




MEMORANDUM

TO: Indiana State Board of Education

FROM: Dana L. Long, Legal Counsel 

Re: Amended Governing Body Selection Plan:
Board of School Trustees, Madison-Grant United School Corporation

DATE: May 30, 2012

The Board of School Trustees, Madison-Grant United School Corporation, has submitted the attached Resolution to amend its governing body selection to change from electoral districts to residence districts as well as to move the election of school board members from the primary election to 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 OF THE MADISON-GRANT
UNITED SCHOOL CORPORATION INITIATING AN
AMENDED AND RESTATED PLAN OF ORGANIZATION
CHANGING THE MANNER OF ELECTION OF THE GOVERNING
BODY AS WELL AS THE TIME OF ELECTIONS**

WHEREAS, Madison-Grant United School Corporation (hereinafter "M-G"), was created when the township trustees and members of the township advisory boards of Green, Liberty and Fairmount Townships of Grant County, and Duck Creek, Boone, and Van Buren Townships of Madison County, and the Board of School Trustees of the School Town of Fairmount, Grant County, Indiana, all adopted a resolution of consolidation, pursuant to the provisions of Chapter 226, of the Acts of the 1949 Indiana General Assembly, including amendments thereto, consolidating those school corporations as of July 1, 1964; in which such plan was ratified by the voters in the above districts at a special referendum election held on January 7, 1964; and

WHEREAS, the consolidation of the school corporations of Duck Creek, Boone and Van Buren Townships, located in Madison County, Indiana, and Green, Liberty, Fairmount School Townships and Fairmount School Town, all located in Grant County, Indiana, into M-G was approved by the State Commission for the Reorganization of School Corporations on March 10, 1964; and

WHEREAS, the Board of School Trustee of M-G (hereinafter "Board") was originally constituted as a seven (7) member non-partisan elected board with the townships of Green, Liberty, Fairmount and the Town of Fairmount, of Grant County, Indiana, and Duck Creek, Boone and Van Buren of Madison County, Indiana, each electing one (1) member to the board,

in which such member must reside in the township and/or town that such individual is elected from and to be voted on solely by the residents of said township and/or town, and not to be elected from the citizens of the school district at large; and

WHEREAS, I.C. § 20-23-8-8(4) mandates that the Board review all electoral districts, where a member of the Board is elected solely by the voters of a single district following the federal decennial census to ensure that said electoral districts still comply with the Constitution of the State of Indiana, as well as the Constitution of the United States of America; and

WHEREAS, after a review of the 2010 Federal Census numbers for the townships and town that make up the electoral districts for the Board, the current Board does not believe that the districts are near as practical, equal in population as required by law, which has caused the current Board to conclude that there should be initiated a proposed plan to change the manner of election of the Board; and

WHEREAS, Indiana law was recently modified requiring all school board elections to be conducted at a general election at which county officials are elected, thus the time of election of the M-G Board shall also be modified to comply with current state law; and

WHEREAS, the provisions of Indiana Code 20-23-8 et. seq., provide the Board with the authority and designated a process by which a proposed plan to change the manner of election of the Board as well as the time of the election of the Board might be initiated, advertised and ultimately adopted.

NOW, THEREFORE, BE IT RESOLVED, by this Board that pursuant to the provisions I.C. 20-23-8-10(a)(2), it hereby adopts the following changes in the M-G Organization Plan by

how and when members of the M-G Board are to be elected following the Effective Date hereof, as set forth below.

**PLAN FOR MANNER OF ELECTION
OF THE GOVERNING BODY OF M-G**

A. Board of School Trustees.

1. Number and Districts: The governance of M-G shall be vested in a non-partisan board composed of seven (7) members elected at a November general election in accordance with the provisions of I.C. 20-23-8-7(4) and I.C. 20-23-4-29.1(b). There shall remain seven (7) geographically defined and limited residential districts from which one (1) member residing therein shall be elected to the M-G governing body, which such districts shall remain Green, Liberty, Fairmount Township and Fairmount Town of Grant County, Indiana and Duck Creek, Boone and Van Buren Townships of Madison County, Indiana. Each member shall be voted upon by all registered voters who reside within the boundaries of the M-G School Corporation.

