

# HOUSE BILL NO. 4199

February 10, 2021, Introduced by Rep. Hornberger and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1284a (MCL 380.1284a), as added by 2007 PA 101;  
and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1284a. (1) ~~Not later than July 1, 2008, an~~ **An**  
2       intermediate school district, in cooperation with its constituent  
3       districts, shall adopt a common school calendar to apply to all of  
4       its constituent districts and to its intermediate school district

1 programs. The intermediate school district shall post the common  
 2 school calendar on its website. The common school calendar ~~shall~~  
 3 **must** meet all of the following:

4 (a) ~~Shall~~ **Must** be in compliance with ~~sections 1284 and~~  
 5 ~~1284b.~~ **section 1284.**

6 (b) ~~Shall~~ **Must** identify the dates for each school year when  
 7 school will not be in session for a winter holiday break and a  
 8 spring break. The common school calendar ~~shall~~ **must** identify these  
 9 dates specifically for at least the next 5 school years, but may  
 10 describe these dates more generally for school years thereafter as  
 11 long as the dates may be readily determined.

12 (2) ~~Beginning with the 2008-2009 school year, except~~ **Except** as  
 13 otherwise provided in this section, the board of each constituent  
 14 district and the intermediate school board shall ensure that its  
 15 school calendar complies with the common school calendar adopted  
 16 under subsection (1).

17 (3) In addition to the requirements under subsection (1), a  
 18 common school calendar adopted under subsection (1) is encouraged  
 19 to identify common dates for professional development days.

20 ~~(4) If a collective bargaining agreement that provides a~~  
 21 ~~complete school calendar is in effect for employees of a school~~  
 22 ~~district or intermediate school district as of the effective date~~  
 23 ~~of this section, and if that school calendar is not in compliance~~  
 24 ~~with the common school calendar adopted under subsection (1), then~~  
 25 ~~subsection (2) does not apply to that school district or~~  
 26 ~~intermediate school district until after the expiration of that~~  
 27 ~~collective bargaining agreement.~~

28 ~~(4) (5) If as of the effective date of this section~~ **October 1,**  
 29 **2007** an intermediate school district or school district is

1 operating a year-round school or program or is operating a school  
 2 that is an international baccalaureate academy that provides 1,160  
 3 hours of pupil instruction per school year, then subsection (2)  
 4 does not apply to that school or program. If after ~~the effective~~  
 5 ~~date of this section~~ **October 1, 2007** an intermediate school  
 6 district or school district begins operating a year-round school or  
 7 program, the intermediate school district or school district may  
 8 apply to the superintendent of public instruction for a waiver from  
 9 the requirements of subsection (2) for that school or program. The  
 10 application ~~shall~~ **must** be in writing in the form and manner  
 11 prescribed by the department and ~~shall~~ **must** provide justification  
 12 for the school or program to operate on a calendar that differs  
 13 from the common school calendar adopted under subsection (1). Upon  
 14 application, if the superintendent of public instruction determines  
 15 that a school or program is a bona fide year-round school or  
 16 program established for educational reasons and that there is  
 17 sufficient justification for the school or program to operate on a  
 18 calendar that differs from the common school calendar adopted under  
 19 subsection (1), the superintendent of public instruction shall  
 20 grant the waiver. The superintendent of public instruction shall  
 21 establish standards for determining a bona fide year-round school  
 22 or program for the purposes of this subsection.

23       **(5)** ~~(6)~~—If an intermediate school district or school district  
 24 is operating or begins operating a school or program on a trimester  
 25 schedule, the intermediate school district or school district may  
 26 apply to the superintendent of public instruction for a waiver from  
 27 the requirements of subsection (2) for that school or program. The  
 28 application ~~shall~~ **must** be in writing in the form and manner  
 29 prescribed by the department and ~~shall~~ **must** provide justification

1 for the school or program to operate on a calendar that differs  
2 from the common school calendar adopted under subsection (1). Upon  
3 application, if the superintendent of public instruction determines  
4 that a school or program is operating on a bona fide trimester  
5 schedule established for educational reasons and that there is  
6 sufficient justification for the school or program to operate on a  
7 calendar that differs from the common school calendar adopted under  
8 subsection (1), the superintendent of public instruction shall  
9 grant the waiver. The superintendent of public instruction shall  
10 establish standards for determining a bona fide trimester schedule  
11 for the purposes of this subsection.

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

18 (7) ~~(8)~~—In addition to the other exceptions under this  
19 section, the superintendent of public instruction may grant a  
20 waiver from a requirement under this section for a school district  
21 that applies for the waiver in writing in the form and manner  
22 prescribed by the superintendent of public instruction and provides  
23 sufficient justification for the waiver, as determined by the  
24 superintendent of public instruction.

25 (8) ~~(9)~~—As used in this section:

26 (a) "Board" means the board of a school district or board of  
27 directors of a public school academy.

28 (b) "Constituent district" means a constituent district of the  
29 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. Section 1284b of the revised school code,  
6 1976 PA 451, MCL 380.1284b, is repealed.

7 Enacting section 2. Section 160 of the state school aid act of  
8 1979, 1979 PA 94, MCL 388.1760, is repealed.

9 Enacting section 3. This amendatory act takes effect 90 days  
10 after the date it is enacted into law.