

By Senator Thompson

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1 A bill to be entitled
2 An act relating to education; providing a short title;
3 amending s. 447.309, F.S.; providing that faculty of
4 state universities and Florida College System
5 institutions have the right to engage in collective
6 bargaining; providing that faculty members have the
7 right to resolve contractual disputes through third-
8 party arbitration; amending s. 1001.03, F.S.; deleting
9 the definition of the term "shield"; requiring the
10 State Board of Education to ensure that Florida
11 College System intuitions are not subject to political
12 influence in academic affairs; requiring the board to
13 ensure that such institutions have the autonomy to
14 promote diversity, equity, and inclusion on their
15 campuses; amending s. 1001.42, F.S.; requiring each
16 district school board to ensure that students and
17 personnel are not subject to ideological training or
18 instruction; amending s. 1001.706, F.S.; deleting the
19 definition of the term "shield"; requiring the Board
20 of Governors to ensure that state universities are not
21 subject to political influence in academic affairs;
22 requiring the board to ensure that state universities
23 have the autonomy to promote diversity, equity, and
24 inclusion on their campuses; amending s. 1001.7415,
25 F.S.; conforming a provision to a change made by the
26 act; amending s. 1002.22, F.S.; providing that K-12
27 students and their parents have the right not to be
28 recorded or surveilled in the classroom without
29 express consent; amending s. 1004.01, F.S.; revising

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30 the statement of purpose and mission of public
31 postsecondary education to include ensuring that
32 students have an inalienable right to pursue education
33 without governmental or institutional interference;
34 amending s. 1004.06, F.S.; conforming a provision to
35 changes made by the act; creating s. 1012.802, F.S.;
36 granting faculty members at public postsecondary
37 institutions the right to negotiate their annual
38 assignments with certain entities; requiring that such
39 negotiations be free from interference by governing
40 bodies; amending s. 1012.83, F.S.; requiring that non-
41 tenure track faculty at Florida College System
42 institutions have access to specified contracts;
43 creating s. 1012.979, F.S.; requiring that non-tenure
44 track faculty members at state universities have
45 access to specified contracts; providing for
46 rulemaking; providing an effective date.

47
48 Be It Enacted by the Legislature of the State of Florida:

49
50 Section 1. This act may be cited as the "Florida
51 Educational Freedoms Act."

52 Section 2. Subsection (6) is added to section 447.309,
53 Florida Statutes, to read:

54 447.309 Collective bargaining; approval or rejection.—
55 (6) Faculty of state universities and Florida College
56 System institutions have the right to engage in collective
57 bargaining. This right allows faculty members to negotiate in a
58 transparent and fair work environment on matters related to

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59 their employment terms, conditions, and protections. Faculty
 60 also have the right to resolve contractual disputes through
 61 third-party, neutral arbitration.

62 Section 3. Paragraphs (a) and (c) of subsection (20) of
 63 section 1001.03, Florida Statutes, are amended, and paragraph
 64 (d) is added to that subsection, to read:

65 1001.03 Specific powers of State Board of Education.—

66 (20) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY

67 ASSESSMENT.—

68 (a) For the purposes of this subsection, the term:

69 1. "intellectual freedom and viewpoint diversity" means the
 70 exposure of students, faculty, and staff to, and the
 71 encouragement of their exploration of, a variety of ideological
 72 and political perspectives.

73 2. ~~"Shield" means to limit students', faculty members', or~~
 74 ~~staff members' access to, or observation of, ideas and opinions~~
 75 ~~that they may find uncomfortable, unwelcome, disagreeable, or~~
 76 ~~offensive.~~

77 (c) The State Board of Education shall ensure that Florida
 78 College System institutions are free from undue political
 79 influence and interference in academic affairs, including
 80 curriculum design, faculty appointments, research activities,
 81 and administrative operations ~~may not shield students, faculty,~~
 82 ~~or staff at Florida College System institutions from free speech~~
 83 ~~protected under the First Amendment to the United States~~
 84 ~~Constitution, Art. I of the State Constitution, or s. 1004.097.~~

85 (d) The State Board of Education shall ensure that each
 86 Florida College System institution is granted autonomy to
 87 design, develop, and implement programs aimed at promoting

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88 diversity, equity, and inclusion (DEI) on its campus. These DEI
 89 initiatives should further the institution's mission, vision,
 90 and goals and foster a holistic, competitive, and inclusive
 91 learning environment.

