

**SVSU**

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**BOARD OF CONTROL**

**MINUTES**

**NOVEMBER 14, 1994**



SAGINAW VALLEY STATE UNIVERSITY  
BOARD OF CONTROL  
NOVEMBER 14, 1994  
SPECIAL MEETING

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MINUTES  
BOARD OF CONTROL  
Special Meeting  
1:30 p.m.  
Board of Control Room - Wickes Hall  
November 14, 1994

Present: Braun  
Curtiss  
Gilbertson  
Kelly  
Roberts  
Rush  
Walpole  
Ward

Absent: Escobedo

Others

Present: J. Fallon  
M. Frahm  
S. Hocquard  
C. Lange  
J. Olvera  
R. Payne  
F. Porterfield  
P. Saft  
D. Schneider  
J. Stanley  
R. Thompson  
J. Woodcock  
R. Yien  
Press (2)

I. CALL TO ORDER

Chairperson Rush called the meeting to order at 1:34 p.m.

II. PROCEDURAL ITEMS

A. Recognition of the Official Representative of the Faculty Association

Chairperson Rush recognized Professor David Schneider, President of the Faculty Association, who read the attached statement. (See Appendix One: Schneider)

III. ACTION ITEMS

1) Resolution to Approve the Policy on Public School Academies

RES-1123 It was moved and supported that the following resolution be adopted:

WHEREAS, Under the provisions of Act 362 of Public Acts of 1993, the Board of Control of Saginaw Valley State University is authorized to enter into contracts for the creation and operation of public school academies; and

WHEREAS, The purpose of the policy and application are to set forth criteria and procedures for the administration of the SVSU Board's responsibilities under Act 362;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Control of Saginaw Valley State University approve the Policy on Public School Academies as proposed by the Board of Control's Special Committee on Charter Schools. (See Appendix Two: PSA)

Chairperson Rush stated: "The Policy on Public School Academies is the result of a considerable amount of time and effort expended by the ad hoc committee....Momentarily this may be moot, but hopefully things will be worked out over the course of time. Trustee Ward can fill us in on the current status of what is happening in Lansing -- or what might happen. But we plan to go ahead and review this and hope....that if and when it does become meaningful, we can have something ready to go."

Trustee Ward told the Board he had talked to the Office of Charter Schools after Judge Collette's ruling. He had also been called by a representative of Wayne State

University. There is a chance they may wish to join SVSU's amicus curia brief when this matter goes to either the Supreme Court or the Court of Appeals. There has been some talk about filing a petition to bypass the Court of Appeals.

Trustee Ward stated: "They seem to be confident that this opinion will not stand....So I think this is just a minor blip in the march toward authorizing charter schools....My hunch is that the Attorney General will file an application to bypass the Court of Appeals and ask the Supreme Court to take the case."

President Gilbertson stated that a great deal of thought and work had gone into the development of the Policy on Public School Academies. The Board went through a very detailed and thoughtful process in developing the document. The Ad Hoc Committee met with a number of people, including area school superintendents, SVSU faculty and colleagues and representatives of the Office of Charter Schools before issuing their Interim Report. The document before the Board today was also issued in draft form, soliciting advice and comments from the schools, from representatives of the Michigan Education Association, and from SVSU faculty and others.

Trustee Ward noted that the Policy anticipated and addressed some of the objections to charter schools. The provisions in the Policy ensure that any school receiving a charter from SVSU will be in substance as well as in aim a public entity and subject to public authority. All members of their Board of Directors will remain subject to the public authority of SVSU's Board of Control.

President Gilbertson noted: "If we adopt this Policy, it is not being done in defiance of any judge's order. It's being done because we completed our policy deliberation process

and adopted it in anticipation that it may or may not be, in effect, subject to the final outcome of the litigation. We are not doing this in defiance of anything. We're simply doing it because the statute is on the books -- it stands, and we have developed this Policy to implement that statute. The final outcome of the constitutionality of the statute is in the hands of the courts. That does not really apprise us as to whether or not we should act today. We are acting simply because it's timely and our process is completed."

Trustee Roberts asked whether Roman Numeral V.C.(1) of the application form ("*A Public School Academy shall not operate at a site other than the single site requested for configuration of grades that will use the site.*") could be made clearer, in case the charter school had a fire or other unexpected occurrence.

Trustee Ward noted that an alternate site could be approved in that case by amending the contract.

