**DIVISION OF ACADEMIC AFFAIRS**

**recruitments conducted under the florida sunshine law**

**KEY POINTS**

The Florida Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. Virtually all state and local collegial public bodies are covered by the open meetings requirements with the exception of the judiciary and the state Legislature which has its own constitutional provision relating to access. The Florida Sunshine Law is governed under Florida Statute 286, Public Business; Miscellaneous Provisions.

**BENEFITS OF A SUNSHINE RECRUITMENT**

* The recruitment committee can rank, rate, cull and suggest applicants for hire.
* Recruitment committee members have the authority to screen applicants and determine which applicants to accept or reject from consideration.
* A closed recruitment, on the other hand, only allows committee members to gather information and provide candidate strengths and weaknesses to the hiring official. A closed recruitment limits a committee’s ability to participate in the selection process of their colleagues.

**KEY POINTS OF A SUNSHINE RECRUITMENT**

1. All recruitments for Director level and above positions and faculty recruitments (not including adjunct, visiting positions, instructors and lecturers) in the Division of Academic Affairs must be conducted under the Florida Sunshine Law. Librarians are considered faculty. [See chart for a complete list of position class codes and titles required to be Sunshine Recruitments.]
2. The critical factors under the Florida Sunshine Law are:
   1. All decisions must be made publically.
   2. Committee members cannot discuss or communicate outside of a publically noticed meeting on any issue to be brought forward to the committee for decision.
      1. Outside of the publically noticed meetings, committee members can talk or communicate on procedures, timelines, and meeting dates, but anything related to decisions including candidate winnowing, qualifications, and criteria, must be done in public meetings.
      2. Staff members cannot be used as a liaison between committee members.
   3. Minutes must be taken at all meetings and interviews.
   4. Minutes must be available to the public, if requested. Florida Status 286.011 requires that minutes be “promptly recorded anpubicd such records shall be open to public inspection.”
   5. All meetings must be open to the public and anyone can attend. Even applicants can attend the noticed meetings. They do not have to identify themselves as applicants.
      1. Meeting must be held in an accessible location.
      2. The public must be given a reasonable opportunity to be heard on any issues or decisions coming before the committee. The committee can determine how this is handled. One option is to use the process used by the UWF Board of Trustees. A sign is displayed and a sign-in sheet provided for anyone wanting to make a three-minute public comment at the beginning of the meeting.
   6. All meetings must be reasonably publicized at least seven days in advance.
      1. The announcement must include the date, time, location, contact information and the ADA statement.
      2. Publication is made in the @UWF faculty staff newsletter. Here is the link:

<http://uwf.edu/offices/marketing/communications/atuwf/uwf-announcement-submission-form/>

* + 1. The following statement must be included in each announcement: “ADA Statement: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is requested to advise UWF by contacting the UWF ADA Office at 850.474.2518 (Voice) or 850.857.6114 (TTY) at least 48 hours before the meeting.”

1. Meeting minutes record general information only.
   1. The Provost’s Office website provides templates for creating minutes.
   2. Discussions can be noted as “discussion was held” without providing specific details.
   3. Minutes must include the names of committee members who attended, name of the person recording the minutes, time the meeting opened and closed, and general discussion subjects.
   4. Motions are only required for the committee to approve candidates recommended to be brought forward in the interview process for phone interviews and campus interviews.
      1. “A motion was made by [name] to bring forward the following candidates for phone interviews. [Name] seconded the motion. The motion was approved. Candidate name should be listed in alphabetical order.
      2. “A motion was made by [name] to bring forward the following candidates for campus interviews. [Name] seconded the motion. The motion was approved. Candidate name should be listed in alphabetical order.
2. Meeting minutes do not need to be approved by the committee.
3. Committee members are encouraged to attend all meetings (in person or via conference call). The conference phone number is for committee members only and should not be published.
4. Committee members cannot respond to emails or inquiries from applicants. Inquiries should be referred to Jamie Sprague, Human Resources (850-474-2156).
5. The committee chair determines the method of scoring applications.
   1. Option A - Mathematical Spreadsheet
      1. This is not required but suggested as a best practice. Recruitment committee members can use it as winnowing device for the initial applicant pool. Scores are for discussion purposes only. The scores do not determine candidate eligibility for an interview.
   2. Option B - Voting
      1. If a spreadsheet is not used, the committee can discuss each candidate at a publically noticed meeting. Voting would still take place to move candidates forward in the interview process.
6. All applications are required to be reviewed and scored regardless of the application date until the pool is officially closed.
7. All requests for information from co-workers, staff, students and community regarding the search should be directed to Human Resources or the recruitment chair.
8. All public record requests should be directed to General Counsel.
9. Committee members must be careful in obtaining candidate information from the internet. Please ensure that the relevant information is sufficiently verified from a reliable source.
10. Public records must be maintained (including emails, files, handwritten notes, etc.) for a period of four years by the hiring official. Personal notes are not public record if the note is made to fill out a form or to jog’s one memory on a candidate (this includes notes made during an interview). At the point when you “communicate” them with another person, they then become public record. Rating and ranking documents are all public record when turned into the Hiring Official for tabulation or compilation.
11. A recruitment website does not need to be created. (Note: Websites are created for executive recruitments at the Dean, Vice President and Presidential level).
12. The meeting does not need an audio recording. Therefore, no technical support is needed.
13. Refreshments do not need to be provided to the recruitment committee.
14. An administrative/clerical staff member does not need to be assigned to a Sunshine Recruitment. A recruitment committee member is assigned to take minutes and submit the 7-day public notice.)
15. The hiring official must maintain recruitment records for at least four years.

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| **Type of Recruitment** | **Staff** | **Faculty** |
| Sunshine Recruitment  *(conducted under the Florida Sunshine Law and requires a recruitment committee)* | Director and Above only | Dean and Above  Ranked Faculty |
| Recruitment  *(not conducted under the Florida Sunshine Law and does not require a committee; a committee can be used if desired)\** | Associate Director and Below | Visiting Faculty, Adjunct, Instructor and Lecturer |
| \* If a committee is used, the recruitment must be conducted as a Sunshine recruitment. | | |

The following is a list of Position Class codes and Titles requiring recruitment under the Florida Sunshine Law. All faculty recruitments are required to be conducted as Sunshine Recruitments with the exception of adjunct, visiting positions, instructors and lecturers.

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| **Class Code** | **Position Title** | **E-Class Code** |
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| **UNIVERSITY WORKFORCE** | |  |
| 9255 | Executive Director | 30 |
| 9261 | Associate Vice President | 30 |
| 9270 | Assistant Vice President | 30 |
| 9355 | University Registrar | 30 |
| 9462 | Physician (serves as Medical Director) | 30 |
| 9499 | Director | 30 |
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| **FACULTY** | | |
| 9001 | Professor | 22 |
| 9002 | Associate Professor | 22 |
| 9003 | Assistant Professor | 22 |
| 9053 | University Librarian | 22 |
| 9054 | University Associate Librarian | 22 |
| 9055 | University Assistant Librarian | 22 |
| 9120 | Associate in | 22 |
| 9121 | Assistant in | 22 |
| 9160 | Research Scholar | 22 |
| 9161 | Research Associate Scholar | 22 |
| 9162 | Research Assistant Scholar | 22 |
| 9166 | Research Associate | 22 |
| 9173 | Counselor/Advisor | 22 |