

By the Appropriations Committee on Higher Education; and Senator Calatayud

608-03463-25

20251726c1

1 A bill to be entitled
2 An act relating to higher education; creating s.
3 20.701, F.S.; requiring members of a state university
4 board of trustees and members of the Board of
5 Governors to be United States citizens and either
6 residents of this state or graduates of a state
7 university beginning on a specified date; providing
8 that specified offices are deemed vacant under certain
9 circumstances; amending s. 112.3144, F.S.; requiring
10 certain members of the Board of Governors to comply
11 with specified financial disclosure requirements
12 beginning on a specified date; amending s. 1001.01,
13 F.S.; revising term limits for members and the chair
14 of the State Board of Education; amending s. 1001.61,
15 F.S.; providing term limits for members and the chairs
16 of the Florida College System institution boards of
17 trustees; authorizing trustees to serve until the
18 appointment of a successor; amending s. 1001.64, F.S.;
19 providing that certain actions related to the
20 president of a Florida College System institution are
21 not subject to approval by the State Board of
22 Education; requiring that a presidential search
23 committee be appointed to make the appointment of such
24 president; providing requirements for such committee;
25 requiring that such president be recommended by the
26 committee; authorizing the renewal of a presidential
27 contract for a specified period; amending s. 1001.70,
28 F.S.; providing term limits for appointed members of
29 the Board of Governors; amending s. 1001.706, F.S.;

608-03463-25

20251726c1

30 requiring the Board of Governors to adopt regulations
31 regarding state university public opinion survey
32 research; requiring the Board of Governors to review
33 the admission criteria of state universities;
34 requiring that state university program admission
35 criteria be posted on state university websites;
36 providing that the president of a state university is
37 appointed by the university board of trustees;
38 requiring that a presidential search committee be
39 appointed to make the appointment of such president;
40 providing requirements for such committee; requiring
41 that such president be recommended by the committee;
42 authorizing the renewal of a presidential contract for
43 a specified period; deleting a requirement that the
44 Board of Governors confirm the selection and
45 reappointment of such president; revising the
46 requirements for certain state university capital
47 outlay projects to be included on a specified list;
48 amending s. 1001.71, F.S.; providing term limits for
49 appointed members of university boards of trustees;
50 deleting obsolete language and a certain consideration
51 for appointed members; authorizing appointed members
52 to serve until a successor is appointed; amending s.
53 1004.085, F.S.; defining the terms "syllabus" or
54 "syllabi" and "term"; adding certain materials to
55 lists of textbooks and instructional materials;
56 requiring that the current syllabi for specified
57 courses be posted as a hyperlink in a specified system
58 and include specified information; amending s.

608-03463-25

20251726c1

59 1004.098, F.S.; defining the term "final group of
60 applicants"; amending s. 1007.25, F.S.; prohibiting a
61 Florida College System institution or state university
62 from imposing a certain graduation requirement;
63 amending s. 1011.47, F.S.; authorizing a university
64 board of trustees to approve the transfer of
65 unreserved cash from one auxiliary enterprise to
66 support another auxiliary enterprise under certain
67 conditions; providing effective dates.
68

69 Be It Enacted by the Legislature of the State of Florida:
70

71 Section 1. Section 20.701, Florida Statutes, is created to
72 read:

73 20.701 Residency requirements.—Notwithstanding any other
74 law:

75 (1) Effective January 6, 2027, each member of a state
76 university board of trustees must be a United States citizen and
77 either a resident of this state or a graduate of the university,
78 the administration of which is overseen by the board. The office
79 of any member who does not meet the requirements of this
80 subsection is automatically deemed vacant.

81 (2) Effective January 6, 2027, each member of the Board of
82 Governors must be a United States citizen and either a resident
83 of this state or a graduate of a state university, as defined in
84 s. 1000.21. The office of any member of the Board of Governors
85 who does not meet the requirements of this subsection is
86 automatically deemed vacant.

87 Section 2. Paragraph (f) is added to subsection (1) of

608-03463-25

20251726c1

88 section 112.3144, Florida Statutes, to read:

89 112.3144 Full and public disclosure of financial
90 interests.—

91 (1)

92 (f) Beginning January 1, 2026, each citizen member of the
93 Board of Governors of the State University System must comply
94 with the financial disclosure requirements of this section and
95 s. 8, Art. II of the State Constitution.