President Gilbertson told the Board that the application form would be revised to indicate that if any significant changes occur as a result of an emergency or unplanned event, the candidate school could request a charter amendment from the SVSU Board of Control.

Chairperson Rush asked for further discussion. There was none.

The motion was approved unanimously.

2) Resolution to Modify General Fund Operating Budget for FY1994-95

RES-1124 It was moved and supported that the following resolution be adopted:

WHEREAS, The Board of Control adopted on June 13, 1994 the general fund operating budget for fiscal year 1994-95; and

WHEREAS, Subsequent to that date the University administration has revised its original revenue and expenditure estimates to reflect changes to various revenue categories and expenditure allocations required for compensation, services, supplies, and equipment;

NOW, THEREFORE, BE IT RESOLVED, That the attached schedule indicating a recommended revised base budget be adopted for fiscal year 1994-95. (See Appendix Three: Budget)

President Gilbertson told the Board this was the second stage of a four-step budget process. The adoption of the initial budget was based upon best estimates at that time as to principal sources of revenue and operating costs. The budget will probably be brought before the Board again for modification in April and for closing in August.

At this time the budget is being updated as to fall semester enrollments and State appropriations. The Governor and the Legislature provided an appropriation that was approximately \$92,000 greater than anticipated at the time of the budget's original adoption. Tuition income from the fall semester enrollment increase was approximately \$47,000 higher than expected. Additional miscellaneous income came to \$112,792. These three factors increased the original budget by approximately \$252,000.

Trustee Curtiss asked whether the four-step process was a Board policy.

President Gilbertson replied that it was.

Trustee Curtiss noted: "The reason we are doing this is not because the \$252,000 in and of itself is all that important, but rather that the Board monitors this on a quarterly basis."

President Gilbertson replied: "That's correct."

The motion was approved unanimously.

3) Resolution to Approve Construction of Parking Lot

RES-1125 It was moved and supported that the following resolution be adopted:

WHEREAS, Parking is a continuing need on the SVSU campus; and

WHEREAS, A new parking lot, to be known as Lot L has been planned for construction south of Pioneer Hall with spaces for approximately 200 cars; and  
WHEREAS, The cost to construct this lot is not expected to exceed \$280,000;  
NOW, THEREFORE, BE IT RESOLVED, That the administration is authorized to proceed with construction of the parking lot at a cost not to exceed \$280,000;  
BE IT FURTHER RESOLVED, That the President and/or the Vice President for Administration and Business Affairs be authorized to sign contracts pertaining to said lot.

President Gilbertson told the Board the University had a parking problem because there aren't enough spots in the places which are easily accessible to students. Building an additional lot south of Pioneer Hall would relieve some of the problem. The lots on the western side of campus (the J lots) are adequate and spacious, but pedestrian access to them has been blocked by construction on the West Complex. When that facility has been completed and becomes the front door of the campus, those parking spots will be needed and well used, but something needs to be done before then.

K lot, which had been reserved for faculty and staff, has been partially converted to student parking. Resolution 1125 would authorize the addition of approximately 180 new parking spots immediately adjacent to K Lot, just south of Pioneer Hall. This is a treeless, sparsely grassed field, not otherwise noted for scenic beauty or ecological value. Costs for the lot would run between \$1,100 and \$1,400 a spot, largely because of the need to light it for safety purposes and to provide drainage and other kinds of services.

Chairperson Rush stated he felt this would be a good step in the direction of trying to help the students get closer to where they have to be, especially since the University has so many commuter students who are coming and going all the time.

Trustee Curtiss inquired about the source of funding.

President Gilbertson stated that the debt on existing parking would be extended three

or four years.

Trustee Curtiss noted: "It has been our....practice in the past to try to reimburse the cost of parking facilities fairly rapidly. We don't want to borrow over thirty years for parking facilities which will not be of any particular value thirty years from now. So if we're going to use internally generated funds borrowed against future auxiliary revenue, I would hope that we would plan to pay it back fairly promptly so that we will be in a position several years from now to make additional parking lot improvements, if needed. Let's not get in the habit of borrowing long term to finance short term demands."

President Gilbertson replied: "We don't wish to, but parking doesn't come free. We have to provide our consumers with that too....But in the end it comes out of fees."

Chairperson Rush added: "This lot will always be put to good use, from what I can see."

