

**School District of the City of Muskegon Heights
Receivership Transition Advisory Board Agenda
Wednesday, December 2, 2020, 4:00 PM
(Postponed from November 18, 2020)
Virtual Meeting via Microsoft Teams**

1. CALL TO ORDER

A. Roll Call

J. Thomas D. Nesbary J. Schrier P. Johnson C. Todd

B. Approval of RTAB Minutes

1. Regular Meeting of October 21, 2020

2. COMMUNICATIONS

A. Information Received from Muskegon Heights Public School Academy on November 11, 2020.

1. Request Regarding the Term of Board Member Steven Parker
2. Communication Regarding Mediation

B. Information Received from Muskegon Heights Public Schools District Board on November 11, 2020

1. Re-submission and Amendment to Pending Muskegon Heights Public Schools Request for Approval including Exhibit A, Exhibit B, and Exhibit C

3. OLD BUSINESS

A. Requests from Muskegon Heights Public School Academy System Board and Muskegon Heights Public School District Board

1. Muskegon Heights Public School Academy's request to appoint Mrs. Kimberly Sims to Academy Board
2. Muskegon Heights Public School District's request to remove and replace Muskegon Heights Public School Academy Board Members

4. NEW BUSINESS

A. District Financial Update

1. November Financial Status Report

- a. Liabilities Report
- b. Cash Flow Projections
- c. Comparison of Budgeted Revenue and Expenditure to Actual

B. Presentation - Muskegon Heights Public School Request of the RTAB

C. Presentation - Muskegon Heights Public School Academy Request of the RTAB

D. Discussion of Memorandum

E. Muskegon Heights Public School Academy Board Appointment (vacancy due to expiration of Ms. Mary Byrd's term)

F. Muskegon Heights Public School Academy Board Appointment (determination of Mr. Stephen Parker's term of office)

G. Muskegon Heights Public School Academy Board Appointments (two additional appointments to fill new Academy Board seats due to District's expansion of Academy Board seats from 5 to 7)

H. Muskegon Heights School District Board's Request for Removal and Replacement of Public School Academy Board Members

5. PUBLIC COMMENT

6. BOARD COMMENT

7. ADJOURNMENT

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2. Section 2: November Financial Status Report
 - a. Liabilities Report
 - b. Cash Flow Projections
 - c. Comparison of Budgeted Revenue and Expenditure to Actual
3. Section 3: Information Received from Muskegon Height Public Schools
 - a. Re-submission and Amendment to Pending Muskegon Heights Public Schools Request for Approval
 - i. Exhibit A – Summary of Board Vacancies and District Appointments
 - ii. Exhibit B – Board Candidate Documents, Background Check Information, Board Proceedings
 - iii. Exhibit C – Expiration of Board Term for Mr. Steven Parker
4. Section 4: Information Received from Muskegon Heights Public Schools Academy
 - a. Request Regarding the Term of Board Member Steven Parker
 - b. Communication Regarding Mediation
 - c. Request to Appoint Mrs. Kimberly Sims to replace Ms. Mary Byrd including supporting documentation
 - d. Receive and File – System Response to Questions from October 21, 2020 RTAB Meeting

Section 1 – Board Minutes

Attachment 1(A): Draft October 21, 2020 RTAB Meeting Minutes

School District of the City of Muskegon Heights
Receivership Transition Advisory Board Meeting

Wednesday, October 21, 2020
Virtual Meeting via Microsoft Meeting

MINUTES

1. Call to Order

- a. Chair Jessica Thomas called the meeting to order at 4:03 p.m.

2. Roll Call

- a. Members Present: 5
 - 1. Jessica Thomas
 - 2. Dr. Patrice Johnson
 - 3. John Schrier
 - 4. Dr. Dale K. Nesbary
 - 5. Clinton Todd

Members Absent: 0.

A quorum was present.

- b. In accordance with Public Act 228 of 2020, this meeting will be held by remote participation.

3. Approval of RTAB Minutes

- a. Motion by Dr. Nesbary to approve the draft minutes. Motion seconded by Mr. Schrier. The RTAB approved the September 16, 2020 meeting minutes.

4. Communications

- a. Chair Thomas noted the communications received from the District and Public School Academy. Chair Thomas noted receipt of a letter from Muskegon Heights Public Schools with a request of the RTAB to table and remove from the agenda the District Boards pending request. Chair Thomas suggested the RTAB table items #4 D, E, & F until next month's meeting and postpone any action or discussion on the item until the November meeting in light of the letter.
- b. Motion by Mr. Schrier to postpone agenda items #4 D, E, & F. Motion seconded by Dr. Nesbary. The RTAB postponed agenda items #4 D, E, & F.

5. Old Business

- a. Chair Thomas noted the RTAB is still awaiting legal guidance regarding the recommendations of the Muskegon Heights Public School Board.

6. New Business

- a. **District Updates**

1. Mr. Lewis provided an overview of the October reports aligning with the monthly financial report.

b. September 16, 2020 Monthly Reports

1. Liabilities Report
 - a. Mr. Lewis reported no changes from the prior report.
2. Cash Flow Projections
 - a. Mr. Lewis reported cash is stable for the district and does not anticipate any major changes upcoming.
3. Comparison of Budgeted Revenue and Expenditure to Actual
 - a. Mr. Lewis provided an overview of FY 2019-20 and FY 2020-21 and the variances between the budgeted amounts and actuals. Mr. Lewis expects FY 2019-20 actual amounts will be better than the final budgeted amounts. FY 2020-21 is currently going as planned.
4. Muskegon Heights Public School Academy Superintendent Rané Garcia presented to the RTAB.

7. Public Comment

- a. Josephine, MLK Staff member
- b. Gleneda, Parent
- c. James Burton, Community Member
- d. Joe Moore, Community Member
- e. Trinnell Scott, Muskegon Heights Public School District, Board President
- f. Josephine, MLK Staff member
- g. Eric Hawthorne, Community Member

8. Board Comment

- a. Dr. Johnson responded to public comment regarding previous comments. Dr. Johnson also made a request that the District Board and Academy Board meet.
- b. Mr. Schrier also encouraged a meeting between the District Board and Academy Board to resolve the matters before the RTAB locally.

9. Adjournment

- a. There being no further business, Chair Jessica Thomas adjourned this meeting at 5:12 p.m.

Section 2 – November Financial Status Reports

Attachment 2(A): Cover Letter

Received by the RTAB: 11/11/2020 at 4:53pm



Muskegon Heights Public Schools

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

Date: November 11, 2020

To: Receivership Transition Advisory Board (RTAB)
Muskegon Heights Public Schools Board of Education

From: John Lewis, Assistant Superintendent

Re: Board Meeting Packet for November 18, 2020

Attached, please find the Muskegon Heights Public Schools 2019-20 and 2020-21 Budget to Actual Revenue and Expenditure Reports, Cash Flow Statement, and Liabilities Report.

Budget to Actual Revenue and Expenditure Report

Attached you will find the budget to actual report for 2020-21 as of November 11, 2020.

2020-21 is proceeding as planned through October. Revenues seem to be on target and there is very little new information to provide at this time. The same can be said for district expenditures to date. As mentioned before, we may have higher than anticipated legal fees, but we are not sure how much of an impact it will have on the budget.

Cash Flow Statement

Cash flow is stable for the coming year. I am still waiting to update the authorizer fees section of the report as I want to verify the student count via the State Aid Status Report. I believe that may happen this month, but it may be December. I will also amend the budget shortly after that occurs.

Liabilities Report

This report has changed slightly from the last month's report. The district made interest payments on its 2016 refunding bonds.

Section 2 – November Financial Status Reports

Attachment 2(B): Long Term Liabilities Update - MHPS

Received by the RTAB: 11/11/2020 at 4:53pm

Fund	Rate	Description	Issuance Date	Original Amount	Term Length	Principal	Interest	Total Amount	Projected Maturity Date	As of Date
GF		Payable to MDE - At-Risk Payback			Short			\$ 371,436	N/A	11/1/2020
GF	2.45%	Restructured Emergency Loan #1 - 2018	5/23/2018	\$ 6,990,000	Long	\$ 6,679,000	\$ 2,086,151	\$ 8,765,151	6/15/2042	11/1/2020
GF	2.35%	Restructured Emergency Loan #2 - 2018	5/23/2018	\$ 3,165,000	Long	\$ 3,155,000	\$ 1,010,706	\$ 4,165,706	6/15/2042	11/1/2020
GF	3.45%	Restructured Emergency Loan #3 - 2018	5/23/2018	\$ 1,400,000	Long	\$ 1,300,000	\$ 537,669	\$ 1,837,669	6/15/2043	11/1/2020
GF	2.70%	2017/18 Emergency Loan #4 - 2018	5/23/2018	\$ 2,449,000	Long	\$ 2,449,000	\$ 1,649,114	\$ 4,098,114	6/15/2047	11/1/2020
GF	NA	2007 Energy Conservation Improvement Bonds	12/19/2007		Long	\$ 3,149,000	\$ -	\$ 3,149,000	12/19/2022	11/1/2020
DF	5.00%	2016 Refunding Bonds, Series A	3/29/2016		Long	\$ 10,990,000	\$ 2,656,250	\$ 13,646,250	5/1/2029	11/1/2020
DF	1.74%-2.61%	2016 Refunding Bonds, Series B	3/26/2016		Long	\$ 2,160,000	\$ 55,621	\$ 2,215,621	5/1/2021	11/1/2020
DF	3.41%	School Bond Loan Fund	Annual		Long	\$ 2,212	\$ 320	\$ 2,532	5/1/2035*	11/1/2020
DF	3.41%	School Loan Revolving Fund	Annual		Long	\$ 4,918,431	\$ 247,354	\$ 5,165,785	5/1/2035*	11/1/2020
				\$ 14,004,000		\$ 34,802,643	\$ 8,243,186	\$ 43,417,264		

Note: GF - General Fund (18 mill levy); DF - Debt Service Fund (13 mill levy)

*Indicates Mandatory Repayment Date

Section 2 – November Financial Status Reports

Attachment 2(C): Cash Flow

Received by the RTAB: 11/11/2020 at 4:53pm

Projected Monthly Cash Flow - One Year Projection

Date
11/11/2020

School District
Muskegon Heights Public Schools

	November 20	December 20	January 21	February 21	March 21	April 21	May 21	June 21	July 21	August 21	September 21	October 21
Beginning Balance	\$ 1,499,747	\$ 1,491,585	\$ 1,190,486	\$ 1,262,459	\$ 1,480,768	\$ 1,476,596	\$ 1,462,155	\$ 1,452,303	\$ 1,390,501	\$ 1,417,614	\$ 1,559,142	\$ 1,580,907
Estimated Receipts												
Taxes	\$ 5,565	\$ 72,322	\$ 81,333	\$ 227,481	\$ 5,000			\$ 360,948	\$ 32,000	\$ 150,000	\$ 50,000	\$ 17,281
Taxes - Tech Millage	\$ 15,000	\$ 15,507	\$ 27,000	\$ -	\$ -	\$ -	\$ -	\$ 21,187			\$ 15,000	\$ 15,000
Authorizer Fees	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463	\$ 12,463		\$ 12,463
ELN Proceeds												
Other Revenue	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Total Available Funds	\$ 1,533,775	\$ 1,592,877	\$ 1,285,282	\$ 1,530,403	\$ 1,499,231	\$ 1,490,059	\$ 1,475,618	\$ 1,847,901	\$ 1,435,964	\$ 1,581,077	\$ 1,625,142	\$ 1,626,651
Less Estimated Expenditures:												
Payrolls	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 18,658	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 18,658
Other Expenditures	\$ 13,120	\$ 16,346	\$ 8,752	\$ 8,565	\$ 8,565	\$ 9,245	\$ 9,245	\$ 9,245	\$ 4,280	\$ 7,865	\$ 15,165	\$ 14,165
Emergency Loan Payment	\$ -	\$ 174,376	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 412,898	\$ -	\$ -	\$ -	\$ -
Tech Millage to PSA	\$ 15,000	\$ 15,507	\$ -	\$ 27,000	\$ -	\$ -	\$ -	\$ 21,187	\$ -	\$ -	\$ 15,000	\$ 15,000
Other Liens/Loans (Totals)	\$ -	\$ 182,092	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Estimated Ending Balance	\$ 1,491,585	\$ 1,190,486	\$ 1,262,459	\$ 1,480,768	\$ 1,476,596	\$ 1,462,155	\$ 1,452,303	\$ 1,390,501	\$ 1,417,614	\$ 1,559,142	\$ 1,580,907	\$ 1,578,828

Expenses by Month

	Nov 20	Dec 20	Jan 21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Totals
Payrolls (including contracted staff)	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 18,658	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 14,070	\$ 18,658	\$ 178,018
Consumers - electric	\$ 372	\$ 356	\$ 233	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 800	\$ 800	\$ 800	\$ 800	\$ 6,661
DTE - natural gas	\$ 264	\$ 1,478	\$ 1,997	\$ 1,500	\$ 1,500	\$ 2,000	\$ 2,000	\$ 2,000	\$ 500	\$ 500	\$ 800	\$ 800	\$ 15,339
Waste & Water utility	\$ 139	\$ 168	\$ 177	\$ 220	\$ 220	\$ 400	\$ 400	\$ 400	\$ 220	\$ 220	\$ 220	\$ 220	\$ 3,004
Audit Fees	\$ 6,000										\$ 7,000	\$ 6,000	\$ 19,000
Legal Fees	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 1,160	\$ 13,920
Property Insurance	\$ 3,585	\$ 3,585	\$ 3,585	\$ 3,585	\$ 3,585	\$ 3,585	\$ 3,585	\$ 3,585		\$ 3,585	\$ 3,585	\$ 3,585	\$ 39,435
MAISD Tech Fee		\$ 8,000											\$ 8,000
Epicenter													\$ -
Bank Fees	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 7,200
Misc.	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 12,000
EL Loan Payments		\$ 174,376						\$ 412,898					\$ 587,273
Tech Millage Flowthrough	\$ 15,000	\$ 15,507	\$ -	\$ 27,000	\$ -	\$ -	\$ -	\$ 21,187	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ 108,694
QZAB Energy Bonds		\$ 182,092											\$ 182,092
Totals	\$ 42,190	\$ 402,391	\$ 22,823	\$ 49,635	\$ 22,635	\$ 27,903	\$ 23,315	\$ 457,400	\$ 18,350	\$ 21,935	\$ 44,235	\$ 47,823	\$ 1,180,636

Section 2 – November Financial Status Reports

Attachment 2(D): Budget to Actual MHPS FY 2020-21

Received by the RTAB: 11/11/2020 at 4:53pm

Muskegon Heights Public Schools
 Revenues, Expenditures, and Fund Balance
 GENERAL FUND
 2020-21
 11/11/2020

	Budget 2020-21	Actuals to Date	Under/(Over) to Date	% of Budget Used
Estimated Beginning Fund Balance	\$ 488,424	\$ 488,424		
Revenue				
Property taxes	\$ 1,188,930	\$ 418,017	\$ 770,913	35.2%
State Sources	\$ 6,740	\$ -	\$ 6,740	0.0%
Oversight fees	\$ 137,100	\$ 13,259	\$ 123,841	9.7%
Transfers and Other	\$ 18,500	\$ 21,519	\$ (3,019)	116.3%
Total Revenue	\$ 1,351,270	\$ 452,795		
Expenditures				
Data Technology	\$ 8,650	\$ 312	\$ 8,338	3.6%
Board of Education	\$ 21,550	\$ 7,666	\$ 13,884	35.6%
Executive Administration	\$ 69,100	\$ 12,020	\$ 57,080	17.4%
Business Services	\$ 106,060	\$ 36,788	\$ 69,272	34.7%
Interest and Fees Expense	\$ 6,360	\$ 1,137	\$ 5,223	17.9%
Unpaid Auction and Delinquent Tax Fees	\$ 50,000	\$ -	\$ 50,000	0.0%
Building Services	\$ 83,570	\$ 23,589	\$ 59,981	28.2%
District Technology	\$ 880	\$ 232	\$ 648	26.4%
Emergency Loan Payments	\$ 587,280	\$ -	\$ 587,280	0.0%
Transfers and Other	\$ 302,420	\$ 20,418	\$ 282,002	6.8%
Total Expenditures	\$ 1,235,870	\$ 102,163		
Revenues Less Expenditures	\$ 115,400	\$ 350,633		
Projected Ending Fund Balance	\$ 603,824	\$ 839,057		

REVENUES

11-0111-0000-000-0000-000000-000000-	PROPERTY TAXES CURRENT	-397,598.84
11-0111-0000-100-0000-000000-000000-	OTHER TAXES	0.00
11-0121-0000-000-0000-000000-000000-	TECH MILLAGE FLOWTHROUGH	-20,418.27
11-0124-0000-000-0000-000000-000000-	PENALTY & INT ON DEL TAXES	0.00
11-0151-0000-000-0000-000000-000000-	EARNINGS ON INVEST & DEPOSITS	0.00
11-0191-0000-000-0000-000000-000000-	RENTALS	0.00
11-0199-0000-000-0000-000000-000000-	MISCELLANEOUS	-21,519.00
11-0321-0000-000-0000-000000-000000-	PPT REIMBURSEMENT	0.00
11-0519-0000-001-0000-000000-000000-	3% AUTHORIZER FEE - MHPSA	-13,259.27
11-0519-0000-100-0000-000000-000000-	SHARED BUSINESS SVCS	0.00
11-0591-0000-000-0000-000000-000000-	PROCEEDS FROM ISSUANCE OF BOND	0.00
		-452,795.38

EXPENDITURES

11-1-225-7410-840-0000-00000-000000-	LICENSING FEES & RENEWALS	147.60		
11-1-226-4220-899-0000-00000-000000-	COPY MACHINE	164.80	\$	312.40
11-1-231-3170-000-0000-00000-000000-	LEGAL SERVICES	1,666.25		
11-1-231-3180-000-0000-00000-000000-	AUDIT SERVICES	6,000.00		
11-1-231-3220-007-0000-00000-000000-	TRAVEL - TRINELL SCOTT	0.00		
11-1-231-7410-000-0000-00000-000000-	DUES & FEES	0.00	\$	7,666.25
11-1-232-3150-000-0000-00000-000000-	CONTRACTED SERVICES	12,020.40		
11-1-232-3210-000-0000-00000-000000-	COST OF TRAVEL (MILEAGE)	0.00		
11-1-232-3430-000-0000-00000-000000-	MAILING	0.00		
11-1-232-7910-000-0000-00000-000000-	MISCELLANEOUS	0.00	\$	12,020.40
11-1-252-1620-033-0000-00000-000000-	ACCOUNTING SPECIALIST	20,769.21		
11-1-252-2130-000-0000-00000-000000-	HOSPITALIZATION	7,154.50		
11-1-252-2820-033-0000-00000-000000-	CONTRIB TO ST&LOC RETIRE FUNDS	5,760.66		
11-1-252-2830-033-0000-00000-000000-	EMPLOYER SOCIAL SECURITY	1,588.86		
11-1-252-2840-033-0000-00000-000000-	WORKMAN'S COMPENSATION	0.63		
11-1-252-3150-030-0000-00000-000000-	CONTRACTED SERVICES	0.00		
11-1-252-3220-030-0000-00000-000000-	TRAVEL & CONFERENCE	0.00		
11-1-252-5910-030-0000-00000-000000-	OFFICE SUPPLIES	1,514.05	\$	36,787.91
11-1-252-7410-000-0000-00000-000000-	INTEREST & FEES EXPENSE	1,136.75	\$	1,136.75
11-1-259-7610-000-0000-00000-000000-	TAXES ABATED & WRITTEN OFF	0.00	\$	-
11-1-261-3190-100-0000-00000-000000-	CONTRACTED SERVICES	6,514.98		
11-1-261-3410-000-0000-00000-000000-	TELEPHONE CHARGES	0.00		
11-1-261-3830-000-0000-00000-000000-	WATER & SEWAGE	460.40		
11-1-261-3840-000-0000-00000-000000-	WASTE & TRASH DISPOSAL	0.00		
11-1-261-3910-000-0000-00000-000000-	INSURANCE	14,339.30		
11-1-261-4110-000-0000-00000-000000-	LAND AND BLDGS-REPAIRS & MAINT	0.00		
11-1-261-5510-000-0000-00000-000000-	HEATING FUEL	149.92		
11-1-261-5520-000-0000-00000-000000-	ELECTRICITY	2,124.23	\$	23,588.83
11-1-284-3410-000-0000-00000-000000-	CELL PHONE CHARGES	231.97	\$	231.97
11-1-411-8910-000-0000-00000-000000-	TRANSFERS TO MHPSA	20,418.27		
11-1-511-7110-994-0000-00000-000000-	PRINCIPAL PMT - EMERGENCY LOAN	0.00		
11-1-511-7230-994-0000-00000-000000-	INTEREST PMT - EMERGENCY LOANS	0.00	\$	-
11-1-634-8110-000-0000-00000-000000-	QZAB TRANSFER - DEBT RETIREMEN	0.00	\$	20,418.27

Muskegon Heights Public Schools
Revenues, Expenditures, and Fund Balance
DEBT SERVICE - 2016 REFUNDING BONDS
2020-21
11/11/2020

