



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; providing
8 requirements for the Board of Governors Office of the
9 Inspector General; requiring the Board of Governors to
10 match certain student information with specified
11 educational and employment records; authorizing the
12 Board of Governors to enter into an agreement with the
13 Department of Economic Opportunity for certain
14 purposes; requiring the agreement to ensure the proper
15 use and privacy of certain information; creating s.
16 1004.016, F.S.; establishing the Resourcing Industry
17 for a Stronger Economy (RISE) to 55 Initiative for
18 specified purposes; providing duties of the Higher
19 Education Coordinating Council and requiring the
20 council to submit recommendations to the Legislature
21 by a specified date; creating s. 1004.097, F.S.;
22 providing a short title; providing definitions;
23 providing applicability; authorizing a public
24 institution of higher education to create and enforce
25 certain restrictions relating to expressive activities



26 on campus; providing a cause of action for violations
27 of the act; amending s. 1009.215, F.S.; revising
28 Bright Futures Scholarship eligibility requirements
29 for students enrolled in the student enrollment pilot
30 program; amending s. 1009.24, F.S.; providing student
31 government association disclosure and recordkeeping
32 requirements for the allocation of activity and
33 service fees; amending s. 1001.26, F.S.; revising
34 eligibility for state funds for certain public college
35 and university educational television stations;
36 amending s. 1011.90, F.S.; providing requirements for
37 certain legislative budget requests; requiring the
38 Board of Governors to define certain terms; amending
39 s. 1013.30, F.S.; prohibiting local governmental
40 entities from preventing public motor vehicle use or
41 access to certain transportation facilities or
42 transportation corridors under certain conditions;
43 providing an effective date.

44
45 Be It Enacted by the Legislature of the State of Florida:

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47 Section 1. Paragraph (b) of subsection (14) of section
48 1001.43, Florida Statutes, is amended to read:

49 1001.43 Supplemental powers and duties of district school
50 board.—The district school board may exercise the following



51 supplemental powers and duties as authorized by this code or
52 State Board of Education rule.

53 (14) RECOGNITION OF ACADEMIC ACHIEVEMENT.—

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

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

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

67
68 District school board policies and procedures may include, but
69 need not be limited to, conducting assemblies or other
70 appropriate public events in which students ~~offered academic~~
71 ~~scholarships assemble and~~ sign actual or ceremonial documents
72 accepting ~~those~~ scholarships or enrollment. The district school
73 board may encourage holding such events in an assembly or
74 gathering of the entire student body as a means of making
75 academic success and recognition visible to all students.



76 Section 2. Paragraph (j) is added to subsection (3) of
77 section 1001.706, Florida Statutes, paragraph (e) of subsection
78 (5) is amended, and paragraph (h) is added to that subsection,
79 to read:

80 1001.706 Powers and duties of the Board of Governors.—

81 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
82 OPERATION OF STATE UNIVERSITIES.—

83 (j) By September 1 of each year, the Board of Governors
84 shall report on the intellectual freedom and viewpoint diversity
85 at each institution through an objective, nonpartisan, and
86 statistically valid survey that enables comparison among such
87 institutions over time. Each institution shall conduct an annual
88 survey of students, faculty, and administrators that assesses
89 the extent to which competing ideas and perspectives are
90 presented and members of the university community feel safe and
91 supported in exploring and articulating their beliefs and
92 viewpoints on campus and in the classroom.

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

94 (e) The Board of Governors shall maintain an effective
95 information system to provide accurate, timely, and cost-
96 effective information about each university. The board shall
97 continue to collect and maintain, at a minimum, management
98 information as such information existed on June 30, 2002. The
99 Board of Governors Office of the Inspector General shall
100 annually validate the integrity and consistency of the data used



101 to implement ss. 1001.7065 and 1001.92.

102 (h) The Board of Governors shall match individual student
103 information with information in the files of state and federal
104 agencies that maintain educational and employment records. The
105 board must enter into an agreement with the Department of
106 Economic Opportunity that allows access to the individual
107 reemployment assistance wage records maintained by the
108 department. The agreement must protect individual privacy and
109 provide that student information may be used only for the
110 purposes of auditing or evaluating higher education programs
111 offered by state universities.

112 Section 3. Section 1004.016, Florida Statutes, is created
113 to read:

114 1004.016 RISE to 55 Initiative.—The Resourcing Industry
115 for a Stronger Economy (RISE) to 55 Initiative is created to
116 increase postsecondary attainment among Floridians to 55 percent
117 by 2025. To support such initiative, the Higher Education
118 Coordinating Council shall, at a minimum:

119 (1) Increase the awareness and use of:

120 (a) The student advising system established under s.
121 1006.735(4)(b).