President Gilbertson noted: "I would anticipate spaces in this lot will be much coveted, even after the new building is completed."

Trustee Ward asked how the University charged for parking.

President Gilbertson replied that faculty and staff pay \$20 per year for restricted parking passes. Students are charged a per-credit-hour General Service Fee, a portion of which (\$1.30) is committed to parking.

The motion was approved unanimously.

4) Resolution to Authorize Amendment to Line of Credit Agreement

RES-1126 It was moved and supported that the following resolution be adopted:

WHEREAS, The Board of Control of Saginaw Valley State University (the "Board")

has entered into a Loan Agreement (the "Agreement") dated as of November 15, 1993, with Michigan National Bank, Saginaw, Michigan (the "Bank"), providing for the extension by the Bank to the Board of a line of credit (the "Line") permitting the borrowing of not to exceed \$2,500,000 in order to provide interim financing to meet temporary cash flow deficits of the Board; and

WHEREAS, It may be necessary to increase the amount of the Line for a period of 6 months in order to provide interim financing for the West Complex, the permanent financing for which is to be provided by the State Building Authority of the State of Michigan; and

WHEREAS, The Bank has indicated its willingness to increase the amount of funds available to be drawn under the line by an additional \$1,500,000 bringing the total amount available to be drawn to \$4,000,000;

NOW, THEREFORE, BE IT RESOLVED, That the President of Saginaw Valley State University (the "President"), or the Vice President for Administration and Business Affairs of Saginaw Valley State University (the "Vice President"), or either one of them, are hereby authorized to negotiate, execute and deliver, for and on behalf of the Board, an amendment (the "Amendment") to the Agreement, providing for the increase in the amount available to be drawn under the Line for the purposes set forth above to \$4,000,000 for a period of six months from the date the Amendment is executed. Interest on the additional \$1,500,000 authorized to be drawn by the Amendment shall be payable at the rates determined as provided in the Agreement, except that, as provided in the commitment of the Bank attached hereto (the "Commitment"), the prime rate of Michigan National Bank shall be substituted for the prime rate of Citibank, N.A., with respect to the interest on the additional \$1,500,000 authorized hereby. As provided in the Commitment, interest shall be payable monthly, and principal shall be payable six months from the execution date of the Amendment, subject to earlier prepayment as funds are available. The balance of the terms and provisions of the Agreement, including the limited sources of payment of the principal of and interest on the amounts drawn, and the security therefore, consisting of a first lien on General Revenues, shall apply to the additional \$1,500,000 amount authorized to be drawn by the Amendment. The President or Vice President, or either one of them, are further authorized to execute and deliver for and on behalf of the Board a note in the amount of \$1,500,000 evidencing the obligation of the Board to repay amounts drawn as authorized by this Resolution, and any other documentation required to effect the purposes of this Resolution, including the Commitment. Such officers are also authorized to cause to be paid to the Bank the commitment fee referenced in the Commitment; and

BE IT FURTHER RESOLVED, That the Agreement, and all related documentation, except as modified pursuant to the terms of this Resolution, are hereby ratified and confirmed.

President Gilbertson stated: "This is basically bridge financing to begin construction of the West Complex. We had two options. One was to go out and issue revenue bonds

of our own. The other was to extend what is now an unused line of credit. We keep a line of credit open to us in the event of a cash flow problem. We have used it once in our history. We believe that we will be best served by using the line of credit as bridge financing, rather than going through all the costs of issuance in undertaking more bond indebtedness. We don't think we're going to have to go deeply into the line. These are funds that are all reimbursed by the State as construction is up and running, so it's only a short term bridge financing. We think this is the most advantageous way for us to go financially, but it would require an amendment to the existing line of credit."

Jerry Woodcock, Vice President for Administration and Business Affairs, reminded the Board that it had already authorized the administration to borrow \$6 million for this project, but because the process has been moving along so well in Lansing, it is anticipated that \$4 million would be adequate. This resolution would authorize the expansion of the existing line of credit with Michigan National Bank from \$2.5 to \$4 million for a six-month period.

Trustee Curtiss noted: "This is not a line of credit that has been set up to fund cash flow shortfalls or operating deficits, but only to bridge between funds that we have on hand and funds that we know are coming from the State. This use is very much in line with the intention when the line of credit was set up in the first place. I hope that this will not at any time become a mechanism for funding operating deficits or cash flow shortfalls, other than delays in reimbursements."

