

Corporate Policy and Procedure			
Policy Title:	Records Management and Record Requests	Policy Number:	601
Effective Date:	July 30, 2018	Policy Administrator:	Legal Services

I. PURPOSE/SCOPE

The Records Management and Record Requests Corporate Policy and Procedure (Policy) provides guidelines for the management and control of Citizens records and the procedure by which record requests are to be processed to ensure compliance with applicable federal and state laws.

This Policy covers public record requests as well as other request for Citizens' records as described in s. 627.351(6), Florida Statutes. In accordance with Chapter 119.011(11), "public records" are defined as 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, which are made or received pursuant to law or ordinance or in connection with the transaction of official business. Citizens' records are public records unless specifically designated by statute or law as confidential or exempt. Public record requests are requests for "public records" made to Citizens, pursuant to Chapter 119, and Article I, Section 24(a), Constitution of the State of Florida.

All business-related records are the property of Citizens and may not be removed from corporate control. No Citizens officer or employee shall destroy Citizens' records without the authorization of the Custodian of Records. The unauthorized access to, modification, deletion, or disclosure of records and information outside the intended and approved use is strictly prohibited.

II. POLICY

A. GENERAL RULES

1. Citizens utilizes the retention guidelines established by the State of Florida and assigns retention and destruction schedules to business records based on the State of Florida General Records Schedule GS1-SL.
2. All record requests must be referred to the Custodian of Records for handling. The Records Management Unit shall be authorized to release records under the direction of the Custodian of Records.

3. The release of Citizens' public records to a contractor shall be permitted without the authorization of the Custodian of Records, if and only if, the release of records is expressly authorized by contract.

B. RESPONSIBILITIES

1. Employee Responsibilities

Employees are responsible for complying with Citizens' record management requirements as detailed in this Policy and for referring all record requests to the Custodian of Records. Employees may not release or destroy any Citizens record without the authorization of the Custodian of Records.

2. Business Unit Responsibilities

Each business unit is responsible for maintaining a general inventory of all records series in their custody or control. The director or manager of each business unit will designate a Records Management Liaison to assist with the control and maintenance of all business unit records under the direction of the Records Management Unit.

Prior to the destruction of business unit records, written approval from the Custodian of Records must be obtained.

3. Records Management Liaison Responsibilities

The Records Management Liaison will work with the Records Management Unit to ensure that business unit records are handled in compliance with this Policy. Specific responsibilities include:

- a. creating and maintaining a record series inventory for business unit records;
- b. assisting the Records Management Unit in determining appropriate retention and disposition schedules for business unit records;
- c. promoting responsible records management practices in their respective business units;
- d. participating in departmental decision-making on issues related to storage, microfilming, imaging, and disposal;
- e. preparing inactive records for storage and maintaining content integrity of boxed records if and when they are recalled for reference; and
- f. providing periodic updates to the Records Management Unit regarding the business unit's compliance with records management statutes and rules.

4. Records Management Unit Responsibilities

The Records Management Unit provides direction and support to each

Corporate Policy

business unit to promote the efficient management of Citizens records. Specific responsibilities include:

- a. compiling a corporate-wide record series inventory;
- b. ensuring appropriate disposition of records in compliance with the State of Florida General Records Schedule GS1-SL;
- c. training and advising Citizens staff in records management practices;
- d. making recommendations to management regarding the maintenance, storage, and disposal of records;
- e. maintaining corporate-wide documentation of records disposal; and
- f. training Records Management Liaisons to ensure proper record handling.

5. Custodian of Records Responsibilities

The Custodian of Records is responsible for ensuring the release of records in compliance with Chapter 119, F.S., Section 627.351(6)(j) and (x), F.S., Article I, Section 24(a), Constitution of the State of Florida and any other applicable state and federal laws. Specific responsibilities include:

- a. responding to public records requests and subpoenas;
- b. collecting the appropriate fees for record production requests;
- c. coordinating the collection of data associated with public record requests; and
- d. controlling the release of Citizens' records in accordance with Florida's Public Records Act and all statutory exemptions.

