



MEMORANDUM

TO: Indiana State Board of Education

FROM: Dana L. Long, Legal Counsel

Re: Amended Governing Body Selection Plan:
Board of School Trustees, Centerville-Abington Community Schools

DATE: August 1, 2012

The Board of School Trustees, Centerville-Abington Community Schools, 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 new plan also provides for the transition of terms of its elected members to reflect the change from the primary to the general election. The Board has tendered the certificate from the Wayne County Circuit Clerk indicating no protests or counter-petitions have been filed as well as a publisher's affidavit indicating satisfaction of the publishing requirement of I.C. 20-23-8-14.

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

A RESOLUTION INITIATING AN
AMENDED AND RESTATED PLAN OF
ORGANIZATION CHANGING THE
COMMENCEMENT OF TERMS
FOR THE MEMBERS OF THE GOVERNING BODY

WHEREAS, Centerville-Abington Community Schools (hereinafter "CACS") was created pursuant to a countywide school Reorganization plan that was adopted pursuant to the School Reorganization Act of 1959; approved by the Indiana State Commission on School Reorganization on or about November 17, 1961; and ratified by the voters of the newly created Centerville-Abington Community Schools school corporation at a primary election held May 8, 1962; and

WHEREAS, the Board of School Trustees (hereinafter "Board") of Centerville-Abington Community Schools was originally constituted as a five-member non-partisan elected Board with four of the five members on delayed seating whereby the member was elected at a spring primary election, with his or her term to commence in July of the following year, resulting in a nearly fourteen month delay from election to seating; and

WHEREAS, the current Board has determined that the current plan of delayed seating may result in the Board being less responsive to the community; and

WHEREAS, the provision of Indiana Code ("IC") 3-5-4-11 requires the Board to transition to November elections and January commencement of terms, and

WHEREAS, the requirement of IC 3-5-4-11 may be coordinated with changing the number of members on delayed seating, and

WHEREAS, the provision of IC 20-23-8, et. Seq. provides the Board with the authority and designated processes by which a proposed plan to change the commencement of terms for members of a governing body of a public school corporation might be initiated, advertised and ultimately adopted; and

WHEREAS, the provision of IC 20-23-8-8 allows that the terms of the members taking office under the proposed plan, during the transition period, may be shortened to make the plan workable on a permanent basis;

NOW, THEREFORE, BE IT RESOLVED by this Board that pursuant to the provisions of IC 20-23-8-10(a)(2), it hereby adopts the following changes in the Centerville-Abington Community Schools Organization Plan by which members of the Centerville-Abington Community Schools Board are to be seated following the Effective Date hereof, as set forth below.

Plan for Governing Body Changes ("Plan")

A. Board of School Trustees

1. Term of Office

- a. All school board members shall be elected for four (4) year terms, each term to commence on January 1st of the calendar year immediately following the election of the member, except as otherwise provided in this Plan.

- b. The term for District A, District B, District C, and District D #1 shall begin on January 1st of the year immediately following the year of their November election. For instance, member elected in November 2016 shall be seated on January 1, 2017 or member elected in November 2018 shall be seated on January 1, 2019.
- c. The term for District D #2 shall begin on January 1st two years following the year of their November election. For instance, member elected in November 2016 shall be seated on January 1, 2018.

B. Transition Plan

1. Schedule of Current Board Terms – The terms of office of the current members of the Board, their last election dates, their transition term as provided by IC 3-5-4-11, their next election dates and the dates of seating following the next election under the existing CACS governing body selection plan is as follows:

<u>Existing District</u>	<u>Member</u>	<u>Term Began</u>	<u>Term Ends</u>	<u>Next Election</u>	<u>Seating Date of Next Term</u>
District A	Staats	07/01/2009	12/31/2013	November 2012	01/01/2014*
District B	Hamilton	07/01/2011	12/31/2015	November 2014	01/01/2016*
District C	Westover	07/01/2008	12/31/2012	November 2012	01/01/2013
District D #1	Lambright	07/01/2011	12/31/2015	November 2014	01/01/2016*
District D #2	Eadler	07/01/2009	12/31/2013	November 2012	01/01/2014*

* Current plan had these members seated on the year following an election to prevent a majority of the Board from taking office at any one time as permissible under IC 20-23-4-43.

2. Commencement of Term for subsequent Board Members under Proposed Plan Changes – Upon passage of this proposed plan change and its becoming effective upon the Effective Date, subsequent members of the Board will be elected and seated on the following schedule, as limited in accordance with IC 20-23-4-43. All terms commencing upon the date of Subsequent Seating shall consist of four years.

