

By Senator Leek

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30 providing an effective date.

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

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34 Section 1. Paragraph (a) of subsection (1) of section
35 112.3135, Florida Statutes, is amended to read:

36 112.3135 Restriction on employment of relatives.—

37 (1) In this section, unless the context otherwise requires:

38 (a) "Agency" means:

39 1. A state agency, except an institution under the
40 jurisdiction of the Board of Governors of the State University
41 System;

42 2. An office, agency, or other establishment in the
43 legislative branch;

44 3. An office, agency, or other establishment in the
45 judicial branch;

46 4. A county;

47 5. A city; and

48 6. A district school board; and

49 7. Any other political subdivision of the state, except a
50 ~~district school board~~ or community college district.

51 Section 2. Section 1001.366, Florida Statutes, is created
52 to read:

53 1001.366 District School Board Members' Bill of Rights.—

54 (1) The Legislature finds it necessary to adopt a "District
55 School Board Members' Bill of Rights" to clarify and expand the
56 rights of individual school board members in the exercise of
57 their statutory oversight and responsibility.

58 (2) A member of a district school board has the right to:

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59 (a) 1. Upon request, be given free and timely access to all
60 school district documents. Access must include documents that
61 are not public records, including, but not limited to, notes,
62 invoices, correspondences, memoranda, and internal legal
63 opinions.

64 2. Request any document or information from the district
65 school superintendent or the superintendent's staff.

66 (b) Consult with the school district's chief financial
67 officer on general matters related to the budget, and sources
68 and uses of school district funds, and have access, upon
69 request, to any detail or line item in any proposed or approved
70 budget or in any financial transaction by the school district.

71 (c) Seek information from school district staff without the
72 permission of the superintendent or other members of the
73 administration.

74 (d) Confidentially use any school district electronic or
75 communications device, such as a cellular telephone or laptop
76 computer, without the school district monitoring its use. This
77 paragraph may not be construed to violate any public records
78 law.

79 (e) Keep confidential the content of all communications or
80 discussions relating to union contracts of school district
81 employees, unless otherwise advised by an attorney employed by
82 the school district.

83 (f) Comment publicly during or outside of district school
84 board meetings on any matter of district school board business,
85 except for student and employee disciplinary hearings that are
86 specifically addressed in ss. 1006.07 and 1012.34, respectively.

87 (3) (a) An attorney may not be employed by the school

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88 district and represent the district school board, except for an
89 attorney hired pursuant to s. 1001.42(5).

90 (b) In any legal action brought against an individual
91 school board member related to his or her official position and
92 conduct, the school board may authorize an attorney, in
93 accordance with paragraph (a), who is employed by the school
94 district, to provide legal representation.

95 Section 3. Subsection (5) is added to section 1001.372,
96 Florida Statutes, to read:

97 1001.372 District school board meetings.—

98 (5) COMMUNICATIONS ABOUT AGENDA ITEMS.—A member of the
99 district school board may have communications or discussions
100 relating to any item or action scheduled to be heard or likely
101 to be heard at a future school board meeting with the district
102 school superintendent, an attorney employed by the school
103 district, or district staff, if an attorney employed by the
104 school district pursuant to s. 1001.42(5)(c) has advised the
105 school board member that such communications or discussions
106 would not violate s. 24(b), Art. I of the State Constitution.

107 Section 4. Subsection (6) of section 1001.42, Florida
108 Statutes, is amended, paragraph (c) is added to subsection (1)
109 of that section, paragraph (c) is added to subsection (5) of
110 that section, and paragraph (c) is added to subsection (24) of
111 that section, to read:

112 1001.42 Powers and duties of district school board.—The
113 district school board, acting as a board, shall exercise all
114 powers and perform all duties listed below:

115 (1) REQUIRE MINUTES AND RECORDS TO BE KEPT.—Require the
116 district school superintendent, as secretary, to keep such

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117 minutes and records as are necessary to set forth clearly all
118 actions and proceedings of the school board.

119 (c) Other records.—Other documents, including attachments
120 for agenda items, such as vendor contracts or budget documents,
121 must be kept as a public record with the minutes of each
122 meeting.

123 (5) PERSONNEL.—

124 (c) During a regular school board meeting, approve the
125 employment of an additional attorney, to be employed by the
126 school district solely to represent the district school board,
127 who was recommended for employment by an attorney currently
128 employed by the school district. During the meeting, the
129 district school board must provide both of the following:

130 1. The purpose of hiring an additional attorney.

131 2. The costs of such representation. Any payment to the
132 additional attorney must be noticed and approved by the district
133 school board.

