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February 5, 2020

The Honorable Blaise Ingoglia
Chair, House State Affairs Committee
402 South Monroe Street, 209 House Office Building
Tallahassee, FL 32399-1300

RE: PCB SAC 20-04 Public Records and Meetings/Applicant for President/State University or Florida College System Institution

Dear Representative Ingoglia:

I write on behalf the First Amendment Foundation to express our opposition to the proposed exemption for personal identifying information of applicants for state university presidents and meetings at which applicants are identified and vetted. It is our position that PCB SAC 20-04 is contrary to the public interest, and we respectfully request it be withdrawn from further consideration.

According to the statement of public necessity, these 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 limited. In reality, Florida's universities have had great success in hiring university and college presidents in the Sunshine. The open discussion and participation of faculty and community members has been an important part of the process.

In 2019, there were 74 applicants for the position of president at the Florida State College at Jacksonville, 71 of whom were from out of state. This statistic alone calls into question the stated necessity for the exemption, but there are many other examples. University of Florida's Dr. W. Kent Fuchs and Dr. David Szymanski from the University of North Florida are good examples—both are, by all accounts, serving their respective institutions well and both were employed by other universities at the time of their application.

We can cite numerous other instances, 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—and former—presidents are not the best they could be. As representatives from United Faculty of Florida chapters explained at a Senate Education committee meeting on the Senate version of this exemption, Florida universities have increased in rankings under leadership selected in the Sunshine.

It is our position that the proposed exemption is detrimental in many ways—shielding individuals with less than desired histories and eliminating qualified candidates who may have applied had they had access to the list of their

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competitors are just two of our concerns. In addition, we believe that passage of this exemption will create a landslide of unnecessary legislation exempting applications of *all* public positions.

Floridians have made a great investment in the state's universities, and the process of selecting applicants for these posts is an issue of wide public interest and concern. Who applies for positions within 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 simply bad public policy.

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

Sincerely,

A handwritten signature in blue ink that reads "Pamela C. Marsh". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Pamela C. Marsh, President

Cc: Jose Oliva, Speaker, Florida House of Representatives
Mr. Jim Baltzelle, Associated Press, Chair, First Amendment Foundation
Mr. Samuel Morley, General Counsel, Florida Press Association
Ms. Lisa Nellesen Savage, Chair, Florida Society of News Editors
