



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Chad E. Ranney – General Counsel, Indiana State Board of Education
Date: July 8, 2020
RE: **Approval of Governing Body Change – Oregon-Davis Community School Corporation**

STAFF RECOMMENDATION: After review of the materials provided by Oregon-Davis School Corporation (“Oregon-Davis”), it is evident that 1) the governing body resolution was properly approved by Oregon-Davis; 2) the resolution was properly published in a local newspaper; and 3) the county clerk certified that no protest petitions or alternative plan amendments were submitted to the clerk’s office. Furthermore, the plan amendment satisfies the applicable legal requirements under Indiana Code and is recommended for Indiana State Board of Education (“Board”) approval pursuant to I.C. 20-23-8-15.

Pursuant to IC 20-23-8-10(a)(2), Oregon-Davis adopted a resolution to initiate a plan to change its governing body in December of 2019. Subsequent to Oregon-Davis adopting the resolution to amend its governing body, it submitted the attached materials for the Board’s review and consideration. The materials included the prior governing body plan, the resolution adopted by Oregon-Davis, the minutes from Oregon-Davis’s board meeting during which the resolution was adopted, the local publication information that includes the language of the new governing body plan, and the county clerk’s certification that no protest petitions or alternative plan amendments were submitted to the clerk’s office. The governing body resolution seeks to eliminate the residential districts from which the members of the Board of School Trustees of the Oregon-Davis School Corporation are elected to serve. The proposed amendment reads:

WHEREAS, on or about February 27, 1964, the Oregon-Davis Community School Corporation was divided into four board member districts; and,

WHEREAS, the reorganization plan called for one board member to be elected from district one, two and three. Two members were to be elected from district four and could be Members-at-Large anywhere in the district; and,

WHEREAS, the Board of School Trustees of the Oregon-Davis Community School Corporation wishes to seek a plan change to have all five members elected as “At-Large” members rather than having three individual elected from three districts and two members elected At-large.

NOW, THEREFORE, BE IT RESOLVED that the Oregon-Davis Community School Corporation Board of School Trustees is adopting this resolution to change the reorganization plan of the Oregon-Davis Community

School Corporation to have all five members elected At-large. No other changes to the plan are contemplated by this resolution.

NOTICE IS HEREBY GIVEN that not later than 120 days after the publication of this Notice, votes of the school corporation may file with the Clerk of the Circuit Court a Petition protesting any plan initiated or approved by the governing body or a Petition submitting an alternative plan as follows:

- (1) A Petition protesting any plan shall be signed by at least twenty percent (20%) of the voters of the school corporation or 500 voters of the school corporation, whichever is less.
- (2) A Petition submitting an alternative plan shall be signed by at least twenty percent (20%) of the voters of the school corporation.

Any Petition filed under this section shall be certified by the Clerk of the Circuit Court of Starke County.

Mark L. Phillips
Martin W. Kus
Mark A. Lienhoop
James W. Kaminski
William S. Kaminski
David P. Jones
Matthew J. Hagenow
Kristina J. Jacobucci
Nicholas T. Otis
Anthony G. Novak
Alyssa N. Speichert



Newby Lewis Kaminski & Jones, LLP

PO Box 1816 • La Porte, IN 46352 • 916 Lincolnway, La Porte, IN 46350
(219) 362-1577 • Fax (219) 362-2106 • Michigan City: (219) 879-6300

www.NLKJ.com

RETIRED
Leon R. Kaminski
Gene M. Jones
Daniel E. Lewis, Jr.
Perry F. Stump
Arthur L. Roule, Jr.
Edward L. Volk

John E. Newby (1916 -1990)
Daniel E. Lewis (1910 -1997)

June 15, 2020

Mr. Chad Ranney
cranney@sboe.in.gov

Re: Oregon-Davis School Corporation

Dear Mr. Ranney:

Please find attached a copy of the letter I sent to Andrew Bernlohr with the Indiana Department of Education. He has informed me that I should forward this to you. I am hoping that the State Board of Education can act quickly on this so we can have the changes made prior to the filing deadline in August for the general Election.

Please let me know if you need anything further.

Should you have any questions or comments, please do not hesitate to contact me at your convenience.

