

1 A bill to be entitled
2 An act relating to higher education; amending s.
3 1001.43, F.S.; revising and providing methods of
4 recognition for academic achievement; amending s.
5 1001.706, F.S.; requiring the Board of Governors to
6 report on the intellectual freedom and viewpoint
7 diversity at each state university; creating s.
8 1004.016, F.S.; establishing the Resourcing Industry
9 for a Stronger Economy (RISE) to 55 Initiative for
10 specified purposes; providing duties of the Higher
11 Education Coordinating Council and requiring the
12 council to submit recommendations to the Legislature
13 by a specified date; creating s. 1004.097, F.S.;
14 providing a short title; providing definitions;
15 providing applicability; authorizing a public
16 institution of higher education to create and enforce
17 certain restrictions relating to expressive activities
18 on campus; providing a cause of action for violations
19 of the act; amending s. 1009.215, F.S.; revising
20 Bright Futures Scholarship eligibility requirements
21 for students enrolled in the student enrollment pilot
22 program; amending s. 1009.24, F.S.; providing student
23 government association disclosure and recordkeeping
24 requirements for the allocation of activity and
25 service fees; providing an effective date.

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

Section 1. Paragraph (b) of subsection (14) of section 1001.43, Florida Statutes, is amended to read:

1001.43 Supplemental powers and duties of district school board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(14) RECOGNITION OF ACADEMIC ACHIEVEMENT.—

(b) The district school board is encouraged to adopt policies and procedures to celebrate the academic achievement of students by: ~~provide for a student~~

1. Declaring an "Academic Scholarship Signing Day" by declaring the third Tuesday in April each year as "Academic Scholarship Signing Day." ~~The "Academic Scholarship Signing Day"~~ to shall recognize the outstanding academic achievement of high school seniors who sign a letter of intent to accept an academic scholarship offered to the student by a postsecondary educational institution.

2. Declaring a "College Decision Day" to recognize high school seniors for their postsecondary education plans and to encourage early preparation for college.

50 District school board policies and procedures may include, but
51 need not be limited to, conducting assemblies or other
52 appropriate public events in which students ~~offered academic~~
53 ~~scholarships assemble and~~ sign actual or ceremonial documents
54 accepting ~~those~~ scholarships or enrollment. The district school
55 board may encourage holding such events in an assembly or
56 gathering of the entire student body as a means of making
57 academic success and recognition visible to all students.

58 Section 2. Paragraph (j) is added to subsection (3) of
59 section 1001.706, Florida Statutes, to read:

60 1001.706 Powers and duties of the Board of Governors.—

61 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
62 OPERATION OF STATE UNIVERSITIES.—

63 (j) By September 1 of each year, the Board of Governors
64 shall report on the intellectual freedom and viewpoint diversity
65 at each institution through an objective, nonpartisan, and
66 statistically valid survey that enables comparison among such
67 institutions over time. Each institution shall conduct an annual
68 survey of students, faculty, and administrators that assesses
69 the extent to which competing ideas and perspectives are
70 presented and members of the university community feel safe and
71 supported in exploring and articulating their beliefs and
72 viewpoints on campus and in the classroom.

73 Section 3. Section 1004.016, Florida Statutes, is created
74 to read:

75 1004.016 RISE to 55 Initiative.—The Resourcing Industry
76 for a Stronger Economy (RISE) to 55 Initiative is created to
77 increase postsecondary attainment among Floridians to 55 percent
78 by 2025. To support such initiative, the Higher Education
79 Coordinating Council shall, at a minimum:

80 (1) Increase the awareness and use of:

81 (a) The student advising system established under s.
82 1006.735(4) (b) .

83 (b) The Complete Florida Degree Initiative established
84 under s. 1006.735(2) that facilitates degree completion for the
85 state's adult learners.

86 (c) Summer bridge programs at state universities and
87 Florida College System institutions that help students
88 transition to postsecondary education.

89 (2) Develop public and private partnerships to:

90 (a) Increase the number of high school seniors who submit
91 at least one complete postsecondary education application.

92 (b) Increase the number of high school seniors who submit
93 a completed Free Application for Federal Student Aid to receive
94 financial aid to help pay for their postsecondary education
95 expenses.

96 (c) Recognize and celebrate high school seniors for their
97 postsecondary education plans and encourage early preparation
98 for college through "College Decision Day" and "Academic
99 Scholarship Signing Day" pursuant to s. 1001.43(14) (b) .

100 (d) Conduct regional meetings with postsecondary
 101 educational institutions, business leaders, and community
 102 organizations to solve community-specific issues related to
 103 attainment of postsecondary certificates and associate degrees.

104 (3) Facilitate a reverse transfer agreement between the
 105 State Board of Education and the Board of Governors to award
 106 postsecondary education credentials to students who have earned
 107 them.

108 (4) Provide recommendations to the Legislature by January
 109 15, 2019, on ways to increase postsecondary certificate and
 110 associate degree attainment by Florida College System students
 111 who continue to demonstrate unmet financial need after receiving
 112 existing federal and state financial aid awards. The
 113 recommendations must include the annual cost of covering the
 114 remaining tuition and fees for such students enrolled full-time
 115 in a certificate or associate degree program and the estimated
 116 number of students who would benefit from the state covering
 117 such costs.

