



# INDIANA STATE BOARD OF EDUCATION

**To:** Indiana State Board of Education

**From:** William Ottensmeyer, Staff Attorney

**Date:** December 7, 2022

**RE: Approval of Governing Body Change – North Gibson School Corporation**

**Recommendation: Approve the proposed governing body plan change**

Pursuant to IC 20-23-8, the Board of School Trustees of North Gibson School Corporation (“NGSC”) adopted a resolution to initiate a change to NGSC’s governing body plan. After adopting the resolution, NGSC submitted the attached materials for the Indiana State Board of Education’s (“Board”) review and consideration, in accordance with the requirements set forth in IC 20-23-8-15.

Indiana Department of Education (“Department”) staff reviewed the attached material and determined that NGSC’s plan and the manner in which it was initiated satisfy the requirements set forth in IC 20-23-8. As such, NGSC’s new governing body plan is recommended for approval.



November 3, 2022

Dr. Katie Jenner, Chair  
Indiana State Board of Education  
200 W. Washington Street, Room 228  
Indianapolis, Indiana 46204

Re: North Gibson School Corporation  
Plan for Governing Body Composition Change

Dear Dr. Jenner,

I represent North Gibson School Corporation. On June 21, 2022, the North Gibson School Corporation adopted a resolution to amend its governing body composition pursuant to Indiana Code 20-23-8. On July 1, 2022, notice of the resolution was published in the Princeton Daily Clarion. A copy of the resolution and proof of publication are enclosed.

This resolution changes the districts from electoral districts to residential districts, which eliminates the need to reapportion the district boundaries under Indiana Code 20-23-8-8. All other terms of the existing governing plan remain unchanged.

The deadline for filing a petition opposing the plan was October 29, 2022. No petition was filed in the Gibson County Clerk's Office. The only remaining step in adopting the new governing plan is certification by the State Board of Education pursuant to Indiana Code 20-23-8-15.

I ask that the Board of Education approve the new governing plan at its December 7, 2022 meeting. If you need any additional information or documents from me, please contact me at (812) 385-1843 or [danielmoonlaw@gmail.com](mailto:danielmoonlaw@gmail.com).

Sincerely,

Daniel A. Moon

DAM/sll  
Enclosures

**CERTIFICATE OF GIBSON COUNTY CLERK**

I, Jim Morrow, do hereby certify that I am the duly elected, qualified and acting Clerk of Gibson County, Indiana.

I certify that I have completed a search for (a) Petitions protesting the reorganization plan approved by the governing body of North Gibson School Corporation on June 21, 2022, pursuant to Indiana Code 20-23-8 and (b) Petitions submitting an alternative reorganization plan, and I that I found none.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3<sup>rd</sup> day of November, 2022.



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Jim Morrow, Clerk of  
Gibson County, Indiana

## Plan for Governing Body Composition Change

### A. Board of School Trustees

1. Number & Residential Districts – The governance of North Gibson School Corporation shall be vested in a non-partisan Board composed of five (5) members elected at a November general election in accordance with Ind. Code § 20-23-4-29.1. There shall be three (3) geographically defined and limited residence districts from which four (4) members residing therein, shall be elected to the Board (thereby comprising a total of four (4) resident members) and an “at large” district comprised of the entire area of the North Gibson School Corporation, from which one (1) member shall be elected. All five (5) members shall be elected by all voters residing within the school corporation, defined as the entire area of Patoka Township, Washington Township and White River Township, with its exterior boundaries coterminous with the boundaries of the three townships. The Board intends that this manner of election be that option in Ind. Code § 20-23-4-27(c)(2). The four (4) residence districts, from which members of the Board shall reside, shall be as follows:
  - a. District 1 is comprised of Washington Township with one (1) board member.
  - b. District 2 is comprised of White River Township with one (1) board member.
  - c. District 3 is comprised of Patoka Township with two (2) board members.
  - d. District 4 is comprised of the North Gibson School Corporation with one (1) board member.
2. Term of Office – Membership on the Board shall constitute a “lucrative office” as the term is used in Article 2, § 9 of the Constitution of the State of Indiana. Members shall be elected to a term of office of four (4) years commencing on January 1 of the year following the year of their election.
3. Organization and Appointment of Officers – The Board shall annually organize within fifteen (15) days after the commencement date of the members’ terms of office, or within such time as might otherwise be required by law. The Board shall elect from among its membership a president, vice president, secretary, and assistant secretary each of whom shall be a different member of the Board. The Board may make such other appointments as permitted by, and in accordance with, applicable law.
4. Compensation – Members shall be entitled to compensation for the performance of their duties on the Board, as limited by applicable law, and as determined, from time to time, by resolution of this Board.
5. Eligibility for Membership on Board – To be eligible to serve on the Board, a candidate for election to the Board must have attained the age of twenty-one (21) years before the candidate’s terms of office would begin. Candidates running for