96 Section 3. Subsections (1) and (2) of section 1001.01,
97 Florida Statutes, are amended to read:

98 1001.01 State Board of Education; generally.—

99 (1) The State Board of Education is established as a body
100 corporate. The state board shall be a citizen board consisting
101 of seven members who are residents of the state appointed by the
102 Governor to staggered 4-year terms, subject to confirmation by
103 the Senate. Members of the state board shall serve without
104 compensation but shall be entitled to reimbursement of travel
105 and per diem expenses in accordance with s. 112.061. Members may
106 only serve two ~~be reappointed by the Governor for additional~~
107 ~~terms not to exceed 8 years of consecutive service.~~

108 (2) The State Board of Education shall select a chair and a
109 vice chair from its appointed members. The chair shall serve a
110 single 2-year term ~~and may be reselected for one additional~~
111 ~~consecutive term.~~

112 Section 4. Subsections (2) and (4) of section 1001.61,
113 Florida Statutes, are amended to read:

114 1001.61 Florida College System institution boards of
115 trustees; membership.—

116 (2) Trustees shall be appointed by the Governor to

608-03463-25

20251726c1

117 staggered 4-year terms, subject to confirmation by the Senate in
118 regular session. A trustee may continue to serve until a
119 successor is appointed. Trustees may be reappointed by the
120 Governor for one additional term, not to exceed 8 consecutive
121 years of service.

122 (4) At its first regular meeting after July 1 of each year,
123 each Florida College System institution board of trustees shall
124 organize by electing a chair, whose duty as such is to preside
125 at all meetings of the board, to call special meetings thereof,
126 and to attest to actions of the board, and a vice chair, whose
127 duty as such is to act as chair during the absence or disability
128 of the elected chair. It is the further duty of the chair of
129 each board of trustees to notify the Governor, in writing,
130 whenever a board member fails to attend three consecutive
131 regular board meetings in any one fiscal year, which absences
132 may be grounds for removal. The chair shall serve a single 2-
133 year term.

134 Section 5. Subsection (19) of section 1001.64, Florida
135 Statutes, is amended to read:

136 1001.64 Florida College System institution boards of
137 trustees; powers and duties.—

138 (19) Each board of trustees shall appoint, suspend, or
139 remove the president of the Florida College System institution.
140 Such appointments, reappointments, suspensions, and extensions
141 of a president, including associated contracts, are not subject
142 to approval or confirmation by the State Board of Education. In
143 appointing a permanent president, the chair of the institution's
144 board of trustees shall appoint a presidential search committee.
145 The presidential search committee shall be composed of at least

608-03463-25

20251726c1

146 two members of the board of trustees and may include persons
147 from the institution's faculty, student body, foundation board,
148 financing corporation board, if applicable, alumni, donors, and
149 members from the community the institution serves. However, none
150 of the persons appointed to serve on the presidential search
151 committee may hold positions that report directly to the
152 president. The Commissioner of Education or a member of the
153 State Board of Education may not serve on a presidential search
154 committee. The permanent president appointed by the
155 institution's board of trustees must be recommended by the
156 presidential search committee ~~The board of trustees may appoint~~
157 ~~a search committee.~~ The board of trustees shall conduct annual
158 evaluations of the president in accordance with rules of the
159 State Board of Education and submit such evaluations to the
160 State Board of Education for review. The evaluation must address
161 the achievement of the performance goals established by the
162 accountability process implemented pursuant to s. 1008.45. A
163 presidential contract may be renewed for a term exceeding 1
164 year, but not exceeding the term of the original contract.

165 Section 6. Subsection (1) of section 1001.70, Florida
166 Statutes, is amended to read:

167 1001.70 Board of Governors of the State University System.-

168 (1) Pursuant to s. 7(d), Art. IX of the State Constitution,
169 the Board of Governors is established as a body corporate
170 composed ~~comprised~~ of 17 members as follows: 14 citizen members
171 appointed by the Governor subject to confirmation by the Senate;
172 the Commissioner of Education; the chair of the advisory council
173 of faculty senates or the equivalent; and the president of the
174 Florida student association or the equivalent. The appointed

608-03463-25

20251726c1

175 members may only ~~shall~~ serve a single ~~staggered~~ 7-year term
176 ~~terms. In order to achieve staggered terms, beginning July 1,~~
177 ~~2003, of the initial appointments, 4 members shall serve 2-year~~
178 ~~terms, 5 members shall serve 3-year terms, and 5 members shall~~
179 ~~serve 7-year terms.~~

