



# Santa Fe College Rules Manual

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Title: **Records Retention and Destruction** **Rule 5.11**

General Authority: FS 1001.64

Law Implemented: FS 119.07, 119.011, 119.12, 119.021, 257.36; F.A.C. Rule 6A-14.047

Effective Date: October 17, 2018

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Purpose: To state policy concerning retention and destruction of records.

## Custodian of Records

The President of Santa Fe College is charged with responsibility for the operation and administration of the College, including the management of public records. To effectively administer those records, the President shall designate multiple personnel in various areas of College operations to serve as the “custodian of public records” as that term is defined by law. The custodians shall be administrators whose duties include supervision over the particular College activity for which records are kept. For the convenience of the public, and for purposes of compliance with the requirements of Section 119.12, F.S., the Office of the President is designated as the general Custodian of Public Records, specifically to receive written notices by public records requestors prior to their filing of civil actions to enforce the provisions of Florida’s public records laws.

## Custodial Requirements

Insofar as practicable, custodians of public records of vital, permanent, or archival records shall keep them in fireproof and waterproof safes, vaults, or rooms fitted with noncombustible materials and in such arrangement as to be easily accessible for convenient use. All College records should be kept in the buildings in which they are normally used unless placed in appropriate storage as approved by the records custodian. Record books should be copied or repaired, renovated or rebound if worn, mutilated, damaged, or difficult to read. Any College official who causes a record book to be copied shall attest it and shall certify on oath that it is an accurate copy of the original book. The copy shall then have the force and effect of the original.

### Destruction of Records

College officials should systematically dispose of records no longer needed, subject to the records and information management program of the Division of Library and Information Services of the Department of State in accordance with Chapter 257.36, Florida Statutes.

The college may designate an electronic or microfilmed copy as the record (master) copy and may then consider the paper original as a duplicate and dispose of it in accordance with the retention requirement for duplicates in the applicable retention schedule unless another law, rule, or ordinance specifically requires its retention. The electronic or microfilmed record (master) copy will be retained for the length of time indicated for the record (master) copy in the applicable retention schedule.

### Inspection and Examination of Records

Under supervision of the General Counsel or the custodian of records designated by the College President (or their official designees), every person who has custody of College records shall permit the records to be inspected and examined by any person desiring to do so, at reasonable times, and under reasonable conditions, subject to laws governing confidentiality. The designated records custodian shall furnish copies or certified copies of the records upon payment of fees as prescribed by law, or if fees are not prescribed by law, upon payment of the allowable costs of duplication in accordance with the College's policies and procedures and laws governing confidentiality. The fee collected shall be deposited and accounted for in the manner prescribed for funds under Rule 5.4.

If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the College, or both, 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 use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the College or attributable to the College for the clerical and supervisory assistance required, or both.

Any College records, including but not limited to certain education records, which are otherwise prohibited from being inspected by the public, whether by general or specific law, shall be deemed confidential and exempt from disclosure under this rule in accordance with the law.