	Actuals to Date
Estimated Beginning Fund Balance	\$ 290,713
Revenue	
Tax Revenues	\$ 421,368
SBLF/SLRF (State Bond Loan Programs)	\$ -
Total Revenue	\$ 421,368
Expenditures	
Tax Chargebacks & Auction Property	\$ -
Principal Payments	\$ -
Interest Payments	\$ 301,922
Total Expenditures	\$ 301,922
Revenues Less Expenditures	\$ 119,447
Projected Ending Fund Balance	\$ 410,160

Account	Description	
32-0111-0000-000-0000-000000-000000-	PROPERTY TAX LEVY	-421,354.43
32-0111-0000-100-0000-000000-000000-	OTHER TAXES-HSBF	0.00
32-0124-0000-000-0000-000000-000000-	PENALTY & INT ON DEL TAXES	0.00
32-0151-0000-000-0000-000000-000000-	EARNINGS ON INVESTMENTS-HSBF	-13.61
32-0321-0000-000-0000-000000-000000-	PPT REIMBURSEMENT	0.00
32-0591-0000-000-0000-000000-000000-	BOND PROCEEDS	0.00
32-0595-0000-000-0000-000000-000000-	STATE LOAN PROGRAM-HSBF	0.00
32-0596-0000-000-0000-000000-000000-	PROCEEDS FROM REFINANCING DEBT	0.00
32-0596-0000-001-0000-000000-000000-	PREMIUM ON REFUNDING BONDS	0.00
32-0599-9000-000-0000-000000-000000-	DUE TO/FROM	0.00
32-0631-0000-000-0000-000000-000000-	TRANSFER IN	0.00
		-421,368.04

Account	Description	
32-1-252-3180-000-0000-000000-000000-	AUDIT SERVICES	0.00
32-1-252-7410-000-0000-000000-000000-	PAYING AGENT FEES	0.00
32-1-259-3610-000-0000-000000-000000-	PRINTING	0.00
32-1-259-7610-000-0000-000000-000000-	TAXES ABATED & WRITTEN OFF	0.00
32-1-511-7110-000-0000-000000-000000-	PRINCIPAL - 2006 REF BDS	0.00
32-1-511-7230-000-0000-000000-000000-	INTEREST-HSBF	301,921.50
32-1-511-7310-000-0000-000000-000000-	OTHER BOND ISSUANCE COSTS	0.00
32-1-511-7330-000-0000-000000-000000-	BOND DISCOUNT	0.00
32-1-511-7410-000-0000-000000-000000-	PAYING AGENT FEES-HSBF	0.00
32-1-512-7320-000-0000-000000-000000-	PAYMENTS TO BOND ESCROW AGENT	0.00

Muskegon Heights Public Schools
Revenues, Expenditures, and Fund Balance
QZAB Fund
2020-21
11/11/2020

	Actuals to Date
Estimated Beginning Fund Balance	\$ 2,443,399
Revenue	
Earnings on Investment	\$ -
Transfers In	\$ -
Total Revenue	\$ -
Expenditures	
	\$ -
Total Expenditures	\$ -
Revenues Less Expenditures	\$ -
Projected Ending Fund Balance	\$ 2,443,399

Account	Description	
34-0151-0000-000-0000-000000-	EARNINGS ON INVESTMENTS	0.00
34-0611-0000-000-0000-000000-	QZAB TRANSFER	0.00

Section 3 – Information Received from Muskegon Heights Public Schools

Attachment 3(A): Re-Submission and Amendment to Pending Muskegon Heights Public Schools Request for Approval (Including Exhibit A, Exhibit B, Exhibit C)

Received by the RTAB: 11/11/2020 at 8:54pm



smithk@psgpartners.com
2801 Clark St., Detroit, MI 48203
Ph: 313.580.2096
Fax: 313.879.6969

November 11, 2020

Receivership Transition Advisory Board
Michigan Department of Treasury
430 W. Allegan St.
Lansing, MI 48922

Re: Re-submission and Amendment to Pending Muskegon Heights Public Schools'
Requests for Approval

Dear Board:

On behalf of the School District of the City of Muskegon Heights (the "District") enclosed are three requests for Muskegon Heights Receivership Transition Advisory Board ("RTAB") approval. The following is a restatement of all prior requests and includes a new request that was not previously submitted:

- (1) **Fill Two (2) Existing Vacancies:** The District Board of Education ("Board") requests the RTAB's approval of two candidates it selected and approved to fill two vacancies on the Muskegon Heights Public School Academy System Board of Directors (the "System Board" or "BOD") in accordance with the Revised School Code and the Charter Contract with the System Board (as amended by the Revised Method of Selection Resolution/EM Order 2016-8 dated October 20, 2016, the "Charter Contract"). A summary of specific term and appointments for each candidate is set forth in Exhibit A. A copy of the Board resolutions documenting the Board's decisions, together with completed board candidate questionnaire, application and background results for all candidates are attached as Exhibit B.
- (2) **Removal of Remaining Three (3) System Board Members, and Approval of Replacements:** The Board requests approval of its decision to remove the three (3) remaining members of the System Board in accordance with the Charter Contract and Revised School Code, and if approved, the related approval of the three (3) alternative candidates selected by the Board to fill the vacancies created by the removal. See Exhibits A and B.
- (3) **New Request to Fill Two (2) Additional Open System Board Seats With Initial Appointments:** The Charter Contract on its face authorized up to seven (7) seats on the

System Board, but only 5 were initially appointed. Per the Revised School Code and Charter Contract, the Board, as authorizer of the Charter (“Authorizer”), has sole authority to make initial appointments, without a requirement to first consider nominees by the System Board. While the Revised Method of Selection Resolution establishes a process that allows the System Board to nominate replacement members, it is silent, and therefore does not require the Board to do the same for initial appointments. That remains the sole discretion of the Authorizer, which is consistent with the broad discretion granted all other authorizers under the Revised School Code. **In the event one or more of the five (5) candidates approved by the District Board are not approved to replace one of the three (3) existing members, the Board hereby requests in the alternative, that the RTAB approve the appointment of those candidates to initial terms as listed in Exhibit A.**

The above requests are being submitted after years of unsuccessful attempts to reconcile issues with the System Board and/or find compromise on appointments. Most recent efforts to meet over the past month produced the same results and ambivalence described in the past:

- The System Board rejected all attempts to schedule a meeting between Presidents – insisting the parties could only meet if a mediator was hired to facilitate the meeting. The System Board’s reasoning ignores the fact that the purpose of the meeting was to *avoid* mediation, which already is a responsibility assigned to the RTAB under the Revised Method of Selection Resolution. Their insistence evidences the lack of trust that would make keeping the current members in place impossible.
- The System Board has refused to acknowledge that member Stephen Parker’s board term expired last July 2020 (which created the second of two vacancies identified in Request (1) above). Until recently, the System Board ignored communications from the Board that Mr. Parker’s term expired. Mr. Parker continues to participate as an active Board member in complete disregard of this fact. System Board’s counsel, initially cited a clerical error from former Emergency Manager Steve Schiller’s 2016 Order re-appointing Mr. Parker (which erroneously read the re-appointment was effective “July 17, 2020”) as the reason the Board’s compliance complaint could be ignored. After the System Board and its counsel were provided email confirmation directly from Mr. Schiller clarifying that his true intent was for Mr. Parker’s term to be renewed effective “July 17, 2016” for a 4-year period “ending” July 2020, counsel now suggests in defiance that the System Board is unwilling to accept EM Schiller’s intent unless instructed to do so by this RTAB. (Copies of Schiller email and Letter to Parker regarding term expiration are attached as Exhibit C).
- In the latest shift in strategy, the System Board now proposes the RTAB should disregard the intent of Mr. Schiller’s re-appointment Order and the fact that Mr. Parker’s term expired months ago, and instead modify Mr. Schiller’s prior Order to keep Mr. Parker on the System Board. This request erroneously assumes the RTAB has authority or appetite to take such unprecedented action to undo what happened months ago, automatically, by

law. (State law recognizes the expiration of a board term on its expiration date, without requirement to take any affirmative action).

Above all, the actions of the System Board reinforce that there's an absence of trust and respect on the part of the System Board that makes the current relationship unsalvageable. As inconvenient as System Board members may believe past Board involvement or requests may have been – and I do not suggest there is reason to support that belief -- the Board, as elected officials, cannot be removed from the public body that is the Authorizer.

Therefore, in light of the System Board's clear commitment to subordinate the Board in favor of a direct reporting relationship to the RTAB, there is no alternative to the Board's requests.

While the RTAB plays a critical role in assuring that the financial objectives of the District's Deficit Elimination Plan are met, it would be irrational to suggest that the RTAB has interest in continuing to referee basic oversight requests, or compliance and educational concerns unrelated to finances.

Moreover, all stakeholders accept the notion that the RTAB will likely seek to resolve the competing requests without taking sides. To that end, I encourage the RTAB to consider how a court of competent jurisdiction would similarly decide the competing requests. In my experience, whenever possible, courts look to uphold the intent of the applicable laws without picking favorites. For every public school board authorizer excluding the District Board, the Revised School Code grants broad power to authorizers to remove board members, with or without cause, and to appoint or reject candidates nominated by its charter board as it deems in its sole judgment is in the best interest of its school community. Unless there is a compelling reason not to accept any of the candidates approved by the Board (i.e., the decision is certain to negatively impact District finances), the Board is requesting that the RTAB extend it the same discretion and latitude other boards of education have, regardless of which candidates individual RTAB members personally prefer.

Nonetheless, if the Board's requests are not approved, there is no doubt that the current System Board will continue to return to ask the RTAB to mediate any and all issues or requests they don't like. We hope your honorable board agrees that this is not the desired relationship to force.

If you have any additional questions regarding the Board's request or this letter, please do not hesitate to contact me directly.

Sincerely,



Kevin A. Smith, Esq.
Public Solutions Group, PLLC

cc: Board of Education, Muskegon Heights School District
John Lewis, Assistant Superintendent
Brianna T. Scott, Esq.

EXHIBIT A

**EXHIBIT A
SUMMARY OF BOARD VACANCIES AND
DISTRICT APPOINTMENT DECISIONS**

KEY OBSERVATIONS:

1. Two of the existing 5 seats are vacant. System Board no longer disputes this fact.
2. Seven (7) seats are currently authorized by Charter; only 5 were filled and 2 additional seats may be filled by Board (BOE). No requirement to seek nomination from System Board for initial appointments. System Board cannot dispute clear state law and charter provision.
3. At a special meeting held October 5, 2020, the BOE clarified which candidates it is seeking to appoint to fill each seat, as more fully set forth below. See Exhibit B for a copy of October 5th Meeting Minutes.

	System Board Member	Term	Current Status	BOE Appointment and proposed Term
1.	Garland Kilgore, President	7/6/18 – 7/9/21	Seated, BOE voted to remove	Antonette Robinson, To complete remaining term expiring 7/9/21
2.	Celestine Parker, Vice-President	1/10/19 – 1/10/22	Seated, BOE voted to remove	Leslie Slater, To complete remaining term expiring 7/9/21
3.	Christopher Dean, Secretary	1/10/19 – 1/10/22	Seated, BOE voted to remove	David Fox, To complete remaining term expiring 1/10/22
4.	Stephen Parker, Treasurer	7/18/16 – 7/17/20	Vacant (expired)	Marquis Childers, Jr. New 3-year term: expiring October 2, 2023
5.	Mary Byrd	10/1/16 - 9/30/19	Vacant (expired)	Joe Warren, New 4-year term: expiring October 2, 2024
6.			Vacant	Never seated
7.			Vacant	Never seated

4. MHPSAS submitted 3 names nominated by System Board. Dwayne Banks, Angelia Coleman and Kimberly Sims; BOE does not approve any of the three names.
5. BOE would like to remove remaining 3 PSAS board members. Took formal action and voted by majority to do so. Need RTAB approval.

EXHIBIT B

**BOARD CANDIDATE DOCUMENTS,
BACKGROUND INFO, BOARD PROCEEDINGS**



Muskegon Heights Public Schools

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

August 13, 2020

Jessica Thomas, President
Receivership Transition Advisory Board for
Muskegon Heights Public Schools
Michigan Department of Treasury
430 W. Allegan St.
Lansing, MI 48922

Dear President Thomas:

In response to your letter dated June 12, 2020, the Muskegon Heights Public Schools (MHPS) Board of Education provides the following plan for removal and replacement of the Muskegon Heights Public School Academy (MHPSA) appointed board.

On August 13, 2020, a letter was sent to the current MHPSA board members via email notifying the members that the MHPS board will be removing them from their board positions on August 13, 2020 pending review by the Receivership Transition Advisory Board (RTAB).

Prior to the aforementioned letter sent to the current MHPSA board, the MHPS board has conducted interviews of potential board replacements and held votes on these candidates during public virtual meetings. Copies of their completed Public School Academy System Board Member Appointment Questionnaires are included in the email attached to this letter, as well as the meeting minutes approving these candidates. We would also like to note that the MHPS board has processed and received criminal background check results as well as collected candidate conflict of interest waivers (via questionnaire). The MHPS Board approves the following candidates:

- Mr. Marquis Childers, Jr.
- Mr. David Fox
- Mrs. Antonette Robinson
- Mrs. Leslie Slater
- Mr. Joseph Warren

Each candidate above is a citizen of the United States and a resident of Michigan. Equally important, all candidates are Muskegon Heights Public School alumni and four of the above approved candidates are current residents of the city of Muskegon Heights.

No approved candidate is appointed or controlled by another profit or non-profit corporation. No candidate is a MHPSA system employee or independent contractor performing services for MHPSA. No candidate is a current or former director, officer, or employee of an educational management company that contracts with MHPSA. No member is a current MHPS district board member, official, or employee.

The MHPS board believes that these candidates share the vision of what a successful public school academy in Muskegon Heights should be and how it can be achieved. They are ready to begin their roles immediately should they be approved by the Muskegon Heights RTAB. The MHPS board fully intends upon meeting with the new MHPSA board shortly after their appointment by the RTAB. The purpose of this meeting, with the assistance of an independent facilitator, is to discuss the working relationship of both the MHPS and MHPSA boards, as well as the educational expectations of MHPSA.

We are requesting that the RTAB review the information provided and include the MHPS board on the RTAB meeting agenda for August 19, 2020. This will provide the MHPS board with an opportunity to discuss why we feel board member replacement is necessary, as well as provide the RTAB with an opportunity to voice questions or concerns regarding this change. It is our hope that these five candidates be placed prior to the beginning of the school year which begins on August 31, 2020.

Respectfully,

A handwritten signature in black ink, appearing to read "Trinell Scott". The signature is fluid and cursive, with a large initial "T" and "S".

Trinell Scott
President, Muskegon Heights Board of Education
Muskegon Heights Public School District



Muskegon Heights Public Schools

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

AGENDA

SPECIAL BOARD MEETING

BOARD OF EDUCATION
2603 LEAHY STREET
MUSKEGON HEIGHTS, MICHIGAN

MUSKEGON HEIGHTS BOARD OF EDUCATION

MONDAY, APRIL 20, 2020
12:00 NOON

1. Call to Order
2. Roll Call
3. Action Items
 - a. *Interview Kimberly Sims*
 - b. *Kimberly Sims be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.*
4. Report from the Assistant Superintendent
5. From the Board
6. Concerns of Parents/Citizens and Recognition of Guests
7. Adjournment

BOARD OF EDUCATION
of the
SCHOOL DISTRICT
of the
CITY OF MUSKEGON HEIGHTS, MICHIGAN
SPECIAL BOARD MEETING
MONDAY, APRIL 20, 2020
12:00 NOON

OFFICIAL PROCEEDINGS

1. **The Special Board Meeting, Muskegon Heights Public Schools via Microsoft Teams Meeting, Muskegon Heights, Michigan, was called to order by President Scott at 12:07 p.m.**

2. **President Scott, instructed Secretary Cook, to call the roll and note Board Members and Administrative Staff present.**

BOARD MEMBERS: Mrs. Trinell Scott, President; Mr. Mark Glover, Vice-President; Mrs. Marjorie Cook, Secretary; Mrs. Estelita Rankin, Treasurer; Mrs. Peggy Selmon, Trustee; Mrs. Marianne Darnell, Trustee

BOARD MEMBERS ABSENT:

ADMINISTRATIVE STAFF: Mr. John Lewis, Assistant Superintendent

ADMINISTRATIVE STAFF ABSENT:

Roll Call:

P Scott P Darnell P Selmon P Rankin P Cook P Glover

3. ACTION ITEMS

a. INTERVIEW: KIMBERLY SIMS

b. RESOLVED, that *Kimberly Sims* be approved and submitted as a candidate for the *Muskegon Heights Public School Academy Board Member*.

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution.

Roll Call:

N Scott N Darnell Y Selmon N Rankin N Cook Y Glover
2 YEAH 4 NAY

**4. REPORT FROM THE ASSISTANT SUPERINTENDENT
NONE**

5. FROM THE BOARD

In March Trinell Scott and Estelita Rankin met with Brianna Scott, School Attorney to discuss avenues to pursue elected board options. Ms. Scott will discuss particulars of the meeting at a later date.

**6. CONCERNS OF PARENTS/CITIZENS AND RECOGNITION OF GUESTS
NONE**

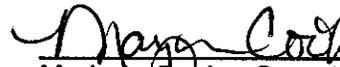
7. ADJOURNMENT

RESOLVED, that the Special Board Meeting for Monday, April 20, 2020, adjourned at 1:05 p.m.

M Mark Glover MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

6 YEAS 0 NAYS

Respectfully submitted,



Marjorie Cook, Secretary



Muskegon Heights Public Schools

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

AGENDA

SPECIAL BOARD MEETING

BOARD OF EDUCATION
2603 LEAHY STREET
MUSKEGON HEIGHTS, MICHIGAN

MUSKEGON HEIGHTS BOARD OF EDUCATION

Microsoft Teams Meeting

1 313-725-4124 United States, Detroit (Toll)

Conference ID: 845 115 836#

**THURSDAY, AUGUST 13, 2020
12:00 NOON**

- 1. Call to Order**
- 2. Roll Call**
- 3. Action Items**
 - a. Remove the All of the Current Muskegon Heights Public School Academy Board Members (Muskegon Heights Public School Academy)*
 - b. Fill All Vacancies of the Muskegon Heights Public School Academy Board Seats*
- 4. Report from the Assistant Superintendent**
- 5. From the Board**
- 6. Concerns of Parents/Citizens and Recognition of Guests**
- 7. Adjournment**

BOARD OF EDUCATION
of the
SCHOOL DISTRICT
of the
CITY OF MUSKEGON HEIGHTS, MICHIGAN
SPECIAL BOARD MEETING

Microsoft Teams Meeting

THURSDAY, August 13, 2020
12:00 NOON

OFFICIAL PROCEEDINGS

1. **The Special Board Meeting, Muskegon Heights Public Schools via Microsoft Teams Meeting, Muskegon Heights, Michigan, was called to order by President Scott at 12:16 p.m.**

2. **President Scott, instructed Secretary Cook, to call the roll and note Board Members and Administrative Staff present.**

BOARD MEMBERS: Mrs. Trinell Scott, President; Mr. Mark Glover, Vice-President; Mrs. Marjorie Cook, Secretary; Mrs. Estelita Rankin, Treasurer; Mrs. Peggy Selmon, Trustee; Mrs. Marianne Darnell, Trustee

BOARD MEMBERS ABSENT:

ADMINISTRATIVE STAFF: Mr. John Lewis, Assistant Superintendent

ADMINISTRATIVE STAFF ABSENT:

Roll Call:

P Scott P Darnell P Selmon P Rankin P Cook P Glover

3. ACTION ITEMS

DISCUSSION: Concern as to the time of removal of the PSA Board will seem to the community that it's not timely due to COV-19.

a. REMOVAL OF ALL THE CURRENT PSA BOARD MEMBERS: (DISCUSSIONS)

BE IT RESOLVED, that the removal of all the current Muskegon Heights Public School Academy (MHPSA) Board Members be approved and placed on file (pending review of the Receivership Transition Advisory Board (RTAB)) The following members will be removed from the: Mr. Christopher Dean, Mr. Garland Kilgore, Ms. Celestine Parker and Mr. Stephen Parker.

M Estelita Rankin MOVED and m Marjorie Cook SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

b. FILL ALL VACANT MUSKEGON HEIGHTS PUBLIC SCHOOL ACADEMY BOARD SEATS: (DISCUSSIONS) None

BE IT RESOLVED, that all vacant Muskegon Heights Public School Academy Board seats be filled and placed on file. The following individuals will fill the vacant seats: Mr. Marquis Childers, Jr., Mr. David Fox, Mrs. Antonette Robinson, Mrs. Leslie Slater and Mr. Joseph Warren.

M Peggy Selmon MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

4. REPORT FROM THE ASSISTANT SUPERINTENDENT

The letter pertaining to the Resolutions voted on in today's Special Board Meeting will be emailed to the Receivership Transition Advisory Board (RTAB) President this afternoon as well as the letters to the four current PSA Board Members. In the email that is being sent with the letter to the RTAB a request will be made to be placed on the RTAB Agenda on Wednesday, August 19, 2020, and that this be put on their agenda as an action item to be voted on.

5. FROM THE BOARD

The Board President stated she will be attending the RTAB meeting next week with a positive note. The Board has completed all steps as it relates to the contract. If by chance The RTAB does not agree with the Resolutions we voted on today, our fight will not end. We as a Board will continue to fight to the end.

