

Act No. 144
Public Acts of 2005
Approved by the Governor
September 29, 2005
Filed with the Secretary of State
September 29, 2005
EFFECTIVE DATE: September 29, 2005

STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 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, Sheltrown and Moore

ENROLLED HOUSE BILL No. 4803

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1284b (MCL 380.1284b), as amended by 2001 PA 167.

The People of the State of Michigan enact:

Sec. 1284b. (1) Until subsection (2) applies to the school district, public school academy, or intermediate school district, 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 schools are not in session on the Friday before Labor day.

(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.

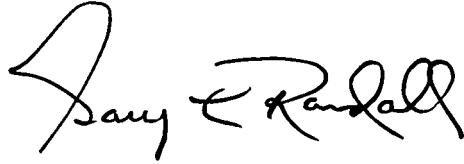
(3) If a collective bargaining agreement that provides a complete school calendar is in effect for employees of a school district, public school academy, or intermediate school district as of the effective date of the amendatory act that added subsection (2), and if that school calendar is not in compliance with subsection (2), then subsection (2) does not apply to that 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) 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

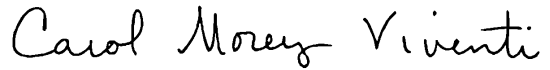
superintendent of public instruction for a waiver from the requirements of subsection (2). Upon application, if the superintendent of public instruction determines that a school or program is a bona fide year-round school or program established for educational reasons, the superintendent of public instruction 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.

(5) As used in this section, "Labor day" means the first Monday in September.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor