

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Postsecondary

BILL: SB 176

INTRODUCER: Senator Polsky

SUBJECT: Public Postsecondary Education Safety Policies and Procedures

DATE: January 12, 2026 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>HE</u>	<u>Favorable</u>
2. _____	_____	<u>AHE</u>	_____
3. _____	_____	<u>RC</u>	_____

## **I. Summary:**

SB 176 requires each state university and Florida College System (FCS) institution to adopt and implement written safety policies and procedures intended to protect the physical safety of students, faculty, staff, and visitors in campus facilities, classrooms, and other institutional settings. The required policies and procedures must address both physical threats and other conduct or language that would cause a reasonable person to believe his or her physical safety is at risk. The bill requires each state university and FCS institution's policies and procedures to include certain provisions specified in the bill.

The bill requires each state university and FCS institution to annually review and update its policies and procedures to incorporate best practices in threat assessment, campus security, and safety.

The bill authorizes the Board of Governors to adopt regulations, and the State Board of Education to adopt rules, to administer the provisions of the bill.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

### **Governance and Institutional Authority for Campus Safety Policy**

The Board of Governors (BOG) has constitutional authority to regulate the State University System (SUS), and each local constituent university is administered by a 13-member board of trustees.<sup>1</sup> The BOG may adopt a regulation development procedure for the BOG and university boards of trustees to use in implementing their constitutional duties and responsibilities.<sup>2</sup>

<sup>1</sup> Art. IX, s. 7(c), Fla. Const.

<sup>2</sup> Art. IX, s. 7(d), Fla. Const.; s. 1001.706(2)(a), F.S.

Florida College System (FCS) institution boards of trustees have statutory authority to provide for risk management, safety, security, and law enforcement operations at the institution, including emergency response.<sup>3</sup>

### **Campus Emergency Response Information; Public Records and Open Meetings Exemptions**

Current law defines “campus emergency response” to include plans and training for responding to an act of terrorism or other public safety crisis or emergency, and it specifies categories of included information.<sup>4</sup> Campus emergency response information includes, in part:<sup>5</sup>

- Threat assessments conducted by any agency or private entity.
- Threat response plans.
- Emergency evacuation plans.
- Manuals for security personnel, emergency equipment, or security training.
- Security systems or plans.
- Identification of staff involved in emergency preparedness, response, and recovery activities.
- Individual identification of affected or at-risk students, faculty, and staff and related record-transfer and family-inquiry response methods.

Any portion of a campus emergency response held by a public postsecondary educational institution is exempt from the public records requirement.<sup>6</sup>

Any portion of a campus emergency response held by specified governmental entities, including the BOG, the Department of Education, and state or local law enforcement and emergency management agencies, is also exempt from the public records requirement.<sup>7</sup>

That portion of a public meeting that would reveal information related to a campus emergency response is exempt from open meetings requirements.<sup>8</sup>

### **State University System Emergency Management Planning**

BOG regulation requires each SUS university to develop and maintain a comprehensive emergency management program and maintain a comprehensive emergency management plan and continuity of operations plan.<sup>9</sup>

The regulation also references state emergency management law that applies to state agencies and specified facilities, including requirements related to emergency coordination and disaster preparedness planning.<sup>10</sup>

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<sup>3</sup> Section 1001.64(23), F.S.

<sup>4</sup> Section 1004.0962(1), F.S.

<sup>5</sup> Section 1004.0962(1), F.S.

<sup>6</sup> Section 1004.0962(2)(a), F.S.

<sup>7</sup> Section 1004.0962(2)(b), F.S.

<sup>8</sup> Section 1004.0962(4), F.S.

<sup>9</sup> Florida Board of Governors Regulation 3.001.

<sup>10</sup> Section 252.365, F.S.; see also Fla. Bd. of Governors Reg. 3.001 (referencing s. 252.365, F.S.).

## Federal Campus Security Disclosure Requirements

The U.S. Department of Education describes the federal campus security framework as advancing goals of keeping students, parents, and employees informed about campus security, and it states that ensuring institutional compliance and enforcement is a departmental priority.<sup>11</sup>

Federal regulations implementing the Clery Act framework require participating institutions to prepare and distribute an annual security report and to comply with related policy statement and campus crime statistics disclosure requirements.<sup>12</sup>

Federal regulations also address timely warnings and require institutions to include emergency response and evacuation procedures in the annual security report.<sup>13</sup>

## State University System Campus Safety Summit

A Florida Board of Governors report titled “SUS Safety Summit” states that, on October 8, 2025, the SUS hosted a safety summit for university leadership and FCS leaders and discussed key safety issues, including building hardening, threat assessment, and communications.<sup>14</sup>

The report describes facility lock review efforts following April 17, 2025, events at Florida State University and discusses facility and physical security measures such as reinforced access points, electronic door control systems, and modernized locking technologies.<sup>15</sup>

The report discusses threat assessment as a proactive measure and describes multidisciplinary threat assessment teams drawing on expertise such as law enforcement, counseling, student affairs, and human resources.<sup>16</sup>

The report discusses emergency communications practices such as establishing communication hierarchies and distributing verified updates through multiple channels.<sup>17</sup>

## III. Effect of Proposed Changes:

SB 176 creates s. 1004.0983, F.S., to require each state university and Florida College System (FCS) institution to adopt and implement written safety policies and procedures intended to protect the physical safety of students, faculty, staff, and visitors in campus facilities, classrooms, and other institutional settings. The required policies and procedures must address both physical threats and other conduct or language that would cause a reasonable person to believe his or her physical safety is at risk.

