I. INTRODUCTION (Purpose and Intent)

Florida’s “Government-in-the-Sunshine Law” (Ch. 286 Florida Statutes) provides a right of public access to meetings of public boards or commissions, such as all meetings of the University of South Florida Board of Trustees, as a public body corporate, and its appointed advisory boards and workgroups. Meetings of USF System University officials are addressed below.

II. STATEMENT OF POLICY

It is the policy of the University of South Florida System to comply with Florida’s Sunshine Law and to uphold its public purpose. The Sunshine Law applies to “collegial bodies,” not to single individuals, such as the university president, unless the president delegates a part of his/her decision-making function to a designated group. For example, when an appointed committee screens applicants for a university position prior to presidential consideration, that committee performs a delegated decision-making function and is subject to the Sunshine Law. For advice on the applicability of the Sunshine Law to other types of meetings, please contact the Office of the General Counsel.
III. SEARCH AND SCREEN COMMITTEES

Because a university search committee that screens or recommends candidates is subject to the Sunshine Law, four requirements must be met.

A. Accessibility

All search and screen committee meetings must be open to the public. This does not imply that the public has a right to participate in search and screen committee meetings; rather, the public may only listen and observe in a non-disruptive fashion. Discussions between two or more committee members about the business of the search must be heard in open meeting.

B. Notice

Reasonable notice must be given before any committee meeting. The notice must give the time and place of the meeting and, if available, a brief agenda of what is expected to be covered at the meeting so that anyone interested in the subject matter may decide to attend. Reasonable notice can include posting notices around campus, publication in a newspaper, or providing notice of the meeting to the media.

C. Voting Requirements

Any voting by a search and screen committee must be done in public. Secret ballots are not allowed. All members must vote (unless a member has disclosed a conflict of interest) but a roll call vote is not required.
D. Minutes

Written minutes of all search and screen committee meetings must be promptly recorded and made available for public inspection. Minutes of meetings are not required to be verbatim transcripts, but rather should be a brief summary of notes or memoranda reflecting the events of the meeting. The Sunshine Law does not require audio or video recordings of meetings; however, once made, those recordings, like written minutes, are public records and must be retained.

IV. ACCESSIBILITY FOR THE DISABLED

If the committee chair receives, at least 48 hours prior to the meeting, a written request by a physically disabled person to attend the meeting, the chair must provide a manner by which such person may attend the meeting at its scheduled site or reschedule the meeting to a site which would be accessible to that person.

Steven D. Prevaux, General Counsel

Judy Genshaft, President