

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Postsecondary

CS/CS/CS/SB 266 — Higher Education

by Fiscal Policy Committee; Appropriations Committee on Education; Education Postsecondary Committee; and Senator Grall

Board of Governors

The bill (Chapter 2023-82, L.O.F.) requires, rather than authorizes, the Board of Governors (BOG) to adopt a regulation regarding a five-year post-tenure review. The bill also requires the BOG to, following periodic academic program reviews, provide a directive to each university regarding any violation of the Florida Educational Equity Act (FEEA), or programs 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.

University Hiring Authority and Personnel

The bill assigns final authority for hiring to the president of the university, who may delegate this authority to the executive management team, provost, or to individual deans, and:

- Requires each university president to annually present to his or her BOT the results of performance evaluations of personnel earning at least \$200,000 or more.
- Prohibits any statement, pledge, or oath, other than those specified, as a part of the admissions, hiring, employment, promotion, tenure, disciplinary, or evaluation process.
- Specifies that faculty grievances terminate with the university president or designee.

Prohibited Expenditures at Public Postsecondary Institutions

The bill specifies that a Florida College System (FCS) institution, state university, or associated support organization may not expend any funds for programs or campus activities that violate the FEEA; advocate for diversity, equity, and inclusion; or promote or engage in political or social activism. The bill exempts from such prohibited expenditures requirements student fees to support student-led organizations and the organization's use of institution facilities, with conditions; and other programs related to compliance with law, accreditation, or student access.

Preeminent State Research Universities Program

The bill modifies the Preeminent State Research Universities Program to add a criteria for the total annual STEM-related research state and federal expenditures of \$50 million or more. The bill also modifies the total number of standards that an institution must meet to be designated as a preeminent or emerging preeminent state research university.

General Education

The bill establishes content standards in the general education core subject areas, and specifies that general education core courses may not distort significant historical events or teach identity

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politics and specified concepts related to discrimination. The bill also requires faculty committees to, by July 1, 2024, and each four years thereafter, review and recommend to the Articulation Coordinating Committee (ACC) and the State Board of Education (SBE) and BOG changes to the general education core course options.

The bill specifies that general education courses must meet specified content standards, and:

- Requires each FCS institution and state university BOT to annually review and approve, at a public meeting, general education course requirements.
- Requires the ACC to, by December 1, 2024, and each December 1 thereafter, submit for approval to the SBE and the BOG courses identified by institutions as general education.
- Specifies that institutions that fail to comply with the requirements for general education courses are not eligible to receive performance-based funding.

State University Institutes

The bill creates the Institute for Risk Management & Insurance Education in Volusia County, within the College of Business at the University of Central Florida.

The bill requires the University of Florida to, annually starting January 1, 2025, report to the Governor and the Legislature on the progress toward establishing the Hamilton Center for Classical and Civic Education as a permanent college. The center must develop plans to ensure that all university students demonstrate competency in civil discourse.

The bill renames the Florida Institute of Politics at FSU to the Florida Institute for Governance and Civics, and removes the institute's stated purpose in favor of specified goals.

The bill expands the authorized activities of the Adam Smith Center for the Study of Economic Freedom regarding hiring, enrollment, curriculum, and fundraising.

Accreditation

The bill clarifies that the change in accreditation required in law for each public postsecondary institution is restricted to a one-time change. The bill also prohibits an accrediting agency or association from compelling any public postsecondary institution to violate state law, which may be enforced through the cause of action in law.

Buy One, Get One Free Tuition Waiver

The bill adds to eligible programs under the "Buy One, Get One Free" tuition waiver, beginning in the 2023-2024 academic year, two state-approved teacher preparation programs identified by the BOG. The bill also protects students from losing the waiver if the program is removed from the approved list subsequent to the student's enrollment.

These provisions were approved by the Governor and take effect July 1, 2023.

Vote: Senate 27-12; House 81-34

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SB 274 — Nursing Education Pathway for Military Combat Medics

by Senators Avila, Burgess, Osgood, and Perry

The bill creates the “Pathway for Military Combat Medics Act,” which expands the award of postsecondary credit for military training and education courses to promote uniformity in the application of military combat medic training and education toward postsecondary credit (credit) or career education clock hours (clock hours) by public postsecondary educational institutions.

