



UNIVERSITY *of*
WEST FLORIDA

2025 Presidential Search Committee

*Guidelines Regarding Open and Closed
Meetings and Public Records Compliance*

Presented by Senior Associate Vice President Human Resources on August 22, 2025

Open Meetings

- Referred to as “Open Government” or “Sunshine Law” meetings
- Florida Statute Chapter 286, the open meetings law, protects the public from closed door decision making and provides a right of access to governmental meetings.
- Florida Statute Chapter 286 applies to all meetings of any board or commission of any state agency or authority. This includes University search committees.

Open Meeting Guidance

- All meetings must be open to the public (unless exempted) to attend and observe - virtual or in-person.
- All meetings must be reasonably noticed at least seven days in advance (President Search open meetings will be posted on the UWF events calendar and the UWF Presidential website).
- Meetings may not be held at a facility/location inaccessible to the public.
- The publicly noticed meeting must include any discussions or deliberations, formal or casual, between two or more search committee members about a matter on which the Board/committee might foreseeably take action.
 - > This includes workshops, telephone conversations, texts, email communications, off-campus conversations (even if at a social function or another committee where business is discussed), etc.

What Types of Discussions are Required to be in the Open

- ***Any of the following types of discussions of any matter that may foreseeably come before the board. (not inclusive)***
 - > Email discussions between any two or more search committee members.
 - > Telephone conversations between any two or more search committee members.
 - > Internet discussions between any two or more search committee members (e.g., chat rooms, blogs, comments, etc.).
 - > Text messages!
- ***What could violate the Sunshine Law?***
 - > Inaudible discussions (discussions that occur between search committee members in an open meeting that cannot be heard by others).
 - > Discussions during breaks or after adjournment (when the public meeting is not in session, search committee members must refrain from discussing matters until the next meeting or until the current meeting is recommenced).
 - > Use of evasive devices - Circulation of written reports.

Liaison Rule

- Individual search committee members may call upon search committee staff members for factual information and advice without being subject to the Sunshine Law. Staff members are NOT a part of the search committee.
- The search committee may NOT use one or more staff members (or anyone else) to act as a go between (liaison) to discuss matters that may foreseeably come before the search committee.

Search Committee Minutes



Search committee minutes will be taken by UWF staff.



Minutes must be recorded and open to public inspection.



Minutes need not be verbatim - but rather a summary of the meeting's events.



Sound recordings may be used in addition to written minutes.



Minutes and sound recordings will be posted on the Presidential Search website.

Right of the Public to Participate

- Members of the public must be given a reasonable opportunity to be heard on any search committee agenda item for an open meeting.
 - UWF refers to this as Public Comment.
 - The search committee may maintain standards of conduct and decorum and set time limits for public comment.
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Public Meeting Exemptions

- Section 1004.098(2), F.S.
- Any portion of a search committee meeting held for the purpose of identifying or vetting applicants for the role of President is confidential and exempt from public meeting requirements provided that:
 - A recording is made of the entire portion of the closed meeting
 - Any closed portion may not be held off record
 - Recording is exempt from public record disclosure

Voting

- If a vote is taken in an open meeting
 - The vote must be publicly taken.
 - No secret ballots.
 - Roll call vote is not required, but can occur.
 - All members of the search committee must vote (unless they have a conflict of interest which has been already disclosed).
 - Minutes must reflect by recording of the vote or counting a vote for each member.
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Penalties for Noncompliance

- Second degree misdemeanor if you knowingly violate the Sunshine Law
 - Removal from position
 - Fine up to \$500 and possible jail time of not more than 60 days
 - Reasonable attorney fees
 - Declaratory and injunctive relief
 - ***Action taken at meeting invalid***
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Chapter 119, Public Records Law

- Florida Statute Chapter 119
 - All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other materials
 - Regardless of physical form or means of transmission
 - Made or received pursuant to law in connection with transaction of official business by the search committee
 - ***Not applicable to personal records (i.e., memory jogging notes not communicated to others)***
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Public Records Law- Highlights

- Applies to UWF records including job applications, letters of interest, correspondence, etc.
- Applies to all types of records including texts and emails
- Requests can be made verbally or by someone who wishes to remain anonymous
- UWF has a reasonable time to respond. We do NOT have to turn over records on the spot.
- UWF can charge the cost of retrieving records to the requestor that requires extensive use of UWF resources/labor
- Does NOT require the creation of records or provision of records in format requested
- Does NOT require verbal explanation of records
- ***If you receive a public records request, please contact presidentalsearch@uwf.edu.***

Public Records Exemptions

- Section 1004.098(1), F.S.
- All personal identifying information of applicants for president are confidential and exempt from disclosure
- The age, race, and sex of applicants who met the minimum qualifications who were considered and the personal identifying information of applicants included in the final group of applicants are no longer confidential beginning at the earliest of the date that:
 - > the final group of applicants to be considered is established OR
 - > 21 days before the date of a meeting at which an interview of an applicant will be conducted, at which final action or a vote is to be taken on the offer of employment of an applicant

Summary and Questions

- Point person for logistics
- Sunshine Law applies when using an outside search firm
- Sunshine Law applies to all search committee members unless an exemption applies
- Public Records Law applies to all records maintained by UWF, the UWF Search Firm, and the UWF Search Committee unless an exemption applies
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