6. CONCERNS OF PARENTS/CITIZENS AND RECOGNITION OF GUESTS

None

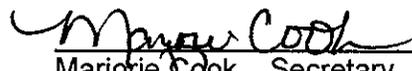
7. ADJOURNMENT

RESOLVED, that the Special Board Meeting for Thursday, August 13, 2020, adjourned at 12:27 p.m.

M Estelita Rankin MOVED and m Peggy Selmon SECONDED the adoption of the resolution.

6 YEAS 0 NAYS

Respectfully submitted,



Marjorie Cook, Secretary

Personal Information

Please neatly print or type the following information:

I hereby request appointment to the Muskegon Heights board of directors
Academy Name

Name: Marquis D Childers Jr
First Middle Last

Date of Birth: [Redacted]
Home Address: [Redacted]

Muskegon Heights MI 49444
City State Zip

Employer: C.H.I.R Position/Job Title Business & Economic Prosperity Consultant

Employer Address: 737 Overbrook Dr
Street Number
Muskegon Heights Michigan 49444
City State Zip

Home Number: [Redacted] Work Number: (231)670-6122
Fax Number: [Redacted] E-mail Address: [Redacted]

Spouse's Name
First Middle Last

Are you a United States Citizen? [Redacted] Are you a Michigan resident? Yes No
Do you have children? If so, what are their ages? [Redacted]

Education History

High School Muskegon Heights High School City/State Muskegon Hts, MI
Graduation Date May 2011
Month/Year

Undergraduate Institutions (B.A.; B.S.; B.B.A.; etc.)
Institution Name Olivet College Graduation Date May 2015
Month/Year

Major Sports Management Minor _____
Concentration/Degree BA
Institution Name Olivet College Graduation Date May 2015
Month/Year

Major _____ Minor _____
Concentration/Degree _____

Post-Graduate and Professional Institutions (M.A.; M.S.; M.B.A., M.Ed.; Ph.D., J.D., M.D., etc.)

Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	

Employment Experience

Please list your employment experience for the past 10 years. Please use an additional sheet if necessary

Employer	<u>Men & Women of Character</u>	Dates of Employment:	<u>June 2010 - Oct 2014</u> Month/Year
Job Title	<u>Youth Coordinator</u>		
Employer	<u>Muskegon YmCA</u>	Dates of Employment:	<u>June 2012 - Sept 2014</u> Month/Year
Job Title	<u>Youth Coordinator</u>		
Employer	<u>Olivet College (Internship)</u>	Dates of Employment:	<u>Oct 2014 - May 2016</u> Month/Year
Job Title	<u>Grad. Assistant w/ Women Basketball</u>		
Employer	<u>Timberland Academy</u>	Dates of Employment:	<u>Sept 2016 - Sept 2018</u> Month/Year
Job Title	<u>Special Education Para-Professional</u>		
Employer	<u>Community Health Innovation Region</u>	Dates of Employment:	<u>Sept 2018 - Current</u> Month/Year
Job Title	<u>Business & Economic Prosperity Consultant</u>		
Employer	_____	Dates of Employment:	_____ Month/Year
Job Title	_____		

Do you hold any professional licenses? If so, please describe the licenses including the license numbers:

What special skills could you bring to the public school academy board?

Additional Qualifications

Please answer the following five (5) questions if applicable. Please use a separate sheet if necessary.

<p>1. Government Experiences: List any experience in, or association with, local, state or federal government (exclusive of elective public office but including advisory, consultative, current or previous appointments, honorary, or other part-time service or position), with dates of services.</p>
<p>Federal & State funding w/ Muskegon C.H.I.R on alignment w/ state & local organizations, A Grass root funding to create optimal health.</p>
<p>2. Elective Public Office: List all elective public offices sought and held with dates of service.</p>
<p>3. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and other special recognition for outstanding service or achievement.</p>
<p>- BA Concentration - MH Band (2008-2011) - Community Coalition Development Board - MH Optimist Club - Muskegon CHIR Steering Council - MH Business Associations - Men's program at Olivet College - VP of the Neighborhood Associations of Michigan - 7th grade Basketball coach - Men's program at Muskegon Heights</p>
<p>4. Volunteer Experiences: List all experience with volunteer organizations and positions held.</p>
<p>- Olivet College Service Day (2011-2014) - MOCAP - MAFSB soapbox - Muskegon Heights Optimist Club - Light up the city - Neighborhood Clean-ups - Muskegon Heights Festival in the Park</p>
<p>5. Miscellaneous: List any additional points, including special skills that qualify you for this position.</p>
<p>- MH Photovoice - Muskegon Co. Livability Lab - MH Neighborhood Associations - Muskegon C.H.I.R</p>

Conflicts of Interest

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Do you know if any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential.	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Do you or your spouse have a contractual agreement with the Academy?	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Do you or your spouse have any ownership interest in any management company contracting with the Academy?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Have you or your spouse guaranteed any loans for the Academy?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Will you or your spouse be leasing or selling any real property to the Academy?	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Will you or your spouse be employed at the Academy (either as an employee of the Academy or as an employee of a management company contracted by the Academy)?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Do you or your spouse sell any supplies, materials, equipment or other personal property to the Academy?	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Have you or your spouse provided any start-up funds to the Academy? If so, how much?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Do you or your spouse, or other close family members have ownership, interest, whether directly or indirectly, in any corporation, partnership, association, or other legal entity which will enter into a contract with the Academy?	9. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Do you currently serve as a public official?	10. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Is there any other matter in which you are involved which is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position?	11. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Ethical Matters

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Citations. Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in, a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Convictions: Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Michigan offenses of operating under the influence of liquor, operating while impaired, reckless driving, or the equivalent offenses in other states).	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Current Charges: Are you now under charges for any violation law?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. U.S. Military Convictions: Have you ever been convicted by any military court?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Imprisonment: Have you ever been imprisoned, been on probation, or been on parole	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Agency Proceedings: Civil Litigation: Are you presently, or have you ever been a party in interest in any administrative agency proceedings or civil litigation which is related in any way to the position to which you seek to be appointed?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Agency Proceedings and Civil Litigation of Affiliates and Family: Has any business in which you, your spouse, close family members or business associate are or were an officer, director, or partner been a party to any administrative agency proceedings or civil litigation relevant to the position to which you seek to be appointed? (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member or business associate were an officer of that business.)	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Other: Is there any other any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

References (required)

Please submit three (3) character references. References must have no familial relation to you, i.e. no blood relatives or relatives by marriage.

Name Vondie Woodbury Relationship to you Supervisor

Telephone [REDACTED] How long have you known this person? 10+ yrs

Name Ivory Morris Relationship to you Mentor

Telephone [REDACTED] How long have you known this person? 10+ yrs

Name Jeff Fortenbacher Relationship to you Supervisor

Telephone [REDACTED] How long have you known this person? 10+ yrs

Application Verification

I recognize that all information submitted with this application or gathered by Muskegon Heights Public School Academy as a result of this application becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonably believes is true based upon my representations or resulting from this application process.

I Marquis Childers Jr certify that the information provided in this statement is, to the best of my knowledge, true and accurate.

Signature  Date 6/28/2020

**PLEASE NOTE: Public School Academy Board Applications
Are subject to public disclosure under the Michigan Freedom of Information Act.**

Personal Background Check Consent

A criminal records check must be conducted as a condition for appointment as a public official serving on the board of a public school academy authorized by Muskegon Heights Public Schools. This consent does not authorize nor will Muskegon Heights Public Schools conduct a consumer credit check.

Information requested on this page will be used to conduct a criminal records check and will not be used to determine qualifications as a proposed public school academy board member. This page will be removed prior to review of the information contained in the application.

Please print or type the following information:

1. Print or type your full name: Marquus D Childers Jr.
First Middle Last (Jr, III, etc.)

2. Maiden Name/Previously Used Names: _____

3. Current address: _____

4. Former address: _____

5. Date of Birth: _____
Month Day Year

6. Driver's License Number: _____ 7. Gender: _____

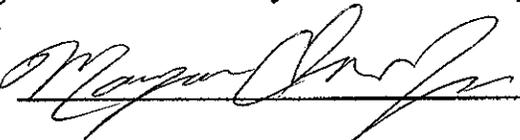
8. Race: _____

By signing this document I acknowledge receipt of this disclosure and authorize Muskegon Heights Public Schools to obtain a copy of my criminal records report.

I consent to the release of information concerning my criminal record, subject to any restrictions that I have included, to Muskegon Heights Public Schools, its Muskegon Heights Public School Academy. I specifically authorize Muskegon Heights Public School Academy to conduct a criminal records check on me with the applicable local, state and federal law enforcement agencies.

I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonable believes is true based upon my representations or resulting from the criminal records check consent process.

By my signature I assert and certify that the information provided is, to the best of my knowledge, true and complete.

Signature  Date 6/28/2020

Marquis D. Childers Jr.

Muskegon Hts. • MI • 49444

OBJECTIVE:

My objective is to gain employment to assist my educational goals. I want to utilize skills that I have gained in my previous employment in my education and internship and gain more experience in the workforce for my future in regards to health, education and economic development.

EDUCATION:

- Olivet College: Bachelor Degree in Sports Recreation Management w/Business Concentration
- Muskegon Heights High School: Graduated with Honors in May 2011

SKILLS & QUALIFICATIONS:

- Knowledge of various computer programs
- Excellent Oral and Written communication skills
- Excellent organizational and customer service skills
- Excellent Public Speaking
- Ability to work independently and in a team environment
- Ability to work children (small or large groups)
- Demonstrate the ability to manage multiple task simultaneously
- Ability to maintain confidential records
- Ability to schedule and keep track of appointments and reports
- Ability to relate to the community and communicate effectively
- Knowledge of OSHA and FERPA Laws
- Cash Handling experience
- Knowledge of standard office equipment

WORK EXPERIENCE:

Community Health Innovation Region (SIM/CHIR) September 2018-Current

- Community Engagement Coordinator/Manager
- Plan and execute partner events to create a sense of belonging among partners
- Develop key process and communication that facilitate program development, outreach and execution
- Community Assessments (sort, organize and analyze data)
- Create Neighborhood Focus Groups
- Created a Photovoice for the community
- Designed the Livability Lab and the 100 Day Challenge
- Lead 4 Challenge teams with the 100 Day Challenge
- Developed Neighborhood Associations throughout Muskegon County
- Developed the Muskegon Heights Neighborhood Association Council
- Developed the Youth Initiative in Muskegon Heights

ASSOCIATIONS & CLUBS

- VP of the Neighborhood Association of MI
- Member of the Block Board
- Member of the Community Coalition Development Board
- Member of the Muskegon Heights Business Association (MHBA)
- Muskegon 7th grade Boys Basketball Coach
- Men's Basketball Program at Muskegon Heights
- Men's Basketball Program at Olivet College
- President National Honor Society
- Muskegon Heights Marching Band
- Men and Women of Character Leadership Academy

CERTIFICATIONS:

- Muskegon Community College Leadership Academy
- Certified MHSAA Basketball Official
- CPR & First Aid

REFERENCES:

Ivory Morris
Health Navigator
Health Project, Muskegon MI
[REDACTED]

James Gardner
Muskegon Heights Department of Public Works Director
[REDACTED]

MiMi Rankin
MCHP Diabetes Coordinator
Muskegon, MI.
[REDACTED]

Vondie Woodbury
Consultant, Muskegon, MI
[REDACTED]

Jeff Fortenbacher
CEO Access Health, Muskegon
[REDACTED]

Personal Information

Please neatly print or type the following information:

I hereby request appointment to the Muskegon Heights Public School Academy board of directors
Academy Name

Name: David William Fox
First Middle Last

Date of Birth: [Redacted]
Home Address: [Redacted] Muskegon
Street County
Muskegon Heights MI 49444
City State Zip

Employer: 231 Over Everything Position/Job Title Owner
Employer Address: 82 e Maplewood
Street Number

Muskegon Hts MI 49444
City State Zip

Home Number: () Work Number: ()
Fax Number: () E-mail Address: [Redacted]
Spouse's Name _____
First Middle Last

Are you a United States Citizen? [Redacted] Are you a Michigan resident? Yes No
Do you have children? If so, what are their ages? [Redacted]

Education History

High School Muskegon Hts High School City/State Muskegon Hts, MI
Graduation Date May/2007
Month/Year

Undergraduate Institutions (B.A., B.S.; B.B.A.; etc.)

Institution Name Grand Valley State University Graduation Date 04/16
Month/Year

Major Spa Leadership/Physical Education Minor _____
Concentration/Degree _____

Institution Name _____ Graduation Date _____
Month/Year

Major _____ Minor _____
Concentration/Degree _____

[Type text]

Post-Graduate and Professional Institutions (M.A.; M.S.; M.B.A., M.Ed.; Ph.D., J.D., M.D., etc.)

Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	

Employment Experience

Please list your employment experience for the past 10 years. Please use an additional sheet if necessary

Employer	<u>Timberland Charter Academy</u>	Dates of Employment: <u>08/14-03/17</u> Month/Year
Job Title	<u>Achievement + Behavior Support Specialist</u>	
Employer	<u>Access Point</u>	Dates of Employment: <u>08/17-12/17</u> Month/Year
Job Title	<u>Substitute</u>	
Employer	<u>EduStaff</u>	Dates of Employment: <u>1/18-06/19</u> Month/Year
Job Title	<u>Substitute</u>	
Employer	<u>231 over Everything</u>	Dates of Employment: <u>08/14-current</u> Month/Year
Job Title	<u>owner</u>	
Employer	_____	Dates of Employment: _____ Month/Year
Job Title	_____	
Employer	_____	Dates of Employment: _____ Month/Year
Job Title	_____	

Do you hold any professional licenses? If so, please describe the licenses including the license numbers:

NO

What special skills could you bring to the public school academy board?

Ability to recruit kids back to Muskegon Hts. Leadership, accountability.

Additional Qualifications

Please answer the following five (5) questions if applicable. Please use a separate sheet if necessary.

1. Government Experiences: List any experience in, or association with, local, state or federal government (exclusive of elective public office but including advisory, consultative, current or previous appointments, honorary, or other part-time service or position), with dates of services.

2. Elective Public Office: List all elective public offices sought and held with dates of service.

3. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and other special recognition for outstanding service or achievement.

Deans List, National Honors Society

4. Volunteer Experiences: List all experience with volunteer organizations and positions held.

Muskegon Rescue Mission - organizer for give away 01-19-20

Clean local parks & vacant lots

volunteer coach - Muskegon Hts Youth Football

5. Miscellaneous: List any additional points, including special skills that qualify you for this position.

Adamant about restoring the roar in Muskegon Heights.

I've been in multiple leadership roles, coaching, playing and educationally.

Conflicts of Interest

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Do you know if any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential.	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Do you or your spouse have an contractual agreements with the Academy?.	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Do you or your spouse have any ownership interest in any management company contracting with the Academy?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Have you or your spouse guaranteed any loans for the Academy	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Will you or your spouse be leasing or selling any real property to the Academy?	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Will you or your spouse be employed at the Academy (either as an employee of the Academy or as an employee of a management company contracted by the Academy)?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Do you or your spouse sell any supplies, materials, equipment or other personal property to the Academy?	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Have you or your spouse provided any start-up funds to the Academy? If so, how much?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Do you or your spouse, or other close family members have ownership, interest, whether directly or indirectly, in any corporation, partnership, association, or other legal entity which will enter into a contract with the Academy?	9. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Do you currently serve as a public official?	10. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Is there any other matter in which you are involved which is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position?	11. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

[Type text]

Ethical Matters

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Citations. Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in, a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Convictions: Have you ever been convicted of or entered a pleas of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Michigan offenses of operating under the influence of liquor, operating while impaired, reckless driving, or the equivalent offenses in other states).	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Current Charges: Are you now under charges for any violation law?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. U.S. Military Convictions: Have you ever been convicted by any military court?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Imprisonment: Have you ever been imprisoned, been on probation, or been on parole	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Agency Proceedings: Civil Litigation: Are you presently, or have you ever been a party in interest in any administrative agency proceedings or civil litigation which is related in any way to the position to which you seek to be appointed?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Agency Proceedings and Civil Litigation of Affiliates and Family: Has any business in which you, your spouse, close family members or business associate are or were an officer, director, or partner been a party to any administrative agency proceedings or civil litigation relevant to the position to which you seek to be appointed? (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member or business associate were an officer of that business.)	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Other: Is there any other any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

[Type text]

References (required)

Please submit three (3) character references. References must have no familial relation to you, i.e. no blood relatives or relatives by marriage.

Name Tommy Elliot Relationship to you coach

Telephone [REDACTED] How long have you known this person? 15 years

Name Fatima Johnson Relationship to you Mentor

Telephone [REDACTED] How long have you known this person? 20 years

Name Ricky Anderson Relationship to you Friend

Telephone [REDACTED] How long have you known this person 25 years

]

Application Verification

I recognize that all information submitted with this application or gathered by Muskegon Heights Public School Academy as a result of this application becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonably believes is true based upon my representations or resulting from this application process.

I David Fox certify that the information provided in this statement is, to the best of my knowledge, true and accurate.

Signature [Signature] Date 07-15-20

**PLEASE NOTE: Public School Academy Board Applications
Are subject to public disclosure under the Michigan Freedom of Information Act.**

[Type text]

Personal Background Check Consent

A criminal records check must be conducted as a condition for appointment as a public official serving on the board of a public school academy authorized by Muskegon Heights Public Schools. This consent does not authorize nor will Muskegon Heights Public Schools conduct a consumer credit check.

Information requested on this page will be used to conduct a criminal records check and will not be used to determine qualifications as a proposed public school academy board member. This page will be removed prior to review of the information contained in the application.

Please print or type the following information:

1. Print or type your full name: David William Fox
First Middle Last (Jr, III, etc.)

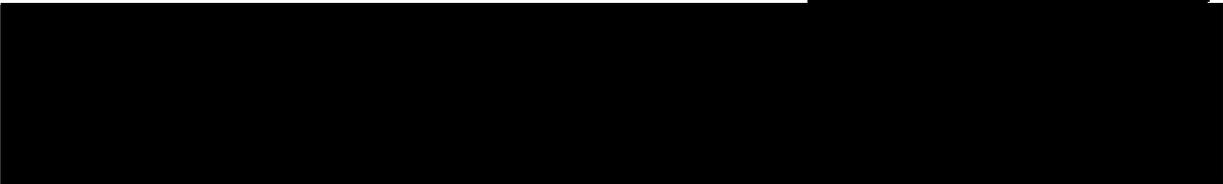
2. Maiden Name/Previously Used Names: _____

3. Current address: 
Muskegon Hts, 49444

4. Former address: 
Muskegon Hts, 49444

5. Date of Birth: 
: Month Day Year

6. Driver's License Number:  7. Gender: 

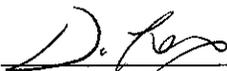
8. Race: 

By signing this document I acknowledge receipt of this disclosure and authorize Muskegon Heights Public Schools to obtain a copy of my criminal records report.

I consent to the release of information concerning my criminal record, subject to any restrictions that I have included, to Muskegon Heights Public Schools, its Muskegon Heights Public School Academy. I specifically authorize Muskegon Heights Public School Academy to conduct a criminal records check on me with the applicable local, state and federal law enforcement agencies.

I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonable believes is true based upon my representations or resulting from the criminal records check consent process.

By my signature I assert and certify that the information provided is, to the best of my knowledge, true and complete.

Signature  Date 07-15-20

[Type text]

Joe Klarer



Muskegon Heights Public Schools

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

Public School Academy Board Application

PSA Applicant and Board Director Application

The Muskegon Heights Public Schools appreciates your interest to serve as a Muskegon Heights Public School Academy System Board Member.

If you are approved to serve on an Muskegon Heights Public School Academy System Board Member, your role is to set policy, maintain the school's vision and/or mission, promote educational excellence through advocacy, visionary leadership, and high quality services to Muskegon Heights Public Schools authorized public schools as well as to ensure that the school complies with its charter and applicable law.

All Muskegon Heights Public School Academy System board members are expected by Muskegon Heights Public Schools to participate in board training offered by the MASB. Upon approval by the Muskegon Heights Public Schools Board Members, a board packet will be given to each newly appointed board member.

Muskegon Heights Public School Academy System Board Members are public officials appointed by the Muskegon Heights Public Schools Board Members. All potential Muskegon Heights Public School Academy System Board Members are required to complete this application fully; please do not leave any blanks. All supporting documentation must be attached at the time of application.

The Muskegon Heights Public Schools Board Members requires each Muskegon Heights Public School Academy System Board nominee to undergo a person background check. Applications will **not** be processed, nor will a name be submitted to the Muskegon Heights Public Schools Board Members, without the results from the personal background check. For background check instructions, please see page 8.

To complete this form, you may type your information directly into the fields using your computer, and then print a paper copy of the completed application. Or, you can print a blank paper copy first and fill in the fields by hand. In either case, sign the completed paper copy and send it to the Muskegon Heights Public School Academy System Office by mail or fax, using the information below. For your protection, do not email the completed PDF as an attachment using unsecured email. Additionally, if you choose e-mail the PDF and it does not include hand-written signatures where applicable, the office will be unable to process your application. If you would prefer to submit your application electronically please visit the Muskegon Heights Public School Academy System website at www.mhtigers.org to access the on-line application.

