

2023 LEGISLATIVE SESSION REPORT

General Session Highlights

- ▶ The 2023 Florida Legislature adjourned sine die on Monday afternoon, May 5, 2023. The legislature approved the General Appropriations Act and an overall budget of \$117 billion. A total of 1,873 bills were filed this Session, with only 356 bills being passed by both chambers and sent to the Governor.
- ▶ The Florida College System (Florida College System) has some significant statutory changes to address because of the 2023 Legislative Session. More specifically, the most impactful changes likely will be associated with the implementation of bills involving general education courses, new prohibitions on expenditures, new requirements for union registration/certification, and new restrictions on the use of certain applications on college devices and networks.
- ▶ Of significance in this year's budget is the legislature's use of the funding formula that was requested in proviso language in last year's appropriations bill. This formula was crafted by the Florida College System Council of Presidents in consultation with the Division of Florida Colleges to fix preexisting inequities in the prior funding model.

General Appropriations Act (GAA) 2023-24

- ▶ The Legislature has three methods to reflect funding decisions made in the General Appropriations Act process.
- ▶ "Proviso" is language in the General Appropriations Act attached to a specific appropriation that directs or authorizes how the funds can be expended.
- ▶ An "implementing bill" is a substantive bill that provides instructions to enact specific provisions for a General Appropriations Act appropriation or proviso by changing the law (Florida Statutes) temporarily for one year. This is necessary because the courts have ruled the General Appropriations Act cannot contradict current law; however, there may be a need to suspend some provision of law.
- ▶ A "conforming bill" is also a substantive bill that may "travel" with the General Appropriations Act. It differs from the implementing bill in that it makes permanent changes to Florida Statutes.
- ▶ In summary, proviso language and implementing bills are law for only one year and then they expire, while a conforming bill makes a permanent change in Florida law. While the Governor may veto the entire appropriations act or exercise his veto by "line item," he does not have "line item"

veto in a conforming or implementing bill but must act on the entire bill. Bills that are passed by the Legislature are sent to the Governor for further action. The Governor may sign, veto, or allow a bill to become law without his signature. Because the Legislature has now adjourned the 2023 Session, the Governor has fifteen consecutive days from the date he receives a bill to act on that bill. Leadership of the Legislature staggers sending bills to the Governor in order to provide time to review carefully the bills.

- ▶ When a bill is passed and sent to the Governor while the Legislature is still in session, the timeline is different; the Governor must act within seven days from the time his office receives the bill.
- ▶ Following are the bill numbers of the 2023-2024 appropriations bills:
 - ▶ [Conference Report on SB 2500 – General Appropriations Act](#)
 - ▶ [Conference Report on SB 2502 - Implementing the 2023-2024 General Appropriations Act](#)

Textbook Affordability Reporting Template

- ▶ During the 2022 legislative session, Senate Bill (SB) 7044 and 2524 passed, amending ss. 1004.085 and 1006.73, F.S., respectively.
- ▶ The statutory amendments provide additional requirements related to the posting of required textbooks and instructional materials and syllabi posting requirements.
- ▶ On August 17, 2022, the State Board of Education approved revisions to Rule 6A-14.092, Florida Administrative Code (F.A.C.), to implement the new provisions.
- ▶ An updated textbook affordability report template reflecting the new provisions will be sent out to colleges for the September 30, 2023, reporting deadline.

Rule 6A-10.0315. Digital SAT Platform

- ▶ In Spring 2023, the College Board began transitioning its SAT Suite of Assessments to a digital platform and changed the way scores are reported and the structure of the reading and writing test sections.
- ▶ On May 24, 2023, the State Board of Education approved revisions to Rule 6A-10.0315, F.A.C., to add the Digital SAT Suite of Assessments and associated scores in rule to conform to the changes. Additionally, non-substantive changes were made to rule language.
- ▶ Florida College System institutions should review the updated rule and may need to revise existing placement policies for students who use the SAT Suite of Assessments for purposes of demonstrating college readiness or course-level placement in reading and writing.
- ▶ Additionally, Florida College System institutions may need to update institutional catalogs and websites, reporting mechanisms, and inform academic and admissions advisors of the new provisions.

Rule 6A-10.0315, Classic Learning Test (CLT)

- ▶ During the 2023 legislative session, legislation passed that added an additional assessment option in statute, the Classic Learning Test (CLT), for high school students to satisfy graduation requirements.
- ▶ To be consistent with proposed changes to Rule 6A-1.09422, F.A.C., to codify the new option, Rule 6A-10.0315, F.A.C., must also be amended to add the CLT as a common placement test option for students to demonstrate college readiness.
- ▶ The Division held a Rule Workshop on June 6, 2023. The proposed amendment to Rule 6A-10.0315, F.A.C., would add the CLT and standard scores, which are based on concordant SAT and ACT scores, as a fifth common placement test option. Other technical changes to the rule will also be made.

Academic Program Inventory and Florida Shines Catalog

- ▶ The baseline for the 2022-23 catalog will be the 2021-22 active programs submitted to the Florida Department of Education for the workforce program inventory, with a focus on clock hour and college credit programs.
- ▶ Additional data collection guidance for noncredit (CWE programs) offerings is forthcoming.
- ▶ The Florida Department of Education and Florida Virtual Campus co-hosted a webinar for Florida College System data administrators on May 25, 2023.
- ▶ The 2022-23 program inventory upload closed on June 30, 2023.

LINE Fund

- ▶ The LINE Fund was established in SB 2524 (2022) and provides matching funds, on a dollar-to-dollar basis, to participating agencies that partner with health care providers.
- ▶ Eligible institutions include school district career centers, Florida College System, and Florida nonprofit private colleges and universities, as well as additional criteria on nursing exam passage rates or completion rates.
- ▶ Funds may be used for student scholarships, recruitment of additional faculty, equipment, and simulation centers. Construction of new facilities is not considered eligible.

