

David L. Owens
Superintendent of Schools

SCHOOL DISTRICT OF CLAY COUNTY

900 Walnut Street
Green Cove Springs, Florida 32043

Telephones:

904/284-6500 (GCS) 904/272-8100 (OP)
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BOARD MEMBERS:

Carol Vallencourt
District 1

Carol Studdard
District 2

Charles Van Zant, Jr.
District 3

Wayne Bolla
District 4

Lisa Graham
District 5

September 19, 2008

Commissioner Eric Smith
325 West Gaines Street
Tallahassee, Florida 32399-0400

Dear Commissioner Smith:

On August 21 and 22, 2008, I utilized my authority under Florida Statutes 1001.51(6) to cancel two (2) days of school for all students in Clay County due to Tropical Storm Fay.

Attached, for your review and action, is a Board agenda item approved by the Clay County School Board on September 18, 2008 in which the Board requests that you utilize your authority under Florida State Board Rule 6A-1.09533 Minimum School Term, Emergencies to waive two (2) days of the 180 student requirement. As you know, this State Board Rule allows you to grant this waiver as long as the affected students receive net instructional time equal to or in excess of 900 hours.

All students in the Clay County School System will receive in excess of 900 hours of instruction during the remaining 178 days.

Please let me know, at your earliest convenience, if you would assist us by granting this waiver for the Clay County Schools.

I appreciate your cooperation in this matter.

Sincerely,

David L. Owens
Superintendent of Schools

DLO:lc
Enclosure



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Superintendent of Schools

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CONFIRMATION

The Clay County School Board, in session on Thursday, September 18, 2008, approved the Superintendent's recommendation to request your approval for a waiver of two (2) days (August 21 and 22, 2008) of the 180 student requirement due to conditions created by Tropical Storm Fay. All students in Clay County Schools will receive in excess of 900 hours of instruction during the remaining 178 days.

Chairman, Clay County School Board
September 18, 2008

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

T. WILLARD FAIR, *Chairman*

Members

DR. AKSHAY DESAI

ROBERTO MARTÍNEZ

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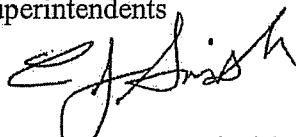
Dr. Eric J. Smith
Commissioner of Education



August 28, 2008

MEMORANDUM

TO: District School Superintendents

FROM: Dr. Eric J. Smith 

SUBJECT: School Closures as a Result of Tropical Storm Fay

The 2008-09 school year certainly began with the usual challenges and the less-than-usual experience of Tropical Storm Fay. Many school districts were forced to deal with the opening of shelters, flood conditions, power outages, and other issues which resulted in school closures throughout the state of up to four days. Because this emergency condition occurred early in the school year, I recommend that districts utilize existing flexibility in the school calendars to make up the instructional days that were missed by students.

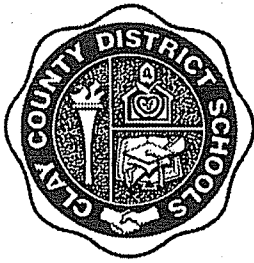
Although State Board Rule 6A-1.09533, FAC., and Section 1011.60(2), F.S., grant authority for the waiver of up to three days of the required 180 days of instruction for emergencies, it is advisable to delay use of this provision as it may be needed later in the school year. Please feel free to contact me if you have questions.

6A-1.09533 Minimum School Term, Emergencies. The Commissioner of Education will consider written requests by district school boards to reduce the length of the school term in case of national, state or local emergencies pursuant to Section 232.02(2), Florida Statutes, and Rule 6A-1.09533, FAC, with or without a proportionate reduction in funding, only if one (1) of the following conditions exist:

(1) No teacher planning days, excluding a maximum of three (3) post school planning days, remain in the official school year calendar as approved by the district school board, and no school holidays, other than authorized national or state holidays, remain in the official school year calendar as approved by the district school board or

(2) The Commissioner may reduce the school term up to a maximum of three (3) school days, for one (1) or more schools provided the net instructional time scheduled to be provided by a school for the school year as defined in Section 1000.01, Florida Statutes, minus the hours scheduled for each day classified as a national, state or local emergency, equals or exceeds nine hundred (900) hours.

Specific Authority 229.053(1), 236.02(2) F.S. Law Implemented 120.53, 228.041(16), 236.02(2) F.S. History - New 10-23-79, Formerly 6A-1.9533, Amended 7-5-88.



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September 18, 2008

To Whom It May Concern:

In September, 1999, the Clay County School Board increased the net instructional time by 12 minutes (2 minutes per 6 periods) each day. The same schedules and net hours remain in 2008-2009.

	52	minutes
	<u>X 6</u>	periods
	312	minutes per day
<u>X176</u>		remaining days (missed 4 days)
54,912		total yearly minutes
<u>÷ 60</u>		minutes EQUALS
915.2		hours

(More than 2 school days above the minimum 900 net hours of instruction)

A handwritten signature in cursive script that reads "Denise W. Adams".

Denise W. Adams, Deputy Supt.

DWA:lc