election to the Board from one of the three (3) geographically limited and defined residence districts must have been a continuous resident of that residence district for at least the one (1) year immediately prior to the general election on which the candidate's name appears on the ballot for election to the Board. Candidates running for election to the Board as an "at large" member must have been a continuous resident of the school corporation for at a least one (1) year immediately prior to the general election on which the candidate's name appears on the ballot for election to the Board. Property ownership shall not be an eligibility requirement for a candidate seeking election to the Board.

6. Vacancies on Board – Vacancies on the Board existing because of the death of a school board member shall be filled in the manner provided by Ind. Code § 20-26-4-4.5, as from time to time amended. Vacancies on the Board existing for any reason other than the death of an elected, qualified, and acting school board member shall be filled in the manner provided by Ind. Code § 20-26-4-4(c), as from time to time amended.

B. Transition Plan Pending Board Elections

1. Schedule of Current Board Terms – The terms of office of the current members of the Board, their current corresponding election district, the date their current term began, and the date their current term ends, all as determined by the law and the North Gibson School Corporation governing body selection plan then in effect at the time of their election, are:

Existing Election District	Current Member	Current Term Began	Current Term Ends
Washington Township	Michael Ice	January 1, 2019	December 31, 2022
White River Township	Amy Bingham	January 1, 2019	December 31, 2022
Patoka Township	Joe Williams	January 1, 2021	December 31, 2024
Patoka Township	Brock Sievers	January 1, 2021	December 31, 2024
At Large Seat	Travis Nolcox	January 1, 2021	December 31, 2024

2. Transition from Election District to Residence District Representation – The representation of the existing election districts shall be transitioned to residence districts under this proposed plan change in the following manner:

- a. Member Michael Ice currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Washington Township. His residence will be within the geographically defined and limited Washington Township Residence District under this proposed plan as set forth in section A(1)(a) above. From the Effective Date of this proposed plan until the end of his present term, Member Ice, or his successor should the 2022 election occur prior to the Effective Date of the proposed plan, shall be the Board member from the Washington Township Residence District under this proposed plan.
  - b. Member Bingham currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in White River Township Residence District. Her residence will be within in geographically defined and limited White River Township Residence District under this proposed plan as set forth in section A(1)(b) above. From the Effective Date of this proposed plan until the end of her present term, Member Bingham, or her successor should the 2022 election occur prior to the Effective Date of the proposed plan, shall be the Board member from the White River Township Residence District under this proposed plan.
  - c. Member Williams currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Patoka Township Residence District. His residence will be within the geographically defined and limited Patoka Township Residence District under this proposed plan as set forth in section A(1)(c) above. From the Effective Date of this proposed plan until the end of his/her present term, Member Williams shall be the Board member from the Patoka Township Residence District under this proposed plan.
  - d. Member Sievers currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Patoka Township Residence District. His residence will be within the geographically defined and limited Patoka Township Residence District under this proposed plan as set forth in section A(1)(c) above. From the Effective Date of this proposed plan until the end of his/her present term, Member Sievers shall be the Board member from the Patoka Township Residence District under this proposed plan.
  - e. Member Nolcox is currently elected as an at-large member who may reside anywhere within the geographic boundaries of the school corporation and is voted by all voters living within the school corporation. From the Effective Date of this proposed plan until the end of his/her present term, Member Nolcox shall be the member elected by the at-large district, consisting of the entire boundaries of the school corporation.
3. Election Date for Board Members under Proposed Plan Change – Upon passage of this proposed plan change and it becoming effective upon the Effective Date, all

members of the Board will be elected at general elections held in November of the appropriate years under the following schedule:

Residence District	Current Member	Next Election	Next Seating
Washington Township	Mike Ice	2022	Jan. 1, 2023
White River Township	Amy Bingham	2022	Jan. 1, 2023
Patoka Township	Joe Williams	2024	Jan. 1, 2025
Patoka Township	Brock Sievers	2024	Jan. 1, 2025
At Large Seat	Travis Nolcox	2024	Jan. 1, 2025

- C. Retention of Terms of Previously Adopted Plans of Organization – Except as specifically modified, all other terms of all adopted plans of organization and reorganization of North Gibson School Corporation shall remain effective after the Effective Date.
- D. Effective Date – This proposed plan change shall become effective as of the adoption of this plan and its approval and fulfillment of the terms and requirements of Ind. Code § 20-23-8-10, Ind. Code § 20-23-8-14, and Ind. Code § 20-23-8-15 (“Effective Date”).
- E. Incorporation of Relevant Law – The intent of this Plan is to comply with all relevant provisions of Indiana law, and therefore, all relevant provisions of Indiana law not otherwise explicitly addressed are incorporated herein.

(End of Plan Change)

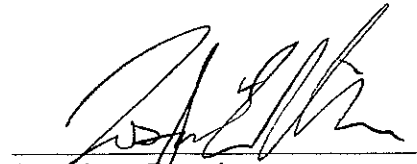
BE IT FURTHER RESOLVED that the Secretary of this Board will cause notice of this Board’s adoption of the foregoing plan to be published, as required by the provision of Ind. Code § 20-23-8-14, in newspapers of general circulation published in Gibson County, Indiana.

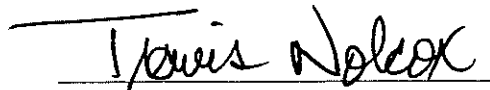
BE IT FURTHER RESOLVED that the superintendent, school corporation legal counsel, and the officers of this Board shall take all other actions and execute all other documents as are reasonably convenient or otherwise necessary to affect the change in the plan for the selection of this governing body as hereinabove set forth.

(End of Resolution)

BE IT RESOLVED by the Board of the North Gibson School Corporation, Gibson County, Indiana, that the foregoing be approved and adopted.

ADOPTED this 21 day of June, 2022.

  
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President, Board  
North Gibson School Corporation

  
\_\_\_\_\_  
Secretary, Board  
North Gibson School Corporation



AFFP  
Notice for Clarion

## Affidavit of Publication

STATE OF IN }                   SS  
COUNTY OF GIBSON }

Telina Crowe, being duly sworn, says:

That she is Accounting Clerk of the Princeton Daily Clarion, a newspaper of general circulation, printed and published in Princeton, Gibson County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

July 01, 2022

Publisher's Fee:   \$ 682.07

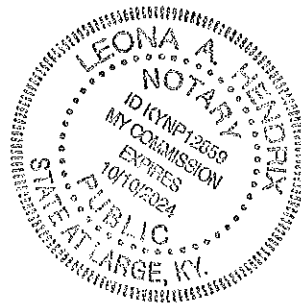
That said newspaper was regularly issued and circulated on those dates.

SIGNED:

  
\_\_\_\_\_

Subscribed to and sworn to me this 1st day of July 2022.

  
\_\_\_\_\_



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Sandy LaValle  
Daniel Moon Law Office, LLC  
111 N. Hart Street  
Princeton, IN 47670