



786806

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/19/2015	.	
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The Committee on Rules (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 32 - 104

and insert:

1004.097 Information identifying applicants for president or provost at state universities or Florida College System institutions; public records exemption; public meetings exemption.-

(1) Any identifying information of an applicant for president or provost of a state university or Florida College System institution is exempt from s. 119.07(1) and s. 24(a),



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12 Art. I of the State Constitution.

13 (2) (a) Any portion of a meeting held for the purpose of
14 identifying or vetting a potential applicant for president or
15 provost of a state university or Florida College System
16 institution is exempt from s. 286.011 and s. 24(b), Art. I of
17 the State Constitution.

18 (b) Any portion of a meeting that would disclose
19 identifying information of an applicant for president or provost
20 of a state university or Florida College System institution is
21 exempt from s. 286.011 and s. 24(b), Art. I of the State
22 Constitution.

23 (c) Any portion of a meeting that is closed pursuant to
24 paragraph (a) or paragraph (b) must be reasonably noticed. A
25 complete recording must be made of any closed portion of a
26 meeting, and a closed portion of a meeting may not be held off
27 the record. The recording of the closed portion of a meeting is
28 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
29 Constitution.

30 (d) Any portion of a meeting held for the purposes of
31 establishing the qualifications of potential applicants or
32 establishing the compensation framework to be offered to
33 potential applicants must be open to the public and is subject
34 to s. 286.011 and s. 24(b), Art. I of the State Constitution.

35 (3) No later than 30 days before the date of the meeting at
36 which a final action or vote is to be taken regarding the
37 employment of an applicant, identifying information of the
38 applicants on whom a final action or vote is to be taken is no
39 longer exempt as provided under subsections (1) and (2).

40 (4) This section is subject to the Open Government Sunset



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41 Review Act in accordance with s. 119.15 and shall stand repealed
42 on October 2, 2020, unless reviewed and saved from repeal
43 through reenactment by the Legislature.

44 Section 2. The Legislature finds that it is a public
45 necessity that any identifying information of an applicant for
46 president or provost of a state university or Florida College
47 System institution be exempt from s. 119.07(1), Florida
48 Statutes, and s. 24(a), Article I of the State Constitution. The
49 Legislature also finds that any portion of any meeting which is
50 held for the purpose of identifying or vetting applicants for
51 president or provost of a state university or Florida College
52 System institution or which would disclose identifying
53 information of an applicant be exempt from s. 286.011, Florida
54 Statutes, and s. 24(b), Article I of the State Constitution.
55 Identifying information of finalists is no longer exempt from
56 public records and public meetings requirements 30 days before
57 the date of the meeting at which a final action or vote occurs
58 regarding the hiring of a president or provost. The task of
59 filling the position of president or provost of a state
60 university or Florida College System institution is often
61 conducted by an executive search committee. Many, if not most,
62 applicants for such a position are currently employed at another
63 job at the time they apply and disclosure of their applications
64 could jeopardize their current positions. These exemptions from
65 public records and public meeting requirements are needed to
66 ensure that the executive search committee can avail itself of
67 the most experienced and desirable pool of qualified applicants
68 from which to fill the position of president or provost of a
69 state university or Florida College System institution. If



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70 potential applicants fear the possibility of losing their
71 current employment as a consequence of attempting to progress
72 along their chosen career path or seeking different and more
73 rewarding employment, failure to have these exemptions in place
74 could have a chilling effect on the number and quality of
75 applicants available to fill the position of president or
76 provost of a state university or Florida College System
77 institution.

78
79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Delete lines 4 - 12

82 and insert:

83 from public records requirements for identifying
84 information of an applicant for president or provost
85 of a state university or Florida College System
86 institution; providing an exemption from public
87 meeting requirements for any portion of a meeting
88 which is held for the purpose of identifying or
89 vetting, or which would otherwise disclose identifying
90 information of, potential applicants for president or
91 provost; requiring that closed meetings be