

By Senator Perry

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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, respectively,
6 must annually compile and publish specified
7 assessments; creating s. 1001.93, F.S.; providing
8 legislative findings; defining terms; requiring the
9 Board of Governors of the State University System to
10 establish an Office of Public Policy Events; requiring
11 the office to establish satellite offices at each
12 state university; providing duties of the office,
13 including duties relating to hosting specified events
14 and recordings of such events, maintaining calendars,
15 and reporting requirements; authorizing a state
16 university to assume the responsibilities of the
17 satellite office on its campus; providing requirements
18 for such state universities; requiring satellite
19 offices to report to specified state university
20 offices; providing requirements for events of the
21 office; amending s. 1004.097, F.S.; prohibiting public
22 institutions of higher education from requiring the
23 completion of a political loyalty test or for persons
24 to meet certain qualifications; providing requirements
25 for such prohibited tests and qualifications;
26 requiring the State Board of Education and the Board
27 of Governors to adopt rules and regulations,
28 respectively, for specified purposes; providing
29 severability; amending s. 1004.26, F.S.; designating

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

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

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45 Section 1. Paragraph (b) of subsection (19) of section
46 1001.03, Florida Statutes, is amended to read:

47 1001.03 Specific powers of State Board of Education.—

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

50 (b) The State Board of Education shall require each Florida
51 College System institution to conduct an annual assessment of
52 the intellectual freedom and viewpoint diversity at that
53 institution. The State Board of Education shall select or create
54 an objective, nonpartisan, and statistically valid survey to be
55 used by each institution which considers the extent to which
56 competing ideas and perspectives are presented and members of
57 the college community, including students, faculty, and staff,
58 feel free to express their beliefs and viewpoints on campus and

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59 in the classroom. The State Board of Education shall annually
60 compile and publish the assessments by December 31 ~~September 1~~
61 of each year, beginning on December 31, 2024 ~~September 1, 2022~~.
62 The State Board of Education may adopt rules to implement this
63 paragraph.

64 Section 2. Paragraph (b) of subsection (13) of section
65 1001.706, Florida Statutes, is amended to read:

66 1001.706 Powers and duties of the Board of Governors.—

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

69 (b) The Board of Governors shall require each state
70 university to conduct an annual assessment of the intellectual
71 freedom and viewpoint diversity at that institution. The Board
72 of Governors shall select or create an objective, nonpartisan,
73 and statistically valid survey to be used by each state
74 university which considers the extent to which competing ideas
75 and perspectives are presented and members of the university
76 community, including students, faculty, and staff, feel free to
77 express their beliefs and viewpoints on campus and in the
78 classroom. The Board of Governors shall annually compile and
79 publish the assessments by December 31 ~~September 1~~ of each year,
80 beginning on December 31, 2024 ~~September 1, 2022~~.

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

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

85 (1) The Legislature finds that the advancement of knowledge
86 is the fundamental purpose of the State University System and
87 that such advancement is facilitated by the fearless sifting and

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88 winnowing of a wide diversity of views and that the open
89 discussion and debate of contested public policy issues from
90 diverse perspectives provides essential preparation for mature
91 citizenship and an informed exercise of the right to 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

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117 outside of the state university community.

118 3. If the office is unable to readily find an advocate from
119 within the state university community who is well-versed in a
120 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 September
138 1 thereafter, provide to the Governor, the Legislature, and to
139 each state university a printed and an electronic copy of the
140 previous academic year's calendar for each state university.
141 Such calendars must be arranged chronologically. Such calendars
142 must be kept in the library system of each state university.

143 (c) Make publicly available, in an online format, a
144 complete video recording of every debate, group forum, and
145 individual lecture organized by the office. The video recording

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146 for an event organized by the office must be posted on the
147 office's website within 10 business days after the event. Such
148 video must remain publicly accessible on the office's website
149 for at least 5 years after the date of the event. Such videos
150 must also be permanently preserved within, and made available to
151 the public through, the library of the state university that
152 hosted the event.

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

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

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

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

173 1004.097 Free expression on campus.—

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

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

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

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

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

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

189 a. Any ideology or movement that promotes the differential
190 treatment of a person or a group of persons based on race or
191 ethnicity, including an initiative or a formulation of
192 diversity, equity, and inclusion beyond upholding the equal
193 protection of the laws guaranteed by the 14th Amendment to the
194 United States Constitution or a theory or practice that holds
195 that systems or institutions upholding the equal protection of
196 the laws guaranteed by the 14th Amendment to the United States
197 Constitution are racist, oppressive, or otherwise unjust; or

198 b. A specific partisan, political, or ideological set of
199 beliefs.

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

203 (c) The State Board of Education and the Board of Governors

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204 may adopt rules and regulations, respectively, to implement this
205 subsection and establish penalties for a willful violation of
206 this section.

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

213 Section 5. Present subsection (5) of section 1004.26,
214 Florida Statutes, is redesignated as subsection (6), and a new
215 subsection (5) is added to that section, to read:

216 1004.26 University student governments; the Florida Student
217 Association.-

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

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

232 (c) The Florida Student Association shall adopt bylaws to

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233 establish:

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

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

245 3. Procedures for a president of the association who has
246 been disciplined, suspended, or removed from his or her position
247 to directly appeal such decision to the Vice Chancellor for
248 Academic and Student Affairs for the Board of Governors. The
249 bylaws may not place any condition precedent on the exercise of
250 such right granted by this paragraph, and the association may
251 not elect a new president until the exhaustion of the appeals
252 process or any other due process rights afforded by this
253 section.

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