180 Section 7. Paragraph (a) of subsection (5), paragraph (a)
181 of subsection (6), and paragraph (c) of subsection (12) of
182 section 1001.706, Florida Statutes, are amended, and paragraph
183 (k) is added to subsection (3) of that section, to read:

184 1001.706 Powers and duties of the Board of Governors.—

185 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
186 OPERATION OF STATE UNIVERSITIES.—

187 (k) The Board of Governors shall adopt regulations
188 prohibiting universities that conduct public opinion survey
189 research from polling activities related to candidates for any
190 federal, state, or local office. A university may conduct survey
191 research to measure opinions and inform the public about social,
192 political, and economic issues unrelated to candidate
193 preference.

194 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

195 (a)1. The Legislature intends that the Board of Governors
196 shall align the missions of each constituent university with the
197 academic success of its students; the existing and emerging
198 economic development needs of the state; the national reputation
199 of its faculty and its academic and research programs; the
200 quantity of externally generated research, patents, and
201 licenses; and the strategic and accountability plans required in
202 paragraphs (b) and (c). The Board of Governors shall
203 periodically review the mission of each constituent university

608-03463-25

20251726c1

204 and make updates or revisions as needed. Upon completion of a
205 review of the mission, the board shall review existing academic
206 programs, including admission criteria, for alignment with the
207 mission. The board shall include in its review a directive to
208 each constituent university regarding its programs for any
209 curriculum or admission criteria that violates s. 1000.05 or
210 that is based on theories that systemic racism, sexism,
211 oppression, and privilege are inherent in the institutions of
212 the United States and were created to maintain social,
213 political, and economic inequities. The mission alignment and
214 strategic plan must consider peer institutions at the
215 constituent universities. The mission alignment and strategic
216 plan must acknowledge that universities that have a national and
217 international impact have the greatest capacity to promote the
218 state's economic development through: new discoveries, patents,
219 licenses, and technologies that generate state businesses of
220 global importance; research achievements through external grants
221 and contracts that are comparable to nationally recognized and
222 ranked universities; the creation of a resource rich academic
223 environment that attracts high-technology business and venture
224 capital to the state; and this generation's finest minds
225 focusing on solving the state's economic, social, environmental,
226 and legal problems in the areas of life sciences, water,
227 sustainability, energy, and health care. A nationally recognized
228 and ranked university that has a global perspective and impact
229 must be afforded the opportunity to enable and protect the
230 university's competitiveness on the global stage in fair
231 competition with other institutions of other states in the
232 highest Carnegie Classification.

608-03463-25

20251726c1

233 2. To assist the Board of Governors in its review of
234 admission criteria, each constituent university shall post
235 program admission criteria on its website.

236 (6) POWERS AND DUTIES RELATING TO PERSONNEL.—

237 (a) The Board of Governors, or the board's designee, shall
238 establish the personnel program for all employees of a state
239 university, except the president. The board of trustees of a
240 state university shall select and reappoint the university
241 president. In appointing a permanent president, the chair of the
242 university board of trustees shall appoint a presidential search
243 committee. The presidential search committee shall be composed
244 of 15 members, of whom at least three must be members of the
245 board of trustees, and may include persons from the university's
246 faculty, the student body, the university's foundation board,
247 the university's financing corporation board, if applicable,
248 alumni, donors, and members from the community in which the
249 university serves. However, none of the persons appointed to
250 serve on the presidential search committee may hold positions
251 that report directly to the president. The Chancellor of the
252 State University System or a member of the Board of Governors
253 may not serve on the presidential search committee. The
254 permanent president selected by the board of trustees must have
255 been recommended by the presidential search committee.
256 Selections, reappointments, and extensions of a president,
257 including associated contracts, are not subject to approval or
258 confirmation by the Board of Governors. A presidential contract
259 may be renewed for a term exceeding 1 year, but not exceeding
260 the term of the original contract. ~~The Board of Governors shall~~
261 ~~confirm the presidential selection and reappointment by a~~

608-03463-25

20251726c1

262 ~~university board of trustees as a means of acknowledging that~~
263 ~~system cooperation is expected.~~

264 (12) PUBLIC EDUCATION CAPITAL OUTLAY.—The Board of
265 Governors shall submit the prioritized list as required by s.
266 1013.64(4). Projects considered for prioritization shall be
267 chosen from a preliminary selection group which shall include
268 the list of projects maintained pursuant to paragraph (d) and
269 the top two priorities of each state university.

