

# Foreign Influence Legislation

## Compliance & Submission Guidance



Prepared by the  
State University System of Florida Board of Governors  
Office of Inspector General and Director of Compliance  
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## Introduction

During the 2021 Legislative Session, the Florida Legislature passed House Bill 7017, requiring greater disclosure of foreign support for public entities, scrutiny of grant applicants and vendors of goods and services with certain foreign connections, and thorough scrutiny of foreign applicants for research positions as well as of foreign travel and activities of employees of major research institutions.

Specifically, the bill created five new laws related to the following:

- International Cultural Agreements,
- Foreign Gift Reporting,
- Screening Foreign Researchers,
- Foreign Travel; Research Institutions and
- Foreign Gifts and Contracts (for State Agencies).

The provisions of the bill took effect July 1, 2021.

## Foreign Influence Legislation<sup>1</sup>

### International Cultural Agreements

#### Overview

Section 288.860, Florida Statutes (F.S.), prohibits state agencies, political subdivisions, public schools, state colleges, or state universities authorized to expend state appropriated funds or levy ad valorem taxes from participating in any agreement with or accept any grant from a foreign country of concern (or an entity controlled by a foreign country of concern) which constrains the freedom of contract of the public entity; allows the curriculum or values of a program in the state to be directed or controlled by the foreign country of concern; or promotes an agenda detrimental to the safety or security of the United States or its residents.

Any cultural exchange agreements with a foreign country of concern must be shared with certain federal agencies so those agencies can determine whether such an agreement promotes an agenda detrimental to the safety or security of the United States or its residents. If the federal agency suggests the agreement is detrimental as described, then the public entity may not enter into the agreement.

This new law also prohibits state agencies, political subdivisions, public schools, state colleges, or state universities from accepting anything of value conditioned upon

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<sup>1</sup> For more detailed information, please refer to the bill's history on The Florida Senate's [webpage](#) as well as the Senate Committee on Education's bill [summary](#).



participation in a program or other endeavor to promote the language or culture of a foreign country of concern.

## Filing Specifications

Universities should select federal agencies deemed appropriate based on the type or purpose of cultural agreement.

## Foreign Gift Reporting

### Overview

Section 1010.25, F.S., requires institutions of higher education (IHE) to disclose direct or indirect gifts from a foreign source with a value of \$50,000 or more received or pledged during a single fiscal year to the Board of Governors on a semi-annual basis. The law defines gifts as the provision, or conditional or unconditional pledge<sup>2</sup>, of any of the following:

- Contract,
- Gift,
- Grant,
- Endowment,
- Award,
- Donation of money or property of any kind, or
- Any combination thereof.

IHE's must report contracts meeting the reporting threshold when:

- The IHE purchases, leases, or barter for property or services from **a foreign country of concern**; or
- **Any** foreign source purchases, leases, or barter for property or services from an IHE.

Likewise, IHEs must report research subawards or other subcontracts meeting the reporting threshold when they are subawarding or subcontracting with a foreign country of concern.

When an IHE receives a foreign gift indirectly through a clinical research organization (CRO) or other third-party contract management company, the foreign gift and source information reported should reflect that of the prime sponsor(s) or contracting companies, not the CRO or other third-party contract management company. This may require IHEs to report gifts or gift agreements with domestic CROs if the prime sponsor is a foreign source and cumulative funds from that sponsor meet the reporting threshold. IHEs may use the comments section of the reporting template to note the gift is an indirect gift and to identify the CRO or other third-party contract management company.

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<sup>2</sup> The term "pledge" means a promise, an agreement, or an expressed intention to give a gift.



The reporting requirements apply to the universities' affiliate and direct-support organizations, as well as the following organizations who must coordinate the submission of their foreign gift reporting through the designated university below:

- Shands Teaching Hospital and Clinics – University of Florida;
- Consortium for Medical Marijuana Clinical Outcomes Research – University of Florida;
- H. Lee Moffitt Cancer Center and Research Institute - University of South Florida; and
- Florida Institute for Human and Machine Cognition (IHMC) – University of West Florida.

The new law specifies the type of information that must be disclosed, which includes information about the source, value, timing, purpose, and any conditions or restrictions of the gift. There are exemptions to the disclosure requirements for information that is deemed confidential or exempt by state or federal law.