Please print off and mail your completed application to:

**Muskegon Heights Public School Academy System
Administration Office
2441 Sanford Street
Muskegon Heights, MI 49444
Telephone: (231) 830-3703
Facsimile: (231) 830-3755**

You may also call our main office at (231) 830-3703 to receive an application by mail

Personal Information

Please neatly print or type the following information:

I hereby request appointment to the MHPSAS board of directors

Academy Name

Name: Joseph R Warren

First

Middle

Last

Date of Birth: [REDACTED]

Home Address: [REDACTED] Muskegon

Street

County

Muskegon MI 49442

City

State

Zip

Employer: Retired Position/Job Title _____

Employer Address: _____

Street Number

City

State

Zip

Home Number: [REDACTED] Work Number: _____

Fax Number: _____ E-mail Address: [REDACTED]

Spouse's Name _____

First

Middle

Last

Are you a United States Citizen? [REDACTED] Are you a Michigan resident? Yes No

Do you have children? If so, what are their ages? _____

Education History

High School Muskegon Heights High School City/State Muskegon Heights, Michigan

Graduation Date 1978
Month/Year

Undergraduate Institutions (B.A.; B.S.; B.B.A.; etc.)

Institution Name MCC Graduation Date 1980
Month/Year

Major Business Minor _____

Concentration/Degree _____

Institution Name _____ Graduation Date _____
Month/Year

Major _____ Minor _____

Concentration/Degree _____

Post-Graduate and Professional Institutions (M.A.; M.S.; M.B.A., M.Ed.; Ph.D., J.D., M.D., etc.)

Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	

Employment Experience

Please list your employment experience for the past 10 years. Please use an additional sheet if necessary

Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	

Do you hold any professional licenses? If so, please describe the licenses including the license numbers:

What special skills could you bring to the public school academy board?

I Can bring Leadership to The MHP SAS as a Life Long Resident and Community Leader of Muskegon County. I Have served in different Leadership Roles in Various Organizations

Additional Qualifications

Please answer the following five (5) questions if applicable. Please use a separate sheet if necessary.

1. Government Experience: List all experience in or association with local, state or federal government (exclusive of elective public office but including advisory, consultative, current or previous appointments, honorary, or other part-time service or position), with dates of services.

2. Elective Public Office: List all elective public offices sought and held with dates of service.

3. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and other special recognition for outstanding service or achievement.

over my 41 plus years of service in MH community just this pass Feb I received the Love in Action Award, Volunteer of the Year Coach of the Year and Received outstanding person of the year at Church

4. Volunteer Experiences: List all experience with volunteer organizations and positions held.

I volunteer to run the muskegon HHS Recreation Dept youth sports. MH Summer Basketball Program. I also served on the MH Alumni Board of Directors and as their VP before becoming President

5. Miscellaneous: List any additional points, including special skills that qualify you for this position.

I have been around MH school all my life. I was apart of working with the EM as they worked putting the MHA school in place, like talking to the superintendent on teachers the AD, Football and Basketball coaches. I have grade insite on school and how they are ran.

Conflicts of Interest

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Do you know if any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential.	1. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Do you or your spouse have a contractual agreement with the Academy?	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Do you or your spouse have any ownership interest in any management company contracting with the Academy?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Have you or your spouse guaranteed any loans for the Academy?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Will you or your spouse be leasing or selling any real property to the Academy?	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Will you or your spouse be employed at the Academy (either as an employee of the Academy or as an employee of a management company contracted by the Academy)?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Do you or your spouse sell any supplies, materials, equipment or other personal property to the Academy?	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Have you or your spouse provided any start-up funds to the Academy? If so, how much?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Do you or your spouse, or other close family members have ownership, interest, whether directly or indirectly, in any corporation, partnership, association, or other legal entity which will enter into a contract with the Academy?	9. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Do you currently serve as a public official?	10. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Is there any other matter in which you are involved which is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position?	11. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Ethical Matters

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Citations. Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in, a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Convictions: Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Michigan offenses of operating under the influence of liquor, operating while impaired, reckless driving, or the equivalent offenses in other states).	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Current Charges: Are you now under charges for any violation law?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. U.S. Military Convictions: Have you ever been convicted by any military court?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Imprisonment: Have you ever been imprisoned, been on probation, or been on parole	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Agency Proceedings: Civil Litigation: Are you presently, or have you ever been a party in interest in any administrative agency proceedings or civil litigation which is related in any way to the position to which you seek to be appointed?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Agency Proceedings and Civil Litigation of Affiliates and Family: Has any business in which you, your spouse, close family members or business associate are or were an officer, director, or partner been a party to any administrative agency proceedings or civil litigation relevant to the position to which you seek to be appointed? (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member or business associate were an officer of that business.)	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Other: Is there any other any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

References (required)

Please submit three (3) character references. References must have no familial relation to you, i.e. no blood relatives or relatives by marriage.

Name	<u>HOWARD ROSS</u>	Relationship to you	<u>Friend</u>
Telephone		How long have you known this person?	<u>40 years</u>
Name	<u>STARLY ALLEN</u>	Relationship to you	<u>Friend</u>
Telephone		How long have you known this person?	<u>55 YRS</u>
Name	<u>Attorney Phil Cummings</u>	Relationship to you	<u>Friend</u>
Telephone		How long have you known this person	<u>55 YRS</u>

Application Verification

I recognize that all information submitted with this application or gathered by Muskegon Heights Public School Academy as a result of this application becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information if reasonably believed to be true based upon my representations or resulting from this application process.

I Joseph R. Warren Jr certify that the information provided in this statement is, to the best of my knowledge, true and accurate.

Joseph R. Warren

DATE 6/27/2020

**PLEASE NOTE: Public School Academy Board Applications
Are subject to public disclosure under the Michigan Freedom of Information Act.**

Personal Background Check Consent

A criminal records check must be conducted as a condition for appointment as a public official serving on the board of a public school academy authorized by Muskegon Heights Public Schools. This consent does not authorize nor will Muskegon Heights Public Schools conduct a consumer credit check.

Information requested on this page will be used to conduct a criminal records check and will not be used to determine qualifications as a proposed public school academy board member. This page will be removed prior to review of the information contained in the application.

Please print or type the following information:

1. Print or type your full name: Joseph R. Warren Jr
First Middle Last (Jr, III, etc.)

2. Maiden Name/Previously Used Names: _____

3. Current address: [Redacted] Muskegon, Michigan 49442

4. Former address: [Redacted] Muskegon, Michigan 49442

5. Date of Birth: [Redacted]
Month Day Year

6. Driver's License Number: [Redacted] 7. Gender: [Redacted]

8. Race: [Redacted]

By signing this document I acknowledge receipt of this disclosure and authorize Muskegon Heights Public Schools to obtain a copy of my criminal records report.

I consent to the release of information concerning my criminal record, subject to any restrictions that I have included, to Muskegon Heights Public Schools, its Muskegon Heights Public School Academy. I specifically authorize Muskegon Heights Public School Academy to conduct a criminal records check on me with the applicable local, state and federal law enforcement agencies.

I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonable believes is true based upon my representations or resulting from the criminal records check consent process.

By my signature I assert and certify that the information provided is, to the best of my knowledge, true and complete.

Signature Joseph R. Warren Jr Date 06/27/2020

Mr. Joseph Warren, Jr.

Muskegon, MI 49442
231-557-2516

I am a lifelong resident of Muskegon County. I grew up in the city of Muskegon Heights with my parents, 8 sisters and I was a proud attendant of the Muskegon Heights Public School system. After graduating High School in 1978, I began working for Sappi Fine Paper Company where I remained employed until retirement in 2004. As a member of Bethel New Life Ministries, I serve as a Deacon under the leadership of Pastor Daryl Jefferson.

My history and career with the Muskegon Heights Public School system spans over 41 years. Immediately upon graduation, I began coaching and doing volunteer work with the youth in various departments and at four different Muskegon Heights Schools. Mentoring the youth has always been a passion and priority for me. I was employed by the city of Muskegon Heights Recreation Department for the Youth Basketball program for ten years. I coached basketball for the district for over 26 years

I served as President of the Muskegon Heights Alumni Association for 8 years. During my tenure as president, together the association distributed over \$60,000 in scholarship funds for college-bound graduates. We made it possible for students to have warm coats, hats, and gloves during the winter. We established the "Hall of Fame" an annual formal celebration to acknowledge the achievements of alumni which is in the 12th year. (Before the initiation of the Alumni Association scholarship program, I had established and self-funded the Greater Muskegon Community Outreach Scholarship for students of Muskegon Heights and Muskegon Senior High School.)

I, along with several Muskegon Heights residents was instrumental in saving the district from extinction when the state was preparing to permanently close it. Truly, my dedication to the City of Muskegon Heights, the residents, and most importantly our future generation; the children, makes me a most formidable candidate to become a decisive, consistent, and amazing communicator for the Muskegon Heights Academy School Board.

Respectfully Submitted,

Mr. Joseph Warren, Jr.

Personal Information

Please neatly print or type the following information:

I hereby request appointment to the Muskegon Heights Public School Academy board of directors
Academy Name

Name: Leslie Trynette Slater
First Middle Last

Date of Birth: [REDACTED]

Home Address: [REDACTED] Muskegon
Street County

Muskegon Heights MI 49444
City State Zip

Employer: Muskegon County DHHS Position/Job Title Foster Care Manager

Employer Address: 2700 Baker Street
Street Number
Muskegon Heights MI 49444
City State Zip

Home Number: [REDACTED] Work Number: (231) 327-6820

Fax Number: [REDACTED] E-mail Address: [REDACTED]

Spouse's Name [REDACTED]
First Middle Last

Are you a United States Citizen? [REDACTED] Are you a Michigan resident? Yes No

Do you have children? If so, what are their ages? [REDACTED]

Education History

High School Muskegon Heights High City/State Muskegon Heights, MI

Graduation Date May/ 1987
Month/Year

Undergraduate Institutions (B.A.; B.S.; B.B.A.; etc.)

Institution Name Michigan State University Graduation Date April/ 1992
Month/Year

Major Criminal Justice Minor N/A

Concentration/Degree Bachelors of Science

Institution Name _____ Graduation Date _____
Month/Year

Major _____ Minor N/A

Concentration/Degree _____

Post-Graduate and Professional Institutions (M.A.; M.S.; M.B.A., M.Ed.; Ph.D., J.D., M.D., etc.)

Institution Name	<u>Grand Valley State University</u>	Graduation Date:	<u>2005</u>
			<small>Month/Year</small>
Concentration/Degree	<u>Masters of Social Work</u>		
Institution Name	_____	Graduation Date:	_____
			<small>Month/Year</small>
Concentration/Degree	_____		
Institution Name	_____	Graduation Date:	_____
			<small>Month/Year</small>
Concentration/Degree	_____		

Employment Experience

Please list your employment experience for the past 10 years. Please use an additional sheet if necessary

Employer	<u>Muskegon County DHHS</u>	Dates of Employment:	<u>1994</u>
			<small>Month/Year</small>
Job Title	<u>Foster Care Specialist/Juvenile Justice Specialist</u>		
Employer	<u>Muskegon County DHHS</u>	Dates of Employment:	<u>1997</u>
			<small>Month/Year</small>
Job Title	<u>Adoption Specialist</u>		
Employer	<u>Muskegon County DHHS</u>	Dates of Employment:	<u>1999</u>
			<small>Month/Year</small>
Job Title	<u>Licensing Specialist</u>		
Employer	<u>Muskegon County DHHS</u>	Dates of Employment:	<u>2005</u>
			<small>Month/Year</small>
Job Title	<u>Children's Protective Services Specialist</u>		
Employer	<u>Muskegon County DHHS</u>	Dates of Employment:	<u>2011</u>
			<small>Month/Year</small>
Job Title	<u>Children's Protective Services Manager</u>		
Employer	<u>Muskegon County DHHS</u>	Dates of Employment:	<u>2012</u>
			<small>Month/Year</small>
Job Title	<u>Foster Care Manager</u>		

Do you hold any professional licenses? If so, please describe the licenses including the license numbers:

N/A

What special skills could you bring to the public school academy board?

I have a wealth of knowledge in child welfare and have worked with children/youth all of my professional career.

I have also worked with children and families and understand the hardships that many of the families in our community face.

Additional Qualifications

Please answer the following five (5) questions if applicable. Please use a separate sheet if necessary.

1. <u>Government Experiences:</u> List any experience in, or association with, local, state or federal government (exclusive of elective public office but including advisory, consultative, current or previous appointments, honorary, or other part-time service or position), with dates of services.
I currently serve on the Board for Step Up House and on the Executive Board for the Muskegon County Homelessness Continuum of Care Network.
2. <u>Elective Public Office:</u> List all elective public offices sought and held with dates of service.
N/A
3. <u>Honors and Awards:</u> List all scholarships, fellowships, honorary degrees, honorary society memberships, and other special recognition for outstanding service or achievement.
I was nominated for the Michigan Association of Governing Boards Award in 1991.
4. <u>Volunteer Experiences:</u> List all experience with volunteer organizations and positions held.
I am an active member in good standing of Iota Sigma Omega Chapter of Alpha Kappa Alpha Sorority, Inc.
5. <u>Miscellaneous:</u> List any additional points, including special skills that qualify you for this position.
I am a proud alumni of Muskegon Heights High School. I have lived in Muskegon Heights all of my life, with the exception of the time I spent in East Lansing at Michigan State. I have a love for our children and desire to see them succeed. I understand that it takes a village to raise a child and wish to be a part of the village that helps our children become productive citizens.
I have deep roots in the Muskegon Heights community and come from a well respected family who hailed from Muskegon Heights.

Conflicts of Interest

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Do you know if any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential.	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Do you or your spouse have a contractual agreement with the Academy?	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Do you or your spouse have any ownership interest in any management company contracting with the Academy?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Have you or your spouse guaranteed any loans for the Academy?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Will you or your spouse be leasing or selling any real property to the Academy?	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Will you or your spouse be employed at the Academy (either as an employee of the Academy or as an employee of a management company contracted by the Academy)?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Do you or your spouse sell any supplies, materials, equipment or other personal property to the Academy?	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Have you or your spouse provided any start-up funds to the Academy? If so, how much?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Do you or your spouse, or other close family members have ownership, interest, whether directly or indirectly, in any corporation, partnership, association, or other legal entity which will enter into a contract with the Academy?	9. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Do you currently serve as a public official?	10. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Is there any other matter in which you are involved which is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position?	11. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Ethical Matters

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Citations. Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in, a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Convictions: Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Michigan offenses of operating under the influence of liquor, operating while impaired, reckless driving, or the equivalent offenses in other states).	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Current Charges: Are you now under charges for any violation law?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. U.S. Military Convictions: Have you ever been convicted by any military court?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Imprisonment: Have you ever been imprisoned, been on probation, or been on parole	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Agency Proceedings: Civil Litigation: Are you presently, or have you ever been a party in interest in any administrative agency proceedings or civil litigation which is related in any way to the position to which you seek to be appointed?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Agency Proceedings and Civil Litigation of Affiliates and Family: Has any business in which you, your spouse, close family members or business associate are or were an officer, director, or partner been a party to any administrative agency proceedings or civil litigation relevant to the position to which you seek to be appointed? (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member or business associate were an officer of that business.)	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Other: Is there any other any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment?	8. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

References (required)

Please submit three (3) character references. References must have no familial relation to you, i.e. no blood relatives or relatives by marriage.

Name	<u>Shania Beasley-Floyd</u>	Relationship to you	<u>Friend</u>
Telephone		How long have you known this person?	<u>25 years</u>
Name	<u>Lisa Smith</u>	Relationship to you	<u>Friend</u>
Telephone		How long have you known this person?	<u>25+ years</u>
Name	<u>Bishop Avery Burrell</u>	Relationship to you	<u>Pastor</u>
Telephone		How long have you known this person	<u>40+ years</u>

Application Verification

I recognize that all information submitted with this application or gathered by Muskegon Heights Public School Academy as a result of this application becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonably believes is true based upon my representations or resulting from this application process.

I Leslie T. Slater certify that the information provided in this statement is, to the best of my knowledge, true and accurate.

Signature  Date 7/6/20

**PLEASE NOTE: Public School Academy Board Applications
Are subject to public disclosure under the Michigan Freedom of Information Act.**

Personal Background Check Consent

A criminal records check must be conducted as a condition for appointment as a public official serving on the board of a public school academy authorized by Muskegon Heights Public Schools. This consent does not authorize nor will Muskegon Heights Public Schools conduct a consumer credit check.

Information requested on this page will be used to conduct a criminal records check and will not be used to determine qualifications as a proposed public school academy board member. This page will be removed prior to review of the information contained in the application.

Please print or type the following information:

1. Print or type your full name: Leslie Trynette Slater
First Middle Last (Jr, III, etc.)

2. Maiden Name/Previously Used Names: Kitchen

3. Current address: [Redacted]
Muskegon Heights, MI 49444

4. Former address: N/A

5. Date of Birth: [Redacted]
: Month Day Year

6. Driver's License Number: [Redacted] 7. Gender: [Redacted]

8. Race: [Redacted]

By signing this document I acknowledge receipt of this disclosure and authorize Muskegon Heights Public Schools to obtain a copy of my criminal records report.

I consent to the release of information concerning my criminal record, subject to any restrictions that I have included, to Muskegon Heights Public Schools, its Muskegon Heights Public School Academy. I specifically authorize Muskegon Heights Public School Academy to conduct a criminal records check on me with the applicable local, state and federal law enforcement agencies.

I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonable believes is true based upon my representations or resulting from the criminal records check consent process.

By my signature I assert and certify that the information provided is, to the best of my knowledge, true and complete.

Signature  Date 7/6/20



Muskegon Heights Public Schools

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

Public School Academy Board Application

PSA Applicant and Board Director Application

The Muskegon Heights Public Schools appreciates your interest to serve as a Muskegon Heights Public School Academy System Board Member.

If you are approved to serve on an Muskegon Heights Public School Academy System Board Member, your role is to set policy, maintain the school's vision and/or mission, promote educational excellence through advocacy, visionary leadership, and high quality services to Muskegon Heights Public Schools authorized public schools as well as to ensure that the school complies with its charter and applicable law.

All Muskegon Heights Public School Academy System board members are expected by Muskegon Heights Public Schools to participate in board training offered by the MASB. Upon approval by the Muskegon Heights Public Schools Board Members, a board packet will be given to each newly appointed board member.

Muskegon Heights Public School Academy System Board Members are public officials appointed by the Muskegon Heights Public Schools Board Members. All potential Muskegon Heights Public School Academy System Board Members are required to complete this application fully; please do not leave any blanks. All supporting documentation must be attached at the time of application.

The Muskegon Heights Public Schools Board Members requires each Muskegon Heights Public School Academy System Board nominee to undergo a person background check. Applications will **not** be processed, nor will a name be submitted to the Muskegon Heights Public Schools Board Members, without the results from the personal background check. For background check instructions, please see page 8.

To complete this form, you may type your information directly into the fields using your computer, and then print a paper copy of the completed application. Or, you can print a blank paper copy first and fill in the fields by hand. In either case, sign the completed paper copy and send it to the Muskegon Heights Public School Academy System Office by mail or fax, using the information below. For your protection, do not email the completed PDF as an attachment using unsecured email. Additionally, if you choose e-mail the PDF and it does not include hand-written signatures where applicable, the office will be unable to process your application. If you would prefer to submit your application electronically please visit the Muskegon Heights Public School Academy System website at www.mhtigers.org to access the on-line application.

Please print off and mail your completed application to:

**Muskegon Heights Public School Academy System
Administration Office
2441 Sanford Street
Muskegon Heights, MI 49444
Telephone: (231) 830-3703
Facsimile: (231) 830-3755**

You may also call our main office at (231) 830-3703 to receive an application by mail

Personal Information

Please neatly print or type the following information:

I hereby request appointment to the _____ board of directors
Academy Name

Name: _____
First Middle Last

Date of Birth: _____

Home Address: _____
Street County

City State Zip

Employer: _____ Position/Job Title _____

Employer Address: _____
Street Number

City State Zip

Home Number: _____

Work Number: _____

Fax Number: _____ E-mail Address: _____

Spouse's Name _____
First Middle Last

Are you a United States Citizen? Yes No Are you a Michigan resident? Yes No

Do you have children? If so, what are their ages? _____

Education History

High School _____ City/State _____

Graduation Date _____
Month/Year

Undergraduate Institutions (B.A.; B.S.; B.B.A.; etc.)

Institution Name _____ Graduation Date _____
Month/Year

Major _____ Minor _____

Concentration/Degree _____

Institution Name _____ Graduation Date _____
Month/Year

Major _____ Minor _____

Concentration/Degree _____

Post-Graduate and Professional Institutions (M.A.; M.S.; M.B.A., M.Ed.; Ph.D., J.D., M.D., etc.)

Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	
Institution Name _____	Graduation Date: _____ Month/Year
Concentration/Degree _____	

Employment Experience

Please list your employment experience for the past 10 years. Please use an additional sheet if necessary

Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	
Employer _____	Dates of Employment: _____ Month/Year
Job Title _____	

Do you hold any professional licenses? If so, please describe the licenses including the license numbers:

What special skills could you bring to the public school academy board?

