



THE FLORIDA STATE UNIVERSITY  
DIVISION OF STUDENT AFFAIRS

To: FSU Student Senate

From: Dr. Amy Hecht, Vice President for Student Affairs

CC: Dr. Felicia Williams, Director, Student Engagement  
Dr. Brandon Bowden, Associate Vice President for Student Affairs  
Tazzy Janvier, Student Body President

Date: May 18, 2021

Subject: Bill 19: Legislative Subpoena Power

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The purpose of this memo is to follow up on Bill 19: Legislative Subpoena Power that was forwarded for my signature.

By the authority vested in me as Vice President of Student Affairs of Florida State University, under the provisions of Section 402.2 of the Student Body Statutes, I do hereby veto and transmit my objections to Senate Bill 19, enacted during the 73<sup>rd</sup> Session of the Student Senate of the Florida State University Student Government Association, during 2021:

The revisions proposed to Student Body Statutes 406 and 509 by Senate Bill 19 do not sufficiently define or adequately narrow the scope of materials that can be sought by the Investigative Board when it subpoenas records. While most of these additions help ensure procedural safeguards are established and followed when subpoenas are issued, the bill allows for the transmission of an undefined category of "any private records." This particular provision does not appear to recognize or address the limits of the Board's authority to request such records, nor does it explicitly provide for important exemptions as it relates to confidential records, such as documents or information protected by HIPPA or FERPA. This language, as it is currently written, is overly broad, unenforceable, and ultimately endangers student privacy rights. Finally, it appears that the only procedural recourse for not submitting a response to any subpoena issued would be a call for the impeachment of the non-responsive party. Is that the intention of the Senate?

For the above reasons, I hereby veto Senate Bill 19 and encourage the 73<sup>rd</sup> Student Senate to examine the role of the Investigative Board and develop a narrower and enforceable approach to subpoenas in order to address student privacy concerns and ensure that only information relevant to the subject of the investigation would be produced in response to any subpoena issued. Finally, the additions to the statutes do not provide for an adequate remedy should the President of Senate be the individual under investigation.

