

By the Committee on Education Postsecondary; and Senator Perry

589-02907-23

2023958c1

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 a Committee on Public Policy Events;  
11 requiring each state university to establish an Office  
12 of Public Policy Events; providing the duties of the  
13 offices, including requirements for specific events,  
14 recording of such events, maintaining calendars, and  
15 requirements for reporting; authorizing a state  
16 university to assign duties of the office to an  
17 existing administrative office upon the approval of  
18 specified entities; requiring offices to report to  
19 specified state university offices; amending s.  
20 1004.097, F.S.; prohibiting public institutions of  
21 higher education from requiring the completion of a  
22 political loyalty test or for persons to meet certain  
23 qualifications; providing requirements for such  
24 prohibited tests and qualifications; requiring the  
25 State Board of Education and the Board of Governors to  
26 adopt rules and regulations, respectively, for  
27 specified purposes; providing severability; amending  
28 s. 1004.26, F.S.; designating the Florida Student  
29 Association as the nonprofit advocacy organization for

589-02907-23

2023958c1

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

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

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

45 1001.03 Specific powers of State Board of Education.—

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

48 (b) The State Board of Education shall require each Florida  
49 College System institution to conduct an annual assessment of  
50 the intellectual freedom and viewpoint diversity at that  
51 institution. The State Board of Education shall select or create  
52 an objective, nonpartisan, and statistically valid survey to be  
53 used by each institution which considers the extent to which  
54 competing ideas and perspectives are presented and members of  
55 the college community, including students, faculty, and staff,  
56 feel free to express their beliefs and viewpoints on campus and  
57 in the classroom. The State Board of Education shall annually  
58 compile and publish the assessments by December 31 ~~September 1~~

589-02907-23

2023958c1

59 of each year, beginning on December 31, 2024 ~~September 1, 2022~~.  
60 The State Board of Education may adopt rules to implement this  
61 paragraph.

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

64 1001.706 Powers and duties of the Board of Governors.—

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

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

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

81 1001.93 Offices of Public Policy Events within the State  
82 University System.—

83 (1) The Legislature finds that the advancement of knowledge  
84 is the fundamental purpose of the State University System and  
85 that such advancement is facilitated by the fearless sifting and  
86 winnowing of a wide diversity of views and that the open  
87 discussion and debate of contested public policy issues from

589-02907-23

2023958c1

88 diverse perspectives provides essential preparation for mature  
89 citizenship and an informed exercise of the right to vote.

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

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

96 (b) "Group forum" means an event at which two or more  
97 speakers address a public policy dispute from divergent or  
98 opposing perspectives, after which each participant is allotted  
99 time to address questions from the audience and to comment on  
100 the other speakers' positions.

101 (3) The Board of Governors of the State University System  
102 shall establish a Committee on Public Policy Events. Each state  
103 university within the State University System shall establish an  
104 Office of Public Policy Events and shall appoint a Director of  
105 Public Policy Events who is responsible for the duties and  
106 reporting responsibilities of the office. The office shall, at a  
107 minimum:

108 (a)1. Organize, publicize, and stage debates, group forums,  
109 or individual lectures at the state university. These events  
110 must address, from multiple, divergent, and opposing  
111 perspectives, an extensive range of public policy issues widely  
112 discussed and debated in society at large. The university shall  
113 hold no less than four events each academic year. At least two  
114 events must occur during the fall semester and at least two  
115 events must occur during the spring semester.

116 2. Such debates, group forums, and individual lectures must

589-02907-23

2023958c1

117 include speakers who represent widely held views on opposing  
118 sides of the most widely discussed public policy issues of the  
119 day and who hold a wide diversity of perspectives from within  
120 and outside of the state university community.

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

128 (b) Maintain a permanent, publicly accessible, searchable,  
129 and up-to-date calendar in print, on the office's website, and  
130 on the state university's website listing all of the events  
131 sponsored by the office and all other debates, group forums, and  
132 individual lectures open to the entire campus community at the  
133 state university which address public policy issues. The  
134 calendar must itemize the title of the event or lecture, the  
135 name and institutional affiliation of all speakers, and the  
136 office, institute, department, program, or organization that  
137 sponsored the event, excluding those events sponsored by off-  
138 campus groups in rented state university facilities. Such  
139 calendars must be kept in the library system of each state  
140 university.

