

CHAPTER 2023-82

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 266

An act relating to higher education; amending s. 1001.706, F.S.; revising the duties of the Board of Governors relating to the mission of each state university; revising requirements for the Board of Governors' strategic plan relating to the goals and objectives of the State University System; requiring the Board of Governors to annually require each state university to include certain information in its economic security report; requiring, rather than authorizing, a Board of Governors regulation to include a post-tenure review of state university faculty on a specified basis; amending s. 1001.7065, F.S.; requiring the Board of Governors Accountability Plan to annually report certain research expenditures of a specified amount; revising the number of standards an institution must meet to receive a specified designation; creating s. 1001.741, F.S.; providing that each state university president is responsible for hiring the provost, the deans, and full-time faculty; providing that the president has a duty to assess the performance of the provost and deans; authorizing the president to delegate hiring authority to specified individuals and entities; prohibiting a university from using specified methods in its admissions or personnel processes; providing that certain actions regarding personnel may not be appealed beyond the university president; requiring each state university board of trustees to have review procedures for the president's selection and reappointment of certain faculty; requiring each state university president to annually present specified performance evaluations and salaries to the board of trustees; amending s. 1004.06, F.S.; prohibiting specified educational institutions from expending funds for certain purposes; providing exceptions; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; creating s. 1004.3841, F.S.; creating the Institute for Risk Management and Insurance Education within the College of Business at the University of Central Florida; requiring that the institute be located in a specified county; providing the purpose and goals of the institute; amending s. 1004.6496, F.S.; authorizing the Board of Trustees of the University of Florida to use charitable donations in addition to appropriated funds to fund the Hamilton Center for Classical and Civic Education; requiring the University of Florida to annually report to the Governor and Legislature on the transition of the center to a college; revising the goals of the center; requiring the University of Florida president to take specified actions; providing requirements for the use of appropriated funds; authorizing the university to provide additional funding to the center; amending s. 1004.6499, F.S.; renaming the Florida Institute of Politics at the Florida State University as the Florida Institute for Governance and Civics; providing the goals of the institute; amending s. 1004.64991, F.S.; authorizing the Adam Smith Center for the Study of Economic Freedom to perform certain tasks in order to carry out its established purpose;

amending s. 1007.25, F.S.; revising how general education core courses are established; requiring the State Board of Education and the Board of Governors to consider approval of certain courses; requiring faculty committees to review and submit recommendations to the Articulation Coordinating Committee and the commissioner relating to certain courses by a specified date and periodically thereafter; prohibiting general education core courses from teaching certain topics or presenting information in specified ways; providing requirements for general education core courses; requiring specified educational institutions to offer certain courses; prohibiting public postsecondary educational institutions from requiring students to take certain additional general education core courses; creating s. 1007.55, F.S.; providing legislative findings; providing requirements for general education courses; requiring public postsecondary educational institution boards of trustees and presidents to annually review and approve general education requirements; requiring public postsecondary educational institutions to report certain courses to the department; requiring the Articulation Coordinating Committee to submit general education courses to the State Board of Education and the Board of Governors for action; providing a penalty for failing to meet such review and approval requirements; prohibiting public postsecondary educational institutions from requiring students to take certain additional general education courses; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; amending s. 1008.47, F.S.; specifying a one-time limit on the requirement to change accrediting agencies; providing for expiration; prohibiting an accrediting entity from requiring a public postsecondary institution to violate state law; amending s. 1009.26, F.S.; requiring the Board of Governors to identify state-approved teacher preparation programs eligible for a tuition waiver; providing that certain postsecondary fee waivers continue until specified criteria are met; providing an effective date.