<sup>11</sup> U.S. Department of Educ., Campus Security, <https://www.ed.gov/teaching-and-administration/safe-learning-environments/school-safety-and-security/campus-security>, last visited Jan. 6, 2025.

<sup>12</sup> 34 C.F.R. s. 668.46(a)-(b) (annual security report requirement).

<sup>13</sup> 34 C.F.R. s. 668.46(e) (timely warning); 34 C.F.R. s. 668.46(j) (emergency response and evacuation procedures).

<sup>14</sup> Florida Board of Governors, SUS Safety Summit (Nov. 2025) at 2, available at <https://www.flbog.edu/wp-content/uploads/2025/10/Safety-Summit-Report-DRAFT.pdf>.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> Florida Board of Governors, SUS Safety Summit (Nov. 2025) at 3, available at <https://www.flbog.edu/wp-content/uploads/2025/10/Safety-Summit-Report-DRAFT.pdf>.

The bill requires each state university and FCS institution's policies and procedures to include, at a minimum, provisions that:

- Identify a responsible person who coordinates the institution's response to covered threats or conduct and implements the policies and procedures, including all safety measures.
- Establish clear internal and external reporting protocols, including notification of campus security or a local law enforcement agency when appropriate.
- Outline protective measures available to affected persons, which may include work or class relocation, security escorts, and restricting access to certain areas by a person engaged in covered conduct.
- Provide timely updates to an affected person regarding the status of an incident and any action taken.
- Ensure the policies and procedures are prominently posted on the institution's website and available to students, faculty, staff, and visitors upon request.

The bill requires each state university and FCS institution to annually review and update its policies and procedures to incorporate best practices in threat assessment, campus security, and safety.

The bill authorizes the Board of Governors to adopt regulations, and the State Board of Education to adopt rules, to administer the provisions of the bill.

The bill takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

The bill requires each state university and Florida College System institution's safety policies and procedures to address physical threats and "other conduct or language that would cause a reasonable person to believe his or her physical safety is at risk."

The First Amendment to the United States Constitution and s. 4, Art. I of the Florida Constitution protect freedom of speech and press.<sup>18</sup>

The United States Supreme Court has stated that First Amendment protections apply on a state university campus and that the dissemination of ideas may not be restricted because the ideas are offensive.<sup>19</sup> When a public university regulates access to campus platforms or resources, restrictions generally must be reasonable and viewpoint neutral.<sup>20</sup> For example, the Court has held that a public university may not deny access to student activity fee funding for a student publication based on the publication's religious viewpoint.<sup>21</sup>

The Court has also recognized that laws and policies regulating speech may raise concerns if they are vague or overbroad, including because unclear standards may chill protected expression or invite arbitrary enforcement.<sup>22</sup> In *Grayned v. City of Rockford*, the Supreme Court upheld an anti-noise ordinance as not unconstitutionally vague where, in the school context, the prohibited disturbance was measured by whether normal school activity had been or was about to be disrupted. The ordinance gave fair notice because prohibited disturbances were easily measured by their impact on normal school activities.<sup>23</sup>

## **V. Fiscal Impact Statement:**

### **A. Tax/Fee Issues:**

None.

### **B. Private Sector Impact:**

None.

### **C. Government Sector Impact:**

State universities and Florida College System institutions may incur costs to develop, implement, post, and annually update required safety policies and procedures.

## **VI. Technical Deficiencies:**

None.

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<sup>18</sup> U.S. Const. amend. I; art. I, s. 4, Fla. Const.

<sup>19</sup> *Healy v. James*, 408 U.S. 169, 180 (1972); *Papish v. Bd. of Curators of Univ. of Mo.*, 410 U.S. 667, 670 (1973).

<sup>20</sup> *Widmar v. Vincent*, 454 U.S. 263, 267-277 (1981); *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819 (1995); *Christian Legal Soc. Chapter of Univ. of Cal., Hastings Coll. of the Law v. Martinez*, 561 U.S. 661 (2010).

<sup>21</sup> *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829-31 (1995).

<sup>22</sup> *Grayned v. City of Rockford*, 408 U.S. 104, 108-09 (1972).

<sup>23</sup> *Grayned v. City of Rockford*, 408 U.S. 104, 112 (1972).

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 1004.0983 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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