

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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BILL #: [CS/HB 1321](#)
TITLE: Higher Education
SPONSOR(S): Salzman

COMPANION BILL: [SB 1726](#) (Calatayud)
LINKED BILLS: None
RELATED BILLS: None

Committee References

[Education & Employment](#)
14 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill establishes term limits for members of the Board of Governors (BOG), the State Board of Education (SBE), and state university and state college boards of trustees. Board of trustees members may continue to serve after the expiration of their term until a successor is appointed. The bill also limits the length of time a SBE or state college board of trustees member may serve as board chair. The bill establishes residency requirements for the BOG and state university boards of trustees. The bill requires that appointed BOG members file a full and public disclosure of financial interests. The bill repeals the public records exemption for state university and state college presidential applicants and makes additional changes to the presidential search and selection process. The bill also authorizes a presidential contract to be renewed for a term exceeding 1 year, but not exceeding the term of the original contract.

The bill requires state universities to post admission criteria for academic programs on their websites which the BOG must periodically review. The bill prohibits state colleges and universities from imposing certain courses as a graduation requirement. The bill requires enhanced textbook, instructional material, and course syllabus transparency from state colleges and universities. The bill amends a requirement for the BOG's prioritized list for capital outlay projects and authorizes a UBOT to determine whether its auxiliary services, including athletics, will be self-supporting on an individual or collective basis. Finally, the bill removes requirements relating to the Institute for Freedom in the Americas at Miami Dade College.

Fiscal or Economic Impact:

None

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ANALYSIS

EFFECT OF THE BILL:

The bill establishes [term limits](#) for appointed board members as follows:

- Board of Governors (BOG): may serve a single 7-year term total.
- State Board of Education (SBE): may serve up to two 4-year terms total.
- State University System Boards of Trustees (UBOT): may serve up to two consecutive 5-year terms.
- Florida College System Boards of Trustees (FCS BOT): may serve up to two consecutive 4-year terms.

A SBE or FCS BOT member may only serve as board chair for one 2-year term. An appointed UBOT or FCS BOT member may continue to serve until a successor is appointed. (Sections [3](#), [4](#), [6](#), and [8](#)).

Effective January 6, 2027, an appointed member of the BOG or a UBOT must be a United States citizen and either a Florida resident or, for the BOG, a graduate of a state university or, for a UBOT, a graduate of the state university which the UBOT serves. On or after January 6, 2027, a position on the BOG or a UBOT which is held by a person

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who does not meet the residency requirements will be deemed vacant. The bill removes a requirement that the Governor and BOG consider diversity when appointing members to a UBOT. (Sections [1](#) and [8](#)).

Beginning January 1, 2026, an appointed member of the BOG must comply with s. 8, Art. II of the State Constitution as well as Florida law¹ by annually filing a [full and public disclosure](#) of his or her financial interests. (Section [2](#)).

The bill repeals the [public records and public meeting exemption](#) for state university and state college [presidential applicants](#). The bill also requires each UBOT and FCS BOT to adopt a presidential succession plan specifying lines of authority should the president not fulfill his or her full term, with each successor identified in the plan being a current employee of the institution. An interim president may only be appointed or selected in conformance with the succession plan or after a search is conducted pursuant to state law.²

The bill requires that upon the vacancy or anticipated vacancy of a state university or state college presidency, no public officer, including the Governor, or employee of an executive branch agency may discuss the vacancy, process for filling the vacancy, or promote or advocate for an individual for president with a member or employee of the BOG, SBE, UBOT, or FCS BOT. (Section [10](#)).

The bill removes the requirement that the BOG confirm a UBOT's presidential selection or reappointment. Instead, the bill empowers the UBOT to select and appoint a president of its choosing. Likewise, the bill makes corresponding changes to the presidential search and selection process for state colleges.

The bill requires a UBOT or FCS BOT chair to appoint a presidential search committee when seeking a permanent president. Composition of the search committee is prescribed and no one on the committee can hold a position that reports directly to the president. Neither the Chancellor of the State University System (SUS) nor a BOG member may serve on the presidential search committee for a SUS institution and neither the Commissioner of Education nor a SBE member may serve for a FCS institution. The permanent president appointed by a UBOT or FCS BOT must have been recommended by the search committee. The bill also authorizes a UBOT or FCS BOT to renew a presidential contract for a term exceeding 1 year, but not exceeding the term of the original contract. (Sections [5](#) and [7](#)).