Oversight and accountability was built into the law through the following provisions:

- Recurring inspection or audit requirements by the Board of Governors' Inspector General;
- Enforcement and sanctions by the Board of Governors or other external parties for noncompliance;
- Civil penalties for noncompliance; and
- Rewards for those who make a report of undisclosed foreign gifts.

## Filing Specifications

Foreign gift reporting will be submitted using the Information Requests System, which is accessible through an Okta (Single Sign-On) Portal. Submissions are required to be made semi-annually by January 31 (for gifts subject to reporting between July 1<sup>st</sup> and December 31<sup>st</sup> of the previous year) and by July 31<sup>st</sup> (for gifts subject to reporting between January 1<sup>st</sup> and June 30<sup>th</sup> of the same year). If, after the collection period deadline, an IHE identifies a foreign gift required to have been included in its foreign gifts submission but was omitted, the IHE should contact the Board of Governors' Office of Inspector General and Director of Compliance (OIGC) for further guidance as soon as practicable.

If a foreign source provides more than one gift directly or indirectly to an institution of higher education in a single fiscal year and the total value of those gifts is \$50,000 or more, all gifts received from that foreign source must be reported. Those gifts should be reported for the collection period in which the total value met the reporting threshold. For example, if a foreign source provides a gift between July 1<sup>st</sup> and December 31<sup>st</sup> that is less than \$50,000, it does not need to be reported by January 31<sup>st</sup>. If a subsequent gift is provided by that same foreign source between January 1<sup>st</sup> and June 30<sup>th</sup> that increases the total gift amount to \$50,000 or more, both gifts should be included in the report submitted by July 31<sup>st</sup>.



In the event of a traditional pledge that meets the reporting threshold and may be paid over time through installment payments, SUS IHEs must report the pledge at the time of the obligation. They do not have to subsequently report each installment payment of the pledge.

In the event of a “pledged” contract (i.e., clinical trial or research agreements), SUS IHEs should report those when the contracts are signed/executed if the total value of the contract meets the reporting threshold. Contracts with an indeterminate value at the time of signature/execution should be reported when the SUS IHE receives the funds under the contract and is able to determine that the value meets the reporting threshold.

Each university will upload a data file, using the Excel template provided by the Board Office, and then attach a copy of the corresponding gift agreement documentation for each gift included in the submission. In the case of student sponsorships, use the provided *Student Sponsorship Summary Form* as the supporting documentation for any student sponsorships included in the submission (see Appendix C).

IHE’s should ensure that any supporting documentation included with their foreign gift reports is redacted only to the extent permissible under federal or state law. Although section 1010.25, F.S., references the protections from disclosure in accordance with section 1004.22(2), F.S., SUS IHEs must identify all statutes used as the basis for the redactions (including the Family Educational Rights and Privacy Act, or “FERPA”). When supporting documentation includes redactions, it must be accompanied by an abstract that provides a description of the redacted information such that the information remains protected, but the appropriateness of the redacted content can be ascertained.

## Audit Requirements

Beginning July 1, 2022, annual audits or inspections by the Board of Governors’ Office of Inspector General and Director of Compliance (OIGC) must be conducted to determine the institution of higher education’s compliance with the foreign gift reporting requirements. During the course of the audits or inspections, OIGC staff will coordinate with each SUS IHE’s Chief Compliance Officer to obtain additional information to validate the accuracy and completeness of what was disclosed and what is included in the gift agreement for the samples selected for review, as necessary.



## Screening Foreign Researchers

### Overview

Section 1010.35, F.S., requires institutions of higher education to screen certain applicants seeking employment in research or research-related support positions.

Applicable applicants must submit:

- Complete copy of the applicant's passport and most recently submitted Online Nonimmigrant Visa Application, DS-160;
- Complete resume and curriculum vitae, including every institution of higher education attended;
- All previous employment since the applicant's 18<sup>th</sup> birthday;
- A list of all published material for which the applicant received credit as an author, a researcher, or otherwise or to which the applicant contributed significant research, writing, or editorial support;
- A list of the applicant's current and pending research funding from any source, including funder, amount, applicant's role in the project, and brief description of the research; and
- A full disclosure of non-university professional activities, including any affiliation with an institution or program in a foreign country of concern.

For applicants who have been continually employed or enrolled in a postsecondary education institution in the United States for 20 years or more, the resume may, but need not, include employment history before the most recent 20 years.

The president or chief administrative officer of the state university or applicable entity is required to designate a Research Integrity Office to review all materials required and take reasonable steps to verify submitted information.

