

**BEFORE THE BOARD OF SCHOOL TRUSTEES
OF THE RICHMOND COMMUNITY SCHOOL CORPORATION,
WAYNE COUNTY, INDIANA**

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

WHEREAS, Richmond Community Schools (hereinafter "RCS") 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 RCS school district at a primary election held May 8, 1962; and

WHEREAS, the Board of School Trustees (hereinafter "Board") of RCS was originally constituted as a seven-member non-partisan elected Board with four (4) members thereof elected as at large members who might reside anywhere within the geographic boundaries of the school corporation and three (3) members thereof elected as residents from within one of three geographically defined areas within RCS (one member elected from each such geographical area) with all members of the Board voted upon by all voters within the school district; and

WHEREAS, subsequent shifts in population as well as sustained difficulties in attracting candidates for Board office within some, if not most, of the geographically defined Board residential districts have caused the current Board to conclude that there should be initiated a proposed plan to change the composition and method of electing the RCS Board; and

WHEREAS, the provisions of Indiana Code ("IC") 20-23-8, et. seq., provide the Board with the authority and designated processes 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;

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 RCS Organization Plan by which members of the RCS 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 RCS 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 IC 20-23-4-29 and of IC 3-8-2-4. There shall be created three (3) geographically defined and limited residential districts from which one (1) member residing therein shall be elected to the RCS governing body (thereby comprising a total of three (3) resident members) and an “at large” district comprised of the entire geographical area of the RCS school district from which a total of four (4) members shall be elected. Residential districts are as follows:
 - a. District #1 – (See attached Schedule #1)
 - b. District #2 – (See attached Schedule #2)
 - c. District #3 – (See attached Schedule #3)
2. Term of Office – Membership on the RCS 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 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 the performance of their duties on the Board, as limited by applicable law and as determined, from time to time, by resolution of the 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 three 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 IC 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 IC 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 under the existing RCS governing body selection plan are 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>
At large #1	Heiny	07/01/2009	06/30/2013	May 2012	07/01/2013*
At large #2	Stevens	07/01/2009	06/30/2013	May 2012	07/01/2013*
At large #3	Derengowski	07/01/2010	06/30/2014	May 2014	07/01/2014
At large #4	Slifer	07/01/2010	06/30/2014	May 2014	07/01/2014
District “A”	Morgason	07/01/2008	06/30/2012	May 2012	07/01/2012
District “B”	Baumgartner	07/01/2008	06/30/2012	May 2012	07/01/2012
District “C”	Stidham	07/01/2007	06/30/2011	May 2010 – No candidate filed for seat to take effect 07/01/2011	

*Current plan has these members elected in May and taking office as of July 01 of the year following the year of election so as to avoid excessive Board turnover at any one time.

2. Extension of Existing Terms of Office – The existing terms of office of all members of the Board except Member Stidham (current Residential District “C”) 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. If this proposed *Plan for Governing Body Composition Change* shall not have become effective by June 30, 2011, then the term of Member Stidham shall extend until the earlier of the Effective Date of this proposed plan change or December 31, 2011.

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 Morgason currently resides in and represents Residential District “A”. Her residence will be within the geographically defined and limited Residential District #1 under this proposed plan. From the Effective Date of this proposed plan until the end of her present term, as herein extended, Member Morgason shall be the Board member from newly defined Residential District #1.
 - b. Member Baumgartner currently resides in and represents Residential District “B”. Her residence will be within the geographically defined and limited Residential District #2 under this proposed plan. From the Effective Date of this proposed plan until the end of her present term, as herein extended, Member Baumgartner shall be the Board member from newly defined Residential District #2.
 - c. Upon the end of Member Stidham’s term, as potentially extended hereunder, but in any event not later than December 31, 2011, the vacancy created by the expiration of his term shall be filled by the majority vote of the remaining members of the Board, in accordance with the provisions of IC 20-26-4-4(c), by appointing a person to the Board who meets all other applicable eligibility criteria and also meets the herein stated residency requirements for the newly created Residential District #3. That appointee shall serve an abbreviated term beginning from the date of his/her appointment and qualification and ending December 31, 2014. The Residential District #3 Board member shall first stand for election in the general election in November, 2014, to be seated as of January 1, 2015.

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.

	<u>Member</u>	<u>Term Began</u>	<u>Extended Term Ends</u>	<u>Next Election</u>	<u>Next Seating</u>
At large #1	Heiny	07/01/2009	12/31/2013	Nov 2012	01/01/2014*
At large #2	Stevens	07/01/2009	12/31/2013	Nov 2012	01/01/2014*
At large #3	Derengowski	07/01/2010	12/31/2014	Nov 2014	01/01/2015
At large #4	Slifer	07/01/2010	12/31/2014	Nov 2014	01/01/2015
District #1	Morgason	07/01/2008	12/31/2012	Nov 2012	01/01/2013
District #2	Baumgartner	07/01/2008	12/31/2012	Nov 2012	01/01/2013
District #3	to be appointed	(See §3 c. above)	(See §3 c. above)	Nov 2014	01/01/2015

*These Board members shall be elected in November of the year prior to the year in which their proposed extended term ends, and they shall take office as of the January 01, 2014 after having been elected in November, 2012. That deferred Board member seating is deemed necessary by the Board in order to avoid excessive Board turnover at any one point in time.