The bill requires that when the BOG conducts its required periodic review of a state university's mission and the alignment of existing academic programs with the mission,³ the admission criteria for the programs must also be included in the review. The BOG must issue a directive to the university regarding any admission criteria that violates the Florida Educational Equity Act.⁴ To assist the BOG in its review of admission criteria, each university must post program admission criteria on its website. (Section [7](#)).

The bill prohibits state colleges and universities from imposing an institution-wide graduation requirement that includes a course in conflict with state statute⁵ prohibiting general education core courses from distorting significant historical events or including a curriculum that teaches identity politics, violates the Florida Educational Equity Act, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities. (Section [12](#)).

The bill strengthens previous efforts to provide state college and state university students with transparent information regarding [course content and affordability](#). To that end, in addition to the identifying information already described in statute,⁶ FCS and SUS institutions are required to prominently post information on textbooks and instructional materials, including those that are open access or otherwise free of cost, for at least 95 percent of all courses and course sections each term, which is defined to include fall, spring, and summer terms. Institutions

¹ Section [112.3144, F.S.](#)

² Sections [1001.64\(19\)](#) and [1001.706\(6\)\(a\), F.S.](#)

³ Section [1001.706\(5\)\(a\), F.S.](#)

⁴ Section [1000.05, F.S.](#)

⁵ Section [1007.25\(3\)\(c\), F.S.](#)

⁶ Section [1004.085\(5\)\(a\), F.S.](#)

may also provide another unique identifier as an alternative to an International Standard Book Number (ISBN) when appropriate.

The lists of required and recommended textbooks and instructional materials must be based on lists submitted by instructors and, in addition to existing requirements:⁷

- be searchable by general education status and course section;
- include the duration of any license allowing access to the textbook or instructional material; and
- display corresponding retail costs, when applicable, to help students determine the value of any bulk pricing program.

To maximize informed student choice, the current syllabi posting requirement⁸ is expanded to include all courses subject to the textbook and instructional materials posting requirement. The syllabi must be current and posted by hyperlink prominently in the course registration system. Syllabi must include:

- the course curriculum, including the required, recommended, and supplemental textbooks and instructional materials regardless of cost or whether the materials are open access or open educational resource;
- specific goals, objectives, and student expectations of the course; and
- how student performance will be evaluated, including the grading scale and methodology.

The changes made by the bill relating to textbook, instructional material, and course syllabus transparency take effect on January 1, 2026. (Section [9](#)).

Under current statute, a new construction, remodeling, or renovation project that has not received an appropriation in a previous year will not be considered for inclusion on the prioritized list submitted by the BOG for [capital outlay projects](#) unless a plan is provided to reserve funds in an escrow account specific to the project. Each year, 1 percent of the total value of the building must be deposited in the account for future maintenance. The bill provides that such an escrow account does not have to be specific to the project. (Section [7](#)).

The bill authorizes a UBOT to determine whether its [auxiliary services](#), including athletics, will be self-supporting on an individual or collective basis. A UBOT may approve the transfer of unreserved cash from one auxiliary enterprise to support another auxiliary enterprise as long as the transfer does not reduce revenues necessary to cover all expenditures of the auxiliary enterprise or violate any bond covenants or impact debt service payments and required reserves. Such transfers must be reported to the BOG annually and these provisions expire on June 30, 2030. (Section [13](#)).

The bill removes a requirement that the [Institute for Freedom in the Americas](#) (Institute) at Miami Dade College partner with the Adam Smith Center for Economic Freedom at Florida International University to hold workshops, symposiums, and conferences. The bill also removes a requirement for Miami Dade College to approve a direct-support organization to support the Institute in its mission to develop partnerships throughout the Americas. (Section [11](#)).

Except as otherwise expressly provided in the bill and except for this section, which would take effect upon the bill becoming a law, the effective date for the bill is July 1, 2025. (Section [14](#)).

