

State of Florida
State University System of Florida
Board of Governors

In Re: Waiving Strict Adherence to
Board of Governors Regulations,
Institution Specific Requirements,
Pursuant to Executive Orders
23-208 and 23-242, Made Necessary by
the Impacts of War in Israel

BOG ORDER NO. 2024-E0-01

EMERGENCY ORDER

WHEREAS, the Governor of the State of Florida issued Executive Order No. 23-208, ratified and reaffirmed by Executive Order No. 23-242, declaring a state of emergency in response to the war in Israel; and

WHEREAS, on October 7, 2023, Iran-backed Hamas terrorists from Gaza and the surrounding region infiltrated Israel's borders and began indiscriminately murdering, kidnapping, and raping innocent men, women, and children, while Hamas simultaneously bombarded innocent Israeli communities with thousands of rockets; and

WHEREAS, antisemitic incidents in the United States have increased by 388% in the aftermath of the attack on Israel. *See Oversight of the Federal Bureau of Investigation: Before S. Comm. on the Judiciary*, 118th Cong. (2023) (testimony of FBI Director Christopher Wray), *available at* <https://www.judiciary.senate.gov/committee-activity/hearings/12/05/2023/oversight-of-the-federal-bureau-of-investigation>, at 1:13:30; and

WHEREAS, “73% of Jewish college students surveyed have experienced or witnessed some form of antisemitism since the beginning of the 2023-2024 school year alone.” *Campus Antisemitism: A Study of Campus Climate Before and After the Hamas Terrorist Attacks*, *available at* <https://www.adl.org/resources/report/campus-antisemitism-study-campus-climate-and-after-hamas-terrorist-attacks>; and

WHEREAS, in the wake of the terrorist attacks in Israel, hundreds of Americans have boarded rescue flights to evacuate from Israel to Florida; and

WHEREAS, the State University System of Florida has contributed to aiding those in need as a result of the war in Israel by donating medical equipment to assist Israeli hospitals. Memorandum from Chancellor Rodrigues, “Medical Equipment Being Accepted as Donations to the Israeli Hospital System;” and

WHEREAS, the State University System of Florida recognizes the state of emergency created by the war in Israel, and the resulting danger to students who are seeking to transfer to a State University System of Florida institution (“university” or “institution”) to escape a reasonable fear of antisemitic or other religious discrimination, harassment, intimidation, or violence at their current institutions; and

WHEREAS, Executive Order No. 23-208, as ratified and reaffirmed by Executive Order No. 23-242, grants each state agency the authority to suspend the provision of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules of that agency, if strict compliance with provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency.

NOW, THEREFORE, I, Raymond Rodrigues, Chancellor of the State University System of Florida, pursuant to the authority granted by Executive Order No. 23-208, as ratified and reaffirmed by Executive Order No. 23-242, issue this emergency order to remove barriers for undergraduate students who are seeking to transfer to a Florida university because of a well-founded fear of antisemitic or other religious discrimination, harassment, intimidation, or violence at an out-of-state, degree-granting, accredited institution, within the United States.

The temporary and limited nature of the waivers and directives contained herein are necessary to respond to and mitigate the impact of the emergency and promote the health, safety, and welfare of students who intend to undertake academic studies at an institution within Florida's State University System.

1. Determination of Well-Founded Fear

- a. Each university must determine whether a prospective student has demonstrated a well-founded fear of persecution on the basis of religion. This fear can be established by an applicant who can demonstrate that he or she has suffered, is currently suffering, or credibly fears suffering future discrimination, harassment, intimidation, or violence, either at their current institution or with a substantial nexus to their current institution, on the basis of religion.
- b. Universities may require any of the following from a prospective student to establish that the student has a well-founded fear of persecution as described in section 1.a.:
 - i. a statement from the prospective student;
 - ii. statements from witnesses;
 - iii. recordings or photographs;
 - iv. official records of complaints filed with the college, university or law enforcement; and
 - v. any other relevant information or material germane to an applicant's claim.

2. Admission of Undergraduate, Degree-Seeking Transfer Students

- a. The transfer requirements contained in Board of Governors Regulation 6.004(2)(e) related to foreign language competency are waived for students seeking to transfer on the basis provided in section 1.a.
- b. For purposes of this emergency order, Board of Governors Regulation 6.004(2)(a) is waived.
- c. The provision in Board of Governors Regulation 6.004(1) permitting institutions to require more stringent admission requirements for specified transfer students is also waived with respect to minimum credit hour requirements to be a transfer student.
- d. Students transferring with less than twelve credit hours must satisfy the same admission requirements as first-time-in-college students as specified in Board of Governors Regulation 6.002.
- e. Nothing in this Emergency order prohibits institutions from administering GPA requirements or requires institutions to exceed enrollment capacity.

3. Waivers and Exemptions of Tuition and Fees

- a. Pursuant to Section 1009.26, Florida Statutes, and Board of Governors Regulation 7.008, institutions may grant an out-of-state tuition and fee waiver where the institution has evaluated that the out-of-state tuition and fees are a financial hardship for a student who otherwise qualifies under section 1.a.
- b. Pursuant to Section 1009.26, Florida Statutes, and Board of Governors Regulation 7.008, each university board of trustees must suspend enforcement of regulations or policies that are inconsistent with or create obstacles for a waiver of out-of-state tuition and fees, for students who seek to transfer and who qualify under sections 1.a. and 3.a.

4. Deadlines for Applications and Expedited Review

- a. For students seeking to transfer on the basis provided in section 1.a.:
 - i. Each university board of trustees must waive application date deadlines. Application deadlines are set to determine the last date a student can apply for admission to an institution.
 - ii. Each university board of trustees must implement an expedited review and determination of applications to provide an expedited path for admission, subject to space and capacity limitations.
 - iii. Each university board of trustees shall maintain existing enrollment deadlines and other applicable enrollment policies. Enrollment deadlines are set to determine the last date an admitted student must enroll in a course(s).

5. Limitation on Non-Resident Student Enrollment


- a. The requirement that non-resident students will be limited to 10 percent of total systemwide enrollment pursuant to Board of Governors Regulation 7.006 is waived for students who transfer on the basis provided in section 1.a.

6. Institution Specific Policies or Rules

- a. To the extent that any institution has a policy, rule, or regulation that conflicts or is inconsistent with the provisions contained herein, those provisions must be deemed suspended for the duration and purpose of this emergency order.

This emergency order will take effect immediately upon execution and will remain in effect until the expiration of Executive Order No. 23-208, and any extensions thereto.

DONE AND ORDERED this 9th day of January, 2024, in Tallahassee, Leon County, Florida.



Raymond Rodriguez
Chancellor
State University System of Florida

I HEREBY CERTIFY that the above EMERGENCY ORDER has been filed with the Agency Clerk of the Board of Governors, on this 9th day of January, 2024.



Rachel Karmoutsas
Agency Clerk