



MEMORANDUM

TO: Indiana State Board of Education

FROM: Dana L. Long, Legal Counsel

Re: Amended Governing Body Selection Plan:  
**Board of School Trustees, Sheridan Community Schools**

DATE: August 1, 2012

The Board of School Trustees, Sheridan 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 1<sup>st</sup> following the general election. The new plan also provides for the transition of residential districts to reflect the shift in population. The Board has tendered the certificates from the Boone County Circuit Clerk and Hamilton 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

# *Sheridan Community Schools*

## RESOLUTION-1-2012

### A RESOLUTION INITIATING AN AMENDED AND RESTATED PLAN OF ORGANIZATION CHANGING GOVERNING BODY COMPOSITION AND MANNER OF ELECTION

WHEREAS, the Board of School Trustees (hereinafter "Board") of Sheridan Community Schools (formerly known as the Marion-Adams School Corporation) currently consists of a five-member non-partisan elected Board with two (2) members thereof elected as residents from within one of two geographically defined areas within the school corporation by residents living within the same one of two geographically defined areas within the school corporation, two (2) members thereof elected as residents from within the second of two geographically defined areas within the school corporation by residents living within the same second of two geographically defined areas within the school corporation, and with one (1) member thereof elected as an at large member who might reside anywhere within the geographic boundaries of the school corporation and is voted by all voters living within the school corporation; and

WHEREAS, subsequent shifts in population has resulted in the two geographically defined areas within the school corporation having an imbalance in population; and

WHEREAS, these population shifts have caused the current Board to conclude that there should be initiated a proposed plan to change the composition and method of electing the Board; and

WHEREAS, the provisions of Indiana Code ("I.C.") 20-23-8, et. seq., provide the Board with the authority and designated process by which such a proposed plan to change the composition and method of electing a governing body of a public school corporation might be initiated, advertised and ultimately adopted; and

WHEREAS, I.C. § 20-23-4-29.1 is a statute enacted in 2011 that requires members of a school corporation governing body to hereafter be elected at a general election rather than a primary election; and

WHEREAS, I.C. § 20-23-4-30(f) is a statute amended in 2011 to state that elected governing body members of a school corporation are to hereafter take office and assume their duties on January 1 after their election; and

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

(End of Recitals – Here Follows Plan Change)

**Plan for Governing Body Composition Change**

A. Board of School Trustees

1. Number & Residential Districts – The governance of Sheridan Community Schools shall be vested in a non-partisan Board composed of five (5) members elected at a November general election in accordance with the provisions of I.C. 20-23-4-29.1. There shall be two (2) geographically defined and limited residential districts from which two (2) members residing therein each shall be elected to the Sheridan Community Schools governing body (thereby comprising a total of four (4) resident members) and an “at large” district comprised of the entire geographical area of the Sheridan Community Schools school district from which a total of one (1) member shall be elected. All five (5) members shall be elected by all voters residing within the boundaries of the school corporation. It is the intent of the Board that this manner of election be that option set forth in I.C. 20-23-4-27(c)(2). The two residential districts, each from which two (2) members of the Board will be elected, are as follow:

- a. District #1 – That portion of the Sheridan Community Schools geographic area bounded by the boundaries of Marion Township, Boone County, Indiana.
- b. District #2 – That portion of the Sheridan Community Schools geographic area bounded by the boundaries of Adams Township, Hamilton County, Indiana.

