



INDIANA STATE BOARD OF EDUCATION

CERTIFICATION

Pursuant to IC 20-23-8-15(b)(4), I, Timothy A. Schultz, Deputy General Counsel to the Indiana State Board of Education, do hereby certify that the attached amended governing body selection plan, duly adopted by the Board of Education of the Metropolitan School District of Washington Township on December 9, 2015, was approved by the Indiana State Board of Education on May 11, 2016.

Timothy A. Schultz
Deputy General Counsel
Indiana State Board of Education

METROPOLITAN SCHOOL DISTRICT OF WASHINGTON TOWNSHIP

**RESOLUTION INITIATING AN AMENDED AND RESTATED
PLAN OF ORGANIZATION CHANGING THE TIME AND
MANNER OF THE ELECTION OF MEMBERS
OF THE GOVERNING BODY**

WHEREAS, the Metropolitan School District of Washington Township ("MSDWT") was initially formed in 1955 under the then-statutory provisions of the Metropolitan School District Act as a reorganization of the public schools then operated by the Washington Township Trustee (i.e., those within Washington Township, Marion County, Indiana, not within the jurisdiction of the then School City of Indianapolis);

WHEREAS, the MSDWT was again reorganized in 1962 as a community school corporation - but with the same governing structure and geographical territory - under the School Reorganization Act of 1959, and that plan officially approved by the Indiana State Commission of School Reorganization on January 9, 1962. However, the school corporation retained its current name of the Metropolitan School District of Washington Township even though now organized under the Community School Corporation Act;

WHEREAS, in 2006 there was uncertainty as to whether MSDWT was governed by the Metropolitan School District Act or the Community School Corporation Act to determine the term of an appointment to a vacant Board seat and, as a result, the MSDWT Board of Education filed an action for Declaratory Judgment to resolve the question;

WHEREAS, on December 21, 2006, the Marion County Superior Court determined that MSDWT was a Community School Corporation in a Declaratory Judgment in Metropolitan School District of Washington Township v. Marion County Election Board, Cause Number 49D11-0610-PL-043414;

WHEREAS, MSDWT's current Plan of Organization provides for the election of its non-partisan, five (5) member governing body by all voters in MSDWT, that those members may serve an unlimited number of four (4) year terms, that those terms are staggered so that three (3) members are elected at the primary election in presidential election years, two (2) members are selected at the primary election two (2) years later in Congressional mid-term years and finally, to ensure geographic diversity on the Board, that three (3) residence districts are created in MSDWT with no more than two (2) Board Members elected from the same residence district;

WHEREAS, in 2011, the Indiana General Assembly enacted legislation (IC 20-23-4-29.1(b)) requiring members of the governing body of all public school corporations to be elected at the general election rather than the primary election;

WHEREAS, state law governs the election of public school board members, it is in the best interest of the school community that the MSDWT amend its Plan of Organization so as to avoid any confusion that it complies with state law regarding the election of the members of its governing body;

WHEREAS, the Marion County Election Board ("MCEB") has also asked that MSDWT consider modifying its current Plan of Organization to address the manner in which members of its governing body are elected because the current method does not allow for the use of available automated tabulating technology and, under certain limited circumstances, can lead to unnecessarily complicated ballot instructions, voter confusion, erroneously completed and possibly discarded ballots, delayed results and perceptions of unfairness;

WHEREAS, the Board of Education of MSDWT has developed a Restated Plan of Organization which slightly modifies the election structure for Board Members to address the two (2) issues above but also preserves the current and historical practice of board members elected by and representing all MSDWT voters without concentration of a majority of the Board from just one geographical area (residence district);

WHEREAS, the Board of Education is of the opinion that it is in the best interest of MSDWT to restructure its Plan of Organization;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Metropolitan School District of Washington Township, pursuant to the provisions of IC 20-23-8-10(a)(2), hereby adopts and restates the following MSDWT Plan of Organization:

(End of Recitals – Here Follows Restated Plan of Organization)

Metropolitan School District of Washington Township Plan of Organization

I. Definitions.

- a) The School Corporation shall continue to be called the Metropolitan School District of Washington Township ("MSDWT") even though it will continue as a community school corporation organized pursuant to the Community School Corporation Act.
- b) The governing body of MSDWT shall be called the Board of Education.