Student Success Center Update

▶ **Open Math Course Shell Development**

- ▶ The Florida Student Success Center in partnership with the Division of Florida Colleges and Board of Governors will fund the development of several open master course shells to be used for the instruction of gateway mathematics courses (MGF X130, MGF X131, MAC X105, MAC X311, and STA X023).
- ▶ Course shells should be available for public use by Spring 2024 at the latest.

▶ **FPI: Dual Enrollment Partnerships**

- ▶ The Florida Student Success Center is launching a new FPI open to all Florida public postsecondary institutions or Independent Colleges and Universities institutions and their district partners. The year-long institute will build upon and strengthen partnerships supporting academic and career dual enrollment.
- ▶ Applications were due August 1, 2023.

More info: <https://www.floridacollegesystemfoundation.org/fssc>
Email: flstudentsuccess@fldoe.org

Mathematic Pathways

The State Board of Education approved the following rule revisions on January 18, 2023:

Rule	Summary
Rule 6A-10.024, Articulation Between and Among Universities, Florida Colleges, and School Districts	<ul style="list-style-type: none"> • Incorporated new language related to establishing statewide mathematics pathways for students. • Incorporated the mathematics pathways list that contains the three mathematics pathways and associated gateway courses for use by Florida’s public postsecondary institutions to align program requirements and advise students to enroll in the appropriate mathematics courses.
Rule 6A-10.030, Other Assessment Procedures for College-Level Communication and Computation Skills	<ul style="list-style-type: none"> • Designated the mathematics courses in the Mathematical Thinking in Context pathway as acceptable to be used to fulfill the six hours of college-level mathematics coursework required in the rule.
Rule 6A-14.0303, General Education Core Course Options	<ul style="list-style-type: none"> • Incorporated one new core course option that will replace two existing core course options in the mathematics subject area to align with the mathematics pathways.

► **Implementation Update**

- Discipline alignment to the mathematics pathways. Survey institutions to identify the pathway(s) appropriate to each discipline.
- Incorporate by reference the pathways mapped to disciplines in Rule 6A-14.065, F.A.C., Meta-major academic pathways.
- Course shell development for the new Mathematical Thinking in Context courses and other general education core mathematics courses.

Credit for Law Enforcement Experience: Next Steps

- In April, a discipline committee was convened to review law enforcement training/coursework and recommend postsecondary course equivalencies.
- The results for the first round of course equivalencies are in and the first edition of the Law Enforcement Equivalency list is awaiting approval from the Articulation Coordinating Committee and State Board of Education.
- Annually, the Articulation Coordinating Committee must approve and update a prioritized list of postsecondary course equivalencies for law enforcement training and experience.

Dual Enrollment Articulation Agreements: Student Eligibility

- Section 1007.271, F.S., establishes the minimum eligibility requirements for participation in college credit dual enrollment:
 - Public, private, and home education students in grades 6 through 12
 - Minimum 3.0 unweighted high school GPA
 - Demonstrated readiness for college-level coursework via a common placement test or approved alternative method(s)
- The statute also authorizes Florida College System institutions to establish additional initial eligibility requirements to ensure student readiness for postsecondary instruction and specifies those additional requirements may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment.
- For the 2022-23 academic year, the Office of Articulation received over 1,100 individual dual enrollment articulation agreement submissions.
- Review of the submissions revealed some institutions have implemented additional dual enrollment eligibility requirements above and beyond those specified in statute, including:
 - Minimum GPA requirements above 3.0
 - Grade level restrictions
 - Minimum number of high school credits students must complete prior to enrollment
 - Participation caps or limits
 - Number of years students can participate in dual enrollment
 - Number of courses/credit hours students can complete through dual enrollment

- ▶ Dual enrollment articulation agreements for the upcoming year are due to the Office of Articulation by August 1, 2023. Colleges are encouraged to revisit their dual enrollment eligibility policies to ensure compliance with statute. Beginning with 2023-24 agreement submissions, institutions will be required to justify any additional eligibility requirements and demonstrate that these additional requirements do not arbitrarily limit student participation, per s. 1007.271, F.S.

SB 240 – Workforce Education Program Offerings

- ▶ SB 240 amends s. 1011.80, F.S. Funds for the operation of district workforce education and modifies provisions related to:
 - 1) postsecondary workforce education performance funding and
 - 2) the operation of postsecondary workforce education programs.
- ▶ **Postsecondary Industry Certification Performance Funding**
 - ▶ Removes the requirement for the Credentials Review Committee to develop a returned-value performance funding formula for industry certification performance funding for district school boards and Florida College System institutions.
 - ▶ Requires the State Board of Education to adopt the tiers for each earned industry certification based upon the anticipated average wages of the highest earning occupation to which the certification is linked on the Master Credentials List.
 - ▶ By October 1, the Florida Department of Education must produce a report on industry certifications sorted into three tiers based upon the anticipated average wages of all occupations to which the certification is linked on the Master Credential List.
- ▶ **Operation of Postsecondary Workforce Education Programs**
 - ▶ Removes the prohibition on the awarding by district school boards of college credit in associate in applied science and associate in science degrees.
 - ▶ Establishes s. 1007.331, F.S. Site-determined associate in applied science and associate in science degree access, which requires a process for school district career centers to seek approval from the State Board of Education to offer associate in science and associate in applied science programs for the purpose of meeting district, regional, or statewide workforce needs.
 - ▶ Aligns the tuition for associate in science and associate in applied science degree programs with the tuition for the programs offered by Florida College System institutions, which is \$71.98 per credit hour for residents and nonresidents, and an out-of-state fee of \$215.94 per credit hour.
 - ▶ Repeals the provision that a Florida College System institution or school district offering a workforce education program in the existing State Board of Education inventory, may not receive performance funding and additional full-time equivalent membership until the program is reviewed through an expedited review process and approved by the State Board of Education.
 - ▶ Shifts responsibility from the State Board of Education to the Florida College System institution board of trustees or district school board for approval of new workforce education programs that are in the existing State Board of Education curriculum framework inventory.
 - ▶ Specifies that Florida College System institutions and district school boards may offer continuing workforce education courses or programs without prior State Board of Education approval but requires keeping adequate and accurate records of instructional activity and reporting continuing

workforce education instructional activity in a format prescribed by the Florida Department of Education.

