

1                                   A bill to be entitled  
2           An act relating to school district accountability;  
3           amending s. 11.45, F.S.; revising the duties of the  
4           Auditor General; amending s. 112.313, F.S.;  
5           prohibiting former appointed district school  
6           superintendents from conducting certain lobbying  
7           activities; amending s. 112.31455, F.S.; requiring the  
8           governing body of a district school board be notified  
9           if an officer or employee of the body owes a certain  
10          fine; requiring the governing body of a district  
11          school board to take specified actions under such  
12          circumstances; amending s. 1001.20, F.S.; requiring  
13          the Office of Inspector General to investigate certain  
14          allegations and reports made by specified individuals;  
15          amending s. 1001.39, F.S.; requiring a district school  
16          board member's travel outside of the school district  
17          to be preapproved and meet certain criteria; amending  
18          s. 1001.395, F.S.; providing that certain requirements  
19          for the salaries of district school board members  
20          apply every fiscal year, rather than one specific  
21          fiscal year; amending s. 1001.42, F.S.; providing that  
22          the standards of ethical conduct apply to  
23          administrative personnel and school officers;  
24          requiring employment of internal auditors in certain  
25          school districts; revising provisions relating to the

26 | duties of such internal auditors; amending s. 1010.20,  
27 | F.S.; requiring each school district to report certain  
28 | expenditures to the Department of Education; providing  
29 | department responsibilities; amending s. 1010.30,  
30 | F.S.; requiring certain entities to provide an audit  
31 | overview under certain circumstances; providing the  
32 | contents of the overview; amending ss. 1011.01 and  
33 | 1011.03, F.S.; conforming cross-references; amending  
34 | s. 1011.035, F.S.; requiring each district school  
35 | board to post on its website certain graphical  
36 | representations and a link to a certain web-based tool  
37 | on the department's website; providing requirements  
38 | for such graphical representations; amending s.  
39 | 1011.051, F.S.; requiring a district school board to  
40 | limit certain expenditures by a specified amount if  
41 | certain financial conditions exist for a specified  
42 | period of time; requiring the department to contract  
43 | with a third party to conduct a forensic audit under  
44 | certain circumstances; requiring the results of such  
45 | audit to be provided to certain entities; amending s.  
46 | 1011.06, F.S.; requiring each district school board to  
47 | approve certain expenditures by amending its budget  
48 | and provide a public explanation for such budget  
49 | amendments; amending s. 1011.09, F.S.; providing  
50 | certain expenditure limitations for a school district

51 that meets specified criteria; amending s. 1011.10,  
 52 F.S.; requiring certain school districts to withhold  
 53 district school board member and school district  
 54 superintendent salaries until certain conditions are  
 55 met; amending s. 1011.60, F.S.; conforming cross-  
 56 references; repealing s. 1011.64, F.S., relating to  
 57 school district minimum classroom expenditure  
 58 requirements; amending s. 1012.23, F.S.; prohibiting a  
 59 school district superintendent and district school  
 60 board from appointing or employing certain individuals  
 61 in certain positions; providing an exception;  
 62 requiring the Commission on Ethics to investigate  
 63 alleged violations; providing an effective date.

64

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

66

67 Section 1. Paragraph (j) of subsection (2) of section  
 68 11.45, Florida Statutes, is amended to read:

69 11.45 Definitions; duties; authorities; reports; rules.—

70 (2) DUTIES.—The Auditor General shall:

71 (j) Conduct audits of local governmental entities when  
 72 determined to be necessary by the Auditor General, when directed  
 73 by the Legislative Auditing Committee, or when otherwise  
 74 required by law. No later than 18 months after the release of  
 75 the audit report, the Auditor General shall:

76 |       1. Perform such appropriate followup procedures as he or  
 77 | she deems necessary to determine the audited entity's progress  
 78 | in addressing the findings and recommendations contained within  
 79 | the Auditor General's previous report.