II. Effective of Law

This Organizational Plan will be interpreted consistent with Indiana state law and to the extent that any existing or future statute will be inconsistent with this Organizational Plan, this plan will be considered amended to be consistent with state law.

III. Effective Date

This Organizational Plan will be effective the date the Organizational Plan is approved by the Indiana State Board of Education.

IV. Governing Body Qualification Requirements and Manner of Election

A. Number and Residence Districts

The governance of MSDWT shall be vested in a non-partisan Board of Education composed of five (5) board members elected by all of the registered voters residing within MSDWT.

There shall continue to be three (3) geographically defined residence districts. This MSDWT Plan of Organization does not change the boundaries of the current residence districts. These geographical districts are defined in Attachment A.

Three (3) of the five (5) Board Members must reside within and run for a board position from those three geographically limited residence districts with one member elected from each such residence district. The other two (2) Board Member positions will be elected from the at-large district comprising of the entire territory of MSDWT, provided, however, both of the at-large seat Board Members may not reside within the same geographically limited residence district.

B. Eligibility for Membership on Board

To be eligible to serve on the Board a candidate must meet the following requirements:

- i) requirement or qualifications as provided by state law;
- ii) candidates running for election to the Board of Education from one of the three (3) geographical limited residence districts must have been a continuous resident of that 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;

- iii) Candidates running for election to the Board of Education from the at-large district must have been a continuous resident of the MSDWT geographical area for a period of time in excess of one (1) year prior to the date of the general election on which the at-large candidate's name appears on the ballot for election; and (2) does not reside within the same geographically limited residence district as the other incumbent at-large Board Member at the time of the election.

C. Election Date

The Board Members shall be elected by popular vote by voters residing within the entire geographical territory of the School District, which election shall be at the general elections during which the county officials are on the ballot. Three (3) members shall be elected in presidential election years. Two (2) members shall be elected two (2) years later in Congressional mid-term election years.

D. Term of Office

The term of office shall be four (4) years commencing as of January 1 of the calendar year following the calendar year in which the Board Member's election occurred. There shall be no limit on the number of terms to which a member may be elected or appointed. Membership of the Board of Education 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.

E. Transition Plan Implementing New Election Organization of Three (3) Geographically Limited Residence Districts and Two (2) Board Seats from the At-Large District.

i. Schedule of Current Board Terms

Seat #	District	Current Term Began	Current Term Ends	Next Election Date Under Current Law
Seat 1	One	January 1, 2013	December 31, 2016	November 2016
Seat 2	One	January 1, 2015	December 31, 2018	November 2018
Seat 3	Two	January 1, 2013	December 31, 2016	November 2016
Seat 4	Two	January 1, 2015	December 31, 2018	November 2018
Seat 5	Three	January 1, 2013	December 31, 2016	November 2016

ii. Schedule for Next Election of Geographically Limited Residence Districts and the two at-large District Board Members

2016 Election

Three (3) seats up for election at the 2016 general election

- One (1) seat for the at-large district
 - Given a current sitting Board member from District 1 (term expiring in 2018), only candidates from District 2 or 3 may be placed on the ballot for the at-large seat in 2016
- One (1) seat for District 1
- One (1) seat for District 3

2018 Election

Two (2) seats up for election at the 2018 general election

- One (1) seat for the at-large district
 - Commencing with the 2018 election the restriction that the candidate for the "at-large" district seat cannot be from the same geographical limited residence district as the other at-large Board Member is applicable
- One (1) seat for District 2

F. Vacancies on the Board of Education

Vacancies on the Board of Education before the end of the term of office occur as described by state statute governing community school corporations. The procedure for filling a vacancy will be governed by those same statutory provisions.

