

FLORIDA DEPARTMENT *of* STATE



DIVISION OF
LIBRARY and
INFORMATION SERVICES

Records Management for Florida Public Agencies



Agenda

- Introduction to Records Management.
- Defining Public Records.
- Examples of Public Records.
- Retention: Series and Schedules.
- Calculating Retention.
- Records Disposition.
- Public Records Access.
- Electronic Records.
- Email Management.
- Public Agency Responsibilities.

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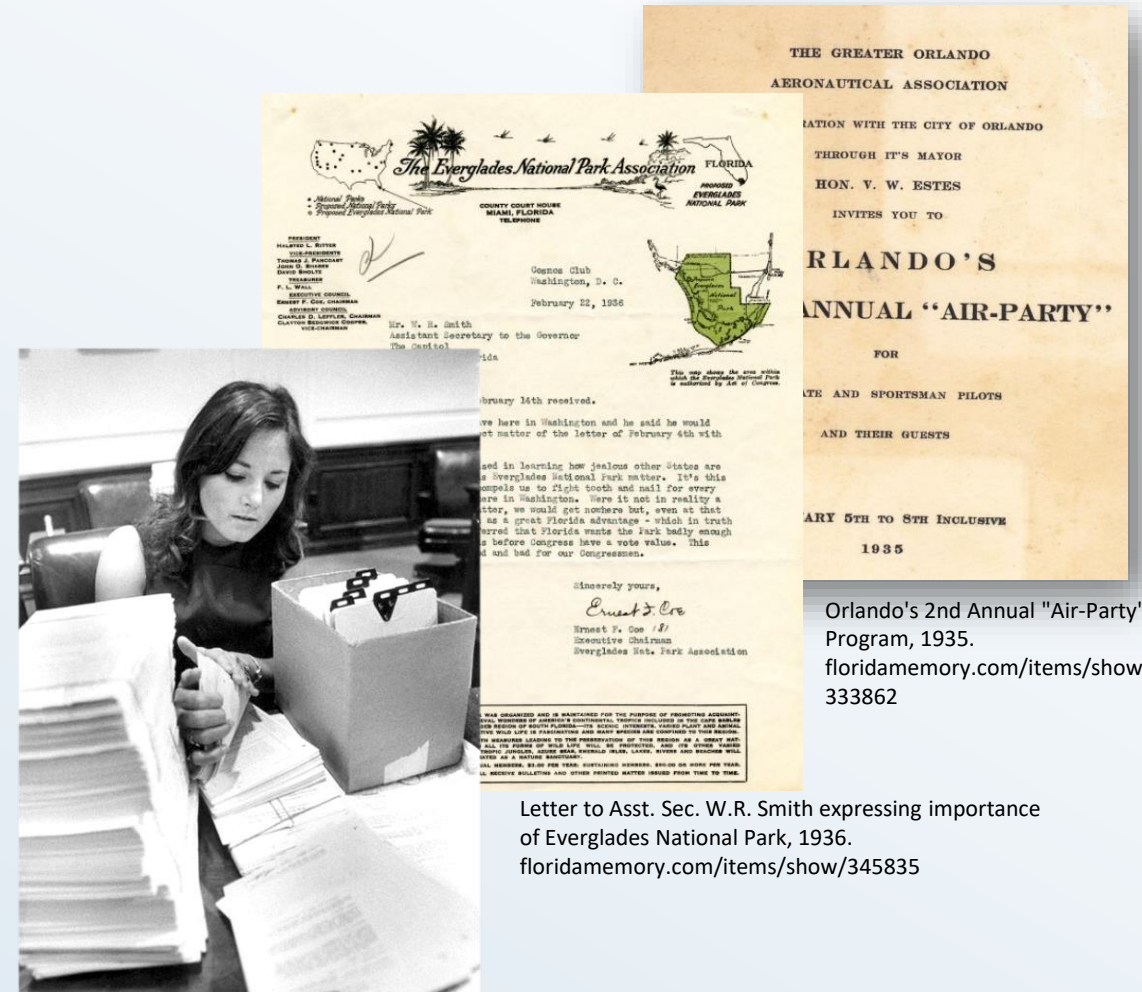
What is Records Management?

- Records management includes the **planning, organizing, directing, controlling** and other activities that are needed **to effectively create, maintain, access and use an agency's records.**
- Effective records management allows an agency to **maintain and locate** records from the **time of creation/receipt to final disposition.**



Benefits of Records Management

- Reduce unnecessary records.
- Reduce expenses for records storage.
 - Space (onsite, offsite, electronic).
 - Materials.
- Increased efficiency in retrieving information.
- Identify, protect essential and historical/archival records.
- Minimize premature disposition of records.
- Potentially reduce legal costs.



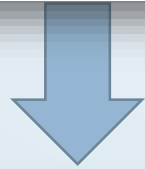
Orlando's 2nd Annual "Air-Party" Program, 1935.
floridamemory.com/items/show/333862

Letter to Asst. Sec. W.R. Smith expressing importance of Everglades National Park, 1936.
floridamemory.com/items/show/345835

Legislative aide filing bills coming up for consideration, 1974.
floridamemory.com/items/show/20306



Organization



“DOS”



“DLIS”

Bureau of Archives and Records Management

“BARM”



R.A. Gray Building, Tallahassee, FL.

Florida Statutes, Chapter 257, Public Libraries and State Archives

- Authorizes the **Division of Library and Information Services** (through the Bureau of Archives and Records Management) to promote the efficient and economical management of Florida's public records. 257.36, F.S.
- Specifies the records management responsibilities of public agencies. 257.36(5), F.S.

The 2021 Florida Statutes

[Title XVIII](#)
PUBLIC LANDS AND
PROPERTY

[Chapter 257](#)
PUBLIC LIBRARIES AND STATE
ARCHIVES

[View Entire
Chapter](#)

CHAPTER 257
PUBLIC LIBRARIES AND STATE ARCHIVES

leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0257/0257ContentsIndex.html



Bureau of Archives and Records Management Responsibilities

- Provide **technical assistance** to aid in compliance.
- Offer **training and consultation**.
- **Establish** records **retention schedules**.
- Operate the **State Records Center** facility.
- Compile annual compliance summary by initiating and sending the **Records Management Compliance Statement** forms to agencies for completion.

Records Management Liaison Officer

An RMLO is the **point of contact** between your **agency** and the **Bureau of Archives and Records Management**.

RMLO duties are determined internally by each agency.

