

TOWN OF GREENVILLE, FLORIDA

Public Records, Record Retention and Disposition Policy

I. INTRODUCTION

This policy outlines the Town of Greenville's obligations and procedures regarding public records management, including public records requests, record retention, and disposition in compliance with Florida law. The purpose is to ensure transparency, accessibility, and proper management of public records.

This policy outlines the procedures for handling public records requests, including associated costs, to promote transparency and accountability within the Town of Greenville. Furthermore, this policy ensures compliance with the Florida Public Records Law, Chapter 119, *Florida Statutes*, and other applicable laws and regulations.

II. DEFINITIONS

A. **Confidential Records**: Records that are confidential and exempt from public disclosure under Florida law.

B. **Custodian of Public Records**: The Town Clerk, or designee in the case of a vacancy in the office of Town Clerk, responsible for maintaining, managing, and providing access to public records.

C. **Disposition**: The final action taken with regard to public records, pursuant to section 257.36, Florida Statutes, as it may be amended from time to time, including transfer to a records center or archives, reproduction on microfilm, or destruction.

D. **Exempt Records**: Records that are exempt from public disclosure under Florida law.

E. **General Records Schedules**: Retention requirements, established by the Division of Library and Information Services of the Department of State, for public records common to all agencies or specified types of agencies within the State of Florida indicating the minimum time such records must be kept.

F. **Public Records**: All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the Town of Greenville.

G. **Record Retention Schedule**: A systematic plan for the retention and eventual disposition of records created or received by the Town that are not included within the General Records Schedules. The plan shall provide for the maintenance of public records for a specified period in accordance with state laws.

H. **Record Series**: A group of related public records arranged under a single filing arrangement or kept together as a unit (physically or intellectually), because they consist of the same form, relate to the same subject or function, result from the same activity, document a specific type of transaction, or have some other relationship arising from their creation, receipt, or use. A

record series might contain records in a variety of forms and formats that document a particular program, function, or activity of the agency.

I. Redaction: A process that is required by state law for items such as Social Security Numbers, bank account information, or credit card numbers. This process "blacks out" specific information on the copy of a record, which must be protected under Florida law. When a record is redacted, it is done for the purpose of making specific information unavailable for viewing. The copy of a record, however, remains unchanged and is not altered in any way from its original form.

III. PUBLIC RECORDS REQUESTS

A. Submission of Requests:

1. Any person can request to inspect or obtain copies of public records from the Town of Greenville. Requests can be made in person, by mail, email, or phone.

2. The request does not have to be in writing, and the requester is not required to provide a reason for the request.

3. Requests for public records shall be directed to the Custodian of Records, who will coordinate the retrieval of the requested records.

B. Requests Log:

1. The Custodian of Records shall maintain a log of all public records requests received by the Town, which shall include the subject of the request, the date of the request, name of the request (if known), date of the acknowledgment, and date of delivery.

C. Response to Requests:

1. Upon receipt of a public records request, the Custodian of Records will promptly acknowledge the request and provide the records or estimate the time required to gather the requested records.

2. If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the office cannot reasonably identify what public records are being requested, the request may be denied, but the Custodian of Records must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

3. If a record or a portion of a record is exempt or confidential and the Custodian of Records withholds, redacts, or otherwise denies the requested records, the Town shall provide the legal basis for the denial and cite the specific statutory provision.

D. Costs:

1. The Town of Greenville may charge for copies of public records in accordance with Florida law. The fee structure is as follows:

a. Paper Copies: \$0.15 per one-sided copy for pages up to 8.5 x 14 inches. Double-sided copies are charged at \$0.20 per copy.

b. Certified Copies: \$1.00 per copy.

c. Electronic Records: Charges are based on the actual cost of duplication, including any necessary hardware or software costs.

d. Extensive Use Fees: If the request requires extensive use of information technology resources or extensive clerical or supervisory assistance, the Town may charge a special service fee based on the actual cost incurred.

2. All fees must be paid in advance of receiving the records. Estimates of costs will be provided, and the requestor will have the option to revise their request to reduce costs.

E. Delivery of Records:

1. Records can be provided in person, by mail, or electronically, depending on the requester's preference and the form in which the record exists.

2. The Custodian of Records shall respond to public records requests within a reasonable time, depending on the nature and volume of the request as well as other duties being performed by Town staff.

3. If the requested records are readily available, the Custodian of Records will provide them immediately. If the requested records are not available, the Custodian of Records will inform the requester of the estimated time required to gather the records.

IV. RECORD RETENTION

A. Record Maintenance:

1. The Town Clerk, or designee in the case of a vacancy in the office of the Town Clerk, is the official custodian of records generated on behalf of or collected by the Town Clerk's Office. All records, which collectively become a part of the public record, are the property of the Town Clerk's Office, and neither original documents nor copies of record may be removed from the Town Clerk's office without the express permission of the Custodian of Records.

