

The revisions to [section 1000.05, Florida Statutes](#), (commonly referred to as [House Bill 7 \(HB 7\)](#) or the “Stop WOKE Act”) provides that an educational institution, including FIU, may not subject any student or employee to training or instruction that “espouses, promotes, advances, inculcates, or compels such student or employee to believe” any of eight “specified concepts.” The concepts relate to race, color, sex, and national origin. The Act does not apply to other protected classes under the Florida Civil Rights Act.

The “specified concepts” are the following:

1. Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
2. A person, by virtue of his or her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
3. A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
4. Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
5. A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
6. A person, by virtue of his or her race, color, national origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
7. A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.
8. Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.

Importantly, the statute clarifies that the specified concepts can be discussed as part of a larger course of training or instruction so long as the training or instruction is “given in an objective manner without endorsement of the concepts.”

HB 7 “SPECIFIED CONCEPTS” FAQ

1. What do I need to know if I instruct or train at FIU?

Please take time to review what the new law states, what it requires, and what it prohibits ([link to statute](#)). If you are instructing, it might be helpful to include a disclaimer in your class materials, including course syllabi, giving the message that (a) the university cannot shield students from ideas and opinions they may find uncomfortable, unwelcome, disagreeable, or offensive, (b) any instructional discussions are intended to be objective, and (c) discussion of certain concepts does not mean students are required to endorse any particular view.

2. What training and instructions are covered under this regulation?

“Training” is defined as a planned and organized activity conducted by the university as a mandatory condition of employment, enrollment, or participation in a university program for the purpose of imparting knowledge, developing skills or competencies, or becoming proficient in a particular job or role.

“Instruction” is defined as the process of teaching or engaging students with content about a particular subject conducted by a university employee or a person authorized by the university to provide course instruction.

3. What specific areas are covered related to the concepts?

Concepts relating to race, color, sex, and national origin.

4. Does this regulation prohibit instruction or training of the listed concepts?

No, instructors and employees may continue to train or instruct on these important concepts. The regulation does not prohibit discussion of the concepts as part of a larger course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the concepts.

5. Is research included in this regulation?

No. Research will generally not meet the Regulation’s definition of “training” or “instruction” and, therefore, is not limited by the Regulation.

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6. Are student organizations included in this regulation?

Generally, no. Student organizations are not representatives of the University.

7. What does “in an objective manner without endorsement” mean?

This language is not defined by Florida law, and the Florida Legislature did not provide guidance on what this language means in the context of implementing or complying with the requirements. However, the University interprets this phrase according to its plain meaning and consistently with faculty members’ existing obligations to teach their academic subjects in an objective and skillful manner. See UFF-FIU's Collective Bargaining Agreement, specifically ARTICLE 5 on ACADEMIC FREEDOM AND RESPONSIBILITY: 5.1 Policy. “Florida International University and UFF-FIU affirm the rights and responsibilities of academic freedom, which are rooted in the concept of the University as a community of scholars committed to free inquiry in an atmosphere of tolerance, without fear of censorship or reprisal.” The Employee Code of Conduct also lays out related guidelines: [Code-of-Conduct_Final.pdf \(fiu.edu\)](#), which include the following statements: “FIU faculty have the freedom to present and discuss academic subjects and research frankly and forthrightly without fear of censorship;” “Faculty have the right to select instructional material and determine grades in accordance with University policies;” and “Faculty are free to engage in scholarly and creative activity and publish the results in a manner consistent with their professional obligations. FIU faculty are expected to fulfill his/her responsibility to the FIU community by demonstrating academic competence, professional discretion, and good citizenship.”

Another way to look at what constitutes “an objective manner” is to look at the dictionary definition (a step that courts will take if there is no other guidance). Merriam-Webster online defines “objective” “as expressing or dealing with facts or conditions as perceived without distortion by personal feelings, prejudices, or interpretations.”

8. What about historical events that are racist or sexist? Is it permissible to discuss them in my class?

Yes. Discussion about historical events as well as events that may cause discomfort are important to include in your classes, as appropriate. However, you may not tell, suggest, or otherwise imply that the students are responsible for those events or that they should feel guilty because they belong to a particular group that was responsible for the events.

