

# HOUSE BILL NO. 4087

January 24, 2019, 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 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~~ **Beginning with the 2019-2020 school year, the** board of a school

1 district or intermediate school district or board of directors of a  
 2 public school academy shall ensure that ~~the~~ **all of the following**  
 3 **are met:**

4 (a) **The** district's or public school academy's schools are not  
 5 in session on the Friday before Labor ~~day~~. **Day.**

6 (b) **The district's or public school academy's schools are not**  
 7 **in session on any Monday or Friday in August.**

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

13 (2) ~~(3)~~ If a collective bargaining agreement that provides a  
 14 complete school calendar is in effect for employees of a school  
 15 district, ~~public school academy, or intermediate school district,~~  
 16 **or public school academy** as of the effective date of the amendatory  
 17 act that added subsection ~~(2),~~ **(1) (b)**, and if that school calendar  
 18 is not in compliance with subsection ~~(2),~~ **(1)**, then subsection ~~(2)~~  
 19 **(1)** does not apply to that school district, ~~public school academy,~~  
 20 ~~or intermediate school district,~~ **or public school academy** until  
 21 after the expiration of that collective bargaining agreement.

22 (3) ~~(4)~~ If a school district, intermediate school district, or  
 23 public school academy is operating a year-round school or program  
 24 ~~as of September 29, 2005~~ or is operating ~~as of that date~~ a school  
 25 that is an international baccalaureate academy that provides 1,160  
 26 hours of pupil instruction per school year, then subsection ~~(2)~~ **(1)**  
 27 does not apply to that school or program. If a school district,  
 28 intermediate school district, or public school academy begins  
 29 operating a year-round school or program after ~~September 29, 2005,~~

1 **the effective date of the amendatory act that added subsection**  
 2 **(1) (b)**, the school district, intermediate school district, or  
 3 public school academy may apply to the superintendent of public  
 4 instruction for a waiver from the requirements of subsection ~~(2)~~.  
 5 **(1)**. Upon application, if the superintendent of public instruction  
 6 determines that a school or program is a bona fide year-round  
 7 school or program established for educational reasons, the  
 8 superintendent of public instruction shall grant the waiver. The  
 9 superintendent of public instruction shall establish standards for  
 10 determining a bona fide year-round school or program for the  
 11 purposes of this subsection.

12 **(4)** ~~(5)~~—If an intermediate school district contracts with a  
 13 constituent district or public school academy to provide programs  
 14 or services for pupils of the constituent district or public school  
 15 academy; operates a program or service within a building owned by a  
 16 constituent district or a public school academy located within the  
 17 intermediate school district's boundaries; or otherwise provides  
 18 instructional programs or services for pupils of a constituent  
 19 district or public school academy, and if the school district's or  
 20 public school academy's school year begins before Labor ~~day~~ **Day**  
 21 under subsection ~~(3)~~ **(2)** or ~~(4)~~ **(3)**, then the intermediate school  
 22 district may provide programs or services according to the school  
 23 district's or public school academy's calendar.

24 **(5)** ~~(6)~~—This section does not apply to a public school that  
 25 operates all of grades 6 to 12 at a single site, that aligns its  
 26 high school curriculum with advanced placement courses as the  
 27 capstone of the curriculum, and that ends its second academic  
 28 semester concurrently with the end of the advanced placement  
 29 examination period.

1           (6) ~~(7)~~—This section does not prohibit a school district,  
2 intermediate school district, or public school academy from  
3 offering or requiring professional development for its personnel  
4 that is conducted before Labor ~~day~~**Day**.

5           (7) ~~(8)~~—As used in this section, "Labor ~~day~~**Day**" means the  
6 first Monday in September.