2. Term of Office – Membership on the Sheridan Community Schools Board shall constitute the holding of a “lucrative office” as said 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 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 members’ terms of office, or within such time as might otherwise be required by applicable law. The Board shall elect 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 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 prior to the date that the candidate’s term of office would begin. Candidates running for election to the Board from one of the two 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 to the date of 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 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. Schedule of Current Board Terms – The terms of office of the current members of the Board, their last election dates, their next election dates, and the dates of seating following their next election, all as set forth by the law and the Sheridan Community Schools governing body selection plan then in effect at the time of their election are as follows:

Existing District	Member	Term Began	Term Ends	Next Election (under prior law and current plan)	Seating Date of Next Term (under prior law and current plan)
Marion Twp	Alan Lyon	07/01/08	06/30/12	May 2012	07/01/12
Marion Twp	Vickie Grinstead	07/01/08	06/30/12	May 2012	07/01/12
Adams Twp	Perry Hume	07/01/10	06/30/14	May 2014	07/01/14
Adams Twp	Todd Burtron	07/01/10	06/30/14	May 2014	07/01/14
At-large	Todd Roberts	07/01/10	06/30/14	May 2014	07/01/14

2. Extension of Existing Terms of Office – 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.
3. Transition of Residential District Representation – The representation of the existing residential districts shall be transitioned under this proposed plan change in the following manner:
  - a. Member Lyon currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Marion Township. His residence will be within the geographically defined and limited Residential District #1 under this proposed plan as set forth in paragraph A(1) above. From the Effective Date of this proposed plan until the end of his present term, as

herein extended, Member Lyon shall be one of the two Board members from the Residential District #1 under this proposed plan.

- b. Member Grinstead currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Marion Township. Her residence will be within the geographically defined and limited Residential District #1 under this proposed plan as set forth in paragraph A(1) above. From the Effective Date of this proposed plan until the end of his present term, as herein extended, Member Grinstead shall be one of the two Board members from the Residential District #1 under this proposed plan.
- c. Member Todd Burtron currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Adams Township. His residence will be within the geographically defined and limited Residential District #2 under this proposed plan as set forth in paragraph A(1) above. From the Effective Date of this proposed plan until the end of his present term, as herein extended, Member Burtron shall be one of the two Board members from the Residential District #2 under this proposed plan.
- d. Member Perry Hume currently (1) resides in, (2) represents, and (3) is elected solely by voters residing in Adams Township. His residence will be within the geographically defined and limited Residential District #2 under this proposed plan as set forth in paragraph A(1) above. From the Effective Date of this proposed plan until the end of his present term, as herein extended, Member Hume shall be one of the two Board members from the Residential District #2 under this proposed plan.
- e. Member Todd Roberts is, under the current plan, the (1) member 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 present term, as herein extended, Member Roberts shall be the one member elected by the "at-large" district, consisting of the entire boundaries of the school corporation, under this proposed plan.

4. 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 following schedule:

New District	Current Member	Term Began	Extended Term Ends	Next Election	Next Seating
Marion Twp	Lyon	07/01/08	12/31/12	Nov 2012	01/01/13
Marion Twp	Grinstead	07/01/08	12/31/12	Nov 2012	01/01/13
Adams Twp	Hume	07/01/10	12/31/14	Nov 2014	01/01/15
Adams Twp	Burtron	07/01/10	12/31/14	Nov 2014	01/01/15
At large	Roberts	07/01/10	12/31/14	Nov 2014	01/01/15

C. Retention of Terms of Previously Adopted Plans of Organization

Except as specifically modified herein in those particulars including the manner and time of their election, their residency, transitional terms of office and time of election of the members of the Board, as set forth herein, all other terms and conditions of all previously adopted plans of organization and reorganization of Sheridan Community Schools (formerly known as Marion-Adams Community Schools) shall remain fully effective after the Effective Date hereof.

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 I.C. 20-23-8-10, 20-23-8-14, and I.C. 20-23-8-15.

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 herein are incorporated herein.

(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 Hamilton County, Indiana, and Boone 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 School Trustees of Sheridan Community Schools, Hamilton County, Indiana, that the foregoing be approved and adopted.

Adopted this 9th day of January, 2012.

*Vickie A. Binstead*  
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Vice President - Secretary, Board of School Trustees  
Printed: *Vickie A Binstead*

*Alan N. Lyon*  
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President, Board of School Trustees  
Printed: *Alan N. Lyon*