

# HOUSE BILL No. 1218

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** Numerous citations throughout the Indiana Code.

**Synopsis:** Various education matters. Makes comprehensive revisions to the Indiana Code relating to all aspects of the administration of schools and school corporations and the education of students from prekindergarten through grade 12. Repeals various obsolete provisions and provisions that limit local control of schools. Makes conforming and technical amendments.

**Effective:** July 1, 2015.

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January 13, 2015, read first time and referred to Committee on Education.

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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

# HOUSE BILL No. 1218



A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 3-8-1-34 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2015]: Sec. 34. (a) A candidate for a school  
3 board office must have resided in the school corporation for at least one  
4 (1) year before the election. ~~unless a longer period is required under~~  
5 ~~IC 20.~~

6 (b) This subsection applies to a candidate for school board office  
7 seeking to represent an election district that consists of less than the  
8 entire school corporation. The candidate must have resided in the  
9 election district for at least one (1) year before the election. ~~unless a~~  
10 ~~longer period is required under IC 20.~~

11 SECTION 2. IC 3-8-2.5-2, AS AMENDED BY P.L.76-2014,  
12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2015]: Sec. 2.(a) A candidate for a school board office must  
14 file a petition of nomination in accordance with this chapter and as  
15 required under IC 20-23 or IC 20-25. The petition of nomination, once



1 filed, serves as the candidate's declaration of candidacy for a school  
2 board office.

3 (b) A candidate may be nominated for a school board office by  
4 petition of voters who are:

- 5 (1) registered to vote at the residence address set forth on the  
6 petition on the date the petition is certified under this chapter; and  
7 (2) qualified to vote for the candidate.

8 ~~(c) The petition of nomination must be signed by the number of~~  
9 ~~voters required for the school board office under IC 20-23 or IC 20-25.~~

10 ~~(d)~~ (c) Except as provided in this subsection, the signature, printed  
11 name, and residence address of the petitioner must be made in writing  
12 by the petitioner. If a petitioner with a disability is unable to write this  
13 information on the petition, the petitioner may authorize an individual  
14 to do so on the petitioner's behalf. The individual acting under this  
15 subsection shall execute an affidavit of assistance for each such  
16 petitioner, in a form prescribed by the commission. The form must set  
17 forth the name and address of the individual providing assistance, and  
18 the date the individual provided the assistance. The form must be  
19 submitted with the petition.

20 SECTION 3. IC 3-12-11-25, AS AMENDED BY P.L.225-2011,  
21 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2015]: Sec. 25. (a) Except as provided in subsection (b),  
23 whenever the commission makes a final determination under section  
24 18 of this chapter that the candidate who is subject to a contest  
25 proceeding is not eligible to serve in the office to which the candidate  
26 is nominated or elected, the candidate who received the second highest  
27 number of votes for the office is entitled to a certificate of nomination  
28 or certificate of election even though a certificate may have been issued  
29 to another candidate upon the tabulation of the votes.

30 (b) This subsection applies to a contest proceeding for a state office  
31 other than the offices of governor, lieutenant governor, justice of the  
32 supreme court, judge of the court of appeals, and judge of the tax court.  
33 Whenever the commission makes a final determination under section  
34 18(b) of this chapter that the candidate who is subject to a contest  
35 proceeding is not eligible to serve in the office to which the candidate  
36 is elected the following apply:

- 37 (1) This subdivision does not apply to the filling of a state office  
38 following a contest proceeding or court action that resulted from  
39 an election held before January 1, 2011. The office is considered  
40 vacant, and the governor shall fill the vacancy as provided in  
41 IC 3-13-4-3(e) by the appointment of a person of the same  
42 political party as the candidate who is not eligible to serve.



(2) The commission's determination that the candidate is not eligible to serve in the office does not affect the votes cast for the candidate for purposes of determining the number or percentage of votes cast for purposes of other statutes, including IC 3-5-2-30, IC 3-6-2-1, IC 3-6-4.1-6, IC 3-6-5.2-7, IC 3-6-6-8, IC 3-6-7-1, IC 3-6-8-1, IC 3-8-4, IC 3-8-6, IC 3-10-1-2, IC 3-10-2-15, IC 3-10-4-2, IC 3-10-6, IC 3-10-7-26, IC 3-11-2-6, IC 3-11-13-11, IC 3-11-14-3.5, IC 3-13-9-4.5, IC 6-9-2-3, ~~IC 20-23-7-12~~, and IC 36-4-1.5-2.

SECTION 4. IC 3-14-5-8, AS ADDED BY P.L.164-2006, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) As used in this section, "governmental entity" refers to any of the following:

- (1) A city.
- (2) A town.
- ~~(3) A school corporation.~~
- ~~(4)~~ **(3)** An agency of a governmental entity referred to in any of subdivisions (1) through ~~(3)~~: **(2)**.

(b) As used in this section, "date of conviction" refers to the date when:

- (1) in a jury trial, a jury publicly announces a verdict against a person for a felony or Class A misdemeanor;
- (2) in a bench trial, the court publicly announces a verdict against a person for a felony or Class A misdemeanor; or
- (3) in a guilty plea hearing, a person pleads guilty or nolo contendere to a felony or Class A misdemeanor.

(c) A person who is convicted under IC 3-14-2 of a felony or Class A misdemeanor that relates to an election for an office for a governmental entity shall not:

- (1) continue employment with;
- (2) obtain future employment with;
- (3) contract with; or
- (4) be a subcontractor under a contract with;

any governmental entity for at least twenty (20) years after the date of conviction.

(d) For at least twenty (20) years after the person's date of conviction, a governmental entity may not:

- (1) employ;
- (2) offer employment to;
- (3) contract with; or
- (4) maintain a contractual relationship when a subcontractor is;

a person who is convicted under IC 3-14-2 of a felony or Class A



1 misdemeanor that relates to an election for an office for any  
2 governmental entity.

3 (e) If:

4 (1) a person was employed by a governmental entity;

5 (2) the person was convicted under IC 3-14-2 of a felony or Class

6 A misdemeanor relating to an election for an office for a  
7 governmental entity;

8 (3) the person's employment with the governmental entity was  
9 discontinued under subsection (c) or (d); and

10 (4) the person's conviction is reversed, vacated, or set aside;

11 the governmental entity shall reemploy the person in the same position  
12 the person held before the person's conviction or in another position  
13 equivalent in benefits, pay, and working conditions to the position the  
14 person held before the person's conviction, and the person is entitled to  
15 receive any salary or other remuneration that the person would have  
16 received if the person's employment had not been discontinued under  
17 subsection (c) or (d).

18 (f) The attorney general may petition a court with jurisdiction for an  
19 injunction against a person who violates subsection (c) or a  
20 governmental entity that violates subsection (d).

21 (g) The attorney general may petition a court with jurisdiction to  
22 impose a civil penalty of not more than one thousand dollars (\$1,000)  
23 on a person who violates subsection (c).

24 SECTION 5. IC 4-12-1-2 IS AMENDED TO READ AS FOLLOWS  
25 [EFFECTIVE JULY 1, 2015]: Sec. 2. As used in this chapter unless a  
26 different meaning appears from the context:

27 (a) The word "committee" means the budget committee.

28 (b) The word "director" or the term "budget director" means the  
29 person who is director of the budget agency.

30 (c) The term "appointing authority" means the head of an agency of  
31 the state.

