



SECTION 3. COUNTY ADMINISTRATION

3.54 PUBLIC RECORDS MAINTENANCE, STORAGE, AND RETENTION POLICY

A. PURPOSE. The purpose of this Public Records Maintenance, Storage, and Retention Policy (“MSR Policy”) is to provide administrative direction for County employees to properly maintain, store, retain, and dispose of Public Records in compliance with Florida Statutes, the Florida Administrative Code, and the Rules established by the Florida Division of Library and Information Services of the Department of State (“Rules”).

B. DEFINITIONS.

(1) *County* means Seminole County.

(2) *Custodian* means the designated County employee(s) within a department, division, or office, including Commission offices, of the County whose responsibilities, at minimum, include communicating with the Public Records Coordinator, gathering Public Records in response to Requests, and maintaining, storing, and disposing of Public Records as authorized in this MSR Policy.

(3) *Division* means the Florida Division of Library and Information Services.

(4) *Public Records* mean all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, 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 County.

(5) *Public Records Coordinator* means the County employee(s) designated by the County Manager whose responsibilities include communicating with the requester and coordinating with the Custodian in the fulfillment of Public Record requests.

C. RECORDS MANAGEMENT LIAISON OFFICER.

(1) **Designation.** The County Manager is responsible for designating a Seminole County Records Management Liaison Officer (“RMLO”), as required by Section 257.36(5)(a), Florida Statutes, as may be amended.

(2) **RMLO Responsibilities.** The RMLO is responsible for:

- (a) serving as a point of contact between County and the Division;
- (b) working with the Division to establish new Public Record retention schedules and ensuring the appropriate disposition of Public Records eligible for destruction;
- (c) training and advising County staff in Public Record management practices;



(d) participating in County decision-making for issues such as preservation, access, digital imaging, storage, and disposal;

(e) working with County Information Technology staff to ensure information systems comply with Public Record management requirements; and

(f) reporting annually to the Division regarding County's compliance with records management statutes and rules.

D. SEMINOLE COUNTY DEPARTMENT, DIVISION, AND OFFICE RESPONSIBILITIES.

(1) All County department, division, and office directors, managers, Commission aides, and Custodians are responsible for Public Records management oversight within their respective department, division, and offices. Custodians are responsible for keeping a current inventory of all Public Records within their respective department, division, and offices and of all Public Records stored with a County-authorized off-site storage vendor.

(2) Annually, all Custodians must coordinate with the highest-level County employee within the respective County department, division or office to complete a Records Management Compliance Statement in a form prescribed by County Information Technology and provide the same to the RMLO. Thereafter, the RMLO must complete a Records Management Compliance Statement for signature by the Commission Chair and submit the same to the Division in accordance with the Division's requirements.

E. MAINTENANCE AND STORAGE OF PUBLIC RECORDS. All Public Records should be secured in, and may not be removed from, the building or office in which they are ordinarily used for official purposes. Public Records in an electronic format must be stored on County systems and may not be stored on personal devices. In general, Public Records may be scanned in a PDF or PDF/A format and designated as the record copies, and the original physical copy can be designated as a duplicate and disposed of in accordance with the "Retention Schedules and Disposal of Public Records" Section of this MSR Policy, provided that the electronic records are in compliance with Rule 1B-26.003, Florida Administrative Code, as may be amended, and the completeness and accuracy of the scanned copies have been verified. Other formats in which Public Records may be scanned are provided for on the International Organization for Standardization's ("ISO") website: www.iso.org.

F. RETENTION SCHEDULES AND DISPOSAL OF PUBLIC RECORDS.

(1) County must comply with the Rules adopted by the Division establishing retention schedules and the disposal process for Public Records regardless of the format of the Public Records. The retention schedules for most of the County's Public Records are in GS1-SL – State and Local Government Agencies, as may be amended. Additional retention schedules can be found through the Division's website. County is not permitted to reduce the retention periods adopted by the Division; however, retention periods may be extended, for reasons such as audits, litigation, Public Record requests, accreditation standards, or the need to comply with Federal, state, and local laws and regulations.



Retention periods are determined by the content, nature, and purpose of the Public Records, and are set based on their legal, fiscal, administrative, and historical values, regardless of the format in which they reside or the method by which they are transmitted. If a County department, division, or office director or manager, in coordination with the applicable Custodian, determines the Public Record should be stored with a County-authorized off-site storage vendor because the Public Record is not used or referenced more than once a year, the applicable County director or manager and Custodian may box and send the Public Records to a County-authorized off-site storage vendor until the retention period has been met for disposal of the Public Record.

(2) Prior to the disposal of Public Records, Custodians must review GS1-SL – State and Local Government Agencies and consider specific retention schedules, audits, litigation, Public Record requests, whether the Public Records are confidential or exempt, accreditation standards, and Federal, state, and local laws and regulations. Once this information has been reviewed, the Custodian must provide a Records Destruction Form to the highest-level County employee within the respective County department, division or office to complete and submit to the RMLO for written approval, irrespective of whether such written approval is electronically provided or in hard copy form. Once written approval is provided by the RMLO, the Custodian(s) must make every effort to locate copies of Public Records in other departments, divisions, and offices in the County and provide the applicable Custodian(s) a copy of the written approval. The Public Records may then be disposed.

G. VIOLATION. Violation of this MSR Policy may result in disciplinary action up to and including termination of employment.

H. AUTHORITY. Resolution 2024-R-26 adopted March 12, 2024