



MEMORANDUM

TO: Indiana State Board of Education

FROM: Dana L. Long, Legal Counsel *DL*

Re: Amended Governing Body Selection Plan:  
**South Knox School Corporation**

DATE: December 16, 2011

The Board of School Trustees of the South Knox School Corporation has submitted the attached Resolution to amend its governing body selection plan to comply with the requirements of HEA 1074 that all school board members be elected at the general election and take office January 1 following election.

The plan as submitted satisfies the requirements of HEA 1074 and is recommended for approval by the State Board of Education pursuant to I.C. 20-23-8-15.

Enclosures

cc. File

NOV 21 2011

## ELECTION PLAN FOR THE SOUTH KNOX SCHOOL CORPORATION OF KNOX COUNTY, INDIANA

BE IT RESOLVED by the Board of School Trustees of the South Knox School Corporation, that the following plan shall determine the manner in which the Board of Trustees of the South Knox School Corporation shall be constituted.

### I. DEFINITIONS

- A. School Board – Whenever used herein, the term “School Board” shall mean the Board of School Trustees of the South Knox School Corporation.
- B. School Corporation – Whenever used herein, the term “School Corporation” shall mean the South Knox School Corporation.
- C. Member(s) – Whenever used herein, the term “Member(s) shall mean the members of the Board of School Trustees of the South Knox School Corporation.

### II. BOARD OF SCHOOL TRUSTEES

The control of the School Corporation shall be vested in a non partisan board of school trustees composed of five (5) members. All school board member elections shall be conducted in accordance with IC 3 and the School Reorganization Act of 1959, as amended. In the event of a conflict, the School Reorganization Act of 1959, as amended shall control.

- A. There shall be five (5) school board member residence districts as follows:
  - District A – Decker Township, and that part of Vincennes Township included in the South Knox School Corporation.
  - District B – Johnson Township
  - District C – Palmyra Township
  - District D – Steen Township
  - District E – Harrison Township

### III. METHOD OF SELECTION AND TERM OF OFFICE

- A. The School Corporation shall have an elected board of five (5) members elected as follows:
  - One (1) member shall be a resident of District A
  - One (1) member shall be a resident of District B
  - One (1) member shall be a resident of District C
  - One (1) member shall be a resident of District D
  - One (1) member shall be a resident of District E

Candidates for membership on the board of school trustees shall compete against one another for election on a school board member residence district basis as specified in the sections on limitations on residence, term of office and

other qualifications required of such board of school trustees, but each shall be voted upon by all the registered voters residing within the boundaries of the School Corporation.

B. TRANSITION AND ELECTION SCHEDULE

- Following the May election of 1996, the District E member will take office July 1, 1996. The District C and District B seats will be elected for 3-year terms commencing July 1, 1997 and expiring June 30, 2000. Then, in the election of May 2000, and every four (4) years thereafter when these three (3) districts' seats are elected, the four year terms will begin July 1, immediately following the election.
- In the May election of 1998, District D and District A seats will be elected for 3-year terms commencing July 1, 1999 and expiring June 30, 2002. Then beginning in May 2002 and every four (4) years thereafter when these two (2) districts' seats are elected, the four-year terms will begin July 1, immediately following the election.
- *Indiana General Assembly legislation (HEA 1074) that became effective July 1, 2011 mandated that school board members be elected in the November general election instead of the May primary elections. Therefore the District B, C, and E members elected in May 2008 will continue their terms for an additional 6 months until December 31, 2012. District B, C, and E seats will be elected in the November 2012 general election and every four years thereafter with the four year terms beginning January 1 immediately following the election. (This paragraph added November 14, 2011)*
- *District A and D members elected in May 2010 will continue their terms for an additional 6 months until December 31, 2014. District A and D seats will be elected in the November 2014 general election and every four years thereafter with the four year terms beginning January 1 immediately following the election. (This paragraph added November 14, 2011)*

IV. ELIGIBILITY OF MEMBERS

- A. A candidate for school board member must have resided within the South Knox School district and within the residence district from which he or she shall run for at least two (2) years prior to the date of the election.
- B. A school board member must be at least twenty-one (21) years of age at the time of taking office. Pursuant to IC 20-5-3-11, an individual who is employed as a teacher (as defined in IC 20-6.1-1-8) or as a noncertified employee (as defined in IC 20-7.5) of the school corporation may not be a member of the governing body of the school corporation.

V. ELECTION: GENERAL PROVISIONS

- A. Each registered voter residing within the school corporation may vote for each board member position that is eligible for election.
- B. The candidate receiving the highest number of votes in each district shall be elected to that district's school board member position.
- C. Vacancies on the School Board shall be filled by a majority vote of the School Board. An individual so chosen shall hold office for the remainder of the unexpired term of the School Board Member whom he or she replaces. Any individual chosen to fill a vacancy shall have to meet the same qualifications as the individual he or she replaces. In the event of a tie vote, or if the School Board otherwise fails to fill a vacancy on the Board within thirty (30) days, then the judge of the Knox Circuit Court shall fill the vacancy for the unexpired term.
- D. School Board members may be compensated in an amount determined by the Board, but not in an amount exceeding that set by State Law.
- E. In all respects, this plan, and the School Board, shall be subject to the provisions of IC 20-4-1-1, et. seq., as amended. This plan shall be construed so as to give it effect when read in conjunction with said statutes, and any part in conflict therewith shall be void, but shall not otherwise invalidate this plan.
- F. An individual wishing to become a candidate for a school board shall submit to the Clerk of the Knox Circuit Court a petition signed by the prospective candidate and ten (10) registered voters who reside within the residence district boundaries from which the candidate intends to run. The petition shall be filed within the time prescribed in IC 3-8-2-4. The petition shall state the candidate's intention to seek election as a school board member and indicate the district from which the candidate intends to run. The names of all candidates certified by the Clerk of Knox Circuit Court shall appear on a separate paper or machine ballot in accordance with IC 20-4-1-26.4.

*Section III, part B, paragraphs 3 and 4 of this election plan were added as required by the passage of Indiana General Assembly HEA 1074 (effective July 1, 2011) and approved by the South Knox Board of School Trustees on November 14, 2011.*