32 (d) The terms "agency of the state" or "agencies of the state" or  
33 "state agency" or "state agencies" mean and include every office,  
34 officer, board, commission, department, division, bureau, committee,  
35 fund, agency, and, without limitation by reason of any enumeration  
36 herein, every other instrumentality of the state of Indiana, now existing  
37 or which may be created hereafter; every hospital, every penal  
38 institution and every other institutional enterprise and activity of the  
39 state of Indiana, wherever located; the universities and colleges  
40 supported in whole or in part by state funds; the judicial department of  
41 the state of Indiana; and all non-governmental organizations receiving  
42 financial support or assistance from the state of Indiana; but shall not



1 mean nor include cities, towns, townships, school cities, school towns,  
 2 ~~school townships~~, school districts, nor other municipal corporations or  
 3 political subdivisions of the state.

4 (e) The terms "budget bill" or "budget bills" shall mean a bill for an  
 5 act, or two (2) or more such bills, prepared as authorized in this  
 6 chapter, by which substantially all of the appropriations are made that  
 7 are necessary and required to carry on state government for the budget  
 8 period, if and when such bill is, or such bills are, enacted into law.

9 (f) The term "budget report" shall mean a written explanation of the  
 10 budget bill or bills, and a general statement of the reasons for the  
 11 appropriations therein and of the sources and extent of state income to  
 12 meet such appropriations, together with such further parts as are  
 13 required by law.

14 (g) The term "budget period" means that period of time for which  
 15 appropriations are made in the budget bill or budget bills.

16 SECTION 6. IC 4-34-3-5 IS REPEALED [EFFECTIVE JULY 1,  
 17 2015]. ~~Sec. 5: Money in the fund shall be allocated annually to the~~  
 18 ~~technology grant plan program established under IC 20-20-13 for~~  
 19 ~~technology plan grants to school corporations under IC 20-20-13.~~

20 SECTION 7. IC 5-1-6-2 IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2015]: Sec. 2. The following terms wherever  
 22 used or referred to in this chapter shall have the following meanings,  
 23 unless a different meaning appears from the context:

24 (a) The term "issuing body" shall mean counties, cities, towns,  
 25 townships, school cities, school towns, ~~school townships~~, districts,  
 26 political or civil subdivisions, or other public corporate bodies of this  
 27 state.

28 (b) The term "governing body" shall mean the council, commission,  
 29 board, or other body, officer, or officers which constitutes the  
 30 governing body of an issuing body.

31 (c) The term "law" shall mean any law, act, or statute, general,  
 32 special, or local, of this state.

33 (d) The term "enterprise" shall mean any work or works,  
 34 undertaking, utility, or project which the issuing body is authorized to  
 35 construct and from which the municipality derives revenues for the  
 36 refinancing, or the refinancing and improving of which enterprise,  
 37 refunding bonds are issued under this chapter, and such enterprise shall  
 38 include all improvements, betterments, extensions and replacements  
 39 thereto, and all appurtenances, facilities, lands, rights in land, water  
 40 rights, franchises, and structures in connection therewith or incidental  
 41 thereto.

42 (e) The term "federal agency" shall include the United States of



1 America, the President of the United States of America, or any agency,  
2 instrumentality or corporation of the United States of America,  
3 designated or created by or pursuant to any act or acts or joint  
4 resolution or joint resolutions of the Congress of the United States of  
5 America, or which may be owned or controlled, directly or indirectly,  
6 by the United States of America.

7 (f) The term "improving" shall mean reconstructing, replacing,  
8 extending, repairing, bettering, equipping, developing, embellishing or  
9 improving or any one (1) or more or all of the foregoing.

10 (g) The term "refunding bonds" shall mean notes, bonds, or other  
11 obligations of an issuing body issued pursuant to this chapter, or  
12 pursuant to any other law, as supplemented by, or in conjunction with  
13 this chapter.

14 (h) The term "refinancing" shall mean funding, refunding, paying,  
15 or discharging, by means of refunding bonds or the proceeds received  
16 from the sale thereof, all or any part of any notes, bonds, or other  
17 obligations issued to finance or to aid in financing the acquisition,  
18 construction or improving of an enterprise and payable solely from all  
19 or any part of the revenues thereof, including interest thereon in arrears  
20 or about to become due, whether or not represented by coupons or  
21 interest certificates.

22 (i) The term "revenues" shall mean all fees, tolls, rates, rentals and  
23 charges to be levied and collected in connection with and all other  
24 income and receipts of whatever kind or character derived by the  
25 issuing body from the operation of any enterprise or arising from any  
26 enterprise.

27 (j) The term "holder of bonds" or "bondholders" or any similar term  
28 shall mean any person who shall be the bearer of any outstanding  
29 refunding bond or refunding bonds registered to bearer or not  
30 registered, or the registered owner of any such outstanding bond or  
31 bonds which shall at the time be registered other than to bearer.

32 (k) Words importing the singular number shall include the plural  
33 number in each case and vice versa, and words importing persons shall  
34 include firms, limited liability companies, and corporations.

35 SECTION 8. IC 5-1-10-1 IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2015]: Sec. 1. Any civil ~~or school~~ township in  
37 the state whose indebtedness is evidenced by bonds, notes, judgments,  
38 or other obligations issued or negotiated by such township, or rendered  
39 against such township, may for the purpose of funding or refunding  
40 such indebtedness, or any part thereof, reducing the rate of interest  
41 thereon, extending the time of payment and canceling so much thereof  
42 as may be or become due, by the vote of two-thirds (2/3) of the



1 members of the township board, and with the approval of the township  
 2 trustee, issue its bonds, with interest coupons attached, for an amount  
 3 not exceeding in the aggregate the whole amount of the indebtedness  
 4 of such township.

5 SECTION 9. IC 5-10.4-1-8, AS ADDED BY P.L.2-2006, SECTION  
 6 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 7 2015]: Sec. 8. "Governing body" means:

8 ~~(1) a township trustee and the township board; of a school~~  
 9 ~~township;~~

10 (2) (1) a board of school commissioners;

11 (3) (2) a metropolitan board of education;

12 (4) (3) a board of trustees; or

13 (5) (4) another board or commission;

14 charged by law with the responsibility of administering the affairs of a  
 15 school corporation.

16 SECTION 10. IC 5-10.4-1-13, AS ADDED BY P.L.2-2006,  
 17 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2015]: Sec. 13. "School corporation" means a public school  
 19 corporation established by and under Indiana law. The term includes  
 20 any:

21 (1) school city;

22 (2) school town;

23 ~~(3) school township;~~

24 (4) (3) consolidated school corporation;

25 (5) (4) metropolitan school district;

26 (6) (5) township school corporation;

27 (7) (6) county school corporation;

28 (8) (7) united school corporation; or

29 (9) (8) community school corporation.

30 SECTION 11. IC 5-11-6-5 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The provisions  
 32 of this chapter shall not be construed as repealing any laws in force on  
 33 March 7, 1923, but shall be construed only as conferring additional  
 34 duties and powers upon the state examiner, deputy examiners, field  
 35 examiners, and the attorney general of the state and providing  
 36 additional remedies as to the matters set forth in those laws, and all the  
 37 remedies provided in this chapter shall be additional and concurrent  
 38 and not exclusive.

39 (b) The term "municipality", as used in this chapter, shall be  
 40 construed to extend to and include any county, township, city, town,  
 41 school town, ~~school township~~; school city, or board of park  
 42 commissioners in this state.





