

SCHINDLER AND OLSON

ATTORNEYS AT LAW

122 SOUTH MILL STREET

P.O. BOX 100

MISHAWAKA, INDIANA 46546-0100

(219) 259-5461

FAX (219) 259-5462

JAMES J. OLSON

JOHN SCHINDLER, JR.
(OF COUNSEL)

JOHN W. SCHINDLER (1884-1971)
LEO VAN TILBURY (1900-1966)

June 9, 1998

Larry Beehler
President, Board of School Trustees,
Penn-Harris-Madison School Corporation
Educational Services Center
55900 Bittersweet Road
Mishawaka, IN 46545

Re: PHM Reorganization Plan

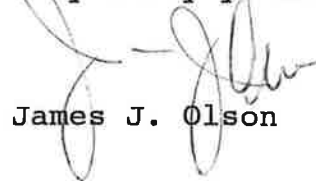
Dear Mr. Beehler:

Please find enclosed a letter dated June 4, 1998, from General Counsel of the Indiana Department of Education, along with the Certification of Indiana State Board of Education, approved on June 4, 1998.

A copy of the Certification and Plan should be made a part of the permanent records of the Penn-Harris-Madison School Corporation. Additional copies can be circulated to all of the members of the Board. I believe this is the final step in the Reorganization Plan, and was effective as of June 4, 1998 and will, therefore, be applicable to the 1998 November election.

If you have any questions whatever regarding the matter, please let me know.

Very truly yours,



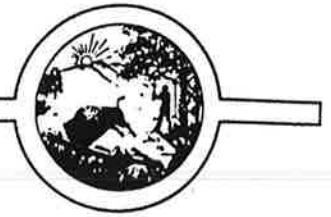
James J. Olson

JO:md

Enclosure

cc: Dr. Robert MacNaughton, w/enc.
John Prince, w/enc.

Indiana Department of Education



Dr. Suellen Reed, Superintendent
Room 229, State House • Indianapolis, IN 46204-2798 • 317/232-6665

June 4, 1998

By Certified Mail:

Ms. Linda Scopelitis, Clerk
St. Joseph County Circuit Court
Courthouse
101 S. Main St.
South Bend, IN 46601

James J. Olson, Esq.
Shindler and Olson
122 S. Mill St.
P.O. Box 100
South Bend, IN 46546-0100

St. Joseph County Election Board
Courthouse
101 S. Main St.
South Bend, IN 46601

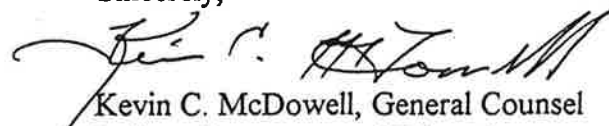
RE: Governing Body Selection Plan
for the Penn-Harris-Madison
School Corporation

To All Affected St. Joseph County Offices and Persons:

Pursuant to I.C. §20-4-10.1-9(b)(4), attached is an original certification by the Chairman for the Indiana State Board of Education that the Indiana State Board of Education has certified the Governing Body Selection Plan for the Board of School Trustees, Penn-Harris-Madison School Corporation, as submitted by the present Board of School Trustees, and that such action occurred at the June 4, 1998, meeting of the Indiana State Board of Education. A true and accurate copy of the aforementioned certified Plan is attached to the original certification.

Should you require anything additional, please advise. My telephone number is (317) 232-6676.

Sincerely,


Kevin C. McDowell, General Counsel
Indiana Department of Education

Enclosure

cc. File

STATE OF INDIANA

DEPARTMENT OF EDUCATION
DR. SUELLEN REED, SUPERINTENDENT



INDIANAPOLIS 46204-2798

ROOM 229 - STATE HOUSE
AREA CODE 317-232-6685

The Indiana State Board of Education hereby certifies, pursuant to I.C. §20-4-10.1-9, the governing body selection plan for the Board of School Trustees of the Penn-Harris-Madison School Corporation as submitted by the present Board of School Trustees. This action follows a review of the plan to insure its compliance with the limitations set out in I.C. §20-4-10.1-3.

