

Spring 2013

Senate Bill (S) 54-019 Public Records Email Signature Revision

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University of South Florida Student Government Senate

SB [S] 54-019
Public Records Email
Signature Revision
54th Term
Spring 2014



The intent of this legislation is to update the language used at the end of the Student Government email correspondence notifying pertinent parties of the required public record status of their exchanges, and to modify time-sensitive policies in order to comply with new Student Government procedures.

A SENATE STATUTORY AMENDMENT

Be it enacted by the Senate of the University of South Florida Student Government assembled, that the following changes be made to the Student Government Statutes:

Chapter

205

Student Government Public Records Act

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- 205.1** It shall be the policy of Student Government to make all Public Records open for personal inspection and copying by any person. The following shall govern the storage, handling and processing of all Public records.
- 205.1.1** The Custodian of Public Records shall be the Student Government Advising, Training, and Operations Director or his or her designee, henceforth referred to as the Custodian.
- 205.1.2** All Public Records shall be stored for a minimum of three (3) years.
- 205.1.3** Request for Public Records shall be filled, in writing through means of a standardized form, to the Custodian.
- 205.1.3.1** In the event that a request is made to a Student Government Officer or Employee other than the Custodian, the officer or Employee who initially receives the request must act in good faith and redirect the requestor to the Custodian's designee within 3 business days.

205.1.4 The owner or creator of a public record, upon notification, must provide said requested record to the Custodian within five (5) business days.

205.1.5 Public records shall be provided in hard copy form only, at a cost of \$0.15 per one-sided copy (not larger than 8.5x14). There shall be a \$1.00 charge per page per certified copy.

205.1.5.1 A reasonable service charge based on costs incurred for extensive clerical and/or supervisory assistance may be charged to the requestor.

205.1.5.2 Costs incurred that are less than \$1.00 may be waived at the Custodian's discretion.

205.1.6 Any person shall have the rights of access for the purpose of photographing a public record while the record is in the possession and supervision of the Custodian.

205.1.6.1 All inspections and copying of records shall be supervised by the Custodian. Custodian shall make reasonable efforts to discern whether a requested record exists, and if so, the location of said record.

205.1.6.2 Request for photographic access and related cost must be agreed upon in advance between custodian and requestor. If an agreement can't be reached the custodian will set the fee.

205.1.7 Information protected by the University or law are not public records and are exempt from a public records request. If exempted material is requested, the request shall be denied and the reason for denial explained in writing to the requestor.

205.2 The following shall govern the integrity of all Public Record materials:

205.2.1 No officer or member of Student Government, including its Bureaus, may tamper with, amend, or destroy any Public Record.

205.2.2 A reasonable attempt shall be made to ensure that a Public Record accurately reflect the correspondence, discussion, or course of action referred to in the record.

205.2.3 A reasonable attempt shall be made to ensure that the minutes of all Student Government meetings be transcribed to accurately reflect a verbatim transcript of the entire course dialogue throughout the meeting, beginning with the Call to Order and terminating only upon Adjournment.

205.2.3.1 In relation to the aforementioned clause, a Student Government meeting shall be defined as any meeting of a Branch, Agency, Committee, or Task Force discussing or deliberating on a matter which some foreseeable action will be taken by at least one member of the meeting party.

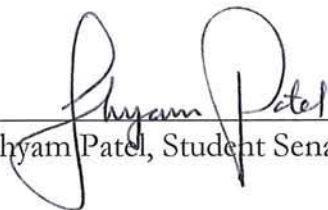
205.2.3.2 Minutes shall not be disbursed or published until they have been formally accepted by the meeting body to be valid and accurate. The minutes must be accepted within twenty (20) business days or the next meeting, whichever occurs later.

205.2.3.3 Upon their acceptance, the ~~M~~inute ~~T~~taker shall forward the minutes to the Webmaster within ~~three (3)~~five (5) Business Days. The Webmaster shall publish the minutes on the Student Government Website within an additional ~~three (3)~~five (5) Business Days.

205.2.4 The following statement shall be included in all correspondence sent from a Student Government e-mail account, ~~“Under Florida law, e-mail messages may be considered public records. If you do not want your e-mail released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.”~~ “The Student Government Association of the University of South Florida is considered a public entity under Florida Law, and all written forms of communication are subject to the state of Florida’s public request policies. Therefore, any communication through email sent to and from this entity is eligible for public record requests and public disclosure.”

205.2.5 All Legislative Bills, Executive Orders, and Supreme Court Opinions shall be forwarded to the Webmaster within ~~three (3)~~five (5) Business Days of it being signed into effect, or issuance, to be placed in their respective section(s) on the Student Government Website. The Webmaster shall publish the documents on the Student Government Website within an additional ~~three (3)~~five (5) Business Days.




Shyam Patel, Student Senate President

February 24th 2014
Date


William Warmke, Student Body President

2/27/14
Date

SB [S] 54-019

Authors: Abdool Aziz, Committee on Judiciary and Ethics Chairman

Daniel Christopher, Executive Branch Attorney General

Sponsor: Abdool Aziz, Committee on Judiciary and Ethics Chairman

Committee Action: (7-0-1)

First Reading: February 11th, 2014

Second Reading: February 11th, 2014

Final Vote Count: (30-0-1)