1 SECTION 12. IC 5-11-10-1.6, AS AMENDED BY  
 2 P.L.182-2009(ss), SECTION 77, IS AMENDED TO READ AS  
 3 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1.6. (a) As used in this  
 4 section, "governmental entity" refers to any of the following:

- 5 (1) A municipality (as defined in IC 36-1-2-11).
- 6 (2) A school corporation (as defined in IC 36-1-2-17), including  
 7 a school extracurricular account.
- 8 (3) A county.
- 9 (4) A regional water or sewer district organized under IC 13-26  
 10 or under IC 13-3-2 (before its repeal).
- 11 (5) A municipally owned utility that is subject to IC 8-1.5-3 or  
 12 IC 8-1.5-4.
- 13 (6) A board of an airport authority under IC 8-22-3.
- 14 (7) A board of aviation commissioners under IC 8-22-2.
- 15 (8) A conservancy district.
- 16 (9) A public transportation corporation under IC 36-9-4.
- 17 (10) A commuter transportation district under IC 8-5-15.
- 18 (11) The state.
- 19 (12) A solid waste management district established under  
 20 IC 13-21 or IC 13-9.5 (before its repeal).
- 21 (13) A levee authority established under IC 14-27-6.
- 22 (14) A county building authority under IC 36-9-13.
- 23 (15) A soil and water conservation district established under  
 24 IC 14-32.
- 25 (16) The northwestern Indiana regional planning commission  
 26 established by IC 36-7-7.6-3.
- 27 (17) The commuter rail service board established under  
 28 IC 8-24-5.
- 29 (18) The regional demand and scheduled bus service board  
 30 established under IC 8-24-6.

31 (b) As used in this section, "claim" means a bill or an invoice  
 32 submitted to a governmental entity for goods or services.

33 (c) The fiscal officer of a governmental entity may not draw a  
 34 warrant or check for payment of a claim unless:

- 35 (1) there is a fully itemized invoice or bill for the claim;
- 36 (2) the invoice or bill is approved by the officer or person  
 37 receiving the goods and services;
- 38 (3) the invoice or bill is filed with the governmental entity's fiscal  
 39 officer;
- 40 (4) the fiscal officer audits and certifies before payment that the  
 41 invoice or bill is true and correct; and
- 42 (5) payment of the claim is allowed by the governmental entity's



- 1 legislative body or the board or official having jurisdiction over  
 2 allowance of payment of the claim.
- 3 ~~This subsection does not prohibit a school corporation, with prior~~  
 4 ~~approval of the board having jurisdiction over allowance of payment of~~  
 5 ~~the claim, from making payment in advance of receipt of services as~~  
 6 ~~allowed by guidelines developed under IC 20-20-13-10. This~~  
 7 subsection does not prohibit a municipality from making meal expense  
 8 advances to a municipal employee who will be traveling on official  
 9 municipal business if the municipal fiscal body has adopted an  
 10 ordinance allowing the advance payment, specifying the maximum  
 11 amount that may be paid in advance, specifying the required invoices  
 12 and other documentation that must be submitted by the municipal  
 13 employee, and providing for reimbursement from the wages of the  
 14 municipal employee if the municipal employee does not submit the  
 15 required invoices and documentation.
- 16 (d) The fiscal officer of a governmental entity shall issue checks or  
 17 warrants for claims by the governmental entity that meet all of the  
 18 requirements of this section. The fiscal officer does not incur personal  
 19 liability for disbursements:
- 20 (1) processed in accordance with this section; and  
 21 (2) for which funds are appropriated and available.
- 22 (e) The certification provided for in subsection (c)(4) must be on a  
 23 form prescribed by the state board of accounts.
- 24 SECTION 13. IC 5-16-7-1, AS AMENDED BY P.L.195-2011,  
 25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2015]: Sec. 1. (a) **This section does not apply to a school**  
 27 **corporation.**
- 28 (b) Any firm, individual, partnership, limited liability company, or  
 29 corporation that is awarded a contract by the state, a political  
 30 subdivision, or a municipal corporation for the construction of a public  
 31 work, and any subcontractor of the construction, shall pay for each  
 32 class of work described in subsection ~~(c)(1)~~ (d)(1) on the project a  
 33 scale of wages that may not be less than the common construction  
 34 wage.
- 35 ~~(b)~~ (c) For the purpose of ascertaining what the common  
 36 construction wage is in the county, the awarding governmental agency,  
 37 before advertising for the contract, shall set up a committee of five (5)  
 38 persons as follows:
- 39 (1) One (1) person representing labor, to be named by the  
 40 president of the state federation of labor.  
 41 (2) One (1) person representing industry, to be named by the  
 42 awarding agency.



- 1 (3) A third member to be named by the state president of the
- 2 Associated Builders and Contractors.
- 3 (4) One (1) taxpayer who pays the tax that will be the funding
- 4 source for the project and resides in the county where the project
- 5 is located. The owner of the project shall make the appointment
- 6 under this subdivision.
- 7 (5) One (1) taxpayer who pays the tax that will be the funding
- 8 source for the project and resides in the county where the project
- 9 is located. The legislative body (as defined in IC 36-1-2-9) for the
- 10 county where the project is located shall make the appointment
- 11 under this subdivision.
- 12 ~~(e)~~ (d) As soon as appointed, the committee shall meet in the county
- 13 where the project is located and determine in writing the following:
- 14 (1) A classification of the labor to be employed in the
- 15 performance of the contract for the project, divided into the
- 16 following three (3) classes:
- 17 (A) Skilled labor.
- 18 (B) Semiskilled labor.
- 19 (C) Unskilled labor.
- 20 (2) The wage per hour to be paid each of the classes.
- 21 The committee is not required to consider information not presented to
- 22 the committee at the meeting. IC 5-14-1.5 (open door law) applies to
- 23 a meeting of the committee.
- 24 ~~(d)~~ (e) The rate of wages determined by the committee under
- 25 subsection ~~(e)~~ (d) applies to any contract for which the awarding
- 26 government agency lets not later than three (3) months after the date
- 27 the committee determines the rate of wages. The committee shall
- 28 establish wages for all classifications of work that may be employed on
- 29 projects subject to contracts let by the awarding agency for three (3)
- 30 months after the date the committee determines the rate of wages. If an
- 31 awarding agency advertises for a contract that includes classifications
- 32 that are not listed on the existing wage scale, the awarding agency shall
- 33 form a new committee under subsection ~~(b)~~ (c) to determine the
- 34 classifications and wages on the contract.
- 35 ~~(e)~~ (f) If the awarding government agency lets for a contract later
- 36 than three (3) months after the committee determines the rate of wages,
- 37 the awarding government agency shall form a new committee under
- 38 subsection ~~(b)~~ (c) to determine a rate of wages for the contract. The rate
- 39 of wages determined under this subsection applies to any contract for
- 40 which the awarding government agency lets not later than three (3)
- 41 months after the rate of wages is determined under this subsection.
- 42 ~~(f)~~ (g) The rate of wages determined under subsection ~~(e)~~ (d) shall



1 not be less than the common construction wage for each of the three (3)  
 2 classes of wages described in subsection ~~(e)~~ **(d)** that are currently being  
 3 paid in the county where the project is located.

4 ~~(g)~~ **(h)** This chapter does not apply to contracts let by the Indiana  
 5 department of transportation for the construction of highways, streets,  
 6 and bridges. IC 8-23-9 applies to state highway projects.

7 ~~(h)~~ **(i)** A determination under subsection ~~(e)~~ **(d)** shall be made and  
 8 filed with the awarding agency at least two (2) weeks prior to the date  
 9 fixed for the letting, and a copy of the determination shall be furnished  
 10 upon request to any person desiring to bid on the contract. The  
 11 schedule is open to the inspection of the public.

12 ~~(i)~~ **(j)** If the committee appointed under subsection ~~(b)~~ **(c)** fails to act  
 13 and to file a determination under subsection ~~(e)~~ **(d)** at or before the  
 14 time required under subsection ~~(h)~~; **(i)**, the awarding agency shall make  
 15 the determination, and its finding shall be final.

16 ~~(j)~~ **(k)** It shall be a condition of a contract awarded under this  
 17 chapter that the successful bidder and all subcontractors shall comply  
 18 strictly with the determination made under this section.

19 ~~(k)~~ **(l)** This chapter does not apply to public projects in Indiana that  
 20 would otherwise be subject to this chapter that are to be paid for in  
 21 whole or in part with funds granted by the federal government, unless  
 22 the department of the federal government making the grant consents in  
 23 writing that this chapter is applicable to the project.