Reasonable steps include:

- Searching public databases for research publications and presentations and public conflict of interest records to identify any research publication or presentation that may have been omitted from the applications;
- Contacting all employers of the most recent 10 years to verify employment;
- Contacting all institutions of higher education attended to verify enrollment and educational progress;
- Searching public listings of persons subject to sanctions or restrictions under federal law;
- Submitting the applicant's name and other identifying information to the Federal Bureau of Investigations or any federal agency reasonably willing to scrutinize such applicant for national security or counterespionage purposes; and
- Any other steps deemed appropriate to the office.



The state university or applicable entity may also direct the office to approve applicants for hire based on a risk-based determination considering the nature of the research and the background and ongoing affiliations of the applicant.

Background screening requirements must be completed before interviewing or offering any position to an individual subject to this legislation in any research or research-related support position and before granting such individual any access to research data or activities or other sensitive data.

No applicant subject to this screening may be employed in any research or research-related position if he or she fails to disclose a substantial educational, employment, or research-related activity or publication or presentation at the time of submitting the application required unless the department head, or a designee, certifies in writing the justification for the nondisclosure and the reasons for disregarding such failure to disclose. A copy of the certification must be kept in the investigative file of the Research Integrity Office and must be submitted to the nearest Federal Bureau of Investigation field office.

### Filing Specifications

The Research Integrity Office must report to the nearest Federal Bureau of Investigation field office the identity of the applicant who was rejected for employment based on Section 1010.35, F.S.

### Audit Requirements

Section 1010.35, F.S., requires an operational audit regarding the implementation of the screening requirements for research-related positions. By July 1, 2025, Board of Governors Regulation 9.012 requires each chief audit executive for the screening entities to perform an operational audit of the entities' compliance with the university foreign researchers screening requirements. Audits should be issued in accordance with the chief audit executive's internal procedures to the Board of Governors pursuant to Board of Governors Regulation 4.002, *State University System Chief Audit Executives*.



## Foreign Travel and Research Institutions

### Overview

Section 1010.36, F.S., establishes requirements related to international travel for state universities, as well as entities listed in subparts A and B of part II of Chapter 1004<sup>3,4</sup>, that receive state appropriations or state tax revenue and have a research budget of at least \$10 million. Universities and entities who meet the specified criteria are required to establish an approval and monitoring program for international travel by January 1, 2022.

The established program must require the Research Integrity Office, established under section 1010.35, F.S., to preapprove and screen any employment-related foreign travel and employment-related foreign activities engaged in by all faculty, researchers, and research department staff. These requirements are supplemental to any other existing travel approval processes already in place at the university or entity. The law specifies that the Research Integrity Office's preapproval must be based on the applicant's review and acknowledgement of the university's or entity's guidance<sup>5</sup> related to countries under sanctions or other restrictions of the state or the United States government, as well as the individual traveler's binding commitment to comply with the university's or entity's limitations on travel and activities abroad and obey all applicable federal laws.

Universities and entities subject to this law are required to maintain certain records related to the foreign travel for at least three (3) years or longer if otherwise required by any state or federal laws. Those records include:

- All foreign travel requests and approvals;
- Expenses reimbursed during the travel (i.e., travel, food, and lodging);
- Payments and honoraria received during the travel and activities, including for travel, food, and lodging;
- The purpose of the travel; and
- Any records related to the foreign activity review.

To hold universities and entities accountable to the requirements of this law, they are required to provide an annual report of foreign travel to countries of concern to the

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<sup>3</sup> Subpart A of Part II of Chapter 1004 is available at:  
[http://leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=1000-1099/1004/1004PARTIIAContentsIndex.html](http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1004/1004PARTIIAContentsIndex.html)

<sup>4</sup> Subpart B of Part II of Chapter 1004 is available at:  
[http://leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=1000-1099/1004/1004PARTIIBContentsIndex.html](http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1004/1004PARTIIBContentsIndex.html)

<sup>5</sup> Guidance should include information such as federal license requirements; customs rules; export controls; restrictions on taking the university or entity's tangible or intellectual property abroad; any restrictions on presentations, teaching, and interactions with foreign colleagues; and any other subjects important to the research and academic integrity of the university or entity.





Board of Governors, or other appropriate governing board. Additionally, the law mandates that an operational audit regarding the universities' or entities' implementation of this law be performed by July 1, 2025.