RULEMAKING:

Current law authorizes a FCS BOT to adopt rules, procedures, and policies consistent with law and rules of the SBE, including governance, personnel, and administration. The bill modifies provisions of law already under SBE and FCS BOT authority, thus allowing them to make rules to implement the bill.⁹

Likewise, current law authorizes the BOG to adopt regulations for the BOG and UBOT to use in implementing their duties and responsibilities. The BOG may also delegate a power or duty to a UBOT and the authority to adopt rules

⁷ Section [1004.085\(5\)\(b\), F.S.](#)

⁸ Section [1004.085\(5\)\(c\), F.S.](#)

⁹ Section [1001.64\(4\)\(b\) and \(18\)-\(19\), F.S.](#); r. 6A-14.026, F.A.C.

or regulations is included in that delegation. The bill modifies provisions of law already under BOG and UBOT authority, therefore allowing them to make rules and regulations to implement the bill.¹⁰

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Term Limits

Under current law, the 14 gubernatorially appointed, citizen members of the BOG serve staggered 7-year terms, with no limit to how many years they can serve. The three additional BOG members are the Commissioner of Education, the chair of the advisory council of faculty senates or the equivalent, and the president of the Florida Student Association or the equivalent.¹¹

The seven gubernatorially appointed, citizen members of the SBE serve staggered 4-year terms and may serve up to two terms consecutively, so a person can serve for longer than 8 years as long as no more than two terms are consecutive.¹² SBE members are required to be Florida residents, but BOG members are not. A SBE member may serve as the board chair for up to two 2-year terms, but there are no limitations on BOG chair service.¹³

Currently, the 11 appointed citizen members of a UBOT serve staggered 5-year terms and there is not a limit on how many consecutive terms a member may serve. Six members are appointed by the Governor and five are appointed by the BOG. The other two members are the chair of the faculty senate or the equivalent and the president of the student body of the university. UBOT members are not required to be Florida residents, but the Governor and BOG are directed to consider diversity and regional representation when appointing members.¹⁴ According to BOG regulation 1.001(1), a member may serve as chair for no more than two consecutive 2-year terms, unless approved by a vote of two-thirds of the UBOT.

The Governor appoints the members of a FCS BOT to staggered 4-year terms and there are no term limits for serving as a member or board chair.¹⁵ FCS BOT members must be a resident of the service delivery area of the college.¹⁶

Full and Public Disclosure of Financial Interests

Full and Public Disclosure (Form 6)

The Florida Constitution requires all elected constitutional officers and candidates for such offices to file a full and public disclosure of their financial interests.¹⁷ Other public officers, candidates, and public employees may be required to file a full and public disclosure of their financial interests as determined by law.¹⁸ Under the Florida Constitution, the term “full and public disclosure of financial interests” means the reporting individual must disclose his or her net worth and the value for each asset and liability in excess of \$1,000.¹⁹ The disclosure must be accompanied by either a sworn statement that identifies each separate source and amount of income that exceeds \$1,000 or a copy of the reporting individual’s most recent federal income tax return.²⁰

¹⁰ Section [1001.706\(1\)-\(2\) and \(6\)\(a\), F.S.](#); BOG regulations 1.001, 1.002, and 8.003

¹¹ Section [1001.70\(1\), F.S.](#)

¹² Section [1001.01\(1\), F.S.](#)

¹³ Sections [1001.01\(1\)-\(2\)](#) and [1001.70\(1\), F.S.](#)

¹⁴ Section [1001.71\(1\), F.S.](#)

¹⁵ Section [1001.61\(2\) and \(4\), F.S.](#)

¹⁶ Art. IX, s. 8, Fla. Const.

¹⁷ Art. II, s. 8(a), Fla. Const.; see ss. [112.3144\(1\)\(b\)](#) and [112.3145, F.S.](#)

¹⁸ *Id.*

¹⁹ Art. II, s. (8)(j)(1), Fla. Const.

²⁰ See [112.3144\(6\)\(c\) and \(7\)\(a\), F.S.](#) (Beginning January 1, 2023, the Commission may not accept federal income tax returns for proof of income.)

