

**FSU-1.057 Public Records– Final Orders; Index and Listing, Management, Availability.**

(1) ~~General Information.~~ All Florida State University final orders are, as defined herein, shall be filed with the University Administrative Clerk, Office of General Counsel then and either indexed or and listed. University final orders are:

(a)Orders appealable to the Leon County Circuit Court as provided by Rule 9.190(b) (3) of the Florida Rules of Appellate Procedure; and

(b) Orders entered while university is acting pursuant to statutory authority derived from the Legislature. Such orders will also be subject to the requirements of Rule 1B-32.003, Florida Administrative Code, Maintenance of Agency Final Orders. All such final orders will be orders determining the substantial rights of persons and parties and the Office of Genral Counsel will advise on the applicability of this Regulation.

~~those documents of final action received and filed with the University Agency Clerk, Office of the University's General Counsel pursuant to Section 120.52(11), Florida Statutes The University Agency Clerk is responsible for the docketing, indexing, filing and listing of the final orders of the University.~~

~~(a) For purposes of this rule, final orders as defined by the Florida Department of State (DOS) Rule 1S-6.002, F.A.C., are required to be indexed pursuant to DOS Rule 1S 6.004, F.A.C. Final orders which do not resolve a substantial legal issue of first impression, establish for the first time a rule of law, principle, or policy; alter, modify, or clarify a prior final order; resolve conflicting final orders, or harmonize decisions of appellate courts shall be listed, but not indexed in the following categories:~~

- ~~1. Final orders resulting from informal proceedings under subsection 120.57(2), Florida Statutes~~
- ~~2. Final orders closing cases on the basis of settlements, consent orders, or stipulations under Section 120.57(3), Florida Statutes~~

(2) Numbering of Final Orders. All final orders that are required to be indexed and or listed shall be sequentially numbered at the time of filing with the University Agency Clerk with the year followed by the sequential number, as in 2017-1as required by subsection 120.52(11), Florida Statutes

~~(a) The numbering system for final orders indexed will include the agency educational unit designation (FSU), followed by a two-part number separated by a dash. The first part before the dash indicates the year, and the second part will indicate the numerical sequence of the order issued and filed during that year.~~

~~(b) An applicable order category is added following the University's designated final order docket number to aid in identifying the nature of the order. The final order categories are as follows:~~

~~DS ——— Declaratory Statement~~

~~FOI ——— Final Order Informal Proceedings~~

FOF — Final Order Formal Proceedings

S — Stipulation

AS — Agreed Settlement

CO — Consent Order

~~The letter designation “R” following the final order category or docket number indicates restricted or limited access to the text of the final order as the text of the order discloses or incorporates by reference material or matters coming within the scope of limited public access prescribed by subsections 240.237, 240.245, 240.253 and 228.093, Florida Statutes, relating to student records, faculty evaluations and personnel records (statutory exemptions from provisions of subsection 119.07(1), Florida Statute the Public Records Law), or any other state or federal law vesting public record custodial access limitation responsibilities upon the University (Examples, subsection 240.241(2), Florida Statutes, specified confidential material involved with sponsored research activities; Family educational and privacy rights protected by the provisions of 20 U.S.C.A. § 1232f, et seq, Part (3) IV— Records; Order Privacy; Limitation on Withholding Federal Funds).~~

(e) Final orders, the content or text of which indicate, refer to, or result from specified documentation coming within the scope of a protected by Sections 1002.225 and 1006.52 240.237, Florida Statutes, for student records, and university personnel records, including work evaluations, protected by Section 1012.91 240.253, Florida Statutes, will be restyled on a cover sheet by the Clerk and then docketed, indexed or listed by either the initials of the subject party or the identifiable subject matter of the case. Restricted public access to this type of final order is applicable only to material under the custody and control of the University. The Office of General Counsel will review and approve all requests for production of or access to such documents.

~~(4)-(3) Final Order Index. The University final order index is alphabetically-numerically arranged with non-FSU party listed except where confidential as in (3). Where possible, a descriptive parenthetical key word, such as Student Discipline, Employment and the like shall be included. by main subject headings from the Florida Statutes index when applicable. The applicable titles of citations of the Florida Statutes construed within the final order may determine the main subject headings and subheadings in the index. Main subject headings are fully capitalized titles, placed flush left on the page, and followed by relevant indented subheading titles in initial caps and lower case letters. Subheadings and sub-subheadings at equal indentations are alphabetized. Final orders are listed sequentially in an indentation immediately below the applicable subject heading. Cross references are used to direct the user to headings which contain the relevant information. Related key words (specific words, terms, and phrases) and common and colloquial words shall be listed and cross referenced to the appropriate main subject headings.~~

(5) (4) Maintenance of Records. The University Agency Clerk is responsible for providing information and assistance to the general public concerning any agency rule or order and will receive and act on requests for public inspection and copying. The Clerk shall also be the responsible person for any required activity or contact under Chapter 120, Florida Statutes. Note that use of “agency” in this or other university regulations does not itself confer state agency status for purposes of Chapter 120 or otherwise under state law unless otherwise specifically provided by law.

(a) The office of the University Agency Clerk is located in the Office of the General Counsel, ~~University Attorney Building, 540 West Jefferson Street,~~ 424 Westcott, 222 S. Copeland St. Tallahassee, Florida ~~32306-1400~~ 32306-1612. The telephone number is: (850)644-4440, FAX: (850)644-8973. This office is open to the public between the hours of 8:00 a.m. to 5:00 p.m., excluding holidays and weekends.

(b) ~~The University Agency Clerk is responsible for:~~

~~1. Maintaining the Florida State University final order index, the listing of final orders, and their availability to the public.~~

~~2. When an order is filed, the Clerk, as the indexer, will consult the main subject headings and subsequent similar entries shall be indexed under the existing appropriate heading. The index being cumulative, it shall be updated at least every 120 days and made accessible to the public. New main subject headings will be added when necessary. The index shall be cumulative in perpetuity.~~

~~3. Final Orders that comprise final agency action which must be indexed or listed, shall be permanently maintained by the University pursuant to its retention schedule approved by the Florida Department of State, Division of Library and Information Services.~~

Specific Authority BOG Regulation 1.001(3)(j) Law Implemented ~~120.53(1)(a)-(b), (2), (3), 120.532, 120.533, 119.07, 119.041, 1006.52, 1012.91, 228.093, 240.227(1), 240.237, 240.241(2), 240.253~~ FS. History—New 11-13-94, Rev. \_\_\_\_\_