

**BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA
March 27, 2008**

SUBJECT: Approval of Board of Governors Regulation 1.005, Public Meeting Requirements

PROPOSED BOARD ACTION

Approve Board of Governors Regulation 1.005, Public Meeting Requirements

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Section 7(d), Article IX, Florida Constitution

BACKGROUND INFORMATION

Section 24 of Article I of the Florida Constitution requires all meetings of any collegial public body of the executive branch of state government at which official acts are to be taken, or at which public business of such body is to be transacted or discussed, to be open and noticed to the public, except with respect to meetings exempted under the Constitution or by law. The open meetings requirements of Section 24, Article I have been judicially interpreted to apply to all meetings of two or more members of a public board, whether formal or informal, at which official acts are to be taken or at which any public business of the body is to be transacted or discussed. The proposed regulation comports with this judicial interpretation and clarifies the Board's intent for meetings of the boards of directors of direct support organizations and health support organizations to be noticed and open to the public, except with respect to meetings, or portions of meetings, exempted by law from the open meeting requirements of Section 24, Article I.

Pursuant to the Regulation Development Procedure, Regulation 1.005 was posted on the Board's website for public comment after initial consideration of the regulation by the Board. The comment period has since expired and Regulation 1.005 is submitted to the Board for approval.

Supporting Documentation Included: Proposed Public Meeting Regulation

Facilitators/Presenters: Vikki R. Shirley, General Counsel