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002- 55(S)-Memorandums and Public Notice Requirements

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UNIVERSITY OF SOUTH FLORIDA
STUDENT GOVERNMENT
Office of the Attorney General

Legal Opinion (S) (55-002)

Subject: Memorandums and Public Notice Requirements

Date: June 12th, 2014

Chief of Staff Greg Berkowitz issued a request for a legal opinion on June 12th, 2014. Chief of Staff Berkowitz asked how many memorandums are needed to be posted in the office to meet public notice requirement?

Statute 204.5 of the Student Government Statutes provides a clear description of what is a record within Student Government, "Student Government Records shall be defined as all material, regardless of physical form or characteristics, made or received pursuant to law or in connection with transaction of official business by any committee, agency, or branch of Student Government."

Furthermore,

Statute 204.6 states that "All Student Government Records shall be open to public inspection upon request. Student Government records, including but not limited to minutes and agendas, shall be submitted to the University Library at minimum, once a month. Responsibilities for performing this action shall be specified in the appropriate governing branch documents."


Furthermore,

While Student Government Statutes do not provide a definition of a "Memorandum" within Title 1 of Statutes, the definition of a "Memorandum" by Merriam-Webster defines a memorandum as "an informal written record of an agreement that has not yet become official."

Furthermore,

Statute 205.1.2 states "All Public Records shall be stored for a minimum of three (3) years."

Therefore, it is the Office of the Attorney General's opinion that a "Memorandum" signed by any Student Government Officer would be considered a record of Student Government. In addition, all records of Student Government must be kept on file for at least 3 years. Lastly, all Student Government records must also be sent to the University Library at least once a month. Any other actions are not required.


Alexander Johnson
Attorney General


Daniel Christopher
Solicitor General

CC:

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Senate President Pro-Tempore Abdool Aziz
Chief Justice Sammy Hamed
Chief of Staff Greg Berkowitz
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