A bill to be entitled
An act relating to district school boards; amending s. 145.19, F.S.; conforming provisions to changes made by the act; amending s. 1001.395, F.S.; revising the salaries of district school board members; amending s. 1006.28, F.S.; deleting a requirement that district school boards maintain a current list of instructional materials on their websites; requiring meetings of committees convened to rank, eliminate, or select instructional materials to be noticed and open to the public; requiring such committees to include parents of district students and other members of the community; requiring certain individuals involved in selecting library materials to complete a specified training program; requiring certain materials to be selected only by employees who meet specified criteria; requiring district school boards to adopt procedures for developing library media center collections; providing requirements for such procedures; requiring elementary schools, district school boards, and the Department of Education to post in certain formats on their websites specified information relating to instructional materials and other materials; providing district school board requirements relating to public participation regarding selection, approval, adoption, or removal of certain materials; providing that school principals are responsible for overseeing compliance with specified procedures relating to library media center
materials; amending s. 1006.29, F.S.; revising requirements for the department relating to the development of training programs for the selection of materials used in schools and library media centers; amending s. 1006.40, F.S.; revising district school board requirements for the selection and adoption of certain materials; providing an effective date.

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

Section 1. Subsection (2) of section 145.19, Florida Statutes, is amended to read:

145.19 Annual percentage increases based on increase for state career service employees; limitation.—

(2) Each fiscal year, the salaries of all officials listed in this chapter, s. 1001.395, and s. 1001.47 shall be adjusted. The adjusted salary rate shall be the product, rounded to the nearest dollar, of the salary rate granted by the appropriate section of this chapter, s. 1001.395, or s. 1001.47 multiplied first by the initial factor, then by the cumulative annual factor, and finally by the annual factor. The Department of Management Services shall certify the annual factor and the cumulative annual factors. Any special qualification salary received under this chapter, s. 1001.47, or the annual performance salary incentive available to elected superintendents under s. 1001.47 shall be added to such adjusted salary rate. The special qualification salary shall be $2,000, but shall not exceed $2,000.

Section 2. Section 1001.395, Florida Statutes, is amended
to read:

1001.395 District school board members; compensation.—

(1) Each member of the district school board shall receive a base salary equal to the annual salary of a member of the Legislature identified in s. 11.13(1)(a)2., as determined pursuant to the General Appropriations Act or legislation implementing the General Appropriations Act, the amounts indicated in this section, based on the population of the county the district school board member serves. In addition, compensation shall be made for population increments over the minimum for each population group, which shall be determined by multiplying the population in excess of the minimum for the group times the group rate. The product of such calculation shall be added to the base salary to determine the adjusted base salary. The adjusted base salaries of district school board members shall be increased annually as provided for in s. 145.19.

<table>
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<tr>
<th>Pop. Group</th>
<th>County Pop. Range</th>
<th>Base Salary</th>
<th>Group Rate</th>
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<tr>
<td>I</td>
<td>0 - 9,999</td>
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(2) Notwithstanding the provisions of this section or s. 145.19, district school board members may reduce their salary rate on a voluntary basis.

(3) Notwithstanding the provisions of this section and s. 145.19, the salary of each district school board member shall be the amount calculated pursuant to subsection (1) or the district’s beginning salary for teachers who hold baccalaureate degrees, whichever is less.

Section 3. Paragraphs (a) and (d) of subsection (2) and subsection (4) of section 1006.28, Florida Statutes, are amended, and paragraph (e) is added to subsection (2) of that section, to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(2) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The district school board also has the following specific duties and responsibilities:
(a) Courses of study; adoption.—Adopt courses of study, including instructional materials, for use in the schools of the district.

1. Each district school board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list, whether adopted and purchased from the state-adopted instructional materials list, adopted and purchased through a district instructional materials program under s. 1006.283, or otherwise purchased or made available. Each district school board shall maintain on its website a current list of instructional materials, by grade level, purchased by the district.

2. Each district school board must adopt a policy regarding an objection by a parent or a resident of the county to the use of a specific instructional material, which clearly describes a process to handle all objections and provides for resolution. The process must provide the parent or resident the opportunity to proffer evidence to the district school board that:

   a. An instructional material does not meet the criteria of s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures under s. 1006.283(2)(b)8., 9., and 11.

   b. Any material used in a classroom, made available in a school library, or included on a reading list contains content that is pornographic or prohibited under s. 847.012, is not suited to student needs and their ability to comprehend the
material presented, or is inappropriate for the grade level and age group for which the material is used.

If the district school board finds that an instructional material does not meet the criteria under sub-subparagraph a. or that any other material contains prohibited content under sub-subparagraph b., the school district shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.

3. Each district school board must establish a process by which the parent of a public school student or a resident of the county may contest the district school board’s adoption of a specific instructional material. The parent or resident must file a petition, on a form provided by the school board, within 30 calendar days after the adoption of the instructional material by the school board. The school board must make the form available to the public and publish the form on the school district’s website. The form must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days after the 30-day period has expired, the school board must, for all petitions timely received, conduct at least one open public hearing before an unbiased and qualified hearing officer. The hearing officer may not be an employee or agent of the school district. The hearing is not subject to the provisions of chapter 120; however, the hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer.
The school board’s decision after convening a hearing is final and not subject to further petition or review.

4. Meetings of committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board must be noticed and open to the public in accordance with s. 286.011. Any committees convened for such purposes must include parents of school district students and other members of the community.

