

2803.0 SUBJECT: ARCHIVING TEXT MESSAGES

:1 OBJECTIVE:

To detail the role of City departments, officers and employees in ensuring compliance with the statutory requirements regarding text messaging and public records retention and availability.

:2 AUTHORITY:

This procedure adopted by City Council, Monday, April 28, 2014, Item A-1.

:3 DIRECTION:

The Chief Financial Officer, as an appointed official, serves at the pleasure of and receives direction from the Mayor.

:4 FUNCTIONS:

A. Introduction

City government, as an institution, has multiple partners including citizens, taxpayers, businesses, visitors, employees, and other governments. As a major institutional, economic, and service force in the region, it is important that the City strengthen relationships with its partners by adopting a clear and comprehensive set of policies and procedures.

Furthermore the integrity of the City of Orlando is of utmost importance, and adopting a set of policies is a key element to maintain this integrity. The purpose of this policy is to adopt the appropriate information technologies and procedures to archive and make appropriately accessible public records of text message communications made or received in connection with the transaction of City business.

B. Policies

1. In the course of conducting ordinary business City officials and employees may use electronic messaging technologies to communicate. The Florida Attorney General has opined that such messages are public records under Chapter 119 of Florida Statutes. Consequently the City needs to accurately capture, store and make appropriately accessible text messaging records.
2. The Chief Financial Officer is responsible for the identification, acquisition and implementation of communication and information technologies that securely capture text messages made or received in connection with the transaction of City

business, for retention in compliance with all applicable laws and City policy.

3. The Chief Financial Officer shall be responsible for establishing a City standard platform for text messaging communication and storage in order to ensure compliance with records retention requirements.
 - a. Except as provided below, City funded devices or plans must be compatible with the City's standard platform for text messaging communication and records retention.
 - b. If there is a critical public safety or other critical operational need that requires the use of a communications device that is not supported by the City's standard platform, and such use is approved by the Chief Administrative Officer and Chief Financial Officer, then the user of such device is personally responsible for compliance with the public records law and retention schedules with respect to the use of such device and retention of text messages.
 - c. Employees that use personal equipment for text messaging communication related to official City business are personally responsible for compliance with the public records law and retention schedules with respect to the use of such device and retention of text messages.

:5 FORMS:

None.

:6 COMMITTEE RESPONSIBILITIES:

None.

:7 REFERENCE:

Procedure adopted by City Council April 28, 2014, Item A-1.

:8 EFFECTIVE DATE:

This procedure effective date is April 28, 2014.