

9.016 Prohibited Expenditures.

(1) Definitions

(a) For purposes of this regulation:

1. and Inclusion DEI is any program, campus activity, or policy that classifies individuals on the basis of race, color, sex, national origin, gender identity, or sexual orientation and promotes differential or preferential treatment of individuals on the basis of such classification.
2. or Social is any activity organized with a purpose of effecting or preventing change to a government policy, action, or function, or any activity intended to achieve a desired result related to social

appropriation by the Florida Legislature. This includes financial aid provided to the university by or on behalf of a student attending the university if that financial aid is provided to the student via a state government aid or grant program.

8. Federal funds are those funds provided to the university or direct-support organization for a university directly or indirectly by an appropriation by Congress. This includes financial aid provided to the university by or on behalf of a student attending the university if that financial aid is provided to the student via a governmental aid or grant program.

a. State and federal funds do not include student fees to support student-led organizations notwithstanding any speech or expressive activity by such organizations which would otherwise violate this section, provided that the student fees must be allocated to student-led organizations pursuant to written policies or regulations of each state university, as applicable.

(2) A state university 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 section 1000.05, Florida Statutes;
- (b) Advocate for diversity, equity, and inclusion as defined in this regulation; or
- (c) Promote or engage in political or social activism as defined in this regulation.

(3) A state university or state university direct-support organization advocates for DEI when it engages in a program, policy or activity that:

- (a) Advantages or disadvantages, or attempts to advantage or disadvantage an individual or group on the basis of color, sex, national origin, gender identity, or sexual orientation, to equalize or increase outcomes, participation or representation as compared to other individuals or groups; or
- (b) Promotes unconsciously, or implicitly biased on the basis of color, sex, national origin, gender identity, or sexual orientation.

(4) Student-led organizations may use university facilities notwithstanding any speech or expressive activity by such organizations which would otherwise violate section (2), provided that such use must be granted to student-led organizations pursuant to written policies or regulations of each state university, as applicable.

(5) Section (2) does not prohibit programs, campus activities, or functions required for compliance with general, state, or federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation with the approval of the

Board of Governors; or for access programs for military veterans, Pell Grant recipients, first transfer students from the Florida College System, students from low-income families, or students with unique abilities.

(6) Section (2) does not prohibit expenditure of state or federal funds, so long as the