(d) School library media services; establishment and maintenance.—Establish and maintain a program of school library media services for all public schools in the district, including school library media centers, or school library media centers open to the public, and, in addition such traveling or circulating libraries as may be needed for the proper operation of the district school system. Each school district shall provide training to School librarians, and media specialists, and other personnel involved in the selection of school district library materials must complete a training program developed pursuant to s. 1006.29(5) before reviewing and selecting regarding the prohibition against distributing harmful materials to minors under s. 847.012 and applicable case law, and best practices for providing students access to age-appropriate materials and library resources. Upon written request, a school district shall provide access to any material or book specified in the request that is maintained in a district school system library and is available for review.

1. Each book made available to students through a school
district library media center or required as part of a booklist used in a classroom must be selected by a school district employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased,
donated, or otherwise made available to students.

2. Each district school board shall adopt procedures for developing library media center collections and post the procedures on the website for each school within the district. The procedures must:
   a. Require that book selections meet the criteria in s. 1006.40(3)(d).
   b. Require consultation of reputable, professionally recognized reviewing sources and school community stakeholders for each selection.
   c. Provide for library media center collections based on reader interest, support of state academic standards and aligned curriculum, and the academic needs of students and faculty.
   d. Provide for the regular removal or discontinuance of books based on, at a minimum, physical condition, rate of recent circulation, alignment to state academic standards and relevancy to curriculum, out-of-date content, and required removal pursuant to subparagraph (a)2.

3. Each elementary school must publish on its website, in a searchable format prescribed by the department, a list of all materials maintained in the school library media center or required as part of a booklist used in a classroom.

   (e) Public participation.—Publish on its website, in a searchable format prescribed by the department, a list of all instructional materials, including those used to provide
instruction required by s. 1003.42. Each district school board must:

1. Provide access to all materials, excluding teacher editions, for public inspection and allow the public to copy, scan, duplicate, or photograph portions of original materials within the limits of fair use under the copyright laws of the United States pursuant to Title 17 of the United States Code, Pub. L. No. 94-653, 17 U.S.C. ss. 101 et seq. Access must be provided at least 30 days before any official action on such materials.

2. Select, approve, adopt, or purchase all materials as a separate line item on the agenda and must provide a reasonable opportunity for public comment. The use of materials described in this paragraph may not be selected, approved, or adopted as part of a consent agenda.

3. Annually, beginning June 30, 2022, submit to the Commissioner of Education a report that identifies:
   a. Each material for which the school district received an objection pursuant to subparagraph (a)2. for the school year and the specific objections thereto.
   b. Each material removed or discontinued as a result of an objection.
   c. The grade level and course for which a removed or discontinued material was used, as applicable.

The department shall publish and regularly update a list of materials removed or discontinued as a result of an objection and disseminate the list to school districts for consideration in their selection procedures.
(4) SCHOOL PRINCIPAL.—The school principal has the following duties for the management and care of instructional materials at the school:

(a) Proper use of instructional materials.—The principal shall assure that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed, pursuant to adopted district school board rule. The school principal shall communicate to parents the manner in which instructional materials are used to implement the curricular objectives of the school.

(b) Money collected for lost or damaged instructional materials; enforcement.—The school principal shall collect from each student or the student’s parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and to report and transmit the money collected to the district school superintendent. The failure to collect such sum upon reasonable effort by the school principal may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the school principal, pursuant to policies adopted by district school board rule.

(c) Sale of instructional materials.—The school principal, upon request of the parent of a student in the school, shall sell to the parent any instructional materials used in the school. All such sales shall be made pursuant to rule adopted by the district school board, and the principal shall annually provide information to parents that they may purchase.
instructional materials and how to purchase the materials.

(d) Disposition of funds.—All money collected from the sale, exchange, loss, or damage of instructional materials shall be transmitted to the district school superintendent to be deposited in the district school board fund and added to the district appropriation for instructional materials.

(e) Accounting for instructional materials.—Principals shall see that all instructional materials are fully and properly accounted for as prescribed by adopted rules of the district school board.

(f) Selection of library media center materials.—School principals are responsible for overseeing compliance with school district procedures for selecting school library media center materials.

Section 4. Subsections (2) and (5) of section 1006.29, Florida Statutes, are amended to read:

1006.29 State instructional materials reviewers.—

(2) For purposes of this part state adoption, the term “instructional materials” means items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software. A publisher or manufacturer providing instructional materials as a single bundle shall also make the instructional materials available as separate and unbundled items, each priced individually. A publisher may also offer sections of state-
adopted instructional materials in digital or electronic versions at reduced rates to districts, schools, and teachers.

(5) The department shall develop a training program for persons selected as state instructional materials reviewers and school district reviewers of instructional materials, including those used to provide instruction required by s. 1003.42, and any materials maintained in the district school library media centers or included on a reading list. The program shall be structured to assist reviewers in complying with the requirements of s. 1006.31(2) developing the skills necessary to make valid, culturally sensitive, and objective decisions regarding the content and rigor of instructional materials. All persons serving as instructional materials reviewers must complete the training program before prior to beginning the review and selection process.

Section 5. Paragraph (b) of subsection (4) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(4) Each district school board is responsible for the content of all materials used in a classroom or otherwise made available to students. Each district school board shall adopt rules, and each district school superintendent shall implement procedures, that:

(b) Provide a process for public review of, public comment on, and the adoption of instructional materials, including those instructional materials used to provide instruction required by s. 1003.42 teach reproductive health or any disease, including
HIV/AIDS, under ss. 1003.42(3) and 1003.46, which satisfies the requirements of s. 1006.283(2)(b)8., 9., and 11.

Section 6. This act shall take effect July 1, 2022.