CERTIFICATION

I, Suellen Reed, as chairman of the Indiana State Board of Education, do hereby certify that the above and foregoing is a true, correct, and complete copy of the resolution adopted by the Indiana State Board of Education on June 4, 1998, and do further certify that the attached is a true, correct, and complete copy of the plan certified by the Indiana State Board of Education on the above date.

DATE: June 4, 1998

Suellen Reed, Chairman
Indiana State Board of Education

**PENN-HARRIS-MADISON SCHOOL CORPORATION
AMENDMENT TO PLAN OF REORGANIZATION
REGARDING BOARD OF SCHOOL TRUSTEES**

Pursuant to I.C. 20-4-10.1, the Board of School Trustees of the Penn-Harris-Madison School Corporation hereby amends the Plan of Reorganization for the Penn-Harris-Madison School Corporation approved by the State of Indiana on December 23, 1963 by modifying the number, qualifications, length of term, manner, and time of selection of the members of the Board of School Trustees, as follows:

BOARD OF SCHOOL TRUSTEES:

1. **Number:** The Board of School Trustees shall consist of seven (7) members, of whom two (2) shall be residents of Harris Township, one (1) shall be a resident of Madison Township, three (3) shall be residents of Penn Township, and one (1) shall be a member at large, who may be a resident of any of the three Townships.

2. **Selection:**

A. Members of the Board of School Trustees shall be elected in the general election held in November of even numbered years, beginning in 1998. Each member shall be elected upon a non-partisan ballot to be voted on by all registered voters residing in the school district.

B. All board members shall take office and assume their duties on the first day of January next following their election, and the expiration of their predecessors' term of office, and each term shall be for a period of four (4) years.

- C. The new additional member from Harris Township and the member at large shall be elected at the general election to be held in November of 1998.
- D. In the general election to be held in November 2000, two (2) members shall be elected from Penn Township, which will be the members other than the one elected in the primary election of May, 1998, and one (1) member shall be elected from Harris Township, which will be the member currently provided for Harris Township.
- E. In the general election in the Fall of 2002 one (1) member of the Board of School Trustees shall be elected from Penn Township, one (1) member from Madison Township, one (1) member from Harris Township, and one (1) member at large shall be elected.
- F. At the general election in November of 2004, two (2) members of the Board of School Trustees shall be elected from Penn Township, and one (1) from Harris Township.
- G. After November of 2004, members of the Board shall be elected in the general election in November of even numbered years, as terms expire, according to the residence and other qualifications stated herein.
- H. In order to accommodate the transition of electing board members from the May election to the November election, the present members of the Board of School Trustees whose terms would otherwise expire on June 30 of a given year, shall hold over until December 31 of the year in which their terms are scheduled to expire, or

until their successors are elected and qualified under this plan.

I. Members of the Board of School Trustees shall be elected by a simple majority of the votes cast, and if more than one Board position is being filled in a particular Township, the two candidates from the same Township receiving the highest number of votes shall be elected.

3. Qualifications for Board Membership:

A. Any member elected to the Board of School Trustees shall be a registered voter, twenty-one (21) years of age or older, and if said person is a candidate for the at large position, shall be a resident of the School Corporation for at least two (2) years immediately preceding the date of election. If the person is seeking a position from any of the townships, said person shall be a resident of said township for at least two (2) years immediately preceding the date of election.

B. Subject to the qualifications for Board membership, as set forth herein, any Board member may succeed himself or herself in office.

4. Vacancies in the Board Membership:

A. If at any time there shall occur a vacancy on the Board of School Trustees for any reason, the remaining members of the Board shall by a majority vote fill such vacancy by appointing a person from within the boundaries of the Penn-Harris-Madison School Corporation, with the

residence and other qualifications provided for a regularly elected Board member filling such office.

B. In the event of a tie vote among the remaining members of the Board, or their failure to act within thirty (30) days after such vacancy occurs, it shall be the duty of the Judge of the Circuit Court of St. Joseph County to make such appointment.

C. A member so appointed shall serve for the full term or for the balance of any unexpired term.