118 Section 4. Section 1004.097, Florida Statutes, is created
 119 to read:

120 1004.097 Free expression on campus.-

121 (1) SHORT TITLE.-This section may be cited as the "Campus
 122 Free Expression Act."

123 (2) DEFINITIONS.-

124 (a) "Commercial speech" means speech where the individual
125 is engaged in commerce, where the intended audience is
126 commercial or actual or potential consumers, and where the
127 content of the message is commercial.

128 (b) "Free speech zone" means an area on a public
129 institution of higher education's campus designated for the
130 purpose of engaging in expressive activities.

131 (c) "Material and substantial disruption" means any
132 conduct that intentionally and significantly hinders another
133 person's or group's expressive rights. The term does not include
134 conduct that is protected under the First Amendment to the
135 United States Constitution and Art. I of the State Constitution,
136 including, but not limited to, lawful protests and counter-
137 protests in the outdoor areas of campus or minor, brief, or
138 fleeting nonviolent disruptions that are isolated or brief in
139 duration.

140 (d) "Outdoor areas of campus" means generally accessible
141 areas of a public institution of higher education's campus where
142 members of the campus community are commonly allowed, including
143 grassy areas, walkways, or other similar common areas. The term
144 does not include outdoor areas of campus where access is
145 restricted.

146 (e) "Public institution of higher education" means any
147 public technical center, state college, state university, law

148 school, medical school, dental school, or other Florida College
149 System institution as defined in s. 1000.21.

150 (3) RIGHT TO FREE SPEECH ACTIVITIES.—

151 (a) Expressive activities protected under the First
152 Amendment to the United States Constitution and Art. I of the
153 State Constitution include, but are not limited to, any lawful
154 oral or written communication of ideas, including all forms of
155 peaceful assembly, protests, and speeches; distributing
156 literature; carrying signs; circulating petitions; and the
157 recording and publication, including the Internet publication,
158 of video or audio recorded in outdoor areas of campus of public
159 institutions of higher education. Expressive activities
160 protected by this section do not include commercial speech.

161 (b) A person who wishes to engage in an expressive
162 activity in the outdoor areas of campus may do so freely,
163 spontaneously, and contemporaneously as long as the person's
164 conduct is lawful and does not materially and substantially
165 disrupt the functioning of the public institution of higher
166 education or infringe upon the rights of other individuals or
167 organizations to engage in expressive activities.

168 (c) The outdoor areas of campus are considered traditional
169 public forums for individuals, organizations, and guest
170 speakers. A public institution of higher education may create
171 and enforce restrictions that are reasonable and content-neutral
172 on time, place, and manner of expression and that are narrowly

173 tailored to a significant institutional interest. Restrictions
174 must be clear, published, and provide for ample alternative
175 means of expression.

176 (d) A public institution of higher education may not
177 designate any area of campus as a free speech zone or otherwise
178 create policies restricting expressive activities to a
179 particular outdoor area of campus, except as provided in
180 paragraph (c).

181 (e) Students, faculty, or staff of a public institution of
182 higher education may not materially disrupt previously scheduled
183 or reserved activities on campus occurring at the same time.

184 (4) CAUSE OF ACTION.—Any person whose expressive rights
185 are violated by an action prohibited under this section may
186 bring an action in a court of competent jurisdiction to obtain
187 declaratory and injunctive relief, reasonable court costs, and
188 attorney fees.

189 Section 5. Subsections (3) and (4) of section 1009.215,
190 Florida Statutes, are amended to read:

191 1009.215 Student enrollment pilot program for the spring
192 and summer terms.—

193 (3) Students who are enrolled in the pilot program and who
194 are eligible to receive Bright Futures Scholarships under ss.
195 1009.53-1009.536 shall be eligible to receive the scholarship
196 award for attendance during the spring and summer terms ~~no more~~
197 ~~than 2 semesters or the equivalent in any fiscal year, including~~

198 ~~the summer term.~~ Such students shall be eligible to receive the
199 scholarship award for one semester of off-campus or online
200 coursework taken during the fall term, in addition to the spring
201 and summer terms, if funding is provided in the General
202 Appropriations Act for three terms for other Bright Futures
203 Scholarship recipients.

204 ~~(4) By January 31, 2013, the University of Florida shall~~
205 ~~report to the Board of Governors, the President of the Senate,~~
206 ~~and the Speaker of the House of Representatives regarding the~~
207 ~~result of the pilot program.~~

208 Section 6. Paragraph (c) is added to subsection (10) of
209 section 1009.24, Florida Statutes, to read:

210 1009.24 State university student fees.—

211 (10)

212 (c)1. To preserve viewpoint neutrality in the allocation
213 of activity and service fees, any recognized student
214 organization that submits an activity and service fee funding
215 request to the student government association that disburses
216 such funds shall be provided a written justification for the
217 amount of funds awarded to the requesting organization.

218 2. Each student government association shall maintain an
219 organized record of funding requests and awards. The record
220 shall be displayed in an easy-to-find place on the student
221 government association's website. The record shall contain the
222 name of each organization that requested funds, the amount the

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223 | organization requested, the amount the organization received,
224 | and the written justification required pursuant to subparagraph
225 | 1. that was provided to the requesting organization.

226 | Section 7. This act shall take effect July 1, 2018.