



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Chad E. Ranney – General Counsel, Indiana State Board of Education
Date: August 12, 2020
RE: Approval of Governing Body Change – MSD of Southwest Allen County

STAFF RECOMMENDATION: After review of the materials provided by the Board of School Trustees for the MSD of Southwest Allen County (“Southwest Allen County”), it is evident that 1) the governing body resolution was properly approved by Southwest Allen County; 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. Additionally, the plan amendment satisfies the applicable legal requirements under Indiana Code. It is recommended that the Indiana State Board of Education (“Board”) approve the plan pursuant to I.C. 20-23-8-15.

Pursuant to IC 20-23-8-10(a)(2), Southwest Allen County adopted a resolution to initiate a plan to change its governing body on February 4, 2020. Subsequent to Southwest Allen County 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 Southwest Allen County, the minutes from Southwest Allen County’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. Southwest Allen County’s resolution seeks to increase the number of “at-large seats” from one (1) to three (3) and reduce the number of “residence district seats” from four (4) to two (2). The Board of School Trustees will still be comprised of five (5) elected members. The proposed amendment reads:

WHEREAS, the Board of School Trustees is the governing body of MSD of Southwest Allen County (SACS), Allen County, Indiana; and

WHEREAS, SACS encompasses two township in Allen County: Aboite and Lafayette; and

WHEREAS, the current School Board is comprised of five members and all of the voters within SACS, regardless of township, may vote for all 5 members; and

WHEREAS, there is a large discrepancy in the populations of the two townships;

WHEREAS, the School Board believes that it would [be] more equitable to the voters to increase the number of at-large seats and reduce the number of residence district seats;

THEREFORE, BE IT RESOLVED, the Board of School Trustees resolves to change its structure to five seats of three at-large seats and one residence district seat per Township. Specifically, the two “residence district seats” that will be up for election in 2022 will become “at-large seats” beginning with the 2022 election. All other seats will remain the same.

BARNES & THORNBURG LLP

888 S. Harrison Street, Suite 600
Fort Wayne, IN 46802-2206 U.S.A.
(260) 423-9440
Fax (260) 424-8316

www.btlaw.com

Mark D. Scudder
Of Counsel
(260) 425-4618
mark.scudder@btlaw.com

June 19, 2020

Via Certified Mail

Indiana State Board of Education
143 W. Market St., Suite 500
Indianapolis, IN 46204

Re: RESOLUTION TO CHANGE ELECTION PROCEDURES FOR THE
BOARD OF SCHOOL TRUSTEES FOR THE MSD OF SOUTHWEST
ALLEN COUNTY

Dear Members of the Indiana State Board of Education:

On February 4, 2020, the Board of School Trustees (the “Board”) of the Metropolitan School District of Southwest Allen County (“SACS”) approved a resolution to change the procedures by which Board members are elected. A copy of the resolution is enclosed.

SACS encompasses two townships in Allen County: Aboite and Lafayette. The current Board is comprised of five members, and all of the voters within SACS, regardless of township, may vote for all 5 members. Of the five Board seats, one is an “at-large seat,” meaning that the candidate may live in either township, plus two “residence district seats” from each township, meaning that the candidate must be a resident of that township. Due to a large discrepancy in the populations of the two townships, the School Board believes that it would be more equitable to the voters to increase the number of at-large seats and reduce the number of residence district seats. Therefore, the Board passed a resolution to change its structure to five seats comprised of three at-large seats and one residence district seat per Township. Specifically, the two “residence district seats” that will be up for election in 2022 will become “at-large seats” beginning with the 2022 election. All other seats will remain the same.