Pursuant to general law, the Commission on Ethics (Commission) has created by rule CE Form 6 (Form 6), which is used to make the required full and public financial disclosure.²¹ Reporting individuals are required to file a Form 6 annually with the Commission by July 1 through the Commission’s electronic filing system.²²

The Form 6 requires filers to report their net worth, assets, and liabilities.²³ The filer must report the specific identification and value of each asset which exceeds \$1,000 in value and provide the name and addresses for the creditor for each liability which exceeds \$1,000 in amount and its amount, and must submit a statement of the value of the reporting person’s net worth as of December 31 of the preceding year or a more current date.²⁴

Statement of Financial Interests—Limited Financial Disclosure (Form 1)

In addition to provisions governing the Form 6, current law provides for a less detailed disclosure of financial interests using the Commission’s CE Form 1 (Form 1).²⁵ A Form 1 must be filed by a large group of local officers, including all officers holding elected positions in any political subdivision of the state, other than counties, and specified appointed officers.²⁶ Other persons required to file a Form 1 include specified state officers and employees and persons seeking to qualify as candidates for these specified state or local office.²⁷

The Form 1 requires filers to disclose specified information related to sources of income, real property, intangible personal property, liabilities, and interests in specified businesses.²⁸ Although no specific dollar values of incomes, property, or liabilities are required to be reported, the filer must report which assets or liabilities exceed certain dollar thresholds.²⁹ Form 1 filers must: disclose all sources of income in excess of \$2,500, excluding public salary; all sources of income from a business entity the filer had a material interest in where their gross income was in excess of \$5,000 and in excess of 10 percent of the businesses gross income; any property in Florida, except for their residence or vacation home, in which the person owns more than 5 percent of the value of the property; any intangible personal property in excess of \$10,000; and any liability in excess of \$10,000.³⁰

The Benefits of Full and Public Disclosure

Research shows that financial disclosures are positively related to increased governmental quality and lower corruption.³¹ Moreover, full and public financial disclosures—such as the Form 6—are associated with lower rates of corruption, whereas private disclosures (those that are only submitted to a regulatory body, not the public at large) are not systematically related to better government and lower corruption.³² Full and public financial disclosures help identify and address any conflicts with the filer’s governmental responsibilities.³³ As a result, research suggests that full and public financial disclosures support anti-corruption efforts, with prosecution rates rising when officials must disclose publicly.³⁴ On the other hand, research suggests that corruption prosecution rates are lower when government officials craft disclosure content requirements so as to avoid fully disclosing

²¹ See r. 34-8.002, F.A.C.

²² Art. II, s. (8)(j)(1), Fla. Const.; see [s. 112.3144\(2\), F.S.](#)

²³ See art. II, s. (8)(j), Fla. Const.; [s. 112.3144\(5\)-\(6\), F.S.](#); r. 34-8.004, F.A.C.

²⁴ *Id.*

²⁵ See [s. 112.3145, F.S.](#); r. 34-8.202, F.A.C.

²⁶ See [s. 112.3145, F.S.](#); r. 34-8.202, F.A.C. For a guide explaining who must file the Form 1 and what the Form 1 entails, see Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*, p. 15-19., available at <https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf?cp=2023310> (last visited Apr. 8, 2025).

²⁷ *Id.*

²⁸ Section [112.3145, F.S.](#)

²⁹ See [s. 112.3145\(3\), F.S.](#)

³⁰ Section [112.3145\(3\)\(a\), F.S.](#)

³¹ See e.g. Djankov et al, *Disclosure by Politicians*, 2 Am. Econ. J. 179, (Apr. 2010) available at https://scholar.harvard.edu/files/shleifer/files/disclosure_by_politicians_aejapp_final.pdf.

³² See *Id.* at 198.

³³ U.S. Government Accountability Office, *Financial Disclosure: Updates Are Needed to the Public Reporting Requirements*, Report No. GAO-25-107039, available at <https://www.gao.gov/products/gao-25-107039#:~:text=Regular%20disclosure%20of%20personal%20financial,filers%20in%20the%20executive%20branch.>

³⁴ Scherf, *How do Online Conflict Disclosures Support Enforcement? Evidence from Personal Financial Disclosures and Public Corruption*, London School of Econ. (2024), at 31, available at https://eprints.lse.ac.uk/121395/4/How_do_online_conflict_disclosures_support_enforcement.pdf

potential financial conflicts.³⁵ Requiring that governmental officials file comprehensive financial disclosures like the Form 6 ensures transparency as they cannot avoid disclosing information that could show a conflict of interest exists. Greater transparency is associated with greater accountability; greater accountability is associated with lower corruption.³⁶

