

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

26 | to 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 certain district school board member and school  
61 district superintendent salaries until certain  
62 conditions are met; amending s. 1011.60, F.S.;

63 conforming cross-references; repealing s. 1011.64,  
64 F.S., relating to school district minimum classroom  
65 expenditure requirements; amending s. 1012.23, F.S.;

66 prohibiting a school district superintendent and  
67 district school board from appointing or employing  
68 certain individuals in certain positions; providing an  
69 exception; requiring the Commission on Ethics to  
70 investigate alleged violations; amending s. 1002.395,  
71 F.S.; conforming a cross-reference; providing a  
72 contingent 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 that exceeds \$500 requires  
189 prior approval by the district school board to confirm that such  
190 travel is for official business of the school district and  
191 complies with ~~shall also be governed by the rules of the State~~  
192 ~~Board of Education. Any request for travel outside the state~~  
193 must include an itemized list detailing all anticipated travel  
194 expenses, including, but not limited to, the anticipated costs  
195 of all means of travel, lodging, and subsistence. Immediately  
196 preceding a request, the public must have an opportunity to  
197 speak on the 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, adopt, 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 to read:

408 1011.035 School district fiscal budget transparency.-

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

413 (a) Graphical representations, for each public school  
414 within the district and for the school district, of the  
415 following:

416 1. Summary financial efficiency data.

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

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

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

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

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

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

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

430 (b) A link to the web-based fiscal transparency tool  
431 developed by the department pursuant to s. 1010.20 to enable  
432 taxpayers to evaluate the financial efficiency of the school  
433 district and compare the financial efficiency of the school  
434 district with other similarly situated school districts.

435

436 This information must be prominently posted on the school  
437 district's website in a manner that is readily accessible to the  
438 public.

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

441 1011.051 Guidelines for general funds.—The district school  
442 board shall maintain a general fund ending fund balance that is  
443 sufficient to address normal contingencies.

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

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

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

469 (b) If any of the conditions identified in s. 218.503(1)  
470 existed in the 2015-2016 school year or thereafter, the  
471 department shall contract with an independent third party to  
472 conduct an investigation of all accounts and records to  
473 determine the cause of the deficit, what efforts, if any, were  
474 made to avoid the deficit, and whether any of the conditions  
475 identified in s. 1011.10 have occurred. The investigation must

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

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

489 1011.06 Expenditures.—

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

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

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

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

504 1011.09 Expenditure of funds by district school board.—All  
 505 state funds apportioned to the credit of any district constitute  
 506 a part of the district school fund of that district and must be  
 507 budgeted and expended under authority of the district school  
 508 board subject to the provisions of law and rules of the State  
 509 Board of Education.

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

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

525 1011.10 Penalty.—

526        (3) If any of the conditions identified in s. 218.503(1)  
527 exist within a school district, the salary of each district  
528 school board member and district superintendent, calculated  
529 pursuant to ss. 1001.395 and 1001.47, shall be withheld until  
530 the conditions are corrected. This subsection does not apply to  
531 a district school board member or district superintendent  
532 elected or appointed within 1 year after the identification of  
533 the conditions in s. 218.503(1) if he or she did not participate  
534 in the approval or preparation of the final school district  
535 budget adopted before the identification of such conditions.

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

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

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

547        Section 18. Section 1011.64, Florida Statutes, is  
548 repealed.

549        Section 19. Subsection (2) of section 1012.23, Florida  
550 Statutes, is amended to read:

551 1012.23 School district personnel policies.—

552 (2) Neither the district school superintendent nor a  
553 district school board member may appoint or not employ ~~or~~  
554 ~~appoint~~ a relative, as defined in s. 112.3135, to work under the  
555 direct supervision of that district school board member or  
556 district school superintendent. The limitations of this  
557 subsection do not apply to employees appointed or employed  
558 before the election or appointment of a school board member or  
559 district school superintendent. The Commission on Ethics shall  
560 accept and investigate any alleged violations of this section  
561 pursuant to the procedures contained in ss. 112.322-112.3241.

562 Section 20. Paragraph (d) of subsection (9) of section  
563 1002.395, Florida Statutes, is amended to read:

564 1002.395 Florida Tax Credit Scholarship Program.—

565 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
566 Education shall:

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

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

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