C. Retention of Terms of Originally Adopted Plan 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 the original RCS 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 RCS 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 the appointment of a Board member from the newly defined Residential District #3, as set forth more particularly at §3c., above, shall become effective upon adoption of this plan, as provided at IC 20-23-8-19. All other aspects of this proposed plan change shall become effective as of January 01, 2012.

(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 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.

Duly adopted this 22 day of September 2010, by vote of 5 ayes; 0 nays.

RICHMOND COMMUNITY SCHOOLS

By its Board of School Trustees

By: Kelly A Baumgartner
Kelly A. Baumgartner, President

Attest:

Linda L. Morgason
Linda L. Morgason, Secretary

SCHEDULE #1

Part of Wayne Township, Wayne County, Indiana.

Beginning at the Northeast corner of Wayne Township, which is identified as the NE corner of Sec 12, Township 14 North, Range 1 West, thence in a southerly direction along the east line of Wayne Township to the centerline of US 40 (National Rd); thence in a westerly direction along the centerline of US 40 (National Rd) and continued along the centerline of Main Street to the intersection of said centerline with the northern extension of the centerline of South 22nd Street, thence in a southerly direction along the centerline of said South 22nd Street to the centerline of South "E" Street, thence in a westerly direction along the centerline of South "E" Street to the intersection of said centerline with the southern extension of the centerline of South 21st Street, thence in a northerly direction along the centerline of South 21st Street to the intersection of said centerline with the centerline of Main Street, thence in a westerly direction along the centerline of said Main Street to the intersection of Sim Hodgkin Parkway; thence in a Northeasterly direction along the centerline of Sim Hodgkin Parkway to the spur line of the Norfolk Southern Railroad; thence in a westerly direction along the centerline of said spur line and the continuation thereof to the west boundary of Wayne Township; thence in a northerly direction along the west line of Wayne Township to a township corner which is identified as the NW corner of Sec 2, Township 16 North, Range 14 West; thence in an easterly direction along the Wayne Township line to a township corner that is identified as the NE corner of Sec 2, Township 16 North, Range 14 West; thence in a southwesterly direction along the Wayne Township line which is also the Greenville Treaty Line to a township corner that is identified as the NW corner of Sec 24, Township 14 North, Range 2 West; thence in an easterly direction along the Wayne Township line to a township corner that is identified as S 1/4 corner of Sec 18, Township 14N, Range 1 West; thence in a northerly direction along the Wayne Township line to a township corner that is identified as the N ¼ corner of Sec 7, Township 14 North, Range 1 West; thence in an easterly direction along the Wayne Township line to the place of beginning.

SCHEDULE #2

Parts of Wayne and Boston Townships, Wayne County, Indiana

Beginning at the SE corner of Boston Township which is identified as the SE corner of Sec 1, Township 12 North, Range 1 West; thence in a northerly direction along the Boston Township line and continued along the Wayne Township line to the centerline of US 40 (National Rd); thence in a westerly direction along the centerline of US 40 (National Rd) and continued along the centerline of Main Street to the intersection of said centerline with the northern extension of the centerline of South 22nd Street, thence in a southerly direction along the centerline of said South 22nd Street to the centerline of South "E" Street, thence in a westerly direction along the centerline of South "E" Street to the intersection of said centerline with the southern extension of the centerline of South 21st Street, thence in a northerly direction along the centerline of South 21st Street to the intersection of said centerline with the centerline of Main Street, and continued along the centerline of Main Street to the intersection of 9th Street; thence in a southerly direction along the centerline of South 9th Street to where it merges into US 27 S; thence in a southerly direction along the centerline of US 27 S to the Wayne County and Union County line, which is also the SW corner of Boston township identified as the SW corner of Sec 6, Township 12 North, Range 1 West; thence in an easterly direction along the Boston Township line to the place of beginning.

SCHEDULE #3

Parts of Wayne and Boston Townships, Wayne County, Indiana

Beginning at the point where US 27 S intersects the west line of Boston Township, which is approximately 1000 feet south of the W $\frac{1}{4}$ corner of Sec 31, Township 13 North, Range 1 West; thence in a northerly direction along the Boston Township line to a township corner which is identified as the SE corner of Sec 24, Township 13 North, Range 2 West, thence in a westerly direction along the Boston Township line to a township corner which is identified as the S $\frac{1}{4}$ corner of Sec 24, Township 13 North, Range 2 West; thence in a northerly direction along the Boston Township line to a township corner intersecting Wayne Township, which is identified as the S $\frac{1}{4}$ corner of Sec 13, Township 13 North, Range 2 West; thence in a westerly direction along the Wayne Township line to a township corner which is identified as the SW corner of Sec 13, Township 13 North, Range 2 West; thence in a north by northeasterly direction along the Wayne Township line to the intersection of the continuation of the centerline of a Norfolk Southern Railroad spur line; thence in an easterly direction along said continuation of railroad centerline and continue along the centerline of the Norfolk Southern spur line to Sim Hodgin Parkway; thence in a Southwesterly direction along the centerline of Sim Hodgin Parkway to Main Street; thence east along the centerline of Main Street to 9th Street; thence in a southerly direction along the centerline of South 9th Street to where it merges into US 27 S; thence in a southerly direction along the centerline of US 27 S to the place of beginning.