The bill requires the Department of Education’s Articulation Coordinating Committee (ACC) to convene a workgroup to establish a process for prioritizing and determining postsecondary course equivalencies and the minimum credit or clock hours that must be awarded in an accredited nursing education program for military training and education associated with service in specified positions. The process must be approved by the Board of Governors of the State University System (BOG) and the State Board of Education (SBE).

The bill requires the ACC to approve a list of postsecondary course equivalencies and credit and clock hours awarded for such courses and training, which must be approved by the BOG and SBE in the statewide articulation agreement. State universities, Florida College System institutions, and career centers must award credit or clock hours based on the approved list.

Additionally, the bill revises a primary goal of the Florida Center for Nursing to provide that, under its strategic statewide plan for nursing manpower, the encouragement and coordination of the development of partnerships must include partnerships with hospitals that provide opportunities for nursing students to obtain clinical experience.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0

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SB 596 — Board of Governors of the State University System

by Senator Martin

The bill expands the authority of the Office of Inspector General (OIG) within the Board of Governors (BOG) of the State University System to:

- Issue and serve subpoenas and subpoenas duces tecum, for the BOG or all state universities, to compel the appearance of witnesses and the production of documents, reports, answers, records, accounts, and other data in any medium.
- Require or authorize a person to file a written statement, under oath if required, as to all the facts and circumstances concerning the matter to be audited, examined, or investigated.

The bill specifies that, in the event of noncompliance with a subpoena, the OIG may petition the appropriate circuit court for an order requiring the subpoenaed person to appear and testify and to produce documents, reports, answers, records, accounts, or other data as specified in the subpoena.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 30-9; House 112-1

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2023 SUMMARY OF LEGISLATION PASSED
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CS/SB 598 — Higher Educational Facilities Financing

by Education Postsecondary Committee and Senator Martin

The bill amends provisions related to the Higher Educational Facilities Financing Authority (HEFFA). The bill confirms the declarations of the HEFFA as serving the public interest, as determined by the Legislature.

The bill specifies the term for a new appointee to the HEFFA begins on the later of the dates on which the current term expires or the date of appointment by the Governor.

The bill authorizes the HEFFA to conduct meetings and workshops by means of communications media technology. The bill provides notice requirements to inform the public of the remote meeting and participation specifications for meetings and workshops conducted via communication media technology. The bill specifies that majority voting is for members participating in the meeting, rather than those present.

The bill expands the authority of the HEFFA to contract for administrative services. The bill modifies the time by which the HEFFA determines the financial responsibility of an applicant, to specify that the HEFFA may not enter into a financing agreement for a project with a participating institution that is not financially responsible and fully capable of fulfilling the obligations at the time the agreement is executed.

Additionally, the bill revises the timeframe within which the authority is required to submit a report to the Governor and the Legislature from 2 months to 6 months after the end of the fiscal year.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 38-0; House 114-0

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CS/SB 732 — Collegiate Purple Star Campuses

by Education Postsecondary Committee and Senators Wright and Collins

The bill establishes the Collegiate Purple Star Campuses program to support military-connected families. The bill defines the term military student as a student enrolled in a Florida College System institution, state university, or career center who is an active duty member or veteran of the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard; a reserve component of a military branch; or the Florida National Guard, and his or her spouse or dependents.

To implement the program, the bill requires the State Board of Education (SBE) and the Board of Governors (BOG) to adopt rules and regulations, respectively, to establish the Collegiate Purple Star Campuses program and provide minimum requirements.

The bill also authorizes the SBE and the BOG to establish additional criteria to identify for the program potential institutions that demonstrate a commitment to or provide critical transition supports for military-connected families.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 38-0; House 119-0

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2023 SUMMARY OF LEGISLATION PASSED
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CS/CS/SB 846 — Agreements of Educational Entities with Foreign Entities

by Rules Committee; Judiciary Committee; and Senator Avila

The bill (Chapter 2023-34, L.O.F.) establishes requirements specific to state universities and Florida College System institutions (state colleges) with respect to receiving foreign gifts and entering into international cultural agreements.

