1   A bill to be entitled

2   An act relating to public records and public 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   vice president, provost, or dean of a state university

7   or Florida College System institution; providing an

8   exemption from public meeting requirements for any

9   meeting held for the purpose of identifying or vetting

10   applicants for president, vice president, provost, or

11   dean of a state university or Florida College System

12   institution and for any portion of a meeting held for

13   the purpose of establishing qualifications of, or any

14   compensation framework to be offered to, such

15   potential applicants that would disclose personal

16   identifying information of an applicant or potential

17   applicant; providing for applicability; requiring

18   release of the names of specified applicants within a

19   certain timeframe; providing for future legislative

20   review and repeal of the exemptions; providing a

21   statement of public necessity; providing an effective

22   date.

23

24   Be It Enacted by the Legislature of the State of Florida:

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26   Section 1. Section 1004.097, Florida Statutes, is created
27 to read:
28   1004.097 Information identifying applicants for president,
29 vice president, provost, or dean at state universities and
30 Florida College System institutions; public records exemption;
31 public meeting exemption.
32   (1) Any personal identifying information of an applicant
33 for president, vice president, provost, or dean of a state
34 university or Florida College System institution is confidential
35 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
36 Constitution.
37   (2) Any meeting held for the purpose of identifying or
38 vetting applicants for president, vice president, provost, or
39 dean of a state university or Florida College System institution
40 is exempt from s. 286.011 and s. 24(b), Art. I of the State
41 Constitution. This exemption does not apply to a meeting held
42 for the purpose of establishing qualifications of potential
43 applicants or any compensation framework to be offered to
44 potential applicants. However, any portion of such a meeting
45 that would disclose personal identifying information of an
46 applicant or potential applicant is exempt from s. 286.011 and
47 s. 24(b), Art. I of the State Constitution.
48   (3) Any meeting or interview held after a final group of
49 applicants has been established and held for the purpose of
50 making a final selection to fill the position of president, vice

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51 president, provost, or dean of a state university or Florida

52 College System institution is subject to the provisions of s.

53 286.011 and s. 24(b), Art. I of the State Constitution.

54 (4) The names of applicants who comprise a final group of

55 applicants pursuant to subsection (3) must be released by the

56 state university or Florida College System institution no later

57 than 21 days before the date of the meeting at which final

58 action or vote is to be taken on the employment of the

59 applicants.

60 (5) Any personal identifying information of applicants who

61 comprise a final group of applicants pursuant to subsection (3)

62 become subject to the provisions of s. 119.07(1) and s. 24(a),

63 Art. I of the State Constitution at the time the names of such

64 applicants are released pursuant to subsection (4).

65 (6) This section is subject to the Open Government Sunset

66 Review Act in accordance with s. 119.15 and shall stand repealed

67 on October 2, 2022, unless reviewed and saved from repeal

68 through reenactment by the Legislature.

69 Section 2. The Legislature finds that it is a public

70 necessity that any personal identifying information of an

71 applicant for president, vice president, provost, or dean of a

72 state university or Florida College System institution be made

73 confidential and exempt from s. 119.07(1), Florida Statutes, and

74 s. 24(a), Art. I of the State Constitution. It is also the

75 finding of the Legislature that any meeting held for the purpose

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 76 of identifying or vetting applicants for president, vice
 77 president, provost, or dean of a state university or Florida
 78 College System institution and any portion of a meeting held for
 79 the purpose of establishing qualifications of, or any
 80 compensation framework to be offered to, such potential
 81 applicants that would disclose personal identifying information
 82 of an applicant or potential applicant be made exempt from s.
 83 286.011, Florida Statutes, and s. 24(b), Art. I of the State
 84 Constitution. The task of filling the position of president,
 85 vice president, provost, or dean within a state university or
 86 Florida College System institution is often conducted by an
 87 executive search committee. Many, if not most, applicants for
 88 such a position are currently employed at another job at the
 89 time they apply and could jeopardize their current positions if
 90 it were to become known that they were seeking employment
 91 elsewhere. These exemptions from public records and public
 92 meeting requirements are needed to ensure that such a search
 93 committee can avail itself of the most experienced and desirable
 94 pool of qualified applicants from which to fill the position of
 95 president, vice president, provost, or dean of a state
 96 university or Florida College System institution. If potential
 97 applicants fear the possibility of losing their current jobs as
 98 a consequence of attempting to progress along their chosen
 99 career path or simply seeking different and more rewarding
100 employment, failure to have these safeguards in place could have

101 a chilling effect on the number and quality of applicants

102 available to fill the position of president, vice president,

103 provost, or dean of a state university or Florida College System

104 institution.

105   Section 3. This act shall take effect upon becoming a law.

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