

**SCHOOL DISTRICT OF THE CITY OF MUSKEGON HEIGHTS**

**Office of the Emergency Manager**

**Steven M. Schiller**

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**Order 2016-7**

**BY THE POWER AND AUTHORITY VESTED IN THE EMERGENCY  
MANAGER FOR THE SCHOOL DISTRICT OF THE CITY OF MUSKEGON  
HEIGHTS UNDER THE LOCAL FINANCIAL STABILITY AND CHOICE ACT, 2012  
PA 436, AS AMENDED, MCL 141.1541 to 141.1575,**

**THE EMERGENCY MANAGER, STEVEN M. SCHILLER,  
ISSUES THE FOLLOWING:**

**ORDER APPROVING CONTRACT AMENDMENT NO. 2 OF  
THE CONTRACT TO CHARTER A PUBLIC SCHOOL  
ACADEMY BETWEEN THE BOARD OF EDUCATION OF THE  
SCHOOL DISTRICT OF THE CITY OF MUSKEGON HEIGHTS  
AND THE MUSKEGON HEIGHTS PUBLIC SCHOOL  
ACADEMY SYSTEM**

**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,** 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"; and

**WHEREAS,** the School District of the City of Muskegon Heights (the "District") is currently in receivership and under the supervision of an emergency manager appointed for the District by the Governor of the State of Michigan (the "Emergency Manager") under the Local Financial Stability and Choice Act, Public Act 436 of 2012, as amended, MCL 141.1541 to 141.1575 (the "Act"); and

**WHEREAS,** the Emergency Manager has broad powers under the Act to rectify the District's financial emergency and to assure the District's fiscal accountability and capacity to provide or cause to be provided necessary governmental services essential to the public health, safety and welfare; and

**WHEREAS**, the Emergency Manager has been granted the authority under the Act to act for and in the place and stead of the Board of Education of the School District of the City of Muskegon Heights (the "District Board") and the Emergency Manager has the power to exercise solely, on behalf of the District, all other authority and responsibilities affecting the District that are prescribed by law to the District Board; and

**WHEREAS**, the Emergency Manager wants to again amend the contract to charter a public school academy between the District Board and the Muskegon Heights Public School Academy System (the "System") originally issued on July 9, 2012 to assure the long term provision of public educational services to residents of the District while the outstanding legacy debt of the District is repaid; and to facilitate the transition of the District out of receivership, and

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT**, the attached contract amendment titled "Contract Amendment No. 2 of the Contract to Charter a Public School Academy Between the Board of Education of the School District of the City of Muskegon Heights (Authorizing Body) and the Muskegon Heights Public School Academy (Public School Academy)" is hereby adopted and approved; and

**FURTHERMORE**, this order may be amended, modified, repealed, or terminated by any subsequent order issued by the Emergency Manager.

Dated: October 20, 2016

By:



Steven M. Schiller  
Emergency Manager

4840-0721-2857.4