



LEGISLATIVE ACTION

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

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

3 Delete everything after the enacting clause
4 and insert:

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

7 1001.366 District School Board Members' Bill of Rights.—

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



12 their statutory oversight and responsibility.

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

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

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

24 (b) Consult with the school district's chief financial
25 officer on general matters related to the budget, and sources
26 and uses of school district funds, and have reasonable access,
27 upon request, to any detail or line item in any proposed or
28 approved budget or in any financial transaction by the school
29 district.

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

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

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



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



70 powers and perform all duties listed below:

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

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

79 (5) PERSONNEL.—

80 (c) During a regular school board meeting, approve the
81 employment of an additional attorney, to be employed by the
82 school district solely to represent the district school board,
83 who was recommended for employment by an attorney currently
84 employed by the school district. During the meeting, the
85 district school board must provide both of the following:
86 1. The purpose of hiring an additional attorney.
87 2. The costs of such representation. Any payment to the
88 additional attorney must be noticed and approved by the district
89 school board.

90 (6) STANDARDS OF ETHICAL CONDUCT.—Adopt policies
91 establishing standards of ethical conduct for educational
92 support employees, instructional personnel, administrative
93 personnel, and school officers. The policies must require all
94 educational support employees, instructional personnel,
95 administrative personnel, and school officers, as defined in s.
96 1012.01, to complete training on the standards, including
97 training for school officers in compliance with s. 24(b), Art. I
98 of the State Constitution; establish the duty of educational



600808

99 support employees, instructional personnel, administrative
100 personnel, and school officers to report, and procedures for
101 reporting, alleged misconduct by other educational support
102 employees, instructional or administrative personnel, and school
103 officers which affects the health, safety, or welfare of a
104 student, including misconduct that involves engaging in or
105 soliciting sexual, romantic, or lewd conduct with a student;
106 require the district school superintendent to report to law
107 enforcement misconduct by educational support employees,
108 instructional personnel, or school administrators that would
109 result in disqualification from educator certification or
110 employment as provided in s. 1012.315; and include an
111 explanation of the liability protections provided under ss.
112 39.203 and 768.095. A district school board, or any of its
113 employees or personnel, may not enter into a confidentiality
114 agreement regarding terminated or dismissed educational support
115 employees, instructional or administrative personnel, or school
116 officers who resign in lieu of termination, based in whole or in
117 part on misconduct that affects the health, safety, or welfare
118 of a student, and may not provide educational support employees,
119 instructional personnel, administrative personnel, or school
120 officers with employment references or discuss the employees',
121 personnel's, or officers' performance with prospective employers
122 in another educational setting, without disclosing the
123 employees', personnel's, or officers' misconduct. Any part of an
124 agreement or contract that has the purpose or effect of
125 concealing misconduct by educational support employees,
126 instructional personnel, administrative personnel, or school
127 officers which affects the health, safety, or welfare of a



600808

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

130 (24) EMPLOYMENT CONTRACTS.—

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

134 Section 4. Paragraph (a) of subsection (2) of section
135 1011.035, Florida Statutes, is amended to read:

136 1011.035 School district fiscal transparency.—

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

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

144 1. Summary financial efficiency data.

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

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

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

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

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

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

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



600808

157 balance not classified as restricted.

158 g. Full line-item budget items.

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

163 Section 5. Paragraph (a) of subsection (1) of section
164 1012.22, Florida Statutes, is amended to read:

165 1012.22 Public school personnel; powers and duties of the
166 district school board.—The district school board shall:

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

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

173 1. The district school board shall act upon written
174 recommendations submitted by the district school superintendent
175 for positions to be filled, for minimum qualifications for
176 personnel for the various positions, and for the persons
177 nominated to fill such positions.

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

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



600808

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

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

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

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

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

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

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

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

206 1015.03 Rights of employment.—

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

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



600808

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

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

218 And the title is amended as follows:

219 Delete everything before the enacting clause
220 and insert:

221 A bill to be entitled

222 An act relating to public education; creating s.
223 1001.366, F.S.; providing legislative findings;
224 providing members of a district school board with
225 specified rights; authorizing an attorney employed by
226 the school district to represent school board member
227 under certain circumstances; providing an exception;
228 amending s. 1001.372, F.S.; authorizing a district
229 school board to have specified discussions after being
230 advised by an attorney; amending s. 1001.42, F.S.;
231 requiring that certain documents from district school
232 board meetings be kept as public records; providing
233 that a district school board has the power to approve
234 an additional attorney to be employed by the school
235 district; providing requirements for such approval;
236 requiring school officers to receive specified
237 training; prohibiting a school board member from
238 publicly disclosing proposed terms of a collective
239 bargaining agreement unless advised by an attorney;
240 amending s. 1011.035, F.S.; requiring that full line-
241 item budget items be posted on a school district's
242 website; amending s. 1012.22, F.S.; defining the term
243 "good cause"; amending s. 1015.03, F.S.; providing



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.