

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Postsecondary

CS/CS/CS/SB 266 — Higher Education

by Fiscal Policy Committee; Appropriations Committee on Education; Education Postsecondary Committee; and Senator Grall

Board of Governors

The bill (Chapter 2023-82, L.O.F.) requires, rather than authorizes, the Board of Governors (BOG) to adopt a regulation regarding a five-year post-tenure review. The bill also requires the BOG to, following periodic academic program reviews, provide a directive to each university regarding any violation of the Florida Educational Equity Act (FEEA), or programs based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

University Hiring Authority and Personnel

The bill assigns final authority for hiring to the president of the university, who may delegate this authority to the executive management team, provost, or to individual deans, and:

- Requires each university president to annually present to his or her BOT the results of performance evaluations of personnel earning at least \$200,000 or more.
- Prohibits any statement, pledge, or oath, other than those specified, as a part of the admissions, hiring, employment, promotion, tenure, disciplinary, or evaluation process.
- Specifies that faculty grievances terminate with the university president or designee.

Prohibited Expenditures at Public Postsecondary Institutions

The bill specifies that a Florida College System (FCS) institution, state university, or associated support organization may not expend any funds for programs or campus activities that violate the FEEA; advocate for diversity, equity, and inclusion; or promote or engage in political or social activism. The bill exempts from such prohibited expenditures requirements student fees to support student-led organizations and the organization's use of institution facilities, with conditions; and other programs related to compliance with law, accreditation, or student access.

Preeminent State Research Universities Program

The bill modifies the Preeminent State Research Universities Program to add a criteria for the total annual STEM-related research state and federal expenditures of \$50 million or more. The bill also modifies the total number of standards that an institution must meet to be designated as a preeminent or emerging preeminent state research university.

General Education

The bill establishes content standards in the general education core subject areas, and specifies that general education core courses may not distort significant historical events or teach identity

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politics and specified concepts related to discrimination. The bill also requires faculty committees to, by July 1, 2024, and each four years thereafter, review and recommend to the Articulation Coordinating Committee (ACC) and the State Board of Education (SBE) and BOG changes to the general education core course options.

The bill specifies that general education courses must meet specified content standards, and:

- Requires each FCS institution and state university BOT to annually review and approve, at a public meeting, general education course requirements.
- Requires the ACC to, by December 1, 2024, and each December 1 thereafter, submit for approval to the SBE and the BOG courses identified by institutions as general education.
- Specifies that institutions that fail to comply with the requirements for general education courses are not eligible to receive performance-based funding.

State University Institutes

The bill creates the Institute for Risk Management & Insurance Education in Volusia County, within the College of Business at the University of Central Florida.

The bill requires the University of Florida to, annually starting January 1, 2025, report to the Governor and the Legislature on the progress toward establishing the Hamilton Center for Classical and Civic Education as a permanent college. The center must develop plans to ensure that all university students demonstrate competency in civil discourse.

The bill renames the Florida Institute of Politics at FSU to the Florida Institute for Governance and Civics, and removes the institute's stated purpose in favor of specified goals.

The bill expands the authorized activities of the Adam Smith Center for the Study of Economic Freedom regarding hiring, enrollment, curriculum, and fundraising.

Accreditation

The bill clarifies that the change in accreditation required in law for each public postsecondary institution is restricted to a one-time change. The bill also prohibits an accrediting agency or association from compelling any public postsecondary institution to violate state law, which may be enforced through the cause of action in law.

Buy One, Get One Free Tuition Waiver

The bill adds to eligible programs under the "Buy One, Get One Free" tuition waiver, beginning in the 2023-2024 academic year, two state-approved teacher preparation programs identified by the BOG. The bill also protects students from losing the waiver if the program is removed from the approved list subsequent to the student's enrollment.

These provisions were approved by the Governor and take effect July 1, 2023.

Vote: Senate 27-12; House 81-34