Typically, RMLOs:

- Coordinate the identification of agency's records.
- Maintain retention schedules and disposition documentation.
- Coordinate staff training on records management.
- Participate in the development of records management policies and procedures.
- Ensure **Records Management Compliance Statement** is returned to DLIS in a timely manner.

Defining Public Records



Florida Statutes, Chapter 119, Public Records

- Defines the term “**public records.**” 119.011(4), F.S.
- Dictates that **agencies must comply** with the retention and disposition rules adopted by the Division of Library and Information Services. 119.021(2)(b), F.S.
- Establishes the **right of the public to inspect records** unless there is an exemption or restriction. 119.07, F.S.

The 2021 Florida Statutes

[Title X](#) [Chapter 119](#) [View Entire Chapter](#)
PUBLIC OFFICERS, EMPLOYEES, AND RECORDS PUBLIC RECORDS
CHAPTER 119
PUBLIC RECORDS

leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119ContentsIndex.html



Defining Public Records

Public records are **all documentation, “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** by any agency.”

119.011(12), F.S.

“A public record ... is any material prepared in connection with official agency business **which is intended to perpetuate, communicate, or formalize knowledge.**”

Shevin v. Byron, Harless, Schaffer, Reid & Associates Inc., 379 So. 2d 633 (Fla. 1980)

Defining Public Records

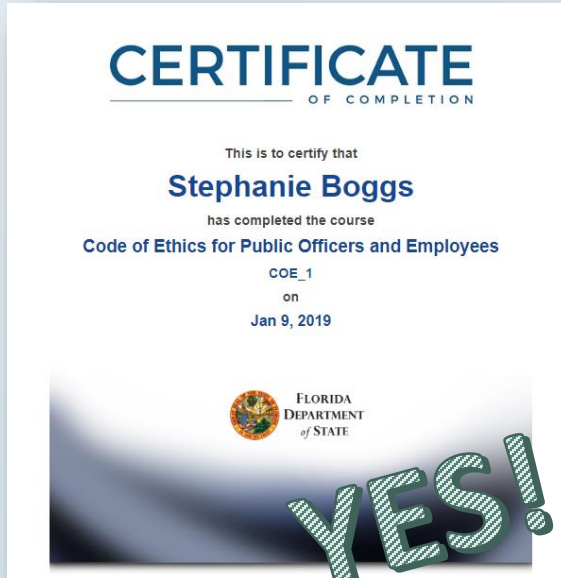
Public records:

- Are created or received in **connection with agency business**.
- Are **defined** by their **content**, not their format.
- May be **open** to inspection **OR restricted** by law.
- Must be **retained for the minimum time frame** set by the Division of Library and Information Services.

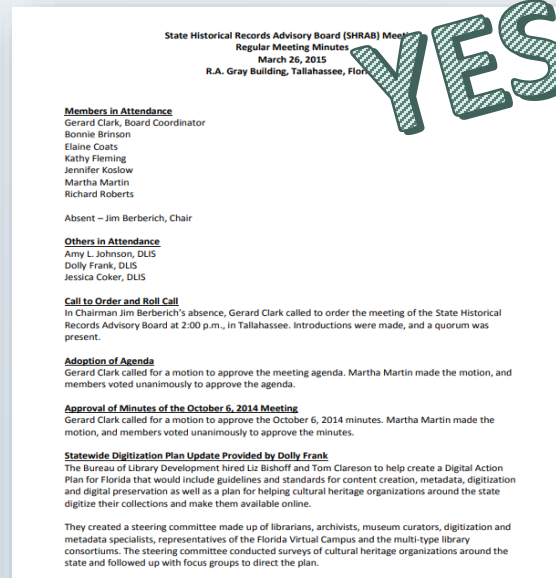
Examples of Public Records



Is it a Public Record? Some Examples



Personnel Records

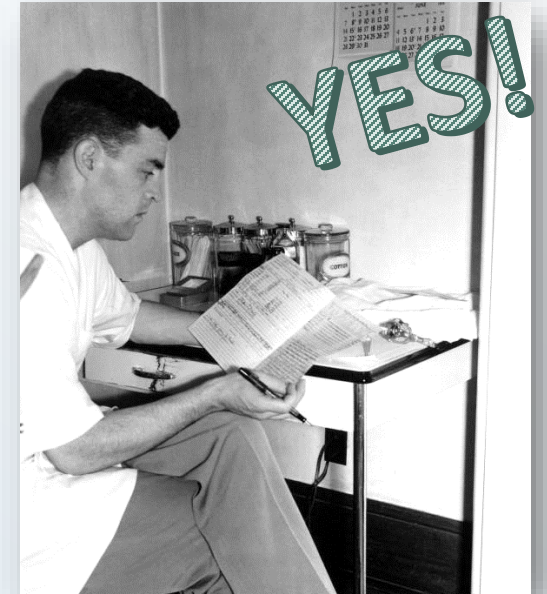


Meeting Records



Law Enforcement Records

Altamonte Springs Police officer Barry Pruette writing a traffic ticket, Altamonte Springs, 1990.
floridamemory.com/items/show/329536



Medical Records of Public Health Care Providers or Agencies

Dr. Coughlin, Director of pre-natal clinic, looking over medical record, 1944.
floridamemory.com/items/show/44483

Is it a Public Record? Additional Examples



Outside Publications

Leon County Public Library, 1961.
floridamemory.com/items/show/267132

NO!



Things That Aren't Records

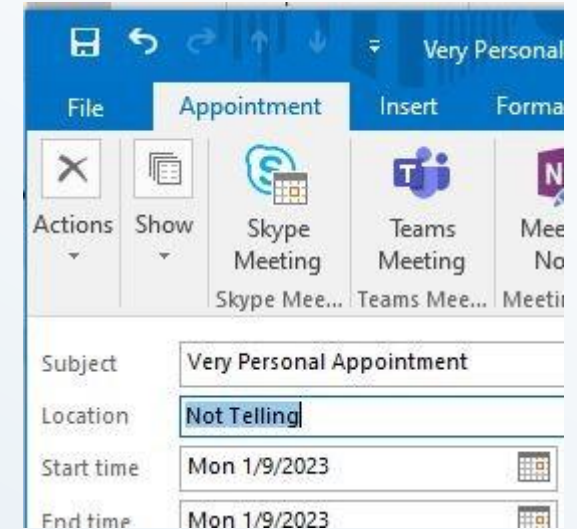
Tallahassee parking meter, 1957.
floridamemory.com/items/show/274412

NO!



Personal Photographs

NO!



Personal Calendar

NO!

Are Emails Public Records?

It depends!

