**PURPOSE:**
This policy establishes the Avalon Fire Rescue District's guidelines and procedures for public records requests.

**SCOPE:**
This policy is applicable to all.

**POLICY:**
This policy is written in accordance with Section 92.525, Florida Statutes (F.S.), Section 119.021 F.S., and Section 120.525 F.S.

Avalon Fire Rescue District is committed to assisting the public in its right to inspect and obtain copies of District records pursuant to the Public Records Act, Chapter 119, F.S. Avalon Fire Rescue District is committed to providing the highest level of customer service, for the best value, in an open, transparent setting.

## A. EXEMPT/CONFIDENTIAL RECORDS

The law establishes certain records "confidential" and/or "exempt" from public disclosure and Avalon Fire Rescue District takes every precaution to protect such records. Confidential records are not subject to public inspection and released only to those authorized by statute, court order, or specific authorization. Exempt records, while not subject to the public records law, are released under certain circumstances per the guidance of legal counsel. Examples of exempt/confidential data includes Social Security Numbers, examination answers and question sheets for the purpose of licensure, certain financial records, medical and insurance records (HIPAA), home addresses and telephone numbers of first responders, as well as other documents, as required by F.S.

## B. RESPONDING TO REQUESTS

Avalon Fire Rescue District's goal is to respond to every requestor within 24 hours acknowledging receipt of his or her request (via e-mail or phone), and when possible, fill requests within 24 hours. Staff takes into consideration the requestor's time-to-fill requirement (if known) and their other priority tasks. Staff asks for assistance from co-workers or their supervisor if they need assistance to meet the requestor's need. Communication internally and with the requestor is the key to success and great customer service.

Some requests can be fulfilled free of charge. If researching or redacting information exempt information (information that is exempt and protected under the public records law) takes thirty (30) minutes or less, there is no charge. If the request requires extensive use of District resources, charges may apply as described below. Avalon Fire Rescue District's staff provides a detailed invoice of any estimated costs to the requestor and receives payment before beginning to produce the requested records.

***Note: There shall be no attempt to limit access to public records by a claim of interference with the day-to-day conduct of public business. Do not ask for the name of the requester or the purpose of the review. The requester's name and purpose of the review are optional and will not be recorded unless the information is freely provided by the requester.***

## C. CHARGES FOR EXTENSIVE USE OF RESOURCES

1. A special service charge will be imposed if the nature or volume of public records requested to be inspected or copied 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.

2. An extensive use of resources is "when District personnel must spend more than 30 minutes to retrieve copy or redact the requested material to comply with the request."

3. Clerical or supervisory assistance includes searching for and or locating the requested record, reviewing for statutorily exempt information, deletion of statutorily exempt information, and preparing, copying, and re-filing of the requested record.

4. Such charge is in addition to the actual cost of duplication.

5. If multiple agencies are involved, the special service charge will be based on the aggregate amount of time expended by all personnel and information technology resources, if applicable.

6. The charge for clerical or supervisory resources will be no greater than the hourly rate, including benefits, of the lowest paid personnel capable of providing such services.

7. In those cases where legal review is necessary, the charge will be at the lowest attorney rate (salary and benefits).

8. Avalon Fire Rescue District will not pass along its costs for processing and facilitating requests.

9. When documents can be sent by email, we will do so in the interest of efficiency and to minimize costs. In these cases, we will only charge a service charge for extensive time. However, when a large volume of documents is requested and must therefore be placed on a CD, DVD, or flash drive, the costs of those materials will be recovered.

10. If the record is in electronic form, then we will copy onto CD, DVD, or flash drive as needed. You will be charged for the actual costs of the disk, not for the time to copy the documents onto the media.

11. If the cost for providing paper or electronic copies of records is less than $5.00, including postage and special service charges, the records will be provided at no charge as long as it is not cost-effective to collect such fees.

12. Avalon Fire Rescue District bases its charges on the following:

**Material/Redaction Costs:**

| | | |
|---|---|---|
| **Materials Cost** | One-sided copy: | $0.15 per page of not more than 8.5 x 14 inches |
| | Double-sided copy: | $0.20 per page of not more than 8.5 x 14 inches |
| | All other copies: | Actual cost of duplication (material and supplies, not labor) |
| | CD: | $0.85 each |
| | DVD: | $1.15 each |
| | Flash drive: | $3.00 each |
| | Certified copies: | $1.00 per page |
| | Packaging and shipping charges: | Estimated costs may be charged to reflect actual cost incurred |
| **Special Charges** | Excessive use of District resources (more than 30 minutes) for clerical work | These charges will be calculated as the fully-loaded salary (rate of pay plus all applicable benefits) of the lowest-paid employee capable of fulfilling the request. This may include, but is not limited to, the Executive Assistant or other clerical staff. |
| | Excessive use of District resources (more than 30 minutes) for technical skills or higher-level management activities, to include redacting activities | These charges will be calculated as the fully-loaded salary (rate of pay plus all applicable benefits) of the lowest-paid employee capable of fulfilling the request. This may include, but is not limited to, the Finance Director, Assistant Chief, or Fire Chief. |

## D. COLLECTING RECOVERED COSTS

1. Payment will be collected before documents are copied, reviewed, redacted, or otherwise processed for release if their production meets the threshold for extensive time or material costs.

2. If the actual costs incurred are less than such payment as estimated, the overpayment will be refunded to the requestor. The requestor will be required to remit additional monies upon release of the documents to pay for any costs in excess of the estimate.

3. In the event the requestor fails to remit additional monies to cover costs in excess of the deposit, the requested public records will not be released.

## E. REDUCING COSTS AND LIMITING CHARGES

1. Labor costs can be reduced significantly if requests include keywords as opposed to "all documents or emails." Similarly, narrowing a request to certain individuals or divisions can greatly reduce the use of extensive labor.

2. Many easily accessible records are available online for no charge. We will continue to add documents and information as we identify some of the most frequently requested public records.

3. We will help direct you to free, online sources whenever possible.

4. Consider refining your requests for documents to provide better results and reduce unnecessary or duplicative costs.

## F. STAFF RESPONSIBILITIES

Each staff member:

1. Identifies the public records for which they are owners/custodians and identify a point of contact for public records requests.

2. Identifies the types of records or information contained in the records in their custody which are exempt from inspection, examination, and copying under the Public Records Law.

3. Establishes procedures for keeping exempt records from disclosure.

4. Follows the established Avalon Fire Rescue District's policy with regard to calculation of the charges associated with a public records request, and provides the requestor with an itemized invoice of the estimated charges for the request.