

CHAPTER 2026-73

Committee Substitute for House Bill No. 1073

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

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

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

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

(1) 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.

(2) 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.

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

(4) 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 that are specifically addressed in ss. 1006.07 and 1012.34, respectively, or other matters prohibited by law.

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

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

Section 3. Paragraph (a) of subsection (1) of section 1012.22, Florida Statutes, is amended, and paragraph (k) is added to that subsection, 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 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 fabricated or materially exaggerated his or her credentials or background.

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

c. That the nominated employee's educator certificate has been revoked by another state.

(k) *Nondisclosure or confidentiality.*—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.

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

Approved by the Governor May 11, 2026.

Filed in Office Secretary of State May 11, 2026.