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

Section 1. Paragraphs (a) through (d) of subsection (5) and paragraph (b) of subsection (6) of section 1001.706, Florida Statutes, are amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(a) The Legislature intends that the Board of Governors shall align the missions of each constituent university with the academic success of its students; the existing and emerging economic development needs of the state; the national reputation of its faculty and its academic and research programs; the quantity of externally generated research, patents, and licenses; and the strategic and accountability plans required in paragraphs (b) and (c). The Board of Governors shall periodically review the mission of each constituent university and make updates or revisions as needed. Upon completion of a review of the mission, the board shall review existing academic programs for alignment with the mission. The board shall include

in its review a directive to each constituent university regarding its programs for any curriculum that violates s. 1000.05 or that is 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. The mission alignment and strategic plan ~~must~~ shall consider peer institutions at the constituent universities. The mission alignment and strategic plan must shall acknowledge that universities that have a national and international impact have the greatest capacity to promote the state's economic development through: new discoveries, patents, licenses, and technologies that generate state businesses of global importance; research achievements through external grants and contracts that are comparable to nationally recognized and ranked universities; the creation of a resource rich academic environment that attracts high-technology business and venture capital to the state; and this generation's finest minds focusing on solving the state's economic, social, environmental, and legal problems in the areas of life sciences, water, sustainability, energy, and health care. A nationally recognized and ranked university that has a global perspective and impact ~~must~~ shall be afforded the opportunity to enable and protect the university's competitiveness on the global stage in fair competition with other institutions of other states in the highest Carnegie Classification.

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, nondegree credential attainment, average wages of employed graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Florida Talent Development Council under s. 1004.015 and the Articulation Coordinating Committee under s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. Include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis. The programs of emphasis list adopted by the Board of Governors

before July 1, 2021, shall be used for the 2021-2022 academic year. Beginning in the 2022-2023 academic year, the Board of Governors shall adopt the criteria to determine value for and prioritization of degree credentials and degree programs established by the Credentials Review Committee under s. 445.004 for designating high-demand programs of emphasis. The Board of Governors must review designated programs of emphasis, at a minimum, every 3 years to ensure alignment with the prioritization of degree credentials and degree programs identified by the Credentials Review Committee.

5. Include criteria for nondegree credentials.

(c) The Board of Governors shall develop an accountability plan for the State University System and each constituent university. The accountability plan must address institutional and system achievement of goals and objectives specified in the strategic plan adopted pursuant to paragraph (b) and must be submitted as part of its legislative budget request. Each university shall submit, as a component of the university's annual accountability plan;

1. Information on the effectiveness of its plan for improving 4-year graduation rates; and

2. The level of financial assistance provided to students pursuant to paragraph (h).

~~(d) Beginning in the 2014-2015 academic year and annually thereafter,~~ The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity pursuant to s. 445.07. In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:

1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.

2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(b) The Board of Governors ~~shall may~~ adopt a regulation requiring each tenured state university faculty member to undergo a comprehensive post-tenure review every 5 years. The board may include other considerations in the regulation, but the regulation must address:

1. Accomplishments and productivity;

- 2. Assigned duties in research, teaching, and service;
- 3. Performance metrics, evaluations, and ratings; and
- 4. Recognition and compensation considerations, as well as improvement plans and consequences for underperformance.

Section 2. Paragraph (m) is added to subsection (2) of section 1001.7065, Florida Statutes, and subsection (3) of that section is amended, to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(m) Total annual STEM-related research expenditures, including federal research expenditures, of \$50 million or more.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state university that annually meets at least ~~12~~ 11 of the ~~13~~ 12 academic and research excellence standards identified in subsection (2) as a “preeminent state research university.”

(b) The Board of Governors shall designate each state university that annually meets at least ~~7~~ 6 of the ~~13~~ 12 academic and research excellence standards identified in subsection (2) as an “emerging preeminent state research university.”

Section 3. Section 1001.741, Florida Statutes, is created to read:

1001.741 State university personnel.—

(1) Except as delegated pursuant to paragraph (a), each state university president has the final authority for hiring the provost, the deans, and all full-time faculty for the university, and has an ongoing duty to assess the performance, productivity, and employment practices of the university’s provost and deans. The president of the university is encouraged to engage in faculty recruiting as appropriate, and shall provide a regular report and recommendations on employment practices to the board at least twice annually.

(a) The president may delegate hiring authority to individuals on the university’s executive management team within the president’s office, to the provost, or to individual deans; however, the president or the person delegated such hiring authority is not bound by the recommendations or opinions of faculty or other individuals.

(b) A state university may not require any statement, pledge, or oath other than to uphold general and federal law, the United States Constitution, and the State Constitution as a part of any admissions, hiring, employment, promotion, tenure, disciplinary, or evaluation process.