Mr. Woodcock stated that his office had received the documents from the State the previous week, and it was hoped that the University would have to use the line of credit for

only a fairly short period of time before being reimbursed by the State.

The motion was approved unanimously.

5) Resolution to Approve Emeritus Status for Dr. Albert J. Beutler

RES-1127 It was moved and supported that the following resolution be adopted:

WHEREAS, Dr. Albert J. Beutler has served with distinction and dedication as Executive Director of the Saginaw Valley State University Foundation since 1985; and

WHEREAS, Under Dr. Beutler's fund raising leadership, more than \$20 million in gifts have been raised for the Arbury Fine Arts Center, scholarships and library acquisitions and for the first SVSU Endowed Chair; and

WHEREAS, Dr. Beutler's dedicated and faithful service to the University have been particularly notable in the planning and implementation of SVSU Commencement ceremonies and other campus activities; and

WHEREAS, Dr. Beutler's civic involvement has included service on the Saginaw Art Museum Board, membership in the Saginaw Torch Club, and President of the Downtown Rotary of Saginaw in 1993; and

WHEREAS, Dr. Beutler was presented the 1993 "Outstanding Fund Raising Executive Award" by the Mid-Michigan Chapter of the National Society of Fund Raising Executives;

NOW, THEREFORE, BE IT RESOLVED, That as Dr. Beutler prepares to retire from the University, the Board of Control of Saginaw Valley State University gratefully acknowledges his exemplary service and dedication to the University, and bestows upon him the title of "Executive Director Emeritus" with all the rights and privileges appertaining to this distinction;

BE IT FURTHER RESOLVED, That a copy of this resolution be framed and presented to Dr. Beutler as a permanent expression of the University's appreciation.

President Gilbertson told the Board: "There will be other occasions to say more about Al, so this is simply to complete this aspect of the way in which we expect to honor him. I would also tell you he's going to be our speaker at the December Commencement. We're all looking forward to his valedictory. We obviously recommend this to you with great enthusiasm -- he's retiring effective February."

The motion was approved unanimously.

IV. ADJOURNMENT

6) Motion to adjourn

BM-859 It was moved and supported that the meeting be adjourned.

The motion was approved unanimously.

The meeting was adjourned at 2:12 p.m.

Respectfully submitted:

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Thomas E. Rush  
Chairperson

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Robert H. Walpole  
Secretary



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Jo A. Stanley  
Recording Secretary

SVSU Board of Control  
November 14, 1994

I learned another valuable lesson from my youngest student last weekend. Jason, my son, is four years old. On Saturday mornings, the Schneider household has grown accustomed to watching selected cartoons on T.V. I am not sure what Jason likes better: cartoons or commercials. You see, when the commercials come on he makes pronouncements: "I want that." Whether it's Supervan City, Ricochett, or Mighty Morphin Power Rangers, he wants it. His moderate and Christian parents have responded with the Santa-Claus-list-making strategy, thinking that we will teach him the value of prioritizing. We say: "Put that on your list for Santa." Well, last Saturday Jason responded to the Santa Claus line with this comment: "Dad, tell Santa that I want everything."

I think that all of us are guilty of wanting everything at various points in our lives. This lesson is just a reminder that we can't always have what we want. Nonetheless, that does not stop us from wanting. So, we forge ahead with priorities and compromises.

Students and professors are entering week eleven of the semester. In general, students want more time to do the many things yet to be accomplished in the semester. Professors want more time to evaluate those things. All of us are looking forward to the Thanksgiving recess that won't be long enough to catch up on everything that we are planning to do. Currently, about 350 students in Fundamentals of Communication are preparing extemporaneous speeches for evaluation. Students in my Interpersonal Communication class are about to take another exam and then use the recess time to write an interpersonal journal. My colleagues in theatre have just finished striking the 20th production since my arrival at SVSU. In the College of Education, about 120 of our graduating seniors are entering their twelfth and final week of student teaching. In two weeks, they will be the newest crop of SVSU state certified teachers. In the words of Joseph Gonzales, Superintendent for Bay City Public Schools, our graduates are coming from the model teacher education program in the state.