80 |       2. Perform such appropriate followup procedures to  
 81 | determine a district school board's progress in addressing  
 82 | findings and recommendations that require corrective action  
 83 | contained within the Auditor General's previous report. The  
 84 | Commissioner of Education shall be notified of the district  
 85 | school board's progress.

86 |  
 87 | The Auditor General shall notify each member of the audited  
 88 | entity's governing body and the Legislative Auditing Committee  
 89 | of the results of his or her determination.

90 |  
 91 | The Auditor General shall perform his or her duties  
 92 | independently but under the general policies established by the  
 93 | Legislative Auditing Committee. This subsection does not limit  
 94 | the Auditor General's discretionary authority to conduct other  
 95 | audits or engagements of governmental entities as authorized in  
 96 | subsection (3).

97 |       Section 2. Subsection (14) of section 112.313, Florida  
 98 | Statutes, is amended to read:

99 |       112.313 Standards of conduct for public officers,  
 100 | employees of agencies, and local government attorneys.—

101 (14) LOBBYING BY FORMER LOCAL OFFICERS; PROHIBITION.—A  
102 person who has been elected to any county, municipal, special  
103 district, or school district office or appointed superintendent  
104 of a school district may not personally represent another person  
105 or entity for compensation before the government body or agency  
106 of which the person was an officer for a period of 2 years after  
107 vacating that office. For purposes of this subsection:

108 (a) The "government body or agency" of a member of a board  
109 of county commissioners consists of the commission, the chief  
110 administrative officer or employee of the county, and their  
111 immediate support staff.

112 (b) The "government body or agency" of any other county  
113 elected officer is the office or department headed by that  
114 officer, including all subordinate employees.

115 (c) The "government body or agency" of an elected  
116 municipal officer consists of the governing body of the  
117 municipality, the chief administrative officer or employee of  
118 the municipality, and their immediate support staff.

119 (d) The "government body or agency" of an elected special  
120 district officer is the special district.

121 (e) The "government body or agency" of an elected school  
122 district officer is the school district.

123 Section 3. Subsection (1) of section 112.31455, Florida  
124 Statutes, is amended to read:

125 112.31455 Collection methods for unpaid automatic fines

126 | for failure to timely file disclosure of financial interests.—

127 |       (1) Before referring any unpaid fine accrued pursuant to  
128 | s. 112.3144(5) or s. 112.3145(7) to the Department of Financial  
129 | Services, the commission shall attempt to determine whether the  
130 | individual owing such a fine is a current public officer or  
131 | current public employee. If so, the commission may notify the  
132 | Chief Financial Officer or the governing body of the appropriate  
133 | county, municipality, district school board, or special district  
134 | of the total amount of any fine owed to the commission by such  
135 | individual.

136 |       (a) After receipt and verification of the notice from the  
137 | commission, the Chief Financial Officer or the governing body of  
138 | the county, municipality, district school board, or special  
139 | district shall begin withholding the lesser of 10 percent or the  
140 | maximum amount allowed under federal law from any salary-related  
141 | payment. The withheld payments shall be remitted to the  
142 | commission until the fine is satisfied.

143 |       (b) The Chief Financial Officer or the governing body of  
144 | the county, municipality, district school board, or special  
145 | district may retain an amount of each withheld payment, as  
146 | provided in s. 77.0305, to cover the administrative costs  
147 | incurred under this section.