2. Term of Office: Membership on the M-G Board shall constitute the holding of a "lucrative office" as said term is used in Article 2, Section 9, of the Constitution of the State of Indiana. Members shall be elected to a term of office of four (4) years commencing as of January 1 of the year following the year of their election, except as otherwise herein provided.

3. Organization and Appointment of Officers: The Board shall annually organize within fifteen (15) days after the commencement date of the member's term of office, or within such time as might otherwise be required by applicable law. The Board shall select

from among its membership, a president, vice-president and 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 performance of their duties on the Board, as limited by the applicable law, and as determined, from time to time, by resolution of the Board.

5. Eligibility for Membership on Board: To be eligible and serve on the Board, a candidate for election to the Board must have attained the age of twenty-one (21) years prior to the date that the candidate's term of office would begin. Candidates running for election to the Board from one of the seven geographically limited and defined residential districts must have been a continuous resident of that residential district for a period of time in excess of one (1) year prior the date of the general election on which the candidate's name appears on the ballot for the 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 I.C. 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 I.C. 20-26-4-4 (c), as from time to time amended.

B. Transition Plan Pending Board Elections.

1. Extension of Existing Terms of Office: Due to the mandated change of election dates pursuant to state law, the existing terms of office of all members of the Board

shall be extended for a period of six (6) months through year end of the year in which each member's current term is due to expire. The terms of office of the current members of the Board, the last election date for the members seat, date of extended term ending, their next election dates and the dates of seating following their next election are as follows:

<u>Member</u>	<u>District</u>	<u>Term Began</u>	<u>Extended Term Ending</u>	<u>Next Election</u>	<u>Next Seating</u>
Carl Chambers	Boone	7-1-2008	12-31-2012	11-2012	01-01-2013
Ann Presnall	Fairmount	7-1-2010	12-31-2014	11-2014	01-01-2015
Jane Sickman	Town of Fairmount	7-1-2010	12-31-2014	11-2014	01-01-2015
Scott Poore	Duck Creek	7-1-2008	12-31-2012	11-2012	01-01-2013
Bruce Stanley	Van Buren	7-1-2010	12-31-2014	11-2014	01-01-2015
Amy Covington	Liberty	7-1-2010	12-31-2014	11-2014	01-01-2015
Tammy Cornelious	Green	7-1-2008	12-31-2012	11-2012	01-01-2013

2. Election Date for Board Members under Proposed Plan Change: Upon passage of this proposed plan change and its becoming effective upon the Effective Date, all members of the Board will be elected at general elections held in November of the appropriate years. The current Board membership positions will be elected in accordance with the schedule listed in paragraph B(1).

C. Retention of Terms of Originally Adopted Plan of Organization.

Except as specifically modified herein and those particulars, including the manner of election of the composition of the Board as well as the time of election of the members of the Board, as set forth herein, all other terms and conditions of the original M-G Plan of Reorganization as approved by the Indiana State Commission for the Reorganization of School Corporations on March 10, 1964 shall remain fully effective after the effective date hereof.

D. Effective Date.

All aspects of this proposed plan change shall become effective on adoption of this plan, as provided in I.C. 20-23-8-19.



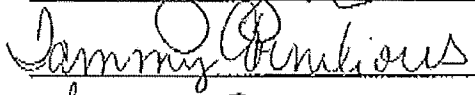
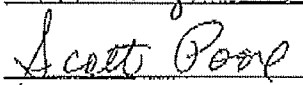
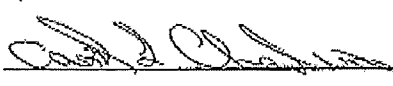

BE IT FURTHER RESOLVED that the Secretary of this Board is directed to cause notice of this Board's adoption of the foregoing plan to be published, as required by the provisions of I.C. 20-23-8-14, in a newspaper of general circulation published in Grant and Madison Counties, Indiana.

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 are otherwise necessary to effect the change of the Plan for the election of this governing body as hereinabove set forth.

ALL OF WHICH is approved by the Board of School Trustees of Madison-Grant United School Corporation, this 9th day of January, 2012.

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