

HOUSE BILL No. 5157

October 19, 2017, Introduced by Rep. Hornberger and referred to the Committee on Education Reform.

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~~ **BEGINNING WITH THE 2018-2019 SCHOOL YEAR, THE** board of a school
4 district or intermediate school district or board of directors of a
5 public school academy shall ensure that ~~the~~ **ALL OF THE FOLLOWING**
6 **ARE MET:**

7 **(A) THE** district's or public school academy's schools are not
8 in session on the Friday before Labor ~~day~~ **DAY.**

1 **(B) THE DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S SCHOOLS ARE NOT**
2 **IN SESSION ON ANY MONDAY OR FRIDAY IN AUGUST.**

3 ~~(2) Except as otherwise provided in this section, the board of~~
4 ~~a school district or intermediate school district or board of~~
5 ~~directors of a public school academy shall ensure that the~~
6 ~~district's or public school academy's school year does not begin~~
7 ~~before Labor day.~~

8 **(2) (3)**—If a collective bargaining agreement that provides a
9 complete school calendar is in effect for employees of a school
10 district, public school academy, or intermediate school district as
11 of the effective date of the amendatory act that added subsection
12 ~~(2)~~, **(1) (B)**, and if that school calendar is not in compliance with
13 subsection ~~(2)~~, **(1)**, then subsection ~~(2)~~ **(1)** does not apply to that
14 school district, public school academy, or intermediate school
15 district until after the expiration of that collective bargaining
16 agreement.

17 **(3) (4)**—If a school district, intermediate school district, or
18 public school academy is operating a year-round school or program
19 ~~as of September 29, 2005 or is operating as of that date a school~~
20 ~~that is an international baccalaureate academy that provides 1,160~~
21 ~~hours of pupil instruction per school year, then subsection (2) (1)~~
22 ~~does not apply to that school or program. If a school district,~~
23 ~~intermediate school district, or public school academy begins~~
24 ~~operating a year-round school or program after September 29, 2005,~~
25 **THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION**
26 **(1) (B)**, the school district, intermediate school district, or
27 public school academy may apply to the superintendent of public

1 instruction for a waiver from the requirements of subsection ~~(2)~~.
2 **(1)**. Upon application, if the superintendent of public instruction
3 determines that a school or program is a bona fide year-round
4 school or program established for educational reasons, the
5 superintendent of public instruction shall grant the waiver. The
6 superintendent of public instruction shall establish standards for
7 determining a bona fide year-round school or program for the
8 purposes of this subsection.

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

21 **(5)** ~~(6)~~—This section does not apply to a public school that
22 operates all of grades 6 to 12 at a single site, that aligns its
23 high school curriculum with advanced placement courses as the
24 capstone of the curriculum, and that ends its second academic
25 semester concurrently with the end of the advanced placement
26 examination period.

27 **(6)** ~~(7)~~—This section does not prohibit a school district,

1 intermediate school district, or public school academy from
2 offering or requiring professional development for its personnel
3 that is conducted before Labor ~~day~~**DAY**.

4 **(7)** ~~(8)~~—As used in this section, "Labor ~~day~~**DAY**" means the
5 first Monday in September.