Yours very truly,

NEWBY, LEWIS, KAMINSKI & JONES, LLP

By

A handwritten signature in blue ink, appearing to read "William S. Kaminski".

William S. Kaminski
wskaminski@nlkj.com

WSK:jda
Enclosures

Mark L. Phillips
Martin W. Kus
Mark A. Lienhoop
James W. Kaminski
William S. Kaminski
David P. Jones
Matthew J. Hagenow
Kristina J. Jacobucci
Nicholas T. Otis
Anthony G. Novak
Alyssa N. Speichert



Newby Lewis Kaminski & Jones, LLP

PO Box 1816 • La Porte, IN 46352 • 916 Lincolnway, La Porte, IN 46350
(219) 362-1577 • Fax (219) 362-2106 • Michigan City: (219) 879-6300

www.NLKJ.com

RETIRED
Leon R. Kaminski
Gene M. Jones
Daniel E. Lewis, Jr.
Perry F. Stump
Arthur L. Roule, Jr.
Edward L. Volk

John E. Newby (1916 -1990)
Daniel E. Lewis (1910 -1997)

April 22, 2020

Mr. Andrew Bernlohr,
General Counsel
Indiana Department of Education
South Tower, STE 600
115 W. Washington Street
Indianapolis, IN 46204

Re: Oregon-Davis School Corporation

Dear Mr. Bernlohr:

Attached please find the following documents regarding the requested plan change of the Oregon-Davis School Corporation. Please find attached for filing with the Department of Education:

1. A Resolution adopted on December 9, 2019 by the Board of School Trustees of the Oregon-Davis School Corporation;
2. A Certificate of the Clerk of the Circuit Court of La Porte County signifying that no petitions had been filed with the Circuit Court regarding our proposed plan change;
3. Proof of Publication from The Pilot News Group that notice was given to the community-at-large that the Board of School Trustees was seeking a plan change; and,
4. The original Resolution and minutes which contain the current plan for the Oregon-Davis School Corporation.

Mr. Andrew Bernlohr
April 22, 2020
Page Two

The Board of School Trustees of the Oregon-Davis School Corporation are requesting that the Department of Education approve the plan change which is merely to move from having three individuals elected from three districts and two members elected At-large to all five members being elected At-large.

It should be noted by yourself and the Department of Education that we had absolutely no objection to this plan change from any citizen.

Should you need any further information, please do not hesitate to contact me at your convenience.

Yours very truly,

NEWBY, LEWIS, KAMINSKI & JONES, LLP

By



William S. Kaminski
wskaminski@nlkj.com

WSK:jda
Enclosures

NOTICE

NOTICE IS HEREBY GIVEN that on the 9th of December, 2019, the Board of School Trustees of the Oregon-Davis Community School Corporation adopted a Resolution as follows:

RESOLUTION

WHEREAS, on or about February 27, 1964, the Oregon-Davis Community School Corporation was divided into four board member districts; and,

WHEREAS, the reorganization plan called for one board member to be elected from district one, two and three. Two members were to be elected from district four and could be Members-at-Large anywhere in the district; and,

WHEREAS, the Board of School Trustees of the Oregon-Davis Community School Corporation wishes to seek a plan change to have all five members elected as "At-large" members rather than having three individuals elected from three districts and two members elected At-large.

NOW, THEREFORE, BE IT RESOLVED that the Oregon-Davis Community School Corporation Board of School Trustees is adopting this resolution to change the reorganization plan of the Oregon-Davis Community School Corporation to have all five members elected At-large. No other changes to the plan are contemplated by this resolution.

NOTICE IS HEREBY GIVEN that not later than 120 days after the publication of this Notice, voters of the school corporation may file with the Clerk of the Circuit Court a Petition protesting any plan initiated or approved by the governing body or a Petition submitting an alternative plan as follows:

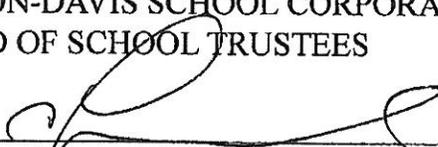
- (1) A Petition protesting any plan shall be signed by at least twenty percent (20%) of the voters of the school corporation or 500 voters of the school corporation, whichever is less.
- (2) A Petition submitting an alternative plan shall be signed by at least twenty percent (20%) of the voters of the school corporation.