24 ~~(l)~~ **(m)** Notwithstanding any other law, this chapter applies to  
 25 projects that will be:

- 26 (1) owned entirely; or
- 27 (2) leased with an option to purchase;

28 by the state or a political subdivision (as defined in IC 36-1-2-13).

29 ~~(m)~~ **(n)** Notwithstanding any other law, this chapter does not apply  
 30 to projects in which the actual construction costs are less than the  
 31 following:

- 32 (1) For contracts awarded after December 31, 2011, and before  
 33 January 1, 2013, two hundred fifty thousand dollars (\$250,000).
- 34 (2) For contracts awarded after December 31, 2012, three hundred  
 35 fifty thousand dollars (\$350,000).

36 SECTION 14. IC 6-1.1-1-16 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 16. "School  
 38 corporation" means any public school corporation established under the  
 39 laws of the state of Indiana. The term includes, but is not limited to, any  
 40 school city, school town, ~~school township~~, consolidated school  
 41 corporation, metropolitan school district, township school corporation,  
 42 county school corporation, united school corporation, and a community



1 school corporation.

2 SECTION 15. IC 6-1.1-17-5.6, AS AMENDED BY P.L.111-2014,  
 3 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2015]: Sec. 5.6. (a) For budget years beginning before July 1,  
 5 2011, this section applies only to a school corporation that is located in  
 6 a city having a population of more than one hundred thousand  
 7 (100,000) but less than one hundred ten thousand (110,000). For  
 8 budget years beginning after June 30, 2011, this section applies to all  
 9 school corporations. Beginning in 2011, Each school corporation may  
 10 elect to adopt a budget under this section that applies from July 1 of the  
 11 year through June 30 of the following year. In the initial budget  
 12 adopted by a school corporation under this section, the first six (6)  
 13 months of that initial budget must be consistent with the last six (6)  
 14 months of the budget adopted by the school corporation for the  
 15 calendar year in which the school corporation elects by resolution to  
 16 begin adopting budgets that correspond to the state fiscal year. A  
 17 corporation shall submit a copy of the resolution to the department of  
 18 local government finance and the department of education not more  
 19 than thirty (30) days after the date the governing body adopts the  
 20 resolution.

21 (b) Before April 1 of each year, the officers of the school  
 22 corporation shall meet to fix the budget for the school corporation for  
 23 the ensuing budget year, with notice given by the same officers.  
 24 However, if a resolution adopted under subsection (d) is in effect, the  
 25 officers shall meet to fix the budget for the ensuing budget year before  
 26 November 1.

27 (c) Each year, at least two (2) days before the first meeting of the  
 28 county board of tax adjustment held under IC 6-1.1-29-4, the school  
 29 corporation shall file with the county auditor:

30 (1) a statement of the tax rate and tax levy fixed by the school  
 31 corporation for the ensuing budget year;

32 (2) two (2) copies of the budget adopted by the school corporation  
 33 for the ensuing budget year; and

34 (3) any written notification from the department of local  
 35 government finance under section 16(i) of this chapter that  
 36 specifies a proposed revision, reduction, or increase in the budget  
 37 adopted by the school corporation for the ensuing budget year.

38 Each year the county auditor shall present these items to the county  
 39 board of tax adjustment at the board's first meeting under  
 40 IC 6-1.1-29-4.

41 (d) The governing body of the school corporation may adopt a  
 42 resolution to cease using a school year budget year and return to using



1 a calendar year budget year. A resolution adopted under this subsection  
 2 must be adopted after January 1 and before July 1. The school  
 3 corporation's initial calendar year budget year following the adoption  
 4 of a resolution under this subsection begins on January 1 of the year  
 5 following the year the resolution is adopted. The first six (6) months of  
 6 the initial calendar year budget for the school corporation must be  
 7 consistent with the last six (6) months of the final school year budget  
 8 fixed by the department of local government finance before the  
 9 adoption of a resolution under this subsection.

10 (e) A resolution adopted under subsection (d) may be rescinded by  
 11 a subsequent resolution adopted by the governing body. If the  
 12 governing body of the school corporation rescinds a resolution adopted  
 13 under subsection (d) and returns to a school year budget year, the  
 14 school corporation's initial school year budget year begins on July 1  
 15 following the adoption of the rescinding resolution and ends on June  
 16 30 of the following year. The first six (6) months of the initial school  
 17 year budget for the school corporation must be consistent with the last  
 18 six (6) months of the last calendar year budget fixed by the department  
 19 of local government finance before the adoption of a rescinding  
 20 resolution under this subsection.

21 SECTION 16. IC 6-1.1-18-3, AS AMENDED BY P.L.1-2010,  
 22 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2015]: Sec. 3. (a) Except as provided in subsection (b), the  
 24 sum of all tax rates for all political subdivisions imposed on tangible  
 25 property within a political subdivision may not exceed:

- 26 (1) forty-one and sixty-seven hundredths cents (\$0.4167) on each  
 27 one hundred dollars (\$100) of assessed valuation in territory  
 28 outside the corporate limits of a city or town; or  
 29 (2) sixty-six and sixty-seven hundredths cents (\$0.6667) on each  
 30 one hundred dollars (\$100) of assessed valuation in territory  
 31 inside the corporate limits of a city or town.

32 (b) The proper officers of a political subdivision shall fix tax rates  
 33 which are sufficient to provide funds for the purposes itemized in this  
 34 subsection. The portion of a tax rate fixed by a political subdivision  
 35 shall not be considered in computing the tax rate limits prescribed in  
 36 subsection (a) if that portion is to be used for one (1) of the following  
 37 purposes:

- 38 (1) To pay the principal or interest on a funding, refunding, or  
 39 judgment funding obligation of the political subdivision.  
 40 ~~(2) To pay the principal or interest on an outstanding obligation~~  
 41 ~~issued by the political subdivision if notice of the sale of the~~  
 42 ~~obligation was published before March 9, 1937.~~