- ▶ Provides that continuing workforce education courses and programs are exempt from the requirements for approval by the State Board of Education and are ineligible for performance funding.

SB 240 – Work-Based Learning and Apprenticeship

▶ Florida Pathways to Career Opportunities Grant

- ▶ Amended s. 1011.802, F.S., to provide flexibility for the administration of the Pathways to Career Opportunities Grant Program. Specifically, the bill removes the requirement that the grant be awarded on a competitive basis; removes the limitation that the grant award may only be used for establishing or expanding programs, adds the option of operational funding an award from being used for administrative costs.
- ▶ It enables the Florida Department of Education to consider, in the approval of grant awards, information in addition to the findings of the Labor Market Estimating Conference related to labor market demand, including data of the Labor Market Statistics Center within the Department of Economic Opportunity (DEO) and the Credentials Review Committee.
- ▶ Prohibits any individual applicant from receiving more than 10% of the total funds and provides potential fiscal incentives for programs to work together to share program resources.
- ▶ In summer 2023, the Division of Career and Adult Education will engage in rule development to align Rule 6A-20.046, F.A.C. Pathways to Career Opportunities Grant Program with the new provisions.

▶ Experiential Learning Tax Credit Program

- ▶ Renames the Internship tax credit program to the “Experiential learning tax credit program”.
- ▶ Adds definitions for Apprentice and Preapprentice.
- ▶ Amends definition of “student intern” to include a person completing 15 credit hours at a Florida College System institution (instead of 60 credit hours)
- ▶ Adds apprentice and preapprentice to the \$2,000 credit available to qualified businesses if all conditions of the law are met. These conditions include that the apprentice or preapprentice worked in Florida for at least 500 hours, the apprentice or preapprentice provides documentation of enrollment and maintenance of a 2.0 GPA, if applicable.
- ▶ Allows the Department of Financial Services to require the taxpayer to provide the Registered Apprenticeship Partnership Information Data System program identification number and other necessary information. This information may be verified with the Department of Education.

HB 1035 – Teacher Apprenticeship Program

- ▶ Creates s.1012.555, F.S. Teacher Apprenticeship Program
- ▶ As a condition of participating in the Teacher Apprenticeship Program, an apprentice teacher must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.
- ▶ An apprentice teacher must receive related instruction required for the apprenticeship, and complete years in an apprenticeship before being eligible to apply for a professional certificate.

- ▶ An apprentice teacher must receive a temporary apprentice certificate from the Florida Department of Education and must be appointed by the district school board as an education paraprofessional and must be paid in accordance with law and State Board of Education rules.

2022-23 Master Credential List (MCL)

- ▶ The Credential Review Committee adopted the updated 2022-23 MCL at their February 9 meeting.
- ▶ The CareerSource Board adopted the list on February 22.
- ▶ 17 new certifications were added to the list; of these, 8 have postsecondary funding eligibility designations.
- ▶ The certifications have been added to the 2022-23 Career and Professional Education Industry Certification Funding List.
- ▶ These certifications will be reportable for Career and Professional Education for the 2022-23 school year.
- ▶ Link to the MCL is available here:

<https://careersourceflorida.com/boardroom/florida-credentials-review-committee/master-credentials-list/>

2024-25 Master Credential List (MCL)

- ▶ The submission deadline for consideration of new credentials for the 2024-25 MCL is September 30.
- ▶ The deadline to submit documentation for certifications with provisional status for consideration on the 2024-25 MCL is also September 30.
- ▶ School districts and Florida college system institutions will need to work with their local workforce board on submission of this information. **Submissions for local demand must be sent by the local workforce board and should not be submitted by a district or a Florida college institution.**
 - ▶ The application can be accessed at the following link:
 - ▶ <https://careersourceflorida.com/boardroom/florida-credentials-review-committee/master-credentials-list/>.
 - ▶ If you have questions on the MCL application, please contact mcl@careersourceflorida.com.

2022-23 Industry Certification Funding List (ICFL) Update: New Certifications

- ▶ 17 new certifications were approved for an updated 2022-23 MCL.
- ▶ These certifications were approved for addition to the updated “2022-23 CAPE Industry Certification Funding List” by the State Board of Education on April 17.
- ▶ 8 are designated as postsecondary funding eligible.
- ▶ 15 are K-12 Florida Education Finance Program funding eligible.
- ▶ These certifications are reportable for CAPE in the 2022-23 year.



How to Find the Final Version of a Bill

The simplest way to see the final version of a bill is to go to www.flsenate.gov and enter the bill number in the space provided on the top of the homepage or go to www.flhouse.gov and click on the top tab "Bills." Senate bills are always even numbers (SB 00), and House bills are always odd numbers (HB 11). On the House site, note that you may choose either chamber or choose "both." When you enter the bill number, the history of the bill will appear. For bills that have passed, go to the section on "Bill Text" and choose the entry followed by "ER," which is the most recent, enrolled version of the bill. An enrolled bill is the one being sent to the Governor. For bills that have not passed, go to the section on "Bill Text" and choose the entry with the latest date, which is the final version of the bill before it failed. Staff analyses for bills are also found on the bill sites.

