



Presidential Search Committee

Thursday, March 27, 2025

9-10:30AM

Microsoft Teams

AGENDA

- | | | |
|------|---|-------------------------------|
| I. | Welcome and Charge | Chair Mike Griffin |
| II. | Open Meetings and Public Records Compliance | General Counsel, Gerard Solis |
| III. | Non-Disclosure Requirements | General Counsel, Gerard Solis |
| IV. | Next Steps and Timeline | Chair Griffin |
| V. | Adjournment | Chair Griffin |

USF BOT Chair Will Weatherford's Charge to Presidential Search Committee

Scope: The Presidential Search Committee is tasked with recruiting the ninth President of the University of South Florida. USF has incredible momentum that will allow us to find the best candidate to become our next president. USF's recent achievements and successes include becoming the first public university in Florida to be invited to join the Association of American Universities in nearly 40 years, being ranked among the top 50 public universities in America by U.S. News & World Report, including "best value" among all universities in Florida for the past two years. USF has recently broken institutional records for research funding, undergraduate student applications, and total philanthropic giving to the university, and just this past year we broke ground on the new on-campus stadium, a project that will be transformational for the university. Our next president will expand upon the University's trajectory and successes, leading us towards achieving our goals and aspirations such as becoming a U.S. News and World Report top 25 public university.

We have retained the services of SP&A Executive Search to guide the search committee throughout this process with their expertise. SP&A will begin working on the search after concluding the University of Florida presidential search. In addition to the guidance of SP&A Executive Search, Mike Griffin, Vice Chair of the Board of Trustees, will lead the search committee as Chair.

The search committee's first objective will be to develop a recommended position criteria and marketing plan that is consistent with our mission, strategic plan and aspirational goals. This position description will guide the committee in identifying the skillset, professional background, and characteristics that our next president will require to be successful in leading USF.

Throughout this process we will keep sight of the university's mission, values, and strategic goals, engage with our community and stakeholders, and conduct a search process that is transparent.

Timeline: We will have four phases of the search process that include stakeholder input, development of the position criteria, identifying qualified candidates, and selecting finalist(s) to be put forward to the Board of Trustees for consideration.

Responsibilities:

Per [BOG regulation 1.002](#), the search committee, assisted by the executive search firm, will be responsible for:

- a. Developing recommended position criteria that are consistent with the institution's mission, strategic plan and aspirational goals, which shall be approved by the board of trustees;
- b. Approving a marketing plan, that will be submitted to the board of trustees;
- c. Identifying individuals who may apply, be nominated, or recruited, taking into consideration their experience, qualifications and leadership capabilities under the position criteria to produce a pool of qualified applicants;
- d. Determining, under the position criteria, the applicants to be interviewed by the search committee and conducting applicant interviews; and
- e. Recommending an unranked list of applicants who are qualified under the position criteria to further the institution's mission, goals and priorities for on-campus meetings or forums with faculty, students, and other stakeholders and for consideration and on-campus interviews by the board of trustees, subject to prior review and approval by the Chair of the Board of Governors. The search committee is required to submit more than two qualified applicants, selected by a majority vote of the search committee, to the board of trustees for consideration, other than in exceptional circumstances making fulfillment of this requirement infeasible. If more than one candidate is not coming forward, the board of trustees must be notified of the reason and may decline to act.

University of South Florida Presidential Search Committee

Guidelines Regarding Open Meetings and Public Records Compliance

Office of General Counsel



Florida "Open Government" Laws

- Florida Statutes, Chapter 286, the "Open Meetings Law," often referred to as the "**Sunshine Law**" protects the public from "closed door" decision making and provides a right of access to governmental meetings
- Florida Statutes, Chapter 119, the "**Public Records Law**," creates a right of access to records made or received in connection with official business of a public body

The image shows a large, modern building with a curved facade and many windows, identified as the Marshall University Student Center. In the foreground, there is a large bronze statue of a running bull, known as the Running of the Bulls, which is a symbol of Marshall University. The statue is positioned in a shallow pool of water. The background features a clear blue sky and some greenery, including palm trees and other plants. The overall scene is bright and sunny.

Chapter 286, Sunshine Law

The Sunshine Law

- Florida Statute Chapter 286 applies to all meetings of “any board or commission of any state agency or authority” - including University search committees
- 3 Main Requirements:
 - 1. All meetings of the committee must be **open** meetings
 - 2. Reasonable **notice** of meetings must be given
 - 3. **Minutes** of meetings must be kept

Search Committee Meeting: Open

- All meetings must be open to allow the public to attend and observe
- 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
 - Include workshops, telephone conversations, e-mail communications, off-campus conversations (even if at a social function or event when committee business is discussed)
- No use of evasive devices
 - Circulation of written reports
 - Meetings between a committee member and non-committee member being used as liaison between committee members

Search Committee Meeting: Notice

- Reasonable notice of meetings required
- Reasonable notice is ample notice given to the public and press which reasonably and timely conveys all information necessary to enable them to choose to attend:
 - “Reasonable” depends upon situation’s circumstances
 - Meeting may not be held at facility/location inaccessible to public or which discriminates regarding admission/accessibility
- Applies to meetings held virtually

Search Committee Meeting: Minutes

- Minutes must be recorded and open to public inspection
- Minutes need not be verbatim--but rather brief summary of meeting's events
- Sound recordings may be used in addition to written minutes, but if used, must be retained – sound recordings are not a standard university practice

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 president is *confidential and exempt* from public meeting requirements provided that:
 - 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

- Most Search Committees will not include votes
- However, if there is a vote in a public meeting:
 - Votes must be publicly taken
 - No secret ballots
 - Roll call vote is not required
 - All members must vote (unless they have a conflict of interest which has been disclosed) and the minutes must so reflect by recording of the vote or counting a vote for each member

Penalties for Noncompliance

- Second degree misdemeanor to knowingly violate Sunshine Law
- Removal from position
- Fine of up to \$500
- Reasonable attorneys' fees
- Declaratory and injunctive relief
- **Action taken at meeting invalid**

The image shows a large, modern building with a curved facade and many windows, identified as Marshall University. In the foreground, there is a large bronze sculpture of a bull running through water. The text "Chapter 119, Public Records Law" is overlaid in white on the image.

Chapter 119, Public Records Law

Public Records Law

- Florida Statutes Chapter 119 defines Public Records as:
 - All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material
 - Regardless of physical form or means of transmission
 - Made or received pursuant to law in connection with transaction of official business by the agency
 - *Not applicable to personal records (e.g. personal notes not communicated to others taken during meetings)*

Public Records Law: Highlights

- Public records law applies to USF records including job applications, letters of interest, correspondence, etc.
- Applies to all types of records including emails
- Requests can be made verbally or by someone who wishes to remain anonymous
- USF has a “reasonable” time to respond – do NOT have to turn records over on the spot
- USF can charge the cost of retrieving records to the requestor that requires the extensive use of IT resources or USF labor
- Does NOT require the creation of records or provision of records in the format requested
- Does NOT require verbal explanation of records
- *If you receive a request, please contact the Office of General Counsel*

Public Record 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 gender 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 earlier of the date that
 - (1) the final group of applicants to be considered is established OR
 - (2) 21 days before the date of a meeting at which an interview of an applicant will be conducted or 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 outside search firms
- Sunshine Law applies to all committee meetings unless exemption applies
- Public Records Law applies to all records maintained by the USF Search Committee unless exemption applies
- Contact: Office of General Counsel, usfpr@usf.edu