

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; providing
18 requirements for a school board member's request for
19 travel outside of the state; providing an opportunity
20 for the public to speak on such travel; amending s.
21 1001.395, F.S.; providing that certain requirements
22 for the salaries of district school board members
23 apply every fiscal year, rather than one specific
24 fiscal year; amending s. 1001.42, F.S.; providing that
25 the standards of ethical conduct apply to

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

51 investigation to include certain information and be
52 provided to certain entities; amending s. 1011.06,
53 F.S.; requiring each district school board to approve
54 certain expenditures by amending its budget and
55 provide a public explanation for such budget
56 amendments; amending s. 1011.09, F.S.; providing
57 certain expenditure limitations for a school district
58 that meets specified criteria; amending s. 1011.10,
59 F.S.; requiring certain school districts to withhold
60 district school board member and school district
61 superintendent salaries until certain conditions are
62 met; amending s. 1011.60, F.S.; conforming cross-
63 references; repealing s. 1011.64, F.S., relating to
64 school district minimum classroom expenditure
65 requirements; amending s. 1012.23, F.S.; prohibiting a
66 school district superintendent and district school
67 board from appointing or employing certain individuals
68 in certain positions; providing an exception;
69 requiring the Commission on Ethics to investigate
70 alleged violations; amending s. 1002.395, F.S.;
71 conforming a cross-reference; providing a contingent
72 appropriation; providing an effective date.

73
74 Be It Enacted by the Legislature of the State of Florida:
75

76 Section 1. Paragraph (k) of subsection (2) of section
 77 11.45, Florida Statutes, is redesignated as paragraph (l), and a
 78 new paragraph (k) is added to that subsection, to read:

79 11.45 Definitions; duties; authorities; reports; rules.—

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

81 (k) Contact each district school board, as defined in s.
 82 1003.01(1), with the findings and recommendations contained
 83 within the Auditor General's previous operational audit report.
 84 The district school board shall provide the Auditor General with
 85 evidence of the initiation of corrective action within 45 days
 86 after the date it is requested by the Auditor General and
 87 evidence of completion of corrective action within 180 days
 88 after the date it is requested by the Auditor General. If the
 89 district school board fails to comply with the Auditor General's
 90 request or is unable to take corrective action within the
 91 required timeframe, the Auditor General shall notify the
 92 Legislative Auditing Committee.

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

100 Section 2. Subsection (14) of section 112.313, Florida

101 Statutes, is amended to read:

102 112.313 Standards of conduct for public officers,
 103 employees of agencies, and local government attorneys.—

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

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

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

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

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

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

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

128 112.31455 Collection methods for unpaid automatic fines
129 for failure to timely file disclosure of financial interests.—

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

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

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

151 Section 4. Paragraph (e) of subsection (4) of section
 152 1001.20, Florida Statutes, is amended to read:

153 1001.20 Department under direction of state board.—

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

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

176 appropriations committee with jurisdiction; or a member of the
177 board for which an investigation is sought. The office shall
178 have access to all information and personnel necessary to
179 perform its duties and shall have all of its current powers,
180 duties, and responsibilities authorized in s. 20.055.

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

183 1001.39 District school board members; travel expenses.—

184 (1) In addition to the salary provided in s. 1001.395,
185 each member of a district school board shall be allowed, from
186 the district school fund, reimbursement of travel expenses as
187 authorized in s. 112.061, ~~except as provided that in subsection~~
188 ~~(2).~~ any travel outside the district requires prior approval by
189 the district school board to confirm that such travel is for
190 official business of the school district and complies with shall
191 ~~also be governed by the rules of the State Board of Education.~~
192 Any request for travel outside the state must include an
193 itemized list detailing all anticipated travel expenses,
194 including, but not limited to, the anticipated costs of all
195 means of travel, lodging, and subsistence. Immediately preceding
196 a request, the public must have an opportunity to speak on the
197 specific travel agenda item.

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

200 1001.395 District school board members; compensation.—

201 (3) Notwithstanding the provisions of this section and s.
202 145.19, ~~for the 2010-2011 fiscal year,~~ the salary of each
203 district school board member shall be the amount calculated
204 pursuant to subsection (1) or the district's beginning salary
205 for teachers who hold baccalaureate degrees, whichever is less.