Additional Qualifications

Please answer the following five (5) questions if applicable. Please use a separate sheet if necessary.

1. <u>Government Experiences</u> : List any experience in, or association with, local, state or federal government (exclusive of elective public office but including advisory, consultative, current or previous appointments, honorary, or other part-time service or position), with dates of services.
2. <u>Elective Public Office</u> : List all elective public offices sought and held with dates of service.
3. <u>Honors and Awards</u> : List all scholarships, fellowships, honorary degrees, honorary society memberships, and other special recognition for outstanding service or achievement.
4. <u>Volunteer Experiences</u> : List all experience with volunteer organizations and positions held.
5. <u>Miscellaneous</u> : List any additional points, including special skills that qualify you for this position.

Conflicts of Interest

Instructions: If you answer “yes” to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. Do you know if any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential.	1. <input type="checkbox"/> Yes <input type="checkbox"/> No
2. Do you or your spouse have a contractual agreement with the Academy?	2. <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Do you or your spouse have any ownership interest in any management company contracting with the Academy?	3. <input type="checkbox"/> Yes <input type="checkbox"/> No
4. Have you or your spouse guaranteed any loans for the Academy?	4. <input type="checkbox"/> Yes <input type="checkbox"/> No
5. Will you or your spouse be leasing or selling any real property to the Academy?	5. <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Will you or your spouse be employed at the Academy (either as an employee of the Academy or as an employee of a management company contracted by the Academy)?	6. <input type="checkbox"/> Yes <input type="checkbox"/> No
7. Do you or your spouse sell any supplies, materials, equipment or other personal property to the Academy?	7. <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Have you or your spouse provided any start-up funds to the Academy? If so, how much?	8. <input type="checkbox"/> Yes <input type="checkbox"/> No
9. Do you or your spouse, or other close family members have ownership, interest, whether directly or indirectly, in any corporation, partnership, association, or other legal entity which will enter into a contract with the Academy?	9. <input type="checkbox"/> Yes <input type="checkbox"/> No
10. Do you currently serve as a public official?	10. <input type="checkbox"/> Yes <input type="checkbox"/> No
11. Is there any other matter in which you are involved which is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position?	11. <input type="checkbox"/> Yes <input type="checkbox"/> No

Ethical Matters

Instructions: If you answer “yes” to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

1. <u>Citations</u> . Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in, a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?	1. <input type="checkbox"/> Yes <input type="checkbox"/> No
2. <u>Convictions</u> : Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Michigan offenses of operating under the influence of liquor, operating while impaired, reckless driving, or the equivalent offenses in other states).	2. <input type="checkbox"/> Yes <input type="checkbox"/> No
3. <u>Current Charges</u> : Are you now under charges for any violation law?	3. <input type="checkbox"/> Yes <input type="checkbox"/> No
4. <u>U.S. Military Convictions</u> : Have you ever been convicted by any military court?	4. <input type="checkbox"/> Yes <input type="checkbox"/> No
5. <u>Imprisonment</u> : Have you ever been imprisoned, been on probation, or been on parole	5. <input type="checkbox"/> Yes <input type="checkbox"/> No
6. <u>Agency Proceedings: Civil Litigation</u> : Are you presently, or have you ever been a party in interest in any administrative agency proceedings or civil litigation which is related in any way to the position to which you seek to be appointed?	6. <input type="checkbox"/> Yes <input type="checkbox"/> No
7. <u>Agency Proceedings and Civil Litigation of Affiliates and Family</u> : Has any business in which you, your spouse, close family members or business associate are or were an officer, director, or partner been a party to any administrative agency proceedings or civil litigation relevant to the position to which you seek to be appointed? (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member or business associate were an officer of that business.)	7. <input type="checkbox"/> Yes <input type="checkbox"/> No
8. <u>Other</u> : Is there any other any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment?	8. <input type="checkbox"/> Yes <input type="checkbox"/> No

References (required)

Please submit three (3) character references. References must have no familial relation to you, i.e. no blood relatives or relatives by marriage.

Name _____ Relationship to you _____

Telephone  How long have you known this person? _____

Name _____ Relationship to you _____

Telephone  How long have you known this person? _____

Name _____ Relationship to you _____

Telephone  How long have you known this person _____

Application Verification

I recognize that all information submitted with this application or gathered by Muskegon Heights Public School Academy as a result of this application becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonably believes is true based upon my representations or resulting from this application process.

I _____ certify that the information provided in this statement is, to the best of my knowledge, true and accurate.

Signature _____ Date _____

**PLEASE NOTE: Public School Academy Board Applications
Are subject to public disclosure under the Michigan Freedom of Information Act.**

Personal Background Check Consent

A criminal records check must be conducted as a condition for appointment as a public official serving on the board of a public school academy authorized by Muskegon Heights Public Schools. This consent does not authorize nor will Muskegon Heights Public Schools conduct a consumer credit check.

Information requested on this page will be used to conduct a criminal records check and will not be used to determine qualifications as a proposed public school academy board member. This page will be removed prior to review of the information contained in the application.

Please print or type the following information:

1. Print or type your full name: _____
First Middle Last (Jr, III, etc.)

2. Maiden Name/Previously Used Names: _____

3. Current address: _____

4. Former address: _____

5. Date of Birth: _____
: Month Year

6. Driver's License Number: _____ 7. Gender: _____

8. Race: _____

By signing this document I acknowledge receipt of this disclosure and authorize Muskegon Heights Public Schools to obtain a copy of my criminal records report.

I consent to the release of information concerning my criminal record, subject to any restrictions that I have included, to Muskegon Heights Public Schools, its Muskegon Heights Public School Academy. I specifically authorize Muskegon Heights Public School Academy to conduct a criminal records check on me with the applicable local, state and federal law enforcement agencies.

I will hold Muskegon Heights Public School Academy, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonable believes is true based upon my representations or resulting from the criminal records check consent process.

By my signature I assert and certify that the information provided is, to the best of my knowledge, true and complete.

Signature _____ Date _____

September 14, 2020

Jessica Thomas, President
Receivership Transition Advisory Board for
Muskegon Heights Public Schools
Michigan Department of Treasury
450 West Allegan Street
Lansing, Michigan 48922

Re: District Board Removal of System Board and Appointment of New System Board
Members

Dear President Thomas:

Pursuant to the Muskegon Heights Public School District's August 13, 2020 decision to remove the entire System Board, its subsequent vote to appoint five (5) new System Board members, the letter of Notice to RTAB on the same date, and the letters to outgoing System Board members, along with providing RTAB the application packets complete with all of the documentation required under **EM Order 2016-8 (including Exhibit A)**, the District Board wishes to advise you that it is invoking its authority under the above referenced EM Order.

Specifically, the District Board is granted the authority to remove System Board members (with or without cause) at any time. The date by which the District Board notified the System Board members of their removal was August 13, 2020, advising them each that their removal was as of that date, pending review of the RTAB.

The District Board thereafter, notified the RTAB on that same date (via emailed letter), that it had voted to remove the entire System Board and appoint new Board members to replace them pending RTAB removal. The District provided RTAB with application packets, meeting minutes, etc. and requested in their letter that RTAB review the proposed applications so that a decision could be made by RTAB prior to the beginning of the school year on August 31, 2020. Despite the request, as of today's date RTAB has taken no action regarding the appointments (the EM Order 2016-08 requires action within thirty (30) days of receipt of the appointments made by the District Board). Such action (pursuant to EM Order 2016-8) was required by RTAB no later than September 13, 2020.

Therefore, please be advised that pursuant to its authority granted under EM Order 2016-8, the District Board appointments of Mr. Marquise Childers, Jr., Mr. David Fox, Mrs. Antonette Robinson, Mrs. Leslie Slater and Mr. Joseph Warren by Muskegon Heights Public School District are hereby deemed effective immediately.

As an offer of transparency, the District Board will immediately notify the System Board members that their service has ended by default, given RTAB not acting during the time frame required under EM Order 2016-8.

Thank you all in advance for your consideration.

Regards,



Brianna T. Scott
Legal Counsel
Muskegon Heights Public School District

cc: Muskegon Heights Public School District



Dykema Gossett PLLC
Capitol View
201 Townsend Street, Suite 900
Lansing, MI 48933
WWW.DYKEMA.COM
Tel: (517) 374-9100

Leonard C. Wolfe
Direct Dial: (517) 374-9178
Direct Fax: (855) 259-3568
Email: LWolfe@dykema.com

September 16, 2020

Brianna T. Scott, Esq.
Brianna T. Scott & Associates, PLLC
Attorneys At Law
75 West Apple Avenue
Muskegon, Michigan 49440

Re: Your September 14, 2020 Letter/ District Board Removal of System Board and Appointment of New System Board Members

Dear Ms. Scott:

I reviewed your September 14, 2020 letter to Ms. Jessica Thomas, Chair of the Receivership Transition Advisory Board for Muskegon Heights School District (“RTAB”), and been requested by our client, the Michigan Department of Treasury, to respond to your letter. Based on our review of the Muskegon Heights Public School Academy System (“System”) charter contract, as amended (“Contract”), please be advised that we disagree with your interpretation of Emergency Order 2016-8 (“EM Order 2016-8”)¹.

As you know, the District Board presented to the RTAB on August 13, 2020 a request to remove existing System Board of Directors members and then fill those vacancies with new System Board members approved by the District Board. In effect, the District is proposing to “remove and replace” existing System Board of Director members with new System Board members. The District Board’s August 13, 2020 request is not, however, an effort to fill existing vacant System Board seats or an expansion of seats to the existing System Board.

EM Order 2016-8 requires the District Board to obtain the approval of the RTAB (the RTAB is referred to as the Advisory Board in the Contract) when a System Board member is removed. *See* EM Order 2016-8 (Under the Length of Term provision, “A director of the System Board shall serve at the pleasure of the District Board, but if an Advisory Board is in place for the District, ***a director of the System Board may not be removed by the System Board without the approval of***

¹ EM Order 2016-8 is incorporated into the Contract through the Second Amendment to the Contract entered into by the District and the System on October 28, 2016. EM Order 2016-8 is the District Board’s method of selection resolution required under the Revised School Code for the System.

the Advisory Board. . .) (emphasis added). In addition, the Removal and Suspension provision of EM Order 2016-8 does not place any time limits on the RTAB’s authority to consider a District Board’s removal request:

Removal and Suspension

If at any time the District Board determines that a System Board member’s service is no longer necessary, the District Board may remove a System Board member with or without cause by notifying the affected System Board member. The notice shall specify the date when the System Board member’s service ends. Any System Board member may also be removed by a two-third (2/3) vote of the System Board for cause. ***However, if an Advisory Board is in place for the District, a member of the System Board may not be removed by the District Board without approval of the Advisory Board.*** (emphasis added).

Furthermore, no other provision of EM Order 2016-8 or other Contract provision provide that the District Board’s request for removal of a System Board member is effective within 30 days after presentment to the Advisory Board.

The language on District Board appointments being effective within 30 days after presentment applies to situations where there is either a vacancy on the System Board to fill (which there is not) or the District Board elected to expand the number of seats on System Board to include new Board members (which it did not). Both of those scenarios permit for appointments to take effect within 30 days of the time after presentment of the request for appointment to the RTAB if no RTAB action took place.² In this case, however, the 30-day language does not apply to removal of System Board members. The District Board cannot appoint new System Board members because there are no System Board vacant seats to fill (i.e., there are no vacancies because none of the current System Board members can be removed without RTAB approval) nor did the District Board expand the number of positions on the System Board. Accordingly, there is no authority under EM Order 2016-8 that permits the District Board to confirm the appointment of Mr. Marquise Childers, Ur., Mr. David Fox, Mrs. Antonette Robinson, Mrs. Leslie Slater and Mr. Joseph Warren.

The District Board’s August 13th request remains pending before the RTAB. As such, it is premature for the District to announce these appointments as effective before action is taken on the District Board’s request by the RTAB.

² As you are aware, the RTAB did discuss the District Board’s request at its August 19th, 2020 Board meeting and determined it needed additional information from the District and System. See attached August 19, 2020 draft minutes. Even if there was a requirement in EM Order 2016-8 for the RTAB to “take action” on the District Board’s removal request within 30 days (which there is not), the RTAB’s deliberations at its August 19th, 2020 met this condition.



Brianna T. Scott, Esq.
September 16, 2020
Page 3

If you would like to discuss further, please contact me.

Sincerely,

DYKEMA GOSSETT, PLLC

A handwritten signature in blue ink, appearing to read "Leonard C. Wolfe". The signature is stylized and cursive.

Leonard C. Wolfe

Attachment: RTAB August 19, 2020 draft minutes

cc: Jessica Thomas
Trinell Scott
John Lewis

School District of the City of Muskegon Heights
Receivership Transition Advisory Board Meeting

Wednesday, August 19, 2020
Virtual Meeting via Microsoft Meeting

MINUTES

1. Call to Order

- a. Chair Jessica Thomas called the meeting to order at 4:02 p.m.

2. Roll Call

- a. Members Present: 5
 1. Jessica Thomas
 2. Patrice Johnson
 3. Clinton Todd
 4. John Schrier – Arrived at 4:09 p.m.
 5. Dale Nesbary
- b. Members Absent: None.
- c. Governor Whitmer’s Executive Order 2020-154 provides authorization of remote participation in public meetings and hearings in accordance with the Opening Meetings Act (OMA). A quorum was present.

3. Approval of RTAB Minutes

- a. Motion by Mr. Todd to approve the draft minutes. Motion moved and seconded by Dr. Nesbary. The RTAB approved the July 15, 2020 meeting minutes.

4. Old Business – None.

5. New Business

a. District Updates

1. Mr. Lewis provided an overview of the August reports aligning with the monthly financial report.

b. August 19, 2020 Monthly Reports

1. Liabilities Report
 - a. Mr. Lewis reported no changes from the prior report.
2. Cash Flow Projections
 - a. Mr. Lewis reported cash is stable for the district and stated that he expects no major delays in receiving tax revenues. He also informed the city that he is willing to obtain any debt service checks in person due to the postal service delays. Mr. Lewis also noted the cash flow accounts for a per pupil decrease and will know a better impact on the authorizer fees in the near future. The district is on track with meeting all debt obligations.

3. Comparison of Budgeted Revenue and Expenditure to Actual
 - a. Mr. Lewis provided an overview on FY 2019-20. The district will be receiving higher tax revenues than what was stated on the final budget amendment. The board of education costs will be higher than what projected due to a service payment by Middle Cities Risk Management Trust. Mr. Lewis provided a brief overview on FY 2020-21. The district projects general fund revenues of \$1,351,270, general fund expenditures of \$1,235,870, and general fund balance of \$603,824.
- c. PSA Board Appointments
 1. Chair Thomas stated that the District made a request to the RTAB regarding the removal of the Muskegon Heights Public School Academy System Board and the Academy has also made a request to the RTAB to appoint a candidate to the Academy Board. Chair Thomas opened this matter up for discussion to the RTAB to define and develop a process regarding the appointments.
 2. Board President Scott presented to the RTAB how the District concluded to remove the PSA Board members.
 3. Discussions on how the district board defines the qualifications of candidates to sit on the board.
 4. Discussion on potential candidate interviews.
 5. Request for a legal opinion from counsel about the validity of removing the entire board vs. appointing members.
 6. Discussion to consider the existing board members as candidates.
 7. Discussion on the authority of the RTAB and if this should be a local decision or an RTAB decision.
 8. Request was made for both Board Presidents to attempt to resolve the matter locally
 9. Next Steps:
 1. Obtain a legal opinion
 2. Create a packet of all PSA and District candidates for RTAB consideration if required.
 3. Request for the District and the PSA to provide additional data if desired for RTAB consideration.

6. Public Comment

- a. Rané Garcia, Superintendent, Muskegon Heights Public School Academy System
- b. Garland Kilgore, Board President, Muskegon Heights Public School Academy System
- c. Kimberly Sims, Resident of Muskegon Heights
- d. Trinell Scott, Board President, Muskegon Heights Public Schools
- e. Joseph Urban, Attorney for Muskegon Heights Public School Academy System, Clark Hill PLC
- f. Christopher Dean, Secretary, Muskegon Heights Public School Academy System
- g. Joe Moore, Resident of Muskegon Heights
- h. Renell Cooper, Resident of Muskegon Heights
- i. Brianna Scott, Attorney for Muskegon Heights School District, Brianna T Scott Associates, PLLC

7. Board Comment

- a. Dr. Nesbary expressed gratitude to the school district, public school academy, and public for providing more context regarding the PSA board appointments. He reiterated that upon review, the RTAB will make an informed decision.

8. Adjournment

- a. There being no further business, Chair Jessica Thomas adjourned this meeting at 5:22 p.m.

DRAFT



Muskegon Heights Public Schools

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

AGENDA

SPECIAL BOARD MEETING

BOARD OF EDUCATION
2603 LEAHY STREET
MUSKEGON HEIGHTS, MICHIGAN

MUSKEGON HEIGHTS BOARD OF EDUCATION Microsoft Teams Meeting

TUESDAY, JULY 21, 2020
12:00 NOON

1. Call to Order
2. Roll Call
3. Action Items

- a. Interview - Pastor Dewayne Banks 12:05 p.m.
- b. Interview - Mr. Marquis Childers, Jr. 12:20 p.m.
- c. Interview - Mrs. Angelia Coleman 12:35 p.m.
- d. Interview - Mrs. Antonette Robinson 12:50 p.m.
- e. Interview - Mr. David Fox 1:05 p.m.
- f. Interview - Mr. Joseph Warren 1:20 p.m.
- g. Interview - Mrs. Trynette Lottie-Harps 1:35 p.m.
- h. Interview - Mrs. Leslie Slater 1:50 p.m.

4. Report from the Assistant Superintendent
5. From the Board
6. Concerns of Parents/Citizens and Recognition of Guests
7. Adjournment

BOARD OF EDUCATION
of the
SCHOOL DISTRICT
of the
CITY OF MUSKEGON HEIGHTS, MICHIGAN
SPECIAL BOARD MEETING

Microsoft Teams Meeting

TUESDAY, JULY 21, 2020
12:00 NOON

OFFICIAL PROCEEDINGS

1. **The Special Board Meeting, Muskegon Heights Public Schools via Microsoft Teams Meeting, Muskegon Heights, Michigan, was called to order by President Scott at 12:29 p.m.**

2. **President Scott, instructed Secretary Cook, to call the roll and note Board Members and Administrative Staff present.**

BOARD MEMBERS: Mrs. Trinell Scott, President; Mr. Mark Glover, Vice-President; Mrs. Marjorie Cook, Secretary; Mrs. Estelita Rankin, Treasurer; Mrs. Peggy Selmon, Trustee; Mrs. Marianne Darnell, Trustee

BOARD MEMBERS ABSENT:

ADMINISTRATIVE STAFF: Mr. John Lewis, Assistant Superintendent

ADMINISTRATIVE STAFF ABSENT:

Roll Call:

P Scott P Darnell P Selmon P Rankin P Cook P Glover

3. ACTION ITEMS

a. INTERVIEW : PASTOR DWAYNE BANKS

RESOLVED, that Pastor Dwayne Banks be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Peggy Selmon MOVED and m Estelita Rankin SECONDED the adoption of the resolution.

Roll Call:

N Scott N Darnell Y Selmon N Rankin N Cook N Glover

b. INTERVIEW: MR. MARQUIS CHILDERS

RESOLVED, that Mr. Marquis Childers be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Marjorie Cook MOVED and m Mark Glover SECONDED the adoption of the resolution.

Roll Call:

Y Scott N Darnell Y Selmon Y Rankin Y Cook Y Glover

c. INTERVIEW: MRS. ANGELIA COLEMAN

RESOLVED, that Mrs. Angelia Coleman be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Estelita Rankin MOVED and m Peggy Selmon SECONDED the adoption of the resolution.

Roll Call:

N Scott N Darnell Y Selmon N Rankin N Cook N Glover

d. INTERVIEW: MRS. ANTONETTE ROBINSON

RESOLVED, that Mrs. Antonette Robinson be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Estelita Rankin MOVED and m Peggy Selmon SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin N Cook Y Glover

e. INTERVIEW: MR. DAVID FOX

RESOLVED, that *Mr. David Fox be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.*

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution.

Roll Call:

Y Scott N Darnell Y Selmon Y Rankin Y Cook Y Glover

f. INTERVIEW: MR. JOSEPH WARREN

RESOLVED, that *Mr. Joseph Warren be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.*

M Estelita Rankin MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

g. INTERVIEW: MRS. TRYNETTE LOTTIE-HARPS

RESOLVED, that *Mrs. Trynette Lottie-Harps be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.*

M Mark Glover MOVED and m Peggy Selmon SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

h. INTERVIEW: MRS. LESLIE SLATER

RESOLVED, that *Mrs. Leslie Slater be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.*

M Mark Glover MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

4. **REPORT FROM THE ASSISTANT SUPERINTENDENT**
None

5. **FROM THE BOARD**
There was an article in the paper (Mlive) concerning the \$500,000 deficit of the PSA. The PSA did not inform the Muskegon Heights Board of Education nor did the PSA inform the elected board of the deficit.

6. **CONCERNS OF PARENTS/CITIZENS AND RECOGNITION OF GUESTS**
None

7. **ADJOURNMENT**

RESOLVED, that the Special Board Meeting for Tuesday, July 21, 2020, adjourned at 3:36 p.m.