“We conclude that **‘personal’ emails** are not ‘made or received pursuant to law or ordinance or in connection with the transaction of official business’ and, therefore, **do not fall within the definition of public records.**”

State v. City of Clearwater, 863 So. 2d 149 (Fla. 2003)



Clearwater City Hall, 20th Century.
floridamemory.com/items/show/163814



Times Publishing Company logo
company.tampabay.com

Remember, for **any type of communication**,
regardless of medium,
the **content determines if it is a public record.**



Other Conditional Examples

- Handwritten notes

Handwritten notes, taken in the course of conducting official business, **are not public records if the notes have not been transcribed or shown to others** and were **not intended to perpetuate, communicate, or formalize knowledge**. AGO 10-55

- Blank forms

Blank forms in bulk are not public records, but the template may be a public record.

- Unused ballots

Bulk unused ballots **are not public records**. You must contact the Division of Elections before disposal. 101.545, F.S.

- Private Business Records

The records of private businesses are not subject to Chapter 119, **except for those records created or received when doing work on behalf of a public agency or in the possession of a public agency**.

Retention of Public Records



Record Series

A **record series** is a grouping of related public records that have common characteristics or document the same function or activity.

Each record series is described by **four** elements.

- **Title:** name of record series.
- **Item number:** method of identification along with title.
- **Description:** types of records and information included, examples, relevant statutes.
- **Retention:** minimum time frame required to maintain.

Record Series

Four elements of a record series:

Record series title

EQUIPMENT/VEHICLE USAGE RECORDS

Item #224

Item number

Description

This record series documents use of agency equipment and vehicles, including, but not limited to, vehicle logs indicating driver, destination, fuel/service stops, and odometer readings and/or total trip mileage; equipment usage logs and/or reports; and other usage documentation.

Retention

RETENTION: 1 calendar year.



Records Retention Schedules

Records retention schedules:

- Two types of schedules:
General and **Individual**.
- Describe **records series**.
- Set **MINIMUM** periods of time each record series must be retained before final disposition (i.e., **retention**) based on its legal, fiscal, archival/historical, or administrative value.

Schedule Type	Usage	Series contained
General Schedules	Established for all or multiple government agencies	Records that are common among similar types of agencies
Individual Schedules	Established for a specific agency	Records that are not covered by a general schedule


General Schedules

Most of your agency's records will be covered by a series ("item") in one or several of the general schedules.

This is the first place to look.

State of Florida

**GENERAL RECORDS SCHEDULE GS1-SL
FOR
STATE AND LOCAL GOVERNMENT AGENCIES**



EFFECTIVE: June 2023
Rule 1B-24.003(1)(a), *Florida Administrative Code*

Florida Department of State
Division of Library and Information Services
Tallahassee, Florida

850.245.6750
recmgt@dos.myflorida.com
info.florida.gov/records-management

General Records Schedule GS1-SL for State and Local Government Agencies

RECORDS RETENTION SCHEDULES

SS CONTROL RECORDS Item #189
 record series consists of records pertaining to employee or contractor access to a facility or resource (e.g., office, secure office area, parking facility, computer network) including, but not limited to, arrival/departure data, key ment records, identification badge records, parking assignment records, network account and permission records, is series does not include records relating to visitors, such as visitor logs or visitor badges.
RETENTION: 1 anniversary year after superseded, or employee separates from employment.

STATEMENT HEARING CASE FILES: BUILDING CODE BOARD (COMMERCIAL) Item #244
 record series consists of case files documenting approval or denial of requests to construct or modify a structure in a r not in conformance with the building code.
RETENTION: Retain for life of structure OR 10 anniversary years after case closed, whichever is later.

STATEMENT HEARING CASE FILES: BUILDING CODE BOARD (RESIDENTIAL) Item #331
 record series consists of case files documenting approval or denial of requests to construct or modify a structure in a r not in conformance with the building code.
RETENTION: 10 anniversary years after case closed.

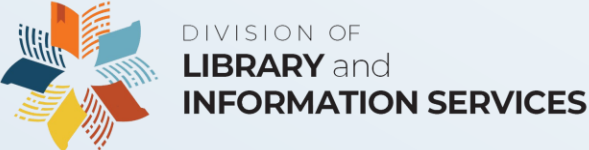
ADMINISTRATIVE CONVENIENCE RECORDS Item #2
 record series consists of DUPLICATES of correspondence, reports, publications, memoranda, etc., maintained for convenience of officials and employees in carrying out their duties. The material filed in this series is NOT the official record copy. Do NOT use this item if records fall under a more appropriate retention schedule item.
RETENTION: Retain until obsolete, superseded, or administrative value is lost.

ADMINISTRATIVE SUPPORT RECORDS Item #3
 record series consists of records relating to internal administrative activities rather than the functions for which the series. These records document day-to-day office management and do not serve as official documentation of office ms. Examples are an individual's daily activity tracking log used to compile periodic activity reports; sign-up sheets if use of office equipment or facilities (e.g., reserving a meeting room); and records documenting operating and use internal staff library. Do NOT use this item if records fall under a more appropriate retention schedule item or unique content/requirements of the records necessitate that an individual retention schedule be lished. For instance, use Budget Records: Supporting Documents for budget work papers, or use Purchasing is for records relating to purchase of office supplies, etc.
RETENTION: Retain until obsolete, superseded, or administrative value is lost.

ADMINISTRATOR RECORDS: AGENCY DIRECTOR/PROGRAM MANAGER Item #122
 record series consists of records documenting the substantive actions of elected or appointed program managers or y directors. These records constitute the official record of an agency's performance of its functions and formulation y and program initiatives. This series may include various types of records, such as: correspondence; rands; statements prepared for delivery at meetings, conventions, or other public functions that are designed to ise and promote departmental programs, activities, and policies; interviews, and reports concerning agency in development and implementation. See also "CORRESPONDENCE AND MEMORANDA, PROGRAM AND y DEVELOPMENT," "DIRECTIVES/POLICIES/PROCEDURES," and "SUBJECT REFERENCE FILES." These is may have archival value.
RETENTION: 10 anniversary years; State agencies must contact the State Archives of Florida for archival review disposition of records. Other agencies should ensure appropriate preservation of records determined to ong-term historical value.

ADVERTISEMENTS: LEGAL Item #25
 record series consists of advertisements which have appeared in newspapers or other publications as stipulated in n 50.011, Florida Statutes, (Where and in what language legal notices to be published) or in the "Administrative y" regarding matters pertaining to the agency and other legal advertisements which may directly or indirectly affect enny, e.g., bid invitations for construction jobs, public hearings or notices, and public sales. A legal advertisement is frequently filed with the item to which it applies.
RETENTION: 5 fiscal years.

