

# HOUSE BILL No. 4803

May 17, 2005, Introduced by Reps. Gaffney, Hune, Emmons, Newell, Brown, Gillard, Palsrok, Stahl, Elsenheimer, Brandenburg, Ward, LaJoy, Gosselin, Hansen, Green, Mortimer, Casperson, McDowell, Gleason, Taub, Hoogendyk, Pearce, Meyer, Nofs, Sheen, Bennett, Farhat, Amos, Acciavatti, Walker, Pavlov, Garfield, Palmer, Huizenga, Robertson, Steil, Shaffer, Jones, David Law, Sheltroun and Moore and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1284b (MCL 380.1284b), as amended by 2001 PA  
167.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1284b. (1) ~~Except as otherwise provided in subsection~~  
2 ~~(2)~~ **UNTIL SUBSECTION (2) APPLIES TO THE SCHOOL DISTRICT, PUBLIC**  
3 **SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT,** the board of a  
4 school district ~~, local act school district, public school~~  
5 ~~academy,~~ or intermediate school district **OR BOARD OF DIRECTORS OF**  
6 **A PUBLIC SCHOOL ACADEMY** shall ensure that the district's or public  
7 school academy's schools are not in session on the Friday before  
8 Labor day. ~~As used in this section, "Labor day" means the first~~  
9 ~~Monday in September.~~

House Bill No. 4803 as amended September 20, 2005  
as amended September 20, 2005

1           (2) EXCEPT AS OTHERWISE PROVIDED IN <<SUBSECTIONS (3) AND (4)>> ,  
THE BOARD  
2 OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF  
3 DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE  
4 DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S <<PUPILS ARE NOT REQUIRED TO BEGIN  
A SCHOOL YEAR >>  
5 BEFORE LABOR DAY.

6           (3) ~~—(2)—~~ If a collective bargaining agreement that provides  
7 a complete school calendar is in effect ~~as of May 1, 1999~~ for  
8 employees of a school district, ~~local act school district,~~ public  
9 school academy, or intermediate school district **AS OF THE EFFECTIVE**  
10 **DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2)**, and if that  
11 school calendar is not in compliance with subsection ~~—(1)—~~ (2),  
12 then subsection ~~—(1)—~~ (2) does not apply to that school district,  
13 ~~local act school district,~~ public school academy, or intermediate  
14 school district until after the expiration of that collective  
15 bargaining agreement.

**<<(4) IF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
SCHOOL ACADEMY IS OPERATING A YEAR-ROUND SCHOOL OR PROGRAM AS OF THE  
EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2) [OR IS  
OPERATING AS OF THAT EFFECTIVE DATE A SCHOOL THAT IS AN INTERNATIONAL  
BACCALAUREATE ACADEMY THAT PROVIDES 1,160 HOURS OF PUPIL INSTRUCTION PER  
SCHOOL YEAR], THEN SUBSECTION (2) DOES NOT APPLY TO THAT SCHOOL OR  
PROGRAM. IF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
SCHOOL ACADEMY BEGINS OPERATING A YEAR-ROUND SCHOOL OR PROGRAM AFTER THE  
EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2), THE  
SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY  
MAY APPLY TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR A WAIVER FROM  
THE REQUIREMENTS OF SUBSECTION (2). UPON APPLICATION, IF THE  
SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES THAT A SCHOOL OR PROGRAM  
IS A BONA FIDE YEAR-ROUND SCHOOL OR PROGRAM ESTABLISHED FOR EDUCATIONAL  
REASONS, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL GRANT THE WAIVER.  
THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ESTABLISH STANDARDS FOR  
DETERMINING A BONA FIDE YEAR-ROUND SCHOOL OR PROGRAM FOR THE PURPOSES OF  
THIS SUBSECTION.>>**

16           <<(5)>> AS USED IN THIS SECTION, "LABOR DAY" MEANS THE FIRST  
17 MONDAY IN SEPTEMBER.