

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 1073](#)

**TITLE:** Public Education

**SPONSOR(S):** Koster

**COMPANION BILL:** [CS/CS/SB 1620](#) (Leek)

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 108 Y's 0 N's

**GOVERNOR'S ACTION:** Pending

### SUMMARY

#### **Effect of the Bill:**

The bill creates a District School Board Members' Bill of Rights (Bill of Rights), providing school board members with access to school district documents necessary to fulfill the duties and responsibilities required under the State Constitution and the Florida Early Learning-20 Education Code. The Bill of Rights allows school board members to consult with the school district's chief financial officer on school district budget information and to request documents or information from school district staff, subject to legal restrictions and superintendent or administrative approval. The Bill of Rights further provides school board members with the ability to publicly comment on district school board business, except for student or employee disciplinary matters or other matters prohibited by law.

The bill requires additional documents associated with school board meetings to be maintained as public records with the minutes of each meeting, defines "good cause" regarding a board's rejection of nominated employee, and prohibits school districts from requiring or incentivizing employees to sign nondisclosure or confidentiality agreements.

#### **Fiscal or Economic Impact:**

None

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### ANALYSIS

#### **EFFECT OF THE BILL:**

The bill creates a District School Board Members' Bill of Rights. The bill provides that a member of a [district school board](#) has the right to:

- Upon request, be given free and timely access to all school district documents necessary to fulfill the duties and responsibilities required under the State Constitution and the Florida Early Learning-20 Education Code. Access to documents that are confidential or exempt from public disclosure must be provided in compliance with applicable law. A request not related to a matter on a publicly noticed meeting of the district school board must be fulfilled within 10 business days after receipt of such request. Any document provided to a district school board member must be offered to all board members.
- Consult with the school district's chief financial officer on general matters related to the budget, and sources and uses of school district funds, and have reasonable access, upon request, to any detail or line item in any proposed or approved budget or in any financial transaction by the school district.
- Request any document or information, except for documents or information that the member would be prohibited by law from accessing, from the school district staff with the permission of the superintendent or other members of the administration where such permission may not be unreasonably withheld.
- Comment publicly during or outside of district school board meetings on any matter of district school board business, except for student and employee disciplinary hearings,<sup>1</sup> or other matters prohibited by law. (Section [1](#)).

<sup>1</sup> See [ss. 1006.07](#), and [1012.34, F.S.](#)

**STORAGE NAME:** h1073z

**DATE:** 3/30/2026

The bill adds a requirement for district school boards to maintain additional documents associated with school board meetings, including attachments for agenda items such as vendor contracts or budget documents, as public records with the minutes of each meeting. (Section [2](#)).

The bill amends the [duties of district school boards](#) related to [public school personnel](#), specifically regarding the rejection of a nominated employee for a position. The bill defines “good cause” for purposes of rejecting a nominated employee to mean the district school board has determined any of the following:

- That the nominated employee fabricated or materially exaggerated his or her credentials or background.
- That the nominated employee does not meet the minimum requirements for the position.
- That the nominated employee's educator certificate has been revoked by another state.

The bill also prohibits a school district employee from being required or otherwise incentivized to sign a nondisclosure agreement or confidentiality agreement. The bill further prohibits a school district from imposing conditions on employment to circumvent this prohibition. (Section [3](#)).

Subject to the Governor’s veto powers, the effective date of the bill is July 1, 2026. (Section [4](#)).

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [District School Boards](#)

District school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school districts. The Florida Constitution mandates that each school board shall operate, control, and supervise all free public schools within the district and determine the rate of school district taxes within constitutional limits.<sup>2</sup> District school boards are responsible for establishing, organizing, and operating public K-12 schools and educational programs, as well as overseeing district employees and facilities. These responsibilities include, among others, student instruction, exceptional student education, career and adult education programs, and services for students in juvenile justice programs.<sup>3</sup>

#### [District School Board Powers and Duties](#)

Florida law requires each board to perform duties and exercise those responsibilities that are assigned to it by law, State Board of Education rule, or the Commissioner of Education (commissioner), as well as those that it may find necessary for the improvement of the district school system in carrying out the purposes and objectives of the education code.<sup>4</sup> In carrying out its responsibilities, a district school board acts as the district’s governing body and is responsible for, among other duties, establishing, organizing, and operating schools;<sup>5</sup> adopting districtwide school programs;<sup>6</sup> overseeing finances and budgets;<sup>7</sup> maintaining official records;<sup>8</sup> and ensuring transparency and accountability in district operations.<sup>9</sup>

Each district school board must require the district school superintendent, acting as secretary to the board, to keep minutes and records as are necessary to clearly describe all actions and proceedings of the school board.<sup>10</sup> The minutes of each meeting must be reviewed, corrected if necessary, and approved, and must be maintained as a

<sup>2</sup> Art. IX s. 4(b), Fla. Const.; section [1001.32\(2\), F.S.](#)

<sup>3</sup> Section [1003.02, F.S.](#)

<sup>4</sup> Section [1001.41\(5\), F.S.](#)

<sup>5</sup> Section [1001.42\(4\), F.S.](#)

<sup>6</sup> Section [1001.42\(3\), F.S.](#)

<sup>7</sup> Section [1001.42\(12\), F.S.](#)

<sup>8</sup> Section [1001.42\(13\), F.S.](#)

<sup>9</sup> See ss. [1001.42\(18\), \(17\), \(15\), and \(25\), F.S.](#)

<sup>10</sup> Section [1001.42\(1\)\(a\), F.S.](#)

public record in a permanent location. The minutes must show the vote of each member present on all matters on which the district school board takes action.<sup>11</sup>

[District School Board Authority Over Public School Personnel](#)

Consistent with its role as the governing authority of the district, a district school board is also responsible for personnel matters, including designating positions to be filled, prescribing qualifications for those positions, and providing for the appointment and compensation of district employees.

District school boards must act upon written recommendations submitted by the district school superintendent for positions to be filled, for minimum qualifications for personnel for the various positions, and for the persons nominated to fill such positions. The district school board may reject for good cause any employee nominated.<sup>12</sup> If the third nomination by the district school superintendent for any position is rejected for good cause, the district school board may proceed on its own motion to fill such position.<sup>13</sup>

**RECENT LEGISLATION:**

YEAR	BILL #/SUBJECT	HOUSE/ <i>SENATE</i> SPONSOR(S)	OTHER INFORMATION
2024	<a href="#">CS/SB 7002</a> - Deregulation of Public Schools	Rizo/ <i>Hutson</i>	This bill became law on July 1, 2024.

<sup>11</sup> Section [1001.42\(1\)\(b\), F.S.](#)

<sup>12</sup> Section 1012.22(1)(a), F.S.

<sup>13</sup> *Id.*