The Board of Governors' Financial Responsibilities

The BOG is established pursuant to the Florida Constitution with the general duties of operating, regulating, controlling, and being fully responsible for the SUS.³⁷ More specifically, the BOG must account for all expenditures of state, local, federal, and other funds.³⁸ The BOG also establishes tuition and fees, unless otherwise provided by law; may secure comprehensive general liability insurance; and may transfer unused appropriations from the Education/General Student and Other Fees Trust Fund between institutions.³⁹ The BOG must prepare the legislative budget requests for the SUS and provide each university with fiscal policy guidelines, formats, and instruction for the development of individual university budgets.⁴⁰ Ultimately, each individual university's operating budget must be approved by the BOG.⁴¹

Presidential Search and Selection

For the SUS:⁴²

- The UBOT Chair, in consultation with the BOG Chair, appoints a 15-member search committee.
- Any personal identifying information of applicants is kept confidential until the final group of applicants is established.⁴³
- The search committee recommends an unranked list of more than two final applicants to the UBOT, subject to prior review and approval by the BOG Chair. If exceptional circumstances make fulfilling this requirement infeasible, the committee must discuss why fewer than three applicants are being recommended and whether additional applications should be considered. If more than two candidates are not coming forward, the UBOT must be notified of the reason and may decline to act.
- The UBOT selects a final qualified candidate as president-elect for recommendation to the BOG for confirmation.
- Renewals of presidential employment contracts also must be confirmed by the BOG and are currently limited by BOG regulation 1.001(5)(d) to 1-year terms.⁴⁴

BOG regulation 1.002 details the criteria each UBOT must adhere to for presidential search and selection including the composition of the search committee, executive compensation analysis, timeline, procedures, vetting process, candidate ranking process, recommending a final qualified candidate to the BOG for confirmation, and drafting an employment contract, among other requirements.

Amendments to BOG regulation 1.002 since 2022 include:

- establishing the BOG Chair as an ex officio member of a presidential search committee;
- increasing BOG designees on a search committee from 1 to 2 members;
- requiring a search committee to submit for review and approval the proposed unranked list of final applicants to the BOG Chair prior to submission to the UBOT;
- requiring an explanation from a search committee to a UBOT if it recommends fewer than three applicants; and

³⁵ *Id.*

³⁶ See Schnell, *To Know is to Act? Revisiting the Impact of Government Transparency on Corruption*, 43 Pub. Admin. & Dev (2023), available at

<https://onlinelibrary.wiley.com/doi/full/10.1002/pad.2029?msocid=2576678410e762633877729c119c6369/>

³⁷ Art. IX., s. 7(d), Fla. Const.

³⁸ *Id.*; Section [1001.706\(4\)\(a\), F.S.](#)

³⁹ Section [1001.706\(4\)\(c\)-\(d\), F.S.](#)

⁴⁰ Section [1001.706\(4\)\(b\), F.S.](#)

⁴¹ BOG regulation 9.007

⁴² BOG regulations 1.001(5) and 1.002

⁴³ Section [1004.098, F.S.](#)

⁴⁴ The current regulation codifying the existing practice for renewals of presidential employment contracts to come before the BOG for confirmation and to be limited to 1-year terms was adopted by the BOG on August 31, 2017.

- requiring that all persons with access to confidential applicant information sign a non-disclosure agreement (NDA) to ensure confidentiality of the information as required by law.⁴⁵

In the event a UBOT selects an interim president, a search is not required, but the candidate is subject to confirmation by the BOG. A UBOT may delegate the selected interim president full authority to serve during the period prior to BOG confirmation if it is determined to be in the best interests of the university.⁴⁶

For the Florida College System (FCS):⁴⁷

- The FCS BOT is required to appoint, suspend, or remove the president and must notify the SBE immediately.
- The FCS BOT may appoint a search committee, but is not required to do so.
- Any personal identifying information of applicants is kept confidential until the final group of applicants is established.⁴⁸

[Public Records Exemption](#)

In 2022, in an effort to expand the pool of qualified applicants, the Legislature passed a public records and public meeting exemption that kept the personal identifying information of non-finalist applicants for president of a state college or state university confidential. However, the personal identifying information of a finalist would no longer be confidential beginning the earlier of the date they are made a finalist or 21 days before a meeting to interview or hire any of the finalists.⁴⁹

In 2024, the BOG amended regulation 1.002 to address issues related to presidential searches that arose following the exemption taking effect.⁵⁰ The exemption is subject to the Open Government Sunset Review Act⁵¹ and will be repealed on October 2, 2027, unless reenacted by the Legislature.⁵²