## Filing Specifications

Section 1010.36(4), F.S., requires an annual report of foreign travel to countries of concern to the Board of Governors or other appropriate governing board. This reporting will be submitted each July 31<sup>st</sup>, beginning in 2022, to the IHE's governing board. The report must include the names of individual travelers, foreign locations visited, and foreign institutions visited during the preceding state fiscal year. If, after the reporting deadline, an institution of higher education identifies information required to have been included in its annual report of foreign travel but was omitted, the IHE should contact the receiving office for further guidance as soon as practicable.

## Audit Requirements

Board of Governors Regulation 9.012, *Foreign Influence*, requires each screening entity's chief audit executive to perform an operational audit of the entity's compliance with the foreign travel screening requirements by July 1, 2025. Audits should be issued in accordance with the chief audit executive's internal procedures, with a copy submitted to the Board of Governors pursuant to Board of Governors Regulation 4.002, *State University System Chief Audit Executives*.

Screening entities or affiliated organizations (IHMC, Moffitt, and Shands, for example) who do not have an inspector general or chief audit executive should arrange for the operational audit to be performed as required by section 1010.36(5), F.S. The final report should be submitted to the Board of Governors' Office of Inspector General and Director of Compliance via email to [BOGInspectorGeneral@flbog.edu](mailto:BOGInspectorGeneral@flbog.edu).

## Foreign Gifts and Contracts

### Overview

Section 286.101, F.S., requires state agencies and political subdivisions to report to the Department of Financial Services (DFS) any direct or indirect gift or grant with a value of \$50,000 or more that was received from any foreign source. Within 30 days after receiving the gift or grant, they are required to report the date and amount of the gift or grant, and the name and country of residence or domicile of the foreign source. Gift or grant disclosures to the DFS are not required by a state university or other entity if those disclosures are subject to the reporting requirements under section 1010.25, F.S.

This section also requires entities applying to a state agency or political subdivision for a grant or proposing a contract valued at \$100,000 or more to disclose to that state agency or political subdivision any current or prior interest of, contract with, or any grant or gift received from a foreign country of concern if the interest, contract, grant, or gift



had a value of \$50,000 or more and was received or in force at any time during the previous five (5) years. The disclosures must include identifying information for the disclosing entity, the involved foreign country of concern, and information about the gift or contract involved.

There are certain exemptions to the entities' disclosure requirements. They are not required to disclose proposals related to the sale of commodities through the online procurement program established pursuant to section 287.057(22), F.S., or the sale of commodities to a state university pursuant to Board of Governors Regulation 18.001. Applications or proposals from an entity that discloses foreign gifts or grants under sections 286.101(2) or 1010.25, F.S., or applications or proposals from a foreign source that would be disclosed under sections 286.101(2) or 1010.25, F.S., are both exempt from this requirement. Lastly, entities do not have to disclose applications or proposals from a public or non-profit research institution with respect to federally funded research.

The entity applying for the grant or proposing the contract must provide copies of their disclosure(s) to the DFS within one (1) year before applying for the grant or proposing the contract.

### Filing Specifications

Any disclosures subject to this reporting requirement that must be made to the DFS should be made in accordance with instructions provided by the DFS. State universities may want to consider providing guidance on required disclosures, as well as instructions on how to make such disclosures, to those entities who may apply for grants or propose contracts valued at \$100,000 or more with the university.



## Appendix A

### Summary Table of Reporting Requirements

Reporting Party	Reported Information	Report Recipient	Reporting Frequency
Institutions of Higher Education	Foreign Gifts of \$50,000 or more	Board of Governors or the Department of Education, as applicable	Semiannually by January 31 <sup>st</sup> and July 31 <sup>st</sup>
State Universities	International Cultural Agreements	Federal agencies concerned with protecting national security or enforcing trade sanctions, embargoes, or other restrictions under federal law	Prior to the execution of the agreement
Research Integrity Office	Identity of any applicant rejected for employment based on the employment screening requirements	Nearest FBI field office and any law enforcement agency designated by the Governor	As identified
State universities or entities listed in subpart A or B of Part II of Chapter 1004 that:  1 - receives state appropriations or state tax revenue; AND 2 - has a research budget of \$10 million or more	Foreign travel to countries of concern	Governing board of the applicable entity	Annually by July 31 <sup>st</sup>



## Appendix B

### Reporting Definitions

**Abstract** – A brief summary of the gift agreement documentation to help the reader quickly ascertain the *gift's* purpose. The abstract should be combined with the redacted gift agreement documentation and should appear at the beginning of the PDF.

