

By Senator Stargel

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1 A bill to be entitled
2 An act relating to school district accountability;
3 amending s. 11.45, F.S.; revising the duties of the
4 Auditor General; amending s. 112.313, F.S.;
5 prohibiting former appointed district school
6 superintendents from conducting certain lobbying
7 activities; amending s. 112.31455, F.S.; requiring the
8 governing body of a district school board be notified
9 if an officer or employee of the body owes a certain
10 fine; requiring the governing body of a district
11 school board to take specified actions under such
12 circumstances; amending s. 1001.20, F.S.; requiring
13 the Office of Inspector General to investigate certain
14 allegations and reports made by specified individuals;
15 amending s. 1001.39, F.S.; requiring a district school
16 board member's travel outside of the school district
17 to be preapproved and meet certain criteria; amending
18 s. 1001.395, F.S.; providing that certain requirements
19 for the salaries of district school board members
20 apply every fiscal year, rather than one specific
21 fiscal year; amending s. 1001.42, F.S.; providing that
22 the standards of ethical conduct apply to
23 administrative personnel and school officers;
24 requiring employment of internal auditors in certain
25 school districts; revising provisions relating to the
26 duties of such internal auditors; amending s. 1010.20,
27 F.S.; requiring each school district to report certain
28 expenditures to the Department of Education; providing
29 department responsibilities; amending s. 1010.30,

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30 F.S.; requiring certain entities to provide an audit
31 overview under certain circumstances; providing the
32 contents of the overview; amending ss. 1011.01 and
33 1011.03, F.S.; conforming cross-references; amending
34 s. 1011.035, F.S.; requiring each district school
35 board to post on its website certain graphical
36 representations and a link to a certain web-based tool
37 on the department's website; providing requirements
38 for such graphical representations; amending s.
39 1011.051, F.S.; requiring a district school board to
40 limit certain expenditures by a specified amount if
41 certain financial conditions exist for a specified
42 period of time; requiring the department to contract
43 with a third party to conduct a forensic audit under
44 certain circumstances; requiring the results of such
45 audit to be provided to certain entities; amending s.
46 1011.06, F.S.; requiring each district school board to
47 approve certain expenditures by amending its budget
48 and provide a public explanation for such budget
49 amendments; amending s. 1011.09, F.S.; providing
50 certain expenditure limitations for a school district
51 that meets specified criteria; amending s. 1011.10,
52 F.S.; requiring certain school districts to withhold
53 district school board member and school district
54 superintendent salaries until certain conditions are
55 met; amending s. 1011.60, F.S.; conforming cross-
56 references; repealing s. 1011.64, F.S., relating to
57 school district minimum classroom expenditure
58 requirements; amending s. 1012.23, F.S.; prohibiting a

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59 school district superintendent and district school
60 board from appointing or employing certain individuals
61 in certain positions; providing an exception;
62 requiring the Commission on Ethics to investigate
63 alleged violations; providing an effective date.
64

65 Be It Enacted by the Legislature of the State of Florida:
66

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

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

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

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

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

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

86
87 The Auditor General shall notify each member of the audited

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88 entity's governing body and the Legislative Auditing Committee
89 of the results of his or her determination.

90

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

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

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

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

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

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

115 (c) The "government body or agency" of an elected municipal
116 officer consists of the governing body of the municipality, the

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117 chief administrative officer or employee of the municipality,
118 and their immediate support staff.

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

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

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

125 112.31455 Collection methods for unpaid automatic fines for
126 failure to timely file disclosure of financial interests.-

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

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

143 (b) The Chief Financial Officer or the governing body of
144 the county, municipality, district school board, or special
145 district may retain an amount of each withheld payment, as

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146 provided in s. 77.0305, to cover the administrative costs
147 incurred under this section.

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

150 1001.20 Department under direction of state board.—

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

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

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175 have access to all information and personnel necessary to
176 perform its duties and shall have all of its current powers,
177 duties, and responsibilities authorized in s. 20.055.

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

180 1001.39 District school board members; travel expenses.—

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

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

191 1001.395 District school board members; compensation.—

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

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

200 1001.42 Powers and duties of district school board.—The
201 district school board, acting as a board, shall exercise all
202 powers and perform all duties listed below:

203 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL

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204 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS
 205 ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical
 206 conduct for instructional personnel, administrative personnel,
 207 and school officers ~~administrators~~. The policies must require
 208 all instructional personnel, administrative personnel, and
 209 school officers ~~administrators~~, as defined in s. 1012.01, to
 210 complete training on the standards; establish the duty of
 211 instructional personnel, administrative personnel, and school
 212 officers ~~administrators~~ to report, and procedures for reporting,
 213 alleged misconduct by other instructional or administrative
 214 personnel and school officers ~~school administrators~~ which
 215 affects the health, safety, or welfare of a student; and include
 216 an explanation of the liability protections provided under ss.
 217 39.203 and 768.095. A district school board, or any of its
 218 employees, may not enter into a confidentiality agreement
 219 regarding terminated or dismissed instructional or
 220 administrative personnel or school officers ~~administrators, or~~
 221 ~~personnel or administrators~~ who resign in lieu of termination,
 222 based in whole or in part on misconduct that affects the health,
 223 safety, or welfare of a student, and may not provide
 224 instructional personnel, administrative personnel, or school
 225 officers ~~administrators~~ with employment references or discuss
 226 the personnel's or officers' ~~administrators'~~ performance with
 227 prospective employers in another educational setting, without
 228 disclosing the personnel's or officers' ~~administrators'~~
 229 misconduct. Any part of an agreement or contract that has the
 230 purpose or effect of concealing misconduct by instructional
 231 personnel, administrative personnel, or school officers
 232 ~~administrators~~ which affects the health, safety, or welfare of a

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233 student is void, is contrary to public policy, and may not be
234 enforced.