141 (c) Beginning September 1, 2024, and annually each  
142 September 1 thereafter, provide to the Board of Governors  
143 Committee on Public Policy Events a report detailing the  
144 following: the number of debates, group forums, and individual  
145 lectures; in chronological order, the calendars itemizing the

589-02907-23

2023958c1

146 title of each event or lecture, name and institutional  
147 affiliation of the speaker or speakers, and the office,  
148 institute, department, program, or organization that sponsored  
149 the event; the number of enrolled students attending each event;  
150 and expenditure information relating to any per diem or  
151 reimbursement for travel expenses. The report must reflect prior  
152 academic year statistics.

153 (d) Make publicly available, in an online format, a  
154 complete video record of every debate, group forum, and  
155 individual lecture organized by the office. The video recording  
156 for an event organized by the office must be posted on the  
157 office's website within 10 business days after the event. Such  
158 video must remain publicly accessible on the office's website  
159 for at least 5 years after the date of the event. Such videos  
160 must also be permanently preserved within, and made available to  
161 the public through, the library of the state university that  
162 hosted the event.

163 (4) Upon approval of the board of trustees of the state  
164 university and the Board of Governors, a state university may  
165 assign the duties of the office to an existing administrative  
166 office within the state university in lieu of establishing a  
167 separate office.

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

172 (6) Each debate, group forum, and individual lecture  
173 organized by the office must be open to all students, faculty,  
174 and staff of the state university and must, unless restricting

589-02907-23

2023958c1

175 attendance to such event is necessary to achieve a compelling  
176 governmental interest, be open to the general public.

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

180 1004.097 Free expression on campus.—

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

182 1. Require or solicit a person to complete a political  
183 loyalty test as a condition of employment or admission into, or  
184 promotion within, such institution.

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

188 a. A partisan, a political, or an ideological set of  
189 beliefs; or

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

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

196 a. Any ideology or movement that promotes the differential  
197 treatment of a person or a group of persons based on race or  
198 ethnicity, including an initiative or a formulation of  
199 diversity, equity, and inclusion beyond upholding the equal  
200 protection of the laws guaranteed by the 14th Amendment to the  
201 United States Constitution or a theory or practice that holds  
202 that systems or institutions upholding the equal protection of  
203 the laws guaranteed by the 14th Amendment to the United States

589-02907-23

2023958c1

204 Constitution are racist, oppressive, or otherwise unjust; or

205 b. A specific partisan, political, or ideological set of  
206 beliefs.

207 2. A political loyalty test does not include fidelity to,  
208 or an oath or effort taken to uphold, the United States  
209 Constitution or the State Constitution.

210 (c) The State Board of Education and the Board of Governors  
211 may adopt rules and regulations, respectively, to implement this  
212 subsection and establish penalties for a willful violation of  
213 this section.

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

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

223 1004.26 University student governments; the Florida Student  
224 Association.-

225 (5) (a) The Florida Student Association is designated as the  
226 nonprofit advocacy organization serving the needs of the  
227 students of the State University System. If the Florida Student  
228 Association fails to meet the requirements of this section, the  
229 Chancellor of the State University System must designate an  
230 equivalent nonprofit advocacy organization to serve the needs of  
231 the students of the State University System with the approval of  
232 the Board of Governors.



589-02907-23

2023958c1

233 (b) The Florida Student Association shall be governed by a  
234 board of directors. The membership of the board of directors  
235 shall be composed of the 12 student body presidents of the state  
236 universities. The board of directors shall annually elect a  
237 chair from among the board's members. The chair shall also serve  
238 as president of the association.

239 (c) The Florida Student Association shall adopt bylaws to  
240 establish:

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

249 2. Procedures for the suspension and removal of the  
250 president of the association following the conviction of a  
251 felony.

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

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