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CS/HB 1073, Engrossed 2

2026 Legislature

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 2 An act relating to public education; creating s.
 3 1001.366, F.S.; providing members of a district school
 4 board with specified rights; amending s. 1001.42,
 5 F.S.; requiring that certain documents from district
 6 school board meetings be kept as public records;
 7 amending s. 1012.22, F.S.; defining the term "good
 8 cause"; providing that a school district employee may
 9 not be required or incentivized to sign a
 10 nondisclosure agreement or confidentiality agreement;
 11 prohibiting a school district from imposing certain
 12 conditions on employment; providing an effective date.

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

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 16 Section 1. Section 1001.366, Florida Statutes, is created
 17 to read:

18 1001.366 District School Board Members' Bill of Rights.—A
 19 member of a district school board has the right to:

20 (1) Upon request, be given free and timely access to all
 21 school district documents necessary to fulfill the duties and
 22 responsibilities required under the State Constitution and the
 23 Florida Early Learning-20 Education Code. Access to documents
 24 that are confidential or exempt from public disclosure must be
 25 provided in compliance with applicable law. A request not

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26 related to a matter on a publicly noticed meeting of the
 27 district school board must be fulfilled within 10 business days
 28 after receipt of such request. Any document provided to a
 29 district school board member must be offered to all board
 30 members.

31 (2) Consult with the school district's chief financial
 32 officer on general matters related to the budget and sources and
 33 uses of school district funds, and have reasonable access, upon
 34 request, to any detail or line item in any proposed or approved
 35 budget or in any financial transaction by the school district.

36 (3) Request any document or information, except for
 37 documents or information that the member would be prohibited by
 38 law from accessing, from school district staff with the
 39 permission of the superintendent or other members of the
 40 administration where such permission may not be unreasonably
 41 withheld.

42 (4) Comment publicly during or outside of district school
 43 board meetings on any matter of district school board business,
 44 except for student and employee disciplinary hearings that are
 45 specifically addressed in ss. 1006.07 and 1012.34, respectively,
 46 or other matters prohibited by law.

47 Section 2. Paragraph (c) is added to subsection (1) of
 48 section 1001.42, Florida Statutes, to read:

49 1001.42 Powers and duties of district school board.—The
 50 district school board, acting as a board, shall exercise all

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51 powers and perform all duties listed below:

52 (1) REQUIRE MINUTES AND RECORDS TO BE KEPT.—Require the
 53 district school superintendent, as secretary, to keep such
 54 minutes and records as are necessary to set forth clearly all
 55 actions and proceedings of the school board.

56 (c) Other records.—Other documents, including attachments
 57 for agenda items, such as vendor contracts or budget documents,
 58 must be kept as a public record with the minutes of each
 59 meeting.

60 Section 3. Paragraph (a) of subsection (1) of section
 61 1012.22, Florida Statutes, is amended, and paragraph (k) is
 62 added to that subsection, to read:

63 1012.22 Public school personnel; powers and duties of the
 64 district school board.—The district school board shall:

65 (1) Designate positions to be filled, prescribe
 66 qualifications for those positions, and provide for the
 67 appointment, compensation, promotion, suspension, and dismissal
 68 of employees as follows, subject to the requirements of this
 69 chapter:

70 (a) *Positions, qualifications, and appointments.—*

71 1. The district school board shall act upon written
 72 recommendations submitted by the district school superintendent
 73 for positions to be filled, for minimum qualifications for
 74 personnel for the various positions, and for the persons
 75 nominated to fill such positions.

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76 2. The district school board may reject for good cause any
77 employee nominated.

78 3. If the third nomination by the district school
79 superintendent for any position is rejected for good cause, if
80 the district school superintendent fails to submit a nomination
81 for initial employment within a reasonable time as prescribed by
82 the district school board, or if the district school
83 superintendent fails to submit a nomination for reemployment
84 within the time prescribed by law, the district school board may
85 proceed on its own motion to fill such position.

86 4. The district school board's decision to reject a
87 person's nomination does not give that person a right of action
88 to sue over the rejection and may not be used as a cause of
89 action by the nominated employee.

90 5. For the purposes of this paragraph, the term "good
91 cause" means the district school board has determined any of the
92 following:

93 a. That the nominated employee fabricated or materially
94 exaggerated his or her credentials or background.

95 b. That the nominated employee does not meet the minimum
96 requirements for the position.

97 c. That the nominated employee's educator certificate has
98 been revoked by another state.

99 (k) Nondisclosure or confidentiality.—A school district
100 employee may not be required or otherwise incentivized to sign a

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101 | nondisclosure agreement or confidentiality agreement. A school
102 | district may not impose conditions on employment to circumvent
103 | this paragraph.

104 | Section 4. This act shall take effect July 1, 2026.