

**SUBSTITUTE FOR
HOUSE BILL NO. 4369**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1284a (MCL 380.1284a), as added by 2007 PA 101;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1284a. (1) ~~Not later than July 1, 2008, an~~ **An**
2 intermediate school district, in cooperation with its constituent
3 districts, shall adopt a common school calendar to apply to all of
4 its constituent districts and to its intermediate school district
5 programs. The intermediate school district shall post the common
6 school calendar on its website. The common school calendar ~~shall~~
7 **must** meet all of the following:
8 (a) ~~Shall~~ **Must** be in compliance with ~~sections 1284 and~~



1 ~~1284b.~~ **section 1284.**

2 (b) ~~Shall~~ **Must** identify the dates for each school year when
3 school will not be in session for a winter holiday break and a
4 spring break. The common school calendar ~~shall~~ **must** identify these
5 dates specifically for at least the next 5 school years, but may
6 describe these dates more generally for school years thereafter as
7 long as the dates may be readily determined.

8 (2) ~~Beginning with the 2008-2009 school year, except~~ **Except** as
9 otherwise provided in this section, the board of each constituent
10 district and the intermediate school board shall ensure that its
11 school calendar complies with the common school calendar adopted
12 under subsection (1).

13 (3) In addition to the requirements under subsection (1), a
14 common school calendar adopted under subsection (1) is encouraged
15 to identify common dates for professional development days.

16 ~~(4) If a collective bargaining agreement that provides a~~
17 ~~complete school calendar is in effect for employees of a school~~
18 ~~district or intermediate school district as of the effective date~~
19 ~~of this section, and if that school calendar is not in compliance~~
20 ~~with the common school calendar adopted under subsection (1), then~~
21 ~~subsection (2) does not apply to that school district or~~
22 ~~intermediate school district until after the expiration of that~~
23 ~~collective bargaining agreement.~~

24 (4) ~~(5)~~ ~~If as of the effective date of this section~~ **October 1,**
25 **2007** an intermediate school district or school district is
26 operating a year-round school or program or is operating a school
27 that is an international baccalaureate academy that provides 1,160
28 hours of pupil instruction per school year, then subsection (2)
29 does not apply to that school or program. If after ~~the effective~~



1 ~~date of this section~~ **October 1, 2007** an intermediate school
 2 district or school district begins operating a year-round school or
 3 program, the intermediate school district or school district may
 4 apply to the superintendent of public instruction for a waiver from
 5 the requirements of subsection (2) for that school or program. The
 6 application ~~shall~~ **must** be in writing in the form and manner
 7 prescribed by the department and ~~shall~~ **must** provide justification
 8 for the school or program to operate on a calendar that differs
 9 from the common school calendar adopted under subsection (1). Upon
 10 application, if the superintendent of public instruction determines
 11 that a school or program is a bona fide year-round school or
 12 program established for educational reasons and that there is
 13 sufficient justification for the school or program to operate on a
 14 calendar that differs from the common school calendar adopted under
 15 subsection (1), the superintendent of public instruction shall
 16 grant the waiver. The superintendent of public instruction shall
 17 establish standards for determining a bona fide year-round school
 18 or program for the purposes of this subsection.

19 **(5)** ~~(6)~~—If an intermediate school district or school district
 20 is operating or begins operating a school or program on a trimester
 21 schedule, the intermediate school district or school district may
 22 apply to the superintendent of public instruction for a waiver from
 23 the requirements of subsection (2) for that school or program. The
 24 application ~~shall~~ **must** be in writing in the form and manner
 25 prescribed by the department and ~~shall~~ **must** provide justification
 26 for the school or program to operate on a calendar that differs
 27 from the common school calendar adopted under subsection (1). Upon
 28 application, if the superintendent of public instruction determines
 29 that a school or program is operating on a bona fide trimester



1 schedule established for educational reasons and that there is
2 sufficient justification for the school or program to operate on a
3 calendar that differs from the common school calendar adopted under
4 subsection (1), the superintendent of public instruction shall
5 grant the waiver. The superintendent of public instruction shall
6 establish standards for determining a bona fide trimester schedule
7 for the purposes of this subsection.

8 **(6)** ~~(7)~~—This section does not apply to a public school that
9 operates all of grades 6 to 12 at a single site, that aligns its
10 high school curriculum with advanced placement courses as the
11 capstone of the curriculum, and that ends its second academic
12 semester concurrently with the end of the advanced placement
13 examination period.

14 **(7)** ~~(8)~~—In addition to the other exceptions under this
15 section, the superintendent of public instruction may grant a
16 waiver from a requirement under this section for a school district
17 that applies for the waiver in writing in the form and manner
18 prescribed by the superintendent of public instruction and provides
19 sufficient justification for the waiver, as determined by the
20 superintendent of public instruction.

21 **(8)** ~~(9)~~—As used in this section:

22 (a) "Board" means the board of a school district or board of
23 directors of a public school academy.

24 (b) "Constituent district" means a constituent district of the
25 intermediate school district or a public school academy that is
26 located within the boundaries of the intermediate school district
27 and that receives services from the intermediate school district.

28 (c) "School district" means a school district or a public
29 school academy.



1 Enacting section 1. Section 1284b of the revised school code,
2 1976 PA 451, MCL 380.1284b, is repealed.

3 Enacting section 2. This amendatory act takes effect 90 days
4 after the date it is enacted into law.