M Mark Glover MOVED and m Peggy Selmon SECONDED the adoption of the resolution.

6 YEAS 0 NAYS

Respectfully submitted,



Marjorie Cook, Secretary



Muskegon Heights Public Schools

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

SPECIAL BOARD MEETING AGENDA

OF THE

MUSKEGON HEIGHTS PUBLIC SCHOOLS
BOARD OF EDUCATION

THURSDAY, JULY 30, 2020
12 NOON

Join Microsoft Teams Meeting

+1 313-725-4124 United States, Detroit (Toll)

Conference ID: 434 746 208#

1. Call to Order
2. Roll Call
3. Action Items
 - a. *Candidate Rating Sheet - Mr. Marquis Childers, Jr.*
 - b. *Candidate Rating Sheet - Mr. David Fox*
4. Report from the Assistant Superintendent
5. From the Board
6. Concerns of Parents/Citizens and Recognition of Guests
7. Adjournment

BOARD OF EDUCATION
of the
SCHOOL DISTRICT
of the
CITY OF MUSKEGON HEIGHTS, MICHIGAN
SPECIAL BOARD MEETING

Join Microsoft Teams Meeting

THURSDAY, JULY 30, 2020
12 NOON

OFFICIAL PROCEEDINGS

- 1. The Special Board Meeting, Muskegon Heights Public Schools via Microsoft Teams Meeting, Muskegon Heights, Michigan, was called to order by President Scott at 12:01 p.m.**

- 2. President Scott, instructed Secretary Cook, to call the roll and note Board Members and Administrative Staff present.**

BOARD MEMBERS: Mrs. Trinell Scott, President; Mr. Mark Glover, Vice-President; Mrs. Marjorie Cook, Secretary; Mrs. Estelita Rankin, Treasurer; Mrs. Peggy Selmon, Trustee; Mrs. Marianne Darnell, Trustee

BOARD MEMBERS ABSENT:

ADMINISTRATIVE STAFF: Mr. John Lewis, Assistant Superintendent

ADMINISTRATIVE STAFF ABSENT:

Roll Call:

P Scott P Darnell P Selmon P Rankin P Cook P Glover

3. ACTION ITEMS

a. Candidate Rating Sheet - Mr. Marquis Childers, Jr.

BE IT RESOLVED, that candidate *Mr. Marquis Childers, Jr.* be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Marjorie Cook MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook N Glover

b. Candidate Rating Sheet - Mr. David Fox

BE IT RESOLVED, that candidate *Mr. David Fox* be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Marianne Darnell MOVED and m Estelita Rankin SECONDED the adoption of the resolution.

Roll Call:

N Scott N Darnell N Selmon N Rankin N Cook Y Glover

4. REPORT FROM THE ASSISTANT SUPERINTENDENT

None

5. FROM THE BOARD

A Board member stated that both candidates where highly qualified.

The names of the selected candidates will be submitted to the Receivership Transition Advisory Board (Receivership Transition Advisory Board) for recommendation to be approved to become members of the Muskegon Heights Public School Academy Board.

6. CONCERNS OF PARENTS/CITIZENS AND RECOGNITION OF GUESTS

None

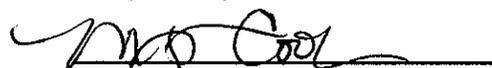
7. ADJOURNMENT

RESOLVED, that the Special Board Meeting for Thursday, July 30, 2020, adjourned at 12:11 p.m.

M Mark Glover MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

6 YEAS 0 NAYS

Respectfully submitted,


Marjorie Cook, Secretary



Muskegon Heights Public Schools

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

AGENDA

REGULAR BOARD MEETING

BOARD OF EDUCATION
2603 LEAHY STREET
MUSKEGON HEIGHTS, MICHIGAN

Microsoft Teams Meeting

MONDAY, AUGUST 3, 2020
12:00 NOON

1. Call to Order
2. Roll Call
3. SECRETARY'S REPORT AND APPROVAL OF MINUTES
4. Action Items
 - a) School Loan Revolving Fund Annual Loan Application Cover Transmittal
 - b) Candidate for Muskegon Heights Public School Academy - Mr. David Fox
5. Report from the Assistant Superintendent
6. From the Board
7. Concerns of Parents/Citizens and Recognition of Guests
8. Adjournment

BOARD OF EDUCATION
of the
SCHOOL DISTRICT
of the
CITY OF MUSKEGON HEIGHTS, MICHIGAN
REGULAR BOARD MEETING
Microsoft Teams Meeting

MONDAY, AUGUST 3, 2020
12:00 NOON

OFFICIAL PROCEEDINGS

1. **The REGULAR Board Meeting, Muskegon Heights Public Schools via Microsoft Teams Meeting, Muskegon Heights, Michigan, was called to order by President Scott at 12:12 p.m.**

2. **President Scott, instructed Secretary Cook, to call the roll and note Board Members and Administrative Staff present.**

BOARD MEMBERS: Mrs. Trinell Scott, President; Mr. Mark Glover, Vice-President; Mrs. Marjorie Cook, Secretary; Mrs. Estelita Rankin, Treasurer; Mrs. Peggy Selmon, Trustee; Mrs. Marianne Darnell, Trustee

BOARD MEMBERS ABSENT:

ADMINISTRATIVE STAFF: Mr. John Lewis, Assistant Superintendent

ADMINISTRATIVE STAFF ABSENT:

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

3. SECRETARY’S REPORT AND APPROVAL OF MINUTES

BE IT RESOLVED, that the minutes for the Special Board Meeting of July 21, 2020 be approved and placed on file.

M Mark Glover MOVED and m Marianne Darnell SECONDED the adoption of the resolution

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

BE IT RESOLVED, that the minutes for the Special Board Meeting of July 30, 2020 be approved and placed on file.

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

4. ACTION ITEMS

a. Discussion to vote on the School Loan Revolving Fund Annual Loan Application Cover Transmittal

BE IT RESOLVED, that the School Loan Revolving Fund Annual Loan Application Cover Transmittal be approved and placed on file.

M Estelita Rankin MOVED and m Marianne Darnell SECONDED the adoption of the resolution

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

b. Candidate for Muskegon Heights Public School Academy - Mr. David Fox

BE IT RESOLVED, that candidate Mr. David Fox be approved and submitted as a candidate for the Muskegon Heights Public School Academy Board Member.

M Mark Glover MOVED and m Marianne Darnell SECONDED the adoption of the resolution.

Roll Call:

Y Scott Y Darnell Y Selmon Y Rankin Y Cook Y Glover

5. REPORT FROM THE ASSISTANT SUPERINTENDENT

None

6. FROM THE BOARD

None

7. CONCERNS OF PARENTS/CITIZENS AND RECOGNITION OF GUESTS

None

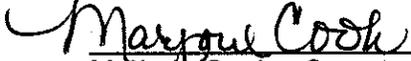
8. ADJOURNMENT

RESOLVED, that the REGULAR Board Meeting for Monday, August 3, 2020, adjourned at 12:20 p.m.

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution.

6 YEAS 0 NAYS

Respectfully submitted,



Marjorie Cook, Secretary



Muskegon Heights Public Schools

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

AGENDA

REGULAR BOARD MEETING

BOARD OF EDUCATION
2603 LEAHY STREET
MUSKEGON HEIGHTS, MICHIGAN

[Join Microsoft Teams Meeting](#)

+1 313-725-4124 United States, Detroit (Toll)

Conference ID: 867 790 057#

MONDAY, OCTOBER 5, 2020

12:00 NOON

1. Call to Order
2. Roll Call
3. SECRETARY'S REPORT AND APPROVAL OF MINUTES
4. Action Items
 - a. Replacement of Garland Kilgore
 - b. Replacement of Christopher Dean
 - c. Replacement of Celestine Parker
 - d. Replacement of Vacant Seat
 - e. Replacement of Vacant Seat
5. Report from the Assistant Superintendent
6. From the Board
7. Concerns of Parents/Citizens and Recognition of Guests
8. Adjournment

BOARD OF EDUCATION
of the
SCHOOL DISTRICT
of the
CITY OF MUSKEGON HEIGHTS, MICHIGAN
REGULAR BOARD MEETING

[Join Microsoft Teams Meeting](#)

+1 313-725-4124 United States, Detroit (Toll)

Conference ID: 867 790 057#

MONDAY, OCTOBER5, 2020

12:00 NOON

OFFICIAL PROCEEDINGS

1. **The REGULAR Board Meeting, Muskegon Heights Public Schools via Microsoft Teams Meeting, Muskegon Heights, Michigan, was called to order by President Scott at 12:04 p.m.**

2. **President Scott, instructed Secretary Cook, to call the roll and note Board Members and Administrative Staff present.**

BOARD MEMBERS: Mrs. Trinell Scott, President; Mr. Mark Glover, Vice-President; Mrs. Marjorie Cook, Secretary; Mrs. Estelita Rankin, Treasurer; Mrs. Peggy Selmon, Trustee; Mrs. Marianne Darnell, Trustee

BOARD MEMBERS ABSENT: Ms. Peggy Selmon (Arrived at 12:12pm),
Ms. Marianne Darnell

ADMINISTRATIVE STAFF: Mr. John Lewis, Assistant Superintendent

ADMINISTRATIVE STAFF ABSENT:

Roll Call:

P Scott ABS Darnell ABS Selmon P Rankin P Cook P Glover

3. SECRETARY’S REPORT AND APPROVAL OF MINUTES

BE IT RESOLVED, that the minutes for the Regular Board Meeting of **September 14, 2020** be approved and placed on file.

M Estelita Rankin MOVED and m Marjorie cook SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

BE IT RESOLVED, that the minutes for the Special Board Meeting of **September 24, 2020** be approved and placed on file.

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

4. ACTION ITEMS

a. Resolution to replace Garland Kilgore, Board Member of Muskegon Heights Public School Academy with new person for the remainder of the term ending July 9, 2021.

BE IT RESOLVED, that Garland Kilgore be replaced by Antonette Robinson as Board Member of Muskegon Heights Public School Academy for the remainder of the term ending July 9, 2021 be approved and placed on file.

M Marjorie cook MOVED and m Estelita Rankin SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

b. Resolution to replace Christopher Dean, Board Member of Muskegon Heights Public School Academy with new person for the remainder of the term ending January 10, 2022.

BE IT RESOLVED, that Christopher Dean be replaced by David Fox as Board Member of Muskegon Heights Public School Academy for the remainder of the term ending January 10, 2022 be approved and placed on file.

M Estelita Rankin MOVED and m Marjorie Cook SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

c. Resolution to replace Celestine Parker, Board Member of Muskegon Heights Public School Academy with new person for the remainder of the term ending January 10, 2022.

BE IT RESOLVED, that Celestine Parker be replaced by Leslie Slater as Board Member of Muskegon Heights Public School Academy for the remainder of the term ending January 10, 2022 be approved and placed on file.

M Marjorie Cook MOVED and m Estelita Rankin SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

d. Resolution to replace the vacant seat, Board Member of Muskegon Heights Public School Academy with new person for the remainder of the term ending October 2, 2023.

BE IT RESOLVED, that the vacant seat be replaced by Marquis Childers, Jr. as Board Member of Muskegon Heights Public School Academy for the remainder of the term ending October 2, 2023 be approved and placed on file.

M Mark Glover MOVED and m Marjorie Cook SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

e. Resolution to replace the vacant seat, Board Member of Muskegon Heights Public School Academy with new person for the remainder of the term ending October 2, 2024.

BE IT RESOLVED, that the vacant seat be replaced by Joe Warren as Board Member of Muskegon Heights Public School Academy for the remainder of the term ending October 2, 2024 be approved and placed on file.

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution

Roll Call:

Y Scott ABS Darnell ABS Selmon Y Rankin Y Cook Y Glover

5. REPORT FROM THE ASSISTANT SUPERINTENDENT

Check Register - No questions

6. FROM THE BOARD

None

7. CONCERNS OF PARENTS/CITIZENS AND RECOGNITION OF GUESTS

None

8. ADJOURNMENT

RESOLVED, that the REGULAR Board Meeting for Monday, October 5, 2020, adjourned at 12:13 p.m.

M Mark Glover MOVED and m Estelita Rankin SECONDED the adoption of the resolution.

5 YEAS 0 NAYS

Respectfully submitted,



Marjorie Cook, Secretary



Muskegon Heights Public Schools

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

NOTICE TO OFFICER OF REMOVAL BY BOARD

DATE: August 13, 2020

TO: Mr. Christopher Dean, Secretary

You are hereby notified that, in accordance with EM Order 2016-8 (including Exhibit A), the Order Establishing A Revised Method of Selection Resolution for Members of the Public School Academy Board of Directors for the Muskegon Heights Public School Academy System, the Muskegon Heights Public School District Board has voted to remove you from your position as Board Director of the Muskegon Heights Public School Academy, effective August 13, 2020, pending review of the Receivership Transition Advisory Board (RTAB).

This action of the Board of Directors, taken by means of a resolution voted upon at a meeting held on August 13, 2020, effectively removed you from office as of the time of the vote (pending RTAB approval). We wish to thank you for your service to the Academy and District and wish you the best moving forward.

A sealed copy of the resolution is attached to this notice; the original is on file in the District Office, which address is:

2603 Leahy Street
Muskegon Heights, Michigan 49444

Respectfully,

Trinell Scott
President, Muskegon Heights Board of Education
Muskegon Heights Public School District



Muskegon Heights Public Schools

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

NOTICE TO OFFICER OF REMOVAL BY BOARD

DATE: August 13, 2020

TO: Ms. Celestine Parker, Vice President

You are hereby notified that, in accordance with EM Order 2016-8 (including Exhibit A), the Order Establishing A Revised Method of Selection Resolution for Members of the Public School Academy Board of Directors for the Muskegon Heights Public School Academy System, the Muskegon Heights Public School District Board has voted to remove you from your position as Board Director of the Muskegon Heights Public School Academy, effective August 13, 2020, pending review of the Receivership Transition Advisory Board (RTAB).

This action of the Board of Directors, taken by means of a resolution voted upon at a meeting held on August 13, 2020, effectively removed you from office as of the time of the vote (pending RTAB approval). We wish to thank you for your service to the Academy and District and wish you the best moving forward.

A sealed copy of the resolution is attached to this notice; the original is on file in the District Office, which address is:

2603 Leahy Street
Muskegon Heights, Michigan 49444

Respectfully,

Trinell Scott
President, Muskegon Heights Board of Education
Muskegon Heights Public School District



Muskegon Heights Public Schools

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

NOTICE TO OFFICER OF REMOVAL BY BOARD

DATE: August 13, 2020

TO: Mr. Garland Kilgore, President

You are hereby notified that, in accordance with EM Order 2016-8 (including Exhibit A), the Order Establishing A Revised Method of Selection Resolution for Members of the Public School Academy Board of Directors for the Muskegon Heights Public School Academy System, the Muskegon Heights Public School District Board has voted to remove you from your position as Board Director of the Muskegon Heights Public School Academy, effective August 13, 2020, pending review of the Receivership Transition Advisory Board (RTAB).

This action of the Board of Directors, taken by means of a resolution voted upon at a meeting held on August 13, 2020, effectively removed you from office as of the time of the vote (pending RTAB approval). We wish to thank you for your service to the Academy and District and wish you the best moving forward.

A sealed copy of the resolution is attached to this notice; the original is on file in the District Office, which address is:

2603 Leahy Street
Muskegon Heights, Michigan 49444

Respectfully,

A handwritten signature in black ink, appearing to read 'Trinell Scott', is written over a horizontal line.

Trinell Scott
President, Muskegon Heights Board of Education
Muskegon Heights Public School District



Muskegon Heights Public Schools

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

NOTICE TO OFFICER OF REMOVAL BY BOARD

DATE: August 13, 2020

TO: Mr. Stephen Parker, Treasurer

You are hereby notified that, in accordance with EM Order 2016-8 (including Exhibit A), the Order Establishing A Revised Method of Selection Resolution for Members of the Public School Academy Board of Directors for the Muskegon Heights Public School Academy System, the Muskegon Heights Public School District Board has voted to remove you from your position as Board Director of the Muskegon Heights Public School Academy, effective August 13, 2020, pending review of the Receivership Transition Advisory Board (RTAB).

This action of the Board of Directors, taken by means of a resolution voted upon at a meeting held on August 13, 2020, effectively removed you from office as of the time of the vote (pending RTAB approval). We wish to thank you for your service to the Academy and District and wish you the best moving forward.

A sealed copy of the resolution is attached to this notice; the original is on file in the District Office, which address is:

2603 Leahy Street
Muskegon Heights, Michigan 49444

Respectfully,

Trinell Scott
President, Muskegon Heights Board of Education
Muskegon Heights Public School District

Background Checks - Received and On File

EXHIBIT C



Robinson, Cerjuana <robincer@mhpsnet.org>

Expiration of Term

1 message

Robinson, Cerjuana <robincer@mhpsnet.org>

Thu, Oct 29, 2020 at 10:59 AM

To: Stephen Parker <skparker100@gmail.com>

Cc: Garland Kilgore <gkilgore@mhtfgers.org>, Trinell Scott <trinellscott@gmail.com>

Please find below a copy of the email sent by Steve Schiller and the attached letter from Trinell Scott.

Dear Mr Lewis,

It has come to my attention that there were two errors in Order 2016-5 that I executed on July 18, 2016. Those errors were two misstated dates that were listed as July 18, 2020 but should have been listed as July 18, 2016. Please be advised that when signing this order my intention was for Mr. Parker's term to be 4 years and that his term was to end in July 2020. Please feel free to contact me should you have any questions or concerns.

Steve Schiller

Cerjuana L. Robinson-Reasonover
Executive Administrative Assistant
Muskegon Heights Public Schools
Phone: (231) 830-3221
Fax: (231) 830-3560
email: robincer@mhpsnet.org

Ltr to Stephen Parker Expiration of Term.pdf
248K



Muskegon Heights Public Schools

2603 Leahy Street • Muskegon Heights, MI 49444 • Phone 231-830-3221 Fax 231-830-3580

October 28, 2020

Mr. Steven Parker
18707 North Fruitport Road
Spring Lake, MI 49456

Re: Expiration of Board Term

Dear Mr. Parker:

Thank you for your service on the Muskegon Heights Public School Academy System Board. We have confirmed that the term on the System Board expired, effective July 18, 2020. We appreciate your contributions to the Muskegon Heights Public School District over the past six years and wish you continued success.

Sincerely,

A handwritten signature in cursive script that reads "Trinell Scott".

Trinell Scott, President
Muskegon Heights Public Schools
Board of Education

Enclosure

cc: Muskegon Heights Public Schools Board of Education
Muskegon Heights Public School Academy Board
Mr. John Lewis



Muskegon Heights Public Schools

2603 Leahy Street • Muskegon Heights, MI 49444 • Phone 231-830-3221 Fax 231-830-3550

October 28, 2020

Mr. Rufus Garland Kilgore
 President, Board of Directors
 Muskegon Heights Public School Academy System ("System Board")
 2441 Sanford Street
 Muskegon Heights, Michigan 49444

Dear President Kilgore

It has been several weeks since we last considered meeting. In an effort to reconcile the differences our boards have on the issues raised over the past year, I am proposing the two of us meet as originally planned, together with our legal counsel, to see if we can reach agreement on a mutual recommendation to the Receivership Transition Advisory Board ("RTAB").

At the last RTAB meeting (last Wednesday, October 21, 2020) the Board of Education ("Board") asked that our pending requests before the RTAB – requests for approval of our recent decisions to appoint, remove and/or replace members of the System Board – be tabled until the next RTAB meeting.

Our hope is that the additional time gives us an opportunity to explore one last time whether any common ground remains between our boards to address the concerns we've shared with you. Most importantly, we remain concerned about the lack of transparency, cooperation and accountability the System Board has demonstrated towards us. Any solution we agree on must alleviate the concerns we have. As it concerns, in particular, the appointment of candidates to fill what we've confirmed are two (2) vacancies on the System Board – (enclosed is a copy of former Emergency Manager Steve Schiller's email confirming the intended duration and expiration of Steven Parker's term) – we should also discuss whether any of the candidates your board nominated for our consideration are invalidated as a result of Mr. Parker's vote being included after his term expired last July.

I am hopeful that we can meet as soon as conveniently possible. The Board of Education intends to present its final decisions regarding your board to the RTAB for approval at the next scheduled RTAB meeting on November 18, 2020. I am available to meet November 9, 2020 or November 10, 2020 after 5:00 pm next week if that works for you and your counsel. If these dates don't work, feel free to propose alternatives days or times.

Sincerely,

Trinell Scott, President
 Muskegon Heights Public Schools
 Board of Education

Section 4 – Information Received from Muskegon Heights Public Schools Academy

Attachment 4(A): Request Regarding the Term of Board Member Steven Parker

Received by the RTAB: 11/11/2020 at 3:44pm

CLARK HILL

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151 S. Old Woodward Ave., Suite 200
Birmingham, MI 48009
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clarkhill.com

November 11, 2020

Michigan Department of Treasury
Receivership Transition Advisory Board
c/o Ms. Jessica Thomas
430 West Allegan Street
Lansing, MI 48922

Dear Ms. Thomas,

We are counsel to the Muskegon Heights Public School Academy System (the “System”). We write to provide to you a certified copy of a Resolution of the System Board of Directors (the “System Board”) relative to System Board Member Stephen Parker and to discuss his situation. Mr. Kevin Smith, attorney for the School District of the City of Muskegon Heights (the “District”) has stated that he has provided you with his analysis of Mr. Parker’s situation. We wish to memorialize our analysis and request that the Receivership Transition Advisory Board (“RTAB”) recognize Mr. Parker’s continuing service through the expiration of his second appointed term, which the System believes should not expire until June 30, 2024.

