

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 549

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1284a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 SEC. 1284A. (1) NOT LATER THAN JULY 1, 2008, AN INTERMEDIATE
2 SCHOOL DISTRICT, IN COOPERATION WITH ITS CONSTITUENT DISTRICTS,
3 SHALL ADOPT A COMMON SCHOOL CALENDAR TO APPLY TO ALL OF ITS
4 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 MEET ALL OF THE FOLLOWING:
- 8 (A) SHALL BE IN COMPLIANCE WITH SECTIONS 1284 AND 1284B.
- 9 (B) SHALL IDENTIFY THE DATES FOR EACH SCHOOL YEAR WHEN SCHOOL

1 WILL NOT BE IN SESSION FOR A WINTER HOLIDAY BREAK AND A SPRING
2 BREAK. THE COMMON SCHOOL CALENDAR SHALL IDENTIFY THESE DATES
3 SPECIFICALLY FOR AT LEAST THE NEXT 5 SCHOOL YEARS, BUT MAY DESCRIBE
4 THESE DATES MORE GENERALLY FOR SCHOOL YEARS THEREAFTER AS LONG AS
5 THE DATES MAY BE READILY DETERMINED.

6 (2) BEGINNING WITH THE 2008-2009 SCHOOL YEAR, EXCEPT AS
7 OTHERWISE PROVIDED IN THIS SECTION, THE BOARD OF EACH CONSTITUENT
8 DISTRICT AND THE INTERMEDIATE SCHOOL BOARD SHALL ENSURE THAT ITS
9 SCHOOL CALENDAR COMPLIES WITH THE COMMON SCHOOL CALENDAR ADOPTED
10 UNDER SUBSECTION (1).

11 (3) IN ADDITION TO THE REQUIREMENTS UNDER SUBSECTION (1), A
12 COMMON SCHOOL CALENDAR ADOPTED UNDER SUBSECTION (1) IS ENCOURAGED
13 TO IDENTIFY COMMON DATES FOR PROFESSIONAL DEVELOPMENT DAYS.

14 (4) IF A COLLECTIVE BARGAINING AGREEMENT THAT PROVIDES A
15 COMPLETE SCHOOL CALENDAR IS IN EFFECT FOR EMPLOYEES OF A SCHOOL
16 DISTRICT OR INTERMEDIATE SCHOOL DISTRICT AS OF THE EFFECTIVE DATE
17 OF THIS SECTION, AND IF THAT SCHOOL CALENDAR IS NOT IN COMPLIANCE
18 WITH THE COMMON SCHOOL CALENDAR ADOPTED UNDER SUBSECTION (1), THEN
19 SUBSECTION (2) DOES NOT APPLY TO THAT SCHOOL DISTRICT OR
20 INTERMEDIATE SCHOOL DISTRICT UNTIL AFTER THE EXPIRATION OF THAT
21 COLLECTIVE BARGAINING AGREEMENT.

22 (5) IF AS OF THE EFFECTIVE DATE OF THIS SECTION AN
23 INTERMEDIATE SCHOOL DISTRICT OR SCHOOL DISTRICT IS OPERATING A
24 YEAR-ROUND SCHOOL OR PROGRAM OR IS OPERATING A SCHOOL THAT IS AN
25 INTERNATIONAL BACCALAUREATE ACADEMY THAT PROVIDES 1,160 HOURS OF
26 PUPIL INSTRUCTION PER SCHOOL YEAR, THEN SUBSECTION (2) DOES NOT
27 APPLY TO THAT SCHOOL OR PROGRAM. IF AFTER THE EFFECTIVE DATE OF

