



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Chad Ranney, Deputy General Counsel
Date: July 12, 2017
RE: Approval of Governing Body Change – Metropolitan School District of Decatur Township

MEMORANDUM

Recommendation: approve governing body change.

Pursuant to IC 20-23-8-10(a)(2), the Metropolitan School District of Decatur Township (the “District”), by its Board of Education on December 13, 2016, adopted a resolution to initiate a plan to change its governing body. Subsequent to the District adopting the resolution to change its governing body, the District submitted the attached materials for the State Board of Education’s (“Board”) review and consideration. The materials include the prior governing body plan, the resolution adopted by the District and the minutes from the District’s meeting during which the resolution was adopted, the publication information that includes the language of the amended provisions of the governing body plan, and the county clerk’s certification that no protest petitions or alternative plans were submitted to the clerk’s office. The governing body resolution seeks to amend the following provisions:

Portions of the Current Governing Body Plan that the Resolution seeks to Amend

- The number of board members is set at five (5);
- No more than two (2) members may reside in any one (1) board member district;
- There are three (3) board member districts;
- All five (5) board members are voted on by all voters of the District.

Revised Plan for Approval

- The number of board members remains five (5);
- The Revised Plan seeks to eliminate all board member districts;
- Beginning with the November 2018 board member elections, all five (5) board members shall be elected at-large by all voters of the District.

After review of the materials provided by the District, it is evident that 1) the governing body resolution was properly approved by the District, 2) the resolution was properly published in a local newspaper, and 3) that no protest petitions or alternative plans were submitted to the clerk’s office. Furthermore, the new governing plan satisfies the requirements of I.C. 20-23-8, IC 20-23-4-27, IC 20-23-4-29.1, and IC 3-8-1-34, and is recommended for approval by the Board pursuant to I.C. 20-23-8-15.

METROPOLITAN SCHOOL DISTRICT OF DECATUR TOWNSHIP
RESOLUTION INITIATING AMENDMENTS TO CHANGE MANNER OF ELECTION
OF FIVE (5) BOARD MEMBERS FROM THREE (3) BOARD MEMBER DISTRICTS
TO ELECTION OF ALL FIVE MEMBERS AT-LARGE, ELIMINATING MEMBER
DISTRICTS

The Metropolitan School District of Decatur Township (“the District”), by its Board of Education (hereafter “Board”) on December 13, 2016, pursuant to Indiana Code (hereinafter “I.C.”) § 20-23-8-10 (a)(2), resolves to initiate an Amended Reorganization Plan (hereinafter “Plan”) for the District which revises and amends the procedures for electing and seating of board members.

WHEREAS, the Metropolitan School District of Decatur Township was initially created in 1964 pursuant to a reorganization resolution (Exhibit A) adopted by the Advisory Board and Trustee of Decatur Township pursuant to the provisions of Chapter 226 of the Acts of the General Assembly of Indiana, Acts 1949, as added by Acts 1955, Chapter 151, Section 1, as amended, in 1964; and

WHEREAS, the 1964 School Corporation reorganization resolution provides in pertinent part:

“Be It Further Resolved that one (1) member of each Metropolitan Board of Education hereafter elected to such office shall reside within each of such Board Member Districts, but no more than two (2) shall reside in any one (1) Board Member District. All members of such office shall be voted upon by all the registered voters of the Metropolitan School District voting at any school board member election. Candidates, who may succeed themselves for such office shall be resident free-holders of the Metropolitan School District; shall be at least thirty (30) years of age and shall be compensated for their services as board members, as is provided by the applicable provisions of such act, or any supplementary set or acts pertaining thereto. They shall also have been continuous residents for three (3) years.” and;

WHEREAS, the School Corporation reorganized following the 1980 and 1990 census in order to maintain as equal population in the three (3) board member districts as possible; and

WHEREAS, the Board adopted the attached Resolution on the 14th day of July, 2015 which amended its Plan pursuant to I.C. 20-23-4-7-5, I.C. 20-23-4-7 and I.C. 20-23-4-35 to equalize the population in its three (3) board member districts based on the 2010 Census to the maximum extent feasible, and said change in board member districts was approved by the State Board of Education as a part of its consent agenda on August 5, 2015; and

WHEREAS, in order to avoid the repeated need to amend the Plan to (1) reflect the continuing population shifts within member district population by redrawing member district boundaries to equalize member district population and (2) to address board member candidates and patron confusion concerning member district boundaries, it is prudent and reasonable to amend the Plan from its current board member election process of electing five (5) members,

voted on by all votes of the school corporation, from three (3) member districts, by eliminating member districts and providing instead for all members to be elected at-large by all voters of the school corporation; and

NOW THEREFORE BE IT RESOLVED, that the current organization plan as amended be revised and amended as follows:

PLAN FOR GOVERNING BODY COMPOSITION CHANGE

1. ELIMINATION OF MEMBER DISTRICTS

Beginning with the November 2018 board member elections, board member districts shall be eliminated. Board candidates and members must reside within the corporate boundaries of the Metropolitan School District of Decatur Township, but need not reside within a member district or designated area of the school corporation.