C. MANAGEMENT OF RECORDS

All business records are the property of Citizens and are subject to legal requirements concerning records retention and disposition.

1. Retention of Records

Each business unit will comply with the State of Florida General Records Schedule GS1-SL. The Records Management Liaison, with guidance from the Records Management Unit, will ensure the business unit acts in accordance with the designated retention schedule.

2. Disposition / Destruction of Records

Citizens' records will not be destroyed except in accordance with the established State of Florida Schedule GS1-SL. Any destruction of Citizens' records must be approved by the Custodian of Records and coordinated with and verified by the Records Management Unit. A duplicate or copy may be destroyed without the authorization of the Custodian of Records when an original document exists.

Corporate Policy

The Records Management Unit will maintain corporate-wide documentation of records dispositions.

3. Legal Holds

A Legal Hold (also known as a “Litigation Hold”) is a directive to Citizens personnel to cease destruction and to preserve all records, regardless of form, related to pending or threatened litigation. A legal hold supersedes any activities otherwise permitted under this policy regarding records retention or disposition.

A legal hold may be issued when litigation is pending or reasonably anticipated in the judgment of the Office of the General Counsel (OGC). The OGC will determine whether to initiate a legal hold as soon as possible after receiving notice of pending or reasonably anticipated litigation.

The OGC will notify affected personnel that a legal hold has been initiated. The notice will inform affected personnel of their obligation to identify and preserve all records that may be relevant to the Legal Hold. The OGC may confer with the Records Management Unit and department heads to assist in the administration of the Legal Hold.

Upon notice of a legal hold, employees must do the following:

- a. Immediately cease, and make efforts to prevent, any deletion, alteration, overriding, or any other destruction of any records, in any form, under their control that are relevant to the legal hold.
- b. Preserve physical records under their control. All relevant physical records must be identified to ensure their retention. Hard copies of electronically stored information can be made; however, as set forth above, the information must also be preserved in its original electronic form.
- c. Communicate to the OGC whether any other employees should be notified about the legal hold.

Release of a Legal Hold

The OGC will determine when a legal hold is to be released and will notify affected personnel of the release.

D. RELEASE OF RECORDS

1. Inspection and Release of Public Records

Citizens’ records, except those specifically precluded from disclosure by statutory exemption or applicable federal laws, shall be available to all persons for inspection or copying under the supervision of the Custodian of Records or designee during normal business hours. If the inspection or release of records requires extensive use of Citizens resources, a fee will be charged in accordance with Section II. D. 7., of this Policy and Florida law

All public records inspections will take place at a location designated by the Custodian of Records. Further, the Custodian of Records or designee will supervise the inspection. Under no circumstance may a person inspecting public records remove, add, or modify business records. In the event that copies of the inspected public records are requested, fees may apply. Refer to Section II. D. 7., below to determine applicable fees.

2. Subpoenas

All subpoenas related to Citizens business or records must be formally served by an official process server. Subpoenas must be signed for, accepted, and forwarded to the Custodian of Records.

“Subpoenas for Deposition” directed to a specific individual must be formally served by an official process server. Employees should not accept service on behalf of another individual. Such subpoenas for deposition should be signed for and accepted by the named individual and forwarded to the Custodian of Records.

3. Certified Policy and Underwriting Requests

Certified policies will be released by the Custodian of Records in accordance with Section 627.351(6)(x)1.(a), F.S.

4. Requests for Disclosure of Certain Information pursuant to Section 627.4137, F.S.

Disclosure of certain information required under Section 627.4137, F.S. will be released by the Custodian of Records in accordance with Florida Statutes.

5. Requests for Records pursuant to Section 626.989(4)(d), F.S.

Responses to requests for records made under Section 626.989(4)(d), F.S. will be released by the Custodian of Records in accordance with Section 627.351(6)(x), F.S.

6. Agency Loss Run Request

Citizens’ agents requesting Loss Run Reports must complete and sign the Loss Run Confidentiality Agreement and Request Form.