(2) Notwithstanding s. 447.401 or any other law related to faculty grievance procedures, personnel actions or decisions regarding faculty, including in the areas of evaluations, promotions, tenure, discipline, or termination, may not be appealed beyond the level of a university president or designee. Such actions or decisions must have as their terminal step a final agency disposition, which must be issued in writing to the faculty member, and are not subject to arbitration. The filing of a grievance does not toll the action or decision of the university, including the termination of pay and benefits of a suspended or terminated faculty member.

(3) Each state university board of trustees must have procedures for the review of the president's selection and reappointment of each member of the university's executive management team, and his or her respective contract and annual salary, before such contracts and salaries become effective, in accordance with the personnel program established by the Board of Governors.

(4) Each state university president shall annually present to the state university board of trustees the results of performance evaluations and associated annual salaries for all evaluated academic and administrative personnel earning an annual salary of \$200,000 or more, regardless of the funding source for such salaries. The results may be presented in a summary or written format.

Section 4. Section 1004.06, Florida Statutes, is amended to read:

1004.06 Prohibited expenditures.—

(1) A ~~No~~ Florida College System institution, state university, Florida College System institution direct-support organization, or state university direct-support organization ~~may not shall~~ expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability gender, or religion.

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

(a) Violate s. 1000.05; or

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

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

(3) Subsection (2) does not prohibit programs, campus activities, or functions required for compliance with general or federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation with the approval of either the State Board of Education or the Board of Governors; or for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, “2+2” transfer students from the Florida College System, students from low-income families, or students with unique abilities.

(4) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to implement this section.

Section 5. Section 1004.3841, Florida Statutes, is created to read:

1004.3841 The Institute for Risk Management and Insurance Education.—The Institute for Risk Management and Insurance Education is established within the College of Business at the University of Central Florida. Since insurance and risk management is a major industry in this state, with a concentration of such industry in Volusia County, the institute must be located in Volusia County. Like many other industries in the state, the insurance and risk management industry is being revolutionized by, among other things, the integration of technology, predictive analytics, and data science, and is becoming more complex, given its exposure to transformative trends in the economy and environment. The purpose of the institute is to respond to the ever-evolving insurance and risk management industry and the present and emerging needs of this state and its residents. The goals of the institute are to:

(1) Pursue technological innovations that advance risk valuation models and operational efficiencies in the insurance industry.

(2) Drive the development of workforce competencies in data analytics, system-level thinking, technology integration, entrepreneurship, and actuarial science.

(3) Leverage the University of Central Florida’s world-class assets in data science, artificial intelligence, computer science, engineering, finance, economics, and sales.

(4) Take advantage of the University of Central Florida's robust portfolio of academic program offerings and draw on faculty and industry experts in diverse fields, including actuarial science, computer science, economics, engineering, environmental science, finance, forensics, law, management, marketing, and psychology.

(5) Develop and offer risk management and insurance education, including education that recognizes risks in areas such as the environment, pandemic disease, and digital security.

(6) Offer programs, workshops, case studies, and applied research studies that integrate technology and artificial intelligence with soft skills while preparing students and professionals for the technology-enabled insurance industry of the future.

Section 6. Section 1004.6496, Florida Statutes, is amended to read:

1004.6496 Hamilton Center for Classical and Civic Education.—

(1) The Board of Trustees of the University of Florida may use funds as provided in the General Appropriations Act and charitable donations to establish and fund the Hamilton Center for Classical and Civic Education as an academic unit within the University of Florida. The purpose of the center is to support teaching and research concerning the ideas, traditions, and texts that form the foundations of Western and American civilization.

(2) Beginning January 1, 2025, and by each January 1 thereafter, the University of Florida must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the progress toward establishing the center as a permanent college at the university. The report must include a timeline for establishing the college, enrollment and educational outcomes and future goals for enrollment and educational outcomes, current financial progress and future financial needs, and any recommendation for changes in general law.

(3) The goals of the center are to:

(a) Educate university students in core texts and great debates of Western civilization and the Great Books.