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

125 (c) Summer bridge programs at state universities and



126 Florida College System institutions that help students
127 transition to postsecondary education.

128 (2) Develop public and private partnerships to:

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

131 (b) Increase the number of high school seniors who submit
132 a completed Free Application for Federal Student Aid to receive
133 financial aid to help pay for their postsecondary education
134 expenses.

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

139 (d) Conduct regional meetings with postsecondary
140 educational institutions, business leaders, and community
141 organizations to solve community-specific issues related to
142 attainment of postsecondary certificates and associate degrees.

143 (3) Facilitate a reverse transfer agreement between the
144 State Board of Education and the Board of Governors to award
145 postsecondary education credentials to students who have earned
146 them.

147 (4) Provide recommendations to the Legislature by January
148 15, 2019, on ways to increase postsecondary certificate and
149 associate degree attainment by Florida College System students
150 who continue to demonstrate unmet financial need after receiving



151 existing federal and state financial aid awards. The
152 recommendations must include the annual cost of covering the
153 remaining tuition and fees for such students enrolled full-time
154 in a certificate or associate degree program and the estimated
155 number of students who would benefit from the state covering
156 such costs.

157 Section 4. Section 1004.097, Florida Statutes, is created
158 to read:

159 1004.097 Free expression on campus.—

160 (1) SHORT TITLE.—This section may be cited as the "Campus
161 Free Expression Act."

162 (2) DEFINITIONS.—

163 (a) "Commercial speech" means speech where the individual
164 is engaged in commerce, where the intended audience is
165 commercial or actual or potential consumers, and where the
166 content of the message is commercial.

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

170 (c) "Material and substantial disruption" means any
171 conduct that intentionally and significantly hinders another
172 person's or group's expressive rights. The term does not include
173 conduct that is protected under the First Amendment to the
174 United States Constitution and Art. I of the State Constitution,
175 including, but not limited to, lawful protests and counter-



176 protests in the outdoor areas of campus or minor, brief, or
177 fleeting nonviolent disruptions that are isolated or brief in
178 duration.

179 (d) "Outdoor areas of campus" means generally accessible
180 areas of a public institution of higher education's campus where
181 members of the campus community are commonly allowed, including
182 grassy areas, walkways, or other similar common areas. The term
183 does not include outdoor areas of campus where access is
184 restricted.

185 (e) "Public institution of higher education" means any
186 public technical center, state college, state university, law
187 school, medical school, dental school, or other Florida College
188 System institution as defined in s. 1000.21.

189 (3) RIGHT TO FREE SPEECH ACTIVITIES.-

190 (a) Expressive activities protected under the First
191 Amendment to the United States Constitution and Art. I of the
192 State Constitution include, but are not limited to, any lawful
193 oral or written communication of ideas, including all forms of
194 peaceful assembly, protests, and speeches; distributing
195 literature; carrying signs; circulating petitions; and the
196 recording and publication, including the Internet publication,
197 of video or audio recorded in outdoor areas of campus of public
198 institutions of higher education. Expressive activities
199 protected by this section do not include commercial speech.



200 (b) A person who wishes to engage in an expressive
201 activity in the outdoor areas of campus may do so freely,
202 spontaneously, and contemporaneously as long as the person's
203 conduct is lawful and does not materially and substantially
204 disrupt the functioning of the public institution of higher
205 education or infringe upon the rights of other individuals or
206 organizations to engage in expressive activities.

207 (c) The outdoor areas of campus are considered traditional
208 public forums for individuals, organizations, and guest
209 speakers. A public institution of higher education may create
210 and enforce restrictions that are reasonable and content-neutral
211 on time, place, and manner of expression and that are narrowly
212 tailored to a significant institutional interest. Restrictions
213 must be clear, published, and provide for ample alternative
214 means of expression.

215 (d) A public institution of higher education may not
216 designate any area of campus as a free speech zone or otherwise
217 create policies restricting expressive activities to a
218 particular outdoor area of campus, except as provided in
219 paragraph (c).

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

223 (4) CAUSE OF ACTION.—Any person whose expressive rights
224 are violated by an action prohibited under this section may



225 bring an action in a court of competent jurisdiction to obtain
226 declaratory and injunctive relief, reasonable court costs, and
227 attorney fees.

