



April 13, 2021

The Senate Rules Committee
402 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399-1100

Re: Senate Bill 220 Public Records and Public Meetings

The First Amendment Foundation writes in opposition to Senate Bill 220, creating an exemption for personal identifying information of any applicant for president of a state university or Florida College System Institution.

Other states conducting closed searches have had presidents resign in disgrace shortly into their tenure when details of past misconduct came to light. This is due to the fact that search firms responsible for selecting presidents are responsible for minimal vetting and due diligence. [In a review of contracts](#) between headhunting firms and university and colleges, researchers found that only half of the agreements required the search firm to conduct on-list reference checks; just one-third of the contracts provided for criminal records and credit report checks; and less than one-fourth included social media checks.

Taxpayers and trustees may be on the hook for a million-dollar payout to a president who resigns over wrongdoing that was not investigated by a search firm. [Oregon State University](#) will spend \$1.2 million to replace their most recent president, who resigned over his mishandling of student sexual assault cases during his time as president at Louisiana State University. Similar instances have occurred across the country, from Auburn University and East Carolina University to University of Wyoming.

Florida has been a leader in open government laws. It should avoid the costly mistakes of other states by keeping searches open.

Secrecy will benefit search firms and protect the names of the candidate pool in the firms' contacts at the expense of input and vetting by faculty, students, and the community surrounding the institution. Both presidents and institutions benefit from a leader thoroughly vetted and willing to face public scrutiny, who is

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accountable to the community. Senate Bill 220 is not justified and will do more harm than good. Accordingly, FAF opposes Senate Bill 220.

Please don't hesitate to contact the Foundation if you have any questions or concerns. Thank you for your consideration.

With best regards,

FIRST AMENDMENT FOUNDATION



Pamela C. Marsh
President

cc: The Honorable Wilton Simpson, President, Florida Senate
The Honorable Jeff Brandes, Senator, Florida Senate
Jim Baltzelle, Associated Press, Chair, First Amendment Foundation
Mr. Samuel Morley, General Counsel, Florida Press Association
Ms. Lisa Nellessen Savage, Chair, Florida Society of News Editors