At present, a total of 28 SVSU faculty members are receiving visits from Professional Practices Committee Evaluation Teams. Evaluation teams are composed of three colleagues who will observe instruction, interview students, read student evaluations, examine progress in research and community service, and formulate a written report making a recommendation to the respective dean. In time, Dr. Yien and the P.P.C. will

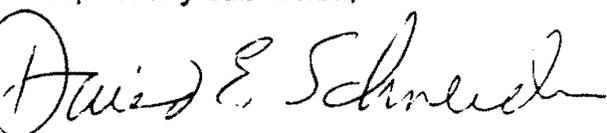
use these reports, in part, to make judgements about tenure, sabbaticals, and promotions. These judgements will eventually come in the form of recommendations to the Board of Control.

On yet another front, the Curriculum and Academic Policy Committee recently held a forum on a proposed philosophy statement for general education at Saginaw Valley. Over 30 faculty attended, giving input and making suggestions for improving general education experiences for our students. Some faculty want numerous changes in general education while others prefer the status quo. This activity is primarily a response to the charge resulting from our recent ten-year accreditation from North Central Association. In my view, the committee has been open and cautious in its deliberations. This is an issue that will continue throughout the year. While progress has been made, there is still a significant amount of work to be done. If everything does come, it will not all come at once.

Outside the classroom, the Budget and Policy Committee is wrestling with President Gilbertson about new faculty positions. Essentially, the faculty want more positions with less restrictions and the president wants fewer positions with more restrictions. Nonetheless, I think that we are all happy to be dialoguing about problems concerned with growth rather than retrenchment. It is good to talk about where to grow and how to grow, rather than where to cut and how to cut.

In closing, I am looking forward to another Saturday morning at the Schneider household. I am confident that Santa will fulfill an edited list of the request for everything. Space and time limits me from informing you about all of the constructive faculty activity on campus. SVSU is an exciting place to be. There's room to grow and learn. It's a tough job to stay at the cutting edge of academe. I am confident that SVSU will be a better place to be next year, even though everyone will not get everything on their wishlist.

Respectfully submitted,

A handwritten signature in cursive script that reads "David E. Schneider". The signature is written in dark ink and is positioned above the printed name.

David E. Schneider  
President, SVSUFA

## POLICY STATEMENT ON PUBLIC SCHOOL ACADEMIES

### I. PURPOSES

Under the provisions of 1993 Public Act 362 the Board of Control of Saginaw Valley State University ("Board") is authorized to enter into contracts for the creation of Public School Academies (PSA). It is the purpose of this policy to set forth criteria and procedures for the administration of the SVSU Board's responsibilities under that law. However, they are intended as guidelines only and the validity of a contract shall not be affected because of a departure from one or more of these criteria or procedures in approving the charter.

The SVSU Board will consider the approval of contracts for PSAs in order to provide elementary and secondary students with enhanced opportunities to achieve the objectives of Article 8 of Michigan's Constitution. By assisting in the development of such educational institutions, SVSU may make significant contributions to the variety and quality of educational programs available to public school pupils as well as create models for exemplary educational practices and parental involvement. The Board may approve such contracts where the likelihood is shown that proposed PSAs can and will meet educational needs of those who are presently inadequately served by offering a quality educational program which is both responsive to those needs, and which has the means and resources necessary to accomplish its educational goals.

### II. APPLICATION PROCESS

Individuals or organizations seeking to enter into a contract with the SVSU Board for the creation and operation of a PSA must submit an application on SVSU Board approved forms which shall include the following items of information:

- A. All those items indicated in M.C.L. Section 502(3).
- B. Documentation that students are presently inadequately served, and how their educational needs are to be met by the proposed PSA.
- C. A description of any unique or special educational or service features of the proposed PSA which would give it particular qualitative dimensions not otherwise available to students.
- D. A description of programs or efforts the PSA will undertake to assure that it will attract and meet the needs of a culturally, economically and ethnically diverse student body.
- E. A description of the qualifications and backgrounds of all teaching and administrative professionals employed by the proposed PSA, and a description of the qualifications and backgrounds of all proposed members of the Board of Directors of any PSA applicant.
- F. A copy of the deed of conveyance or lease of the PSA school building.
- G. A copy of financial planning documents describing the proposed academy's operating budget and capital needs and resources for a five-year period.