[Textbook, Instructional Material, & Course Syllabus Affordability and Transparency](#)

Florida law requires state universities and colleges to post lists online of required and recommended textbooks and instructional materials for at least 95 percent of courses and course sections offered at the institution during the upcoming term. The lists must include the International Standard Book Number (ISBN) or other identifying information, including, at a minimum, all of the following: the title, all authors listed, publishers, edition number, copyright date, published date, and other relevant information necessary to identify the specific textbooks or instructional materials required and recommended for each course.⁵³

The lists must:⁵⁴

- Be posted as early as is feasible but at least 45 days before the first day of class for each term.
- Remain posted for at least 5 academic years.
- Be searchable by the course subject, the course number, the course title, the name of the instructor of the course, the title of each assigned textbook or instructional material, and each author of an assigned textbook or instructional material.
- Be easily downloadable by current and prospective students.

⁴⁵ Section [1004.098, F.S.](#)

⁴⁶ BOG regulation 1.001(5)(e)

⁴⁷ Section [1001.64\(18\)-\(19\), F.S.](#); r. 6A-14.026, F.A.C.

⁴⁸ Section [1004.098, F.S.](#)

⁴⁹ Section [1004.098\(1\)-\(2\), F.S.](#)

⁵⁰ Florida Board of Governors, *Notice of Proposed Amended Regulation: 1.002, Presidential Search and Selection* (2024), available at [1.002 Proposed Amended Regulation Form-1.pdf](#).

⁵¹ Section [119.15, F.S.](#)

⁵² Section [1004.098\(3\), F.S.](#)

⁵³ Section [1004.085\(5\)\(a\), F.S.](#)

⁵⁴ Section [1004.085\(5\)\(b\), F.S.](#)

For general education core courses,⁵⁵ course syllabi information must be included and contain sufficient detail to inform students of the following:⁵⁶

- The course curriculum.
- The goals, objectives, and student expectations of the course.
- How student performance will be measured.

[Public Education Capital Outlay \(PECO\) Project Prioritization](#)

The BOG is required to submit a prioritized list of projects to receive PECO funding.⁵⁷ Projects considered for prioritization must be chosen from a preliminary selection group that includes projects that have previously had state funds appropriated that have not yet been completed⁵⁸ and the top two priorities of each state university.

The BOG uses a points-based prioritization method to rank projects for consideration from the preliminary selection group that awards points for the degree to which a project meets specific criteria compared to other projects in the preliminary selection group. The project scoring the highest for each criterion shall be awarded the maximum points in the range of points within the points scale developed by the board.⁵⁹

A new construction, remodeling, or renovation project that has not received an appropriation in a previous year must not be considered for inclusion on the prioritized list, unless:⁶⁰

- A plan is provided to reserve funds in an escrow account, specific to the project, into which shall be deposited each year an amount of funds equal to 1 percent of the total value of the building for future maintenance;
- There exists sufficient capacity within the cash and bonding estimate of funds by the Revenue Estimating Conference to accommodate the project within the 3-year PECO funding cycle; and
- The project has been recommended in a state university's educational plant survey.⁶¹

[Auxiliary Services](#)

Under current law,⁶² "auxiliary enterprises" includes activities that directly or indirectly provide a product or a service, or both, to a university or its students, faculty, or staff and for which a charge is made. These auxiliary enterprises are business activities of a university which require no support from the General Revenue Fund, and include activities such as housing, bookstores, student health services, continuing education programs, food services, college stores, operation of vending machines, specialty shops, day care centers, golf courses, student activities programs, data center operations, and intercollegiate athletics programs.⁶³

Under current BOG regulation⁶⁴, each auxiliary service is an individual entity and is accounted for as such. A service may be operated by the institution or by a private contractor under the institution's supervision. Under either arrangement, all pertinent institutional revenues and costs are assigned to the auxiliary service.