206 Section 7. Subsections (6) and (7), paragraphs (b) and (1)
207 of subsection (12), and paragraph (b) of subsection (17) of
208 section 1001.42, Florida Statutes, are amended to read:

209 1001.42 Powers and duties of district school board.—The
210 district school board, acting as a board, shall exercise all
211 powers and perform all duties listed below:

212 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL
213 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS
214 ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical
215 conduct for instructional personnel, administrative personnel,
216 and school officers ~~administrators~~. The policies must require
217 all instructional personnel, administrative personnel, and
218 school officers ~~administrators~~, as defined in s. 1012.01, to
219 complete training on the standards; establish the duty of
220 instructional personnel, administrative personnel, and school
221 officers ~~administrators~~ to report, and procedures for reporting,
222 alleged misconduct by other instructional or administrative
223 personnel and school officers ~~school administrators~~ which
224 affects the health, safety, or welfare of a student; and include
225 an explanation of the liability protections provided under ss.

226 39.203 and 768.095. A district school board, or any of its
227 employees, may not enter into a confidentiality agreement
228 regarding terminated or dismissed instructional or
229 administrative personnel or school officers ~~administrators, or~~
230 ~~personnel or administrators~~ who resign in lieu of termination,
231 based in whole or in part on misconduct that affects the health,
232 safety, or welfare of a student, and may not provide
233 instructional personnel, administrative personnel, or school
234 officers ~~administrators~~ with employment references or discuss
235 the personnel's or officers' ~~administrators'~~ performance with
236 prospective employers in another educational setting, without
237 disclosing the personnel's or officers' ~~administrators'~~
238 misconduct. Any part of an agreement or contract that has the
239 purpose or effect of concealing misconduct by instructional
240 personnel, administrative personnel, or school officers
241 ~~administrators~~ which affects the health, safety, or welfare of a
242 student is void, is contrary to public policy, and may not be
243 enforced.

244 (7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify
245 instructional personnel and administrative personnel ~~school~~
246 ~~administrators~~, as defined in s. 1012.01, from employment in any
247 position that requires direct contact with students if the
248 personnel ~~or administrators~~ are ineligible for such employment
249 under s. 1012.315. An elected or appointed school board official
250 forfeits his or her salary for 1 year if:

251 (a) The school board official knowingly signs and
 252 transmits to any state official a report of alleged misconduct
 253 by instructional personnel or administrative personnel ~~school~~
 254 ~~administrators~~ which affects the health, safety, or welfare of a
 255 student and the school board official knows the report to be
 256 false or incorrect; or

257 (b) The school board official knowingly fails to adopt
 258 policies that require instructional personnel and administrative
 259 personnel ~~school administrators~~ to report alleged misconduct by
 260 other instructional personnel and administrative personnel
 261 ~~school administrators~~, or that require the investigation of all
 262 reports of alleged misconduct by instructional personnel and
 263 administrative personnel ~~school administrators~~, if the
 264 misconduct affects the health, safety, or welfare of a student.

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

268 (b) Annual budget.—

269 1. Cause to be prepared, adopted, and have submitted to the
 270 Department of Education as required by law and rules of the
 271 State Board of Education, the annual school budget, such budget
 272 to be so prepared and executed as to promote the improvement of
 273 the district school system.

274 2. An individual school board member may request and shall
 275 receive any proposed, tentative, and official budget documents,

276 including all supporting and background information.

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

282 1. The internal auditor shall ~~to~~ perform ongoing financial
283 verification of the financial records of the school district, a
284 comprehensive risk assessment of all areas of the school system
285 every 5 years, and other audits and reviews as the district
286 school board directs for determining:

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

289 b. Compliance with applicable laws, rules, contracts,
290 grant agreements, district school board-approved policies, and
291 best practices.

292 c. The efficiency of operations.

293 d. The reliability of financial records and reports.

294 e. The safeguarding of assets.

295 f. Financial solvency.

296 g. Projected revenues and expenditures.

297 h. The rate of change in the general fund balance.