148 |       Section 4. Paragraph (e) of subsection (4) of section  
149 | 1001.20, Florida Statutes, is amended to read:

150 |       1001.20 Department under direction of state board.—

151 (4) The Department of Education shall establish the  
152 following offices within the Office of the Commissioner of  
153 Education which shall coordinate their activities with all other  
154 divisions and offices:

155 (e) Office of Inspector General.—Organized using existing  
156 resources and funds and responsible for promoting  
157 accountability, efficiency, and effectiveness and detecting  
158 fraud and abuse within school districts, the Florida School for  
159 the Deaf and the Blind, and Florida College System institutions  
160 in Florida. If the Commissioner of Education determines that a  
161 district school board, the Board of Trustees for the Florida  
162 School for the Deaf and the Blind, or a Florida College System  
163 institution board of trustees is unwilling or unable to address  
164 substantiated allegations made by any person relating to waste,  
165 fraud, or financial mismanagement within the school district,  
166 the Florida School for the Deaf and the Blind, or the Florida  
167 College System institution, the office shall conduct,  
168 coordinate, or request investigations into such substantiated  
169 allegations. The office shall investigate allegations or reports  
170 of possible fraud or abuse against a district school board made  
171 by any member of the Cabinet; the presiding officer of either  
172 house of the Legislature; a chair of a substantive or  
173 appropriations committee with jurisdiction; or a member of the  
174 board for which an investigation is sought. The office shall  
175 have access to all information and personnel necessary to

176 perform its duties and shall have all of its current powers,  
 177 duties, and responsibilities authorized in s. 20.055.

178 Section 5. Subsection (1) of section 1001.39, Florida  
 179 Statutes, is amended to read:

180 1001.39 District school board members; travel expenses.—

181 (1) In addition to the salary provided in s. 1001.395,  
 182 each member of a district school board shall be allowed, from  
 183 the district school fund, reimbursement of travel expenses as  
 184 authorized in s. 112.061, ~~except as provided that in subsection~~  
 185 ~~(2).~~ any travel outside the district requires prior approval by  
 186 the district school board to confirm that such travel is for  
 187 official business of the school district and complies with ~~shall~~  
 188 ~~also be governed by the~~ rules of the State Board of Education.

189 Section 6. Subsection (3) of section 1001.395, Florida  
 190 Statutes, is amended to read:

191 1001.395 District school board members; compensation.—

192 (3) Notwithstanding the provisions of this section and s.  
 193 145.19, ~~for the 2010–2011 fiscal year,~~ the salary of each  
 194 district school board member shall be the amount calculated  
 195 pursuant to subsection (1) or the district's beginning salary  
 196 for teachers who hold baccalaureate degrees, whichever is less.

197 Section 7. Subsections (6) and (7), paragraph (1) of  
 198 subsection (12), and paragraph (b) of subsection (17) of section  
 199 1001.42, Florida Statutes, are amended to read:

200 1001.42 Powers and duties of district school board.—The



201 district school board, acting as a board, shall exercise all  
202 powers and perform all duties listed below:

203 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL  
204 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS  
205 ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical  
206 conduct for instructional personnel, administrative personnel,  
207 and school officers ~~administrators~~. The policies must require  
208 all instructional personnel, administrative personnel, and  
209 school officers ~~administrators~~, as defined in s. 1012.01, to  
210 complete training on the standards; establish the duty of  
211 instructional personnel, administrative personnel, and school  
212 officers ~~administrators~~ to report, and procedures for reporting,  
213 alleged misconduct by other instructional or administrative  
214 personnel and school officers ~~school administrators~~ which  
215 affects the health, safety, or welfare of a student; and include  
216 an explanation of the liability protections provided under ss.  
217 39.203 and 768.095. A district school board, or any of its  
218 employees, may not enter into a confidentiality agreement  
219 regarding terminated or dismissed instructional or  
220 administrative personnel or school officers ~~administrators, or~~  
221 ~~personnel or administrators~~ who resign in lieu of termination,  
222 based in whole or in part on misconduct that affects the health,  
223 safety, or welfare of a student, and may not provide  
224 instructional personnel, administrative personnel, or school  
225 officers ~~administrators~~ with employment references or discuss

226 the personnel's or officers' ~~administrators'~~ performance with  
227 prospective employers in another educational setting, without  
228 disclosing the personnel's or officers' ~~administrators'~~  
229 misconduct. Any part of an agreement or contract that has the  
230 purpose or effect of concealing misconduct by instructional  
231 personnel, administrative personnel, or school officers  
232 ~~administrators~~ which affects the health, safety, or welfare of a  
233 student is void, is contrary to public policy, and may not be  
234 enforced.

