

By Senator Margolis

35-408-06

See HB 177

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A bill to be entitled

An act relating to public K-12 education;
amending s. 1001.42, F.S., relating to powers
and duties of district school boards; providing
a requirement relating to the opening date of
the school year; amending s. 1011.60, F.S.;
including the opening date requirement for
participation in the Florida Education Finance
Program; providing an effective date.

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

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

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

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

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

1011.60 Minimum requirements of the Florida Education
Finance Program.--Each district which participates in the
state appropriations for the Florida Education Finance Program

1 shall provide evidence of its effort to maintain an adequate
2 school program throughout the district and shall meet at least
3 the following requirements:

4 (2) MINIMUM TERM AND OPENING DATE.--Operate all
5 schools for a term of at least 180 actual teaching days or the
6 equivalent on an hourly basis as specified by rules of the
7 State Board of Education each school year provided that the
8 opening date of the term shall be no earlier than 7 days
9 before Labor Day each year. The State Board of Education may
10 prescribe procedures for altering, and, upon written
11 application, may alter, this requirement during a national,
12 state, or local emergency as it may apply to an individual
13 school or schools in any district or districts if, in the
14 opinion of the board, it is not feasible to make up lost days,
15 and the apportionment may, at the discretion of the
16 Commissioner of Education and if the board determines that the
17 reduction of school days is caused by the existence of a bona
18 fide emergency, be reduced for such district or districts in
19 proportion to the decrease in the length of term in any such
20 school or schools. A strike, as defined in s. 447.203(6), by
21 employees of the school district may not be considered an
22 emergency.

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