



# Muskegon Heights Public Schools

2603 Leahy Street • Muskegon Heights, MI 49444 • Phone 231-830-3221 Fax 231-830-3560

## RESOLUTION APPROVING THE THIRD REVISED METHOD OF SELECTION RESOLUTION FOR MEMBERS OF THE MUSKEGON HEIGHTS PUBLIC SCHOOL ACADEMY SYSTEM BOARD OF DIRECTORS, AND RELATED MATTERS

A special meeting of the Board of Education (the “Board”) of the School District of the City of Muskegon Heights, Michigan (the “District”) was held at 2603 Leahy Street, Muskegon Heights, MI 49444 also virtually via Microsoft Teams and conducted electronically as permitted by law, on December 2, 2022, at 1:00 p.m. local time. The meeting was called to order at 1:00 p.m. local time by President Trinell Scott.

Present Members: Trinell Scott, Marjorie Cook, Peggy Selmon, Marianne Darnell, Mark Glover, Estilita Rankin, Safornia Johnson-Pierce.

Absent Members:

The following preamble and resolution were offered by Member Mark Glover and supported by Member Marianne Darnell.

**WHEREAS**, the Revised School Code, Public Act 451 of 1976, as amended, MCL 380.1 to 380.1853 (the “Code”), authorizes the governing board of a school district to be an authorizing body for a public school academy; and

**WHEREAS**, the District is the authorizing body for the Muskegon Heights Public School Academy System (the “Academy System”); and

**WHEREAS**, Section 503(5) of the Code provides that an authorizing body “shall adopt a resolution establishing the method of selection, length of term, and number of members of the board of directors” of each public school academy subject to the authorizing body’s jurisdiction” (“Method of Selection Resolution”); and

**WHEREAS**, on August 10, 2021, the Board adopted a Second Revised Method of Selection Resolution to amend and replace all prior resolutions, in satisfaction of its obligations under Section 503(5) of the Code; and

**WHEREAS**, due to inconsistencies in the language of the Second Revised Method of Selection Resolution as published and adopted, the Board desires to ratify and confirm its true intent as to matters required under Section 503(5) of the Code, including matters pertaining to qualifications, appointment and removal of directors of each public school academy subject to this Board’s jurisdiction.

**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:**

1. The attached policy in **Exhibit A**, titled “Public School Academy System Board of Directors Third Revised Method of Selection Resolution” dated November 2, 2022, is adopted, approved and shall replace in entirety all prior resolutions; and

2. The Board hereby directs that the Academy System board call a special meeting to elect new officers and recognize Dr. Rose Hunt (appointed to fill the remaining term vacated by former Academy System member Marquis Childers, Jr.) as member of its board of directors.

3. All resolutions and parts of prior resolutions insofar as they conflict with the provisions herein, are hereby rescinded.

**Ayes Members:** Trinell Scott, Marjorie Cook, Peggy Selmon, Marianne Darnell, Mark Glover, Estilita Rankin, Saforia Johnson-Pierce.

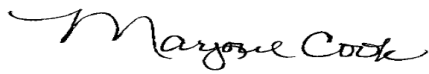
**Nays Members:** 0

Resolution Declared Adopted.



Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of the School District of the City of Muskegon Heights, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Board at a special meeting held on November 14, 2022, the original of which is a part of the Board’s minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended.



Secretary, Board of Education

## EXHIBIT A

### Public School Academy System Board of Directors Third Revised Method of Selection

The Board of Education of the School District of the City of Muskegon Heights (the “District Board”) establishes the method of selection, length of term, number of board members for the Board of Directors of the Muskegon Heights Public School Academy System (the “System Board”) and other criteria as follows:

#### Method of Selection and Appointment

The District Board shall develop and administer a System Board selection and appointment process that includes a *Public School Academy System Board Member Appointment Questionnaire* and is in accord with these provisions:

1. Except as provided herein, the District Board shall appoint System Board members. The System Board may recommend and nominate individuals to serve as members of the System Board. Each System nominee shall be available for interview by the District Board or an authorized designee. The District Board may reject any and all System Board nominees proposed for appointment.
2. The System Board, by resolution and majority vote, shall nominate its subsequent members, as provided herein. The System Board shall recommend to the District Board one nominee for each vacancy. Nominees shall submit the *Public School Academy System Board Member Appointment Questionnaire* for review by the District Board or an authorized designee. The District Board may or may not appoint a nominee submitted by the System Board, may select another individual for appointment, or request that the System Board submit additional nominees for consideration.
3. An individual appointed to fill a vacancy created other than by expiration of the term shall be appointed for the unexpired term of that vacant position.

#### Length of Term

Terms of the initial position of a System’s Board of Directors shall be staggered. Subsequent appointments shall be for a term of office of three (3) years. There is no limit on the number of terms that a System Board member may serve.

#### Number of Directors

The current number of System Board member positions is five (5). The number of System Board positions shall never be fewer than three (3) nor more than seven (7). The System Board

and District Board may agree to change the current number of directors serving on the System Board at any time.

### **Qualifications of Members**

To be qualified to serve on an System Board, a person shall, among other things: (a) be a citizen of the United States; (b) be a resident of the State of Michigan; (c) submit all materials requested by the District Board, including but not limited to, the Public School Academy System Board Member Appointment Questionnaire which must include authorization to process a criminal background check of the nominee; and (d) submit annually a conflicts of interest disclosure as prescribed by the District Board.

The System's Board shall include representation from the local community in which the System serves.

The members of the System's Board shall not include (1) any member employed, appointed or controlled by a profit or non-profit corporation that contracts with the System; (2) System employees or independent contractors performing services for the System; (3) any current or former director, officer, or employee of an educational management company that contracts with the System; and (4) current District Board members, family of District Board members, District officials or employees.

### **Oath of Public Office**

Before beginning their service, all members of the System's Board of Directors shall sign the constitutional oath of office. The System shall cause a copy of an oath of office to be filed with the District Board. No appointment shall be effective prior to the signing and filing of the oath of public office.

### **Removal and Suspension**

If at any time the District Board determines a System Board member's service is no longer necessary, then the District Board may remove a System Board member by majority vote, with or without cause. The District Board shall notify the affected System Board member within five (5) days after the vote to remove. Any System Board member may also be removed by a two-thirds (2/3) vote of the System Board for cause.

### **Tenure**

Each System Board member shall hold office until the member's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.

### **Resignation**

Any System Board member may resign at any time by providing written notice to the District Board. Notice of resignation will be effective upon receipt or at a subsequent time designated in the notice. Any System Board member who fails to attend three (3) consecutive System Board meetings without prior notification to the System Board President, may, at the option of the District Board, be deemed to have resigned, effective at a time designated in a written notice sent to the resigning System Board member. A successor shall be appointed as provided in this resolution.

### **Board Vacancies**

A System Board vacancy shall occur because of death, resignation, replacement, removal, failure to maintain United States citizenship or residency in the State of Michigan, disqualification, enlargement of the System Board, or as specified in the Code.

### **Compensation**

System Board members shall serve as volunteer directors and without compensation for their respective services. By resolution of the System Board, the System Board members may be reimbursed for their reasonable expenses incidental to their duties as System Board members.

Dated: November 2, 2022