

Resolution #: 2019- 5

**A Resolution Regarding Staffing & Benefits Recommendations Upon
Reorganization of the West Clark Community Schools Corporation**

Come now the Board of School Trustees (the "Board") of the West Clark Community Schools District (the "WCCS"), and for its recommendation regarding the possible reorganization of the WCCS, states as follows, to wit:

WHEREAS, in May 2020 it is planned that there will be a question presented for a referendum vote presented to all registered voters living within the boundaries of the WCCS (the Referendum") to determine if the WCCS should be reorganized by dissolving the WCCS and forming two (2) new school corporations: the Silver Creek School Corporation (the "SCSC") and the Borden-Henryville School Corporation (the "BHSC"); and,

WHEREAS, if the Referendum is approved, the SCSC and BHSC will each be governed by a new Board of School Trustees (hereafter collectively referred to as the "New Boards"); and,

WHEREAS, the WCCS Board recognizes that it cannot make decisions or bind the New Boards with regard to management and operation of the SCSC and the BHSC; and,

WHEREAS, the WCCS Board have been elected or appointed per statute by the voters and the Circuit Court judge, on account of their interest, experience, and qualifications; and,

WHEREAS, the WCCS Board believes that WCCS has many proficient, dedicated, and committed teachers and administrators who have been evaluated and found to be *Effective* or *Highly Effective*; and,

WHEREAS, the WCCS Board also values its central office personnel, classified staff members, who are committed, efficient, helpful, and dedicated; and,

WHEREAS, the WCCS Board also values its retirees and former employees, and has a desire to honor its commitments to them; and,

WHEREAS, if the Referendum is successful the Board desires that an orderly, smooth transition from WCCS to the two new school corporations occur; for administrators, teachers, students, and parents. Now, therefore,

IT IS HEREBY RESOLVED that the WCCS Board STRONGLY URGES and RECOMMENDS to the New Boards that each of the administrators and teachers who have been evaluated as

Effective or Highly Effective be allowed to be employed as an employee of one of the New School Corporations (SCSC or BHSC), on the following conditions:

- That they be offered employment at the schools where they are currently assigned by WCCS, with preferential hiring by the respective new school corporations, as long as the teacher/administrator desires to continue working at that school. But, if a teacher or administrator desires to work in a different school assignment, that he/she must apply to the new school corporation.
- That they be paid at the same salary level as they were at WCCS when WCCS ceases to exist.
- That they be allowed to continue working in the same assigned school and be granted the seniority, accumulated paid time off (and vacation days), and other benefits (including insurance, disability, VEBA, TIAA, CREF, Section 125 programs, annuities, etc. in which they are "vested" by prior contract deadlines) by the respective new school corporation. If the funds/accounts in which the teachers/administrators are currently "vested" are not selected by the new school corporation, those accumulated funds should transfer to the new school corporation's fund vendors where and how applicable by law.
- That personnel who are hired by the New Boards from WCCS be allowed to continue to enroll their child(ren) at the school corporation where they work even if they physically reside in what is considered a "non-resident" school attendance area of that school corporation.

IT IS FURTHER RESOLVED that the WCCS Board desires to stress the following, and encourages the New Boards:

- To immediately adopt the curriculum currently used in WCCS for the 2020-21 school year.
- To promptly vote to continue the software and "cloud" based programs that are currently used by WCCS in regards to student data, teacher records, finance, payroll, and curriculum content/support.

IT IS FURTHER RESOLVED that with regard to its classified staff members who are rated as *Effective or Highly Effective*, the WCCS Board desires to stress the following, and encourages the New Boards to show them due consideration as follows:

- That they be offered employment at the schools where they are currently assigned by WCCS, with preferential hiring by the respective new school corporations, as long as student numbers and disability needs in that school warrant the continuation of the services being provided at that school during the 2020-21 school year.

- That the classified staff members be hired in the same assigned school, with the same seniority, accumulated paid time off, and other benefits (including insurance, disability, Section 125 programs, annuities, etc.) to the new school corporation, and that they be allowed to come to the new school corporations at the same salary level that they were earning when WCCS ceases to exist.
- That personnel who are hired by the New Boards from WCCS be allowed to continue to enroll their child(ren) in the school corporation in which they work even if they physically reside in what is considered a "non-resident" school attendance area of that school corporation

IT IS FURTHER RESOLVED that the WCCS Board encourages the New Boards to show central office personnel due consideration as follows:


- That central office personnel who are rated as Effective or Highly Effective be offered employment positions within one (1) of the two (2) new school corporations during any "Shared Services" agreement for the 2020-21 school year.
- That central office personnel who continue in their same assigned position, be allowed to transfer their seniority, accumulated days, and other benefits (including insurance, disability, Section 125 programs, annuities, etc.) to the new school corporation, and they be allowed to maintain their current salary for the same assigned position in the "Shared Services" agreement when West Clark ceases to exist.
- The central office personnel be allowed to continue enrollment of their child(ren) in the school corporation in which they work even if they physically reside in what is considered a "non-resident" school attendance area of that school corporation

IT IS FURTHER RESOLVED that the WCCS Board encourages the New Boards to show WCCS retirees due consideration as follows:

- The former WCCS personnel who have retired from WCCS, who are receiving benefits designated in the contract/memorandum of understanding with WCCS effective upon their retirement, be allowed to transfer these benefits (including retirement, insurance, disability, VEBA, TIAA, CREF, Section 125 programs, annuities, etc.) to the respective new school corporation.
- The new school corporation which will be responsible for these benefits is based upon the assignment of the person at the time of his/her retirement. If the person worked in multiple school location assignments, the new corporation that will be responsible is the one where the person worked at least fifty-one (51%) percent of their time while employed by West Clark Community Schools.

We, the undersigned, being all the West Clark Community Schools Board of School Trustees, consent and agree on the above.

All of which is Resolved on the 12th Day of December, 2019.



Doug Coffman, President



Joe Basham, Vice-President



Myra W. Powell, Secretary



Brian Guernsey, Member

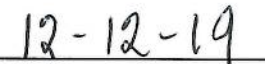


Kevin Puckett, Member

As the Secretary of the Corporation, I certify that the above is a true and correct copy of the resolution that was duly adopted at a public meeting of the West Clark Community Schools Board of School Trustees on the 12th day of December, 2019.



Myra W. Powell, Secretary



Date