

HOUSE BILL No. 4636

April 24, 2007, Introduced by Rep. Robertson and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1284b (MCL 380.1284b), as amended by 2006 PA
235.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1284b. (1) Until subsection (2) applies to the school
2 district, public school academy, or intermediate school district,
3 the board of a school district or intermediate school district or
4 board of directors of a public school academy shall ensure that the
5 district's or public school academy's schools are not in session on
6 the Friday before Labor day.

7 (2) Except as otherwise provided in this section, the board of
8 a school district or intermediate school district or board of
9 directors of a public school academy shall ensure that the

1 district's or public school academy's school year does not begin
2 before Labor day.

3 (3) If a collective bargaining agreement that provides a
4 complete school calendar is in effect for employees of a school
5 district, public school academy, or intermediate school district as
6 of ~~the effective date of the amendatory act that added subsection~~
7 ~~(2)~~ **SEPTEMBER 29, 2005**, and if that school calendar is not in
8 compliance with subsection (2), then subsection (2) does not apply
9 to that school district, public school academy, or intermediate
10 school district until after the expiration of that collective
11 bargaining agreement.

12 (4) If a school district, intermediate school district, or
13 public school academy is operating a year-round school or program
14 as of September 29, 2005 or is operating as of that date a school
15 that is an international baccalaureate academy that provides 1,160
16 hours of pupil instruction per school year, then subsection (2)
17 does not apply to that school or program. If a school district,
18 intermediate school district, or public school academy begins
19 operating a year-round school or program after September 29, 2005,
20 the school district, intermediate school district, or public school
21 academy may apply to the superintendent of public instruction for a
22 waiver from the requirements of subsection (2). Upon application,
23 if the superintendent of public instruction determines that a
24 school or program is a bona fide year-round school or program
25 established for educational reasons, the superintendent of public
26 instruction shall grant the waiver. The superintendent of public
27 instruction shall establish standards for determining a bona fide

1 year-round school or program for the purposes of this subsection.

2 (5) If an intermediate school district contracts with a
3 constituent district or public school academy to provide programs
4 or services for pupils of the constituent district or public school
5 academy; operates a program or service within a building owned by a
6 constituent district or a public school academy located within the
7 intermediate school district's boundaries; or otherwise provides
8 instructional programs or services for pupils of a constituent
9 district or public school academy, and if the school district's or
10 public school academy's school year begins before Labor day under
11 subsection (3) or (4), then the intermediate school district may
12 provide programs or services according to the school district's or
13 public school academy's calendar.

14 (6) This section does not apply to a public school that
15 operates all of grades 6 to 12 at a single site, that aligns its
16 high school curriculum with advanced placement courses as the
17 capstone of the curriculum, and that ends its second academic
18 semester concurrently with the end of the advanced placement
19 examination period.

20 **(7) THIS SECTION DOES NOT APPLY TO A PUBLIC SCHOOL THAT DURING**
21 **ITS SCHOOL YEAR HAS A BREAK FROM SCHOOL FOR A PERIOD OF AT LEAST 2**
22 **WEEKS AND THAT DURING THIS BREAK OFFERS ENRICHMENT PROGRAMS FOR ITS**
23 **PUPILS THAT ARE TAUGHT BY CERTIFICATED TEACHERS.**

24 (8) ~~(7)~~—This section does not prohibit a school district,
25 intermediate school district, or public school academy from
26 offering or requiring professional development for its personnel
27 that is conducted before Labor day.

1 (9) ~~(8)~~—As used in this section, "Labor day" means the first
2 Monday in September.