

1 A bill to be entitled
2 An act relating to postsecondary educational
3 institutions; amending ss. 1001.03 and 1001.706, F.S.;
4 revising the date by which the State Board of
5 Education and the Board of Governors must annually
6 compile and publish specified assessments; creating s.
7 1001.93, F.S.; providing legislative findings;
8 providing definitions; requiring the Board of
9 Governors of the State University System to establish
10 an Office of Public Policy Events; requiring the
11 office to establish satellite offices at each state
12 university; providing duties of the office, including
13 duties relating to hosting specified events and
14 recordings of such events, maintaining calendars, and
15 reporting requirements; authorizing a state university
16 to assume the responsibilities of the satellite office
17 on its campus; providing requirements for such state
18 universities; requiring satellite offices to report to
19 specified state university offices; providing
20 requirements for events of the office; amending s.
21 1004.097, F.S.; prohibiting public institutions of
22 higher education from requiring the completion of a
23 political loyalty test or for persons to meet certain
24 qualifications; providing requirements for such
25 prohibited tests and qualifications; requiring the

26 State Board of Education and the Board of Governors to
 27 adopt rules and regulations for specified purposes;
 28 providing severability; amending s. 1004.26, F.S.;

29 designating the Florida Student Association as the
 30 nonprofit advocacy organization for students of the
 31 State University System; authorizing the Chancellor of
 32 the Board of Governors, with approval from the Board
 33 of Governors, to designate another organization to
 34 serve such students under certain circumstances;
 35 providing membership for the board of directors of the
 36 association; providing requirements for such board of
 37 directors relating to the board's chair and the
 38 association's president; requiring the board of
 39 directors to adopt certain bylaws; providing an
 40 effective date.

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

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44 Section 1. Paragraph (b) of subsection (19) of section
 45 1001.03, Florida Statutes, is amended to read:

46 1001.03 Specific powers of State Board of Education.—

47 (19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
 48 ASSESSMENT.—

49 (b) The State Board of Education shall require each
 50 Florida College System institution to conduct an annual

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51 assessment of the intellectual freedom and viewpoint diversity
52 at that institution. The State Board of Education shall select
53 or create an objective, nonpartisan, and statistically valid
54 survey to be used by each institution which considers the extent
55 to which competing ideas and perspectives are presented and
56 members of the college community, including students, faculty,
57 and staff, feel free to express their beliefs and viewpoints on
58 campus and in the classroom. The State Board of Education shall
59 annually compile and publish the assessments by December 31
60 ~~September 1~~ of each year, beginning on December 31, 2024
61 ~~September 1, 2022~~. The State Board of Education may adopt rules
62 to implement this paragraph.

63 Section 2. Paragraph (b) of subsection (13) of section
64 1001.706, Florida Statutes, is amended to read:

65 1001.706 Powers and duties of the Board of Governors.—

66 (13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
67 ASSESSMENT.—

68 (b) The Board of Governors shall require each state
69 university to conduct an annual assessment of the intellectual
70 freedom and viewpoint diversity at that institution. The Board
71 of Governors shall select or create an objective, nonpartisan,
72 and statistically valid survey to be used by each state
73 university which considers the extent to which competing ideas
74 and perspectives are presented and members of the university
75 community, including students, faculty, and staff, feel free to

76 | express their beliefs and viewpoints on campus and in the
 77 | classroom. The Board of Governors shall annually compile and
 78 | publish the assessments by December 31 ~~September 1~~ of each year,
 79 | beginning on December 31, 2024 ~~September 1, 2022~~.

80 | Section 3. Section 1001.93, Florida Statutes, is created
 81 | to read:

82 | 1001.93 The Office of Public Policy Events within the
 83 | State University System.—

84 | (1) The Legislature finds that the advancement of
 85 | knowledge is the fundamental purpose of the State University
 86 | System and that such advancement is facilitated by the fearless
 87 | sifting and winnowing of a wide diversity of views and that the
 88 | open discussion and debate of contested public policy issues
 89 | from diverse perspectives provides essential preparation for
 90 | mature citizenship and an informed exercise of the right to
 91 | vote.