1           ~~(2)~~ **(2)** To pay the principal or interest upon:  
2           (A) an obligation issued by the political subdivision to meet an  
3           emergency which results from a flood, fire, pestilence, war, or  
4           any other major disaster; or  
5           (B) a note issued under IC 36-2-6-18, IC 36-3-4-22,  
6           IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county  
7           to acquire necessary equipment or facilities for municipal or  
8           county government.  
9           ~~(4)~~ **(3)** To pay the principal or interest upon an obligation issued  
10          in the manner provided in:  
11          (A) IC 6-1.1-20-3 (before its repeal);  
12          (B) IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2; or  
13          (C) IC 6-1.1-20-3.5 through IC 6-1.1-20-3.6.  
14          ~~(5)~~ **(4)** To pay a judgment rendered against the political  
15          subdivision.  
16          (c) Except as otherwise provided in IC 6-1.1-19 (before January 1,  
17          2009), IC 6-1.1-18.5, IC 20-45 (before January 1, 2009), or IC 20-46,  
18          a county board of tax adjustment, a county auditor, or the department  
19          of local government finance may review the portion of a tax rate  
20          described in subsection (b) only to determine if it exceeds the portion  
21          actually needed to provide for one (1) of the purposes itemized in that  
22          subsection.  
23          SECTION 17. IC 6-1.1-20-7, AS AMENDED BY P.L.146-2008,  
24          SECTION 196, IS AMENDED TO READ AS FOLLOWS  
25          [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) This section does not apply  
26          to bonds, notes, or warrants for which a political subdivision:  
27          (1) after June 30, 2008, makes a preliminary determination as  
28          described in section 3.1 or 3.5 of this chapter or a decision as  
29          described in section 5 of this chapter; or  
30          (2) in the case of bonds, notes, or warrants not subject to section  
31          3.1, 3.5, or 5 of this chapter, adopts a resolution or ordinance  
32          authorizing the bonds, notes, or warrants after June 30, 2008.  
33          (b) When the proper officers of a political subdivision decide to  
34          issue any bonds, notes, or warrants which will be payable from  
35          property taxes and which will bear interest in excess of eight percent  
36          (8%) per annum, the political subdivision shall submit the matter to the  
37          department of local government finance for review. The department of  
38          local government finance may either approve or disapprove the rate of  
39          interest.  
40          **(c) This section does not apply to a school corporation.**  
41          SECTION 18. IC 20-18-2-5, AS ADDED BY P.L.1-2005,  
42          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2015]: Sec. 5. "Governing body" means:  
 2       (1) a township trustee and the township board; of a school  
 3 township;  
 4       (2) a county board of education;  
 5       (3) (1) a board of school commissioners;  
 6       (4) (2) a metropolitan board of education;  
 7       (5) (3) a board of trustees; or  
 8       (6) (4) any other board or commission charged by law with the  
 9 responsibility of administering the affairs of a school corporation.  
 10 SECTION 19. IC 20-18-2-16, AS AMENDED BY P.L.190-2013,  
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2015]: Sec. 16. (a) "School corporation", for purposes of this  
 13 title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7,  
 14 IC 20-28-11.5, IC 20-30-8, and IC 20-43), means a public school  
 15 corporation established by Indiana law. The term includes a:  
 16       (1) school city;  
 17       (2) school town;  
 18       (3) school township;  
 19       (4) (3) consolidated school corporation;  
 20       (5) (4) metropolitan school district;  
 21       (6) (5) township school corporation;  
 22       (7) (6) county school corporation;  
 23       (8) (7) united school corporation; or  
 24       (9) (8) community school corporation.  
 25       (b) "School corporation", for purposes of IC 20-26-1 through  
 26 IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.  
 27       (c) "School corporation", for purposes of IC 20-20-33 IC 20-26-18;  
 28 and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).  
 29       (d) "School corporation", for purposes of IC 20-43, has the meaning  
 30 set forth in IC 20-43-1-23.  
 31       (e) "School corporation", for purposes of IC 20-28-11.5, has the  
 32 meaning set forth in IC 20-28-11.5-3.  
 33 SECTION 20. IC 20-18-2-21, AS ADDED BY P.L.1-2005,  
 34 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2015]: Sec. 21. "Superintendent" means:  
 36       (1) the chief administrative officer of a school corporation. or  
 37       (2) in the case of a township school, the county superintendent of  
 38 schools.  
 39 SECTION 21. IC 20-19-2-12, AS AMENDED BY P.L.218-2014,  
 40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2015]: Sec. 12. (a) The state board shall, in the manner  
 42 provided by IC 4-22-2, adopt rules setting forth nonbinding guidelines





1 for the selection of school sites and the construction, alteration, and  
 2 repair of school buildings, athletic facilities, and other categories of  
 3 facilities related to the operation and administration of school  
 4 corporations. The nonbinding guidelines must include:

5 (1) preferred location and building practices for school  
 6 corporations, including standards for enhancing health, student  
 7 safety, accessibility, energy efficiency, operating efficiency, and  
 8 instructional efficacy;

9 (2) guidelines concerning minimum acreage, cost per square foot  
 10 or cost per ADM (as defined in IC 20-18-2-2), technology  
 11 infrastructure, building materials, per student square footage, and  
 12 other general space requirements, including space for academics,  
 13 administration and staff support, arts education and auditoriums,  
 14 libraries, cafeterias, athletics and physical education,  
 15 transportation facilities, and maintenance and repair facilities; and

16 (3) additional guidelines that the state board considers necessary  
 17 for efficient and cost effective construction of school facilities.

18 The state building commissioner, the office of management and budget,  
 19 and the department of local government finance shall, upon request of  
 20 the board, provide technical assistance as necessary for the  
 21 development of the guidelines.

22 (b) The state board shall annually compile, in a document capable  
 23 of easy revision, the:

24 (1) guidelines described in subsection (a); and

25 (2) rules of the:

26 (A) fire prevention and building safety commission; and

27 (B) state department of health;

28 that govern site selection and the construction, alteration, and repair of  
 29 school buildings.

30 (c) A school corporation shall consider the guidelines adopted under  
 31 subsection (a) when developing plans and specifications for a facility  
 32 described in subsection (a). Before submitting completed written plans  
 33 and specifications for the selection of a school building site or the  
 34 construction or alteration of a school building to the division of fire and  
 35 building safety for issuance of a design release under IC 22-15-3, a  
 36 school corporation shall do the following:

37 (1) Submit the proposed plans and specifications to the  
 38 department. Within thirty (30) days after the department receives  
 39 the plans and specifications, the department shall:

40 (A) review the plans and specifications to determine whether  
 41 they comply with the guidelines adopted under subsection (a);  
 42 and



- 1 (B) provide written recommendations concerning the plans  
 2 and specifications to the school corporation, which must  
 3 include findings as to any material differences between the  
 4 plans and specifications and the guidelines adopted under  
 5 subsection (a).  
 6 (2) After the earlier of:  
 7 (A) receipt of the recommendations provided under  
 8 subdivision (1)(B); or  
 9 (B) the date that is thirty (30) days after the date the  
 10 department received the plans and specifications under  
 11 subdivision (1)(A);  
 12 issue a public document that describes the recommendations, if  
 13 any; and any material differences between the plans and  
 14 specifications prepared by the school corporation and the  
 15 guidelines adopted under subsection (a); as determined under the  
 16 guidelines adopted by the state board.  
 17 (3) After publishing a notice of the public hearing under IC 5-3-1,  
 18 conduct a public hearing to receive public comment concerning  
 19 the school corporation's plans and specifications.

20 After the public hearing and without conducting another public hearing  
 21 under this subsection, the governing body may revise the plans and  
 22 specifications or submit the plans and specifications to the division of  
 23 fire and building safety without making changes. The school  
 24 corporation shall revise the public document described in subdivision  
 25 (2) to identify any changes in the plans and specifications after the  
 26 public document's initial preparation.

27 SECTION 22. IC 20-19-2-13 IS REPEALED [EFFECTIVE JULY  
 28 1, 2015]. Sec. 13. The state board may not approve or disapprove plans  
 29 and specifications for the construction, alteration, or repair of school  
 30 buildings, except as necessary under the following:

- 31 (1) The terms of a federal grant or a federal law.  
 32 (2) IC 20-35-4-2 concerning the authorization of a special school  
 33 for children with disabilities.

34 However, the state board shall adopt guidelines concerning plans and  
 35 specifications as required by section 12 of this chapter.

36 SECTION 23. IC 20-19-3-8, AS AMENDED BY P.L.146-2008,  
 37 SECTION 453, IS AMENDED TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The department may not  
 39 approve or disapprove plans and specifications for the construction,  
 40 alteration, or repair of school buildings, except as necessary under the  
 41 following:

- 42 (1) The terms of a federal grant or a federal law.