298 2. The internal auditor shall prepare audit reports of his
299 or her findings and report directly to the district school board
300 or its designee.

301 3. Any person responsible for furnishing or producing any
 302 book, record, paper, document, data, or sufficient information
 303 necessary to conduct a proper audit or examination which the
 304 internal auditor is by law authorized to perform is subject to
 305 the provisions of s. 11.47(3) and (4).

306 (17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

307 (b) Adopt rules to strengthen family involvement and
 308 empowerment pursuant to s. 1002.23. The rules shall be developed
 309 in collaboration with administrative personnel ~~school~~
 310 ~~administrators~~, parents, teachers, and community partners.

311 Section 8. Subsection (2) of section 1010.20, Florida
 312 Statutes, is amended to read:

313 1010.20 Cost accounting and reporting for school
 314 districts.—

315 (2) COST REPORTING.—

316 (a) Each district shall report on a district-aggregate
 317 basis expenditures for inservice training pursuant to s.
 318 1011.62(3) and for categorical programs as provided in s.
 319 1011.62(6).

320 (b) Each district shall report to the department on a
 321 school-by-school and on an aggregate district basis expenditures
 322 for:

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

324 2. Total operating costs as reported pursuant to s.
 325 1010.215.

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

328 (c) The department shall:

329 1. Categorize all public schools and districts into
330 appropriate groups based primarily on average full-time
331 equivalent student enrollment as reported on the most recent
332 student membership survey under s. 1011.62 and in state board
333 rule to determine groups of peer schools and districts.

334 2. Annually calculate for each public school, district,
335 and for the entire state, the percentage of classroom
336 expenditures to total operating expenditures reported in
337 subparagraphs (b)2. and 3. The results shall be categorized
338 pursuant to this paragraph.

339 3. Annually calculate for all public schools, districts,
340 and the state, the average percentage of classroom expenditures
341 to total operating expenditures reported in subparagraphs (b)2.
342 and 3. The results shall be categorized pursuant to this
343 paragraph.

344 4. Develop a web-based fiscal transparency tool that
345 identifies public schools and districts that produce high
346 academic achievement based on the ratio of classroom instruction
347 expenditures to total expenditures. The fiscal transparency tool
348 shall combine the data calculated pursuant to this paragraph
349 with the student performance measurements calculated pursuant to
350 s. 1012.34(7) to determine the financial efficiency of each

351 public school and district. The results shall be displayed in an
352 easy to use format that enables the user to compare performance
353 among public schools and districts.

354 ~~(d)(e)~~ The Commissioner of Education shall present to the
355 Legislature, prior to the opening of the regular session each
356 year, a district-by-district report of the expenditures reported
357 pursuant to paragraphs (a) and (b). The report shall include
358 total expenditures, a detailed analysis showing expenditures for
359 each program, and such other data as may be useful for
360 management of the education system. The Commissioner of
361 Education shall also compute cost factors relative to the base
362 student allocation for each funded program in s. 1011.62(1)(c).

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

365 1010.30 Audits required.—

366 (2) If an audit contains a significant deficiency or
367 material weakness finding, the district school board, the
368 Florida College System institution board of trustees, or the
369 university board of trustees shall conduct an audit overview
370 during a public meeting. The audit overview shall describe the
371 corrective action to be taken and a timeline for completion of
372 such action.

373 Section 10. Paragraph (a) of subsection (3) of section
374 1011.01, Florida Statutes, is amended to read:

375 1011.01 Budget system established.—

376 (3) (a) Each district school board and each Florida College
377 System institution board of trustees shall prepare, adopt, and
378 submit to the Commissioner of Education an annual operating
379 budget. Operating budgets shall be prepared and submitted in
380 accordance with the provisions of law, rules of the State Board
381 of Education, the General Appropriations Act, and for district
382 school boards in accordance with the provisions of s. 200.065
383 ~~ss. 200.065 and 1011.64.~~

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

386 1011.03 Public hearings; budget to be submitted to
387 Department of Education.—

388 ~~(2) The advertisement of a district that has been required
389 by the Legislature to increase classroom expenditures pursuant
390 to s. 1011.64 must include the following statement:~~

