

RESOLUTION TO SUBMIT DRAFT ESP AGREEMENT TO AUTHORIZER

WHEREAS, section 3.6 of the Terms and Conditions of the Charter Contract (“Contract”) between the Central Michigan University Board of Trustees (the “University Board” and the _____ Board of Directors (the “Academy Board”), authorizes the Academy Board to engage in an agreement with an educational service provider to carry out the operational activities of the Academy; and

WHEREAS, section 380.504a(d) of the Revised School Code, Act No. 451 of the Public Acts of 1976, as amended, being Section 380.1 to 380.1852 of the Michigan Compiled Laws (the “Code”), grants the Academy the power to enter into binding legal agreements with persons or entities as necessary for the operation, maintenance of the Academy; and

WHEREAS, the Academy Board has determined that it is in the best interest of the Academy to enter into an agreement with _____.

WHEREAS, the Academy Board has been provided the opportunity to review the proposed agreement with the Academy’s Legal Counsel and has obtained a draft legal opinion from its Legal Counsel, attached hereto, as required by The Center’s Educational Service Provider Policies (“The Center’s ESP Policies”) and will submit a copy of the draft legal opinion to The Center for Charter Schools at Central Michigan University.

WHEREAS, the Academy Board has performed sufficient due diligence to establish that the Educational Service Provider (“ESP”) has the appropriate financial resources, educational services, and managerial experience to provide the contracted services and has obtained sufficient information to conclude that the ESP agreement, on the terms to be approved, is in the best financial and educational interest of the Academy.

WHEREAS, the Academy Board has completed the ESP Information Sheet as required by The Center’s ESP Policies and will submit a copy of the ESP Information Sheet to The Center for Charter Schools at Central Michigan University.

NOW, THEREFORE, BE IT RESOLVED, that the Academy Board approves by majority vote the form of the educational service provider agreement (the “Agreement”) attached hereto for submission to the authorizing body and directs _____ to submit the Agreement, draft legal opinion and ESP information sheet to the authorizing body at least 30 days prior to the execution of the Agreement for their review and comment on the substance of the agreement and its adherence to The Center’s ESP Policies.



I certify that the foregoing resolution was adopted by the Academy Board at a duly noticed open meeting held on the _____ day of _____ 20__.

By: _____

Its: Board Secretary