2. Some records held by the Custodian of Records are available for review and printing using the Town's website. Records not available on the Internet may be subject to inspection and will be maintained by the Custodian of Records. Unless some constraint exists, these records shall be open to the general public for review and copying during regular business hours.

3. The Custodian of Records shall employ records management practices that ensure that information is available when and where it is needed, in an organized and efficient manner, and in an environment that affords conservation and preservation to meet the specific retention requirements.

4. The Custodian of Records shall implement records management practices that entail record-keeping practices that foster organizational control over its information, administrative, and financial operations. The Town's records management program is authorized by section 257.36, *Florida Statutes*, and applies to public records as defined by section 119.011(12), *Florida Statutes*.

5. The Town Manager, Town Clerk, Town Attorney, and Public Works Director shall prepare a listing of each record series used and maintained by their respective office that will be listed in the Record Retention Policy. Additionally, the Town Manager, Town Clerk, Town Attorney, and Public Works Director shall annually review records and forms to keep the retention schedules current.

B. Retention Schedules:

1. The Town of Greenville shall follow the State of Florida General Records Schedule GS1-SL for State and Local Government Agencies, as outlined by the Division of Library and Information Services of the Department of State, to determine the minimum retention periods for public records.

2. For each record series not covered by the General Records Schedules identified in paragraph 1., the Town of Greenville shall adhere to the terms of any Records Retention Schedule provided by the Division of Library and Information Services of the Department of State, pursuant to Chap. 1B-24, *Florida Administrative Code*.

3. The Custodian of Records is responsible for ensuring that all records are maintained and disposed of in compliance with these schedules.

4. Electronic records must be maintained in a format that preserves their integrity and accessibility through the required retention period.

5. Records will be retained for the minimum period specified in the retention schedules unless a longer retention period is required by law or determined by the Town.

C. Monitoring and Compliance:

1. Department heads or designated records custodians will monitor compliance with retention schedules to ensure that records are kept for the appropriate amount of time.

2. The Custodian of Records will oversee the implementation of retention policies and assist departments in interpreting retention requirements.

V. DISPOSITION OF RECORDS

A. Disposition Procedures:

1. Once records have met the retention requirements as provided by the General Records Schedules or Records Retention Schedules and are no longer required for daily operations of the Town, the records may be disposed of following the procedures outlined by the State of Florida.

2. For records eligible for destruction, the Custodian of Records must complete a Records Disposition Request form, obtain necessary approvals, and retain the form for audit purposes.

3. Prior to disposition of records, the Custodian of Records shall confer with the Town Attorney to ensure the records are not relevant to pending or anticipated litigation, claim, audit, agency charge, investigation, or investigative action. Any record relevant to such action shall be retained until final resolution of the action even if the retention period extends beyond that set forth in the records retention schedules.

B. Destruction of Records:

1. A "Certificate of Destruction" must be completed for each batch of records disposed of, detailing the records destroyed and the method of destruction.

2. The Custodian of Records must ensure that the destruction of records is irreversible and that it complies with all applicable laws and standards.

a. Physical records will be shredded or otherwise destroyed to prevent unauthorized access.

b. Electronic records will be deleted in a manner that ensures they cannot be recovered.

c. Non-confidential records may be destroyed by shredding, burning, or other suitable methods ensuring the complete destruction of the record.

d. Confidential records must be destroyed in a manner that ensures the information is not recognizable and cannot be reconstructed.

C. Archiving:

1. Records with historical, legal, or administrative value may be transferred to the State Archives or other approved archival repositories instead of being destroyed.

VI. TRAINING AND COMPLIANCE

A. The Town shall provide regular training to elected officials, charter officers, and employees on public records laws, retention schedules, and proper disposition practices.

B. Department heads are responsible for ensuring their staff complies with this policy.

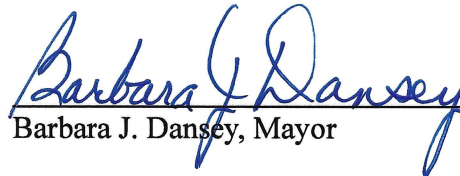
C. The Custodian of Records will regularly review records management practices to ensure compliance with this policy and state law.

VII. POLICY REVIEW AND UPDATES

This policy will be reviewed periodically and updated as necessary to comply with changes in state law or operational needs of the Town.

VIII. EFFECTIVE DATE

This policy shall become effective immediately upon its passage and shall remain in effect until amended or repealed.


Barbara J. Dansey, Mayor


Kimberly M. Reams
Custodian of Records

<u>ACTION</u>	<u>SECTION(S) AMENDED</u>	<u>RESOLUTION #</u>	<u>DATE</u>
Adoption	n/a	2024-13	08/22/2024