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

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

248 (b) The school board official knowingly fails to adopt
249 policies that require instructional personnel and administrative
250 personnel ~~school administrators~~ to report alleged misconduct by
251 other instructional personnel and administrative personnel
252 ~~school administrators~~, or that require the investigation of all
253 reports of alleged misconduct by instructional personnel and
254 administrative personnel ~~school administrators~~, if the
255 misconduct affects the health, safety, or welfare of a student.

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

259 (1) *Internal auditor*.—May or, in the case of a school
260 district receiving annual federal, state, and local funds in
261 excess of \$500 million, shall employ an internal auditor. The

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262 duties of the internal auditor shall include oversight of every
263 functional and program area of the school system.

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

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

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

274 c. The efficiency of operations.

275 d. The reliability of financial records and reports.

276 e. The safeguarding of assets.

277 f. Financial solvency.

278 g. Projected revenues and expenditures.

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

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

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

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

289 (b) Adopt rules to strengthen family involvement and
290 empowerment pursuant to s. 1002.23. The rules shall be developed

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291 in collaboration with administrative personnel ~~school~~
292 ~~administrators~~, parents, teachers, and community partners.

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

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

297 (2) COST REPORTING.—

298 (a) Each district shall report on a district-aggregate
299 basis expenditures for inservice training pursuant to s.
300 1011.62(3) and for categorical programs as provided in s.
301 1011.62(6).

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

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

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

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

310 (c) The department shall:

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

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

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320 paragraph.

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

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

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

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

347 1010.30 Audits required.—

348 (2) If an audit contains a significant deficiency or

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349 material weakness finding, the district school board, the
350 Florida College System institution board of trustees, or the
351 university board of trustees shall conduct an audit overview
352 during a public meeting. The audit overview shall describe the
353 corrective action to be taken and a timeline for completion of
354 such action.

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

357 1011.01 Budget system established.—

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

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

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

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

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

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

391 1011.035 School district fiscal budget transparency.-

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

398 (a) Summary financial efficiency data.

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

400 1. The ratio of full-time equivalent students to full-time
 401 equivalent instructional personnel.

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

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

406 4. The total instructional expenditures per full-time

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407 equivalent student.

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

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

412

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

416 (4) The website should contain links to:

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

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

424 1011.051 Guidelines for general funds.—The district school
425 board shall maintain a general fund ending fund balance that is
426 sufficient to address normal contingencies.

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

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436 pursuant to s. 1010.215(4)(a) in proportion to the reduction in
437 the general fund's ending balance or the reduction in student
438 enrollment, whichever is greater.

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

452 (b) If any of the conditions identified in s. 218.503(1)
453 existed in the 2015-2016 school year or thereafter, the
454 department shall contract with an independent third party to
455 conduct a forensic audit of all accounts and records which shall
456 include a financial solvency analysis that encompasses
457 techniques to prevent and detect fraud, waste, and abuse. The
458 forensic audit must also collect evidence to determine if any of
459 the conditions identified in s. 1011.10 have occurred. The
460 results of the forensic audit shall be provided to the district
461 school board, the department, the Legislative Auditing
462 Committee, and the district's financial emergency board, if
463 applicable.

464 Section 14. Subsection (2) of section 1011.06, Florida

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465 Statutes, is amended to read:

466 1011.06 Expenditures.—

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

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

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

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

487 (4) If the financial conditions in s. 1011.051 exist, a
488 district school board ~~During the 2009–2010 fiscal year, unless~~
489 ~~otherwise specifically approved by the district school board,~~
490 ~~public funds~~ may not make expenditures ~~be expended~~ for ~~out-of-~~
491 ~~state~~ travel outside of the district or cellular phones,
492 cellular phone service, personal digital assistants, or any
493 other mobile wireless communication device or service, including

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494 text messaging, whether through purchasing, leasing,
495 contracting, or any other method, while the financial conditions
496 in s. 1011.051 exist. The expenditure of public funds for art
497 programs, music programs, sports programs, and extracurricular
498 programs for students is a higher priority than expending funds
499 for employee travel and cellular phones.

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

502 1011.10 Penalty.—

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

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

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

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

519 Section 18. Section 1011.64, Florida Statutes, is repealed.

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

522 1012.23 School district personnel policies.—

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523 (2) Neither the district school superintendent nor a
524 district school board member may appoint or ~~not~~ employ ~~or~~
525 ~~appoint~~ a relative, as defined in s. 112.3135, to work under the
526 direct supervision of that district school board member or
527 district school superintendent. The limitations of this
528 subsection do not apply to employees appointed or employed
529 before the election or appointment of a school board member or
530 district school superintendent. The Commission on Ethics shall
531 accept and investigate any alleged violations of this section
532 pursuant to the procedures contained in ss. 112.322-112.3241.

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