92 Section 4. Present subsection (29) of section 1001.42,
 93 Florida Statutes, is redesignated as subsection (30), and a new
 94 subsection (29) is added to that section, to read:

95 1001.42 Powers and duties of district school board.—The
 96 district school board, acting as a board, shall exercise all
 97 powers and perform all duties listed below:

98 (29) IDEOLOGICAL TRAINING.—Ensure that students and
 99 personnel are not subject to compulsory ideological training or
 100 instruction, compelled speech, or censorship in classrooms.

101 Section 5. Paragraphs (a) and (c) of subsection (13) of
 102 section 1001.706, Florida Statutes, are amended, and paragraph
 103 (d) is added to that subsection, to read:

104 1001.706 Powers and duties of the Board of Governors.—

105 (13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
 106 ASSESSMENT.—

107 (a) For the purposes of this subsection, the term~~+~~

108 ~~1.~~ "intellectual freedom and viewpoint diversity" means the
 109 exposure of students, faculty, and staff to, and the
 110 encouragement of their exploration of, a variety of ideological
 111 and political perspectives.

112 ~~2. "Shield" means to limit students', faculty members', or~~
 113 ~~staff members' access to, or observation of, ideas and opinions~~
 114 ~~that they may find uncomfortable, unwelcome, disagreeable, or~~
 115 ~~offensive.~~

116 (c) The Board of Governors shall ensure that state

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117 universities are free from undue political influence and
118 interference in academic affairs, including curriculum design,
119 faculty appointments, research activities, and administrative
120 operations ~~may not shield students, faculty, or staff at state~~
121 ~~universities from free speech protected under the First~~
122 ~~Amendment to the United States Constitution, Art. I of the State~~
123 ~~Constitution, or s. 1004.97.~~

124 (d) The Board of Governors shall ensure that each state
125 university is granted autonomy to design, develop, and implement
126 programs aimed at promoting diversity, equity, and inclusion
127 (DEI) on its campus. These DEI initiatives should further the
128 university's mission, vision, and goals and foster a holistic,
129 competitive, and inclusive learning environment.

130 Section 6. Paragraph (b) of subsection (1) of section
131 1001.7415, Florida Statutes, is amended to read:

132 1001.7415 State university boards of trustees; personnel;
133 loyalty tests and ideological preference prohibited.-

134 (1)

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

138 a. Any ideology or movement that promotes the differential
139 treatment of a person or a group of persons based on race or
140 ethnicity, including ~~an initiative or a formulation of~~
141 ~~diversity, equity, and inclusion beyond upholding the equal~~
142 ~~protection of the laws guaranteed by the Fourteenth Amendment to~~
143 ~~the United States Constitution or a theory or practice that~~
144 holds that systems or institutions upholding the equal
145 protection of the laws guaranteed by the Fourteenth Amendment of

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146 the United States Constitution are racist, oppressive, or
147 otherwise unjust; or

148 b. A specific partisan, political, or ideological set of
149 beliefs.

150 2. A political loyalty test does not include fidelity to,
151 or an oath or effort taken to uphold, general and federal law,
152 the United States Constitution, or the State Constitution.

153 Section 7. Paragraph (f) is added to subsection (2) of
154 section 1002.22, Florida Statutes, to read:

155 1002.22 Education records and reports of K-12 students;
156 rights of parents and students; notification; penalty.—

157 (2) RIGHTS OF STUDENTS AND PARENTS.—The rights of students
158 and their parents with respect to education records created,
159 maintained, or used by public educational institutions and
160 agencies shall be protected in accordance with the Family
161 Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g,
162 the implementing regulations issued pursuant thereto, and this
163 section. In order to maintain the eligibility of public
164 educational institutions and agencies to receive federal funds
165 and participate in federal programs, the State Board of
166 Education shall comply with the FERPA after the board has
167 evaluated and determined that the FERPA is consistent with the
168 following principles:

169 (f) Students and their parents shall have the right not to
170 be surveilled or recorded in the classroom with audio or video
171 recording equipment without express consent.