1. The center is responsible for developing curriculum and courses to satisfy the requirement for the competency in civil discourse.

2. Courses developed under this paragraph may be used to satisfy the requirements of s. 1007.25(5).

(b) Educate university students in the principles, ideals, and institutions of the American political order.

(c) Educate university students in the foundations of responsible leadership and informed citizenship.

(d) Provide programming and training related to civic education and the values of open inquiry and civil discourse to support the K-20 system.

(e) Coordinate with the Florida Institute for Governance and Civics of Politics created pursuant to s. 1004.6499 and the Adam Smith Center for the Study of Economic Freedom created pursuant to s. 1004.64991 and assist in the curation and implementation of Portraits in Patriotism created pursuant to s. 1003.44.

(f) Develop educational programming and a plan for the implementation of such programming to ensure that all university students demonstrate competency in civil discourse.

(4) In order to carry out the goals set forth in subsection (3), the president of the University of Florida must:

(a) Annually update the board of trustees on the center’s progress toward developing educational programming to ensure that all students at the university demonstrate competency in civil discourse. The president’s report must identify a timeline and support necessary for the university to achieve this goal.

(b) Guide the university’s leadership and the center to ensure that the center is able to enroll students, hire faculty, ensure a pathway to tenure for faculty, develop curricula and courses, establish certificate and degree programs, establish major and minor programs, and fulfill other actions approved by the president of the university.

(5) Funds appropriated specifically to the center may not be used for any other purpose; however, the university may provide additional funding as available to the center.

Section 7. Section 1004.6499, Florida Statutes, is amended to read:

1004.6499 Florida Institute for Governance and Civics of Politics.—

~~(1) The Florida Institute for Governance and Civics of Politics is established at the Florida State University within the College of Social Sciences and Public Policy. The purpose of the institute is to provide the southeastern region of the United States with a world class, bipartisan, nationally renowned institute of politics.~~

(2) The goals of the institute are to:

(a) Provide students with access to an interdisciplinary hub that will develop academically rigorous scholarship and coursework on the origins of the American system of government, its foundational documents, its subsequent political traditions and evolutions, and its impact on comparative political systems. Motivate students throughout the Florida State University to become aware of the significance of government and civic engagement at all levels and politics in general.

(b) Encourage civic literacy in this state through the development of educational tools and resources for K-12 and postsecondary students which foster an understanding of how individual rights, constitutionalism, separation of powers, and federalism function within the American system Provide students with an opportunity to be politically active and civically engaged.

(c) Model civic discourse that recognizes the importance of viewpoint diversity, intellectual rigor, and an evidence-based approach to history Nurture a greater awareness of and passion for public service and politics.

(d) Plan and host forums to allow students and guests to hear from exceptional individuals who have excelled in a wide range of sectors of American life, to highlight the possibilities created by individual achievement and entrepreneurial vision and interact with experts from government, politics, policy, and journalism on a frequent basis.

(e) Become a national and state resource on using polling instruments and other assessments to measure civic literacy and make recommendations for improving civic education information and survey methodology.

(f) Provide fellowships and internship opportunities to students in government, nonprofit organizations, and community organizations.

(g) Create through scholarship, original research, publications, symposia, testimonials, and other means a body of resources that can be accessed by students, scholars, and government officials to understand the innovations in public policy in this state over a rolling 30-year time period Provide training sessions for newly elected state and local public officials.

(h) Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.

(i) Create and promote research and awareness regarding politics, citizen involvement, and public service.

(j) Collaborate with related policy institutes and research activities at the Florida State University and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.

Section 8. Subsection (3) is added to section 1004.64991, Florida Statutes, to read:

1004.64991 The Adam Smith Center for the Study of Economic Freedom.

(3) In order to carry out the purpose set forth in this section, the institute is authorized to:

(a) Hire necessary faculty and staff pursuant to s. 1001.741;

- (b) Enroll students;
- (c) Develop curriculum and offer new courses, including honors courses, certificates, and major and minor programs;
- (d) Hold events, including fundraisers;
- (e) Fulfill other actions approved by the president of the university; and
- (f) Generate resources based on student credit hour enrollment, in the same manner as any college within the institution.