92 | (2) For purposes of this section, the term:

93 | (a) "Debate" means an event at which two or more
 94 | participants speak in favor of opposing approaches to the same
 95 | public policy dispute, after which each participant is allotted
 96 | time to address and rebut the position presented by the opposing
 97 | speakers.

98 | (b) "Group forum" means an event at which two or more
 99 | speakers address a public policy dispute from divergent or
 100 | opposing perspectives, after which each participant is allotted

101 time to address questions from the audience and to comment on
 102 the other speakers' positions.

103 (3) The Board of Governors of the State University System
 104 shall establish, fund, and staff an Office of Public Policy
 105 Events. The office must have a satellite office at each state
 106 university within the State University System. The office must,
 107 at a minimum:

108 (a)1. Organize, publicize, and stage a substantial number
 109 of debates, group forums, and individual lectures at each state
 110 university that address, from multiple, divergent, and opposing
 111 perspectives, an extensive range of public policy issues widely
 112 discussed and debated in society at large.

113 2. Such debates, group forums, and lectures must include
 114 speakers who represent widely held views on opposing sides of
 115 the most widely discussed public policy issues of the day and
 116 who hold a wide diversity of perspectives from within and
 117 outside of the state university community.

118 3. If the office is unable to readily find an advocate
 119 from within the state university community who is well-versed in
 120 a perspective, the office shall invite a speaker who is able to
 121 represent such perspective. The office shall, when necessary,
 122 provide such speakers who are not from within the state
 123 university community with per diem and a reimbursement for
 124 travel expenses.

125 (b)1. Maintain a permanent, publicly accessible,

126 searchable, and up-to-date calendar in print, on the office's
127 website, and on each state university's website listing all of
128 the events sponsored by the office and all other debates, group
129 forums, and individual lectures open to the entire campus
130 community at the state university that address public policy
131 issues. The calendar must itemize the title of the event or
132 lecture, the name and institutional affiliation of the speaker
133 or speakers, and the office, institute, department, program, or
134 organization that sponsored the event, excluding those events
135 sponsored by off-campus groups in rented state university
136 facilities.

137 2. Beginning September 1, 2024, and annually each
138 September 1 thereafter, provide to the Governor, the
139 Legislature, and to each state university a printed and an
140 electronic copy of the previous academic year's calendar for
141 each state university. Such calendars must be arranged
142 chronologically. Such calendars must be kept in the library
143 system of each state university.

144 (c) Make publicly available, in an online format, a
145 complete video record of every debate, group forum, and
146 individual lecture organized by the office. The video recording
147 for an event organized by the office must be posted on the
148 office's website within 10 business days after the event. Such
149 video must remain publicly assessible on the office's website
150 for at least 5 years after the date of the event. Such videos

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151 must also be permanently preserved within, and made available to
152 the public through, the library of the state university that
153 hosted the event.

154 (4) At the discretion of the board of trustees of a state
155 university and the Board of Governors, the Board of Governors
156 may assign the duties of the office to an existing
157 administrative office within the state university rather than
158 establish a satellite office. The state university must appoint
159 a Director of Public Policy Events. The Director of Public
160 Policy Events and his or her staff are responsible for the
161 duties and reporting responsibilities of the office.

162 (5) Each satellite office shall report directly to either
163 the state university's office that is responsible for compiling
164 and reporting the Integrated Postsecondary Education Data
165 System's graduation rate survey or Office of General Counsel.

166 (6) Each debate, group forum, and individual lecture
167 organized by the office must be open to all students, faculty,
168 and staff of the state university and, unless restricting
169 attendance to such event is necessary to achieve a compelling
170 governmental interest, to the general public.