AFFIRMATIVE ACTION RECORDS Item #82
 This record series consists of records relating to an agency's affirmative action plan, including reports submitted to the Equal Employment Opportunity Commission (EEOC), discrimination complaints, correspondence, and investigation



General Schedules

GS1-SL State and Local Government Agencies

GS2 Criminal Justice Agencies and District Medical Examiners

GS3 Election Records

GS4 Public Hospitals, Health Care Facilities and Medical Providers

GS5 Public Universities and Colleges

GS7 Public Schools Pre-K-12 and Adult and Career Education

GS8 Fire Department Records

GS11 Clerks of Court (*only* county administrative records)

GS12 Property Appraisers

GS13 Tax Collectors

GS14 Public Utilities

GS15 Public Libraries

*The GS6, GS9 and GS10 are no longer in use.



Record Series Examples

Some retention schedules have **similar record series**, but **different requirements** may affect the retention.

Only use the general schedules that are **relevant** to your agency.

Examples:

GS11 – Clerks of Court

- **Tax Rolls** Item #75
Retention: **Permanent.**

GS12 – Property Appraisers

- **Tax Rolls** Item #44
Retention: **1 anniversary year after certified.**

GS13 – Tax Collectors

- **Tax Rolls** Item #55
Retention: **7 fiscal years.**

How to Use the General Schedules

General schedules are available at
info.florida.gov



[Department of State](#) / [Division of Library and Information Services](#) / [Records Management](#) / [General Records Schedules](#)

General Records Schedules

General Records Schedules set retention requirements for records documenting administrative and program functions common to several or all government agencies.

Examples include personnel, accounting and general administration.

Not all individual records are covered by these General Records Schedules. Please contact your Records Management Liaison Officer for more information.

Schedule number	Agency	Last revised	PDF	Excel
GS1-SL	State and Local Government Agencies	2023	1,049KB	90KB
GS2	Criminal Justice Agencies and District Medical Examiners	2023	633KB	54KB
GS3	Election Records	2023	486KB	93KB
GS4	Public Hospitals, Health Care Facilities and Medical Providers	2023	344KB	70KB
GS5	Public Universities and Colleges	2023	419KB	82KB
GS6	Building Departments	See GS1-SL		
GS7	Public Schools Pre-K-12 and Adult and Career Education	2023	549KB	138KB
GS8	Fire Departments	2023	343KB	50KB
GS9	State Attorneys	See GS2		
GS10	Public Defenders	Deactivated Dec 2013		
GS11	Clerks of Court	2023	333KB	75KB
GS12	Property Appraisers	2023	355KB	67KB
GS13	Tax Collectors	2023	398KB	90KB
GS14	Public Utilities	2023	398KB	59KB
GS15	Public Libraries	2023	306KB	42KB



Calculating Retention



Types of Retention Periods

- **Fiscal year**

- State agencies and school districts: July 1 through June 30.
- Local agencies: October 1 through September 30.

- **Calendar year**

- January 1 through December 31.

- **Anniversary year**

- 12-month period from a particular date.

- **Months or Days**



Triggering Events

Some records become eligible for disposition **upon or after a specific event.**

GS1-SL Examples

- 2 anniversary years **provided litigation has been resolved.**
- 1 calendar year **after last date of service.**
- 5 fiscal years **after completion of contract or program/event, whichever is later.**
- **Retain until** disposition of record(s) to which notification or request relates **or until** request is withdrawn or exemption no longer applies, **whichever is applicable.**
- Destroy **immediately upon completion of transaction.**



Retaining Records Beyond Retention

Dispose of records as they meet retention to **reduce** amount of **unnecessary records**.

Retain for **longer** if there is **good justification**.

- Administrative need.
- Public records request within the last 30 days. 119.07(1)(h), F.S.
- Active or anticipated litigation.
- Active or pending audit.

OSA Retention

OSA: Retain until **O**bssolete, **S**uperseded or **A**dministrative value is lost.

Obssolete – No longer relevant to agency business.

Superseded – Replaced by another record.

Administrative value is lost – Fulfilled its administrative purpose.

OSA Records Examples

TRANSITORY MESSAGES

Item #146, GS1-SL

This record series consists of records that are created primarily to communicate information of short-term value. **“Transitory” refers to short-term value** based upon the content and purpose of the message, **not the format or technology used to transmit it.** Examples of transitory messages include, but are not limited to, reminders to employees about scheduled meetings or appointments; most telephone messages (whether in paper, voice mail, or other electronic form); announcements of office events such as holiday parties or group lunches; recipient copies of announcements of agency sponsored events such as exhibits, lectures or workshops; and news releases received by the agency strictly for informational purposes and unrelated to agency programs or activities. **Transitory messages are not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt.**

RETENTION: Retain until obsolete, superseded, or administrative value is lost.

Other OSA examples in the GS1-SL:

- Drafts and Working Papers, Item #242.
- Organizational Charts Item, #126.
- Unsolicited Employment Applications, Item #400.

Record Copy vs. Duplicates

Record copy – public records specifically designated by the custodian as the **official** record. Content determines the record series and retention.

Duplicate – copies of public records that are **not the record copy of the agency**. Duplicates almost always have an OSA retention.



Circuit Court Clerk Paul F. Hartsfield and Hilda Langston preparing to microfilm old records, Tallahassee, 1961.
floridamemory.com/items/show/266457

