

HOUSE BILL No. 5977

April 25, 2006, Introduced by Rep. Moolenaar 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 2005 PA
144.

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 ~~subsections (3) and (4)~~

1 **THIS SECTION**, the board of a school district or intermediate school
2 district or board of directors of a public school academy shall
3 ensure that the district's or public school academy's ~~pupils are~~
4 ~~not required to begin a~~ school year **DOES NOT BEGIN** before Labor
5 day.

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

14 (4) If a school district, intermediate school district, or
15 public school academy is operating a year-round school or program
16 as of ~~the effective date of the amendatory act that added~~
17 ~~subsection (2)~~ **SEPTEMBER 29, 2005** or is operating as of that
18 ~~effective~~ date a school that is an international baccalaureate
19 academy that provides 1,160 hours of pupil instruction per school
20 year, then subsection (2) does not apply to that school or program.
21 If a school district, intermediate school district, or public
22 school academy begins operating a year-round school or program
23 after ~~the effective date of the amendatory act that added~~
24 ~~subsection (2)~~ **SEPTEMBER 29, 2005**, the school district,
25 intermediate school district, or public school academy may apply to
26 the superintendent of public instruction for a waiver from the
27 requirements of subsection (2). Upon application, if the

1 superintendent of public instruction determines that a school or
2 program is a bona fide year-round school or program established for
3 educational reasons, the superintendent of public instruction shall
4 grant the waiver. The superintendent of public instruction shall
5 establish standards for determining a bona fide year-round school
6 or program for the purposes of this subsection.

7 (5) IF AN INTERMEDIATE SCHOOL DISTRICT CONTRACTS WITH A
8 CONSTITUENT DISTRICT OR PUBLIC SCHOOL ACADEMY TO PROVIDE PROGRAMS
9 OR SERVICES FOR PUPILS OF THE CONSTITUENT DISTRICT OR PUBLIC SCHOOL
10 ACADEMY; OPERATES A PROGRAM OR SERVICE WITHIN A BUILDING OWNED BY A
11 CONSTITUENT DISTRICT OR A PUBLIC SCHOOL ACADEMY LOCATED WITHIN THE
12 INTERMEDIATE SCHOOL DISTRICT'S BOUNDARIES; OR OTHERWISE PROVIDES
13 INSTRUCTIONAL PROGRAMS OR SERVICES FOR PUPILS OF A CONSTITUENT
14 DISTRICT OR PUBLIC SCHOOL ACADEMY, AND IF THE SCHOOL DISTRICT'S OR
15 PUBLIC SCHOOL ACADEMY'S SCHOOL YEAR BEGINS BEFORE LABOR DAY UNDER
16 SUBSECTION (3) OR (4), THEN THE INTERMEDIATE SCHOOL DISTRICT MAY
17 PROVIDE PROGRAMS OR SERVICES ACCORDING TO THE SCHOOL DISTRICT'S OR
18 PUBLIC SCHOOL ACADEMY'S CALENDAR.

19 (6) ~~—(5)—~~ As used in this section, "Labor day" means the first
20 Monday in September.