Any Petition filed under this section shall be certified by the Clerk of the Circuit Court of Starke County.

Dated this 9th day of December, 2019.

OREGON-DAVIS SCHOOL CORPORATION
BOARD OF SCHOOL TRUSTEES

By



Christopher Lawrence, President

ATTEST:

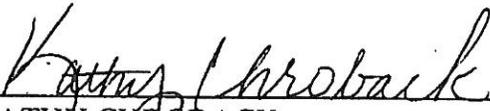

Kurt Hayes, Secretary

**CERTIFICATE OF CLERK OF THE CIRCUIT COURT
OF LA PORTE COUNTY, INDIANA**

STATE OF INDIANA)
) SS:
COUNTY OF LA PORTE)

I, KATHY CHROBACK, the duly elected, qualified and acting Clerk of the Circuit Court of La Porte County, Indiana, hereby certify that no petitions either protesting the Amendment to the Governing Body Selection Plan adopted by the Board of School Trustees of the Oregon-Davis Community School Corporation or submitting an alternative governing body selection plan have been filed in my office or presented to me for certification by voters of the School Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14th day of April, 2020.



KATHY CHROBACK
CLERK, LA PORTE CIRCUIT COURT

(SEAL)



Advertising Receipt

The Pilot News Group

PO Box 220
Plymouth, IN 46563

Phone: 574-936-3101

Fax: 574-936-7491

Oregon-Davis School Corporatio
LEGALS
5998 North 750 East
HAMLET , IN 46532

Acct #: 21101618
Ad #: 00308478
Phone: (574)867-2111
Date: 12/10/2019
Ad taker: BS **Salesperson:** BS

Sort Line: 308478 Legal Notice

Classification: 116

Description	Start	Stop	Ins.	Cost/Day	Total
PN The Pilot News	12/12/2019	12/12/2019	1	31.66	31.66
IN Internet	12/12/2019	12/12/2019	1		0.00

Ad Text:

NOTICE

NOTICE IS HEREBY GIVEN that on the 9th of December, 2019, the Board of School Trustees of the Oregon-Davis Community School Corporation adopted a Resolution as follows:

RESOLUTION

WHEREAS, on or about February 27, 1964, the Oregon-Davis Community School Corporation was divided into four board member districts; and,
WHEREAS, the reorganization plan called for one board member to be elected from district

one, two and three. Two members were to be elected from district four and could be Members-at-Large anywhere in the district; and,

WHEREAS, the Board of School Trustees of the Oregon-Davis Community School Corporation wishes to seek a plan change to have all five members elected as "At large" members rather than having three individuals elected from three districts and two members

elected At-large.

NOW, THEREFORE, BE IT RESOLVED that the Oregon-Davis Community School Corporation Board of School Trustees is adopting this resolution to change the reorganization plan of the Oregon-Da

Total: 31.66
Tax: 0.00
Net: 31.66
Prepaid: 0.00

Total Due 31.66

June 12, 1968

The Board of Trustees of the MSD of Oregon-Davis met in regular session at 7:30 P.M with the following members present: Orr, Reid Martin, Hayes and Hensler. The minutes of the previous meeting were read and approved.

Bids on petroleum products and coal were opened and read. (Tabulation attached). The bids were studied and Mr. Reid moved that the low bid in each category be accepted. Motion seconded by Hayes and carried unanimously.

Mr. And Mrs. Berrelli were present to request that a speech and hearing teacher be employed for next year. They also submitted a request for transfer of their child to the Pelk-Lincoln-Johnson School Corporation. The possibility of having the service from the Marshall - Starke Special Education Center was mentioned. Also the possibility of employing a half time teacher was discussed. The board decided to await developments from the Center before taking action. The following teachers were present to induce the board to reconsider the salary schedule adopted on May 15, 1968: Blais, Gardner, Evers and Peterson. The board agreed to discuss the matter and inform Mrs. Gardner of any action taken. After they left the board discussed the matter and decided to leave the schedule as adopted.

Jerry Seese was appointed to the Governing board of the Marshall-Starke Special Education Center provided he will accept. In case he does not Mr. Reid was appointed. The contract signed by Mr. Martin and Mr. Peregrine was discussed.

The State Board of Accounts report was discussed and the letters reporting action taken to correct the practices were read. Most of the complaints have been taken care of.

Five teacher contracts were signed by the board. A letter from Mrs. Rosalae Reid was read. She asks for two business days off and one sick day. The principals report is used as a basis for pay and these days should be requested before taking. A similar letter from Mr. Dayhoff complaining about the docking of pay for not showing up on the last day of school was read. He misread the bulletin stating the time the teachers were to be at the school. He came later. No action was taken on either case.

Monthly reports on Lunch Fund and Book Rental Fund were examined. Treasurers monthly financial report was distributed. The board approved Mr. Blair's request to attend a meeting at Purdue University on June 27, 1968. Mr. Blair's weekly report of activities was examined. The new regulation on employment of minors who are enrolled in a summer vocational Agriculture program was discussed.

A bus report showing miles driven, miles per gallon of gasoline and miles per quart of oil, for each corporation owned school bus was read. The board approved the employment of Mrs. Ivy Johnson to process books for a period of two weeks.

The board ordered bonds for the three treasurers prepared for the period July 1, 1968 to June 30, 1969. The name of the school corporation is to be changed to Oregon-Davis School Corporation in accordance with the County Plan. Mr. Davie discussed other changes that must be made as a result of the new organization. Mr. Reid agreed to have a contractor look at the old gym floor and give an estimate.

Meeting adjourned at 10:30 P.M.

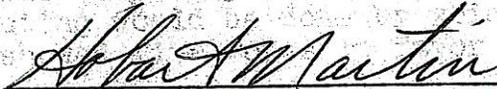
Respectfully submitted,
Robert Orr, Secty.

Samuel L Hayes
Robert Orr
Edon Reid
Robert Martin

MINUTES OF THE FIRST MEETING OF THE BOARD OF SCHOOL TRUSTEES OF THE OREGON-DAVIS SCHOOL CORPORATION

Be it remembered on this the 1st day of July, 1968, at 7:30 p.m. of said day, the Board Of School Trustees of the Oregon-Davis School Corporation met pursuant to the following waiver of notice and consent to the holding of said meeting signed by all the School Board members.

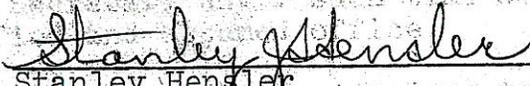
We, the undersigned, being all of the members of the Oregon-Davis School Corporation do hereby severally waive notice of the time, place and purpose of that special meeting of said school corporation to be held at the Office of the Superintendent of Schools on the 1st day of July, 1968, and hereby consent to the holding of said meeting at said time and place and we hereby severally consent to the transaction of any and all business that may come before said meeting.