GENERAL BILLS OF NOTE THAT PASSED

HB 1 Education

(Approved by Governor; Chapter No. 2023-16)

- ▶ The bill that provides universal school choice for K-12 students in Florida. Relating to colleges, the bill outlines eligible use of funds that can go towards tuition and fees at Florida College System institution through dual enrollment. Teacher certification through educational and CTE pathways is also mentioned in the bill.

HB 3 (Rommel) Government and Corporate Activism

(Approved by Governor; Chapter No. 2023-28)

- ▶ The bill requires any contract between a governmental entity (including Florida College System institutions) and an investment manager executed, amended, or renewed on or after July 1, 2023, to contain a provision requiring the investment manager to include a disclaimer in an external communication, if the communication is to a company in which the investment manager has invested public funds and discusses social, political, or ideological interests; subordinates the interests of the company's shareholders to the interests of another entity; or advocates for an entity other than the company's shareholders. This applies to the investment of general revenue, surplus funds, trust funds, and retirement plans.
- ▶ The required disclaimer must state: "The views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the state of Florida." All contracts with investment managers executed, amended, or renewed on or after July 1, 2023, may be unilaterally terminated if certain communications of an investment manager include discussion of social, political, or ideological interests and omit the required disclaimer described above.

- ▶ The bill prohibits consideration of social, political, or ideological beliefs in state and local government contracting, and explicitly notes that this includes all political subdivisions of the state. Specifically, the bill prohibits an awarding body from: 1) requesting documentation or considering a vendor's social, political, or ideological beliefs when determining if the vendor is a responsible vendor; or 2) giving a preference to a vendor based on the vendor's social, political, or ideological beliefs. Beginning July 1, 2023, all solicitations for commodities or contractual services must include notice of these requirements.
- ▶ The bill states that when deciding whether to invest and when investing public funds pursuant to this section, a unit of local government must make decisions based solely on pecuniary factors. The bill defines the term "pecuniary factor" as a factor expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

SB 240 (Hutson) Workforce Education Programs

(Approved by Governor; Chapter No. 2023-81)

- ▶ The bill authorizes district school boards to award college credit in associate in applied science and associate in science degrees. The bill provides a process for the State Board of Education to approve associate in science and associate in applied science degree programs offered by district school boards that aligns with the process that allows Florida College System institutions to offer baccalaureate degree programs. The bill aligns the technical college tuition for associate in science and associate in applied science degree programs with the tuition for the programs offered by Florida College System institutions, which is \$71.98 per credit hour for residents and nonresidents, and an out-of-state fee of \$215.94 per credit hour.
- ▶ Among other provisions regarding the state administration of workforce programs, revisions to workforce education funding provisions, and workforce education programs, the bill also amends s.1011.80, F.S., to modify the approval process for Florida College System institutions and school districts to conduct workforce education programs.
- ▶ Maintains the requirement that Florida College System institutions and district school boards obtain approval by the State Board of Education of new workforce education programs that are not included in the statewide curriculum framework.
- ▶ Shifts from the State Board of Education to the local college board of trustees or district school board the responsibility for approval of new workforce education programs that are in the statewide curriculum framework.
- ▶ Specifies that Florida College System institutions and district school boards may offer continuing workforce education courses or programs without prior State Board of Education approval but requires keeping adequate and accurate records of instructional activity and reporting continuing workforce education instructional activity in a format prescribed by the Department of Education.
- ▶ The bill specifies that continuing workforce education courses and programs are exempt from the requirements for approval by the State Board of Education, Florida College System institution board of trustees, or district school board, and are ineligible for performance funding.

SB 256 (Ingoglia) Employee Organizations Representing Public Employees

(Approved by Governor; Chapter No. 2023-35)

- ▶ Creates several new requirements of the employee organizations that represent public employees in collective bargaining, including Unified Faculty of Florida’s unit of full-time faculty and the Service Employees International Union’s unit of adjunct faculty at St. Petersburg College.
- ▶ Specifically, the bill:
 - ▶ Requires employees who wish to join certain employee organizations to sign a membership authorization form that is prescribed by the Public Employees Relations Commission, which must contain specific information.
 - ▶ Requires specific employee organizations to allow a member to revoke his or her membership in the organization at any time, and without any reason.
 - ▶ Allows the Public Employee Relations Commission to inspect specific employee organizations’ membership authorization forms and membership revocation forms.
 - ▶ Prohibits certain employee organizations from receiving their members’ dues and assessments via salary deduction from the members’ public employer.
 - ▶ Expands the information required in an employee organization’s annual registration renewal with the Public Employee Relations Commission. This newly required information includes information relating to the number and percentage of dues-paying members in each bargaining unit. In addition, the employee organization’s current annual financial report must be audited by an independent certified public accountant.
 - ▶ Authorizes the public employer or an employee who is eligible for representation in the bargaining unit to challenge the application for registration renewal. The Public Employee Relations Commission must investigate to confirm the information submitted.
 - ▶ Requires the employee organization to be recertified as the bargaining agent if the number of employees paying dues to the employee organization during the last registration period is less than 60 percent of the number of employees eligible for representation in the bargaining unit.
 - ▶ Requires the certified bargaining agent to provide certain information to its members, including the annual costs of membership.

SB 258 (Burgess) Prohibited Applications on Government-issued Devices

(Approved by Governor; Chapter No. 2023-32)

- ▶ The bill bans the use of prohibited applications on devices issued to an employee or officer by a public employer, or otherwise used on a network that is owned, operated, or maintained by a public employer. It requires the Department of Management Services to create and maintain a list of prohibited applications or any Internet application that it deems to present a security risk in the form of unauthorized access to, or temporary unavailability of the public employer’s records, digital assets, systems, networks, servers, or information. A “prohibited application” is alternatively defined as any application that participates in certain activities, such as conducting cyber-espionage against a public employer, and that is created, maintained, or owned by a foreign principal.

