

The Office of the
ATTORNEY GENERAL

From: Attorney General Anthony N. Minute
Date: March 2, 2018
Subject: Memorandum Regarding the Business of SGA Election Violation Hearings

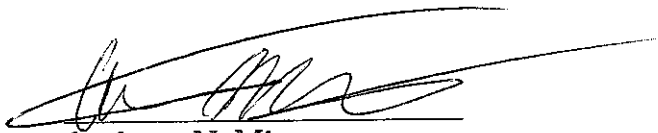
I, Attorney General Anthony N. Minute, in accordance with the Constitution and Statutes of the Student Body of the University of Central Florida hereby refer the following memorandum to the Student Body and all other interested parties:

Memorandum

In years past, there have been questions brought up as to the legality of opening and closing SGA Election Violation Hearings. Previously, hearings have been closed due to an abundance of caution regarding education records and personal information regarding students participating in the process. It was decided to close these hearings in order to protect personal information about the candidates and other students. There are no legal requirements to either open or close Election Violation Hearings within Florida Law.

A recent court case has since provided clarity as how to handle records relating to Student Government Officials or individuals running for Student Government elected office. To summarize the findings, it was determined that the records of Officials or those running for elected office have consented to the disclosure of information regarding their Student Government participation. However, this recent court case did not address the records relating to other non-Student Government officials that are involved in Election Violation Hearings. In making my opinion, it is important that we recognize that education records are being discussed with both Student Government Officials and non-affiliated students. It is pertinent for us to continue protecting the education records and the information of these non-affiliated students.

In my official opinion, it is important to balance transparency with the protection of education records and personal information regarding hearing participants. I am directing the SGA Election Commission to maintain open Violation Hearings moving forward. Furthermore, I will be urging the Election Commission to protect the education records of students in every way necessary. As a result, the SGA Election Commission will develop a process to ensure that education records and personal information of these non-affiliated students will be protected under the discretion of the student.


Anthony N. Minute
Attorney General
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