

1 A bill to be entitled

2 An act relating to public records and meetings;  
3 creating s. 1004.097, F.S.; providing an exemption  
4 from public records requirements for any personal  
5 identifying information of an applicant for president,  
6 provost, or dean of a state university or Florida  
7 College System institution; providing an exemption  
8 from public meeting requirements for any meeting held  
9 for the purpose of identifying or vetting applicants  
10 for president, provost, or dean of a state university  
11 or Florida College System institution and for any  
12 portion of a meeting held for the purpose of  
13 establishing the qualifications of, or any  
14 compensation framework to be offered to, such  
15 potential applicants which would disclose personal  
16 identifying information of an applicant or potential  
17 applicant; providing applicability; requiring release  
18 of the names of specified applicants within a certain  
19 timeframe; providing for future legislative review and  
20 repeal of the exemptions; providing a statement of  
21 public necessity; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Section 1004.097, Florida Statutes, is created  
26 to read:

27 1004.097 Information identifying applicants for president,  
28 provost, or dean at state universities or Florida College System  
29 institutions; public records exemption; public meeting  
30 exemption.—

31 (1) Any personal identifying information of an applicant  
32 for president, provost, or dean of a state university or Florida  
33 College System institution is confidential and exempt from s.  
34 119.07(1) and s. 24(a), Art. I of the State Constitution.

35 (2) Any meeting held for the purpose of identifying or  
36 vetting applicants for president, provost, or dean of a state  
37 university or Florida College System institution is exempt from  
38 s. 286.011 and s. 24(b), Art. I of the State Constitution. This  
39 exemption does not apply to a meeting held for the purpose of  
40 establishing the qualifications of potential applicants or any  
41 compensation framework to be offered to potential applicants.  
42 However, any portion of such a meeting that would disclose  
43 personal identifying information of an applicant or potential  
44 applicant is exempt from s. 286.011 and s. 24(b), Art. I of the  
45 State Constitution.

46 (3) Any meeting or interview held after a final group of  
47 applicants has been established for the purpose of making a  
48 final selection to fill the position of president, provost, or  
49 dean of a state university or Florida College System institution  
50 is subject to s. 286.011 and s. 24(b), Art. I of the State  
51 Constitution.

52 (4) The names of those included in the final group of

53 applicants pursuant to subsection (3) must be released by the  
54 state university or Florida College System institution no later  
55 than 10 days before the date of the meeting at which a final  
56 action or vote is to be taken on the employment of the  
57 applicants.

58 (5) Any personal identifying information of those included  
59 in the final group of applicants pursuant to subsection (3)  
60 becomes subject to s. 119.07(1) and s. 24(a), Art. I of the  
61 State Constitution when the names of such applicants are  
62 released pursuant to subsection (4).

63 (6) This section is subject to the Open Government Sunset  
64 Review Act in accordance with s. 119.15 and shall stand repealed  
65 on October 2, 2020, unless reviewed and saved from repeal  
66 through reenactment by the Legislature.

67 Section 2. The Legislature finds that it is a public  
68 necessity that any personal identifying information of an  
69 applicant for president, provost, or dean of a state university  
70 or Florida College System institution be made confidential and  
71 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
72 Article I of the State Constitution. The Legislature also finds  
73 that any meeting held for the purpose of identifying or vetting  
74 applicants for president, provost, or dean of a state university  
75 or Florida College System institution and any portion of a  
76 meeting held for the purpose of establishing qualifications of,  
77 or any compensation framework to be offered to, such potential  
78 applicants which would disclose personal identifying information

79 of an applicant or potential applicant be made exempt from s.  
80 286.011, Florida Statutes, and s. 24(b), Article I of the State  
81 Constitution. The task of filling the position of president,  
82 provost, or dean of a state university or Florida College System  
83 institution is often conducted by an executive search committee.  
84 Many, if not most, applicants for such a position are currently  
85 employed at another job at the time they apply and disclosure of  
86 their applications could jeopardize their current positions.  
87 These exemptions from public records and public meeting  
88 requirements are needed to ensure that the executive search  
89 committee can avail itself of the most experienced and desirable  
90 pool of qualified applicants from which to fill the position of  
91 president, provost, or dean of a state university or Florida  
92 College System institution. If potential applicants fear the  
93 possibility of losing their current employment as a consequence  
94 of attempting to progress along their chosen career path or  
95 seeking different and more rewarding employment, failure to have  
96 these exemptions in place could have a chilling effect on the  
97 number and quality of applicants available to fill the position  
98 of president, provost, or dean of a state university or Florida  
99 College System institution.

100 Section 3. This act shall take effect October 1, 2015.