Coordinators are best suited to make the administrative personnel in these units aware of the College's records management program and their responsibilities for complying with the state public records laws and regulations. Refer to [APM 02-1403](#) for more details on the duties and responsibilities of Tier 1 and Tier 2 Records Coordinators.

RECORDS RETENTION

The College will retain all records, including digital and electronic (email) communication, according to the retention schedules set forth by the Florida Department of State Division of Library & Information Services and in consultation with the College's Office of Records Management. College facilities are designed to allow the storage of three (3) years of records within the space assigned to each campus, center or department. See [APM 02-1403](#), Records Retention and Disposition for more information.

Record Appraisal

All records should be appraised in relation to their purpose, period of usefulness and value to an office. Records that reach a file or other housing should have administrative, legal, research or historical value.

- **Administrative:** created for conducting departmental responsibilities to assist the office in performing activities.
- **Legal:** contain evidence of legally enforceable rights or obligations (contracts, deeds, etc.).
- **Fiscal:** pertain to financial transactions such as budget, ledgers, payroll and vouchers.
- **Research, Historical or Archival:** reflect significant historical events or document the history and development of an office.

Types of Retention Schedules:

There are two type of retention schedules: General Records Schedules and Individual Records Schedules. General Records Schedules establish retention requirements for records common to several or all offices, while Individual Records Schedules establish retention requirements for records that are unique to particular departments or offices. All of these retention schedules establish the minimum length of time a record series must be maintained. Retention schedules do not tell you when you must dispose of records; they tell you how long you must retain records before disposal is allowed.

FSCJ Records Retention Schedules

The following is a list of the College's records retention schedules by functional category as listed on the [Records Retention Schedules](#) webpage. Each PDF document provides record name, record series number, description of the type of record and the length of time for retention. If you have any questions about these schedules, or have problems finding a schedule to fit a particular group of records, please contact the FSCJ Office of Records Management.

- Administrative (including Accreditation) and Legal Records
- Curriculum, Instructional and Student Records
- Facilities Records
- Finance and Payroll Records
- Financial Aid, Scholarships and Veterans' Assistance Records
- Human Resources and Personnel Records
- Library Records
- Miscellaneous (includes Media, IT and Medical Program) Records
- Purchasing and Central Stores Records
- Records Management Records
- Risk Management, Security and Insurance Records

RECORDS TRANSFER AND STORAGE

Records which must be maintained beyond three years should be stored in one of the following ways:

1. Certain student records, payroll records, fiscal records and curriculum records should be imaged to allow for the storage of large volumes of older records.
2. Personnel records with a retention period of 25 years or more should be imaged and/or stored in fire proof file cabinets located in the Human Resources Department or the Administrative Support Facility (ASF) located at 11 West State Street, Jacksonville, FL 32202 (warehouse).
3. All other records with remaining retention periods should be stored at the ASF in approved boxes with approved labels. The boxes, available through Central Stores are issued to each department at no charge. The labels for the boxes can be ordered through Central Stores at minimal cost to each department.
 - a. Only records with remaining retention, yet virtually no administrative value should be considered for off-site storage.
 - b. Records should be packed into uniform **boxes**.
 - c. Every record within each box must have the same destruction date.
 - d. Records should be indexed.
 - e. Only a Records Control Form should appear on the box as a *label*.
 - f. As records are eligible for destruction, they should be destroyed.
 - g. Existing boxed records need to be reviewed by staff for destruction eligibility.
 - h. **Off-site storage facilities for vital records should be located away from traditional hurricane paths and above flood zones.**

Records may be transferred to the custody of the College Archives if they have been indicated as “permanent” or as having “archival or historical value” by the records retention schedule or by selection by the Office of Records Management. Please contact the Office of Records Management for questions relating to College Archives. Tier 1 and Tier 2 Records Coordinators who want to transfer public records to the College Archives must ensure that all retention requirements have been satisfied. If retention periods have been met, contact the College's Office of Records Management for instructions. Please contact your Campus/Center Librarian to have them inspect any items you feel may have historical value. You may also contact the Office of Records Management if the records are not “public records,” but you think they may have historical value. The criteria listed [APM 02-1404](#), Archival Collection should be utilized in making a determination for placement in the College Archives.

RECORDS DISPOSITION

Disposition is the application of approved retention schedules to record series titles. The most economical solution to public records management is to destroy based on Department of State approved retention schedules. Records should be destroyed as soon as legally possible.

Destruction

The procedures for destroying public records are outlined in Chapter 1B-24, Florida Administrative Code. The College continues to be responsible for all records created since the start date of the College until the record has been destroyed pursuant to DOS approved retentions, including any relevant records created by private entities acting on behalf of the College. Therefore, records that are "missing" remain the legal responsibility of the College. Further, records offered for recycling when disposition warrants continue as Public Records until destroyed.

There are two general requirements for disposing of public records:

1. You must ensure that the records have met all retention requirements (knowledge of disposal eligibility is the responsibility of the office); and
2. You must internally document the disposition of any public records in your custody.

By written policy, the Department of State has approved the use of landfills for the destruction of records that have met retention, provided the data set does not contain any exempt data elements. The College may also sell record media (not the informational content) for paper recycling. Recycling is a good way to destroy records and render the records unreadable, especially where security is an issue. Public Records may not be sold or given away. The College must maintain Public Records through to destruction. Although copies may be sold pursuant to Access provisions in Chapter 119, F.S., once sold, the copies are no longer Public Record unless sold to other Florida Public Agencies. **The disposition form maintained within the College is a permanent record.**

Factors Influencing Disposition of Public Records

Litigation: When the College has been given notice that a potential cause of action is pending or underway, records related to that cause should be placed on hold and not be disposed of regardless of prior approval.

Public Records Requests: According to Section 119.07(2)(c), F.S., the custodian of a public record may not dispose of a record for a period of 30 days after the date on which a written request for the record was served or otherwise made to the custodian of the record by the person seeking access to the record. If a civil action is instituted within the 30 day period to enforce the provisions of this section with respect to the requested record, the custodian shall not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties.

Accreditation Standards: Some colleges receive national or statewide accreditation or certification by professional societies, organizations and associations. These groups may require a longer retention period for some records than those which are mandated under state or federal law. The Florida Bureau of Archives and Records Management issues minimum legal retention periods in its [General Records Schedules](#). Colleges may choose to maintain their records for a longer period of time to meet such standards. If, however, a shorter retention period is requested, the General Records Schedule would prevail.

Records in Support of Financial or Performance Audits: Records must be retained for at least three fiscal years (most financial records must be retained for a minimum of five fiscal years in accordance with guidelines of the Florida Department of Financial Services and the Office of the Auditor General). No records involved in a pending audit, legal or other official action may be destroyed before that audit or action is resolved. Records used during routine audits may be destroyed when the governing body accepts the audit, if the records have completed the retention period listed in the schedule. If time remains in the retention period, the records must be retained for the remainder of the period.