



February 20, 2015

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The Honorable Alan Hays
The Florida Senate
320 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: SB 182 Public Records & Public Meetings/Postsecondary Education
Executive Search

Dear Senator Hays:

We are writing to express our concerns regarding SB 182 creating a public record exemption for personal identifying information of applicants for president, provost, or dean of a state university and Florida College System institutions. The proposed bill would also allow the closure of those portions of a meeting held for the purpose of vetting such candidates. We believe this exemption is contrary to the public interest, and respectfully suggest it be withdrawn from further consideration.

According to the statement of public necessity, the exemptions are needed because most applicants are employed at the time of application and may fear losing their current position; as a result, the pool of qualified applicants may be diminished. In reality, Florida's universities have had great success in hiring university and college presidents in the Sunshine. President Elmira Mangum of Florida A&M University, and most recently President W. Kent Fuchs, University of Florida, are model examples – and both were employed by other universities at the time of their application. We can cite numerous other examples, but the point is clear: The justification for this exemption is speculative at best, and is not supported by the facts. In fact, it presumes that our current presidents, provosts, and deans are not the best they could be.

It is our position that the proposed exemption is detrimental in many ways – shielding individuals with less than desired histories, eliminating qualified applicants who may have applied had they had access to the list of their competitors, and a potential landslide of unnecessary legislation exempting applications of all public positions.

Floridians have made a great investment in the state's colleges and universities, and the process of selecting applicants for these posts is an issue of wide public interest and concern. Who applies for positions within the college system or a state university, their qualifications and accomplishments, who is selected and who is not, is vitally important public information. To shield the selection process from public oversight and accountability is, we believe, bad public policy.

We appreciate your attention to our concerns on this issue, Senator Hays. If you have any questions about our position, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B.A.P.', written in a cursive style.

Barbara A. Petersen, President

cc: The Honorable Andy Gardiner, President, Florida Senate
Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association