171 Section 4. Subsection (4) of section 1004.097, Florida
172 Statutes, is renumbered as subsection (5), and a new subsection
173 (4) is added to that section, to read:

174 1004.097 Free expression on campus.—

175 (4) (a) A public institution of higher education may not:

176 1. Require or solicit a person to complete a political
 177 loyalty test as a condition of employment or admission into, or
 178 promotion within, such institution.

179 2. Give preferential consideration to a person for
 180 employment by, admission into, or promotion within the
 181 institution for an opinion or actions in support of:

182 a. A partisan, a political, or an ideological set of
 183 beliefs; or

184 b. Another person or group of persons based on the
 185 person's or group's race or ethnicity or support of an ideology
 186 or movement identified under sub-subparagraph (b)1.a.

187 (b)1. A political loyalty test includes compelling,
 188 requiring, or soliciting a person to identify commitment to or
 189 to make a statement of personal belief in support of:

190 a. Any ideology or movement that promotes the differential
 191 treatment of a person or a group of persons based on race or
 192 ethnicity, including an initiative or a formulation of
 193 diversity, equity, and inclusion beyond upholding the equal
 194 protection of the laws guaranteed by the Fourteenth Amendment to
 195 the United States Constitution or a theory or practice that
 196 holds that systems or institutions upholding the equal
 197 protection of the laws guaranteed by the Fourteenth Amendment of
 198 the United States Constitution are racist, oppressive, or
 199 otherwise unjust; or

200 b. A specific partisan, political, or ideological set of

201 beliefs.

202 2. A political loyalty test does not include fidelity to,
 203 or an oath or effort taken to uphold, the United States
 204 Constitution or the State Constitution.

205 (c) The State Board of Education and the Board of
 206 Governors may adopt rules and regulations, respectively, to
 207 implement this subsection and establish penalties for a willful
 208 violation of this section.

209 (d) If any provision of this subsection or its application
 210 to any person or circumstance is held invalid, the invalidity
 211 does not affect other provisions or applications of this
 212 subsection or chapter which can be given effect without the
 213 invalid provision or application, and to this end the provisions
 214 of this subsection are severable.

215 Section 5. Subsection (5) of section 1004.26, Florida
 216 Statutes, is renumbered as subsection (6), and a new subsection
 217 (5) is added to that section, to read:

218 1004.26 University student governments; the Florida
 219 Student Association.—

220 (5) (a) The Florida Student Association is designated as
 221 the nonprofit advocacy organization serving the needs of the
 222 students of the State University System. If the Florida Student
 223 Association fails to meet the requirements of this section, the
 224 Chancellor of the Board of Governors shall designate an
 225 equivalent nonprofit advocacy organization to serve the needs of

226 the students of the State University System with the approval of
227 the Board of Governors.

228 (b) The Florida Student Association shall be governed by a
229 board of directors. The membership of the board of directors
230 shall be comprised of the 12 student body presidents of the
231 state universities. The board of directors shall annually elect
232 a chair from among the board's members. The chair shall also
233 serve as president of the association.

234 (c) The Florida Student Association shall adopt bylaws to
235 establish:

236 1. A due process for the removal or impeachment of the
237 president of the association. Such due process must provide that
238 the president of the association may be removed by the majority
239 vote of members of the board of directors. The grounds for
240 removal of the president of the association are limited to
241 malfeasance, misfeasance, neglect of duty, incompetence,
242 permanent inability to perform official duties, or conviction of
243 a felony.

244 2. Procedures for the suspension and removal of the
245 president of the association following the conviction of a
246 felony.

247 3. Procedures for a president of the association who has
248 been disciplined, suspended, or removed from his or her position
249 to directly appeal such decision to the Vice Chancellor for
250 Academic and Student Affairs for the Board of Governors. The

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251 bylaws may not place any condition precedent on the exercise of
252 such right granted by this paragraph and the association may not
253 elect a new president until the exhaustion of the appeals
254 process or any other due process rights afforded by this
255 section.

256 Section 6. This act shall take effect July 1, 2023.