1           (2) IC 20-35-4-2 concerning the authorization of a special school  
 2           for children with disabilities.  
 3           (b) Notwithstanding subsection (a), the department shall ~~do the~~  
 4           following:  
 5           (1) ~~Receive and review plans and specifications as required by~~  
 6           ~~IC 20-19-2-12.~~  
 7           (2) establish a central clearinghouse for access by school  
 8           corporations that may want to use a prototype design in the  
 9           construction of school facilities. The department shall compile  
 10          necessary publications and may establish a computer data base to  
 11          distribute information on prototype designs to school  
 12          corporations. Architects and engineers registered to practice in  
 13          Indiana may submit plans and specifications for a prototype  
 14          design to the clearinghouse. The plans and specifications may be  
 15          accessed by any person. However, the following provisions apply  
 16          to a prototype design submitted to the clearinghouse:  
 17          (A) (1) The original architect of record or engineer of record  
 18          retains ownership of and liability for a prototype design.  
 19          (B) (2) A school corporation or other person may not use a  
 20          prototype design without the site-specific, written permission of  
 21          the original architect of record or engineer of record.  
 22          (C) (3) An architect's or engineer's liability under ~~clause (A)~~  
 23          **subdivision (1)** is subject to the requirements of ~~clause (B)~~  
 24          **subdivision (2)**.  
 25          The state board may adopt rules under IC 4-22-2 to implement this  
 26          ~~subdivision.~~ **subsection.**  
 27          SECTION 24. IC 20-19-6.2 IS REPEALED [EFFECTIVE JULY 1,  
 28          2015]. (Indiana Family Friendly School Designation).  
 29          SECTION 25. IC 20-20-1-10 IS REPEALED [EFFECTIVE JULY  
 30          1, 2015]. ~~Sec. 10: (a) The state board shall provide for the selection of~~  
 31          ~~an advisory council to each board. The state board shall provide for the~~  
 32          ~~representation of:~~  
 33                  (1) teachers;  
 34                  (2) elementary principals;  
 35                  (3) secondary principals;  
 36                  (4) members of the governing body; and  
 37                  (5) parents of students;  
 38          of the school corporations that are within the geographic area served by  
 39          the educational service center.  
 40          (b) The advisory council shall make recommendations to the board  
 41          on budgetary and program matters.  
 42          SECTION 26. IC 20-20-3 IS REPEALED [EFFECTIVE JULY 1,



- 1 2015]. (Teacher Referral System).
- 2 SECTION 27. IC 20-20-7 IS REPEALED [EFFECTIVE JULY 1,
- 3 2015]. (High School Diploma Program for Eligible Veterans).
- 4 SECTION 28. IC 20-20-13 IS REPEALED [EFFECTIVE JULY 1,
- 5 2015]. (Educational Technology Program and Grants).
- 6 SECTION 29. IC 20-20-17 IS REPEALED [EFFECTIVE JULY 1,
- 7 2015]. (School Intervention and Career Counseling Development
- 8 Program and Fund).
- 9 SECTION 30. IC 20-20-18 IS REPEALED [EFFECTIVE JULY 1,
- 10 2015]. (Elementary School Counselors, Social Workers, and School
- 11 Psychologists Program and Fund).
- 12 SECTION 31. IC 20-20-24 IS REPEALED [EFFECTIVE JULY 1,
- 13 2015]. (Arts Education Program).
- 14 SECTION 32. IC 20-20-28-4 IS REPEALED [EFFECTIVE JULY
- 15 1, 2015]. Sec. 4. (a) The department shall establish pilot programs
- 16 targeting at risk students in the following areas:
- 17 (1) Early childhood parental information programs.
- 18 (2) Latch key programs.
- 19 (3) Preschool programs.
- 20 (b) In establishing the pilot programs under this chapter, the
- 21 department shall focus on implementing programs that enable the local
- 22 school corporation and appropriate community agencies to cooperate
- 23 with each other.
- 24 (c) The department shall address the following in establishing the
- 25 programs:
- 26 (1) Screening for physical health problems that can inhibit school
- 27 success.
- 28 (2) Screening for learning disabilities.
- 29 (3) Parental orientation and participation.
- 30 (d) In addition, the department shall employ an early childhood
- 31 specialist and support staff personnel to identify and determine ways
- 32 to coordinate the educational programs offered by local youth serving
- 33 organizations.
- 34 SECTION 33. IC 20-20-28-5, AS ADDED BY P.L.1-2005,
- 35 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2015]: Sec. 5. (a) The department:
- 37 (1) shall select certain school corporations to participate in the
- 38 respective pilot programs listed in section 4 of this chapter; and
- 39 (2) may select school corporations that have a pilot program as
- 40 described in section 4 of this chapter in existence on June 30,
- 41 1990.
- 42 (b) A school corporation may enter into an agreement with a



1 nonprofit corporation to provide early childhood education, preschool  
2 education, or latch key programs. However, if a school corporation  
3 enters into a contract for preschool education, the nonprofit  
4 corporation:

5 (1) must operate a federally approved preschool education  
6 program; and

7 (2) may not be religiously affiliated.

8 SECTION 34. IC 20-20-28-7 IS REPEALED [EFFECTIVE JULY  
9 1, 2015]. ~~Sec. 7: Each school corporation that participates in a pilot  
10 program under this chapter shall prepare a written report detailing all  
11 of the pertinent information concerning the implementation of the pilot  
12 program, including any recommendations made and conclusions drawn  
13 from the pilot program. The school corporation shall submit the report  
14 to the department.~~

15 SECTION 35. IC 20-20-33 IS REPEALED [EFFECTIVE JULY 1,  
16 2015]. (Alternative Education Program Grants).

17 SECTION 36. IC 20-20-35 IS REPEALED [EFFECTIVE JULY 1,  
18 2015]. (Prekindergarten Grant Pilot Program).

19 SECTION 37. IC 20-20-37.4 IS REPEALED [EFFECTIVE JULY  
20 1, 2015]. (Geothermal Conversion Revolving Fund).

21 SECTION 38. IC 20-20-39 IS REPEALED [EFFECTIVE JULY 1,  
22 2015]. (Operational Efficiency Reviews).

23 SECTION 39. IC 20-23-1 IS REPEALED [EFFECTIVE JULY 1,  
24 2015]. (County Boards of Education).

25 SECTION 40. IC 20-23-2 IS REPEALED [EFFECTIVE JULY 1,  
26 2015]. (County Superintendent of Schools).

27 SECTION 41. IC 20-23-3 IS REPEALED [EFFECTIVE JULY 1,  
28 2015]. (School Townships).

29 SECTION 42. IC 20-23-4-4, AS ADDED BY P.L.1-2005,  
30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2015]: Sec. 4. As used in this chapter, "county committee" or  
32 "committee" means the county committee for the reorganization of  
33 school corporations provided for in sections ~~11~~ 12 through 17 of this  
34 chapter.

35 SECTION 43. IC 20-23-4-5 IS REPEALED [EFFECTIVE JULY 1,  
36 2015]. ~~Sec. 5: As used in this chapter, "county superintendent" means  
37 the county superintendent of schools.~~

38 SECTION 44. IC 20-23-4-10 IS REPEALED [EFFECTIVE JULY  
39 1, 2015]. ~~Sec. 10: State and county officers shall make available to:~~

40 ~~(1) the county committees; and~~

41 ~~(2) the state board;~~

42 ~~information from public records in the officers' possession that is~~



1 essential to the performance by the county committees and the state  
 2 board of duties set forth in this chapter and ~~IC 20-23-16-1~~ through  
 3 ~~IC 20-23-16-11~~.

4 SECTION 45. IC 20-23-4-11 IS REPEALED [EFFECTIVE JULY  
 5 1, 2015]. Sec. 11: (a) A county committee for the reorganization of  
 6 school corporations consists of nine (9) members. In a county that has  
 7 a county superintendent:

8 (1) the superintendent is an ex officio member of the committee;  
 9 and

10 (2) the remaining members of the committee are appointed by the  
 11 judge of the circuit court of the county:

12 In a county that does not have a county superintendent, All the  
 13 members of the committee are appointed by the judge of the circuit  
 14 court of the county. Appointments under this subsection are subject to  
 15 subsections (f) through (h):

16 (b) Before the time specified in this section, the judge of the circuit  
 17 court shall call into a county convention each of the township trustees  
 18 of the county and the members of each local board of school trustees  
 19 or board of school commissioners in the county to advise the judge in  
 20 the selection of the members of the county committee. Except as  
 21 provided in subsection (c), the judge must give at least ten (10) days  
 22 notice of the convention by publication in:

23 (1) one (1) newspaper of general circulation published in the  
 24 affected area; or

25 (2) if a newspaper is not published in the affected area, in a  
 26 newspaper having a general circulation in the affected area.