- H. A copy of any and all publications, brochures, advertisements or other promotional literature used to recruit students, raise money or otherwise represent the proposed PSA to the public.
- I. Copies of any documents or other materials submitted to obtain approval or accreditation from any governmental or private certifying or accrediting agencies, and a copy of any and all responses obtained from any such agency.
- J. Additional and supplemental information or documents may also be requested by the SVSU Board on a case-by-case basis.
- K. A one-time non-refundable application fee of \$500 shall be submitted at the time of application. Applicants which appear to offer educational programs that are consistent with the purposes of this policy will be considered candidates for Public School Academy status. Such candidates will be required to pay an additional non-refundable \$1,500 evaluation fee prior to program review.

### III. EVALUATION PROCESS

Applications will be evaluated by the SVSU Board on a competitive basis, taking into consideration the resources available for the proposed PSA, the population to be served by the proposed PSA, and the educational goals to be achieved by the proposed PSA (see M.C.L. Section 503(1)). It is the intent of the SVSU Board to retain the services of an independent, consultant-evaluator to review and evaluate the applicant and advise the SVSU Board as to the needs, plans, goals and resources of the applicant. Individuals shall be selected as a consultant-evaluator on the basis of their background and expertise in the field of K-12 education and the operation and evaluation of K-12 schools.

It is expected, but not assured, that the process of evaluating applications will require from 60-120 days from date of receipt. The SVSU Board will consider the evaluation report together with the contents of the application in a timely manner as part of its normal committee and Board meeting agenda.

### IV. OPERATION AND OVERSIGHT OF PUBLIC SCHOOL ACADEMIES

Any contract issued to a PSA shall contain the following provisions:

- A. Provisions addressing all those items set forth in M.C.L. Section 503(3) and (4).
- B. The term of the initial contract, not to exceed three years, with the possibility but without the assurance of renewal.
- C. An assurance by the Board of Directors of the PSA that the school is and will remain in compliance with all applicable state, federal and local laws, including but not limited to those indicated in the Appendix to this Policy.
- D. A requirement that the PSA will submit to twice-per-school year reviews by

consultant-evaluators appointed by the SVSU Board, and will pay the direct costs associated with such reviews.

- E. A provision that the SVSU Board will retain 3% of the per pupil State funding to the PSA as compensation for administrative costs it incurs for its oversight functions and service as fiscal agent.
- F. A requirement that a public school academy will submit to the SVSU Board an audit report conducted by a certified public accounting firm to be selected by the SVSU Board. Such reports must be received on an annual basis, and not more than 90 days following the completion of the public school academy's fiscal year.
- G. A provision that the PSA will not have or maintain any affiliation with a church or other religious organization which would disqualify it under the State or federal constitution from receiving public support.
- H. A provision that the PSA will not operate at a site or for age and grade ranges other than those described in its original application, and that it will maintain current certifications, accreditations or other approvals from public and private agencies which were in place at the time of application.
- I. An assurance from the PSA that it shall furnish to the SVSU Board such proofs at such intervals as the SVSU Board may reasonably request of the PSA's continuing compliance with all applicable laws and with the continuing truth of each and every representation made in its application to and subsequent contract with the SVSU Board. Such provision shall further provide that if the PSA ceases to comply with any provision of law or any such representation, or any such representation ceases to be true, the PSA shall promptly notify the failure of the representation to the SVSU Board.
- J. A provision requiring the PSA to undertake and sustain good faith efforts to attract and serve a student body that is culturally, economically and ethnically diverse.
- K. A provision requiring that the PSA will hold SVSU, its Trustees, officers, employees and agents harmless with effect to any claims asserted because of an act or failure to act of the PSA, its officers, employees, agents, pupils or the representatives of them and shall further have SVSU named as a co-endorsee on liability insurance coverage in an amount not less than \$2,000,000 each occurrence, \$6,000,000 aggregate.
- L. A provision providing that the PSA recognizes and agrees to the grounds provided for revocation of its contract as set forth in M.C.L. 380.507 and in the contract granted by the SVSU Board. Notice of cause to revoke and an opportunity to be heard shall be given to the PSA at least 30 days before action by the SVSU Board. The SVSU Board's decision, which shall be in written form and supported by findings, shall be final and not subject to appeal.

**V. BOARDS OF DIRECTORS OF PUBLIC SCHOOL ACADEMIES**

Because any PSA becomes, in effect, a fully-funded public school, those responsible for the governance of the PSA must be fully accountable to the public. Further, opportunity must be provided to the public for participation in the selection of those responsible for the governance of such public institutions.