A uniform system of financial reporting is required for auxiliary services within the SUS. Each institution may determine whether its auxiliary services will be self-supporting on an individual or collective basis, except for athletics, which must be a self-supporting entity. The use of unreserved cash from a non-athletic auxiliary may be considered for athletics by the UBOT and approved by the BOG, which will consider this on a case by case basis, taking into consideration the unique facts and circumstances surrounding each situation. The university administration must provide, at a minimum, the following information to the UBOT for its consideration, and subsequently to the BOG, so that a transparent and informed decision can be made:

⁵⁵ Section [1007.25\(3\), F.S.](#)

⁵⁶ Section [1004.085\(5\)\(c\), F.S.](#)

⁵⁷ Section [1013.64\(4\), F.S.](#)

⁵⁸ Section [1001.706\(12\)\(d\), F.S.](#)

⁵⁹ Section [1001.706\(12\)\(a\)-\(b\), F.S.](#)

⁶⁰ Section [1001.706\(12\)\(c\), F.S.](#)

⁶¹ Section [1013.31, F.S.](#)

⁶² Art. III, s. 19(f)(3), Fla. Const.

⁶³ Section [1011.47\(1\), F.S.](#)

⁶⁴ BOG regulation 9.013

- the specific non-athletic auxiliary the funds are coming from, the amount of the proposed transfer, and the amount of reserves available;
- justification that the use of unreserved cash from the non-athletic auxiliary will benefit the broader student body or campus community;
- if the supporting non-athletic auxiliary has outstanding debt, verification that the funds to be used are unreserved cash balances and that sufficient current revenues exist to cover all expenditures, including, but not limited to, debt service payments and required reserves;
- assurance by the university, with concurrence of the Division of Bond Finance, that such transfer does not violate any bond covenants; and
- in the event the non-athletic auxiliary revenues to be transferred include student fees or payments, documentation that a disclosure has been made to students that non-athletic auxiliary revenues which include student fees or payments will be transferred to athletics.

Revenues for auxiliary services must not be provided from general revenue supported budget entities except in payment of goods and/or services. Provided, however, auxiliary services may be housed in buildings that are financed from other sources. Proposed expenditures from the various auxiliary funds must be reflected in annual budgets filed with the Board of Governors.

[Institute for Freedom in the Americas](#)

The Institute was established at Miami Dade College by the Legislature in 2024 with a mission to preserve the ideals of a free society and promote democracy in the Americas.⁶⁵ The Institute is dedicated to fostering a culture of freedom, democracy, and global governance. It prepares future leaders to make a lasting positive impact in their communities by championing democratic values and processes. Committed to promoting civic engagement and encouraging global dialogue, the Institute serves as a beacon for advancing democratic principles worldwide.⁶⁶

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2022	CS/SB 520	Garrison	Brandes	Took effect on March 15, 2022
2022	SB 7044	Mariano	Diaz	Took effect on July 1, 2022

OTHER RESOURCES:

[State University System Textbook and Instructional Materials Affordability Report 2023-2024](#)

⁶⁵ Section [1004.89, F.S.](#)

⁶⁶ Miami Dade College, Institute for Freedom in the Americas, *Home*, [Institute for Freedom in the Americas | Miami Dade College](#) (last visited Apr. 8, 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Education & Employment Committee	14 Y, 0 N, As CS	4/8/2025	Hassell	Blalock
<p>THE CHANGES ADOPTED BY THE COMMITTEE:</p> <ul style="list-style-type: none"> • Maintains the repeal of the presidential search public records exemption and requires a cone of silence upon an anticipated vacancy or vacancy of the office of president at a state university system (SUS) or Florida College System (FCS) institution. • Allows renewal of SUS and FCS presidential contracts for longer than one year, up to the term of the original contract. • Requires SUS and FCS institutions to adopt a presidential succession plan and prohibits appointing an interim president unless the appointment is consistent with the succession plan or the search process. • Requires a Board of Governors (BOG) or University Board of Trustees (UBOT) member to be a U.S. citizen and a resident or alumni of a Florida university. • Allows a SUS and FCS board of trustees member to continue to serve after the expiration of his or her term until a successor is appointed. • Requires SUS institutions to publish program admission criteria and requires the BOG to audit compliance. • Prohibits SUS and FCS institutions from requiring a divisive course as a graduation requirement. • Addresses course material and syllabi requirements by delaying compliance, striking supplemental materials from some requirements, and adjusting requirements related to how costs are posted. • Allows state universities to decide whether auxiliary enterprises will be self-sustaining on an individual or collective basis. • Provides that certain escrow accounts for capital outlay projects do not have to be project-specific. • Repeals the requirement for Miami-Dade College to partner with the Adam Smith Center at FIU for workshops, symposiums and conferences and the requirement for MDC to establish a direct-support organization. 				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