270 (c) A new construction, remodeling, or renovation project
271 that has not received an appropriation in a previous year may
272 ~~shall~~ not be considered for inclusion on the prioritized list
273 required by s. 1013.64(4), unless:

274 1. A plan is provided to reserve funds in an escrow
275 account, ~~specific to the project,~~ into which shall be deposited
276 each year an amount of funds equal to 1 percent of the total
277 value of the building for future maintenance;

278 2. There exists sufficient capacity within the cash and
279 bonding estimate of funds by the Revenue Estimating Conference
280 to accommodate the project within the 3-year Public Education
281 Capital Outlay funding cycle; and

282 3. The project has been recommended pursuant to s. 1013.31.
283 Section 8. Subsection (1) of section 1001.71, Florida
284 Statutes, is amended to read:

285 1001.71 University boards of trustees; membership.—

286 (1) Pursuant to s. 7(c), Art. IX of the State Constitution,
287 each local constituent university shall be administered by a
288 university board of trustees composed ~~comprised~~ of 13 members as
289 follows: 6 citizen members appointed by the Governor subject to
290 confirmation by the Senate; 5 citizen members appointed by the

608-03463-25

20251726c1

291 Board of Governors subject to confirmation by the Senate; the
 292 chair of the faculty senate or the equivalent; and the president
 293 of the student body of the university. The appointed members
 294 shall serve staggered 5-year terms. Appointed members may be
 295 reappointed for one additional term, not to exceed 10 years of
 296 consecutive service. ~~In order to achieve staggered terms,~~
 297 ~~beginning July 1, 2003, of the initial appointments by the~~
 298 ~~Governor, 2 members shall serve 2-year terms, 3 members shall~~
 299 ~~serve 3-year terms, and 1 member shall serve a 5-year term and~~
 300 ~~of the initial appointments by the Board of Governors, 2 members~~
 301 ~~shall serve 2-year terms, 2 members shall serve 3-year terms,~~
 302 ~~and 1 member shall serve a 5-year term. There shall be no state~~
 303 ~~residency requirement for university board members, but The~~
 304 Governor and the Board of Governors shall consider ~~diversity and~~
 305 regional representation when appointing members. An appointed
 306 board member may continue to serve until a successor is
 307 appointed. ~~Beginning July 2, 2020,~~ For purposes of this
 308 subsection, regional representation includes ~~shall include~~ the
 309 chair of a campus board established pursuant to s. 1004.341.

310 Section 9. Subsections (1) and (5) of section 1004.085,
 311 Florida Statutes, are amended to read:

312 1004.085 Textbook and instructional materials affordability
 313 and transparency.—

314 (1) As used in this section, the term:

315 (a) ~~The term~~ "Instructional materials" means educational
 316 materials for use within a course which may be available in
 317 printed or digital format.

318 (b) "Syllabus" or "syllabi" means the course syllabus or
 319 syllabi developed by the instructor assigned to the course.

608-03463-25

20251726c1

320 (c) "Term" includes the fall, spring, and summer terms.

321 (5)(a) Each Florida College System institution and state
322 university shall post prominently in the course registration
323 system and on its website a hyperlink to lists of required and
324 recommended textbooks and instructional materials for at least
325 95 percent of all courses and course sections offered at the
326 institution during the upcoming term. The lists must include the
327 International Standard Book Number (ISBN) for each required and
328 recommended textbook and instructional material or other
329 identifying information, which must include, at a minimum, all
330 of the following: the title, all authors listed, publishers,
331 edition number, copyright date, published date, and other
332 relevant information necessary to identify the specific
333 textbooks or instructional materials required and recommended
334 for each course. The lists must include those materials that are
335 open access or an open educational resource for which there is
336 no cost, must include a unique identifier, if available, and
337 must include any relevant information necessary to identify the
338 specific resource. The State Board of Education and the Board of
339 Governors shall include in the policies, procedures, and
340 guidelines adopted under subsection (6) certain limited
341 exceptions to this notification requirement for classes added
342 after the notification deadline.

343 (b) The lists of required and recommended textbooks and
344 instructional materials required in paragraph (a) must be, to
345 the maximum extent possible, based on a list submitted by the
346 instructor and must:

347 1. Be posted as early as is feasible but at least 45 days
348 before the first day of class for each term.