The following criteria and provisions shall be applicable to the Boards of Directors of any PSA subject to a contract with the SVSU Board:

1. The PSA Boards shall be comprised of not fewer than seven persons, selected on the basis of their commitment to and interest and experience in public education. Individuals shall serve for a term of not more than four years, and the terms of PSA Board members shall be staggered to provide continuity and stability in PSA Board membership.
2. Public notice shall be given by the PSA of vacancies on its Board of Directors, and an opportunity shall be provided for interested individuals to apply for appointment to any such Board.
3. The SVSU Board shall approve appointments to the PSA Board of Directors.
4. At the time of any expired term or other vacancy on a PSA's Board of Directors, the then-serving Directors shall review applicants for such vacancies and recommend to the SVSU Board persons for appointment.
5. The SVSU Board reserves the authority to remove any person from membership on a PSA Board at its sole discretion for cause.

SAGINAW VALLEY STATE UNIVERSITY  
CHARTER SCHOOL  
(Public School Academy)

Application Form

I. IDENTIFICATION OF APPLICANT.

- A. Person applying (if on behalf of organization, partnership, corporation or association so state).

\_\_\_\_\_

- B. Title of that person with the organization, partnership, corporation or association.

\_\_\_\_\_

- C. Address, telephone and fax numbers.

Telephone \_\_\_\_\_ Fax Number \_\_\_\_\_

- D. Resident agent, if any, and address, telephone and fax numbers.

\_\_\_\_\_

Telephone \_\_\_\_\_ Fax Number \_\_\_\_\_

II. PROPOSED BOARD OF DIRECTORS OF APPLICANT.

- A. What are the necessary qualifications of Directors?

\_\_\_\_\_

- B. Number of Directors. \_\_\_\_\_

- C. Length of term of each. \_\_\_\_\_

- D. Proposed method of appointment or election.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- III. INCLUDE DOCUMENTATION THAT STUDENTS TO BE TAUGHT IN THE P.S.A. ARE NOW INADEQUATELY SERVED; AND DISCUSS HOW THEIR EDUCATIONAL NEEDS WILL BE MET WITH THE PROPOSED CHARTER SCHOOL.
- IV. PROPOSED ARTICLES OF INCORPORATION.  
(Must include all of the following):
- A. Name of the proposed Public School Academy.  

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  - B. Purpose of proposed Public School Academy (include all of the following).
    - 1. Goals of the Public School Academy.
    - 2. Curriculum outline.
    - 3. Range of pupils to be served.
  - C. Incorporation will be pursuant to Part 6A of the School Code of 1976, as amended, and Act 162, P.A. 1982, as amended, and that the Public School Academy is a governmental entity.
  - D. Pledge that the Public School Academy is not now, nor will it ever be organized by a church or religious organization, nor have any organizational or contractual affiliation with a church or religious organization, nor constitute a church or religious organization.
  - E. Statement that the Saginaw Valley State University, Board of Control is the authorizing body.
  - F. Proposed time when the Articles of Incorporation will be effective.
  - G. Other matters proposed by applicant.
  - H. Other matters required by law.
- V. A COPY OF THE PROPOSED BYLAWS OF THE PUBLIC SCHOOL ACADEMY, WHICH SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:
- A. The governance structure of the Public School Academy. (Attach copy)

- B.** A copy of the educational goals of the Public School Academy and the curriculum to be offered and methods of pupil assessment to be used by the Public School Academy. (To the extent applicable, the progress of the pupils in the Public School Academy shall be assessed using at least a Michigan Education Assessment Program (MEAP) test or an assessment instrument developed under section 104a of the State School Aid Act of 1979, being section 388.1704a of the Michigan Compiled Laws, for a state-endorsed high school diploma, or 1 or more of the following nationally normed tests; the California Achievement Test, the Stanford Achievement Test, or the Iowa Test of Basic Skills.) (Attach copy)
- C.** The admission policy and criteria to be maintained by the Public School Academy. The admission policy and criteria shall comply with section 504 of the School Code, as amended, as follows:
- (1)** A Public School Academy shall not operate at a site other than the single site requested for the configuration of grades that will use the site.
  - (2)** A Public School Academy shall not charge tuition, and shall not discriminate in its pupil admissions policies or practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, or any other basis that would be illegal if used by school district. However, a Public School Academy may limit admission to pupils who are within a particular range or grade level or on any other basis that would be legal if used by a school district.
  - (3)** Except for a foreign exchange student who is not a United States citizen, a Public School Academy shall not enroll a pupil who is not a resident of this state. Enrollment in the Public School Academy shall be open to all pupils who reside within the geographic boundaries of the State of Michigan who meet the admission policy. If there are more applicants to enroll in the Public School Academy than there are spaces available, pupils shall be selected to attend using a random selection process. However, a Public School Academy may give enrollment priority to a sibling of a pupil enrolled in the Public School Academy. A Public School Academy shall allow any pupil who was enrolled in the Public School Academy in the immediately preceding school year to enroll in the Public School Academy in the appropriate grade unless the appropriate grade is not offered at the Public School Academy.