2. TERMS OF OFFICE

The Board shall be composed of five (5) members, elected for four (4) year terms of office. The terms of office for these seats will commence on January 1, 2019 and end on December 31, 2022.

Elections for the three (3) board member seats whose terms end on December 31, 2018 will be held at the November 2018 general election. Qualified candidates for these seats shall reside within the corporate boundaries of the school corporation, but members or candidates may reside anywhere within such corporate boundaries without regard to former member districts abolished by this Plan.

Elections for the two (2) seats ending December 31, 2020, shall be held at the November 2020 general election. The terms of office for these seats will commence on January 1, 2021, and will end on December 31, 2024. Qualified candidates for these seats shall reside within the corporate boundaries of the school corporation, but may reside anywhere within such corporate boundaries, without regard to former member districts abolished by this Plan.

3. QUALIFICATIONS OF BOARD MEMBERS

Each member of the Metropolitan School District of Decatur Township hereafter elected to such office shall reside within the boundaries of the School Corporation, but may reside anywhere within the corporate boundaries of the School Corporation. All members of the Board shall be voted upon by all the registered voters of the Metropolitan School District voting at any school board member election. Candidates, who may succeed themselves for such office shall be residents of the school district, qualified as registered voters, and at least twenty one (21) years of age, and shall be compensated for their services as board members as is provided by applicable law, I.C. 20-26-4-7. They shall also have been continuous residents of the school corporation for one (1) year. Board members and board member candidates must also meet all other board member or candidate eligibility requirements required by Indiana law to run for or hold office. Any provisions in the Plan as originally adopted or thereafter amended in conflict with these provisions shall be null and void.

4. **ELECTION DATE**

In accordance with the existing plan, school board members shall continue to be elected by popular vote by all registered voters residing within the Metropolitan School District of Decatur Township, but in accordance with I.C. 20-23-4-29.1(b), school board members shall be elected at the same time as the general election.

5. **FILLING BOARD VACANCIES**

If a vacancy occurs on the Board for any reason including the failure of a sufficient number of petitions for candidates being filed, the remaining members of the Board whether or not a majority of the Board, shall by majority vote fill the vacancy by appointing a person residing within the boundaries of the school corporation to serve for the balance of the term in accordance with I.C. 20-23-4-30 and I.C. 20-26-4-4. An individual appointed to fill a vacancy must possess the qualifications provided for a regularly elected member filling the office.

If a tie vote occurs among the members of the board or the board fails to act on filling the vacancy within thirty days after the vacancy occurs, the judge of the Marion County Circuit Court shall make the appointment.

A vacancy due to death of a member occurs upon receipt of the Secretary of the Board of a Notice of Death in accordance with I.C. 5-8-6 from the Marion County Circuit Court.

6. **RETENTION OF TERMS OF PREVIOUSLY ADOPTED PLANS OF ORGANIZATION**

Except as specifically modified herein, all other terms and conditions of all previously adopted plans of organization and reorganization of the Metropolitan School District of Decatur Township shall remain fully effective after the Effective Date hereof.

7. **EFFECTIVE DATE**

This proposed Plan shall become effective upon the passage of this resolution, and upon its approval and fulfillment of the terms and requirements of I.C. 20-23- 8-10, 20-23-8-14, and I.C. 20-23-8-15.

(End of Plan Change)

BE IT FURTHER RESOLVED, that the Secretary of this Board is directed to cause notice of this Board's adoption of the foregoing plan to be published, as required by the provision of I.C. 20-23-8-14, in newspapers of general circulation published in Marion County, Indiana.

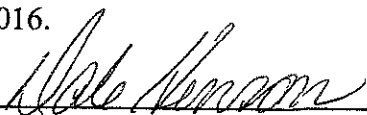
BE IT FURTHER RESOLVED that the superintendent, school corporation legal counsel and the officers of this Board shall take all other actions and execute all other documents as are

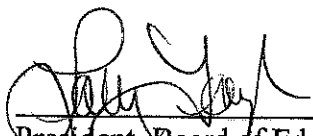
reasonably convenient or otherwise necessary to affect the change in the plan for the selection of the this governing body as hereinabove set forth.

