

Dr. Marta Pérez, Board Member

SUBJECT: PUBLIC RECORDS

**COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY
ENGAGEMENT**

LINK TO DISTRICT

STRATEGIC PLAN: IMPROVE STAKEHOLDER SATISFACTION

Miami-Dade County Public Schools processes a large number of requests for information from the community, media, and various other stakeholders. Such requests must be worded carefully and specifically in order to yield the desired information; individuals submitting requests must therefore be knowledgeable on Florida's public records laws, district practices, and availability of data prior to submitting a request. School Board Rule 6Gx13- 8C-1.18, Board Records – Public Access, provides scant useful information to guide the public in the process.

At the January 17, 2007 meeting, the School Board approved agenda item B-16, proffered by Ms. Perla Tabares Hantman, which requested a report on the procedures for accessing public records. The report outlined the procedures currently in place and summarized the information commonly exempted from public disclosure.

Nevertheless, an incorrectly-worded request may not produce the wanted information and/or result in high charges for producing certain information. On the other hand, viewing records is free of charge, a fact that is often not expressly communicated to the public. Another fact is that the district routinely produces many computer-generated reports which may provide all if not most of the information, also free of charge except for cost of duplication. Florida Statute 119.07(4)(d), Public Records, states that "a special service charge" may be assessed only if "the nature or volume of public records requested is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance", and that such a service charge "shall be reasonable and based on the cost incurred . . ." (See attachment for complete language.)

In an effort to foster transparency and facilitate providing public records to the stakeholders, the district should make every effort to disclose to the public all available options for obtaining the desired information at the lowest possible cost. If the retrieval of information results in excessively high costs then the district should take a closer look at the methods it employs to maintain and retrieve certain records.

H-6

**ACTION PROPOSED BY
DR. MARTA PÉREZ:**

That the School Board of Miami-Dade County, Florida direct the Superintendent to:

1. amend School Board Rule 6Gx13- 8C-1.18, Board Records – Public Access, to delineate the various options for obtaining records that are available to the public at the lowest possible cost; and
2. designate an point person that can provide meaningful assistance to the individuals requesting public records by informing them of alternate ways of obtaining the information they request.

The 2007 Florida Statutes

119.07 Inspection and copying of records; photographing public records; fees; exemptions.--

(d) 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 agency involved, or both, the agency 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 agency or attributable to the agency for the clerical and supervisory assistance required, or both.