

1                                   A bill to be entitled  
 2       An act relating to public K-12 education; amending s.  
 3       1001.42, F.S., relating to powers and duties of district  
 4       school boards; providing a requirement relating to the  
 5       opening date of the school year; amending s. 1011.60,  
 6       F.S.; including the opening date requirement for  
 7       participation in the Florida Education Finance Program;  
 8       providing an effective date.

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

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12           Section 1. Paragraph (f) of subsection (4) of section  
 13   1001.42, Florida Statutes, is amended to read:

14           1001.42 Powers and duties of district school board.--The  
 15   district school board, acting as a board, shall exercise all  
 16   powers and perform all duties listed below:

17           (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF  
 18   SCHOOLS.--Adopt and provide for the execution of plans for the  
 19   establishment, organization, and operation of the schools of the  
 20   district, including, but not limited to, the following:

21           (f) Opening and closing of schools; fixing uniform  
 22   date.--Adopt policies for the opening and closing of schools and  
 23   fix uniform dates provided that the opening date of the school  
 24   year for schools in the district shall be no earlier than 7 days  
 25   before Labor Day each year.

26           Section 2. Subsection (2) of section 1011.60, Florida  
 27   Statutes, is amended to read:

28 1011.60 Minimum requirements of the Florida Education  
29 Finance Program.--Each district which participates in the state  
30 appropriations for the Florida Education Finance Program shall  
31 provide evidence of its effort to maintain an adequate school  
32 program throughout the district and shall meet at least the  
33 following requirements:

34 (2) MINIMUM TERM AND OPENING DATE.--Operate all schools  
35 for a term of at least 180 actual teaching days or the  
36 equivalent on an hourly basis as specified by rules of the State  
37 Board of Education each school year provided that the opening  
38 date of the term shall be no earlier than 7 days before Labor  
39 Day each year. The State Board of Education may prescribe  
40 procedures for altering, and, upon written application, may  
41 alter, this requirement during a national, state, or local  
42 emergency as it may apply to an individual school or schools in  
43 any district or districts if, in the opinion of the board, it is  
44 not feasible to make up lost days, and the apportionment may, at  
45 the discretion of the Commissioner of Education and if the board  
46 determines that the reduction of school days is caused by the  
47 existence of a bona fide emergency, be reduced for such district  
48 or districts in proportion to the decrease in the length of term  
49 in any such school or schools. A strike, as defined in s.  
50 447.203(6), by employees of the school district may not be  
51 considered an emergency.

52 Section 3. This act shall take effect July 1, 2006.