Disposition of Public Records



Disposition of Public Records

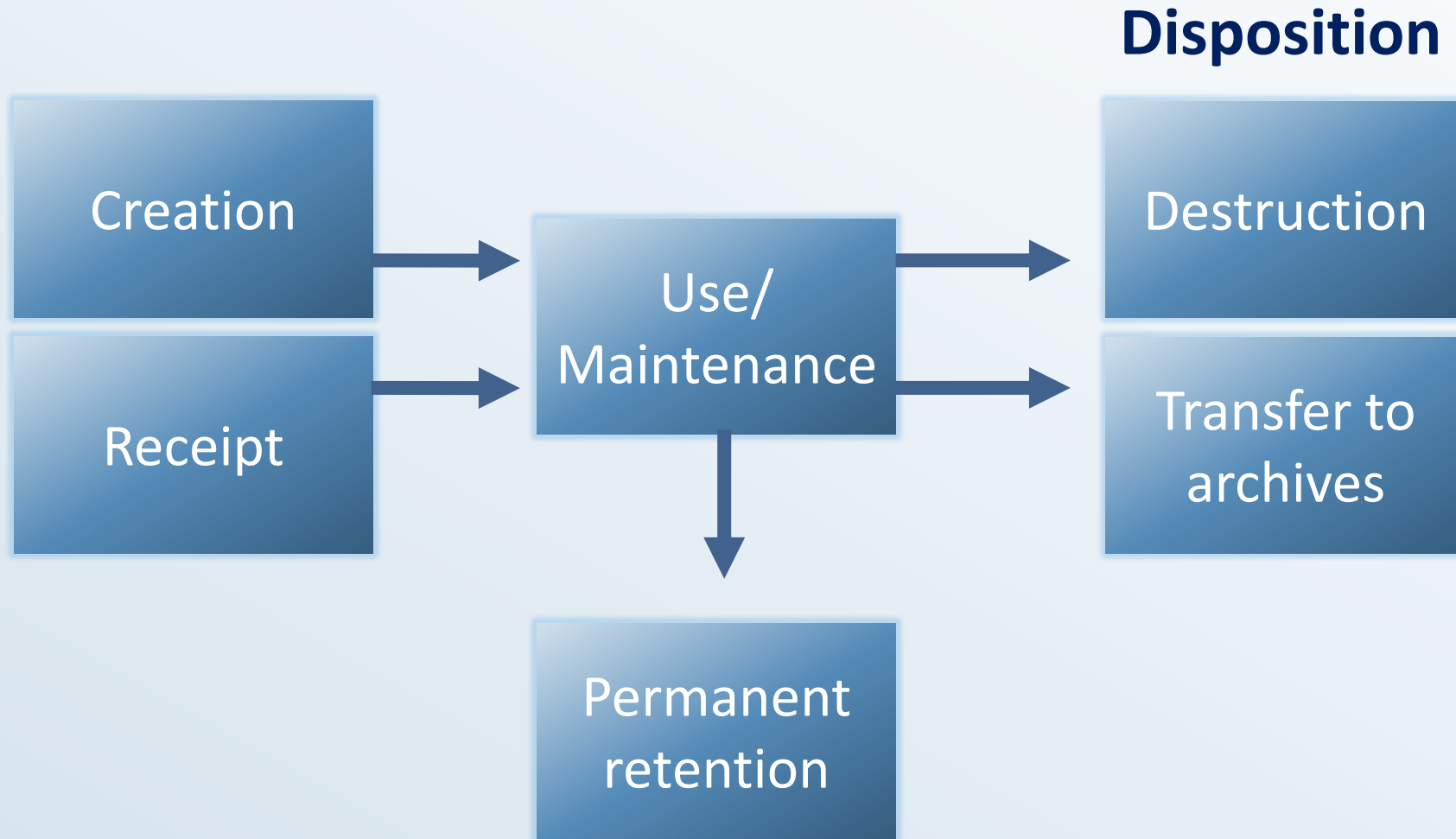
“A public record **may be destroyed** or otherwise disposed of only **in accordance with retention schedules established by the division.**”

257.36(6), F. S.



Stacks at FSU's Geology Center Tallahassee, 1959.
floridamemory.com/items/show/263061

The Life Cycle of Records



Florida Administrative Code, Rule 1B-24, Public Records Scheduling and Disposition



flrules.org/

- Establishes standards and procedures for the **scheduling** and **disposition** of **public records**.
- Offers guidance in **methods** of records **destruction**.
- Articulates that **historical/archival records** must be identified and protected.

Disposition of Records

- Agencies must **document records disposition**.
1B-24.003(9)(d), F.A.C.
- **Disposition** could be **destruction, deletion or transferring custody** to an archives or other agency.
- Documentation is **not required** for **OSA** records.



Michael P. Musick, archivist, State Records Center vault, Tallahassee 1972.
floridamemory.com/items/show/20819

Disposition Documentation

Must include for **each record series**:

1. Records retention schedule number.
2. Item number.
3. Record series title.
4. Inclusive dates of the records within each series.
5. Volume in cubic feet.
6. Disposition action (manner of disposition) and date.

1B-24.003(9)(d), F.A.C.

Disposition: Inclusive Dates

Earliest date through the **most recent** date of the records within the series you are disposing of **OR** **date relevant** to calculating the retention, in the case of triggering events.

Inclusive dates can be written in any format, though **specific dates are recommended.**

Examples:

- Vehicle logs (1 calendar year retention): January 1, 2018 – December 31, 2018.
- Lost and Found Records (3 fiscal year retention): FY 2010/11 – FY 2016/17.
- Information Request Records (1 fiscal year retention): May 14, 2017 – June 5, 2018.

Disposition: Volume

Physical records

- Volume expressed in **cubic feet**.

length (ft.) × width (ft.) × height (ft.) = cubic feet

length (in.) × width (in.) × height (in.) ÷ 1,728 = cubic feet

Electronic records

- Volume expressed in **bytes** (MB, GB, TB, etc.)

OR just indicate as “electronic.”

Converting Record Volume to Cubic Foot Measurements	
Cassette tapes, 200	1.0 cubic foot
Letter-size, drawer or box	1.5 cubic feet
Legal-size, drawer or box	2.0 cubic feet
Letter-size, 36-inch shelf	2.0 cubic feet
Legal-size, 36-inch shelf	2.5 cubic feet
Magnetic tapes, 12	1.0 cubic foot
3 x 5 card, ten 12-inch rows	1.0 cubic foot
3 x 5 card, five 25-inch rows	1.0 cubic foot
4 x 6 card, six 12-inch rows	1.0 cubic foot
5 x 8 card, four 12-inch rows	1.0 cubic foot
16mm microfilm, 100 rolls	1.0 cubic foot
35mm microfilm, 50 rolls	1.0 cubic foot

Manner of Disposition

Destruction

“Agencies shall **ensure that all destruction of records** is conducted in a manner that **safeguards the interests** of the state and the safety, security, and privacy of individuals.”

Destruction of confidential and exempt information must “**prevent unauthorized access** to or use of the information and ensure that the information cannot practicably be read, reconstructed, or recovered.”

1B-24.003(10), F.A.C.

Untimely Disposals

- Fill out a **disposition document**.
 - If you do not know all the required information, make an educated guess.
- Document dispositions **as you become aware** of them.
 - **Clearly identify** the cause of destruction.
- Consider including **additional documentation**.
 - Photographs, memo of explanation, news articles, press releases, etc.



