

By Senator Montford

3-00299-17

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1 A bill to be entitled
 2 An act relating to district school board direct-
 3 support organizations; amending s. 1001.453, F.S.;
 4 authorizing a district school board to contract with a
 5 district school board direct-support organization for
 6 personal services or operations; providing for annual
 7 review of certain district school board direct-support
 8 organizations; authorizing district school boards to
 9 contract with vendors for annual audits of district
 10 school board direct-support organizations; making
 11 technical changes; providing an effective date.

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

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 15 Section 1. Subsections (2) and (4) of section 1001.453,
 16 Florida Statutes, are amended to read:

17 1001.453 Direct-support organization; use of property;
 18 board of directors; audit.—

19 (2) USE OF PROPERTY.—A district school board:

20 (a) Is authorized to permit the use of property,
 21 facilities, and personal services of the district by a district
 22 school board direct-support organization, as provided in ~~subject~~
 23 ~~to the provisions of this section,~~ or to contract with a
 24 district school board direct-support organization for personal
 25 services or operations.

26 (b) Shall prescribe by rule conditions with which a
 27 district school board direct-support organization must comply in
 28 order to use property, facilities, or personal services of the
 29 district. Adoption of such rules shall be coordinated with the

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30 Department of Education. The rules shall provide for budget and
31 audit review and oversight by the district school board and the
32 department.

33 (c) May ~~shall~~ not permit the use of property, facilities,
34 or personal services by ~~of~~ a district school board direct-
35 support organization if the ~~such~~ organization does not provide
36 equal employment opportunities to all persons, regardless of
37 race, color, religion, sex, age, or national origin.

38 (4) ANNUAL REVIEW OR AUDIT.—Each district school board
39 direct-support organization with more than \$100,000, but less
40 than \$250,000, in expenditures or expenses shall provide for an
41 annual financial review or audit of its accounts and records.
42 Each district school board direct-support organization with
43 \$250,000 or more in expenditures or expenses shall provide for
44 an annual audit of its accounts and records. Reviews or audits
45 must, ~~to~~ be conducted by an independent certified public
46 accountant in accordance with rules adopted by the Auditor
47 General pursuant to s. 11.45(8) and the Commissioner of
48 Education. The district school board may contract with a vendor
49 for an annual review or audit of the district school board
50 direct-support organization. The annual audit report shall be
51 submitted within 9 months after the fiscal year's end to the
52 district school board and the Auditor General. The Commissioner
53 of Education, the Auditor General, and the Office of Program
54 Policy Analysis and Government Accountability have the authority
55 to require and receive from the organization or the district
56 auditor any records relative to the operation of the
57 organization. The identity of donors and all information
58 identifying donors and prospective donors are confidential and

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59 exempt from the provisions of s. 119.07(1), and that anonymity
60 shall be maintained in the auditor's report. All other records
61 and information shall be considered public records for the
62 purposes of chapter 119.

63 Section 2. This act shall take effect July 1, 2017.