

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

(2) EXCEPT AS OTHERWISE PROVIDED IN <<SUBSECTIONS (3) AND (4)>> ,
THE BOARD

OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF

DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE

DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S <<PUPILS ARE NOT REQUIRED TO BEGIN
A SCHOOL YEAR >>

BEFORE LABOR DAY.

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

<<(5)>> AS USED IN THIS SECTION, "LABOR DAY" MEANS THE FIRST

MONDAY IN SEPTEMBER.