235 (7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify  
236 instructional personnel and administrative personnel ~~school~~  
237 ~~administrators~~, as defined in s. 1012.01, from employment in any  
238 position that requires direct contact with students if the  
239 personnel ~~or administrators~~ are ineligible for such employment  
240 under s. 1012.315. An elected or appointed school board official  
241 forfeits his or her salary for 1 year if:

242 (a) The school board official knowingly signs and  
243 transmits to any state official a report of alleged misconduct  
244 by instructional personnel or administrative personnel ~~school~~  
245 ~~administrators~~ which affects the health, safety, or welfare of a  
246 student and the school board official knows the report to be  
247 false or incorrect; or

248 (b) The school board official knowingly fails to adopt  
249 policies that require instructional personnel and administrative  
250 personnel ~~school administrators~~ to report alleged misconduct by

251 other instructional personnel and administrative personnel  
 252 ~~school administrators~~, or that require the investigation of all  
 253 reports of alleged misconduct by instructional personnel and  
 254 administrative personnel ~~school administrators~~, if the  
 255 misconduct affects the health, safety, or welfare of a student.

256 (12) FINANCE.—Take steps to assure students adequate  
 257 educational facilities through the financial procedure  
 258 authorized in chapters 1010 and 1011 and as prescribed below:

259 (1) Internal auditor.—May or, in the case of a school  
 260 district receiving annual federal, state, and local funds in  
 261 excess of \$500 million, shall employ an internal auditor. The  
 262 duties of the internal auditor shall include oversight of every  
 263 functional and program area of the school system.

264 1. The internal auditor shall ~~to~~ perform ongoing financial  
 265 verification of the financial records of the school district, a  
 266 comprehensive risk assessment of all areas of the school system  
 267 every 5 years, and other audits and reviews as the district  
 268 school board directs for determining:

269 a. The adequacy of internal controls designed to prevent  
 270 and detect fraud, waste, and abuse.

271 b. Compliance with applicable laws, rules, contracts,  
 272 grant agreements, district school board-approved policies, and  
 273 best practices.

274 c. The efficiency of operations.

275 d. The reliability of financial records and reports.

- 276 |       e. The safeguarding of assets.
- 277 |       f. Financial solvency.
- 278 |       g. Projected revenues and expenditures.
- 279 |       h. The rate of change in the general fund balance.

280 |       2. The internal auditor shall prepare audit reports of his  
 281 | or her findings and report directly to the district school board  
 282 | or its designee.

283 |       3. Any person responsible for furnishing or producing any  
 284 | book, record, paper, document, data, or sufficient information  
 285 | necessary to conduct a proper audit or examination which the  
 286 | internal auditor is by law authorized to perform is subject to  
 287 | the provisions of s. 11.47(3) and (4).

288 |       (17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

289 |       (b) Adopt rules to strengthen family involvement and  
 290 | empowerment pursuant to s. 1002.23. The rules shall be developed  
 291 | in collaboration with administrative personnel ~~school~~  
 292 | ~~administrators~~, parents, teachers, and community partners.

293 |       Section 8. Subsection (2) of section 1010.20, Florida  
 294 | Statutes, is amended to read:

295 |       1010.20 Cost accounting and reporting for school  
 296 | districts.—

297 |       (2) COST REPORTING.—

298 |       (a) Each district shall report on a district-aggregate  
 299 | basis expenditures for inservice training pursuant to s.  
 300 | 1011.62(3) and for categorical programs as provided in s.

301 1011.62(6).

302 (b) Each district shall report to the department on a  
303 school-by-school and on an aggregate district basis expenditures  
304 for:

305 1. Each program funded in s. 1011.62(1)(c).

306 2. Total operating costs as reported pursuant to s.  
307 1010.215.

