

CHAMBER ACTION

1 The PreK-12 Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to public K-12 education; amending s.
7 1001.42, F.S., relating to powers and duties of district
8 school boards; providing a requirement relating to the
9 opening date of the school year; amending s. 1011.60,
10 F.S.; including the opening date requirement for
11 participation in the Florida Education Finance Program;
12 providing applicability beginning with the 2007-2008
13 school year unless decision is made to apply beginning
14 with the 2006-2007 school year; providing an effective
15 date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (f) of subsection (4) of section
20 1001.42, Florida Statutes, is amended to read:

21 1001.42 Powers and duties of district school board.--The
22 district school board, acting as a board, shall exercise all
23 powers and perform all duties listed below:

HB 177

2006
CS

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

28 (f) Opening and closing of schools; fixing uniform
29 date.--Adopt policies for the opening and closing of schools and
30 fix uniform dates provided that the opening date of the school
31 year for schools in the district shall be no earlier than 7 days
32 before Labor Day each year.

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

35 1011.60 Minimum requirements of the Florida Education
36 Finance Program.--Each district which participates in the state
37 appropriations for the Florida Education Finance Program shall
38 provide evidence of its effort to maintain an adequate school
39 program throughout the district and shall meet at least the
40 following requirements:

41 (2) MINIMUM TERM AND OPENING DATE.--Operate all schools
42 for a term of at least 180 actual teaching days or the
43 equivalent on an hourly basis as specified by rules of the State
44 Board of Education each school year provided that the opening
45 date of the term shall be no earlier than 7 days before Labor
46 Day each year. The State Board of Education may prescribe
47 procedures for altering, and, upon written application, may
48 alter, this requirement during a national, state, or local
49 emergency as it may apply to an individual school or schools in
50 any district or districts if, in the opinion of the board, it is
51 not feasible to make up lost days, and the apportionment may, at

HB 177

2006
CS

52 | the discretion of the Commissioner of Education and if the board
53 | determines that the reduction of school days is caused by the
54 | existence of a bona fide emergency, be reduced for such district
55 | or districts in proportion to the decrease in the length of term
56 | in any such school or schools. A strike, as defined in s.
57 | 447.203(6), by employees of the school district may not be
58 | considered an emergency.

59 | Section 3. The amendments to ss. 1001.42(4)(f) and
60 | 1011.60(2), Florida Statutes, by this act shall apply to school
61 | years beginning with the 2007-2008 school year unless a district
62 | school board decides to make such provisions applicable
63 | beginning with the 2006-2007 school year.

64 | Section 4. This act shall take effect upon becoming a law.