391 ~~"This proposed budget reflects an increase in classroom
392 expenditures as a percent of total current operating
393 expenditures of XX percent over the (previous fiscal year)
394 fiscal year. This increase in classroom expenditures is required
395 by the Legislature because the district has performed below the
396 required performance standard on XX of XX student performance
397 standards for the (previous school year) school year. In order
398 to achieve the legislatively required level of classroom
399 expenditures as a percentage of total operating expenditures,
400 the proposed budget includes an increase in overall classroom~~

401 ~~expenditures of \$XX,XXX,XXX above the amount spent for this same~~
 402 ~~purpose during the (previous fiscal year) fiscal year. In order~~
 403 ~~to achieve improved student academic performance, this proposed~~
 404 ~~increase is being budgeted for the following activities:~~
 405 ~~...(list activities and amount budgeted)...."~~

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

409 1011.035 School district fiscal budget transparency.—

410 (2) Each district school board shall post on its website a
 411 plain language version of each proposed, tentative, and official
 412 budget which describes each budget item in terms that are easily
 413 understandable to the public and includes graphical
 414 representations, for each public school within district and for
 415 the school district, of the following:

416 (a) Summary financial efficiency data.

417 (b) Fiscal trend information for the previous 3 years on:

418 1. The ratio of full-time equivalent students to full-time
 419 equivalent instructional personnel.

420 2. The ratio of full-time equivalent students to full-time
 421 equivalent administrative personnel.

422 3. The total operating expenditures per full-time
 423 equivalent student.

424 4. The total instructional expenditures per full-time
 425 equivalent student.

426 5. The general administrative expenditures as a percentage
427 of total budget.

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

430

431 This information must be prominently posted on the school
432 district's website in a manner that is readily accessible to the
433 public.

434 (4) The website should contain links to:

435 (d) The web-based fiscal transparency tool developed by
436 the department pursuant to s. 1010.20 to enable taxpayers to
437 evaluate the financial efficiency of the school district and
438 compare the financial efficiency of the school district with
439 other similarly situated school districts.

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

442 1011.051 Guidelines for general funds.—The district school
443 board shall maintain a general fund ending fund balance that is
444 sufficient to address normal contingencies.

445 (1) If at any time the portion of the general fund's
446 ending fund balance not classified as restricted, committed, or
447 nonspendable in the district's approved operating budget is
448 projected to fall below 3 percent of projected general fund
449 revenues during the current fiscal year, the superintendent
450 shall provide written notification to the district school board

451 and the Commissioner of Education. If such financial condition
452 exists for 2 consecutive fiscal years, the superintendent shall
453 reduce the district's administration expenditures reported
454 pursuant to s. 1010.215(4)(a) in proportion to the reduction in
455 the general fund's ending balance or the reduction in student
456 enrollment, whichever is greater.

457 (2)(a) If at any time the portion of the general fund's
458 ending fund balance not classified as restricted, committed, or
459 nonspendable in the district's approved operating budget is
460 projected to fall below 2 percent of projected general fund
461 revenues during the current fiscal year, the superintendent
462 shall provide written notification to the district school board
463 and the Commissioner of Education. Within 14 days after
464 receiving such notification, if the commissioner determines that
465 the district does not have a plan that is reasonably anticipated
466 to avoid a financial emergency as determined pursuant to s.
467 218.503, the commissioner shall appoint a financial emergency
468 board that shall operate under the requirements, powers, and
469 duties specified in s. 218.503(3)(g).

470 (b) If any of the conditions identified in s. 218.503(1)
471 existed in the 2015-2016 school year or thereafter, the
472 department shall contract with an independent third party to
473 conduct an investigation of all accounts and records to
474 determine the cause of the deficit, what efforts, if any, were
475 made to avoid the deficit, and whether any of the conditions

476 identified in s. 1011.10 have occurred. The investigation must
477 include a detailed review and analysis of documents and records,
478 including, but not limited to, budget reports, journal entries,
479 budget methodologies, staff emails, hard copy records, monthly
480 financial statements, quarterly revenue and expenditure reports,
481 finance staff job descriptions, and minutes from meetings. The
482 results of the investigation must include recommendations for
483 corrective action and controls to avoid a reoccurrence of a
484 future budget shortfall. A final report shall be provided to the
485 district school board, the department, the Legislative Auditing
486 Committee, and the district's financial emergency board, if
487 applicable.