- ▶ The Department of Management Services must adopt this list of prohibited applications through rulemaking, publish the list on its website, and disseminate it to public employers.
- ▶ Public employees must:
 - ▶ Block access to any prohibited application via their wireless networks and virtual private networks.
 - ▶ Restrict access to any prohibited application on any government cell phone, laptop, desktop computer, tablet computer, or other electronic device that can connect to the Internet that has been issued to an employee or officer for a work-related purpose.
 - ▶ Retain the ability to remotely wipe and uninstall any prohibited application from any such device that is believed to have been adversely impacted by a prohibited application.
 - ▶ Additionally, the bill prohibits all persons (not just employees) from downloading or accessing any prohibited application on a government-issued device.
- ▶ The bill requires an employee or officer to remove any prohibited application from his or her government-issued device within 15 days of the Department of Management Services' publication of its list of prohibited applications, and within 15 days of any subsequent update to the list of prohibited applications.

SB 266 (Grall) Prohibited Expenditures/General Education/Accreditation

(Approved by Governor; Chapter No. 2023-82)

Prohibited Expenditures

- ▶ Among several provisions focused only on state university system administrative and curricular activities, the bill also specifies that a Florida College System institution, state university, Florida College System institution direct- support organization, or state university direct-support organization may not expend any funds, regardless of source, to promote, support, or maintain any programs or campus activities that:
 - ▶ Violate s. 1000.05, F.S.; or
 - ▶ 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.
- ▶ The bill exempts from prohibited expenditure requirements student fees to support student-led organizations regardless of any speech or expressive activity by such organizations that would otherwise violate the above provisions, but 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. The bill also exempts the use of institution facilities by student-led organizations 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.

- ▶ The prohibition on expenditures established in the bill 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; 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. The bill authorizes the State Board of Education and the Board of Governors to adopt rules and regulations to implement these provisions.

General Education

- ▶ The bill modifies current law to require revisions to the general education core course options by faculty committees appointed by the State Board of Education and Board of Governors. These faculty committees must, by July 1, 2024, and each four years thereafter, review and recommend to the Articulation Coordinating Committee and the State Board of Education and Board of Governors changes to the core course options.
- ▶ The bill requires each public postsecondary institution to offer at least one general education core course in each of the identified subject areas, and accept all such courses for general education credit, whether or not the receiving institution offers that course. The bill also protects a student who has completed a general education core course from having to take an additional core course in that subject area if the course is later removed from the identified list.
- ▶ The bill specifies that public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course requirements. The following information must be included for each general education course record on the list for approval by the institution's board of trustees:
 - ▶ The general education distribution area.
 - ▶ The number of state universities that offer the course and the number of Florida College System institutions that offer the course, and the course level.
- ▶ The Articulation Coordinating Committee must by December 1, 2024, and each December 1 thereafter, 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 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.
- ▶ The bill establishes conditions and standards for the content and identification of courses as general education core, which include the following:
 - ▶ General education core courses may not distort significant historical events or include a curriculum that teaches identity politics that violates Florida Educational Equity Act, or that are 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.
- ▶ General education core courses must meet the following standards:
 - ▶ Communication courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking.

- ▶ 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.
- ▶ 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.
- ▶ 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.
- ▶ Mathematics courses must afford students a mastery of foundational mathematical and computation models and methods by applying such models and methods in problem solving.
- ▶ Public postsecondary educational institutions that fail to comply with the requirements for general education courses are not eligible to receive performance-based funding.

Accreditation

- ▶ The bill modifies current law to clarify that a public postsecondary institution is not required to change accrediting agencies each accreditation cycle, but that the change in accreditation required in law is restricted to a one-time change, prior to the expiration of this requirement on December 31, 2032.
- ▶ The bill also prohibits an accrediting agency or association from compelling any public postsecondary institution to violate state law and specifies that any adverse action on the institution based upon the institution's compliance with state law constitutes a violation that may be enforced by the institution in a court of competent jurisdiction, to seek damages which may result from agency retaliatory or adverse actions taken against the institution. The bill provides an exception to the consequences for specified accrediting agency actions to the extent that state law is preempted by a federal law that recognizes the necessity of the accreditation standard or requirement.

HB 7-B (LaMarca) Intercollegiate Athlete Compensation and Rights

(Approved by Governor; Chapter No. 2023-4)

- ▶ Revises provisions relating to athlete agents representing intercollegiate athletes for certain purposes, compensation that intercollegiate athletes may receive, postsecondary educational institutions requirements, & specified workshops; & provides specified individuals are not liable for damages.

HB 269 (Caruso) Public Nuisances

(Approved by Governor; Chapter No. 2023-24)

- ▶ Creates a new trespass offense if a person who is not authorized, licensed, or invited willfully enters the campus of a state university or Florida College System institution for the purpose of threatening or intimidating another person, and is warned by the state university or Florida College System institution to depart and refuses to do so. A violation is punishable as a first-degree misdemeanor.

HB 339 (Yarkosky) Education of Dependents of Deceased or Disabled Servicemembers, Prisoners of War, and Persons Missing in Action

(Approved by Governor; Chapter No. 2023-279)

- ▶ The bill revises eligibility requirements for educational benefits provided by state to spouse or dependent child of deceased or disabled servicemember.
- ▶ The bill revises eligibility requirements for educational benefits provided by state to dependent child of prisoner of war, person missing in action, or deceased or disabled servicemember who participated in certain military operations.
- ▶ The bill amends ss. 295.01, 295.015, 295.016, 295.017, 295.018, 295.0185, 295.0195, and 295.02, F.S., expanding eligibility for the Children and Spouses of Deceased or Disabled Veterans scholarship program to include:
 - ▶ Changes language from “children of deceased or disabled veterans” to *dependent children...*, as defined in s. 1009.21(1), F.S.