(End of Resolution)

BE IT RESOLVED by the Board of Education of Metropolitan School District of Decatur Township, Marion County, Indiana, that the foregoing be approved and adopted.

Adopted this 13th day of December, 2016.


Secretary, Board of Education
Printed: Dale Hanson


President, Board of Education
Printed: CHERYL TAYLOR

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF EDUCATION
THE METROPOLITAN SCHOOL DISTRICT OF DECATUR TOWNSHIP
MARION COUNTY, INDIANA**

The Metropolitan School District of Decatur Township School Board convened at 7:00 p.m. in the Board Room of the Administrative Offices of the School Corporation, 5275 Kentucky Avenue, Indianapolis, Indiana on December 13, 2016.

MEMBERS PRESENT:

Mr. Dale Henson
Ms. Judith Collins
Mrs. Cathy Wiseman
Mr. Larry Taylor
Mr. Tim Huber

ADMINISTRATORS PRESENT:

Dr. Matthew Prusiecki, Superintendent
Mr. Nate Davis, Assistant Superintendent
Mrs. Nan Wiseman, Chief Academic Officer
Mrs. Lisa Cook Human Resources Director
Mr. Tony Burchett, Chief Operating Officer
Mr. Kirk Farmer, Chief Financial Officer

REGULAR MEETING

1. OPENING ITEMS

- 1.01 Mr. Taylor, Board President called the regular meeting to order at 7:00 p.m. All five board members were present.
- 1.02 Dr. Prusiecki held a moment of silence in memory of Blue Academy student Amelia Williamson and Stephen Decatur student Jalen Beavers.
- 1.03 Mr. Taylor led in the pledge of allegiance.
- 1.04 Mr. Chris Denny, parent of West Newton Elementary students, addressed the School Board regarding transportation issues.

2. DECATUR PROUD

- 2.01 Ms. Rothenberg recognized Mr. Timothy Huber for his years of dedicated service as a school board member.

3. ACTION ITEMS

- 3.01 Mr. Henson moved that the November 8, 2016 Regular Meeting and Executive Session be approved. Mr. Huber seconded the motion. The motion carried unanimously.
- 3.02 Mrs. Cook presented the staff report for approval. Mr. Huber made a motion to approve the staff report as presented. Mrs. Collins seconded the motion. The motion carried unanimously.

ACTION ITEMS (Continued)

- 3.03 Mr. Farmer presented claims in the total amount of \$1,639,707.58 for approval. Mrs. Wiseman made a motion that the claims be accepted as listed. Mr. Henson seconded the motion. The motion carried unanimously.
- 3.04 Mr. Farmer presented a Board Resolution Rescinding Transportation Termination Resolution. Mr. Huber made a motion to approve the Resolution to rescind the February 11, 2014 Transportation Resolution. Mrs. Wiseman seconded the motion. The motion carried unanimously.
- 3.05 Mr. Farmer presented a Resolution to Transfer Funds to the Rainy Day fund. Mr. Henson made a motion to approve the Resolution as presented. Mr. Huber seconded the motion. The motion carried unanimously.
- 3.06 Mrs. Wiseman recommended approval of Pearson for the 2016-17 math textbook adoption and approval for disposal of old math textbooks. Mr. Huber made a motion to approve Pearson for the new math textbook adoption and to dispose of old math books. Mrs. Collins seconded the motion. The motion carried unanimously.
- 3.07 Dr. Duzenbery recommended a new course titled Health and Wellness Education to be added to Decatur Middle School curriculum. The course would be worth one high school credit. Mrs. Wiseman made a motion to approve the course be approved. Mr. Huber seconded the motion. The motion carried unanimously.
- 3.08 Mr. Burchett presented NEOLA policy that was presented for first reading at the November board meeting for approval. Mrs. Wiseman made a motion to approve the recommended NEOLA Board policy. Mr. Taylor seconded the motion. The motion carried unanimously.
- 3.09 Dr. Prusiecki presented a Resolution Initiating Amendments to Change Manner of Election of Five Board Members from Three Board Member Districts to Election of All Five Members At-Large Eliminating Member Districts. Mr. Henson made a motion to approve the Resolution be approved. Mr. Huber seconded the motion. Mrs. Wiseman voted no. Mrs. Collins, Mr. Henson, Mr. Huber, and Mr. Taylor voted yes. The motion carried.

4. REPORTS

- 4.01 Dr. Duzenbery presented the December College and Career Readiness Report.
- 4.02 Mr. Farmer presented a financial report for the General Fund, Transportation Fund, Rainy Day Fund, Capital Projects Fund, and Referendum Fund.