The bill prohibits state universities, state colleges, and their employees and representatives, from soliciting or accepting any gift in their official capacities from a college or university based in a foreign country of concern specified in law, or from a foreign principal, which is an individual or entity associated with a foreign country of concern.

The bill also prohibits state universities and state colleges from accepting any grant from or participating in either of the following with a foreign country of concern, or with any foreign principal:

- An agreement, defined as a written statement of mutual interest in academic or research collaboration, beginning July 1, 2023.
- A partnership, defined as a faculty or student exchange program, study abroad program, articulation program, recruiting program, or dual degree program, beginning December 1, 2023.

A state university or college may only participate in an agreement or partnership with a college or university based in a foreign country of concern, or with a foreign principal, if authorized by the Board of Governors (BOG) or the State Board of Education (SBE), respectively, and if the agreement satisfies certain other criteria required of all state agency cultural agreements.

The bill also:

- Authorizes the BOG or the SBE to impose statutory sanctions on, and withhold performance funding from, state universities or state colleges for unapproved partnerships or agreements.
- Requires the BOG and the SBE to submit a report to the Governor and the Legislature, annually by December 1, to include data on grants, agreements, partnerships, contracts, or physical locations with any foreign country of concern.

Lastly, the bill prohibits the ownership or operation of any private school participating in the state's school choice scholarship program, by a person or entity domiciled in, owned by, or in any way controlled by a foreign country of concern or a foreign principal.

These provisions were approved by the Governor and take effect on July 1, 2023.

Vote: Senate 39-0; House 119-0

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CS/CS/HB 931 — Postsecondary Educational Institutions

by Education and Employment Committee; Higher Education Appropriations Subcommittee; and Rep. Roach and others (CS/SB 958 by Education Postsecondary Committee and Senator Perry)

The bill requires the Board of Governors (BOG) to create a Committee on Public Policy Events and each state university to establish an Office of Public Policy Events, to organize, publicize, and stage debates, group forums, and lectures at each SUS institution that address, from multiple, divergent, and opposing perspectives, an extensive range of public policy issues widely discussed and debated in society at large. The bill requires each university to maintain a calendar and report to the BOG about such events.

The bill prohibits the use of political loyalty tests in a state university's hiring, admissions, or promotion process, and provides a definition of such test. The bill authorizes the State Board of Education and the BOG to adopt rules and regulations, respectively, regarding implementation and penalties for non-compliance.

Additionally, the bill establishes the Florida Student Association (FSA) and its board of directors made up of the 12 student body presidents of the state universities. The bill requires the FSA to adopt bylaws to establish due process protections for the FSA president.

The bill extends to December 1, the date the State Board of Education and BOG, respectively, must annually compile and publish the Intellectual Freedom and Viewpoint Diversity survey results, starting in 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 33-5; House 82-34

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CS/SB 1272 — Educational Grants

by Appropriations Committee and Senators Simon, Powell, Gruters, Garcia, and Perry

The bill creates a postsecondary educational grant under the William L. Boyd, IV, Effective Access to Student Education (EASE) Grant Program.

The bill requires the Florida Department of Education (DOE) to issue a grant to any full-time, degree-seeking, and Florida resident undergraduate student in a baccalaureate degree program at an independent nonprofit university that was formerly eligible for the Access to Better Learning and Education (ABLE) Grant Program, is accredited by the Higher Learning Commission, has been located in Florida for more than 20 years, and offers specified nursing programs at its Florida campus.

The bill requires the DOE to issue a grant to any full-time, degree-seeking, and Florida resident undergraduate student in a baccalaureate degree program at an independent for-profit college or university that is located in and chartered by Florida, is accredited by an accrediting agency or association recognized by the database created and maintained by the United States Department of Education, was licensed by the DOE before October 1, 2021, and has Level 6 accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools.

The bill requires institutions wanting to participate to provide a one-time notice to the DOE, and prescribes criteria relating to grant awards, remittance of undisbursed funds, and reporting for participating institutions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 114-0