



TO: Alex Tharp, Director, Center for Participant Education (CPE)

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

A handwritten signature in blue ink that reads "Amy Hecht".

DATE: April 14, 2020

RE: Appeal Related to Culver v. CPE

The matter has come before me as a result of an appeal filed seeking review of a recent decision of the Florida State University Student Government Supreme Court related to Culver verse the Center for Participant Education (CPE). Review has been requested by Alex Tharp following the decision of the Supreme Court related to their finding of CPE in violation of Student Body Statutes 203.9 (notice of public meetings) and 203.6 (meeting minutes). The Vice President for Student Affairs has appellate jurisdiction over decisions of the Student Supreme Court.

Student Body Statute 205.8 outlines a process for parties and organizations to file appeal the Supreme Court's decision to the Vice President for Student Affairs.

With regards to the first allegation filed by Culver that CPE did not provide public notice of their meeting the Statutes do not specify the means that public notice must occur.. The Student Body Statute does not specify the way in which the meeting must be noticed and therefore, the Supreme Court found the posts on Instagram insufficient. Given the lack of specificity in the Statutes, I disagree. Student leaders would assume public social media accounts in this day and age are very much public. However, I would recommed that the Student Government provide more specifics of where a public notice can be posted to fulfill this obligation.

Second, with regards to meeting minutes, the Student Body Statutes do not provide any guidance on what needs to be included in those minutes, including conversation leading to certain decisions. Again, I would ask that Student Government provide specifics to help organizations in the future. While the meeting minutes did lack specifics as to the rationale behind their decision, the Court did not make a determination that the decision was based on discrimination. Chapter 206 of the Student Body Statutes outlines discrimination acts. If CPE had been found responsible for discrimination (206.1), then the Supreme Court could

freeze funds. The Supreme Court was not within their jurisdiction to freeze funds based on violations of 203.9 and 203.6.

However, CPE should include a decision matrix or outline what they look at to determine which courses to accept or deny. That process for submission and decision making should be made public to avoid future concerns from the student body.

I will not overturn the judgment of the Supreme Court in this case, but I will overturn their remedy as it was not within their jurisdiction. As such, Student Government should release CPE's funds.

Notice of Appellate Rights: You may seek judicial review of this final University decision pursuant to Florida Rules of Appellate Procedure 9.190(b)(3), applicable to review of quasi-judicial decisions of an administrative body not subject to the Administrative Procedures Act, by filing a petition for certiorari review with the appropriate circuit court within thirty days of this final University decision. If you seek review with the court, you must also provide a copy of the petition to the following university office or official: Ms. Angela Jackson, Office of the General Counsel, 424 Westcott Building, 222 S. Copeland Street, Tallahassee, Florida 32306-1400.

cc: Danielle Acosta, Student Engagement
Carolyn Egan, University General Counsel
Angela Jackson, Agency Clerk