**Affiliate Organization** – Any entity under the control of or established for the benefit of an organization required to report foreign gifts in accordance with statute, including a *direct support organization*. [Section 1010.25(1)(a), F.S.]

**Amount\_Per\_Transaction [data element]** – This field captures the monetary amount of an individual *gift*.

**Beneficiary [data element]** – In this field, identify the persons or organization for whom the *gift* is explicitly intended to benefit. If the *gift* is intended to benefit a college, department or other sub-unit of the university, identify the college, department or other sub-unit in this field.

**Comments [data element]** – If there is any additional information you would like to provide, enter that information in the comments.

**Contract** – Any agreement for the acquisition by purchase, lease, or barter of property or services by the foreign source, for the direct benefit or use of either of the parties, and any purchase, lease, or barter of property or services from a *foreign country of concern* as defined in section 286.101(1)(b), Florida Statutes. [Section 1010.25(1)(b), F.S.]

**Contract\_Start\_Date [data element]** – This date reflects the start date of the *contract*, if the *gift* received was a *contract* as noted in the Gift Type field.

**Contract\_End\_Date [data element]** – This date reflects the end date of a *contract*, if the *gift* received was a *contract* as noted in the Gift Type field.

**Country\_of\_Foreign\_Source [data element]** – This data is required. If the source is an individual, designate the country of residence or domicile.

**Date\_Gift\_Contract\_Received [data element]** – This date should be the date the *gift* was received by the IHE; the date of the pledge or obligation; or, in the case of a *contract*, the date the *contract* was signed/executed or last amended (if applicable).

In the case of student sponsorships, use the last date in the collection period as the date the sponsorship is received. For example, for student sponsorships received during the collection period of July 1, 2021 - December 31, 2021, use December 31, 2021 as the date received. The *Student Sponsorship Summary Form* has a table to record the receipt date for each individual gift from a sponsor (See Appendix C for an example).

**Direct Support Organization (DSO)** – An organization which is:

1. A Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the Department of State.



2. Organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of a state university in Florida or for the benefit of a research and development park or research and development authority affiliated with a state university and organized under part V of chapter 159.
3. An organization that a state university board of trustees, after review, has certified to be operating in a manner consistent with the goals of the university and in the best interest of the state. Any organization that is denied certification by the board of trustees shall not use the name of the university that it serves. [Sections 1010.25(1)(c); 1004.28(1)(a), F.S.]

***Document\_Type [data element]*** – This field specifies whether a copy of the gift agreement is being provided **or** whether an abstract and redacted copy of the gift agreement is provided.

If submitting an *abstract* and a redacted copy of the gift agreement, combine the *abstract* and the redacted agreement into one PDF file for upload. The *abstract* should come first.

Some institutions have reported circumstances of foreign gifts being received without any type of “agreement.” All “*gift*” questions must be answered and a placeholder file must be created and uploaded if there is no existing agreement. This can be a memo explaining there is no formal agreement associated with the *gift*; this memo should be uploaded under the “Gift Agreement” document type.

In the case of Student Sponsorships, upload a Sponsorship Summary (using the provided template) under the “Gift Agreement” document type. **Do not include protected FERPA information or student names/ID numbers.**

***Filename [data element]*** – This field contains the file name of the gift agreement or other supporting documentation.

***Foreign Countries of Concern*** – Foreign country of concern means the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern. [Section 286.101(1)(b), F.S.]

***Foreign Government*** – The government of any country, nation, or group of nations, or any province or other political subdivision of any country or nation, other than the government of the United States or the government of a state or political subdivision, including any agent of such foreign government. [Section 1010.25(1)(d), F.S.]

***Foreign Source*** –

1. A *foreign government* or an agency of a *foreign government*.
2. A legal entity, governmental or otherwise, created solely under the laws of a foreign state or states.



3. An individual who is not a citizen or a national of the United States or a territory or protectorate of the United States.
4. An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of a *foreign source*. [Section 1010.25(1)(e), F.S.]