<u>District</u>	<u>Term Begins</u>	<u>Term Ends</u>	<u>Subsequent Election</u>	<u>Subsequent Seating</u>
District A	01/01/2014	12/31/2016	November 2016	01/01/2017
District B	01/01/2016	12/31/2018	November 2018	01/01/2019
District C	01/01/2013	12/31/2016	November 2016	01/01/2017
District D #1	01/01/2016	12/31/2018	November 2018	01/01/2019
District D #2	01/01/2014	12/31/2017	November 2016	01/01/2018*

* Delayed Board Member seating is deemed necessary by the Board to prevent a majority of the Board from taking office at any one time as permissible under IC 20-23-4-43.

C. Retention of Terms of Originally Adopted Plan of Organization

Except as specifically modified herein in those particulars of commencement of term the members of the Board, all other terms and conditions of the original CACS Plan of Reorganization, as approved by the Indiana State Commission on School Reorganization on or about November 17, 1961, and as ratified by the voters of the newly created CACS school district at a primary election held May 8, 1962 shall remain fully effective after the Effective Date hereof.

D. Effective Date

The terms and conditions related to commencement of terms of Board members shall become effective upon adoption of this plan, as provided under IC 20-23-8-19.

BE IT FURTHER RESOLVED that the Secretary of this Board is directed to cause notice of this Board's foregoing plan to be published, as required by the provisions of IC 20-23-8-14, in a newspaper of general circulation published in Wayne 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.

AYE

NAY

Susan Dell Hamilton

Bud Lambright

Renee Wastore

Mark Smith

Tim Elley

ATTEST

Renee Wastore
Secretary, Board of Trustees

March 21, 2012

The Board of School Trustees of the Centerville-Abington Community Schools met at 7:00 p.m. in the Spencer Administration Building with the following members present: Susan Hamilton, Brad Lambright, Renee Westover, John Staats and Tim Eadler. The meeting was opened with the pledge of allegiance to the American flag.

Motion by Renee Westover, second by John Staats, to approve the consent items as presented. 5 ayes – 0 nays. Documentation follows.

Susan Hamilton opened the floor to community comments. There were no comments and the floor was closed by Mrs. Hamilton.

The School Board presented Centerville-Abington Community Schools Awards of Excellence to the winter athletes. Wrestling coach Mike Day discussed the accomplishments of the wrestling team.


Old Business: None

New Business:


- Dr. Tony Broadwell, financial advisor from Educational Services, presented a report for the Board on the 2012 budgets. Mr. Campbell reported that the transportation fund is stretched thin and will give a detailed presentation at the next Board meeting. Mr. Stevenson discussed the General Fund and issues that may impact it. No action required.
- Mr. Stevenson presented a proposal for summer school in 2012. Motion by Tim Eadler, second by Renee Westover, to approve preliminary summer school proposal with the noted changes. 4 ayes – 1 nay. Susan Hamilton voting Nay.
- Susan Hamilton requested the Board consider a resolution to change the School Board Member's terms and publishing a legal notice. Motion by Brad Lambright, second by Renee Westover, to adopt a resolution that changes school board members terms and having a legal notice published. 5 ayes – 0 nays. Documentation follows.
- Susan Hamilton presented a proposal from the Union County school board president to meet and discuss the Fayette County Schools calendar for 2012-2013. No action taken.
- Mr. Stevenson requested the Board consider common school loans for technology and construction needs. Motion by Tim Eadler, second by John Staats, to approve the application for common school loans as requested. 5 ayes – 0 nays.
- Mr. Campbell informed the Board that infrared scans are scheduled to be conducted as part of the high school roofing project. He also noted the current status of the teen center concession stand renovation.

- Additional items:
- Mr. Stevenson requested the Board approve the Teacher Evaluation Model that had been approved by the teachers association. Motion by Tim Eadler, second by Brad Lambright, to approve the Teacher Evaluation Model as presented. 5 ayes – 0 nays.
- Mr. Stevenson requested the Board consider an additional staff development request. Motion by Brad Lambright, second by John Staats, to approve the additional staff development request as presented. 5 ayes – 0 nays.

- Motion by Tim Eadler second by Brad Lambright, to adjourn the meeting at 8:59 PM. 5 ayes – 0 nays.



Susan Hamilton, President



Renee Westover, Secretary