Section 9. Subsection (3) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to review and recommend to the Articulation Coordinating Committee for approval by the State Board of Education and the Board of Governors identify statewide general education core course options for inclusion in the statewide course numbering system established under s. 1007.24. Faculty committees shall, by July 1, 2024, and by July 1 every 4 years thereafter, review and submit recommendations to the Articulation Coordinating Committee and the commissioner for the removal, alignment, realignment, or addition of general education core courses that satisfy the requirements of this subsection.

(a) General education core course options shall consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised, or the five-course maximum within each subject area may be exceeded, if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area.

(b) Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course.

(c) General education core courses may not distort significant historical events or include a curriculum that teaches identity politics, violates s. 1000.05, or is 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.

(d) General education core courses must meet the following standards:

1. Communication courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking.

2. Humanities courses must afford students the ability to think critically through the mastering of subjects concerned with human culture, especially literature, history, art, music, and philosophy, and must include selections from the Western canon.

3. Social science courses must afford students an understanding of the basic social and behavioral science concepts and principles used in the analysis of behavior and past and present social, political, and economic issues.

4. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific method to explain natural experiences and phenomena.

5. Mathematics courses must afford students a mastery of foundational mathematical and computation models and methods by applying such models and methods in problem solving.

(e) Beginning with students initially entering a Florida College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded.

(f) All public postsecondary educational institutions shall offer at least one general education core course in each of the identified subject areas and accept these courses as meeting general education core course requirements upon transfer, regardless of whether the receiving institution offers the identical general education core courses. The remaining general education course requirements shall be identified by each institution as approved in accordance with this section and listed in the statewide course numbering system and reported to the department by their statewide course number.

(g) A public postsecondary educational institution may not require a student to complete an additional course to meet a subject area distribution requirement that was completed by the student with a course that has since been removed as a general education core course.

(h) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section 10. Section 1007.55, Florida Statutes, is created to read:

1007.55 General education course principles, standards, and content.

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote and preserve the constitutional republic through traditional, historically accurate, and high-quality coursework. General education courses should provide broad foundational knowledge to help students develop intellectual skills and habits that enable them to become more effective and lifelong learners. Courses with a curriculum based on unproven, speculative, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit. General education courses must:

(a) Meet the course standards as provided in s. 1007.25; and

(b) Whenever applicable, provide instruction on the historical background and philosophical foundation of Western civilization and this nation's historical documents, such as the Declaration of Independence, the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(2) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25 and this section, at their respective institutions. The following must be included for each listed general education course:

(a) The general education distribution area;

(b) The number of state universities that offer the course and the number of Florida College System institutions that offer the course; and

(c) The course level.

(3) Public postsecondary educational institutions must report courses meeting institutional general education subject requirements to the department by their statewide course number.

(4) In performing its duties under ss. 1007.24 and 1007.25, by December 1, 2024, and each December 1 thereafter, the Articulation Coordinating Committee shall submit to the State Board of Education and the Board of Governors courses that have been approved by public postsecondary educational institutions as meeting general education requirements. The listing of general education courses must include the information in paragraphs (2)(a), (b), and (c). The State Board of Education and the Board of Governors must approve or reject the list of general education courses for each Florida College System institution and state university, respectively.

(5) Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding pursuant to s. 1001.66 or s. 1001.92.

(6) A public postsecondary educational institution may not require a student to take an additional course to meet a subject area distribution requirement that was completed by the student with a course that has since been removed as a general education course.

(7) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to implement this section.

Section 11. Present subsections (3) and (4) of section 1008.47, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (2) and present subsection (3) of that section are amended, to read:

1008.47 Postsecondary education institution accreditation.—

(2) ACCREDITATION.—

(a) By September 1, 2022, the Board of Governors or the State Board of Education, as applicable, shall identify and determine the accrediting agencies or associations best suited to serve as an accreditor for public postsecondary institutions. Such accrediting agencies or associations must be recognized by the database created and maintained by the United States Department of Education. ~~A public postsecondary institution may not be accredited by the same accrediting agency or association for consecutive accreditation cycles.~~ In the year following reaffirmation or fifth-year review by its accrediting agencies or associations, each public postsecondary institution must seek and obtain accreditation from an accrediting agency or association identified by the Board of Governors or State Board of Education, respectively, before its next reaffirmation or fifth-year review date. The requirements in this section are limited to a one-time change in accreditation. The requirements of this subsection are not applicable to those professional, graduate, departmental, or certificate programs at public postsecondary institutions that have specific accreditation requirements or best practices, including, but not limited to, law, pharmacy, engineering, or other similarly situated educational programs.

