

**Constitution Revision Commission  
Education Committee  
Proposal Analysis**

(This document is based on the provisions contained in the proposal as of the latest date listed below.)

Proposal #: P 82

Relating to: EDUCATION, School districts; school boards; Section 4 of Article IX of the State Constitution to provide a limitation as to the opening date for schools set by a school board.

Introducer(s): Commissioner Heuchan

Article/Section affected: Article IX, section 4

Date: January 24, 2018

	REFERENCE	ACTION
1.	<u>ED</u>	<u><b>Pre-meeting</b></u>
2.	<u>                    </u>	<u>                    </u>

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**I. SUMMARY:**

The proposal amends Section 4 of Article IX of the Florida Constitution to provide a limitation as to the opening date for schools set by a school board. The limitation requires that school districts do not open schools earlier than seven days before Labor Day each year.

**II. SUBSTANTIVE ANALYSIS:**

**A. PRESENT SITUATION:**

Presently, the Florida Constitution does not include any provision addressing the beginning date for schools.

Florida statute outlines the powers of school boards and requires the school boards to establish dates for opening and closing of schools<sup>1</sup>. Current law prohibits districts from beginning before August 10<sup>th</sup>. This prohibition was adopted by the legislation in 2015. Before that, and beginning in 2006, statutory law prevented school boards from beginning school more than 14 days before Labor Day, which allowed schools to begin later. In the past, opening day had been left to each school board to establish.

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<sup>1</sup> Section 1001.42, F.S.

When public education started in the 1800s, school calendars varied. Generally, schools in cities were open almost year-round; rural schools were open for only five months and closed in the fall and spring so that students could help with harvesting and planting of crops. In the late 1800s, schools eliminated the summer term, due in part to financial shortfalls and a concern for the professionalism of teachers. By the early 20<sup>th</sup> century, most schools started after Labor Day and ended in June. However, by the mid-1990s, schools began earlier start dates in August.<sup>2</sup>

These are current considerations school districts and their local communities discuss when developing school district calendars<sup>3</sup>:

- Designing instructional calendar to finish first semester before holiday break.
- Alignment with college and university schedules.
- Finishing the school year before Memorial Day.
- Maximum preparation time for national assessments (AP, IB, AICE).
- Flexibility for emergency makeup days.
- Uniform statewide pre-planning time.
- Impact on school choice options.
- High mobility rates and students/teachers coming from other states that may start earlier or later.
- Family vacation plans and tourism industry.

## **B. EFFECT OF PROPOSED CHANGES:**

The proposal amends Section 4 of Article IX of the Florida Constitution to provide a limitation as to the opening date for schools set by a school board. The limitation requires that school districts do not open schools earlier than seven days before Labor Day each year.

The impact on the educational system is indeterminate; however, it does not allow for the flexible progression of educational best practices. The proposal limits the ability of the legislature to establish start dates more than seven days before Labor Day. It also limits the ability of the legislature to provide more local control over school start dates.

## **C. FISCAL IMPACT:**

None.

## **III. Additional Information:**

### **A. Statement of Changes:**

(Summarizing differences between the current version and the prior version of the proposal.)

None.

<sup>2</sup> School's In: The History of Summer Education in American Public Schools, Kenneth Gold

<sup>3</sup> CRC Education Committee presentation by Florida Department of Education December 14, 2017, <https://www.flerc.gov/Committees/ED/Meeting%20Packet/116> (last visited 1/24/2018)

**B.** Amendments:

None.

**C.** Technical Deficiencies:

None.

**D.** Related Issues:

None.