Pursuant to Ind. Code § 20-23-8-14(a), SACS published notice of the resolution in a newspaper of general circulation within Allen County on February 10, 2020. A copy of the notice is enclosed. The Clerk of the Allen County Circuit Court has confirmed that no one has filed a petition challenging the plan in the February 4th resolution within the one hundred twenty (120)

**RESOLUTION TO CHANGE THE METHOD
FOR ELECTING SCHOOL BOARD MEMBERS**

February 4, 2020

WHEREAS, the Board of School Trustees is the governing body of MSD of Southwest Allen County (SACS), Allen County, Indiana; and

WHEREAS, SACS encompasses two townships in Allen County: Abolte and Lafayette; and

WHEREAS, the current School Board is comprised of five members and all of the voters within SACS, regardless of township, may vote for all 5 members; and

WHEREAS, of the five Board seats, one is an "at-large seat," meaning that the candidate may live in either township, plus two "residence district seats" from each township, meaning that the candidate must be a resident of that township; and

WHEREAS, there is a large discrepancy in the populations of the two townships;

WHEREAS, the School Board believes that it would be more equitable to the voters to increase the number of at-large seats and reduce the number of residence district seats;

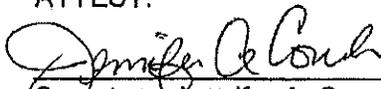
THEREFORE, BE IT RESOLVED, the Board of School Trustees resolves to change its structure to five seats comprised of three at-large seats and one residence district seat per Township. Specifically, the two "residence district seats" that will be up for election in 2022 will become "at-large seats" beginning with the 2022 election. All other seats will remain the same.

This resolution was duly made, seconded and adopted this 4th day of February, 2020.



President, Thomas F. Rhoades
Board of School Trustees
MSD of Southwest Allen County

ATTEST:



Secretary, Jennifer A. Couch
Board of School Trustees
MSD of Southwest Allen County

**NOTICE OF RESOLUTION TO
CHANGE ELECTION PROCEDURES
FOR THE BOARD OF SCHOOL
TRUSTEES FOR THE MSD OF
SOUTHWEST ALLEN COUNTY**

On February 4, 2020, the Board of School Trustees (the "Board") of the Metropolitan School District of Southwest Allen County ("SACS") approved a resolution to change the procedures by which Board members are elected. SACS encompasses two townships in Allen County: Aboite and Lafayette. The current Board is comprised of five members and all of the voters within SACS, regardless of township, may vote for all 5 members. Of the five Board seats, one is an "at-large seat," meaning that the candidate may live in either township, plus two "residence district seats" from each township, meaning that the candidate must be a resident of that township. Due to a large discrepancy in the populations of the two townships, the School Board believes that it would be more equitable to the voters to increase the number of at-large seats and reduce the number of residence district seats. Therefore, the Board passed a resolution to change its structure to five seats comprised of three at-large seats and one residence district seat per Township. Specifically, the two "residence district seats" that will be up for election in 2022 will become "at-large seats" beginning with the 2022 election. All other seats will remain the same.

Pursuant to Ind. Code § 20-23-8-14, within one hundred twenty (120) days of the publication of this notice, voters of the school corporation have the right to file with the Clerk of the Allen County Circuit Court a petition either protesting the plan initiated by the Board or proposing an alternative plan as follows:

1. A petition protesting the plan shall be signed by at least twenty percent (20%) of the voters of the school corporation or five hundred (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 must show the date each person signed the petition and the person's residence on that date.
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The Journal Gazette

Account # 1060871 - 1380114

Allen County, Indiana

Southwest Allen County Schools

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines _____

Head -- number of lines _____

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Total number of lines in notice 65

COMPUTATION OF CHARGES

65 lines, 1 column(s) wide equals
65 equivalent lines at \$ 0.486 cents per line \$ 31.59

Additional charges for notices containing rule or tabular work
 (50 per cent of above amount) -

Charge for extra proofs of publication
 (\$2.00 for each proof in excess of two) -

TOTAL AMOUNT OF CLAIM \$ 31.59

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
 Number of Insertions 1

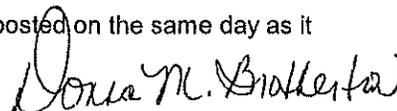
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

<u>2/10/2020</u>	-	-	-	-	-
-	-	-	-	-	-

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.



Donna M. Brotherton
Legal Clerk

Date: February 10, 2020

ATTACH COPY OF ADVERTISEMENT HERE