27 (c) In a county having a population of more than four hundred  
 28 thousand (400,000) but less than seven hundred thousand (700,000);  
 29 the judge of the circuit court shall publish the notice referred to in  
 30 subsection (b) in two (2) newspapers of general circulation published  
 31 in the affected area or having a general circulation in the affected area.  
 32 The notice must specify:

33 (1) the date, time, place, and purpose of the county convention;  
 34 and

35 (2) that the county convention is open to all residents of the  
 36 county.

37 (d) At the county convention, the judge of the circuit court shall:

38 (1) explain or have explained; and

39 (2) afford an opportunity for attendees to discuss;

40 the provisions of this chapter:

41 (e) Not later than ten (10) days after the date of the county  
 42 convention, the judge of the circuit court shall select the appointive



- 1 members of the county committee.
- 2 (f) In a county that has a county board of education, one (1) member
- 3 of the county committee must be a township trustee recommended by
- 4 the county board of education.
- 5 (g) In a county in which there is a board of school trustees or a
- 6 board of school commissioners, One (1) member of the county
- 7 committee:
- 8 (1) must be a member of:
- 9 (A) the board of school trustees; or
- 10 (B) the board of school commissioners; and
- 11 (2) may not be a township trustee.
- 12 (h) One (1) member of the county committee must be:
- 13 (1) a superintendent of schools;
- 14 (2) a principal of:
- 15 (A) a school city;
- 16 (B) a school town; or
- 17 (C) a consolidated school or corporation; or
- 18 (3) a superintendent of a community school corporation.
- 19 (i) The members of the county committee not referred to in
- 20 subsections (f) through (h):
- 21 (1) may not be members of or employed by:
- 22 (A) a board of school trustees; or
- 23 (B) a board of school commissioners;
- 24 (2) may not be members of or employed by a
- 25 (A) local; or
- 26 (B) county;
- 27 board of education;
- 28 (3) may not be:
- 29 (A) township trustees; or
- 30 (B) employees of township trustees; and
- 31 (4) are appointed without regard to political affiliation.
- 32 (j) The judge of the circuit court shall give written notice
- 33 immediately to each person selected for appointment to the county
- 34 committee. Each person selected shall notify the judge of the circuit
- 35 court in writing not later than ten (10) days after receipt of the notice
- 36 whether the person accepts the appointment. If a person:
- 37 (1) refuses an appointment; or
- 38 (2) fails to notify the judge of the circuit court of the person's
- 39 acceptance or refusal of an appointment;
- 40 the judge shall select a qualified replacement for appointment to the
- 41 county committee.
- 42 (k) Not later than thirty (30) days after the date of the county



1 convention; the county committee shall meet to organize and to elect  
2 from its membership:

- 3 (1) a chairperson;
- 4 (2) a treasurer; and
- 5 (3) a secretary.

6 The secretary may be the county superintendent or the superintendent  
7 of one (1) of the school corporations in the county.

8 (f) The chairperson and the members of the county committee serve  
9 without compensation. Subject to approval by the state board, the  
10 chairperson of the county committee shall:

- 11 (1) secure necessary office space and equipment;
- 12 (2) engage necessary clerical help; and
- 13 (3) receive reimbursement for any necessary expenses incurred by  
14 the chairperson with respect to duties in connection with the  
15 county committee.

16 (m) Members of the county committee hold office for terms of four  
17 (4) years until the reorganization program in the county is completed;  
18 subject to replacement as prescribed in this chapter. An appointed  
19 member who ceases to be a resident of the county may not continue to  
20 serve on a county committee.

21 (n) An individual appointed member of a county committee or the  
22 appointed members as a group are not disqualified from serving on a  
23 county committee because they fail at any time to meet the  
24 qualifications for appointment by the judge of the circuit court, other  
25 than county residence, if they met the qualifications at the time of their  
26 appointments.

27 (o) Vacancies shall be filled by the remaining members of the  
28 committee without regard for the qualifications for appointment by the  
29 judge of the circuit court.

30 (p) Meetings of the county committee shall be held:

- 31 (1) upon call of the chairperson; or
- 32 (2) by a petition to hold a meeting signed by a majority of the  
33 members of the committee.

34 (q) A majority of the committee constitutes a quorum.

35 SECTION 46. IC 20-23-4-14 IS REPEALED [EFFECTIVE JULY  
36 1, 2015]. Sec. 14. (a) The county committee shall consider any  
37 suggestions made in the public hearing and shall make any revisions or  
38 modifications in its written plans as it considers necessary and shall  
39 thereupon without any further hearing adopt its final comprehensive  
40 reorganization plan; and, within ten (10) days after such adoption, but  
41 not later than January 14, 1964, shall submit at least three (3) copies of  
42 its comprehensive plan to the state board. However, if a county





1 committee encounters any difficulties in formulating and adopting  
 2 either its preliminary or comprehensive plan for the reorganization of  
 3 school corporations; through no lack of diligence upon the part of the  
 4 committee so that it is unable to submit its plans to the state board  
 5 within the period specified; the county committee may apply to the  
 6 state board for an extension of time in which to complete and adopt its  
 7 preliminary or comprehensive plan. The application may be made  
 8 during or after the original or any extended period for which an  
 9 extension is asked.

10 (b) The state board may, if the facts and circumstances warrant,  
 11 grant such extension or extensions as it may see fit.

12 SECTION 47. IC 20-23-4-18, AS ADDED BY P.L.1-2005,  
 13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2015]: Sec. 18. (a) The state board shall:

15 (1) aid the county committees, as required by subsection (b), in  
 16 carrying out:

17 (A) the powers conferred; and

18 (B) the duties imposed;

19 on the committees by this chapter;

20 (2) receive and examine each plan for the reorganization of a  
 21 school corporation submitted to the state board by a county  
 22 committee and approve each plan that meets the standards of the  
 23 state board;

24 (3) adopt a set of minimum standards, in furtherance of the policy  
 25 expressed in section 1 of this chapter, which all proposed  
 26 community school corporations must meet, insofar as feasible;

27 (4) not later than ninety (90) days after receipt of a reorganization  
 28 plan, hold a public hearing in the county to which the plan mainly  
 29 applies to allow residents of the affected territory to testify;

30 (5) not later than sixty (60) days after the public hearing:

31 (A) approve or disapprove in writing all or part of the plan;  
 32 and

33 (B) notify in writing the county committee concerned;

34 (6) assist any county committee whose plan does not meet  
 35 minimum standards in revising the plan and permit the committee  
 36 to resubmit the plan not later than ninety (90) days after receipt of  
 37 notice of nonapproval; and

38 (7) adopt rules under IC 4-22-2 for:

39 (A) the conduct of its own business; and

40 (B) the guidance and direction of county committees;

41 to carry out this chapter and IC 20-23-16-1 through  
 42 ~~IC 20-23-16-11~~. **IC 20-23-16-5.**



1 (b) The minimum standards for community school corporations  
 2 proposed under this chapter or IC 20-23-16-1 through ~~IC 20-23-16-11~~  
 3 **IC 20-23-16-5** must provide for the inclusion of all the area of a county  
 4 in:

- 5 (1) a school corporation; or  
 6 (2) school corporations;

7 to furnish efficient and adequate educational opportunity for all  
 8 students in grades 1 through 12.