HB 379 (Choice & Innovation Subcommittee, Yeager) Technology in K-12 Public Schools

(Approved by Governor; Chapter No. 2023-36)

- ▶ The bill requires public schools to provide instruction for students in grades 6-12 on the social, emotional, and physical effects of social media. The bill requires the Department of Education to make social media safety instructional material available online and district school boards to notify parents of the material’s availability.
- ▶ The bill specifies that district school boards must provide and adopt an internet safety policy for student access to the Internet provided by the school district which:
 - ▶ Limits access by students to only age-appropriate subject matter and materials.
 - ▶ Protects the safety and security of students when using e-mail and other forms of direct electronic communication.
 - ▶ Prohibits access to data or information, and other unlawful online activities, by students.
 - ▶ Prevents access to websites, applications, or software that does not protect against the disclosure, use, or dissemination of students’ personal information.
- ▶ The bill requires each district school board prohibit and prevent students from accessing social media platforms through the use of Internet access provided by the school district, except when expressly directed by a teacher solely for educational purposes.
- ▶ The bill also requires each school district to prohibit the use of the TikTok platform or any successor platform on Internet access provided by the school district or as a platform to communicate or promote any district school or school activity.
- ▶ Additionally, the bill prohibits a student from using a wireless communications device during instructional time, except when directed by a teacher for educational purposes, and requires a teacher to designate an area for wireless communications devices during instructional time.

SB 274 (Avila) Nursing Education Pathway for Military Combat Medics

(Approved by Governor; Chapter No. 2023-158)

- ▶ Creates the “Pathway for Military Combat Medics Act.” The bill expands s. 1004.096, F.S., to promote uniformity in the application of military combat medic training and education towards credit or clock hours by public postsecondary educational institutions. The bill establishes a process similar to those established for the award of postsecondary credit for military training and education and for law enforcement training.
- ▶ The bill requires state universities, Florida College System institutions, and career centers to award credit or clock hours, as applicable, for such military training and education based on a prioritized list of postsecondary course equivalencies and the minimum credit or clock hours that must be awarded in an accredited program for such military training and education. The list is to be adopted by the Articulation Coordinating Committee (if the credit or clock hours are applicable to the student’s degree or certificate). Credit or clock hours awarded on these bases are guaranteed to transfer from one state university, Florida College System institution, or career center to another.

HB443 (Valdes) Education

(Approved by Governor; Chapter No. 2023-102)

- ▶ Charter schools sponsored by a Florida College System institution shall be funded as if they are in a basic program or a special program in the school district.
- ▶ The Department of Education shall develop a tool for the State University System and Florida College System institutions sponsoring a charter to use for the purpose of calculating the funding amount for each charter school student.
- ▶ General Appropriations Act to determine capital outlay funding for sponsored charter schools.
- ▶ Allows for private tutoring of up to 25 students on any facility or land owned by a Florida College System or State University System institution.

SB 540 (DiCeglie) Local Government Comprehensive Plans

(Approved by Governor; Chapter No. 2023-115)

- ▶ The bill revises the statute regulating land development regulations, to provide that land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions.

HB 621 (Barnaby, Maney) Death Benefits for Active Duty Servicemembers

(Approved by Governor; Chapter No. 2023-163)

- ▶ The bill states if an active duty servicemember is killed, the state must waive certain educational expenses the child or spouse of the deceased member incurs while obtaining a career certificate, undergraduate education, or postgraduate education.
- ▶ The amount waived by the state must equal the cost of tuition, matriculation, and registration for a total of 120 credit hours.

- ▶ Benefits must continue until the child’s 25th birthday and must commence for a spouse within 5 years after death and may continue until the 10th anniversary of the death. The program expands the current credit.

SB 732 (Wright) Collegiate Purple Star Campuses
(Approved by Governor; Chapter No. 2023-160)

- ▶ The bill creates s. 1004.071, F.S., defining the term “military student” and requiring the State Board of Education to adopt rules and regulations to establish the Collegiate Purple Star Campus Program.
- ▶ To meet the requirements, colleges and universities must, at a minimum:
 - ▶ Designate a staff member as a military liaison.
 - ▶ Maintain a web page on the institution’s website that includes resources for military students and their families.
 - ▶ Offer professional development training opportunities for staff members on issues relating to military students.
 - ▶ Provide priority course registration for military students.

SB 846 (Avila) Agreements of Educational Entities with Foreign Entities
(Approved by Governor; Chapter No. 2023-34)

- ▶ The bill prohibits state universities, Florida College System institutions, and their employees and representatives, from soliciting or accepting any gift in their official capacities from a college or university based in a foreign country of concern (Russia, China, Cuba, Venezuela, North Korea, Iran, Syria) or from a foreign principal, as those terms are defined by the bill. It also prohibits state universities and colleges from accepting any grant from or participating in any agreement or partnership with any college or university based in a foreign country of concern, or with any foreign principal.
- ▶ The bill defines “Foreign principal” to mean:
 - ▶ The government or an official of the government of a foreign country of concern.
 - ▶ A political party or a member of a political party in a foreign country of concern.
 - ▶ A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country of concern or a subsidiary thereof; or
 - ▶ Any person who is domiciled in a foreign county of concern and is not a citizen or lawful permanent resident of the U.S.
- ▶ “Partnership” to mean a faculty or student exchange program, a study abroad program, an articulation program, a recruiting program, or a dual degree program.