308 3. Expenditures for classroom instruction pursuant to the  
309 calculation in s. 1010.215(4)(b)1. and 2.

310 (c) The department shall:

311 1. Categorize all public schools and districts into  
312 appropriate groups based primarily on average full-time  
313 equivalent student enrollment as reported on the most recent  
314 student membership survey under s. 1011.62 and in state board  
315 rule to determine groups of peer schools and districts.

316 2. Annually calculate for each public school, district,  
317 and for the entire state, the percentage of classroom  
318 expenditures to total operating expenditures reported in  
319 subparagraphs (b)2. and 3. The results shall be categorized  
320 pursuant to this paragraph.

321 3. Annually calculate for all public schools, districts,  
322 and the state, the average percentage of classroom expenditures  
323 to total operating expenditures reported in subparagraphs (b)2.  
324 and 3. The results shall be categorized pursuant to this  
325 paragraph.

326        4. Develop a web-based fiscal transparency tool that  
327 identifies public schools and districts that produce high  
328 academic achievement based on the ratio of classroom instruction  
329 expenditures to total expenditures. The fiscal transparency tool  
330 shall combine the data calculated pursuant to this paragraph  
331 with the student performance measurements calculated pursuant to  
332 s. 1012.34(7) to determine the financial efficiency of each  
333 public school and district. The results shall be displayed in an  
334 easy to use format that enables the user to compare performance  
335 among public schools and districts.

336        ~~(d)-(e)~~ The Commissioner of Education shall present to the  
337 Legislature, prior to the opening of the regular session each  
338 year, a district-by-district report of the expenditures reported  
339 pursuant to paragraphs (a) and (b). The report shall include  
340 total expenditures, a detailed analysis showing expenditures for  
341 each program, and such other data as may be useful for  
342 management of the education system. The Commissioner of  
343 Education shall also compute cost factors relative to the base  
344 student allocation for each funded program in s. 1011.62(1)(c).

345        Section 9. Subsection (2) of section 1010.30, Florida  
346 Statutes, is amended to read:

347        1010.30 Audits required.—

348        (2) If an audit contains a significant deficiency or  
349 material weakness ~~finding~~, the district school board, the  
350 Florida College System institution board of trustees, or the

351 university board of trustees shall conduct an audit overview  
352 during a public meeting. The audit overview shall describe the  
353 corrective action to be taken and a timeline for completion of  
354 such action.

355 Section 10. Paragraph (a) of subsection (3) of section  
356 1011.01, Florida Statutes, is amended to read:

357 1011.01 Budget system established.—

358 (3) (a) Each district school board and each Florida College  
359 System institution board of trustees shall prepare, adopt, and  
360 submit to the Commissioner of Education an annual operating  
361 budget. Operating budgets shall be prepared and submitted in  
362 accordance with the provisions of law, rules of the State Board  
363 of Education, the General Appropriations Act, and for district  
364 school boards in accordance with the provisions of s. 200.065  
365 ~~ss. 200.065 and 1011.64.~~

366 Section 11. Subsection (2) of section 1011.03, Florida  
367 Statutes, is amended to read:

368 1011.03 Public hearings; budget to be submitted to  
369 Department of Education.—

370 ~~(2) The advertisement of a district that has been required~~  
371 ~~by the Legislature to increase classroom expenditures pursuant~~  
372 ~~to s. 1011.64 must include the following statement:~~  
373 ~~"This proposed budget reflects an increase in classroom~~  
374 ~~expenditures as a percent of total current operating~~  
375 ~~expenditures of XX percent over the (previous fiscal year)~~