- (4) A Public School Academy may include any grade up to grade 12 or any configuration of those grades, including kindergarten and early childhood education, as specified in its contract.
- (5) The school calendar and school day schedule plus annualized hours of instruction where applicable.
- (6) The age or grade range of pupils to be enrolled.
- (7) Method of financing the academy and first year's proposed budget.

D. Description of staff responsibilities, qualifications and certification and of the Public School Academy's governance structure. (Attach job descriptions, if available.)

E. Identification of both local school district and intermediate school district in which the academy will be located.

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(Local)

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(ISD)

F. Description of and address of the physical plant in which the Public School Academy will be located.

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G. A written agreement that the application will comply with all of Part 6A of the School Code, as amended, and all other state laws applicable to public bodies and with federal law applicable to public bodies or school districts and those cited in the contract approved.

H. Projected numbers of students attending and method of projection.

I. Proposed method and arrangement for transportation of pupils.

J. A pledge that the corporation is not now, nor will be, organized by a church or other religious organization of any kind or nature, nor that it has any

affiliation either organizationally or contractually with a church or religious organization or that it would constitute a church or other religious organization now or in the future.

- K. Proposed method to provide Saginaw Valley State University with assurance that the Public School Academy will comply with the goals of the Public School Academy, and comply with all applicable laws, regulations, reporting procedures for state, federal and contractual requirements.
- L. Proposed date for commencement of teaching in the Public School Academy.

It is understood that this application must include a non-refundable fee of \$500 for its review. Upon notification that an applicant's program is consistent with the purpose and objectives of SVSU's policies, the applicant becomes a candidate for a charter. There is an additional non-refundable \$1500 fee for program evaluation review prior to determining charter status. Further, it is agreed that Saginaw Valley State University's Board of Control may accept, reject, modify or condition approval upon modification of this application as it so chooses and that it is not obligated by law to accept any applications. The candidate agrees to enter into a contract with Saginaw Valley State University as a condition of acceptance of this application and part of that contract contains a pledge that the corporation will comply with all state and federal laws and regulations which apply to public bodies, as well as the provisions of Part 6A of the School Code of 1976, as amended, and federal laws applicable to school districts. Should any significant condition change as a result of an emergency or unplanned event, it is incumbent on the Director to request a charter amendment from the Saginaw Valley State University's Board of Control.

\_\_\_\_\_  
Applicant

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

**SAGINAW VALLEY STATE UNIVERSITY  
MODIFICATION OF GENERAL FUND OPERATING BUDGET  
FY95**

	BASE FY95	REVISED FY95	NET CHANGE	
			\$	%
<b>REVENUES:</b>				
Appropriation	\$17,752,700	\$17,845,216	\$92,516	0.52
Tuition & Fees	15,406,000	15,453,000	47,000	0.31
Miscellaneous	1,430,122	1,542,914	112,792	7.89
	<u>34,588,822</u>	<u>34,841,130</u>	<u>252,308</u>	<u>0.73</u>
<b>EXPENDITURE ALLOCATIONS:</b>				
Compensation	25,487,029	25,515,409	28,380	0.11
Supplies, Materials, & Services	8,348,913	8,572,841	223,928	2.68
Capital	752,880	752,880	0	-
	<u>34,588,822</u>	<u>34,841,130</u>	<u>252,308</u>	<u>0.73</u>
Revenue Over/(Under) Expenditures	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	
<b>FUND BALANCE</b>				
Balance at Beginning of Year, 7/01/94		\$390,681		
Revenue Over/(Under) Expenditures, FY1994-95		<u>0</u>		
Anticipated Fund Balance at 6/30/95		<u>\$390,681</u>		