Mr. Stephen Parker was originally appointed to the System Board by Emergency Manager Weatherspoon on August 21, 2014.¹ Mr. Parker was then re-appointed by Emergency Manager Schiller on July 18, 2016. Mr. Schiller’s Order stated that Mr. Parker’s term was “a four year term effective July 18, 2020.”² The Parties have operated under the interpretation that the Order expires on July 18, 2024 until recently when Mr. Smith raised the issue of Mr. Parker’s service being invalid as part of a larger campaign to remove all serving members of the System Board. To support that assertion, Mr. Smith has produced an email that he has secured from Mr. Schiller, who is no longer serving as Emergency Manager, to the District stating that despite what appears to be the plain wording of the Order, he actually meant for Mr. Parker’s service to end on July 18, 2020. Clearly, if we cannot accept what the face of the Order says, which is that Mr. Parker’s term ends on July 18, 2024, then there is an ambiguity in the Order.

Mr. Smith has stated that if his client is not satisfied with a proposed meeting in which a compromise slate consisting of District and System appointees and rules of accountability dictated

¹ See Order of Emergency Manager Gregory Weatherspoon 2014-5, August 21, 2014, available at <https://www.mhpsnet.org/emergency-manager/emergency-manager-orders/>

² See Order of Emergency Manager Steven Schiller 2015-5, available at <https://www.mhpsnet.org/emergency-manager/emergency-manager-orders/>

by the District are agreed to, he will seek judicial action to eject Mr. Parker. All of this despite the fact that Mr. Parker's service has been by all accounts exceptional.³

For the reasons below, we believe that Mr. Parker should be not be barred from completing his term of office through July 18, 2024.

Stephen Parker Should be Permitted to Complete His Term

After four years of all parties acquiescing to EM Order 2016-5 and Mr. Parker's service on the System Board, Mr. Smith has notified the System that he reads Order 2016-5 leading to the expiration of Mr. Parker's term on July 18, 2020, despite what is clearly written in the order and despite the financial havoc that could be wrought by unwinding and invalidating the actions of Mr. Parker. It is important to note that at the System's July 20 meeting, the System Board approved a resolution to borrow against state aid. If Mr. Parker is ejected, it is possible that the resolution in question will be nullified and the balance of the state aid note will immediately come due, causing catastrophic financial hardship for the System.⁴

The directive in the plain text of the Order listed above, which Mr. Parker relied upon in good faith to provide his volunteer service to the System Board, and which the System Board relied upon in its proceedings, should not be undone simply because of the newly-claimed ambiguity. To be clear, Mr. Parker has served faithfully for the benefit of the community and his reward for this service is to receive a threat to be hailed into Court.

Court, however, is the wrong venue in which to resolve this issue. The remit that Governor Snyder gave to the RTAB in his October 28, 2016 letter to The Honorable Ruth Johnson (the "Remit"), attached, states that the RTAB is the body which may modify, repeal or terminate any order of the Emergency Manager upon concurrence of the State Treasurer.⁵ We thus respectfully request that the RTAB recognize the reliance of the parties on the Order and, in accordance with the remit from Governor Snyder cited above, modify Executive Order 2016-5 to permit Mr. Parker's term to expire on July 18, 2024.

It would be inequitable to summarily dismiss Mr. Parker from his service on the System Board, particularly given his and the System's reliance upon the plain text of the Order in question. Further, the harm that is likely to ensue if the System's state aid note is invalidated should cause the RTAB to pursue a strong financial footing for the System and its students and use its power under the Remit to modify the Order and recognize Mr. Parker's term through July 18, 2024.

³ The subject of the meeting demanded by the District is addressed in separate correspondence of this date addressed to you.

⁴ While we were not counsel for the state aid note in question, we would refer the RTAB to the Thrun Law firm for any legal interpretation of the documents and any provisions related to the invalidation of proceedings authorizing the note.

⁵ https://www.michigan.gov/documents/treasury/SDCMH_RTAB_Appointments_539832_7.pdf

Michigan Department of Treasury
November 11, 2020
Page 3

Thank you for entertaining this letter.

Sincerely,

CLARK HILL PLC



Joseph B. Urban

cc: Poppy Sias-Hernandez, Director of Community Affairs for Gov. Whitmer



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2016 OCT 28 AM 11:05
BRIAN CALLEY
LT. GOVERNOR
ELECTIONS/GREAT SEAL

October 28, 2016

The Honorable Ruth Johnson
Secretary of State of Michigan
Office of the Great Seal
Michigan Department of State
Lansing, MI 48909

Dear Secretary Johnson:

Please be advised of the following appointments to the office to be effective October 28, 2016.

School District of the City of Muskegon Heights Receivership Transition Advisory Board

Ann Storberg of [REDACTED], county of Ingham, representing the State Treasurer, is appointed for a term commencing October 28, 2016, and expiring at the pleasure of the Governor.

Dale K. Nesbary of [REDACTED] county of Muskegon, representing the Director of the Department of Technology, Management, and Budget, is appointed for a term commencing October 28, 2016, and expiring at the pleasure of the Governor.

Clinton A. Todd of [REDACTED], county of Muskegon, representing the Superintendent of Public Instruction, is appointed for a term commencing October 28, 2016, and expiring at the pleasure of the Governor.

John C. Schrier of [REDACTED] county of Muskegon, representing a member with relevant professional experience, is appointed for a term commencing October 28, 2016, and expiring at the pleasure of the Governor.

Patrice S. Johnson of [REDACTED], county of Muskegon, representing a member with relevant professional experience, is appointed for a term commencing October 28, 2016, and expiring at the pleasure of the Governor.

These appointees shall take and file with the Office of the Great Seal an oath of office before commencing their duties as members of the Receivership Transition Advisory Board.

The State Treasurer, or his or her designee appointed to represent the State Treasurer, shall serve as chairperson of the Muskegon Heights School District Receivership Transition Advisory Board. In addition to the duties assigned to the Receivership Transition Advisory Board by Section 23(5) of Public Act 436 of 2012, the Local Financial Stability and Choice Act, the The School District of the City of Muskegon Heights Receivership Transition Advisory Board shall perform the following duties:

1. Fulfill the Board responsibilities outlined in all Emergency Manager Orders.
2. Recommend amendments, modifications, repeal, or termination of School District of the City of Muskegon Heights Emergency Manager Orders, to the State Treasurer. Recommended amendments, modifications, repeal, or termination of Emergency Manager Orders must be approved by the State Treasurer before any such modification becomes effective.
3. Conduct or cause to be conducted a formal annual evaluation of the District's operational and financial progress by identifying strengths, weaknesses, benchmarks achieved, and benchmarks not yet achieved, including a list of specific recommendations, potential resources available to assist the District's board, and any other constructive feedback that informs the District's board, residents, and other stakeholders concerning how the District can ensure its long-term sustainability.
4. Perform the functions and responsibilities vested in the Receivership Transition Advisory Board under any agreement entered into with the Muskegon Heights Public School Academy System by the Emergency Manager for the School District of the City of Muskegon Heights on behalf of the School District of the City of Muskegon Heights.

Finally, pursuant to Section 22(4) of the Act, I impose upon the District the following conditions which must be satisfied before it is removed from receivership, unless subsequently waived by me:

1. The implementation of financial best practices as adopted by the financial official' association.
2. The completion by District board members of financial and managerial training to ensure that official responsibilities are properly discharged.

Sincerely,



Rick Snyder
Governor

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2016 OCT 28 AM 11:05
ELECTIONS/GREAT SEAL

MUSKEGON HEIGHTS PUBLIC SCHOOL ACADEMY SYSTEM
MUSKEGON COUNTY, MICHIGAN

A special meeting of the Board of Directors of Muskegon Heights Public School Academy System, County of Muskegon, State of Michigan (the “Academy”) was held at the Academy on November 5, 2020 at 5:30 p.m., Local Time.

PRESENT: Members: Garland Kilgore, Celestine Parker, Stephen Parker, Christopher Dean

ABSENT: Members:

**RESOLUTION REQUESTING RTAB TO CURE AMBIGUITY IN EMERGENCY
SCHILLER’S EXECUTIVE ORDER APPOINTING MR. STEPHEN PARKER TO THE
SYSTEM BOARD OF DIRECTORS**

The following preamble and resolution were offered by Celestine Parker and supported by Christopher Dean.

WHEREAS, the Muskegon Heights Public School Academy System (the “Academy”) was created with the consent of the Board of Education of the Muskegon Heights Public Schools to address the significant financial difficulties and academic deficiencies that led to the submission of the Muskegon Heights Public Schools to the oversight of an Emergency Manager;

WHEREAS, the efficient operation of the Academy is best achieved by having a fully populated Board of Directors, particularly a Board of Directors that has experience and proven dedication to service on the Academy Board;

WHEREAS, Emergency Manager Steven M. Schiller signed EM Order 2016-5 on July 18, 2016 seating Mr. Stephen Parker to the Academy Board, “to an additional four years term effective July 18, 2020”;

WHEREAS, the Academy Board has repeatedly requested that the Receivership Transition Advisory Board (“RTAB”) seat its nominees so that the Academy would be operating with a full board;

WHEREAS, the attorney for the Muskegon Heights Public Schools (the “District”), Mr. Kevin Smith, has stated that he has determined to seek judicial relief and terminate the service of Mr. Parker on the Academy Board and void every action that the Academy Board has taken while Mr. Parker has been serving after July 18, 2020;

WHEREAS, by Correspondence to Secretary of State Johnson on October 28, 2016, Governor Snyder empowered the RTAB to

Recommend amendments, modifications, repeal, or termination of School District of the City of Muskegon Heights Emergency Manager Orders, to the State Treasurer. Recommended amendments, modifications, repeal, or termination of the Emergency Manager Orders must be approved by the State Treasurer before any such modification becomes effective.

WHEREAS, the Academy Board seeks to preserve continuity in its Board.

THEREFORE, IT IS RESOLVED BY THE MUSKEGON HEIGHTS PUBLIC SCHOOL ACADEMY SYSTEM, MUSKEGON COUNTY, MICHIGAN THAT:

1. The Academy Board hereby declares its support for Mr. Parker, a veteran board member whose loss will add an additional open seat to the Academy Board, thus reducing the effectiveness of the Academy Board by forcing it to operate at less than full capacity;

2. The Academy Board, while it believes that Mr. Parker, is seated through 2024, hereby, in the alternative, nominates him to a seat on the Academy Board for a term of 4 years, beginning this date and ending on June 30, 2024;

3. The Academy also requests that the RTAB modify the Executive Order of the Emergency Manager to permit Mr. Parker's term to expire on June 30, 2024, retroactive to July 18, 2020 under the authority of the Letter from Governor Snyder to Secretary of State Johnson attached as Exhibit A;

4. The Academy Board hereby ratifies and reaffirms each and every action that it has taken from July 18, 2020 to present.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Ayes: Garland Kilgore, Celestine Parker, Stephen Parker, Christopher Dean

Nays: _____

RESOLUTION DECLARED ADOPTED.



Secretary, Board of Directors

The undersigned duly qualified and acting Secretary of the Board of Directors of Muskegon Heights Public School Academy System, 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 5, 2020, 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, 1976 PA 267, as amended.



Secretary, Board of Directors

Section 4 – Information Received from Muskegon Heights Public Schools Academy

Attachment 4(B): Communication Regarding Mediation

Received by the RTAB: 11/11/2020 at 3:44pm

CLARK HILL

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Clark Hill PLC
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Birmingham, MI 48009
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F (248) 988-1827

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Michigan Department of Treasury
Receivership Transition Advisory Board
c/o Ms. Jessica Thomas
430 West Allegan Street
Lansing, MI 48922

November 11, 2020

Dear Ms. Thomas,

We are counsel to the Muskegon Heights Public School Academy System (the “Academy”). As I understand from Mr. Kevin Smith, attorney for the School District of the City of Muskegon Heights (the “District”), he has spoken to you and others in the Department of Treasury on behalf of his client’s position. Mr. Smith has informed me that he shared with you and others his perspective and findings on the situation among the parties. You and I spoke very briefly several days ago, where I shared with you the Academy’s fervent support for a mediated meeting or meetings to pursue reconciliation of the parties. I did so in case this fact was not communicated to you or the Receivership Transition Advisory Board (“RTAB”) by Mr. Smith during your discussions.

For the reasons that will be discussed more fully herein, the Academy believes a mediator is necessary to facilitate the discussions between the parties, facilitate formulation of a reasonable list of expectations and actions for both parties in their various roles and responsibilities and also maintain an honest record of happenings during the mediation.

The Academy has, for months, had a request outstanding to the District Board that the parties engage in facilitated discussion with a third party mediator who is sophisticated in school law and school finance.¹ This request has been refused. Most recently, Mr. Smith, while continuing to refuse the Academy’s request for a mediated discussion, has requested a meeting between the Board President of the Academy and the Board President of the Muskegon Heights Public School Academy Academy.² The stated purpose of this meeting was originally to agree on a “compromise” slate of Academy Board members. The District has taken this action after passing a resolution to remove all Academy Board members, even those in the middle of their terms and

¹ See the June 8 correspondence to the District summarizing complaints made by the District about the Academy and responding to same, attached. The Academy has offered two reputable names of documented neutrals for exploration: George Roumell III and Sam McCargo and has likewise stated it would entertain names from the District of mediators whose neutrality is likewise documented.

² Mr. Smith has asserted in correspondence that the Receivership Transition Advisor Board is the entity that will mediate any disputes between the parties. The Academy does not seek to press that role upon the RTAB.

proposed an entire slate to replace those summarily-dismissed board members. The request to remove Academy Board Members as well as a District-named replacement slate has been presented to the RTAB Board for action by the District. Mr. Smith has also threatened to eject Academy Board Member Stephen Parker through judicial action because of an ambiguity Mr. Smith believes he has detected in the order appointing him to the Academy Board.³

As with so many demands of the District⁴, the meeting request put forward by Mr. Smith has changed over time. He has recently stated that the District now also wants to also dictate “rules of engagement and accountability” to the Academy Board, presumably in addition to those requirements already contained in the Charter Contract and various laws and executive orders which the Academy works to scrupulously observe. While the Academy Board has absolutely no objection to accountability, as demonstrated by its track record of compliance with the Charter Contract, it has been the Academy’s experience that the District seeks to use the concept of accountability as a sword to dismember the Academy though its perpetual dissatisfaction with all actions taken by the Academy rather than as a means for better results for the students of Muskegon Heights.

If the District were truly interested in compromise, it would not be seeking to sweep away all members of the Academy Board prior to requested meeting.

The prior actions of the District Board have created a feeling within the Academy Board that, without facilitation, no meeting will be productive or address the underlying issues between the parties unless it is facilitated by a neutral mediator.

A mediator would bring his or her expertise in schools and school finance to the table in a structured fashion to guide the parties toward a reasonable resolution to their difficulties. The facilitated discussion would provide a means for the parties to speak to each other in a structured environment in which misunderstandings and misstatements could be corrected in real time. One example would be the varying complaints that the District has levelled over the years. The Academy feels that it has rebutted those complaints, but given that the complaints have been ever-changing and without follow-up engagement from the District, we would welcome a concrete list of issues that we could address and a structure in which to address them.

Given the different roles of the parties, we would look to the mediator to assist the parties, for example, in agreeing to a reasonable responsibility matrix, clarify reporting timelines and key

³ It is important to note that neither the Charter Contract between the parties nor the Order of the Emergency Manager setting forth the method of selection of board members empowers the District Board to suggest vacancies to the RTAB. If the District fails to seat Academy nominees, it is the RTAB, not the District, which selects from among the nominees to be seated. The RTAB may also seat others of its choosing, but no mention is made of choosing among District nominees, at least one of whom the Academy has discovered is a close relative of the District Board President. Even under the Revocation provisions of the Charter Contract, the RTAB has final authority over such decisions. We will address Mr. Parker’s situation in separate correspondence.

⁴ The District has yet to furnish the Academy with a set of alleged deficiencies other than the listing made in its May 28 letter to the Academy, to which the Academy responded. There was, however, no further engagement from the District regarding this response other than its action to summarily remove Academy Board members. It should be noted that a mediator would provide structure and a catalog of demands or deficiencies alleged that could then be systematically addressed and reasonably met in a manner acceptable to a mediator.

Michigan Department of Treasury

November 11, 2020

Page 3

performance indicators as well as bear witness to the proceedings so that one party could not leave the proceedings and mis-represent (however unintentionally) what took place.

The Academy is quite open to providing a delegate from its Board to meet with a delegate of the District board under the auspices of a mediator, for which the Academy would volunteer to pay, at a date convenient to the parties in the near future. We request that the *status quo* be maintained until such a meeting can be achieved. We offer that maintaining the *status quo* during such a short delay is well worth consideration by all parties involved.

I hope that this letter provides a short introduction to the thinking of the Academy in its desire to pursue a true global resolution of open issues.

Sincerely,

CLARK HILL PLC



Joseph B. Urban

cc: Poppy Sias-Hernandez, Director of Community Affairs for Gov. Whitmer

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June 8, 2020

BY ELECTRONIC MAIL

Muskegon Heights Public Schools
c/o Ms. Brianna T. Scott, Esq.
75 West Apple Avenue
Muskegon, MI 49440

Re: Response to Letter from Board President T. Scott

Dear Ms. Scott:

We are writing to respond to the letter from your client, the Muskegon Heights Public Schools Board of Education (the “District”), to the Board of the Muskegon Heights Public School Academy System Board of Directors (the “Academy” and the “Academy Board,” respectively).

This letter will do its best to respond to the wide-ranging issues that are raised in the District’s correspondence. The specific concern raised by the District will be listed in **bold**, with our response below in plain text. I do apologize for the timing of transmission to you, but it took quite a bit of time to research and respond to the wide-ranging statements from the District Board in a very compressed period.

After completing the research on the District letter, I did reach out to you on Thursday of last week to discuss the letter and our thoughts about a response. You shared, via email, that you would be unable to speak to me at all until Monday, June 8, 2020 after 10:30 a.m., just before the meeting of your client’s Board of Education. I hope that we can have a productive conversation during this short window before the meeting.

Despite years of dialogue between the two bodies, there seems to be a significant and persistent negative feeling by the District Board about the System Board’s efficacy as well as a desire, evidenced by a fair reading of quotes from members of the District Board in public and in the media, to dissolve the System Board. As will be discussed below, the System board has been quite effective at addressing the combined deficits of the District and its subsequent emergency manager and has also been quite effective in

improving student educational outcomes. As to the dissolution of the System Board, such an action would deprive the students of Muskegon Heights of a school.

To that end, the System Board genuinely wishes to put aside any misunderstandings between the parties and to amicably resolve any differences. A collaborative, mediated process to achieve this, as discussed further down in our response, is a suggestion as a means to this end. We would look forward to working together to set such a process in motion.

The Academy's response follows.

FINANCIAL CONCERNS

District Concern: In the PSA's last two required financial audits, it was uncovered there were material weaknesses in the accounting processes of the academy. Please refer to finding 2018-001 in 2018. This finding was also repeated in 2019 under finding 2019-001. In the PSA's 2018 response to these findings, it was noted that they would correct this problem, but that did not occur. The PSA was given ample time to correct this issue.

Since day to day operational responsibility was handed over to the Academy Board, the Academy Board has been a good steward of its financial resources. For example, since the prior Governor declared a financial emergency in 2012, due to an estimated \$12,000,000 deficit, the Academy has turned those financial circumstances around such that the school now posts an estimated ending positive fund balance for 2018-19 of \$1,197,441, which is up \$199,141 from the 2017-18 fund balance of \$998,700. That is 14.33% of revenues, according to the Academy's projected general fund budget.

The assertions about a repeat issues detected by the successive audits, above, is in error. In fact, the findings in 2018 and 2019 are not repeat issues. They are both independent findings. The finding in 2018 was for an accrual of textbooks that was purchased and paid for, but recognized in the previous year. The audited financials are 100% correct and the audit adjustment was made prior to the final statement of the financials. That error has not been repeated.

In 2019, a different finding in the same category was made and the audit team worked closely with the business manager. An accrual of payroll was missed prior to the audit team beginning their work. The finding has been noted and the business manager is actively working with the auditors to insure that all audit entries are accounted for prior to the engagement of the audit for the FY 2020.

The auditor spoke to our board at an open meeting in 2019 regarding the audit and advised that the audit from 2019 was the best audit that Muskegon Heights Public School Academy has had in many years.

District Concern: In the 2018 financial audit, it was also determined that the PSA improperly purchased and distributed gift cards to the staff of MHPSA. This was a direct violation of school code. While there was no financial penalty imposed upon the PSA, the MHPS board believes this is still a serious managerial issue and is disappointed that there was little to no action taken by the academy board, including holding key managerial employees responsible. Please refer to audit finding 2018-002 for detail on this violation.