376 ~~fiscal year. This increase in classroom expenditures is required~~  
 377 ~~by the Legislature because the district has performed below the~~  
 378 ~~required performance standard on XX of XX student performance~~  
 379 ~~standards for the (previous school year) school year. In order~~  
 380 ~~to achieve the legislatively required level of classroom~~  
 381 ~~expenditures as a percentage of total operating expenditures,~~  
 382 ~~the proposed budget includes an increase in overall classroom~~  
 383 ~~expenditures of \$XX,XXX,XXX above the amount spent for this same~~  
 384 ~~purpose during the (previous fiscal year) fiscal year. In order~~  
 385 ~~to achieve improved student academic performance, this proposed~~  
 386 ~~increase is being budgeted for the following activities:~~  
 387 ~~...(list activities and amount budgeted)...."~~

388 Section 12. Subsection (2) of section 1011.035, Florida  
 389 Statutes, is amended, and paragraph (d) is added to subsection  
 390 (4) of that section, to read:

391 1011.035 School district fiscal budget transparency.—

392 (2) Each district school board shall post on its website a  
 393 plain language version of each proposed, tentative, and official  
 394 budget which describes each budget item in terms that are easily  
 395 understandable to the public and includes graphical  
 396 representations, for each public school within district and for  
 397 the school district, of the following:

- 398 (a) Summary financial efficiency data.
- 399 (b) Fiscal trend information for the previous 3 years on:
- 400 1. The ratio of full-time equivalent students to full-time



401 equivalent instructional personnel.

402 2. The ratio of full-time equivalent students to full-time  
403 equivalent administrative personnel.

404 3. The total operating expenditures per full-time  
405 equivalent student.

406 4. The total instructional expenditures per full-time  
407 equivalent student.

408 5. The general administrative expenditures as a percentage  
409 of total budget.

410 6. The rate of change in the general fund's ending fund  
411 balance not classified as restricted.

412

413 This information must be prominently posted on the school  
414 district's website in a manner that is readily accessible to the  
415 public.

416 (4) The website should contain links to:

417 (d) The web-based fiscal transparency tool developed by  
418 the department pursuant to s. 1010.20 to enable taxpayers to  
419 evaluate the financial efficiency of the school district and  
420 compare the financial efficiency of the school district with  
421 other similarly situated school districts.

422 Section 13. Subsections (1) and (2) of section 1011.051,  
423 Florida Statutes, are amended to read:

424 1011.051 Guidelines for general funds.—The district school  
425 board shall maintain a general fund ending fund balance that is

426 sufficient to address normal contingencies.

427 (1) If at any time the portion of the general fund's  
428 ending fund balance not classified as restricted, committed, or  
429 nonspendable in the district's approved operating budget is  
430 projected to fall below 3 percent of projected general fund  
431 revenues during the current fiscal year, the superintendent  
432 shall provide written notification to the district school board  
433 and the Commissioner of Education. If such financial condition  
434 exists for 2 consecutive fiscal years, the superintendent shall  
435 reduce the district's administration expenditures reported  
436 pursuant to s. 1010.215(4) (a).

437 (2) (a) If at any time the portion of the general fund's  
438 ending fund balance not classified as restricted, committed, or  
439 nonspendable in the district's approved operating budget is  
440 projected to fall below 2 percent of projected general fund  
441 revenues during the current fiscal year, the superintendent  
442 shall provide written notification to the district school board  
443 and the Commissioner of Education. Within 14 days after  
444 receiving such notification, if the commissioner determines that  
445 the district does not have a plan that is reasonably anticipated  
446 to avoid a financial emergency as determined pursuant to s.  
447 218.503, the commissioner shall appoint a financial emergency  
448 board that shall operate under the requirements, powers, and  
449 duties specified in s. 218.503(3) (g).

450 (b) If any of the conditions identified in s. 218.503(1)

451 existed in the 2015-2016 school year or thereafter, the  
452 department shall contract with an independent third party to  
453 conduct a forensic audit of all accounts and records which shall  
454 include a financial solvency analysis that encompasses  
455 techniques to prevent and detect fraud, waste, and abuse. The  
456 forensic audit must also collect evidence to determine if any of  
457 the conditions identified in s. 1011.10 have occurred. The  
458 results of the forensic audit shall be provided to the district  
459 school board, the department, the Legislative Auditing  
460 Committee, and the district's financial emergency board, if  
461 applicable.

