

FLORIDA STATE UNIVERSITY SCHOOLS

POLICY MANUAL
SCHOOL ADMINISTRATION

CHAPTER 3.0

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PUBLIC INFORMATION AND INSPECTION OF RECORDS

All public records pursuant to Florida Statutes shall be available for inspection or copying at reasonable times during normal office hours of offices in which records are maintained. As defined in Chapter 119, Florida Statutes, any record that transacts official FSUS business is considered open to the public. This includes most records created by FSUS employees and agents when they are acting in their official capacity. However, not all records are open to public disclosure. Some records may be considered confidential and/or exempt under Florida Statutes. While certain records are open to the public, FSUS is not required to answer general questions if the information is not reflected in a public record. Further, FSUS is not required to answer questions about a record, or to create a record where one does not exist.

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I. Under § 119.12, Florida Statutes, the Florida State University Office of the General Counsel has been designated as the Custodian of Public Records. Public records requests may be submitted to the Office of the General Counsel.

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II. Photocopying or other reproduction of any record shall be performed upon a person's request. Charges for photocopying or reproducing shall be in accordance with the School Board Rule entitled "Copying of Public Records" (3.51).

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III. Records maintained by the Florida State University Schools, which are CONFIDENTIAL AND/OR EXEMPT from public inspection, include:

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A. Personally identifiable records of students pursuant to Florida Statutes and the Federal Family Educational Rights and Privacy Act (FERPA).

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- B. Portions of personnel records pursuant to Florida Statutes;
- C. All work products developed in preparation for collective bargaining pursuant to Florida Statutes;
- D. Appraisals, offers, and counter offers relating to purchase of real property pursuant to Florida Statutes;
- E. Legal records prepared by an attorney exclusively for civil or criminal litigation pursuant to Florida Statutes, and litigation files regarding employees while the case is active;
- F. A complaint of misconduct filed with the District against a District employee and information obtained in the investigation until the investigation is concluded with a finding to proceed or not to proceed with disciplinary action or charges and the subject of the complaint has been notified of the finding;

G. Data processing software obtained under a licensing agreement, which prevents its disclosure, and data processing software designated by the Director as “sensitive” pursuant to Florida Statutes;

H. Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes;

I. Personally identifiable records of dependent children of former or current employees who are insured by a District group insurance plan; and

J. Employee and student health and medical records as prescribed by Florida Statutes and P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA).

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STATUTORY AUTHORITY: _____ 1001.41, 1001.42,

F.S. LAWS IMPLEMENTED: _____ 119.07, 119.071, 447.605, 1001.43, 1002.22, _____ 1002.221, 1008.24, 1012.31, 1013.14, F.S. 34CFR 99; P.L. 103-382, 104-191

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HISTORY:

ADOPTED:

REVISION DATE(S): 11/12/13; 12/9/14

FORMERLY: 2.09

