



MONROE COUNTY
COMMUNITY SCHOOL CORPORATION
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July 17, 2023

Dear Mr. Askins,

Thank you for your inquiry. Board President Shurr asked that I review your questions regarding our Board District Reorganization process with our legal counsel and that I respond to you on behalf of MCCSC. While the statute you cite was newly adopted by the Indiana legislature in 2022 (and amended in 2023), the requirement that some (but not all) public schools redistrict around the decennial census has not changed. The newly adopted statutes apply when a redistricting authority is required by law to redraw election districts. See IC 3-5-10-1(a). When determining what public schools are required by law to redistrict every 10 years around the decennial census, the new statutes direct you to the “applicable statute.” The “applicable statute” is defined as the statute under which a redistricting authority is required to establish election districts. See IC 3-5-10-3. Indiana Code 20-23 contains the “applicable statutes” with respect to the organization of school corporations.

By way of general background, Indiana public schools are required by law to have a plan that is referred to as an organizational plan. A school corporation’s plan sets out the information applicable to the election of school board members (among other requirements). Any time a school corporation’s plan is going to be amended, there is a process that the School Board must follow to amend the plan. That process is set forth in the statutes contained in IC 20-23-8 et seq.

When reading the timing restrictions contained in IC 3-5-10-7, you have to read them in conjunction with applicable statutes contained in IC 20-23-8-8 and IC 20-23-8-8.5. Keep in mind that IC 3-5-10-7 applies when a redistricting authority is required by law to redraw election districts. IC 20-23-8-8 sets out when and which school boards are required to redistrict, and the time frame in which these particular schools must redistrict. More specifically, IC 20-23-8-8(a)(4) addresses when a governing body is required to redistrict, and the time frame in which it must do so. Indiana Code 20-23-8-8(a)(4) states:

(4) If the plan provides for electoral districts, where a member of the governing body is elected solely by the voters of a single district, the districts must be as near as practicable equal in population. The districts shall be reapportioned and their boundaries:

(A) changed, if necessary; or

(B) recertified, if changes are not necessary;

by resolution of the governing body not later than December 31 of the year next following the year in which a decennial census is taken to preserve the equality of the governing body.

As you can see from the applicable statute, the requirement to redraw district boundaries and to do so by December 31 of the year following each decennial census applies only to plans that provide for electoral districts. Electoral districts are districts where a member of the board is elected solely by the voters of a single district. The organizational plan of the MCCSC does not provide for any electoral districts. Rather, the MCCSC’s organizational plan calls for all residential districts. With residential districts, all voters within the entire school corporation boundaries vote for all school board seats in all governing body elections. When the Indiana General Assembly enacted IC 3-5-10-7, it did not change the requirement in the applicable statute - IC 20-23-8-8(a)(4) - that limits the redistricting requirement and the timing of the redistricting requirement to only schools with plans that provide for electoral districts. As such, there is no indication of any legislative intent to begin requiring school boards with all residential districts (like MCCSC) to redistrict every 10 years with the decennial census.



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It makes logical sense why local school boards with organizational plans providing for electoral districts are required to redistrict every 10 years in conjunction with the decennial census. The purpose of this requirement for those schools with electoral districts is to ensure that every vote is of equal value within the school corporation. When shifts in population occur in school corporations with electoral districts, it throws off that equality. With residential districts like is provided for in the plan of the MCCSC, every vote is always of equal value because every voter in the entire School Corporation boundaries always has the opportunity to vote for every school board seat district-wide.

Although the MCCSC Board does not have electoral districts and is therefore not required to redistrict every 10 years in conjunction with the decennial census, the MCCSC Board is still conscious of the concerns of its constituents. The Board has sought out and received a significant amount of input from the community with respect to the MCCSC's current district boundaries. The Board placed the topic of redistricting on the agenda for public feedback and comments and posted an online survey to get a better understanding of public thoughts on this topic. There were numerous surveys completed, and one point that was consistently raised by multiple citizens was the imbalance in population that had occurred over time among the School Corporation's seven residential districts. Indeed, over the course of time, some residential districts have more than doubled in population from some of the other residential districts. The Board took the community feedback, which basically stated that the community only wanted to rebalance the populations of each district, and then had new maps drawn to respond to that feedback.

Please understand there is no intention on the part of the MCCSC Board to move away from residential districts. The Board's proposed changes to its organizational plan will not impede or prevent all registered voters living within the school corporation boundaries from voting for all School Board seats. So, the concept of "one person, one vote" will remain intact.

Thank you for your interest in the MCCSC.

Sincerely,

Dr. Jeff Hauswald
Superintendent

cc: Brandon Shurr, MCCSC Board President