We are quite confused by your assertions above. The 2018 audit simply states that “future staff retention measures will be vetted with contractors, ISD and MDE support systems to ensure compliance with all school code and policy.” There is no statement in 2018-002 that “the PSA improperly purchased and distributed gift cards to the staff of MHPSA.” Nor does 2018-002 provide detail on any “violation.”

In fact, the investigation that was conducted by an independent law firm at the request of the State Department of Education concluded that “it does not appear that Superintendent Garcia intended to violate any policies, contracts, or laws through the issuance of gift cards. A preponderance of the evidence available indicates she issued the gift cards to retain Academy teachers and staff.” Further, the law firm concluded that the purchase was for educational purposes and did not violate any employment or other contracts, nor did it violate school policy. During a media interview, Interim State Superintendent of Public Instruction Sheila Alles concluded that she was “assured that Superintendent Garcia’s actions were in the best interest of the district to recognize the commitment of Muskegon Heights staff, and provide continuity for the students in their classrooms.”

Given the outcomes of the official investigation, and Interim Superintendent Alles’ assertion that Superintendent acted in good faith, there does not appear to be any offense to punish. Guidance from you in this regard, given the full context of the situation, would be appreciated.

BOARD RELATIONS CONCERNS

District Concern: Recently, the MHPS board has been searching for ways to meet directly with members of the MHPSA board to discuss concerns and issues that have been presented to them by students, employees, and community members of the

district. The MHPS board requested that a small committee from the MHPSA board to facilitate this. This, in the district's opinion, would not be a violation of Open Meetings Act as deliberations would not be made at this meeting and that discussions from these committee meetings would not be brought into either district's open meetings. When this was proposed to the PSA, the MHPS board was told by the PSA's attorney that this would be a violation of the Open Meetings Act and that they would no longer pursue meeting in this setting. The MHPS board desires a channel of communication that can ask the tough questions and make sure that the MHPSA board will follow up on all issues presented to the MHPS board by staff, parents, and community.

The Academy, too, has sought meaningful ways to work with the District Board, particularly given the quotes in the media that demonstrate the District Board wishes for the destruction of the Academy Board.

The convening of a sub-quorum committee of a public body has been deemed to be a violation of the Open Meetings Act. *See, e.g., Booth Newspapers, Inc. v. Board of Regents of University of Michigan*, 444 Mich 211 (1993)(a committee is a public body within the meaning of the OMA when it is effectively exercising the authority of the governing board by narrowing the field of candidates for a position). Additionally, a committee deliberates when it exchanges “affirmative or opposing views, debating an issue or engaging in discussion about an issue. *See Ryan v. Cleveland Township*, 239 Mich App 430 (2000). In this case, the District Board has requested Academy board members to take part in discussion about concerns, which would constitute deliberation, as defined above.

The Academy welcomes a legally-appropriate line of communication and, in fact, the Academy Board President has agreed to meet, socially, with members of the District Board, not to deliberate, but merely to get to know one another socially. Dinner commitments have been made by both sides, only for the Academy Board President to be told, while in the parking lot of a restaurant at which such a meeting was to occur that the meeting was cancelled. One such example occurred on Thursday, November 21, 2019.

District Concern: During a public board meeting, the MHPS board was informed that the proceeds of the county-wide safety and technology millage would be used to provide every student with Chromebooks. Through discussions with numerous sources, the district found that this was not the case and many students were without Chromebooks. We have been informed that this did recently change due to supplemental funding from the "stay at home" orders, but the board is still concerned that they are being told one thing while another thing occurred. In the board's opinion, this is a continuing pattern of miscommunication from the PSA.

The assertions in this paragraph are incorrect. The Academy does not believe that full, one-on-one instruction by computer is educationally advantageous, except under the current circumstances in which virtual education is the only available modality. This philosophy is embodied in the attached Board Technology Updates. In order to respond to the COVID-19 crisis, the Academy has used its general fund to provide technology to all students so that they may participate in distance-learning.

District Concern: The PSA is currently under a partnership agreement with the state and other key community organizations and stakeholders. One of those organizations is the Muskegon Heights Alumni Association. This group has been a cornerstone of Muskegon Heights Public Schools and community for many years and has gained the respect and appreciation of many present and previous board members, superintendents, and emergency managers and community members of the district. Over the past few years, their role within the PSA has been vastly diminished and the MHPS board and community is very disappointed and confused by this. We do not know why this changed so drastically.

The Academy is also at a loss as to why the Alumni Association has not chosen to engage constructively with the Academy. There was an issue with items which were prohibited by external regulation being sold from a store run by the Association during the school day. The Academy tried to constructively resolve the issue with the Association. After that process, the Alumni Association seems to have withdrawn fully from engagement. The Academy welcomes constructive engagement with the Alumni Association.

District Concern: When the partnership agreement was created, the MHPS board was not included as a partner. This was very confusing as per the contract between MHPS and MHPSA we are responsible for the oversight of the MHPSA board. This concern was brought to the state department responsible for facilitating this agreement and it was fully agreed upon that the MHPS board should be a partner in said agreement. When trying to get the MHPS board on this agreement, the district was met with roadblocks from the PSA. In fact, there was a direct request from MHPSA management to the state department asking that we not be included in certain communications. This created two issues for the MHPS board. One, the district interpreted this to keep us out of the informational loop which further created a divide between MHPS and MHPSA boards. Two, who is making decisions on how information is provided to the MHPS board? Should this have been a decision by MHPSA management or the MHPSA board? Was the MHPSA board even made aware of this decision?

As stated in the Partnership Agreement, the Muskegon Heights Public School District Board is the authorizer of the Muskegon Heights Public School Academy System and shares in the interest of the successful implementation of the Partnership Agreement. Quarterly reporting is done by the Academy to the District as a part of the charter contract and will continue through the duration of this agreement. The Academy welcomes constructive engagement with the district board and continues to invite them to all Partnership Agreement meetings or other public meetings, subject to the requirements of the Open Meetings Act.

District Concern: There is also concern over what seems to be selective staff member accountability. Certain employee groups are held to very high accountability standards while other higher-ranking key management is not. There seems to be a great deal of inconsistency regarding this matter. There also seems to be a lack of due process when employees have been terminated. This is a huge concern for the MHPS board as teacher turnover inhibits student growth/educational consistency and can create a hostile work environment.

The Academy is not aware of any selective accountability of staff members.

As the District is aware, all but a very few staff at the Academy are employed through a third-party employer, which is solely responsible for the terms and conditions of employment for the great majority of Academy staff. That third-party employer has a complaint process for staff, as well as total responsibility, per the contract approved by the District, for investigating and resolving all complaints, including those of “selective staff member accountability.”

There have been a number of complaints made by staff to outside investigatory authorities with this narrative as a through-line, but, we understand, all have been resolved favorably. It should be noted that the Academy has worked with its third-party employer to increase retention and, as of the 2019-20 school year, enjoyed a 95% teacher retention rate.

That said, the Academy is in the process of selecting a new third-party employer as it continually seeks to improve its processes and outcomes.

EDUCATIONAL CONCERNS

District Concern: The MHPS board also believes there is a lack of vision for the district and questions whether the current board and management understands what this district means to the community of Muskegon Heights. Is the current

curriculum and educational direction enough to keep our kids competitive with other neighboring districts?

In the 2016-2017 school year, a strategic plan was developed during a public process in which all voices who raised questions were heard. There were over 170 community members who provided input. With the input and collaboration of this community group, five goal areas were selected: Rigorous Learning, Tiger Pride, Leadership, Community Partnerships and Systems and are at the foundation of the vision for the System's work and curriculum.

The Michigan Department of Education has reviewed the plan, approved the strategic steps necessary to implement and has awarded the System the highest rating of 'On Track' in each evaluation, see attached Review of Goal Attainment Documents, Feb 2019 and May 2020.

In the most recent review, the Michigan Department of Education shared their findings in a Summary of Best Practices. Specific statements that support current work of the Academy include:

Promising Practices:

- The partnership with MI Excel Statewide Field Team and the Michigan Department of Education has been successful.
- A viable curriculum and a school-wide pacing chart is being implemented with fidelity.
- The district's readiness to pivot to remote learning and to ensure that students were getting their needs met, included all staff being part of the online learning process.
- Staff has been successful in reaching out to students during the Stay at Home order.
- District leaders have a relentless nature to provide students with the best education that they deserve.
- A coaching model is in place to provide teachers with support.
- A Performance Management system around high-quality instruction is used to support teachers.

In that same Review of Goal Attainment, the Michigan Department of Education recommended that the Academy continue to use the same curriculum for the Continuity Learning Plan.

Based upon the expert analysis and encouragement that the MDE has provided, we believe that the current curriculum and educational direction are more than sufficient to achieve the goal of maintaining competitiveness with neighboring school districts.

One thing that is important to note in this regard is that, many times, the District will criticize the Academy for not doing what the District wishes, but the criticism has been vague, confusing or contradictory. Examples are numerous. It appears many times that the focus is on items other than student achievement. It also appears to the Academy that the District, far from wishing to collaborate with the Academy, is seeking to destroy the Academy by using media and selective information against the Academy. Examples in the media abound of quotes from the District board and others, including a story whose headline states that the District wishes to do away with the Academy altogether.

As to the performance questions, the Academy is only able to respond to specific and clear questions with data. This data tells a very positive story to any objective listener. For example, data for the most recent academic progress is included in the 2019-2020 3rd Quarter Academic Update. Trends are improving and more students are scoring proficient on Benchmarks. This is due to the specific practices set forth below. The Academy welcomes the chance to discuss this data with the District with the assistance of a collaborative process.

PEDAGOGICAL PRACTICES implemented are based on the following research:

Explicit Instruction is provided, which includes the following sixteen essential components

- Focus Instruction on critical elements.
- Sequence skills logically .
- Break down complex skills and strategies into smaller instructional units.
- Design organized and focused lessons.
- Begin lessons with a clear statement of the lesson's goal and your expectations.
- Review prior skills and knowledge before beginning instruction.
- Provide step by step demonstrations.
- Use clear and concise language.
- Provide an adequate range of examples and non-examples.

- Provide guided and supported practice.
- Require frequent responses.
- Monitor student performance closely.
- Provide immediate affirmative and corrective feedback.
- Deliver the lesson at a brisk pace.
- Help students organize their knowledge.
- Provide distributed and cumulative practice.

In addition, the 5D+ Evaluation Framework, one of the State of Michigan approved evaluation systems, drives the work and instructional practices. This includes the following domains with clear criteria for each:

- Purpose.
- Student Engagement.
- Curriculum & Pedagogy.
- Assessment for Student Learning.
- Classroom Environment & Culture.

District Concern: MHPSA students are consistently performing among the lowest in Michigan according to standardized assessments. Students are being "pushed through" the district ill prepared to enter college or the workforce upon graduation.

The Academy disagrees with this assessment. Students are met where they are, with the goal of increasing growth and proficiency. MHPSAS implements a multi tiered system of support to provide different levels of instruction as identified through benchmark assessments and progress monitoring. Retention is considered when a team member or parent expresses concern regarding student progress. Retention is chosen when there is evidence that retention will have a positive academic outcome that outweighs the negative social and emotional outcomes as demonstrated by research. The data do not demonstrate that children are not "pushed through," but, rather, that they are increasingly realizing positive outcomes. We would be happy to discuss this data with you.

District directive to System Board to present itself at the District Board of Education Meeting of June 8, 2020 to respond to the District letter, five business days after receipt of letter from the District.

Regretfully, due to commitments that had been pre-scheduled, as well as employment obligations of Academy Board Members who work for full-time employers, it is

impossible to attend as directed. The notice of approximately five (5) business days is insufficient for the required, pre-scheduled commitments of the board.

That said, the Academy Board does wish to undertake a constructive dialogue with the District at a mutually convenient time that meets the schedules of all involved. Likewise, the Academy Board would like to respectfully suggest that the parties participate in a collaborative problem-solving conversation, mediated by a third-party sophisticated in educational issues and charter schools generally, so that both boards may be on the same page moving forward. We have been asked to facilitate that with your counsel and look forward to her response in this regard.

The District hereby notifies you that it is considering reconstituting the PSA Board pursuant to its authority under Section 507 of The Revised School Code, Public Act 451 of 1976, as amended, MCL 380.507 (the "School Code").

It is important to note that the Charter Contract requires any substantive amendments, such as those which would be made through reconstitution, be acquiesced to by the RTAB. See Section 9.4 of the Charter, Section 10.5(c) and 10.5(d), as well as the Method of Selection of Board Members ordered by the Emergency Manager in 2016, all available at the District's website. We would prefer to avoid the destructive processes invoked by the District and resolve issues amicably and collaboratively, and trust that you and your client would prefer to choose this path, as well.

We look forward to working with you toward the amicable resolution of any issues the District may have with the Academy, for the benefit of all stakeholders in the Muskegon Heights community, especially the students enrolled, or to be enrolled, at the Academy.

Please contact me to discuss these matters further.

Respectfully,
CLARK HILL PLC



Joseph B. Urban

Section 4 – Information Received from Muskegon Heights Public Schools Academy

Attachment 4(C): Request to Appoint Mrs. Kimberly Sims Including Supporting Documentation

As Presented in the August 19, 2020 RTAB Meeting

Muskegon Heights Public School Academy System



2441 Sanford, Muskegon Heights, MI 49444
Phone 231-830-3703 • Fax 231-830-3755 • mhtigers.org
Rané Garcia, Superintendent

July 22, 2020

Dear Ms. Thomas:

The Board of Directors of the Muskegon Heights Public School Academy System (“System Board”) is requesting assistance from the Receivership Transition Advisory Board (“RTAB”) in order to enable the System Board to properly fulfill its governance responsibilities and in order to continue providing vital educational services to the children of Muskegon Heights.

The System Board is specifically requesting the RTAB appoint a member to the System Board. Pursuant to Order 2016-8, issued by Steven M. Schiller, the RTAB is authorized to take action to appoint a member to the System Board, “If the District Board and System Board are unable to agree on a subsequent System Board nominee for appointment...then the Advisory Board shall appoint the subsequent System Board member.”

Based on the following facts and the recent actions of the District Board, it is the System Board’s position that “the District Board and the System Board are unable to agree.” The timeline of this latest situation is as follows:

- The System Board nominated Mrs. Kim Sims on March 16, 2020 for appointment. Mrs. Sims is a former mayor and council member of Muskegon Heights, a resident, and an active member of the community. During her 12 years serving with the City of Muskegon Heights, Mrs. Sims worked to support the schools of Muskegon Heights, first as the Muskegon Heights Public Schools, through the transition and then as the Muskegon Heights Public School Academy System. Mrs. Sims leadership has been recognized through a 2020 nomination for the African American Leadership Award, appointment to the Community Service Commission by the Governor, and as a 2018 Woman of Accomplishment award recipient from the Greater Muskegon Woman's Club. Kim’s experience serving on Boards includes being a trustee of the Michigan Municipal League and Muskegon YMCA.
- The District Board met on April 20, 2020 and voted to NOT appoint Mrs. Sims.
- On May 27, 2020, given the District Board’s failure to act and appoint Ms. Sims, the System Board approved two additional nominees, from which the District Board could choose: Reverend Duane Banks and Dr. Angelia Coleman, to the District Board for consideration and appointment. These suggested appointments were conducted by the System in accordance with and in reliance upon the terms and conditions of the Charter Contract.
- On the evening of May 29, 2020, the District Board sent a letter to the System Board with concerns.

- On June 8, the System responded to the concerns listed in the District's communication with significant detail and requested a collaborative problem-solving conversation, mediated by a third-party sophisticated in educational issues and charter schools.
- On June 8, the District's attorney communicated to the System's attorney that the District had no interest in entering into mediation.
- On June 8, the District's assistant superintendent stated he could not provide any timeline for moving forward with the nominations.
- On June 9, the System's superintendent requested the process move forward in accordance with EM 2016-8
- On June 12, we received your letter urging discussion and resolution.
- Yesterday, July 21, the district interviewed Reverend Banks and Dr. Coleman and voted to NOT appoint either of these candidates.
- Additionally, the District Board held interviews of 6 other candidates that were not nominated by the System Board. The District voted to approve each of these candidates. During the interviews it was stated by Ms. Trinell Scott, District Board president, that there were 5 System Board seats to fill. This statement is inaccurate because the System Board currently has only one (1) vacancy.
- It may be helpful to have some background on Reverend Duane Banks and Dr. Angelia Coleman. Reverend Banks is a Muskegon Heights resident, Muskegon Heights Public School Alumnus, senior pastor at Spring Street Missionary Baptist Church and a Chaplain at Mercy Health. He has served on several volunteer organizations including the Board of Directors for Habitat for Humanity and Life Circles Senior Resources. Dr. Coleman is a Muskegon community member and brings a strong educational perspective to the System Board having formerly served as a teacher, school administrator in our area, and recently completed her PhD in Educational Leadership with a dissertation titled The Lethal Implications of Deficit thinking in Urban Education. She is in her second year of serving on the Michigan Elementary and Middle School Principal Association (MEMSPA) on the Professional Development Committee and currently holds a position on the Muskegon Township Board of Review.

With the District Board failing to take action to appoint any of the three nominees properly proposed by the System Board, the System Board is unable to move forward to fill the board seat and properly govern the System.

Thus, we feel we have no alternative but to request the RTAB use its authority to bring the System Board back to its full five (5) member capacity by appointing Mrs. Sims to serve on the System Board at your earliest convenience.

Should you or other members of the RTAB have any questions or need additional information, please let me know.

Sincerely,



Garland Kilgore, President
Board of Directors
Muskegon Heights Public School Academy System

Section 4 – Information Received from Muskegon Heights Public Schools Academy

Attachment 4(D): System Response to Questions from October 21, 2020 RTAB Meeting

Received by the RTAB: 11/11/2020 at 3:44pm



Muskegon Heights Public School Academy System

2441 Sanford, Muskegon Heights, MI 49444
Phone 231-830-3703 • Fax 231-830-3755 • mhtigers.org

Memo

To: RTAB
From: Rané Garcia
Date: November 12, 2020

In last month's RTAB meeting questions were raised, below is some information to help provide clarity.

CERTIFIED TEACHERS

Current certified teachers teaching in their area of certification in MHPSAS:

- 43 teachers, 93% of teaching team

Current permitted substitutes teaching in MHPSAS:

- 3 substitutes, 7% of teaching team

Current uncertified or unpermitted teachers in MHPSAS:

- 0 teachers, 0% of teaching team

ACADEMIC ACHIEVEMENT

To understand the Academic Achievement in Muskegon Heights it is important to have background knowledge. It is critical to not look solely at the current state level proficiency but to understand the path the community has taken and short and long term indicators of progress.

It is important to note that MHPSAS, the current public school academy system, was offered to be a Partnership School based on identification on the 2010 Priority Schools list. MHPS, the former public school district, was in charge of operating the schools in Muskegon Heights through the 2011-2012 school year. This means that the initial identification criteria was based upon the academic results of MHPS, the former public school district.

Since then, MDE has identified Near Term Outcomes, Mid Term Outcomes and Long Term Outcomes in a Theory Of Change for the Partnership Model. Long Term Outcomes include proficiency and growth on local and state assessments. (see Figure A)

MHPSAS, the current public school academy system, has met all Near Term Outcomes goals in our Partnership Agreement as indicated on Review of Goal Attainments completed by the Michigan Department of Education in February 2019 and May 2020. In addition, MHPSAS, the current public school academy system, has demonstrated significant gains in Mid Term Outcomes by increasing staff retention to 95%.



Muskegon Heights Public School Academy System

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We believe that an additional Mid Term Outcome should be considered in the Theory of Change: trust of the community. We have documented two data points indicating an increase of community trust. The first is an increase in student enrollment during the 20-21 school year by 8%, the first fall enrollment increase in the history of the Academy *and* during a global pandemic when the vast majority of school districts in our state are seeing a decrease in enrollment. The second is a significant increase in parent involvement in Parent Teacher Conferences as noted in the chart below.

Building	Average % of conferences held during the 19-20 School Year*	% of conferences held Fall 2020
Edgewood Elementary (TK-1)	39.5%	89%
Dr, Martin Luther King Elementary (2-6)	73%	92%
Muskegon Heights Academy (7-12)	21%	82%

*19-20 Conferences were held in fall and winter, spring conferences were cancelled due to the global pandemic.

When looking at Long Term Outcomes there are two ways to gage educational efficacy-proficiency and growth, school districts use local assessments and State Assessments to measure both. Local measures, again, as indicated in the RGAs conducted by the Michigan Department of Education, show that significant progress is being made to determine MHPSAS, the current public school academy system is in **ON-TRACK**.

In the chart that follows shows Spring 2019 State Assessment data (Spring 2020 state level assessment was cancelled due to the global pandemic). An exciting key indicator in this data is the 8th grade PSAT score*, this double digit proficiency on a state assessment has not been seen on a state level assessment in Muskegon Heights for far too long.

Grade Level	Spring 2019 ELA State Assessment % of Students at Benchmark
3 (MStep)	6%
4 (MStep)	2%



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5 (MStep)	0%
6 (MStep)	4%
7 (MStep)	2%
8 (PSAT)	10%
9 (PSAT)	6%
10 (PSAT)	3%
11 (SAT)	0%
12 (SAT)	

Figure A

