

SENATE BILL No. 885

March 1, 2018, Introduced by Senators SHIRKEY, KNOLLENBERG, MACGREGOR and PAVLOV 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 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~~**-DAY**.

7 (2) Except as otherwise provided in this section, the board of
8 a school district or intermediate school district or board of

1 directors of a public school academy shall ensure that the
2 district's or public school academy's school year does not begin
3 before Labor~~day~~.**DAY**.

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

12 (4) If a school district, intermediate school district, or
13 public school academy is operating a year-round school or program
14 as of September 29, 2005 or is operating as of that date a school
15 that is an international baccalaureate academy that provides 1,160
16 hours of pupil instruction per school year, then subsection (2)
17 does not apply to that school or program. If a school district,
18 intermediate school district, or public school academy begins
19 operating a year-round school or program after September 29, 2005,
20 the school district, intermediate school district, or public school
21 academy may apply to the superintendent of public instruction for a
22 waiver from the requirements of subsection (2). Upon application,
23 if the superintendent of public instruction determines that a
24 school or program is a bona fide year-round school or program
25 established for educational reasons, the superintendent of public
26 instruction shall grant the waiver. **A WAIVER GRANTED UNDER THIS**
27 **SUBSECTION IS VALID UNTIL THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL**

1 DISTRICT, OR PUBLIC SCHOOL ACADEMY NOTIFIES THE DEPARTMENT, IN A
2 FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, THAT THE SCHOOL
3 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY NO
4 LONGER REQUIRES THE WAIVER. The superintendent of public
5 instruction shall establish standards for determining a bona fide
6 year-round school 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~~**DAY**
16 under subsection (3) or (4), then the intermediate school district
17 may provide programs or services according to the school district's
18 or public school academy's calendar.

19 (6) This section does not apply to a public school that
20 operates all of grades 6 to 12 at a single site, that aligns its
21 high school curriculum with advanced placement courses as the
22 capstone of the curriculum, and that ends its second academic
23 semester concurrently with the end of the advanced placement
24 examination period.

25 (7) This section does not prohibit a school district,
26 intermediate school district, or public school academy from
27 offering or requiring professional development for its personnel

1 that is conducted before Labor ~~day~~ **DAY**.

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

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