

# Georgia Public Broadcasting

## Open Records and Document Retention Policy

Effective Date: January 17, 2023

### **PURPOSE:**

This policy is intended to ensure that Georgia Public Telecommunications Commission d.b.a. Georgia Public Broadcasting, remains in compliance with state law as it pertains to its handling of open records requests and the retention and examination of records. GPTC d.b.a. GPB, complies with the Open Records Act, O.C.G.A §§ 50-18-70, et seq., (“ORA”) and the Georgia Records Act, O.C.G.A §§ 50-18-90, et seq. GPTC d.b.a. GPB is subject, as all executive branch agencies, to these two code sections and required to be in compliance to maintain government transparency. This policy will provide guidance to employees responsible for responding to freedom of information or open records requests. The policy will also provide document retention schedules and requirements. The policy will be reviewed and updated annually as needed, to further ensure and preserve the public’s trust in GPTC d.b.a GPB.

A Human Resources Officer or an appointed designee will serve as the Custodian of Records. The Custodian of Records will serve as the point of contact and be responsible for handling responses and production of documents related to ORA or FOIA requests.

The Chief Financial Officer or an appointed designee, will serve as the point of contact to coordinate with GPB department leaders on retention schedules, requirements, and best practices. When there are updates to the schedule and/or requirements, it will be the responsibility of the department leader to ensure that appropriate document retention schedules are maintained based on administrative, legal, fiscal, or historical value.

### **SCOPE:**

This policy applies to all employees and staff at all levels that are responsible for overseeing records retention, to include documents, papers, letters, maps, books, tapes, photographs, television or radio content, products, and services produced, maintained, or prepared by Georgia Public Telecommunications Commission d.b.a. Georgia Public Broadcasting; and all employees and staff at all levels that may have responsibility in the production of documents related to an open records or freedom of information request from the public.

### **OBJECTIVE:**

Georgia Public Telecommunications Commission d.b.a. Georgia Public Broadcasting’s policy is designed to ensure that it’s employees and staff maintain complete, accurate, and high-quality records where applicable. All employees and staff are responsible for maintaining documents appropriate to the scope of work and will be responsible for ensuring that those documents are accurate, identifiable, retained, appropriately protected, and stored according to retention requirement. This policy will ensure documents are assessable and can be produced when there may be records requests.

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The Human Resources Officer, and Chief Financial Officer, and their designees, will collaborate annually and as needed, to provide a communications document to educate and inform department leaders and staff about the process for handling open records request and how to maintain document retention requirements for the respective work units that may have a variety of document types such as documents, papers, letters, maps, books, tapes, photographs, television or radio content, products, and services that are produced, maintained, or prepared by GPTC d.b.a. GPB.

The Human Resources Officer, and the Chief Financial Officer, and their designees, will be responsible for attending training and other resources provided to ensure that GPTC d.b.a. GPB remains in compliance with open records requirements and documents retention schedule requirements.

### Open Records

All open record and/or freedom of information requests will be handled through the Human Resources Office by the HR Officer and/or designees. An ORA or FOIA request should be submitted to the GPB HR Office, located at 260 14<sup>th</sup> Street N.W., Atlanta, Georgia 30318 via mail or email at [openrecords@gpb.org](mailto:openrecords@gpb.org) to ensure timely response and the coordination and production of documents for the respective request.

The Human Resources Officer and/or designee will respond to requests via letter within 3 business days of receipt of an open records or freedom of information request. The letter will contain the following information:

- Acknowledge the receipt of the ORA or FOIA by indicating the date of receipt.
- Reference the Open Records Act, O.C.G.A 50-18-70, et seq., and that GPTC d.b.a. will allow reasonable access to the identifiable files.
- Clarify that GPTC d.b.a. GPB is not required to make available records that are exempt from disclosure. <https://law.georgia.gov/key-issues/open-government/law>
- Clarify that there may be certain documents and or files that are requested which may not be covered by the provisions of the Open Records Act.
- State that GPTC d.b.a. GPB, may need to redact any personal information of a public employee exempted from the Act pursuant to O.C.G.A. 50-18-72(a)(20), (21).
- Review thoroughly the ORA and/or FOIA request and determine if any of the documents requested fall into the category of not being covered by the Open Records Act.
- State that GPTC d.b.a. GPB will need a reasonable amount of time to research, retrieve, and subsequently produce the requested documents.
- Establish a deadline date for having all materials available.
- State that if we find that it is necessary to adjust the deadline, GPTC d.b.a. GPB will inform requester promptly.

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- State that in accordance with O.C.G.A 50-18-71, charges for services associated with the search, retrieval, transport, and other direct administrative services incurred in complying with your request are calculated at the hourly rate of the individuals who are required to generate the requested material (excluding the first quarter hour) and \$.10 per letter-sized copy.
- State that GPTC d.b.a. GPB cannot predict the exact total amount of charges that may ultimately be attributed to your request.
- State that based on a good faith estimate, the requester will be provided with an estimate of cost of the production of documents will not exceed \$100 and will advise in advance if the cost is expected to exceed that amount.
- The final accrued charges will be determined following inspection and copying of any records selected and are to be paid before any copies are generated.
- Provide the phone number for any questions or additional information the requester may have.

The Custodian of Records will collaborate with internal departments at GPTC d.b.a. GPB that have been impacted and responsible for producing documents related to an open records and/or freedom of information request. The Custodian of Record will assist in the coordination and gathering of documents for requests. Depending on the type of request, the Custodian of Record will communicate with the requestor when necessary about the request or any clarification needed. When there are exemptions or documents that need to be redacted, GPTC d.b.a. GPB will inform the requestor of such exemptions based on disclosure under federal law.

The open records law, including record exemptions can be found at this link  
<https://law.georgia.gov/key-issues/open-government/law>

### **Retention:**

GPTC d.b.a. GPB records are retained pursuant to the Georgia Records Act, O.C.G.A. §§ 50-18-90, *et seq.* (GRA). Under the GRA, the State Records Committee sets document retention schedules based on the administrative, legal, fiscal, or historical value of records. O.C.G.A. § 50-18-92. The committee maintains various general retention schedules that apply to all state agencies, along with individual agency schedules to address certain agency-specific documents that are not properly covered by the general schedules. Retention schedules are found at: [https://www.georgiaarchives.org/records/retention\\_schedules](https://www.georgiaarchives.org/records/retention_schedules) and is linked below, updated November 30, 2022.

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The Human Resources Officer, and the Chief Financial Officer, and their designees, will review the state's retention policy annually and/or upon significant changes to the policy as a part of the records management program. The Chief Financial Officer and/or designee will oversee GPTC d.b.a. GPB's records management process.

Georgia Public Telecommunications Commission d.b.a. Georgia Public Broadcasting's Open Records and Document Retention policies and guidelines will be reviewed and updated annually as needed, to further ensure and preserve the public's trust in GPTC dba GPB.

### Frequently Asked Questions

1. How do you submit an open records request?
  - a. Submit your formal request in writing via letter or email.
2. Where do send a request?
  - a. Answer: Via Email: [openrecords@gpb.org](mailto:openrecords@gpb.org)
  - b. Answer: Via Mail:  
Custodian of Records – GPB Human Resources Office –  
260 14<sup>th</sup> Street, N.W.  
Atlanta, Georgia 30318
3. What if I have questions about a request?
  - a. Answer: Email your questions to [openrecords@gpb.org](mailto:openrecords@gpb.org)

### Note:

*Please be advised that if documents are mistakenly sent in error to a recipient, GPB will ask that the documents be returned immediately. GPB has the right to deny a request, if the request meets appropriate exemption criteria.*