Administrative assistants viewing ceiling damage in the offices of the Old Capitol, Tallahassee, 1962.
floridamemory.com/items/show/61756

Archival Records

Local government archival records:

Maintain in a **local public archives/historical records repository** or preserve the records at your agency.

State government archival records:

Contact **State Archives of Florida** to evaluate records for possible transfer.

ANNUAL REPORT TO THE BOARD OF COUNTY COMMISSIONERS Item #380, GS1-SL

This record series consists of annual reports required of each county officer who receives any expenses or compensation in fees, commissions or other remuneration. The report contains an annual listing of all such fees, commissions or remuneration and shows in detail the purpose, character and amount of all official expenses and the unexpended budget balance. This report is pursuant to Section 218.36, Florida Statutes, County officers; record and report of fees and disposition of same.

These records may have archival value.

RETENTION: 5 fiscal years.

Public Records Access



Public Records Access

“Every person who has **custody of a public record** shall **permit the record to be inspected** and copied by any person desiring to do so, at any **reasonable time**, under **reasonable conditions**, and **under supervision** by the custodian of the public records.”

119.07(1)(a), F.S.

Restrictions

- Florida State Legislature creates restrictions.
- Over **1,100 restrictions** located throughout the statutes.
- Information can be “**exempt**” or “**confidential and exempt.**”



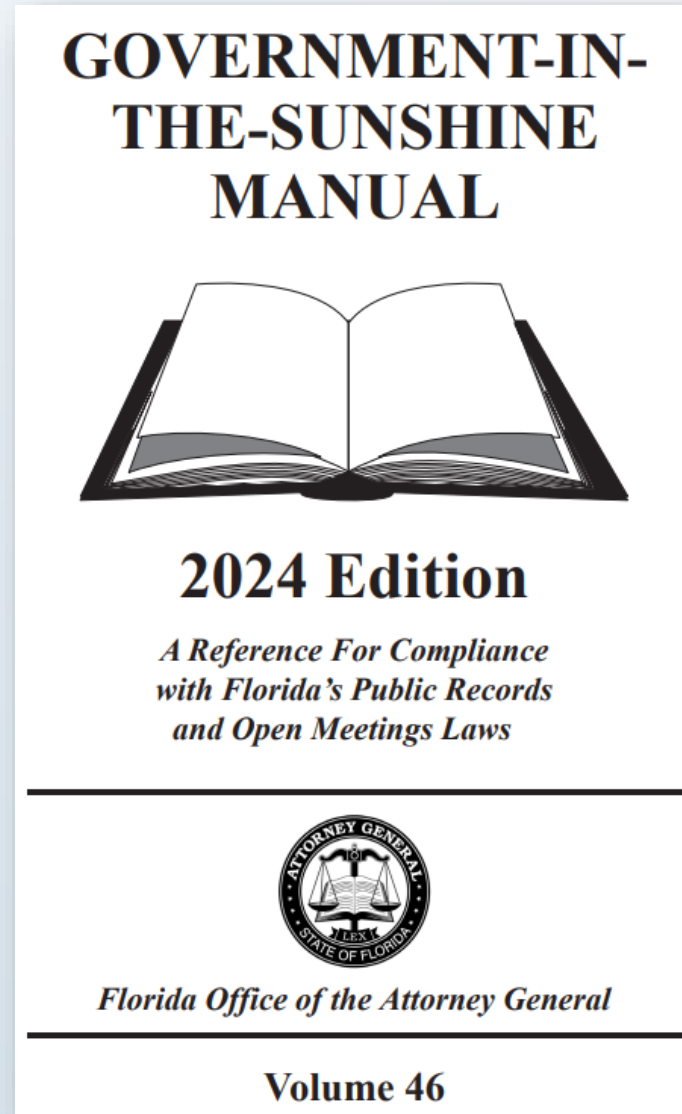
F. Wilson Carraway presiding in the Senate Chamber at Legislature's opening day, Tallahassee, 1963.
floridamemory.com/items/show/43951

Exempt vs. Confidential and Exempt

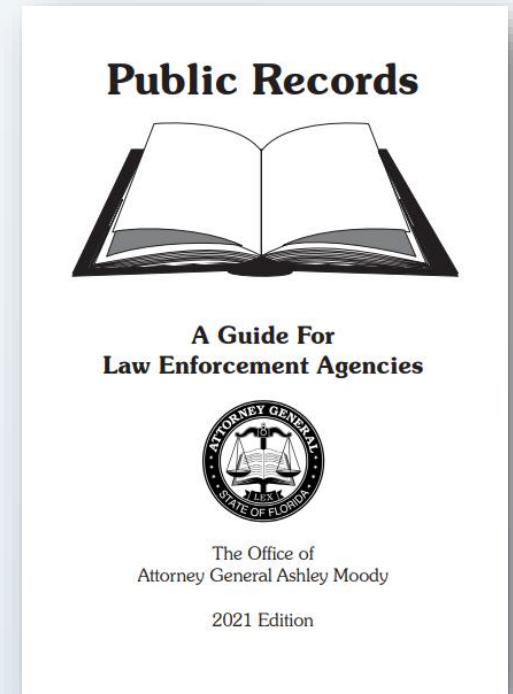
Restriction Type	Can It Be Released?
Exempt	Agencies must provide information to certain parties and entities specified in statute and may release to the public under certain circumstances.
Confidential and Exempt	Agency may not release information except to parties and under conditions specified in statute.

Government-in-the-Sunshine Manual

- Notes **restrictions** and **corresponding statutes**.
- Available on the **Florida Attorney General's website**.
- Printed versions can be purchased from the **First Amendment Foundation**.



Guide for **Law Enforcement** is also available on **AG's website**.



<https://www.myfloridalegal.com/sites/default/files/lawenforcementguide2024.pdf>

Public Records Requests

Consult your agency's **legal counsel**
regarding **legal questions**
relating to requests.



11th U.S. Circuit Court of Appeals judge Joseph Hatchett being honored during a ceremony in Tallahassee, 1990.

floridamemory.com/items/show/47028

Public Records Access Policy

Agencies should have a records access policy in place.

Recommended information may include:

- **Procedures** for handling public records requests.
- **Time frames** for responding to requests.
- Clearly defined time frame and parameters for **extensive use**.
- **Procedures** for **protecting information** that is confidential and/or exempt from disclosure.



Electronic Records



Electronic Records

“**Electronic record**” refers to data or information recorded in a machine-readable format.” Fla. Admin. Code R. 1B-26.(4)(e)

Machine-readable data is in a format that can be read and processed by a computer.