Hobart Martin


Robert C. Orr

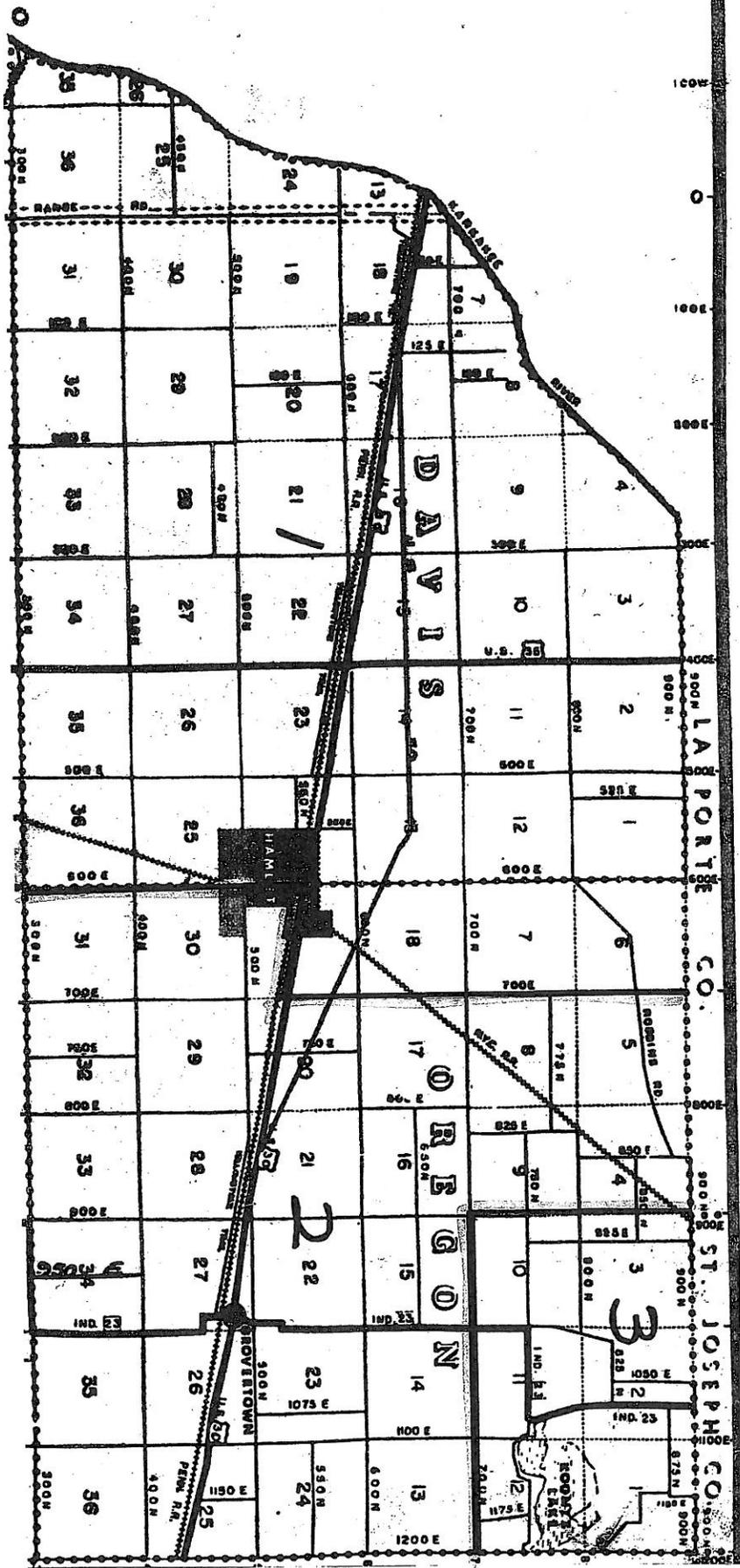

E. Don Reid


Samuel L. Hayes


Stanley Hensler

Thereupon each of the members of the Board Of School Trustees of Oregon-Davis School Corporation of Starke County, Indiana, took and subscribed oath as follows, to-wit:

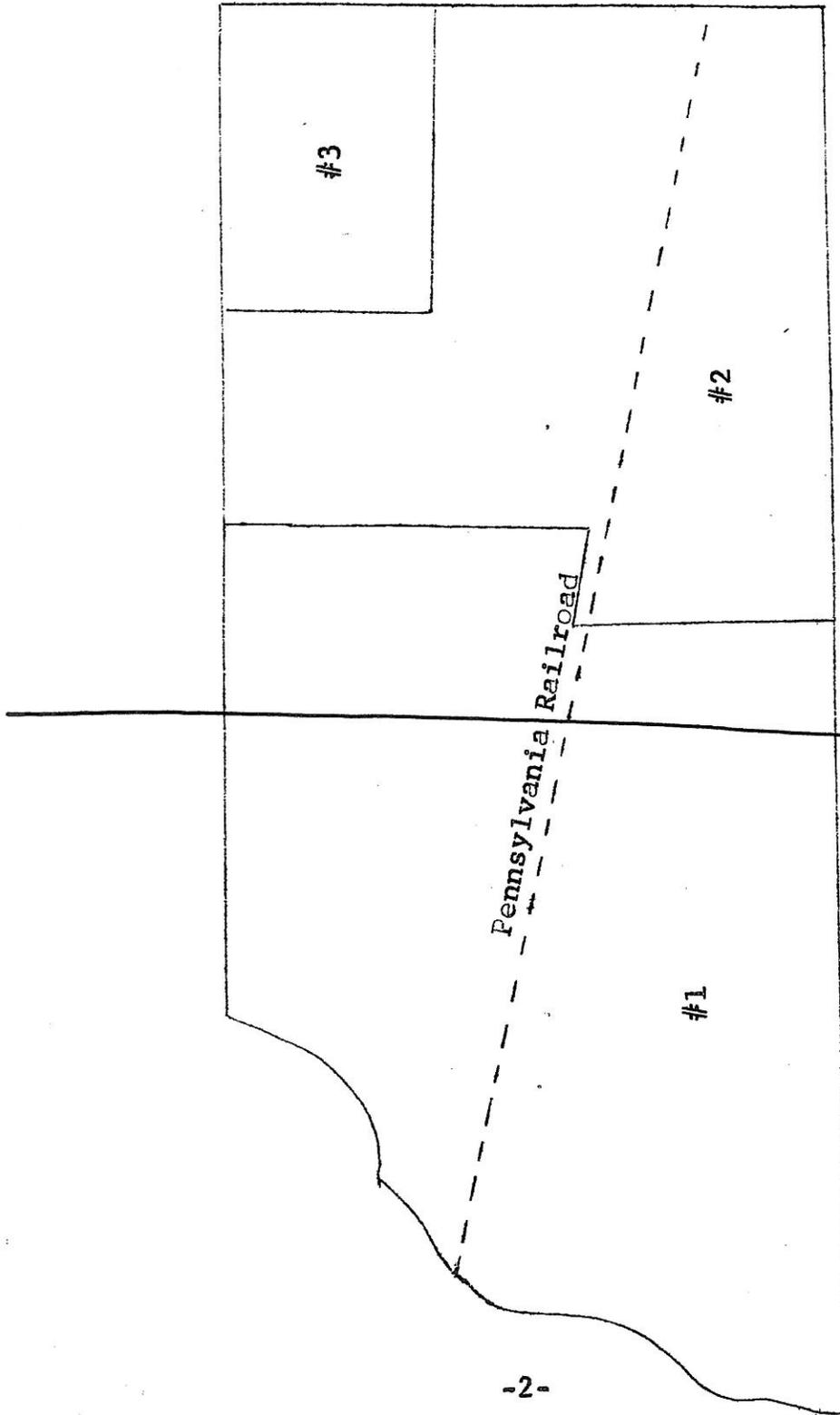
"I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Indiana, and that I will faithfully discharge the duties of a member of the Board of School Trustees of Oregon-Davis School Corporation of Starke County, Indiana."



72.75 square miles
approximately

46,560 acres

as set forth in the board policies. The superintendent and his staff are given the responsibility and authority to carry out the adopted policies.



METROPOLITAN SCHOOL DISTRICT OF OREGON-DAVIS (LATER TO BECOME THE OREGON-DAVIS SCHOOL CORPORATION) BOARD MEMBER DISTRICTS AS ESTABLISHED BY THE STARKE COUNTY BOARD OF COMMISSIONERS, FEBRUARY 27, 1964.

SPECIAL MEETING FEBRUARY 27, 1964

Comes now the Honorable Board of Commissioners and meet in special session in the Commissioners Room in the Court House in Knox, Indiana; Present were the following members: Tom Bell, Carl Bergstrom, George Mosher, Commissioners: Don C. Favinger, Auditor; and the following proceedings were had to-wit:

Comes now the Board of Commissioners of Starke County, and met in special session for the purpose of dividing the Metropolitan School District of Oregon-Davis, into three board member districts as required by the Acts of 1949, Chapter 226, paragraph 14, as amended by the Acts of 1963, Chapter 327, paragraph 1 of the Indiana General Assembly.

IN RE: M.S.D. OF OREGON-DAVIS, BOARD MEMBER DISTRICTS:

Be it resolved that the above school district be divided into the following Board Member Districts as listed below:

BOARD MEMBER DISTRICT #1

District #1 to include all of Davis Township, and the following land sections or part sections of Oregon Township, section #6, #7, and #18 and all of #19 laying north of the Pennsylvania Railroad.

BOARD MEMBER DISTRICT #2

District #2 to include the following land sections or part sections of Oregon Township, section #4, #5, #8, #9, #13, #14, #15, #16, #17, all of #19 laying south of the Pennsylvania Railroad, #20, #21, #22, #23, #24, #25, #26, #27, #28, #29, #30, #31, #32, #33, #34, #35, and #36.