608-03463-25

20251726c1

349 2. Remain posted for at least 5 academic years.

350 3. Be searchable by the general education status, the
351 course subject, the course section, the course number, the
352 course title, the name of the instructor of the course, the
353 title of each assigned textbook or instructional material, and
354 each author of an assigned textbook or instructional material.

355 4. Include the duration of any license allowing access to
356 the textbook or instructional material for which students must
357 purchase or pay for access.

358 5.4. Be easily downloadable by current and prospective
359 students.

360 (c) To maximize informed student choice, courses ~~If a~~
361 ~~course~~ subject to paragraphs (a) and (b) must include the
362 current is a general education core course option identified
363 pursuant to s. 1007.25, course syllabi posted in the same
364 location as the postings of required and recommended textbooks
365 and instructional materials at least 10 business days before the
366 start of the term. Individualized courses, such as directed
367 individual studies, thesis, dissertation defense, and
368 performance, are exempt from this requirement. Each syllabus
369 must contain syllabi information containing sufficient detail to
370 inform students of all of the following ~~must be included:~~

371 1. The course curriculum, including the required and
372 recommended textbooks and instructional materials regardless of
373 cost or whether the materials are open access or an open
374 educational resource.

375 2. Specific ~~The~~ goals, objectives, and student expectations
376 of the course.

377 3. How student performance will be evaluated, including the

608-03463-25

20251726c1

378 grading scale and methodology ~~measured~~.

379 Section 10. Present subsections (1), (2), and (3) of
380 section 1004.098, Florida Statutes, are redesignated as
381 subsections (2), (3), and (4), respectively, a new subsection
382 (1) is added to that section, and paragraph (a) of present
383 subsection (2) of that section is amended, to read:

384 1004.098 Applicants for president of a state university or
385 Florida College System institution; public records exemption;
386 public meetings exemption.—

387 (1) For the purposes of this section, the term "final group
388 of applicants" means no fewer than three applicants who will
389 receive final consideration for president of a state university
390 or Florida College System institution.

391 (3) (a) ~~(2) (a)~~ Any portion of a meeting held for the purpose
392 of identifying or vetting applicants for president of a state
393 university or a Florida College System institution, including
394 any portion of a meeting which would disclose personal
395 identifying information of such applicants which is otherwise
396 confidential and exempt under subsection (2) ~~(1)~~, is exempt from
397 s. 286.011 and s. 24(b), Art. I of the State Constitution.

398 Section 11. Subsection (15) is added to section 1007.25,
399 Florida Statutes, to read:

400 1007.25 General education courses; common prerequisites;
401 other degree requirements.—

402 (15) A Florida College System institution or state
403 university may not impose an institution-wide or university-wide
404 graduation requirement that includes a course in conflict with
405 paragraph (3) (c).

406 Section 12. Subsection (1) of section 1011.47, Florida

608-03463-25

20251726c1

407 Statutes, is amended to read:

408 1011.47 Auxiliary enterprises; contracts, grants, and
409 donations.—As used in s. 19(f)(3), Art. III of the State
410 Constitution, the term:

411 (1) (a) “Auxiliary enterprises” includes activities that
412 directly or indirectly provide a product or a service, or both,
413 to a university or its students, faculty, or staff and for which
414 a charge is made. These auxiliary enterprises are business
415 activities of a university which require no support from the
416 General Revenue Fund, and include activities such as housing,
417 bookstores, student health services, continuing education
418 programs, food services, college stores, operation of vending
419 machines, specialty shops, day care centers, golf courses,
420 student activities programs, data center operations, and
421 intercollegiate athletics programs.

422 (b) Each university board of trustees may determine whether
423 its auxiliary enterprises, including intercollegiate athletics
424 programs, will be self-supporting on an individual or collective
425 basis. A university board of trustees may approve the transfer
426 of unreserved cash from one auxiliary enterprise to support
427 another auxiliary enterprise as long as such transfer does not
428 reduce revenues necessary to cover all expenditures of the
429 auxiliary enterprise, violate any bond covenants, or impact debt
430 service payments and required reserves. Transfers made under
431 this paragraph must be reported to the Board of Governors
432 annually. This paragraph expires June 30, 2030.

433 Section 13. Except as otherwise expressly provided in this
434 act and except for this section, which shall take effect upon
435 becoming a law, this act shall take effect July 1, 2025.