5. OTHER

- 5.01 There were no items.

6. CLOSING ITEMS

- 6.01 Dr. Prusiecki expressed appreciation to the administrators and teachers for all they do for Decatur students.
- 6.02 Mrs. Wiseman thanked the principals and administrators for their hard work for the District. She thanked Mr. Huber for his years of service on the Board.

CLOSING ITEMS (Continued)

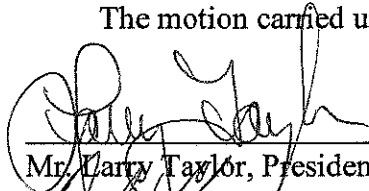
Mrs. Collins thanked Mr. Huber for a great four years on the Board. She thanked everyone who attended the meeting and wished everyone a Merry Christmas.

Mr. Henson congratulated Mr. Huber on his last four years of service on the Board. He said that the high school's holiday musical and play were excellent. He thanked Dr. Prusiecki and team for all of their hard work.

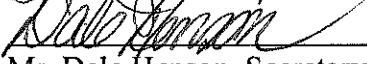
Mr. Huber thanked everyone who attended the meeting and thanked Dr. Duzenbery for finding ways to improve student schedules. He said that an excellent team of staff members and administrators have been put in place during his four years on the Board. He affirmed that the new logo "Decatur Proud" was appropriate.

Mr. Taylor thanked Mr. Huber for his time on the Board. He wished everyone a Merry Christmas and Happy New Year.

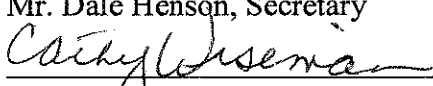
6.03 Mrs. Wiseman made a motion to adjourn the meeting. Mr. Henson seconded the motion. The motion carried unanimously.



Mr. Larry Taylor, President

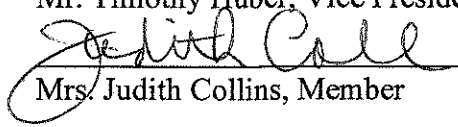


Mr. Dale Henson, Secretary



Mrs. Cathy Wiseman, Member

Mr. Timothy Huber, Vice President



Mrs. Judith Collins, Member

Ad # 174158

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

Notice of Proposed Amendment to Plan of Reorganization of MSD of Decatur Twp

MSD OF DECATUR TOWNSHIP
(Governmental Unit)

To: Mooresville/Decatur Times
23 E. Main St.
Mooresville IN 46158

Morgan County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines -----

Head -- number of lines -----

Body -- number of lines -----

Tail -- number of lines -----

Total number of lines in notice ----- 205

COMPUTATION OF CHARGES

205 lines, 1 columns wide equals 205 equivalent lines at .365 cents per line ----- \$ 74.83

Additional charges for notices containing rule or tabular work (50 per cent of above amount) -----

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) -----

TOTAL AMOUNT OF CLAIM ----- \$ 74.83

DATA FOR COMPUTING COST

Width of single column in pic 9.4 Size of type.....8...point.

Number of insertions..... 1

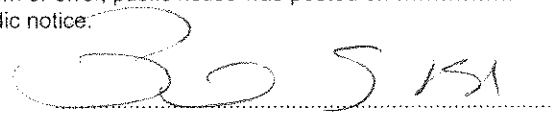
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being as follows: 12/21/16

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Date 12-21-16


Title.....Public Notice Clerk.....

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PROPOSED
AMENDMENTS TO PLAN
OF REORGANIZATION OF
METROPOLITAN SCHOOL
DISTRICT OF DECATUR
TOWNSHIP**

**PLAN FOR GOVERNING BODY
COMPOSITION CHANGE**

**1. ELIMINATION OF MEMBER
DISTRICTS**

Beginning with the November 2018 board member elections, board member districts shall be eliminated. Board candidates and members must reside within the corporate boundaries of the Metropolitan School District of Decatur Township, but need not reside within a member district or designated area of the school corporation.

2. TERMS OF OFFICE

The Board shall be composed of five (5) members, elected for four (4) year terms of office. The terms of office for these seats will commence on January 1, 2019 and end on December 31, 2022.

Elections for the three (3) board member seats whose terms end on December 31, 2018 will be held at the November 2018 general election. Qualified candidates for these seats shall reside within the corporate boundaries of the school corporation, but members or candidates may reside anywhere within such corporate boundaries without regard to former member districts abolished by this Plan.

