



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 scope
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 appropriations; providing effective dates.

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 | scope of the internal auditor shall not be restricted and shall
281 | include every 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 \$100,000 in nonrecurring funds from the
 574 General Revenue Fund is appropriated to the Department of
 575 Education to implement the provisions of s. 1011.051(2) (b),



CS/CS/CS/HB 1279, Engrossed 2

2018

576 Florida Statutes, as amended by this act.

577 Section 22. Except for section 21 and except for s.
578 1011.051(2)(b), Florida Statutes, as amended by this act, which
579 shall take effect July 1, 2018, this act shall take effect July
580 1, 2019.