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

230 1009.215 Student enrollment pilot program for the spring
231 and summer terms.—

232 (3) Students who are enrolled in the pilot program and who
233 are eligible to receive Bright Futures Scholarships under ss.
234 1009.53-1009.536 shall be eligible to receive the scholarship
235 award for attendance during the spring and summer terms ~~no more~~
236 ~~than 2 semesters or the equivalent in any fiscal year, including~~
237 ~~the summer term.~~ Such students shall be eligible to receive the
238 scholarship award for one semester of off-campus or online
239 coursework taken during the fall term, in addition to the spring
240 and summer terms, if funding is provided in the General
241 Appropriations Act for three terms for other Bright Futures
242 Scholarship recipients.

243 ~~(4) By January 31, 2013, the University of Florida shall~~
244 ~~report to the Board of Governors, the President of the Senate,~~
245 ~~and the Speaker of the House of Representatives regarding the~~
246 ~~result of the pilot program.~~

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

249 1009.24 State university student fees.—



250 (10)
251 (c)1. To preserve viewpoint neutrality in the allocation
252 of activity and service fees, any recognized student
253 organization that submits an activity and service fee funding
254 request to the student government association that disburses
255 such funds shall be provided a written justification for the
256 amount of funds awarded to the requesting organization.

257 2. Each student government association shall maintain an
258 organized record of funding requests and awards. The record
259 shall be displayed in an easy-to-find place on the student
260 government association's website. The record shall contain the
261 name of each organization that requested funds, the amount the
262 organization requested, the amount the organization received,
263 and the written justification required pursuant to subparagraph
264 1. that was provided to the requesting organization.

265 Section 7. Subsection (1) of section 1001.26, Florida
266 Statutes, is amended to read:

267 1001.26 Public broadcasting program system.—

268 (1) There is created a public broadcasting program system
269 for the state. The department shall provide funds, as
270 specifically appropriated in the General Appropriations Act, to
271 educational television stations qualified by the Corporation for
272 Public Broadcasting or public colleges and universities that are
273 part of the public broadcasting program system. The program
274 system must include:



275 (a) Support for existing Corporation for Public
276 Broadcasting qualified program system educational television
277 stations.

278 (b) Maintenance of quality broadcast capability for
279 educational stations that are part of the program system.

280 (c) Interconnection of all educational stations that are
281 part of the program system for simultaneous broadcast and of
282 such stations with all universities and other institutions as
283 necessary for sharing of resources and delivery of programming.

284 (d) Establishment and maintenance of a capability for
285 statewide program distribution with facilities and staff,
286 provided such facilities and staff complement and strengthen
287 existing educational television stations.

288 (e) Provision of both statewide programming funds and
289 station programming support for educational television to meet
290 statewide priorities. Priorities for station programming need
291 not be the same as priorities for programming to be used
292 statewide. Station programming may include, but shall not be
293 limited to, citizens' participation programs, music and fine
294 arts programs, coverage of public hearings and governmental
295 meetings, equal air time for political candidates, and other
296 public interest programming.

297 Section 8. Subsection (4) of section 1011.90, Florida
298 Statutes, is amended to read:

299 1011.90 State university funding.—



300 (4) The Board of Governors shall establish and validate a
301 cost-estimating system consistent with the requirements of
302 subsection (1) and shall report as part of its legislative
303 budget request the actual expenditures for the fiscal year
304 ending the previous June 30. The legislative budget request must
305 also include 5-year trend information on the number of faculty
306 and administrators at each state university. The Board of
307 Governors shall define the faculty and administrative personnel
308 classifications and include the definitions in the legislative
309 budget request. Expenditure analysis, operating budgets, and
310 annual financial statements of each university must be prepared
311 using the standard financial reporting procedures and formats
312 prescribed by the Board of Governors. These formats shall be the
313 same as used for the 2000-2001 fiscal year reports. Any
314 revisions to these financial and reporting procedures and
315 formats must be approved by the Executive Office of the Governor
316 and the appropriations committees of the Legislature jointly
317 under the provisions of s. 216.023(3). The Board of Governors
318 shall continue to collect and maintain at a minimum management
319 information existing on June 30, 2002. The expenditure analysis
320 report shall include total expenditures from all sources for the
321 general operation of the university and shall be in such detail
322 as needed to support the legislative budget request.

323 Section 9. Subsection (24) is added to section 1013.30 to
324 read:



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325 | (24) A local governmental entity may not prevent public
326 | motor vehicle use or access to an existing transportation
327 | facility or transportation corridor, as those terms are defined
328 | in s. 334.03, if the transportation facility or transportation
329 | corridor is one of only two or fewer ingress and egress points
330 | into a state university as defined in s. 1000.21 and regulated
331 | by the Board of Governors of the State University System as
332 | provided in s. 20.155.

333 | Section 10. This act shall take effect July 1, 2018.