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

490 1011.06 Expenditures.—

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

492 Expenditures from district and all other funds available for the
493 public school program of any district shall be authorized by law
494 and must be in accordance with procedures prescribed by the
495 district school board. A district school board may establish
496 policies that allow expenditures to exceed the amount budgeted
497 by function and object, provided that the district school board
498 complies with s. 1011.09(4) and approves the expenditure by
499 amending and amends the budget at the next scheduled public
500 meeting. The district school board must provide a full

501 explanation of any amendments at the public meeting within
502 ~~timelines established by school board policies.~~

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

505 1011.09 Expenditure of funds by district school board.—All
506 state funds apportioned to the credit of any district constitute
507 a part of the district school fund of that district and must be
508 budgeted and expended under authority of the district school
509 board subject to the provisions of law and rules of the State
510 Board of Education.

511 (4) If the financial conditions in s. 1011.051 exist, a
512 district school board ~~During the 2009-2010 fiscal year, unless~~
513 ~~otherwise specifically approved by the district school board,~~
514 ~~public funds~~ may not make expenditures ~~be expended~~ for ~~out-of-~~
515 ~~state~~ travel outside of the district or cellular phones,
516 cellular phone service, personal digital assistants, or any
517 other mobile wireless communication device or service, including
518 text messaging, whether through purchasing, leasing,
519 contracting, or any other method, while the financial conditions
520 exist. The expenditure of public funds for art programs, music
521 programs, sports programs, and extracurricular programs for
522 students is a higher priority than expending funds for employee
523 travel and cellular phones.

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

526 1011.10 Penalty.—

527 (3) If any of the conditions identified in s. 218.503(1)
 528 exist within a school district, the salary of each district
 529 school board member and district superintendent, calculated
 530 pursuant to ss. 1001.395 and 1001.47, shall be withheld until
 531 the conditions are corrected.

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

534 1011.60 Minimum requirements of the Florida Education
 535 Finance Program.—Each district which participates in the state
 536 appropriations for the Florida Education Finance Program shall
 537 provide evidence of its effort to maintain an adequate school
 538 program throughout the district and shall meet at least the
 539 following requirements:

540 ~~(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS. Comply~~
 541 ~~with the minimum classroom expenditure requirements and~~
 542 ~~associated reporting pursuant to s. 1011.64.~~

543 Section 18. Section 1011.64, Florida Statutes, is
 544 repealed.

545 Section 19. Section 1012.23, Florida Statutes, is amended
 546 to read:

547 1012.23 School district personnel policies.—

548 (2) Neither the district school superintendent nor a
 549 district school board member may appoint or not employ ~~or~~
 550 appoint a relative, as defined in s. 112.3135, to work under the

551 direct supervision of that district school board member or
552 district school superintendent. The limitations of this
553 subsection do not apply to employees appointed or employed
554 before the election or appointment of a school board member or
555 district school superintendent. The Commission on Ethics shall
556 accept and investigate any alleged violations of this section
557 pursuant to the procedures contained in ss. 112.322-112.3241.

558 Section 20. Paragraph (d) of subsection (9) of section
559 1002.395, Florida Statutes, is amended to read:

560 1002.395 Florida Tax Credit Scholarship Program.—

561 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
562 Education shall:

563 (d) Annually verify the eligibility of expenditures as
564 provided in paragraph (6) (d) using the audit required by
565 paragraph (6) (m) and s. 11.45(2)(l) ~~s. 11.45(2)(k)~~.

566 Section 21. Contingent upon CS/HB 7055 or similar
567 legislation in the 2018 Regular Session of the Legislature or an
568 extension thereof failing to become law, for the 2018-2019
569 fiscal year, the sum of \$850,000 in nonrecurring funds from the
570 General Revenue Fund is appropriated to the Department of
571 Education to implement the provisions of this act.

572 Section 22. This act shall take effect July 1, 2018.