

1                   A bill to be entitled  
2           An act relating to public postsecondary academic  
3           freedom; amending ss. 1001.03 and 1001.706, F.S.;  
4           deleting the definition for the term "shield";  
5           requiring the State Board of Education and Board of  
6           Governors to ensure Florida College System  
7           institutions and state universities, respectively, are  
8           free from political influence and interference in  
9           specified activities; deleting a prohibition against  
10          such boards shielding students, faculty, and staff  
11          from specified speech; creating s. 1004.022, F.S.;  
12          providing that students in the State University System  
13          and Florida College System have the right to pursue an  
14          education without specified interference; amending s.  
15          1004.097, F.S.; deleting provisions authorizing  
16          students to record video or audio of class lectures;  
17          deleting a cause of action relating to such  
18          recordings; creating s. 1012.802, F.S.; providing that  
19          each State University System and Florida College  
20          System faculty member shall negotiate his or her  
21          academic assignments with specified parties; providing  
22          requirements for such negotiations; authorizing the  
23          Board of Governors and the State Board of Education to  
24          adopt regulations and rules, respectively; providing  
25          an effective date.

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

**Section 1. Paragraphs (a) and (c) of subsection (19) of section 1001.03, Florida Statutes, are amended to read:**

1001.03 Specific powers of State Board of Education.—

(19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—

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

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

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

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

51           **Section 2. Paragraphs (a) and (c) of subsection (13) of**  
 52 **section 1001.706, Florida Statutes, are amended to read:**

53           1001.706 Powers and duties of the Board of Governors.—

54           (13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY  
 55 ASSESSMENT.—

56           (a) For the purposes of this subsection, the term+  
 57 ~~1.~~ "intellectual freedom and viewpoint diversity" means  
 58 the exposure of students, faculty, and staff to, and the  
 59 encouragement of their exploration of, a variety of ideological  
 60 and political perspectives.

61           ~~2. "Shield" means to limit students', faculty members', or~~  
 62 ~~staff members' access to, or observation of, ideas and opinions~~  
 63 ~~that they may find uncomfortable, unwelcome, disagreeable, or~~  
 64 ~~offensive.~~

65           (c) The Board of Governors must ensure that ~~may not shield~~  
 66 ~~students, faculty, or staff at state universities~~ are from free  
 67 from undue political influence and interference in academic  
 68 affairs, including curriculum design, faculty appointments,  
 69 research activities, and administrative operations ~~speech~~  
 70 ~~protected under the First Amendment to the United States~~  
 71 ~~Constitution, Art. I of the State Constitution, or s. 1004.97.~~

72           **Section 3. Section 1004.022, Florida Statutes, is created**  
 73 **to read:**

74           1004.022 Academic freedom.—Notwithstanding any other  
 75 provision of law to the contrary, every student in the State

76 University System and Florida College System has the unalienable  
77 right to pursue education access across all academic disciplines  
78 without governmental or institutional interference, including,  
79 but not limited to, a student's prerogative to select, drop, or  
80 change courses and areas of study without facing pressure or  
81 restrictions based on political or ideological grounds.

82 **Section 4. Paragraph (g) of subsection (3) and subsection**  
83 **(4) of section 1004.097, Florida Statutes, are amended to read:**

84 1004.097 Free expression on campus.—

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

86 ~~(g) Notwithstanding s. 934.03 and subject to the~~  
87 ~~protections provided in the Family Educational Rights and~~  
88 ~~Privacy Act of 1974, 20 U.S.C. s. 1232g, and ss. 1002.22 and~~  
89 ~~1002.225, a student may record video or audio of class lectures~~  
90 ~~for his or her own personal educational use, in connection with~~  
91 ~~a complaint to the public institution of higher education where~~  
92 ~~the recording was made, or as evidence in, or in preparation~~  
93 ~~for, a criminal or civil proceeding. A recorded lecture may not~~  
94 ~~be published without the consent of the lecturer.~~

95 (4) CAUSE OF ACTION.—A person injured by a violation of  
96 this section may bring an action—

97 ~~(a)~~ against a public institution of higher education based  
98 on the violation of the individual's expressive rights in a  
99 court of competent jurisdiction to obtain declaratory and  
100 injunctive relief and may be entitled to damages plus court

101 costs and reasonable attorney fees, which may only be paid from  
102 nonstate funds.

103 ~~(b) Against a person who has published video or audio~~  
104 ~~recorded in a classroom in violation of paragraph (3)(g) in a~~  
105 ~~court of competent jurisdiction to obtain declaratory and~~  
106 ~~injunctive relief and may be entitled to damages plus court~~  
107 ~~costs and reasonable attorney fees, with the total recovery not~~  
108 ~~to exceed \$200,000.~~

109 **Section 5. Section 1012.802, Florida Statutes, is created**  
110 **to read:**

111 1012.802 Faculty assignments at public postsecondary  
112 education institutions.—

113 (1) Each faculty member at a state university or Florida  
114 College System institution shall, at his or her discretion,  
115 negotiate his or her annual assignments with his or her  
116 department chair and academic officers. To maintain the  
117 professional autonomy of faculty members, the negotiation  
118 process must be free from interference by the state university's  
119 or Florida College System institution's board of trustees or any  
120 other governing body.

121 (2) The Board of Governors and the State Board of  
122 Education may adopt regulations and rules, respectively, to  
123 administer this section.

124 **Section 6.** This act shall take effect July 1, 2025.