(b) Once a public postsecondary institution is required to seek and obtain accreditation from an agency or association identified pursuant to paragraph (a), the institution shall seek accreditation from a regional accrediting agency or association and provide quarterly reports of its progress to the Board of Governors or State Board of Education, as applicable. If each regional accreditation agency or association identified pursuant to paragraph (a) has refused to grant candidacy status to an institution, the institution must ~~shall~~ seek and obtain accreditation from any accrediting agency or association that is different from its current accrediting agency or association and is recognized by the database created and maintained by the

United States Department of Education. If a public postsecondary institution is not granted candidacy status before its next reaffirmation or fifth-year review date, the institution may remain with its current accrediting agency or association.

(c) This subsection expires December 31, 2032.

(3) PROHIBITION.—An accrediting agency or association may not compel any public postsecondary institution to violate state law, and any adverse action upon the institution based upon the institution’s compliance with state law constitutes a violation of this section that may be enforced through subsection (4), except to the extent that state law is preempted by a federal law that recognizes the necessity of the accreditation standard or requirement.

~~(4)~~⁽³⁾ CAUSE OF ACTION.—A postsecondary education institution negatively impacted by retaliatory or adverse action taken against the postsecondary education institution by an accrediting agency or association may bring an action against the accrediting agency or association in a court of competent jurisdiction and may obtain liquidated damages in up to the amount of federal financial aid received by the postsecondary education institution, court costs, and reasonable attorney fees.

Section 12. Paragraphs (a), (b), and (c) of subsection (18) of section 1009.26, Florida Statutes, are amended to read:

1009.26 Fee Waivers.—

(18)(a) For every course in a Program of Strategic Emphasis, or in a state-approved teacher preparation program identified by the Board of Governors, as identified in subparagraph 3., in which a student is enrolled, a state university shall waive 100 percent of the tuition and fees for an equivalent course in such program for a student who:

1. Is a resident for tuition purposes under s. 1009.21.
2. Has earned at least 60 semester credit hours towards a baccalaureate degree within 2 academic years after initial enrollment at a Florida public postsecondary institution.

3. Enrolls in one of 10 Programs of Strategic Emphasis as adopted by the Board of Governors or in one of two state-approved teacher preparation programs identified by the Board of Governors. The Board of Governors shall adopt eight Programs of Strategic Emphasis in science, technology, engineering, or math; ~~and,~~ beginning with the 2022-2023 academic year, two Programs of Strategic Emphasis in the critical workforce gap analysis category; and beginning with the 2023-2024 academic year, two state-approved teacher preparation programs for which a student may be eligible to receive the tuition and fee waiver authorized by this subsection. The programs identified by the board must reflect the priorities of the state and

be offered at a majority of state universities at the time the Board of Governors approves the list.

(b) A waiver granted under this subsection is applicable only for upper-level courses and up to 110 percent of the number of required credit hours of the baccalaureate degree program for which the student is enrolled. A student granted a waiver under this subsection shall continue receiving the waiver until the student graduates, exceeds the number of allowable credit hours, or withdraws from an eligible program, regardless of whether the program is removed from the approved list of eligible programs subsequent to the student's enrollment.

(c) Upon enrollment in a Program of Strategic Emphasis or in one of two teacher preparation programs identified by the Board of Governors, the tuition and fees waived under this subsection must be reported for state funding purposes under ss. 1009.534 and 1009.535 and must be disbursed to the student. The amount disbursed to the student must ~~shall~~ be equal to the award amount the student has received under s. 1009.534(2) or s. 1009.535(2).

Section 13. This act shall take effect July 1, 2023.

Approved by the Governor May 15, 2023.

Filed in Office Secretary of State May 15, 2023.