BOARD MEMBER DISTRICT #3

District #3 to include the following land sections of Oregon Township, section #1, #2, #3, #10, #11, and #12.

STARKE COUNTY COMPREHENSIVE REORGANIZATION PLAN
December 5, 1967

The Oregon-Davis School Corporation shall be governed by a Board of School Trustees consisting of five members.

Each member of the governing body shall be elected by the registered voters voting in the primary election held biennially in the state at which county officials are nominated, and the first board elected shall be for staggered terms in accordance with the provision of the Acts of 1959, Chapter 202, Section 9, which states:

"At the first primary or general election wherein members of the board of school trustees shall be elected hereunder a simple majority of the candidates elected as members of the board of school trustees, who receive the highest number of votes shall be elected for four (4) year terms; and the balance of the candidates elected as members of the board of school trustees receiving the next highest number of votes shall be elected for two (2) year terms. Thereafter, all school board members shall be elected for four (4) year terms. All elected board members shall take office and assume their duties on the first day of July after their election."

The Oregon-Davis School Corporation shall be divided into four board member districts. Three of the districts shall be coextensive with the present board member districts heretofore established by the Board of County Commissioners, Starke County, Indiana. The fourth district shall be an at-large district comprising the territory within the entire school corporation.

BOARD MEMBER DISTRICT #1

Refer to page 3, COMMISSIONERS RECORD #3

BOARD MEMBER DISTRICT #2

Refer to page 3, COMMISSIONERS RECORD #3

BOARD MEMBER DISTRICT #3

Refer to page 3, COMMISSIONERS RECORD #3

BOARD MEMBER DISTRICT #4

District #4 shall be an at-large district consisting of the entire school corporation.

One board member shall be elected from District #1 and shall be a resident of that district. One board member shall be elected

from District #2 and shall be a resident of that district. One board member shall be elected from District #3 and shall be a resident of that district. Two members shall be elected from District #4 and may reside any place in the district. All board members shall be elected by the voters of the entire school corporation.

- E. Meetings of the Board - Beginning on Tuesday, February 2, 1971, and continuing every other Tuesday night thereafter, regular meetings have been held at 7:30 p.m. in the superintendent's office. All decisions are arrived at in open meeting. Three members shall constitute a quorum and may transact any business but three affirmative votes will be required to pass any motion. Special meetings may be called by the president or by three members of the board when due notice is given or without notice if all members agree to the meeting. The agenda will be developed by the superintendent, but any member may request the inclusion of an item on the agenda. Minutes of all meetings shall be kept by the superintendent or by a member appointed by the president.

Adjournment time is 10:00 p.m. Any action taken after that hour is invalid. Exceptions shall be made only by a unanimous vote of the members present to suspend the rule and continue in session.

Any individual or delegation who wishes to be heard at a board meeting other than at a regular public hearing should make arrangements with the superintendent at least three days before the meeting, giving the issue to be discussed, an estimate of time needed to present the issue and the number of people who are expected to appear. This will enable the superintendent to place the matter on the agenda if time permits or make arrangements for the group to appear at some other time. The board reserves the right to refuse to hear any group which does not comply with this procedure.

- F. Organizations - The school board may hold membership in the Indiana School Boards Association and the National School Boards Association. All school trustees may be reimbursed for expenses incurred while traveling on school business and to Indiana School Boards Association and the National School Boards Association if such travel is or has been approved by the board in regular or special session.
- G. Revision of Policies - Any policies may be revised, amended, revoked, or added to at any regular board meeting by a

majority vote. Every effort will be made to give sufficient notice of change to avoid undue confusion or hardship.

- H. Implementation of Policy - All reasonable rules and regulations made by the superintendent, principals, teachers and other school employees for implementing these policies shall be binding on all concerned. If any student, parent or teacher feels that any such rule is in conflict with stated policy an appeal may be made through the proper channels to the superintendent and the board.

- I. School Attorney - The school board shall select an attorney and set his salary. He shall act in an advisory capacity to the board and the superintendent on all legal matters pertaining to school business. He shall represent the school corporation and such officers and employees as the board shall direct in any legal proceeding.