7. Fees for Inspection or Release of Public Records

In accordance with Section 119.07, F.S., Citizens may collect the actual cost of material and supplies used to duplicate public records for requestors. Citizens may also collect a special service charge in addition to actual costs, when a request for public records requires the extensive use of technology or

administrative resources or significant postage charges.

When fees can be calculated in advance, they will be collected prior to investing significant resources. Where actual costs and special service charges cannot be immediately determined, Citizens will collect an estimated fee and collect any balance due upon completion of the request. All checks should be made payable to Citizens Property Insurance Corporation.

Citizens may charge fifteen (15) cents per page for paper copies up to 8 ½" x 14", plus an additional five (5) cents per page for two-sided copies. A charge of up to \$1.00 per copy may be assessed for certified copies of records. For all other copies, Citizens may charge only the actual cost of duplication.

Requests for records which fit the following criteria may, in the judgment of the Custodian of Records, be provided free of charge:

- a. Documents which are retrievable within a thirty minute period.
- b. Records which are normally produced for public information, such as the current year budget documents or brochures on company services.

E. PUBLIC RECORD EXEMPTIONS

Not every record generated by Citizens is open for inspection. All public records which are statutorily exempt are unavailable for inspection or release. Examples of information which are exempt from public record laws include social security and driver's license numbers, debit and credit card numbers, attorney work product, and trade secret or proprietary information. For questions concerning public record exemptions, contact the Custodian of Records.

Section 119.071(4)(d) of the Florida Public Records Act, exempts from public disclosure, certain personal information of employees, and in some cases the information of their spouses and children, who hold or have held positions specified in the statute. Employees wishing to identify their information as exempt may do in accordance with Policy #602, Request for Public Records Exemption for Employee Personal Information. The form also describes what information is exempt from disclosure for each circumstance listed.

F. VIOLATION

1. Violation of this policy may result in disciplinary action, up to and including termination of employment.

III. PROCEDURES

Records management includes retention, storage, disposition, and all other record-keeping requirements. This section contains the records management and records release procedures.

A. RECORDS MANAGEMENT

1. Inventory and Retention

- a. The Records Management Liaison will meet with the Records Management Unit to identify the types of records retained by the business unit and categorize the records into the appropriate record series.
- b. The Records Management Liaison will create and maintain the record series inventory for the business unit.
- c. The Records Management Liaison will forward the inventory to the Records Management Unit.
- d. Business records will be retained as prescribed by the State of Florida General Records Schedule GS1-SL.

2. Organization and Management

- a. Public Records shall be organized, arranged, and maintained using a filing or record-keeping system that is in accordance with the Citizens' Information Classification and Handling policy (404).
- b. All records shall be stored on an appropriate media format to ensure their preservation for the entire length of their required retention.
- c. Inactive physical records can be boxed and stored until the applicable retention period has been met. Inactive records shall be boxed according to the applicable records series to facilitate disposal of the records in a timely manner. Inactive electronic records can be moved from primary storage devices to be archived or stored on secondary storage devices or disposed of in accordance with this policy.

3. Disposition / Destruction

- a. Once records have met their retention date, the Records Management Unit will notify the appropriate business unit and provide the Records Management Liaison with a Records Disposition Form (Form 601B).
- b. The Records Management Liaison will complete the form and obtain approval from the director or manager of the business unit.
- c. The Records Management Liaison will forward the completed Records Disposition Form to the Records Management Unit.
- d. Upon receipt of a completed Records Disposition Form, the Custodian of Records will verify the records to be destroyed and authorize their destruction.
- e. The Records Management Unit or designee will witness the destruction of records and complete the Disposal Certificate of the Records Disposition Form.
- f. The fully executed Records Disposition Form will be sent to the Custodian of Records for retention.

B. RELEASE OF RECORDS

1. Public Records Requests

Public records requests, whether for onsite inspection or release, can be received telephonically or in writing. This includes correspondence written and sent by mail or e-mail.