- ▶ The term “agreement” means a written statement of mutual interest in academic or research collaboration.
- ▶ A state university or college may only participate in a partnership or agreement with a college or university based in a foreign country of concern, or with a foreign principal, if authorized by the Board of Governors or the State Board of Education, respectively, and if the agreement satisfies certain other criteria required of all state agency cultural agreements.
- ▶ The bill requires the Board of Governors and the State Board of Education to adopt administrative regulations and rules, respectively.
- ▶ The bill authorizes a state university or Florida College System institution, upon approval by the Board of Governors or State Board of Education, respectively, to enter into a partnership or an agreement with a college or university based in a foreign country of concern, or with a foreign principal, if the Board of Governors or State Board of Education, respectively, deems the partnership or agreement valuable to students and the state university or Florida College System institution and the partnership or agreement is not detrimental to the safety or security of the U.S. or its residents. The bill requires such agreement to also meet other statutory requirements for international cultural agreements, which prohibit agreements that constrain the institution’s freedom over contracts and curriculum and require sharing the agreement with an appropriate federal agency.
- ▶ The bill also:
 - ▶ Requires the Board of Governors and State Board of Education, beginning July 1, 2023, to exercise statutory oversight enforcement authority and impose statutory sanctions upon any state university or state college, respectively, that enters into a partnership or agreement with a college or university based in a foreign country of concern, or with a foreign principal, without the approval of the Board of Governors or State Board of Education, respectively. The bill authorizes the Board of Governors and State Board of Education to withhold additional performance funding for such partnerships or agreements and requires them to deposit such funds into the General Revenue Fund.
 - ▶ By December 1, 2024, and each December 1 thereafter, requires the Board of Governors and the Department of Education, respectively, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives relating to partnerships and agreements of state universities and Florida College System institutions, respectively, with colleges and universities based in a foreign country of concern, and with foreign principals.

HB 931 (Roach) Postsecondary Educational Institutions/Political Loyalty Tests

(Approved by Governor; Chapter No. 2023-83)

- ▶ The bill prohibits any public institution of higher education from requiring or soliciting a person to complete a political loyalty test as a condition of employment by, admission into, or promotion within such institutions.

- ▶ The bill provides that a political loyalty test includes compelling, requiring, or soliciting a person to identify commitment to or to make a statement of personal belief in support of:
 - ▶ Any ideology or movement that promotes the differential treatment of a person or a group of persons based on race or ethnicity, including an initiative or a formulation of diversity, equity, and inclusion beyond upholding the equal protection of the laws guaranteed by the Fourteenth Amendment to the United States Constitution or a theory or practice that holds that systems or institutions upholding the equal protection of the laws guaranteed by the Fourteenth Amendment of the United States Constitution are racist, oppressive, or otherwise unjust; or
 - ▶ A specific partisan, political, or ideological set of beliefs.
 - ▶ The bill explicitly states that a political loyalty test does not include fidelity to, or an oath or effort taken to uphold, the United States Constitution or the Florida Constitution.
 - ▶ Also prohibits public institutions of higher education from giving preferential consideration to a person for employment by, admission into, or promotion within the institution for an opinion or actions in support of a partisan, a political, or an ideological set of beliefs or another person or group of persons based on the person's or group's race or ethnicity or support of a specified ideology or movement.
- ▶ Moves the date of the annual assessment of intellectual freedom and viewpoint diversity (conducted by colleges for the State Board of Education) to December 31 of each year beginning in 2024.

HB 1279 (Alvarez) Department of Agriculture and Consumer Services

(Approved by Governor; Chapter No. 2023-38)

- ▶ The bill requires state colleges and universities to give preferences to Florida grown and produced food.
- ▶ Also, requires a report from the Department of Education by November 1, 2024, and biannually thereafter describing the amount of food commodities that grown or produced in the state that were purchased in accordance with this act.

HB 1521 (Plakon) Facility Requirements Based on Sex

(Approved by Governor; Chapter No. 2023-106)

- ▶ The bill creates the “Safety in Private Spaces Act.” The bill provides the intent that “females and males should be provided restrooms and changing facilities for their exclusive use in order to maintain public safety, decency, decorum, and privacy.”
- ▶ The bill requires a covered entity that maintains a changing facility and/or a water closet (toilet or urinal) to, at a minimum, have:
 - ▶ A changing facility and/or restroom designated for exclusive use by females and a restroom designated for exclusive use by males; or

- ▶ A unisex changing facility and/or restroom.
- ▶ The bill authorizes a person to enter a restroom or changing facility designated for the opposite sex under the following circumstances:
 - ▶ To accompany another person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, elderly person (as defined), or disabled person (as defined).
 - ▶ For law enforcement or governmental regulatory purposes.
 - ▶ To render emergency medical assistance or to intervene in any other emergency where the health or safety of another person is at risk.
 - ▶ For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use.
 - ▶ If the appropriate designated restroom or changing facility is out of order or under repair and the opposite designated restroom or changing facility contains no person of the opposite sex.
- ▶ The bill makes it a second-degree misdemeanor for a person 18 years of age or older to:
 - ▶ Willfully enter, for a purpose other than those allowed by the law, a restroom or changing facility designated for the opposite sex; and
 - ▶ Refuse to immediately depart when asked to do so by another person present in the restroom or changing facility.
- ▶ The bill requires each educational institution (including Florida College System institutions) to amend its code of student conduct to include disciplinary procedures for any student who willfully enters, for a purpose other than those allowed by the law, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by, for Florida College System institutions, any administrative personnel, faculty member, security personnel, or law enforcement personnel.
- ▶ Instructional personnel or administrative personnel at a Florida College System institution or state university who willfully enter, for a purpose other than those allowed by the law, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuse to depart when asked to do so by any administrative personnel, faculty member, security personnel, or law enforcement personnel are subject to disciplinary actions established in State Board of Education rule or Board of Governors regulation.
- ▶ Each postsecondary educational institution, including Florida College System, is required to include provisions in their employee disciplinary policies to address administrative personnel and instructional personnel who willfully enter, for a purpose other than those allowed by the law, a restroom or changing facility designated for the opposite sex on the premises of the educational

institution and refuse to depart then asked to do so by any administrative personnel, faculty member, security personnel, or law enforcement personnel.