462 Section 14. Subsection (2) of section 1011.06, Florida  
463 Statutes, is amended to read:

464 1011.06 Expenditures.—

465 (2) EXPENDITURES FROM DISTRICT AND OTHER FUNDS.—

466 Expenditures from district and all other funds available for the  
467 public school program of any district shall be authorized by law  
468 and must be in accordance with procedures prescribed by the  
469 district school board. A district school board may establish  
470 policies that allow expenditures to exceed the amount budgeted  
471 by function and object, provided that the district school board  
472 complies with s. 1011.09(4) and approves the expenditure by  
473 amending and amends the budget at the next scheduled public  
474 meeting. The district school board must provide a full  
475 explanation of any amendments at the public meeting within

476 ~~timelines established by school board policies.~~

477 Section 15. Subsection (4) of section 1011.09, Florida  
478 Statutes, is amended to read:

479 1011.09 Expenditure of funds by district school board.—All  
480 state funds apportioned to the credit of any district constitute  
481 a part of the district school fund of that district and must be  
482 budgeted and expended under authority of the district school  
483 board subject to the provisions of law and rules of the State  
484 Board of Education.

485 (4) If the financial conditions in s. 1011.051 exist, a  
486 district school board ~~During the 2009-2010 fiscal year, unless~~  
487 ~~otherwise specifically approved by the district school board,~~  
488 ~~public funds~~ may not make expenditures ~~be expended~~ for ~~out-of-~~  
489 ~~state~~ travel outside of the district or cellular phones,  
490 cellular phone service, personal digital assistants, or any  
491 other mobile wireless communication device or service, including  
492 text messaging, whether through purchasing, leasing,  
493 contracting, or any other method, while subject to the  
494 requirements of s. 1011.051. The expenditure of public funds for  
495 art programs, music programs, sports programs, and  
496 extracurricular programs for students is a higher priority than  
497 expending funds for employee travel and cellular phones.

498 Section 16. Subsection (3) is added to section 1011.10,  
499 Florida Statutes, to read:

500 1011.10 Penalty.—

501        (3) If any of the conditions identified in s. 218.503(1)  
 502 exist within a school district, the salary of each district  
 503 school board member and district superintendent, calculated  
 504 pursuant to ss. 1001.395 and 1001.47, shall be withheld until  
 505 the conditions are corrected.

506        Section 17. Subsection (8) of section 1011.60, Florida  
 507 Statutes, is amended to read:

508        1011.60 Minimum requirements of the Florida Education  
 509 Finance Program.—Each district which participates in the state  
 510 appropriations for the Florida Education Finance Program shall  
 511 provide evidence of its effort to maintain an adequate school  
 512 program throughout the district and shall meet at least the  
 513 following requirements:

514        ~~(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS.—Comply~~  
 515 ~~with the minimum classroom expenditure requirements and~~  
 516 ~~associated reporting pursuant to s. 1011.64.~~

517        Section 18. Section 1011.64, Florida Statutes, is  
 518 repealed.

519        Section 19. Section 1012.23, Florida Statutes, is amended  
 520 to read:

521        1012.23 School district personnel policies.—

522        (2) Neither the district school superintendent nor a  
 523 district school board member may appoint or not employ ~~or~~  
 524 ~~appoint~~ a relative, as defined in s. 112.3135, to work under the  
 525 direct supervision of that district school board member or

HB 1279

2018

526 | district school superintendent. The limitations of this  
527 | subsection do not apply to employees appointed or employed  
528 | before the election or appointment of a school board member or  
529 | district school superintendent. The Commission on Ethics shall  
530 | accept and investigate any alleged violations of this section  
531 | pursuant to the procedures contained in ss. 112.322-112.3241.

532 | Section 20. This act shall take effect July 1, 2018.