172 Section 8. Subsection (2) of section 1004.01, Florida
173 Statutes, is amended to read:

174 1004.01 Statement of purpose and mission.—

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175 (2) The mission of the state system of postsecondary
176 education is to develop human resources, to discover and
177 disseminate knowledge, to extend knowledge and its application
178 beyond the boundaries of its campuses, and to develop in
179 students heightened intellectual, cultural, and humane
180 sensitivities; scientific, professional, and technological
181 expertise; and a sense of purpose. Inherent in this broad
182 mission are methods of instruction, research, extended training,
183 and public service designed to educate people and improve the
184 human condition. The mission also includes ensuring that every
185 student enrolled in a state university or Florida College System
186 institution has the inalienable right to pursue education across
187 all academic disciplines, devoid of governmental or
188 institutional interference. This freedom includes, but is not
189 limited to, the right to select, drop, or change courses and
190 areas of study without facing pressure or restrictions based on
191 political or ideological grounds.

192 Section 9. Subsection (2) of section 1004.06, Florida
193 Statutes, is amended to read:

194 1004.06 Prohibited expenditures.—

195 (2) A Florida College System institution, state university,
196 Florida College System institution direct-support organization,
197 or state university direct-support organization may not expend
198 any state or federal funds to promote, support, or maintain any
199 programs or campus activities that:

200 (a) Violate s. 1000.05; or

201 (b) ~~Advocate for diversity, equity, and inclusion, or~~
202 Promote or engage in political or social activism, as defined by
203 rules of the State Board of Education and regulations of the

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204 Board of Governors.

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206 Student fees to support student-led organizations are permitted
207 notwithstanding any speech or expressive activity by such
208 organizations which would otherwise violate this subsection,
209 provided that the public funds must be allocated to student-led
210 organizations pursuant to written policies or regulations of
211 each Florida College System institution or state university, as
212 applicable. Use of institution facilities by student-led
213 organizations is permitted notwithstanding any speech or
214 expressive activity by such organizations which would otherwise
215 violate this subsection, provided that such use must be granted
216 to student-led organizations pursuant to written policies or
217 regulations of each Florida College System institution or state
218 university, as applicable.

219 Section 10. Section 1012.802, Florida Statutes, is created
220 to read:

221 1012.802 Faculty assignments.—Faculty members at public
222 postsecondary institutions have the right to negotiate their
223 annual assignments with their respective department chairs and
224 academic officers. This negotiation process must be free from
225 interference by the institution's board of trustees or any
226 governing body and must maintain faculty members' professional
227 autonomy.

228 Section 11. Subsection (3) is added to section 1012.83,
229 Florida Statutes, to read:

230 1012.83 Contracts with administrative and instructional
231 staff.—

232 (3) Non-tenure track faculty members shall have access to

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233 continuing contracts that cannot be revoked without due process
234 rights equivalent to those held by tenured faculty members. This
235 subsection guarantees a just and transparent process for
236 employment security and academic freedom for all faculty
237 members, regardless of tenure status.

238 Section 12. Section 1012.979, Florida Statutes, is created
239 to read:

240 1012.979 Employment protections and due process rights for
241 non-tenure track faculty.—Non-tenure track faculty members shall
242 have access to continuing contracts that cannot be revoked
243 without due process rights equivalent to those held by tenured
244 faculty members. This section guarantees a just and transparent
245 process for employment security and academic freedom for all
246 faculty members, regardless of tenure status.

247 Section 13. The State Board of Education shall adopt rules,
248 and the Board of Governors shall adopt regulations, to implement
249 this act, enforce compliance among applicable entities, and
250 develop a process to address violations.

251 Section 14. This act shall take effect upon becoming a law.