

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

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16 Be It Enacted by the Legislature of the State of Florida:
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18 Section 1. Paragraph (f) of subsection (4) of section
19 1001.42, Florida Statutes, is amended to read:

20 1001.42 Powers and duties of district school
21 board.--The district school board, acting as a board, shall
22 exercise all powers and perform all duties listed below:

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

27 (f) Opening and closing of schools; fixing uniform
28 date.--Adopt policies for the opening and closing of schools
29 and fix uniform dates provided that the opening date of the
30 school year for schools in the district shall be no earlier
31 than 14 days before Labor Day each year.

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

3 1011.60 Minimum requirements of the Florida Education
4 Finance Program.--Each district which participates in the
5 state appropriations for the Florida Education Finance Program
6 shall provide evidence of its effort to maintain an adequate
7 school program throughout the district and shall meet at least
8 the following requirements:

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

28 Section 3. The amendments to ss. 1001.42(4)(f) and
29 1011.60(2), Florida Statutes, made by this act shall apply to
30 school years beginning with the 2007-2008 school year unless a
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1 district school board decides to make such provisions
2 applicable beginning with the 2006-2007 school year.

3 Section 4. This act shall take effect July 1, 2006.
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