



MEMORANDUM

TO: Indiana State Board of Education

FROM: Dana L. Long, Legal Counsel

Re: Amended Governing Body Selection Plan:
Board of School Trustees, Seymour Community School Corporation

DATE: October 31, 2012

The Board of School Trustees, Seymour Community School Corporation, has submitted the attached Resolution to amend its governing body selection plan to provide that members of the governing body be elected during the general election in November and take office on January 1st following the general election.

The plan as submitted satisfies the requirements of I.C. 20-23-8 and is recommended for approval by the State Board of Education pursuant to I.C. 20-23-8-15.

Enclosures

cc. File

RESOLUTION

WHEREAS, the Members of the Board of School Trustees of the Seymour Community School Corporation ("Seymour") are elected to four year terms at the primary election and under the existing plan those elected take office the following July 1; and

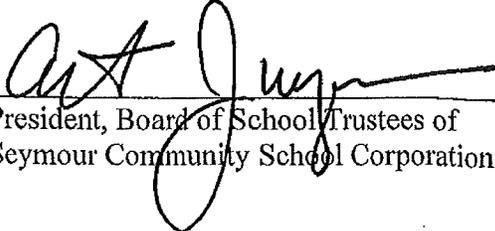
WHEREAS, P.L. 179-2011, provides among other things that school board elections shall occur at the general election and not primary election with the winning candidate assuming office on January 1, following the election rather than July 1; and

WHEREAS, if P.L. 179-2011 were followed in its entirety the outgoing members of the Board of School Trustees would serve only three and one half (3½) years which is not only contrary to the existing plan but in violation of Indiana law that provides that an elected term of office cannot be shortened; and

WHEREAS, the Board is desirous of passing a resolution amending its plan in order to transition the terms of its elected members to allow future elected members to take office on January 1 next following the election while not shortening the term of any elected member;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of School Trustees of the Seymour Community School Corporation, that the exiting members of the board of trustees whose four year terms were scheduled to end on June 30, 2012, specifically one City seat, one Hamilton Township seat, and one Jackson Township seat outside the City, are held over and will continue to serve until January 1, 2013, with their successors elected in the general election of 2012. Those persons whose terms were scheduled to end June 30, 2014, specifically two City seats, one Washington Township seat, and one Redding Township seat outside the City, will be held over and continue to serve until January 1, 2015, with their successors elected in the general election of 2014. Thereafter all terms will be four year terms with the successors elected in the general election and taking office the following January 1.

Adopted and Approved this 9th day of October, 2012



President, Board of School Trustees of
Seymour Community School Corporation

Attest:



Secretary, Board of School Trustees of
Seymour Community School Corporation



Indiana State Board of Education

Room 229, State House • Indianapolis, Indiana 46204-2798
317/232-6622

The Indiana State Board of Education hereby certifies, pursuant to I.C. §20-33-8-15, the amended governing body selection plan for the Board of School Trustees of Seymour Community School Corporation. This action follows a review of the Plan on October 31, 2012, to insure its compliance with the limitations set out in I.C. §20-33-8-8.

CERTIFICATION

I, Tony Bennett, as chair of the Indiana State Board of Education, do hereby certify that the above and foregoing is a true, correct, and complete copy of the resolution adopted by the Indiana State Board of Education on October 31, 2012, and do further certify that the attached is a true, correct, and complete copy of the Plan certified by the Indiana State Board of Education on the above date.

DATE: _____

Tony Bennett, Chairman
Indiana State Board of Education