

# HOUSE BILL No. 5214

January 13, 2016, Introduced by Rep. Muxlow 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 2006 PA  
235.

## 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 **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,** the board of a school  
4 district or intermediate school district or board of directors of a  
5 public school academy shall **ESTABLISH THE SCHOOL CALENDAR FOR EACH**  
6 **SCHOOL YEAR FOR THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,**  
7 **OR PUBLIC SCHOOL ACADEMY. THE SCHOOL CALENDAR SHALL MEET ALL OF THE**  
8 **FOLLOWING:**

9       (A) IN ADDITION TO THE PUBLIC HOLIDAYS WHEN SCHOOL MAY NOT BE  
10 IN SESSION UNDER SECTION 1175, THE SCHOOL CALENDAR SHALL ensure

1 that the district's or public school academy's schools are not in  
 2 session on the Friday before Labor ~~day~~. **DAY, THE FRIDAY AFTER**  
 3 **THANKSGIVING DAY, GOOD FRIDAY, OR THE MONDAY AFTER EASTER.**

4 (B) THE SCHOOL CALENDAR SHALL MEET THE REQUIREMENTS OF SECTION  
 5 1284 AND UNDER SECTION 101 OF THE STATE SCHOOL AID ACT OF 1979, MCL  
 6 388.1701, REGARDING THE MINIMUM AMOUNT OF PUPIL INSTRUCTION DURING  
 7 EACH SCHOOL YEAR.

8 (C) FOR A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, THE  
 9 SCHOOL CALENDAR SHALL MEET THE REQUIREMENTS OF SECTION 1284A  
 10 REGARDING A COMMON SCHOOL CALENDAR AMONG THE CONSTITUENT DISTRICTS  
 11 OF AN INTERMEDIATE SCHOOL DISTRICT.

12 ~~—— (2) Except as otherwise provided in this section, the board of~~  
 13 ~~a school district or intermediate school district or board of~~  
 14 ~~directors of a public school academy shall ensure that the~~  
 15 ~~district's or public school academy's school year does not begin~~  
 16 ~~before Labor day.~~

17 (2) ~~(3)~~ If a collective bargaining agreement that provides a  
 18 complete school calendar is in effect for employees of a school  
 19 district, public school academy, or intermediate school district as  
 20 of the effective date of the amendatory act that added ~~subsection~~  
 21 ~~(2),~~ **SUBDIVISIONS (B) AND (C) TO SUBSECTION (1),** and if that school  
 22 calendar is not in compliance with subsection ~~(2),~~ **(1),** then  
 23 ~~subsection (2) does~~ **THE 2016 AMENDMENTS TO SUBSECTION (1) DO** not  
 24 apply to that school district, public school academy, or  
 25 intermediate school district until after the expiration of that  
 26 collective bargaining agreement.

27 ~~—— (4) If a school district, intermediate school district, or~~

~~1 public school academy is operating a year round school or program  
2 as of September 29, 2005 or is operating as of that date a school  
3 that is an international baccalaureate academy that provides 1,160  
4 hours of pupil instruction per school year, then subsection (2)  
5 does not apply to that school or program. If a school district,  
6 intermediate school district, or public school academy begins  
7 operating a year round school or program after September 29, 2005,  
8 the school district, intermediate school district, or public school  
9 academy may apply to the superintendent of public instruction for a  
10 waiver from the requirements of subsection (2). Upon application,  
11 if the superintendent of public instruction determines that a  
12 school or program is a bona fide year round school or program  
13 established for educational reasons, the superintendent of public  
14 instruction shall grant the waiver. The superintendent of public  
15 instruction shall establish standards for determining a bona fide  
16 year round school or program for the purposes of this subsection.  
17 ——— (5) If an intermediate school district contracts with a  
18 constituent district or public school academy to provide programs  
19 or services for pupils of the constituent district or public school  
20 academy, operates a program or service within a building owned by a  
21 constituent district or a public school academy located within the  
22 intermediate school district's boundaries, or otherwise provides  
23 instructional programs or services for pupils of a constituent  
24 district or public school academy, and if the school district's or  
25 public school academy's school year begins before Labor day under  
26 subsection (3) or (4), then the intermediate school district may  
27 provide programs or services according to the school district's or~~

1 ~~public school academy's calendar.~~

2 ~~—— (6) This section does not apply to a public school that~~  
3 ~~operates all of grades 6 to 12 at a single site, that aligns its~~  
4 ~~high school curriculum with advanced placement courses as the~~  
5 ~~capstone of the curriculum, and that ends its second academic~~  
6 ~~semester concurrently with the end of the advanced placement~~  
7 ~~examination period.~~

8 (3) ~~(7)~~ This section does not prohibit a school district,  
9 intermediate school district, or public school academy from  
10 offering or requiring professional development for its personnel  
11 that is conducted before Labor ~~day~~ **DAY**.

12 (4) ~~(8)~~ As used in this section, "Labor ~~day~~ **DAY**" means the  
13 first Monday in September.

14 Enacting section 1. This amendatory act takes effect 90 days  
15 after the date it is enacted into law.