- ▶ Colleges must submit certain compliance documentation to the Department of Education no later than April 1, 2024.
- ▶ Beginning July 1, 2024, the Attorney General may bring a civil action to enforce this section against any covered entity. The Attorney General may seek injunctive relief, and, for any covered entity found to have willfully violated this section, the Attorney General may seek to impose a fine of up to \$10,000.

HB 1537 (Daniels, Rizo) Education/Dual Enrollment

(Approved by Governor; Chapter No. 2023-39)

- ▶ The bill authorizes school districts to select the Classic Learning Test for an annual districtwide administration for certain students and allows students to earn a concordant score on the Classic Learning Test to meet the initial eligibility requirements for the Bright Futures Scholarship Program (Bright Futures). The bill allows Bright Futures students to combine volunteer and aid work hours to meet initial eligibility requirements.
- ▶ The bill requires that all dual enrollment program courses be age and developmentally appropriate. The bill authorizes the Department of Education to partner with an independent third-party testing or assessment organization to develop assessments to measure the competencies required for general education core courses in order for students to earn postsecondary credit while in high school. The bill modifies the advanced course options to include the advanced courses created by the Florida College System and State University System institutions identified by the Department of Education and earn college credit after achieving a minimum score on a postsecondary credit assessment as identified by the Department of Education.

SB 1580 (Trumbull) Protections of Medical Conscience

(Approved by Governor; Chapter No. 2023-57)

- ▶ Creates s. 381.00321, F.S., to provide rights of conscience for health care providers and health care payors. Any student enrolled in an educational institution who is seeking to become a health care provider is included in the definition of “health care provider.”
- ▶ The bill provides that a health care provider or health care payor has the right to opt-out of participation in or payment for any health care service on the basis of a conscience-based objection.
- ▶ The bill provides that a health care provider may not be discriminated against or suffer adverse action because the health care provider declined to participate in a health care service on the basis of a conscience-based objection. The definition of “adverse action” includes any action that may negatively impact the advancement or graduation of a student, including, but not limited to, the withholding of scholarship funds; or any other disciplinary or retaliatory action taken against a health care provider.

HB 5101 (PreK-12 Appropriations Subcommittee, Tomkow) Education

(Approved by Governor; Chapter No. 2023-245)

- ▶ Establishes the Florida School for Competitive Academics, to be located in Alachua County and as a selective, state-supported public school for Florida residents in grades 6-12 beginning in the 2024-2025 school year. The primary purpose of the new school is to provide a rigorous academic curriculum, and the secondary purpose is to prepare students for regional, state, and national academic competitions in all areas of study, including, but not limited to, science, technology, engineering, and mathematics.
- ▶ The bill also clarifies that school districts are required to pay for the cost of instructional materials for public high school students who are earning credit toward high school graduation in the dual enrollment program.

SB 7024 (Governmental Oversight and Accountability) Retirement

(Approved by Governor; Chapter No. 2023-193)

- ▶ The bill pertains to the Florida Retirement System. Members of the Florida Retirement System have two plan options available for participation: the pension plan, which is a defined benefit plan, and the investment plan, which is a defined contribution plan. The Deferred Retirement Option Program allows eligible members of the Florida Retirement System Pension Plan to defer receipt of retirement benefits while continuing employment with their Florida Retirement System Employer.
- ▶ The bill makes the following modifications to the Florida Retirement System Deferred Options Program:
 - ▶ Eliminates the restrictive entry window for eligible members to participate in Deferred Options Program, allowing for entry into Deferred Options Program at any age as long as years of service or age and vesting requirements are met.
 - ▶ Extends the maximum amount of time for eligible members to participate in Deferred Options Program from 60 to 96 calendar months for all classes, and from 96 to 120 calendar months for certain instructional personnel (mostly K-12); and
 - ▶ Increases the interest rate applied to a member's accrued monthly benefit from 1.3 percent to 4 percent.
- ▶ This retirement bill also:
 - ▶ Increases the monthly retiree health insurance subsidy from \$5 to \$7.50 for each year of service. The maximum benefit is adjusted from \$150 to \$225 per month and the minimum benefit is adjusted from \$30 to \$45 per month.
 - ▶ Increases the allocations to investment plan accounts by 2 percent for each membership class in the investment plan.
 - ▶ Revises the employer Florida Retirement System contribution rates based on the actuarial valuation and actuarial studies.

SB 7026 (Appropriations Committee on Education) Higher Education Finances

(Approved by Governor; Chapter No. 2023-95)

- ▶ Provides additional discretionary fee waiver authority for colleges with respect to persons who supervise student interns and persons sixty (60) years or older.
- ▶ Removes existing restrictions and clarifies that certain facilities projects for which funds from the Public Education Capital Outlay and Debt Service Trust Fund may be used to repair, renovate, or replace are not limited only to projects that do not exceed \$1 million in cost or 10,000 gross square feet in size.
- ▶ Amends existing laws to provide more flexibility to universities and colleges regarding the use of carry forward fund balances by removing the restriction from using the funds on only nonrecurring expenditures; removing the caps on using the funds for renovation, repairs, or maintenance or remodeling or infrastructure projects; and authorizing the use of the funds to be used for projects regardless of whether a specific appropriation has been previously provided.



SPC St. Petersburg College

Prepared by the Office of the General Counsel and St. Petersburg College, with appreciation of the Florida Department of Education and Florida College System Institutional Lobbyists.

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