Elections for the two (2) seats ending December 31, 2020, shall be held at the November 2020 general election. The terms of office for these seats will commence on January 1, 2021, and will end on December 31, 2024. Qualified candidates for these seats shall reside within the corporate boundaries of the school corporation, but may reside anywhere within such corporate boundaries, without regard to former member districts abolished by this Plan.

**3. QUALIFICATIONS OF BOARD
MEMBERS**

Each member of the Metropolitan School District of Decatur Township hereafter elected to such office shall reside within the boundaries of the School Corporation, but may reside anywhere within the corporate boundaries of the School Corporation. All members of the Board shall be voted upon by all the registered voters of the Metropolitan School District voting at any school board member election. Candidates, who may succeed themselves for such

office shall be residents of the school district, qualified as registered voters, and at least twenty one (21) years of age, and shall be compensated for their services as board members as is provided by applicable law, I.C. 20-26-4-7. They shall also have been continuous residents of the school corporation for one (1) year. Board members and board member candidates must also meet all other board member or candidate eligibility requirements required by Indiana law to run for or hold office. Any provisions in the Plan as originally adopted or thereafter amended in conflict with these provisions shall be null and void.

4. ELECTION DATE

In accordance with the existing plan, school board members shall continue to be elected by popular vote by all registered voters residing within the Metropolitan School District of Deca-

tur Township, but in accordance with I.C. 20-23-4-29.1(b), school board members shall be elected at the same time as the general election.

5. FILLING BOARD VACANCIES

If a vacancy occurs on the Board for any reason including the failure of a sufficient number of petitions for candidates being filed, the remaining members of the Board whether or not a majority of the Board, shall by majority vote fill the vacancy by appointing a person residing within the boundaries of the school corporation to serve for the balance of the term in accordance with I.C. 20-23-4-30 and I.C. 20-26-4-4. An individual appointed to fill a vacancy must possess the qualifications provided for a regularly elected member filling the office.

If a tie vote occurs among the members of the board or the board fails to act on filling the vacancy within thirty days after the vacancy occurs, the judge of the Marion County Circuit Court shall make the appointment.

A vacancy due to death of a member occurs upon receipt of the Secretary of the Board of a Notice of Death in accordance with I.C. 5-8-6 from the Marion County Circuit Court.

**6. RETENTION OF TERMS
OF PREVIOUSLY ADOPTED
PLANS OF ORGANIZATION**

Except as specifically modified herein, all other terms and conditions of all previously adopted plans of organization and reorganization of the Metropolitan School District of Decatur Township shall remain fully effective after the Effective Date hereof.

7. EFFECTIVE DATE

This proposed Plan shall become effective upon the passage of this resolution, and upon its approval and fulfillment of the terms and requirements of I.C. 20-23- 8-10, 20-23-8-14, and I.C. 20-23-8-15.

Any voter in the school corporation who desires to object to the proposed plan amendments adopted by the Board of School Trustees or to submit an alternative plan of reorganization for consideration by the Board or the voters of the school corporation must do so by submitting a petition. Any parties submitting a petition objecting to the Board's proposed plan or proposing an alternative plan must be signed by at least twenty percent (20%) of the registered voters of the school corporation or five hundred (500) voters of the school corporation, whichever is less. Any such petition must be filed with the Clerk of the Marion County Circuit Court not later than one hundred twenty (120) days after the date of publication of this notice.

A copy of the School Corporation's 1964 reorganization resolution, member district narrative descriptions amendments adopted to equalize member district population after the 1980 and 1990 censuses, and the district's 2015 plan amendments approved by the State Board of Education at its August 5, 2015 meeting, which equalized board member districts based on the 2010 census, are available for inspection at the Metropolitan School District of Decatur Township, Administrative Offices at 5275 Kentucky Avenue, Indianapolis, Indiana 46221.

Date this 21st day of December, 2016

Dale Henson
Secretary, Board of Education
hspaxlp

BEFORE THE INDIANA BOARD OF EDUCATION

IN RE THE MATTER OF:


**PROPOSED AMENDMENTS TO
PLAN OF REORGANIZATION OF
THE METROPOLITAN SCHOOL
DISTRICT OF DECATUR TOWNSHIP**

CERTIFICATE OF CLERK

The undersigned Clerk of the Circuit and Superior Courts of Marion County, Indiana, hereby certifies:

Between December 21, 201⁶/~~7~~ ^{M.E.} and April 20, 2017, no objections or proposed alternative plans were filed with the Marion County Clerk's Office in response to the Notice of Proposed Amendments to Plan of Reorganization of the Metropolitan School District of Decatur Township.

Dated at Indianapolis, Indiana, this 9 day of May, 2017.



Clerk, Marion County Circuit and Superior Courts