Computer at Strozier Library, Tallahassee, 1985.
floridamemory.com/items/show/114107

Florida Administrative Code, Rule 1B-26.003, Electronic Recordkeeping



flrules.org/

Primarily focuses on results, NOT specific technologies:

- Establishes standards and requirements for **creating and maintaining** electronic records.
- Establishes requirements for **electronic recordkeeping systems**.
- Describes **agency duties** and **responsibilities** concerning electronic records.
- Establishes **standards** for creating and maintaining **long-term** and **permanent electronic records**.

Electronic Recordkeeping

Agencies maintaining **electronic** public records:

- **Must comply** with **retention schedules** and **disposition requirements**.
- **Cannot impair** the **right of the public** to inspect or copy records.
- **Must protect** confidential and/or exempt **information**.



Technician operating analog computer manufactured by Milgo Electronic Corp., Miami, 1965.
floridamemory.com/items/show/38715

Retention of Electronic Records

The **record series** for an electronic record **is based on** its **CONTENT**.

Format is irrelevant.

For example:

A **procedure guide** and a **vendor invoice** might both be in **PDF format** **but** belong to **different record series**.

Electronic Recordkeeping Systems

Agencies maintaining public records in **electronic record keeping systems**:

- **Provide for disposition** of records after retention is met and records are no longer needed.
- Provide an appropriate level of **security**.
- **Mitigate format issues** when transferring data between record-keeping systems.
- **Capture metadata** on records maintained in the system.



Computer card punch system, Game and Fish Commission.
floridamemory.com/items/show/60290

Photographic/Electronic Record Copies

In most cases, Section **92.29, F.S.** permits agencies to maintain a **photographic reproduction or electronic record** as the **record copy** of a record.

The 2021 Florida Statutes

[Title VII](#)
EVIDENCE

[Chapter 92](#)
WITNESSES, RECORDS, AND DOCUMENTS

[View Entire Chapter](#)

92.29 Photographic or electronic copies.—Photographic reproductions or reproductions through electronic recordkeeping systems made by any federal, state, county, or municipal governmental board, department or agency, in the regular course of business, of any original record, document, paper or instrument in writing or in an electronic recordkeeping system, which is, or may be, required or authorized to be made, filed, or recorded with that board, department or agency shall in all cases and in all courts and places be admitted and received as evidence with a like force and effect as the original would be, whether the original record, document, paper, or instrument in writing or in an electronic recordkeeping system is in existence or not.

History.—s. 1, ch. 20866, 1941; s. 7, ch. 94-348.

leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0000-0099/0092/Sections/0092.29.html



Scanning Records into Electronic Format

Before Scanning Your Records:

Identify records by series.

Determine best storage option.

Consider factors:

Level of use.

Volume of records.

Length of retention.

Cost of scanning in-house vs.
hiring a vendor.

For **long-term** and **permanent records**:

- Scanning must comply with requirements found in Rule 1B-26.003, F.A.C.
 - Scan at a minimum of **300 PPI** (300 DPI).
 - Store in an **ISO** open standard image format.
 - Examples: PDF, PDF/A, TIFF.

Retrospective Conversion Projects

A Retrospective Conversion Project is the **scanning or microfilming of existing backfiles**.

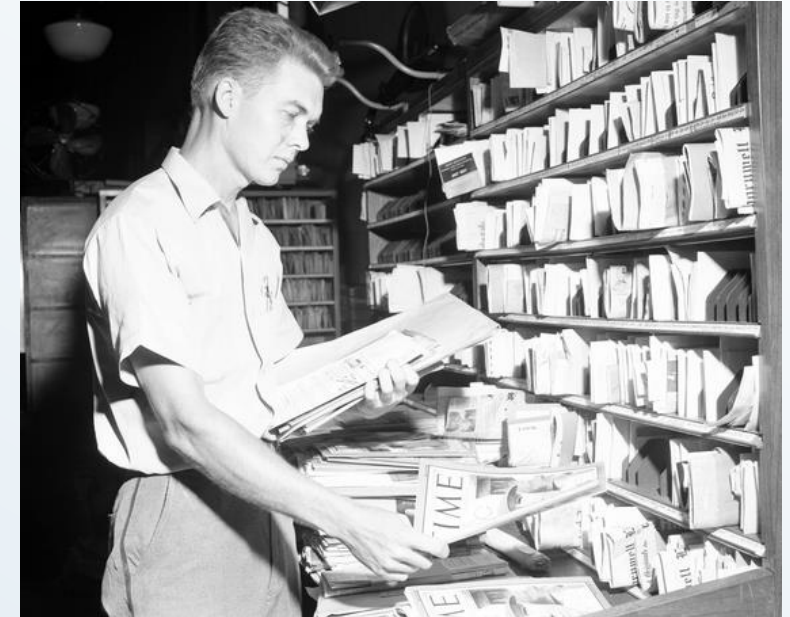
Situation	Scanning/Microfilming	Disposition Documentation
Records are regularly scanned or microfilmed as part of office routine (daily, weekly, monthly).	Not a Retrospective Conversion Project.	Not required to document the destruction of original paper after scanning.
Backfiles of records that are scanned or microfilmed outside of the normal routine , whether all at once or over time.	Retrospective Conversion Project.	Must document destruction of original paper after scanning.

Email Management



Fundamentals of Email Management

- Ensure employees understand **what is and isn't public record**.
- Messages that are **not** public records **can be deleted**.
 - Spam messages.
 - Personal messages.
- Remaining **emails that are public records** should be **managed as such**.



Postal clerk, Post Office, Tallahassee, 1957.
floridamemory.com/items/show/260579

Email Records

Ensure that **all relevant information** is **retained**.

- Header information (sender, recipient(s), date/time, subject, etc.).
- Email message/body.
- All attachments.

From: Boggs, Stephanie
Sent: Friday, March 8, 2019 4:55 PM
To: Golding, Beth
Cc: Few, Tim
Subject: March 2019 Webinars

For the month of March 2019, the training team conducted these webinars:

Email Policies

Agencies should have an email policy to:

- Designate the **parties** or **office responsible** for **identifying, retaining** and **disposing** of email.
- Provide **guidelines** for the **management** and **usage** of email.
- Inform employees of the laws surrounding electronic communications that are public records.

Florida Department of State
Policies and Procedures
ELECTRONIC MAIL POLICY

1. Scope

This policy provides guidelines for the management and usage of electronic mail (e-mail) messages as public records within the Florida Department of State ("Department"). This policy applies to the entire Department workforce with access to the Department's e-mail system including all offices, divisions, bureaus, advisory bodies, and contract agents of the Department in the conduct of their official duties as prescribed by law.