G. 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.

(End of Restated Plan of Organization)

BE IT FURTHER RESOLVED, that MSDWT's legal counsel 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 Marion County, Indiana.

BE IT FURTHER RESOLVED, that the superintendent, school administration, 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.

BE IT FURTHER RESOLVED by the Board of Education of the Metropolitan School District of Washington Township, Marion County, Indiana, that the foregoing be approved and adopted.

THIS RESOLUTION APPROVED this 9th day of December, 2015.

MSD of Washington Township

Mr. Anthony Dzwonar, President
Board of Education

Attest: _____
Dr. Donald Kite,
Secretary Board of Education

Metropolitan School District of Washington Township

Geographically Defined Residence Districts

for use in the

Election of the Board of Education

District One (1)

BOUNDARY LINES: Beginning at 86th St. and Township Line Rd. East on 86th to Harcourt Rd., South on Harcourt to 79th St., East on 79th to Spring Mill Rd., South on Spring Mill to 75th St., East on 75th to College Ave., South on College to 71st, West on 71st to Central Ave., South on Central to Washington Blvd., Northwest on Washington Blvd. to 71st St., West on 71st to Pennsylvania, South on Pennsylvania to the North Shore of White River, Southwest along the shore to a line which is the projection North of Boulevard Place, South from there to the Water Company Canal, Southwest along the North Shore of the canal to 38th St., West to Township Line Rd., North along the Western Township line to 86th.

District Two (2)

BOUNDARY LINES: Beginning at 96th St., and Township Line Road, South to 86th St., West on 86th to Harcourt Rd. South on Harcourt to 79th St., East on 79th to Spring Mill Rd., South on Spring Mill to 75th St., East on 75th to College Ave., South on College to 71st St., Southeast along the old City of Indianapolis boundary line to Westfield Blvd., South on Westfield to the White River, along the North Shore of White River to 64th St., projected West, along that projected line to 64th St., continuing to Evanston, South on Evanston to Broad Ripple Ave., East on Broad Ripple to Burlington, North on Burlington to McKinley St., West to Keystone Ave., North on Keystone to 71st Str., East on 71st to Dean Rd., North on Dean Rd. to 82nd St., and continuing Northwest as 82nd becomes 86th St., to Manderly, North on Manderly to 91st St., West on 91st to Kerwood, North on Kerwood (extended) to 96th St., West on 96th to Township Line Rd.

District Three (3)

BOUNDARY LINES: Beginning at Kerwood (extended) and 96th St., South on Kerwood to 91st., East on 91st to Manderly, South on Manderly to 86th St., East on 86th and Southeast as it becomes 82nd to Dean Rd., South on Dean Rd., to 71st St., West on 71st to Keystone Ave., South on Keystone to McKinley St., (extended east), along that line to Tacoma Ave., South on Tacoma to 62nd St., East on 62nd to Rural St., South on Rural to Kessler Blvd., East on Kessler to the Norfolk and Western railroad tracks, Southwest along the tracks to Keystone Ave., South on Keystone to 46th St., East on 46th to Penwood Dr., North on Penwood to Willowbrook Pkwy., East on Willowbrook as it becomes 47th St., to Fall Creek Pkwy. N. Dr. Southwest on Fall Creek to 46th St., East on the old City of Indianapolis boundary line and East on 46th to Sherman, South on Sherman to 42nd St., East on 42nd to Berkshire Dr., North on Berkshire to Devon Dr., East on Devon to Emerson Ave., North on Emerson to Emerson Way, North on Emerson Way to Fall Creek Pkwy. N. Dr., East on Fall Creek to the East Township line, along the Township line to 62nd St., East on 62nd (extended) to the East line of the Township, North on that line to 96th St., West on the North Line of the Township to the beginning.