1 THIS SECTION AN INTERMEDIATE SCHOOL DISTRICT OR SCHOOL DISTRICT
2 BEGINS OPERATING A YEAR-ROUND SCHOOL OR PROGRAM, THE INTERMEDIATE
3 SCHOOL DISTRICT OR SCHOOL DISTRICT MAY APPLY TO THE SUPERINTENDENT
4 OF PUBLIC INSTRUCTION FOR A WAIVER FROM THE REQUIREMENTS OF
5 SUBSECTION (2) FOR THAT SCHOOL OR PROGRAM. THE APPLICATION SHALL BE
6 IN WRITING IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT AND
7 SHALL PROVIDE JUSTIFICATION FOR THE SCHOOL OR PROGRAM TO OPERATE ON
8 A CALENDAR THAT DIFFERS FROM THE COMMON SCHOOL CALENDAR ADOPTED
9 UNDER SUBSECTION (1). UPON APPLICATION, IF THE SUPERINTENDENT OF
10 PUBLIC INSTRUCTION DETERMINES THAT A SCHOOL OR PROGRAM IS A BONA
11 FIDE YEAR-ROUND SCHOOL OR PROGRAM ESTABLISHED FOR EDUCATIONAL
12 REASONS AND THAT THERE IS SUFFICIENT JUSTIFICATION FOR THE SCHOOL
13 OR PROGRAM TO OPERATE ON A CALENDAR THAT DIFFERS FROM THE COMMON
14 SCHOOL CALENDAR ADOPTED UNDER SUBSECTION (1), THE SUPERINTENDENT OF
15 PUBLIC INSTRUCTION SHALL GRANT THE WAIVER. THE SUPERINTENDENT OF
16 PUBLIC INSTRUCTION SHALL ESTABLISH STANDARDS FOR DETERMINING A BONA
17 FIDE YEAR-ROUND SCHOOL OR PROGRAM FOR THE PURPOSES OF THIS
18 SUBSECTION.

19 (6) IF AN INTERMEDIATE SCHOOL DISTRICT OR SCHOOL DISTRICT IS
20 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 BE IN WRITING IN THE FORM AND MANNER PRESCRIBED
25 BY THE DEPARTMENT AND SHALL PROVIDE JUSTIFICATION FOR THE SCHOOL OR
26 PROGRAM TO OPERATE ON A CALENDAR THAT DIFFERS FROM THE COMMON
27 SCHOOL CALENDAR ADOPTED UNDER SUBSECTION (1). UPON APPLICATION, IF

1 THE SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES THAT A SCHOOL
2 OR PROGRAM IS OPERATING ON A BONA FIDE TRIMESTER SCHEDULE
3 ESTABLISHED FOR EDUCATIONAL REASONS AND THAT THERE IS SUFFICIENT
4 JUSTIFICATION FOR THE SCHOOL OR PROGRAM TO OPERATE ON A CALENDAR
5 THAT DIFFERS FROM THE COMMON SCHOOL CALENDAR ADOPTED UNDER
6 SUBSECTION (1), THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
7 GRANT THE WAIVER. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
8 ESTABLISH STANDARDS FOR DETERMINING A BONA FIDE TRIMESTER SCHEDULE
9 FOR THE PURPOSES OF THIS SUBSECTION.

10 (7) THIS SECTION DOES NOT APPLY TO A PUBLIC SCHOOL THAT
11 OPERATES ALL OF GRADES 6 TO 12 AT A SINGLE SITE, THAT ALIGNS ITS
12 HIGH SCHOOL CURRICULUM WITH ADVANCED PLACEMENT COURSES AS THE
13 CAPSTONE OF THE CURRICULUM, AND THAT ENDS ITS SECOND ACADEMIC
14 SEMESTER CONCURRENTLY WITH THE END OF THE ADVANCED PLACEMENT
15 EXAMINATION PERIOD.

16 (8) IN ADDITION TO THE OTHER EXCEPTIONS UNDER THIS SECTION,
17 THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY GRANT A WAIVER FROM A
18 REQUIREMENT UNDER THIS SECTION FOR A SCHOOL DISTRICT THAT APPLIES
19 FOR THE WAIVER IN WRITING IN THE FORM AND MANNER PRESCRIBED BY THE
20 SUPERINTENDENT OF PUBLIC INSTRUCTION AND PROVIDES SUFFICIENT
21 JUSTIFICATION FOR THE WAIVER, AS DETERMINED BY THE SUPERINTENDENT
22 OF PUBLIC INSTRUCTION.

23 (9) AS USED IN THIS SECTION:

24 (A) "BOARD" MEANS THE BOARD OF A SCHOOL DISTRICT OR BOARD OF
25 DIRECTORS OF A PUBLIC SCHOOL ACADEMY.

26 (B) "CONSTITUENT DISTRICT" MEANS A CONSTITUENT DISTRICT OF THE
27 INTERMEDIATE SCHOOL DISTRICT OR A PUBLIC SCHOOL ACADEMY THAT IS

1 LOCATED WITHIN THE BOUNDARIES OF THE INTERMEDIATE SCHOOL DISTRICT
2 AND THAT RECEIVES SERVICES FROM THE INTERMEDIATE SCHOOL DISTRICT.

3 (C) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT OR A PUBLIC
4 SCHOOL ACADEMY.

5 Enacting section 1. This amendatory act does not take effect
6 unless all of the following bills of the 94th Legislature are
7 enacted into law:

8 (a) House Bill No. 5194.

9 (b) House Bill No. 5198.