

By the Committees on Rules; and Judiciary; and Senators Leek and Gaetz

595-03382-26

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1 A bill to be entitled
2 An act relating to public education; creating s.
3 1001.366, F.S.; providing members of a district school
4 board with specified rights; amending s. 1001.42,
5 F.S.; requiring that certain documents from district
6 school board meetings be kept as public records;
7 amending s. 1012.22, F.S.; defining the term "good
8 cause"; providing that a school district employee may
9 not be required or incentivized to sign a
10 nondisclosure agreement or confidentiality agreement;
11 prohibiting a school district from imposing certain
12 conditions on employment; providing an effective date.

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

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16 Section 1. Section 1001.366, Florida Statutes, is created
17 to read:

18 1001.366 District School Board Members' Bill of Rights.—A
19 member of a district school board has the right to:

20 (1) Upon request, be given free and timely access to all
21 school district documents necessary to fulfill the duties and
22 responsibilities required under the State Constitution and the
23 Florida Early Learning-20 Education Code. Access to documents
24 that are confidential or exempt from public disclosure must be
25 provided in compliance with applicable law. A request not
26 related to a matter on a publicly noticed meeting of the
27 district school board must be fulfilled within 10 business days
28 after receipt of such request. Any document provided to a
29 district school board member must be offered to all board

595-03382-26

20261620c2

30 members.

31 (2) Consult with the school district's chief financial
32 officer on general matters related to the budget, sources and
33 uses of school district funds, and have reasonable access, upon
34 request, to any detail or line item in any proposed or approved
35 budget or in any financial transaction by the school district.

36 (3) Request any document or information, except for
37 documents or information that the member would be prohibited by
38 law from accessing, from school district staff with the
39 permission of the superintendent or other members of the
40 administration where such permission must not be unreasonably
41 withheld.

42 (4) Comment publicly during or outside of district school
43 board meetings on any matter of district school board business,
44 except for student and employee disciplinary hearings that are
45 specifically addressed in ss. 1006.07 and 1012.34, respectively,
46 or other matters prohibited by law.

47 Section 2. Paragraph (c) is added to subsection (1) of
48 section 1001.42, Florida Statutes, to read:

49 1001.42 Powers and duties of district school board.—The
50 district school board, acting as a board, shall exercise all
51 powers and perform all duties listed below:

52 (1) REQUIRE MINUTES AND RECORDS TO BE KEPT.—Require the
53 district school superintendent, as secretary, to keep such
54 minutes and records as are necessary to set forth clearly all
55 actions and proceedings of the school board.

56 (c) Other records.—Other documents, including attachments
57 for agenda items, such as vendor contracts or budget documents,
58 must be kept as a public record with the minutes of each

595-03382-26

20261620c2

59 meeting.

60 Section 3. Paragraph (a) of subsection (1) of section
61 1012.22, Florida Statutes, is amended, and paragraph (k) is
62 added to that subsection, to read:

63 1012.22 Public school personnel; powers and duties of the
64 district school board.—The district school board shall:

65 (1) Designate positions to be filled, prescribe
66 qualifications for those positions, and provide for the
67 appointment, compensation, promotion, suspension, and dismissal
68 of employees as follows, subject to the requirements of this
69 chapter:

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

71 1. The district school board shall act upon written
72 recommendations submitted by the district school superintendent
73 for positions to be filled, for minimum qualifications for
74 personnel for the various positions, and for the persons
75 nominated to fill such positions.

76 2. The district school board may reject for good cause any
77 employee nominated.

78 3. If the third nomination by the district school
79 superintendent for any position is rejected for good cause, if
80 the district school superintendent fails to submit a nomination
81 for initial employment within a reasonable time as prescribed by
82 the district school board, or if the district school
83 superintendent fails to submit a nomination for reemployment
84 within the time prescribed by law, the district school board may
85 proceed on its own motion to fill such position.

86 4. The district school board's decision to reject a
87 person's nomination does not give that person a right of action

595-03382-26

20261620c2

88 to sue over the rejection and may not be used as a cause of
89 action by the nominated employee.

90 5. For the purposes of this paragraph, the term "good
91 cause" means the district school board has determined any of the
92 following:

93 a. That the nominated employee fabricated or materially
94 exaggerated his or her credentials or background.

95 b. That the nominated employee does not meet the minimum
96 requirements for the position.

97 c. That the nominated employee's educator certificate has
98 been revoked by another state.

99 (k) Nondisclosure or confidentiality.—A school district
100 employee may not be required or otherwise incentivized to sign a
101 nondisclosure agreement or confidentiality agreement. A school
102 district may not impose conditions on employment to circumvent
103 this paragraph.

104 Section 4. This act shall take effect July 1, 2026.