

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
10 WILL NOT BE IN SESSION FOR AT LEAST A WINTER HOLIDAY BREAK, A

1 SPRING BREAK, AND PROFESSIONAL DEVELOPMENT DAYS. THE COMMON SCHOOL
2 CALENDAR SHALL IDENTIFY THESE DATES SPECIFICALLY FOR AT LEAST THE
3 NEXT 5 SCHOOL YEARS, BUT MAY DESCRIBE THESE DATES MORE GENERALLY
4 FOR SCHOOL YEARS THEREAFTER AS LONG AS THE DATES MAY BE READILY
5 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) IF A COLLECTIVE BARGAINING AGREEMENT THAT PROVIDES A
12 COMPLETE SCHOOL CALENDAR IS IN EFFECT FOR EMPLOYEES OF A SCHOOL
13 DISTRICT OR INTERMEDIATE SCHOOL DISTRICT AS OF THE EFFECTIVE DATE
14 OF THIS SECTION, AND IF THAT SCHOOL CALENDAR IS NOT IN COMPLIANCE
15 WITH THE COMMON SCHOOL CALENDAR ADOPTED UNDER SUBSECTION (1), THEN
16 SUBSECTION (2) DOES NOT APPLY TO THAT SCHOOL DISTRICT OR
17 INTERMEDIATE SCHOOL DISTRICT UNTIL AFTER THE EXPIRATION OF THAT
18 COLLECTIVE BARGAINING AGREEMENT.

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

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

16 (5) IF AN INTERMEDIATE SCHOOL DISTRICT OR SCHOOL DISTRICT IS
17 OPERATING OR BEGINS OPERATING A SCHOOL OR PROGRAM ON A TRIMESTER
18 SCHEDULE, THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
19 PUBLIC SCHOOL ACADEMY MAY APPLY TO THE SUPERINTENDENT OF PUBLIC
20 INSTRUCTION FOR A WAIVER FROM THE REQUIREMENTS OF SUBSECTION (2)
21 FOR THAT SCHOOL OR PROGRAM. THE APPLICATION SHALL BE IN WRITING IN
22 THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT AND SHALL PROVIDE
23 JUSTIFICATION FOR THE SCHOOL OR PROGRAM TO OPERATE ON A CALENDAR
24 THAT DIFFERS FROM THE COMMON CALENDAR ADOPTED UNDER SUBSECTION (1).
25 UPON APPLICATION, IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
26 DETERMINES THAT A SCHOOL OR PROGRAM IS OPERATING ON A BONA FIDE
27 TRIMESTER SCHEDULE ESTABLISHED FOR EDUCATIONAL REASONS AND THAT

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

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