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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2026	.	
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The Committee on Judiciary (Leek) recommended the following:

**Senate Substitute for Amendment (875772) (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

1001.366 District School Board Members' Bill of Rights.-

(1) The Legislature finds it necessary to adopt a "District  
School Board Members' Bill of Rights" to clarify and expand the  
rights of individual school board members in the exercise of



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their statutory oversight and responsibility.

(2) A member of a district school board has the right to:

(a)1. Upon request, be given free and timely access to all school district documents, except for documents that the member would be prohibited by law from accessing. Access must include documents that are not public records, including, but not limited to, notes, invoices, correspondences, memoranda, and internal legal opinions.

2. Request any document or information from the district school superintendent or the superintendent's staff, except for documents or information that the member would be prohibited by law from accessing.

(b) 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.

(c) Seek information from school district staff without the permission of the superintendent or other members of the administration.

(d) Confidentially use any school district electronic or communications device, such as a cellular telephone or laptop computer, without the school district monitoring its use. This paragraph may not be construed to violate any public records law.

(e) Keep confidential the content of all communications or discussions relating to union contracts of school district employees, unless otherwise advised by an attorney employed by



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41 the school district.

42 (f) 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 (3) In any legal action brought against an individual  
47 school board member related to his or her official position and  
48 conduct, the school board may authorize an attorney, who is  
49 employed by the school district, to provide legal  
50 representation.

51 Section 2. Subsection (5) is added to section 1001.372,  
52 Florida Statutes, to read:

53 1001.372 District school board meetings.—

54 (5) COMMUNICATIONS ABOUT AGENDA ITEMS.—A member of the  
55 district school board may have communications or discussions  
56 relating to any item or action scheduled to be heard or likely  
57 to be heard at a future school board meeting with the district  
58 school superintendent, an attorney employed by the school  
59 district, or district staff, if an attorney employed by the  
60 school district pursuant to s. 1001.42(5)(c) has advised the  
61 school board member that such communications or discussions  
62 would not violate s. 24(b), Art. I of the State Constitution.

63 Section 3. Subsection (6) of section 1001.42, Florida  
64 Statutes, is amended, paragraph (c) is added to subsection (1)  
65 of that section, paragraph (c) is added to subsection (5) of  
66 that section, and paragraph (c) is added to subsection (24) of  
67 that section, to read:

68 1001.42 Powers and duties of district school board.—The  
69 district school board, acting as a board, shall exercise all



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powers and perform all duties listed below:

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

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

(5) PERSONNEL.—

(c) During a regular school board meeting, approve the employment of an additional attorney, to be employed by the school district solely to represent the district school board, who was recommended for employment by an attorney currently employed by the school district. During the meeting, the district school board must provide both of the following:

1. The purpose of hiring an additional attorney.
2. The costs of such representation. Any payment to the additional attorney must be noticed and approved by the district school board.

(6) STANDARDS OF ETHICAL CONDUCT.—Adopt policies establishing standards of ethical conduct for educational support employees, instructional personnel, administrative personnel, and school officers. The policies must require all educational support employees, instructional personnel, administrative personnel, and school officers, as defined in s. 1012.01, to complete training on the standards, including training for school officers in compliance with s. 24(b), Art. I of the State Constitution; establish the duty of educational



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support employees, instructional personnel, administrative personnel, and school officers to report, and procedures for reporting, alleged misconduct by other educational support employees, instructional or administrative personnel, and school officers which affects the health, safety, or welfare of a student, including misconduct that involves engaging in or soliciting sexual, romantic, or lewd conduct with a student; require the district school superintendent to report to law enforcement misconduct by educational support employees, instructional personnel, or school administrators that would result in disqualification from educator certification or employment as provided in s. 1012.315; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees or personnel, may not enter into a confidentiality agreement regarding terminated or dismissed educational support employees, instructional or administrative personnel, or school officers who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide educational support employees, instructional personnel, administrative personnel, or school officers with employment references or discuss the employees', personnel's, or officers' performance with prospective employers in another educational setting, without disclosing the employees', personnel's, or officers' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by educational support employees, instructional personnel, administrative personnel, or school officers which affects the health, safety, or welfare of a



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

(24) EMPLOYMENT CONTRACTS.—

(c) A school board member may not publicly disclose proposed terms of collective bargaining agreements unless advised by an attorney employed pursuant to paragraph (5)(c).

Section 4. Paragraph (a) of subsection (2) of section 1011.035, Florida Statutes, is amended to read:

1011.035 School district fiscal transparency.—

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and includes:

(a) Graphical representations, for each public school within the district and for the school district, of the following:

1. Summary financial efficiency data.

2. Fiscal trend information for the previous 3 years on:

a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.

b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.

c. The total operating expenditures per full-time equivalent student.

d. The total instructional expenditures per full-time equivalent student.

e. The general administrative expenditures as a percentage of total budget.

f. The rate of change in the general fund's ending fund



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balance not classified as restricted.

g. Full line-item budget items.

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

Section 5. Paragraph (a) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

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

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

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

1. The district school board shall 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.

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

3. If the third nomination by the district school superintendent for any position is rejected for good cause, if the district school superintendent fails to submit a nomination for initial employment within a reasonable time as prescribed by the district school board, or if the district school superintendent fails to submit a nomination for reemployment



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within the time prescribed by law, the district school board may proceed on its own motion to fill such position.

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

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

a. That the nominated employee received his or her nomination due to nepotism, as defined by the district school board.

b. That the nominated employee fabricated or materially exaggerated his or her credentials or background.

c. That the nominated employee does not meet the minimum requirements for the position.

d. That the nominated employee's educator certificate has been revoked by another state.

Section 6. Subsection (1) of section 1015.03, Florida Statutes, is amended to read:

1015.03 Rights of employment.—

(1)(a) Pursuant to s. 447.301 and s. 6., Art. I of the State Constitution, the right of public employees, including teachers, to work may not be denied or abridged on account of membership or nonmembership in any labor union.

(b) A school district employee may not be required or otherwise incentivized to sign a nondisclosure agreement or confidentiality agreement. A school district may not impose conditions on employment to circumvent this paragraph.





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Section 7. This act shall take effect July 1, 2026.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to public education; creating s.  
1001.366, F.S.; providing legislative findings;  
providing members of a district school board with  
specified rights; authorizing an attorney employed by  
the school district to represent school board member  
under certain circumstances; providing an exception;  
amending s. 1001.372, F.S.; authorizing a district  
school board to have specified discussions after being  
advised by an attorney; amending s. 1001.42, F.S.;  
requiring that certain documents from district school  
board meetings be kept as public records; providing  
that a district school board has the power to approve  
an additional attorney to be employed by the school  
district; providing requirements for such approval;  
requiring school officers to receive specified  
training; prohibiting a school board member from  
publicly disclosing proposed terms of a collective  
bargaining agreement unless advised by an attorney;  
amending s. 1011.035, F.S.; requiring that full line-  
item budget items be posted on a school district's  
website; amending s. 1012.22, F.S.; defining the term  
"good cause"; amending s. 1015.03, F.S.; providing



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244       that a school district employee may not be required or  
245       incentivized to sign a nondisclosure agreement or  
246       confidentiality agreement; prohibiting a school  
247       district from imposing certain conditions on  
248       employment; providing an effective date.