

26 conforming provisions to changes made by the act;
 27 amending s. 1004.097, F.S.; deleting a provision
 28 authorizing students to record video or audio of class
 29 lectures for specified purposes; creating s. 1012.802,
 30 F.S.; authorizing faculty members at state
 31 universities and Florida College System institutions
 32 to negotiate certain assignments; providing
 33 requirements for such negotiations; authorizing the
 34 state board and Board of Governors to adopt rules and
 35 regulations, respectively; creating s. 1012.9451,
 36 F.S.; requiring certain state university faculty to
 37 have access to continuing contracts; providing
 38 requirements for such contracts; authorizing the Board
 39 of Governors to adopt regulations; providing an
 40 effective date.

41

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

43

44 Section 1. Section 447.3019, Florida Statutes, is created
 45 to read:

46 447.3019 Affirmation of the rights of public postsecondary
 47 faculty to engage in collective bargaining.—The Legislature
 48 recognizes and affirms the right of faculty at the state's
 49 public postsecondary education institutions to engage in
 50 collective bargaining and negotiate on matters related to their

51 employment terms, conditions, and protections, fostering a
52 transparent and fair work environment. Furthermore, such faculty
53 shall have the unabridged right to resolve contractual disputes
54 through third-party, neutral arbitration.

55 Section 2. Paragraph (c) of subsection (20) of section
56 1001.03, Florida Statutes, is amended to read:

57 1001.03 Specific powers of State Board of Education.—

58 (20) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
59 ASSESSMENT.—

60 (c) The State Board of Education must ensure that Florida
61 College System institutions are free from undue political
62 influence and interference in academic affairs, including
63 curriculum design, ~~may not shield students,~~ faculty
64 appointments, research activities, and administrative operations
65 or staff at Florida College System institutions from free speech
66 protected under the First Amendment to the United States
67 Constitution, Art. I of the State Constitution, or s. 1004.097.

68 Section 3. Paragraph (c) is added to subsection (4) of
69 section 1001.64, Florida Statutes, to read:

70 1001.64 Florida College System institution boards of
71 trustees; powers and duties.—

72 (4)

73 (c) Each board of trustees may design, develop, and
74 implement programs aimed at promoting diversity, equity, and
75 inclusion. Such programs must further the institution's mission,

76 | vision, and goals and foster a holistic, competitive, and
 77 | inclusive learning environment.

78 | Section 4. Paragraph (c) of subsection (13) of section
 79 | 1001.706, Florida Statutes, is amended to read:

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

81 | (13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
 82 | ASSESSMENT.—

83 | (c) The Board of Governors must ensure that state
 84 | universities are free from undue political influence and
 85 | interference in academic affairs, including curriculum design,
 86 | ~~may not shield students,~~ faculty appointments, research
 87 | activities, and administrative operations ~~or staff at state~~
 88 | ~~universities from free speech protected under the First~~
 89 | ~~Amendment to the United States Constitution, Art. I of the State~~
 90 | ~~Constitution, or s. 1004.97.~~

91 | Section 5. Section 1001.7416, Florida Statutes, is created
 92 | to read:

93 | 1001.7416 State university diversity, equity, and
 94 | inclusion programs.—Each state university board of trustees may
 95 | design, develop, and implement programs aimed at promoting
 96 | diversity, equity, and inclusion. Such programs must further the
 97 | institution's mission, vision, and goals and foster a holistic,
 98 | competitive, and inclusive learning environment.

99 | Section 6. Section 1004.022, Florida Statutes, is created
 100 | to read:

101 1004.022 Academic freedom.—Notwithstanding any other
 102 provision of law to the contrary, every student in the State
 103 University System and Florida College System has the unalienable
 104 right to pursue education access across all academic disciplines
 105 without governmental or institutional interference, including,
 106 but not limited to, a student's prerogative to select, drop, or
 107 change courses and areas of study without facing pressure or
 108 restrictions based on political or ideological grounds.

109 Section 7. Paragraph (b) of subsection (2) of section
 110 1004.06, Florida Statutes, is amended to read:

111 1004.06 Prohibited expenditures.—

112 (2) A Florida College System institution, state
 113 university, Florida College System institution direct-support
 114 organization, or state university direct-support organization
 115 may not expend any state or federal funds to promote, support,
 116 or maintain any programs or campus activities that:

117 (b) ~~Advocate for diversity, equity, and inclusion, or~~
 118 Promote or engage in political or social activism, as defined by
 119 rules of the State Board of Education and regulations of the
 120 Board of Governors.

121
 122 Student fees to support student-led organizations are permitted
 123 notwithstanding any speech or expressive activity by such
 124 organizations which would otherwise violate this subsection,
 125 provided that the public funds must be allocated to student-led

126 organizations pursuant to written policies or regulations of
 127 each Florida College System institution or state university, as
 128 applicable. Use of institution facilities by student-led
 129 organizations is permitted notwithstanding any speech or
 130 expressive activity by such organizations which would otherwise
 131 violate this subsection, provided that such use must be granted
 132 to student-led organizations pursuant to written policies or
 133 regulations of each Florida College System institution or state
 134 university, as applicable.

135 Section 8. Paragraph (g) of subsection (3) of section
 136 1004.097, Florida Statutes, is amended to read:

137 1004.097 Free expression on campus.—

138 (3) RIGHT TO FREE-SPEECH ACTIVITIES.—

139 ~~(g) Notwithstanding s. 934.03 and subject to the~~
 140 ~~protections provided in the Family Educational Rights and~~
 141 ~~Privacy Act of 1974, 20 U.S.C. s. 1232g, and ss. 1002.22 and~~
 142 ~~1002.225, a student may record video or audio of class lectures~~
 143 ~~for his or her own personal educational use, in connection with~~
 144 ~~a complaint to the public institution of higher education where~~
 145 ~~the recording was made, or as evidence in, or in preparation~~
 146 ~~for, a criminal or civil proceeding. A recorded lecture may not~~
 147 ~~be published without the consent of the lecturer.~~

148 Section 9. Section 1012.802, Florida Statutes, is created
 149 to read:

150 1012.802 Faculty assignments at public postsecondary

151 educational institutions.-

152 (1) Each faculty member at a state university or Florida
 153 College System institution shall, at his or her discretion,
 154 negotiate his or her annual assignments with his or her
 155 department chair and academic officers. To maintain the
 156 professional autonomy of faculty members, the negotiation
 157 process must be free from interference by the state university
 158 or Florida College System institution's board of trustees or any
 159 other governing body.

160 (2) The Board of Governors and the State Board of
 161 Education may adopt regulations and rules, respectively, to
 162 administer this section.

163 Section 10. Section 1012.9451, Florida Statutes, is
 164 created to read:

165 1012.9451 Non-tenure track state university faculty.-

166 (1) Notwithstanding any other law to the contrary, non-
 167 tenure track faculty at state universities must be granted
 168 access to continuing contracts that may not be revoked or
 169 terminated without due process rights available to tenured state
 170 university faculty ensuring a just and transparent process for
 171 employment security and academic freedom for all faculty
 172 regardless of their tenure status.

173 (2) The Board of Governors may adopt regulations to
 174 administer this section.

175 Section 11. This act shall take effect upon becoming a

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176 | law.