**Foreign\_Source\_Name [data element]** – The name of the *foreign source* providing the gift.

**Gift** – Any *contract*, gift, grant, endowment, award, or donation of money or property of any kind, or any combination thereof, including a conditional or an unconditional pledge of such *contract*, gift, grant, endowment, award, or donation. For purposes of this paragraph, the term "pledge" means a promise, an agreement, or an expressed intention to give a gift. [Section 1010.25(1)(f), F.S.]

**Gift\_Recipient – [data element]** – This field is used to specify the recipient of the *gift*, whether that is the university or another *institution of higher education (IHE)*. If the recipient is another *IHE*, provide the name of the *IHE*. For example, if a *DSO* is the recipient, put the name of the *DSO* in this field. If a college, department or other sub-unit of the university is the recipient, then list the university as the recipient but note the college, department or other sub-unit in the *Beneficiary* field.

**Gift\_Type [data element]** – This field is used to specify the type of *gift* or *contract* received. Choose between the following:

1. \*Gift
2. Restricted Gift
3. Contract
4. Restricted Contract
5. \*\*Student Sponsorship

\* Some institutions have reported circumstances of foreign *gifts* being given without any type of 'agreement.' All '*gift*' questions must be answered and a placeholder file must be created and uploaded if there is no existing agreement.

\*\*See *document type* (data element) definition for additional information.

**Institution of Higher Education ("IHE")** – A state university, an entity listed in subpart B of part II of chapter 1004 that has its own governing board, a Florida College System institution, an independent nonprofit college or university that is located in and chartered by the state and grants baccalaureate or higher degrees, any other institution that has a physical presence in the state and is required to report foreign *gifts* or *contracts* pursuant to 20 U.S.C. s. 1011f, or an affiliate organization of an *institution of higher education*. [Section 1010.25(1)(g), F.S.]

**Restricted or Conditional Gift or Contract** – Any endowment, *gift*, grant, *contract*, award, present, or property of any kind which includes provisions regarding:



1. The employment, assignment, or termination of faculty;
2. The establishment of departments, centers, research or lecture programs, or new faculty positions;
3. The selection or admission of students; or
4. The award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion.

Examples of restricted gifts are tuition payments from Saudi Arabia for just students from that country or foundation gifts given for the purpose of establishing new departments, centers, research or lecture programs, or new faculty positions.

***Restrictions/Conditions [data element]*** – This series of questions identifies which restrictions or conditions apply to a *gift* or *contract*.

***Control\_Curricula [data element]*** – If the agreement or *contract* contains any conditions, requirements, restrictions, or terms regarding the control of curricula, enter “Yes”. If it does not contain any conditions, requirements, restrictions, or other terms regarding the control of curricula, enter “No”.

***Control\_Faculty [data element]*** – If the agreement or *contract* contains any conditions, requirements, restrictions, or terms regarding the control of faculty enter “Yes”. If it does not contain any conditions, requirements, restrictions, or other terms regarding the control of faculty enter “No”.

***Control\_Student\_Admissions [data element]*** – If the agreement or *contract* contains any conditions, requirements, restrictions, or terms regarding the control of student admissions enter “Yes”. If it does not contain any conditions, requirements, restrictions, or other terms regarding the control of student admissions, enter “No”.

***Control\_Student\_Fees [data element]*** – If the agreement or *contract* contains any conditions, requirements, restrictions, or terms regarding the control of student fees, enter “Yes”. If it does not contain any conditions, requirements, restrictions, or other terms regarding the control of student fees, enter “No”.

***Contingencies\_Public\_Position [data element]*** – If the agreement or *contract* contains any contingencies placed upon the institution of higher education to take a specific public position, enter “Yes”. If it does not contain any such contingencies, enter “No”.

***Contingencies\_Honorary\_Degree [data element]*** – If the agreement or *contract* contains any contingencies placed upon the institution of higher education to award an honorary degree, enter “Yes”. If it does not contain any such contingencies, enter “No”.

***Statutory\_Exemption [data element]*** – If a redacted copy of the gift agreement is being provided due to information being confidential or privileged by law, this field asks for the federal or state statutory exemptions pertaining to the confidential or privileged



provisions. If a redacted copy is provided, this field will be required. **Provide ALL relevant statutory references.**

***Type\_of\_Foreign\_Source [data element]*** – This field is to specify whether the source of the *gift* is a governmental or private/non-governmental entity.

***U\_RESV\_1 [data element]*** – A field used by the institution to track each record in the submission. If the Board Office has an issue with a specific record, this field may be used to assist in identifying the record in question.









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