Pursuant to section 119.12 F.S. a notice shall be placed in the lobby and on the Citizens' website identifying the Custodian of Records for the Corporation.

a. Records Inspection

- 1) The request to inspect records will be forwarded to the Custodian of Records.
- 2) The Custodian of Records will review the request and identify all information eligible for release.
- 3) The Custodian of Records or designee will determine an appropriate location where records may be viewed and schedule the inspection.
- 4) The Custodian of Records or designee must be present during the inspection.
- 5) Upon completion of the inspection, the requestor may identify the pages to be copied.
- 6) Depending on the volume of the request, the Custodian of Records may make copies at that time or contact the requestor when copies are available for pick-up. Any applicable fees must be paid in advance.

b. Records Release

- 1) The request to release records will be forwarded to the Custodian of Records.
- 2) The Custodian of Records will review the request and identify all information eligible for release.
- 3) The Custodian of Records will contact the requestor when copies are available for pick-up. Any applicable fees must be paid in advance.

2. Subpoenas

All subpoenas related to Citizens business or records, including but not limited to subpoenas for deposition and subpoenas for records without deposition, should be scanned and immediately e-mailed to the Custodian of Records. The original subpoena should be sent via interoffice mail to the Custodian of Records.

3. Certified Policy Requests

Corporate Policy

All requests for certified policies will be sent to the Records Management Unit or to certifiedpolicyrequests@citizensfla.com for handling.

4. Requests for Disclosure of Certain Information pursuant to section 627.4137, F.S.

All requests for disclosure of certain information pursuant to section 627.4137, F.S., should be sent to recordsrequest@citizensfla.com.

5. Requests for Records pursuant to section 626.989(4)(d), F.S.

All requests for records pursuant to section 626.989(4)(d), F.S., should be immediately forwarded to the Special Investigations Unit. The Special Investigations Unit will forward the requested records to the Custodian of Records for release.

6. Agency Loss Run Requests

All Agency Loss Run Requests should be forwarded to the Records Management Unit or to lossrunrequests@citizensfla.com for handling.

C. **INACTIVE RECORDS STORAGE.**

The Records Management Unit shall manage storage and disposition of inactive records in an appropriate off-site location.

IV. DEFINITIONS

For the purpose of this Policy, the following definitions apply:

- A. Contractor - a person, business, or entity operating under official contract or agreement with Citizens.
- B. Custodian of Records - the position designated by Citizens to oversee the business records of the corporation and ensure compliance with federal and state public record laws.
- C. Disposition - the act of disposing of or destroying a business record.
- D. Duplicate record or copy - a reproduction of an original record or document maintained for the convenience of officials and employees in carrying out their duties, which are not the original or official record copy of the documents.
- E. Inactive Record - a business record which is no longer referenced on a regular basis.
- F. Public records - 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

Corporate Policy

law or ordinance or in connection with the transaction of official business which is not exempt from disclosure.

- G. Record copy - the original or official document that is kept on file and is subject to the requirements of the retention schedule.
- H. Record Series - a group of related documents arranged under a single filing arrangement or kept together as a unit because they consist of the same form, relate to the same subject, result from the same activity, or have certain common characteristics.
- I. Retention Schedule - the guidelines utilized by Citizens to establish disposition standards and the minimum time records are kept.

V. AUTHORITY

Citizens Plan of Operation
Section 24(a), Art I of the Constitution of the State of Florida
Chapter 119, Florida Statutes
Section 627.351(6) Florida Statutes
Section 257.36(6), Florida Statutes
Section 626.989(4)(d), Florida Statutes

VI. HISTORY

Action	Date
Created	January 30, 2009
Revised	July 30, 2018

VII. RESOURCES

A. CONTACTS

For information regarding this Policy, please contact the Custodian of Records or the Records Management Unit.

B. REFERENCES AND FORMS

State of Florida General Records Schedule GS1-SL Records
Inventory Worksheet (601A)
Records Disposition Form (601B)
Request for Public Records Exemption Questionnaire
Information Classification and Handling Policy (404)

VIII. APPROVAL

Policy Title:	Records Management and Record Requests
Approved By:	Barry Gilway President/CEO and Executive Director
Signature:	Signature on file in Legal Services
Signature Date:	August 14, 2018