9. How do we teach concepts described as “unlawful discrimination” when there is so much empirical evidence to support them?

You are permitted to teach about any, or all, of the concepts specified in the bill. However, telling students as well as suggesting or otherwise implying that they or a particular group are personally responsible for events that occurred in the past or that they should feel guilty for these events is not permitted under this statute/regulation.

10. Can cultural competency training be required as a condition of employment?

Yes, however, individuals who complete the training must not be made to feel guilty because of a particular group to which they belong, and they cannot be required to admit to guilt as a condition of their employment.

11. Can I discuss topics in my classroom that may make people feel uncomfortable?

Yes. The bill does not prevent discussion of topics that may be controversial or cause discomfort. However, you may not tell students, suggest, or otherwise imply that they are to blame for certain events or should feel guilty because they belong to a particular group.

12. How can I teach about privilege – unearned advantages enjoyed by some members of our society?

Topics such as privilege may be discussed in the classroom as long as you do not tell, suggest, or otherwise imply that individuals should feel guilty about their privilege or that they are responsible for certain individuals not being awarded privileged status.

13. What if my course involves instruction on one or more of the “specified concepts”?

The law provides that the specified concepts can be discussed, so long as the instruction is “given in an objective manner without endorsement of the concepts.” If your course involves the specified concepts, we recommend that you consider how to present and lead discussion of the specified concepts in an objective manner without endorsement of the concepts.

14. What about trainings that discuss the “specified concepts”?

Similar to instruction, the law provides that the specified concepts can be discussed, so long as the training is “given in an objective manner without endorsement of the concepts.” The University may not subject employees or students to a mandatory training that “espouses, promotes, advances, inculcates, or compels [the individual] to believe” any of the eight “specified concepts.” The concepts may be discussed as part of a larger course of training as long as they are delivered in an “objective manner without endorsement of the concepts.” If your training involves the specified concepts, we recommend that you consider how to present and lead discussion of the specified concepts in an objective manner without endorsement of the concepts.

15. Can I teach or train about the advantages enjoyed by some members of our society?

Yes. An individual’s background and experience may have given that individual advantages or disadvantages different from those experienced by others with different backgrounds and experiences. It is okay to discuss these kinds of differences as part of instruction or training as long as nobody is told (1) that they should feel guilty or superior about their respective advantages and disadvantages or (2) that they are responsible for or the beneficiary of others not having the same advantages or disadvantages.

16. I have experienced racism or sexism. Is it okay for me to talk about this in the classroom?

Yes, it is okay to tell your story. However, you may not tell students they must feel guilty because they belong to a group that you believe committed racist or sexist acts toward you.

17. If faculty offer extra credit for or require students to attend an FIU event, must that event comply with the regulation?

The requirement of attendance or the offering of extra credit makes this event subject to the regulation.

18. Does the regulation apply to events that students are encouraged to attend that are not sponsored by FIU?

If the event is not an FIU sponsored event, then it is not subjected to this regulation.

19. How would passive programs in the residence halls around DEI (Diversity, Equity, and Inclusion) (Diversity Equity and Inclusion) issues (e.g., digital signage and bulletin boards) be impacted if at all?

This regulation covers training and instruction. Passive programs as defined above do not fall into those definitions.

20. How can I present material “in an objective manner without endorsement” if it is my own scholarly research?

Consistent with the dual concepts of academic freedom and academic responsibility, you may present and discuss your own scholarly research without censorship while also being expected to acknowledge a variety of other scholarly opinions in the same subject area. You may wish to include an explicit statement for your students, whether in your syllabus or verbally during instruction, making it clear that your students are free to form their own opinions about your scholarly research, for or against, after considering the other evidence-based scholarship in the same subject area.

21. How do I report or file a complaint?

Complaints may be filed by visiting report.fiu.edu and select “Report a Concern” in the red Individual Freedom Act box.

22. Are guest speakers invited by faculty to come speak to a class subjected to this regulation?

Yes, they may be covered as a person authorized to provide instruction by the university within a course.