This policy does not provide specific procedures for system backups or "archiving" of inactive e-mail. Employees should refer to internal Department operating procedures for this information.

2. Purposes

The purposes of this policy are to:

- Ensure that Department employees comply with Florida's Public Records Law, Chapter 119, Florida Statutes, when using the Department's e-mail system;
- Ensure that Department employees properly manage and retain e-mail as public records in accordance with applicable records management statutes and rules; and
- Ensure proper usage of the Department's e-mail system and that users understand the types of e-mail usage that are considered inappropriate and a violation of this policy.

3. Authority

- Chapters 119, 257, and 282, Florida Statutes;
- Rules 1B-24 and 71A-1.016, 1.019, Florida Administrative Code.

4. Definition of E-Mail

E-mail is the electronic transfer of information, typically in the form of electronic messages, memoranda, and attached documents, from a sending party to one or more receiving parties by means of an intermediate telecommunications system.

5. E-Mail as a Public Record

- E-mail which is created or received by a Department employee in connection with the transaction of official business of the Department is considered a public record and is subject to inspection and/or copying in accordance with Chapter 119, Florida Statutes, and is subject to applicable state retention laws and regulations, unless expressly exempted by law.



Public Agency Responsibilities



Public Agency Responsibilities

- **Appoint** a records management liaison officer (**RMLO**).
- **Adhere** to established retention schedules.
- **Document** the disposition of public records.
- **Follow access provisions** in regard to public records.
- **Return** completed annual compliance statement.



Interior of Walker Library, Tallahassee, FL, 1967. [colorized]
floridamemory.com/items/show/9354

Records Management Policies

Records Management policy could include:

- Relevant rules and statutes.
- Definitions of relevant terms.
- Inventory responsibilities.
- Disposition responsibilities.

Other policies could be included, or in separate documents:

- Public Records Access policy.
- Email policy.

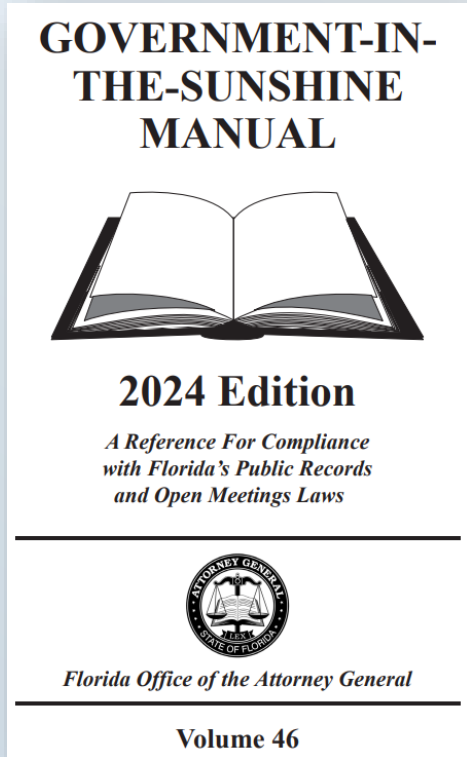


Florida Attorney General's Office

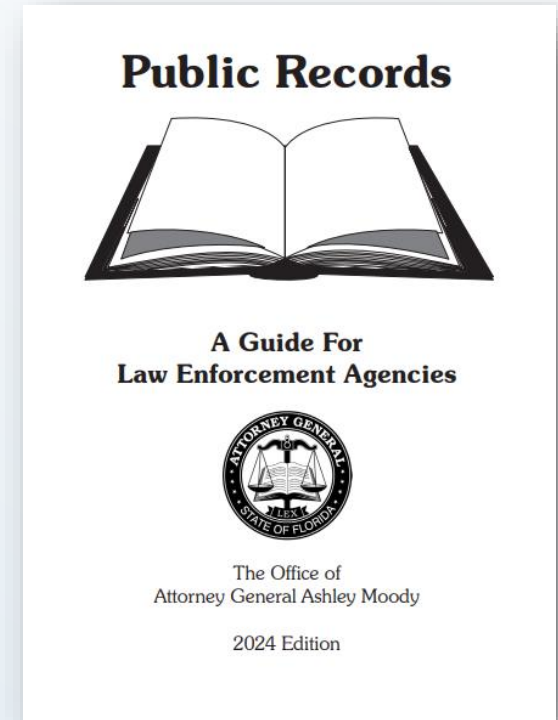
MyFloridaLegal.com

The Attorney General's **Open Government Mediation Program** assists in **resolving public access disputes.**

<https://www.myfloridalegal.com/open-government>



<https://www.myfloridalegal.com/sites/default/files/2024-government-in-the-sunshine-manual-web.pdf>



<https://www.myfloridalegal.com/sites/default/files/lawenforcementguide2024.pdf>

DOS Records Management Resources

info.florida.gov

FLORIDA DEPARTMENT OF STATE | Corporations | Arts and Culture | Elections | Historical Resources | Library and Information Services


DIVISION OF LIBRARY and INFORMATION SERVICES

The Division manages the State Library and Archives, supports public libraries, directs records management services, and is the designated information resource provider for the state of Florida

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Early Map of La Florida

RESEARCH	RECORDS MANAGEMENT	SERVICES FOR LIBRARIES
Research at the State Archives	General Records Schedules	Grants
Services for State Employees	Records Management Liaison Officers	Continuing Education
Search Our Catalogs	Dispose of Public Records	Community Engagement
Get a Library Card	Training	Florida Libraries As
Preserve Your Collections	Forms and Publications	Find a Florida Library


MORE IN RESEARCH | **MORE IN RECORDS MANAGEMENT** | **MORE IN SERVICES FOR LIBRARIES**

Department of State / Division of Library and Information Services / Records Management


Records Management




General Records Schedules




Records Management Liaison Officers




Forms and Publications




Records Management Training




Dispose of Public Records




State Records Center



Disaster Recovery



Florida Statutes and Rules



Records Management FAQ



Program Contact Information

Records Management Training

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850.245.6745

Records Management

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850.245.6770





FLORIDA DEPARTMENT *of* STATE

Ron DeSantis, Governor
Cord Byrd, Secretary of State
Florida Department of State
Division of Library and Information Services

Some of the programs featured in this presentation are funded under the provisions of the Library Services and Technology Act, from the Institute of Museum and Library Services. Florida's LSTA program is administered by the Department of State's Division of Library and Information Services.