134 (6) STANDARDS OF ETHICAL CONDUCT.—Adopt policies
135 establishing standards of ethical conduct for educational
136 support employees, instructional personnel, administrative
137 personnel, and school officers. The policies must require all
138 educational support employees, instructional personnel,
139 administrative personnel, and school officers, as defined in s.
140 1012.01, to complete training on the standards, including
141 training for school officers in compliance with s. 24(b), Art. I
142 of the State Constitution; establish the duty of educational
143 support employees, instructional personnel, administrative
144 personnel, and school officers to report, and procedures for
145 reporting, alleged misconduct by other educational support

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146 employees, instructional or administrative personnel, and school
147 officers which affects the health, safety, or welfare of a
148 student, including misconduct that involves engaging in or
149 soliciting sexual, romantic, or lewd conduct with a student;
150 require the district school superintendent to report to law
151 enforcement misconduct by educational support employees,
152 instructional personnel, or school administrators that would
153 result in disqualification from educator certification or
154 employment as provided in s. 1012.315; and include an
155 explanation of the liability protections provided under ss.
156 39.203 and 768.095. A district school board, or any of its
157 employees or personnel, may not enter into a confidentiality
158 agreement regarding terminated or dismissed educational support
159 employees, instructional or administrative personnel, or school
160 officers who resign in lieu of termination, based in whole or in
161 part on misconduct that affects the health, safety, or welfare
162 of a student, and may not provide educational support employees,
163 instructional personnel, administrative personnel, or school
164 officers with employment references or discuss the employees',
165 personnel's, or officers' performance with prospective employers
166 in another educational setting, without disclosing the
167 employees', personnel's, or officers' misconduct. Any part of an
168 agreement or contract that has the purpose or effect of
169 concealing misconduct by educational support employees,
170 instructional personnel, administrative personnel, or school
171 officers which affects the health, safety, or welfare of a
172 student is void, is contrary to public policy, and may not be
173 enforced.

174 (24) EMPLOYMENT CONTRACTS.—

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175 (c) A school board member may not publicly disclose
176 proposed terms of collective bargaining agreements unless
177 advised by an attorney employed pursuant to paragraph (5)(c).

178 Section 5. Paragraph (a) of subsection (2) of section
179 1011.035, Florida Statutes, is amended to read:

180 1011.035 School district fiscal transparency.—

181 (2) Each district school board shall post on its website a
182 plain language version of each proposed, tentative, and official
183 budget which describes each budget item in terms that are easily
184 understandable to the public and includes:

185 (a) Graphical representations, for each public school
186 within the district and for the school district, of the
187 following:

188 1. Summary financial efficiency data.

189 2. Fiscal trend information for the previous 3 years on:

190 a. The ratio of full-time equivalent students to full-time
191 equivalent instructional personnel.

192 b. The ratio of full-time equivalent students to full-time
193 equivalent administrative personnel.

194 c. The total operating expenditures per full-time
195 equivalent student.

196 d. The total instructional expenditures per full-time
197 equivalent student.

198 e. The general administrative expenditures as a percentage
199 of total budget.

200 f. The rate of change in the general fund's ending fund
201 balance not classified as restricted.

202 g. Full line-item budget items.

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204 This information must be prominently posted on the school
205 district's website in a manner that is readily accessible to the
206 public.

207 Section 6. Paragraph (a) of subsection (1) of section
208 1012.22, Florida Statutes, is amended to read:

209 1012.22 Public school personnel; powers and duties of the
210 district school board.—The district school board shall:

211 (1) Designate positions to be filled, prescribe
212 qualifications for those positions, and provide for the
213 appointment, compensation, promotion, suspension, and dismissal
214 of employees as follows, subject to the requirements of this
215 chapter:

216 (a) *Positions, qualifications, and appointments.*—

217 1. The district school board shall act upon written
218 recommendations submitted by the district school superintendent
219 for positions to be filled, for minimum qualifications for
220 personnel for the various positions, and for the persons
221 nominated to fill such positions.

222 2. The district school board may reject for good cause any
223 employee nominated.

224 3. If the third nomination by the district school
225 superintendent for any position is rejected for good cause, if
226 the district school superintendent fails to submit a nomination
227 for initial employment within a reasonable time as prescribed by
228 the district school board, or if the district school
229 superintendent fails to submit a nomination for reemployment
230 within the time prescribed by law, the district school board may
231 proceed on its own motion to fill such position.

232 4. The district school board's decision to reject a

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233 person's nomination does not give that person a right of action
234 to sue over the rejection and may not be used as a cause of
235 action by the nominated employee.

236 5. For the purposes of this paragraph, the term "good
237 cause" means the district school board has determined any of the
238 following:

239 a. That the nominated employee received his or her
240 nomination due to nepotism, as defined by the district school
241 board.

242 b. That the nominated employee fabricated or materially
243 exaggerated his or her credentials or background.

244 c. That the nominated employee does not meet the minimum
245 requirements for the position.

246 d. That the nominated employee's educator certificate has
247 been revoked by another state.

248 Section 7. Subsection (1) of section 1015.03, Florida
249 Statutes, is amended to read:

250 1015.03 Rights of employment.—

251 (1) (a) Pursuant to s. 447.301 and s. 6., Art. I of the
252 State Constitution, the right of public employees, including
253 teachers, to work may not be denied or abridged on account of
254 membership or nonmembership in any labor union.

255 (b) A school district employee may not be required or
256 otherwise incentivized to sign a nondisclosure agreement or
257 confidentiality agreement.

258 Section 8. This act shall take effect July 1, 2026.