9 (c) Before the adoption of a preliminary written plan, the county  
 10 committee and the state board may meet to consider problems  
 11 encountered by the county committee in formulating a plan. Following  
 12 the meeting, the state board may waive in writing any specified  
 13 minimum standard for a designated geographic area on the ground that  
 14 meeting the standard is not feasible.

15 (d) The state board is not required to hold a public hearing on a plan  
 16 that does not meet the minimum standards required by the state board  
 17 unless the state board waives the attainment of a minimum standard.

18 SECTION 48. IC 20-23-4-19, AS AMENDED BY P.L.2-2006,  
 19 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2015]: Sec. 19. (a) If the creation of a community school  
 21 corporation out of an existing corporation:

- 22 (1) would not involve a change in its territorial boundaries or in  
 23 its board of school trustees or other governing body, other than a  
 24 change in the time of election or appointment or the time the  
 25 board members take office; and  
 26 (2) is consistent with the standards set up under this chapter and  
 27 the standards set out in this section;

28 the state board may on its own motion or on petition of the governing  
 29 body of the existing school corporation at any time with hearing in the  
 30 county where the school corporation is located, after notice by  
 31 publication at least once in one (1) newspaper of general circulation  
 32 published in the county where the school corporation is located, at least  
 33 ten (10) but not more than thirty (30) days before the date of a hearing,  
 34 and without action of the county committee declare the existing school  
 35 corporation to be a community school corporation by adopting a  
 36 resolution to this effect. The existing school corporation qualifies as to  
 37 size and financial resources if it has an ADA of at least two hundred  
 38 seventy (270) students in grades 9 through 12 or at least one thousand  
 39 (1,000) students in grades 1 through 12, and has an assessed valuation  
 40 per student of at least five thousand dollars (\$5,000).

41 (b) For purposes of this section, the following terms have the  
 42 following meanings:



- 1 (1) "County tax" means a property tax:  
 2 (A) that is levied at an equal rate in the entire county in which  
 3 any school corporation is located, other than a tax qualifying  
 4 as a countywide tax within the meaning of Acts 1959, c.328,  
 5 s.2, or any similar statute; and  
 6 (B) for which the net proceeds of which are distributed to  
 7 school corporations in the county.
- 8 (2) "Assessed valuation" of any school corporation means the net  
 9 assessed value of its real and personal property as of March 1,  
 10 1964, adjusted in the same manner as the assessed valuation is  
 11 adjusted for each county by the department of local government  
 12 finance under Acts 1949, c.247, s.5, as amended, unless that  
 13 statute has been repealed or no longer provides for an adjustment.  
 14 If a county has a county tax, the assessed valuation of each school  
 15 corporation in the county shall be increased by the amount of  
 16 assessed valuation, if any, that would be required to raise an  
 17 amount of money, equal to the excess of the amount distributed  
 18 to any school corporation from the county tax over the amount  
 19 collected from the county tax in the school corporation, using  
 20 total taxes levied by the school corporation in terms of rate:  
 21 (A) excluding the countywide tax under Acts 1959, c.328, s.2,  
 22 or any similar statute; and  
 23 (B) including all other taxes levied by or for the school  
 24 corporation.
- 25 The increased valuation shall be based on the excess distributed  
 26 to the school corporation from the county tax levied for the year  
 27 1964 and the total taxes levied for the year, or if the county tax is  
 28 first applied or is raised for years after 1964, then the excess  
 29 distributions and total taxes levied for the year in which the tax is  
 30 first applied or raised. If the excess distribution and total taxes  
 31 levied cannot be determined accurately on or before the adoption  
 32 of the resolution provided in this section, excess distribution and  
 33 taxes levied shall be estimated by the department of local  
 34 government finance using the last preceding assessed valuations  
 35 and tax rates or such other information as that department  
 36 determines, certifying the increased assessment to the state board  
 37 before such time. In all cases, the excess distribution shall be  
 38 determined upon the assumption that the county tax is one  
 39 hundred percent (100%) collected and all collections are  
 40 distributed.
- 41 (3) "Assessed valuation per student" of any school corporation  
 42 means the assessed valuation of any school corporation divided



1 by its ADA in grades 1 through 12.

2 (4) "ADA" in any school corporation means the average daily  
3 attendance of students who are residents in the school corporation  
4 and in the particular grades to which the term refers for the school  
5 year 1964-1965 in accordance with the applicable regulations of  
6 the state superintendent, used in determining average daily  
7 attendance in the distribution of the tuition funds by the state to  
8 its various school corporations where funds are distributed on  
9 such basis and irrespective of whether the figures are the actual  
10 resident daily attendance of the school for the school year.

11 (c) The community school corporation automatically comes into  
12 being on either July 1 or January 1 following the date of approval,  
13 whichever is earlier. The state board shall mail by certified mail, return  
14 receipt requested, a copy of the resolution certified by the county  
15 committee's chairperson or secretary to:

16 (1) the recorder of the county from which the county committee  
17 having jurisdiction of the existing school corporation was  
18 appointed; and

19 (2) the county committee.

20 The resolution may change the time of election or appointment of the  
21 board of trustees of the school corporation or the time the trustees take  
22 office. The recorder shall without cost record the certified resolution in  
23 the miscellaneous records of the county. The recording constitutes a  
24 permanent record of the action of the state board and may be relied on  
25 by any person. Unless the resolution provides that an interim member  
26 of the board of trustees shall not be appointed, the board of trustees in  
27 office on the date of the action continues to constitute the board of  
28 trustees of the school corporation until their successors are qualified,  
29 and the terms of their respective office and board membership remain  
30 unchanged except to the extent the resolution otherwise provides. For  
31 purposes of this chapter and IC 20-23-16-1 through ~~IC 20-23-16-11~~,  
32 **IC 20-23-16-5**, a community school corporation shall be regarded as  
33 a school corporation created under section 16 of this chapter.

34 SECTION 49. IC 20-23-4-24, AS ADDED BY P.L.1-2005,  
35 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2015]: Sec. 24. (a) Except as provided in subsection (b), if a  
37 public official fails to perform a duty required under this chapter or  
38 IC 20-23-16-1 through ~~IC 20-23-16-11~~ **IC 20-23-16-5** within the time  
39 prescribed in this chapter or IC 20-23-16-1 through ~~IC 20-23-16-11~~,  
40 **IC 20-23-16-5**, the omission does not invalidate any proceedings taken  
41 by the official.

42 (b) This section:



1 (1) does not apply to the time within which a county committee  
 2 must accept jurisdiction of all or part of a school corporation from  
 3 another county committee following a petition under  
 4 IC 20-23-16-1; and  
 5 (2) may not be construed to extend the time within which  
 6 petitions may be filed by registered voters under this chapter or  
 7 IC 20-23-16-1 through ~~IC 20-23-16-11~~. **IC 20-23-16-5.**  
 8 SECTION 50. IC 20-23-4-25, AS ADDED BY P.L.1-2005,  
 9 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2015]: Sec. 25. (a) A party aggrieved by the decision of the  
 11 county committee after the hearing provided for under section 13 of  
 12 this chapter may:  
 13 (1) appear before the state board when the state board holds  
 14 public hearings on the reorganization plan involved; and  
 15 (2) state the grievance.  
 16 (b) A party aggrieved by the decision of the state board after the  
 17 hearing provided for in section 13 of this chapter may appeal within  
 18 thirty (30) days from the decision to the court in the county on any  
 19 question of adjustment of:  
 20 (1) property;  
 21 (2) debts; and  
 22 (3) liabilities;  
 23 among the school corporations involved. Notice of the appeal shall be  
 24 given to the chairperson or secretary of the county committee ten (10)  
 25 days before the appeal is filed with the court.  
 26 (c) The court may:  
 27 (1) determine the constitutionality and the equity of the  
 28 adjustment or adjustments proposed; and  
 29 (2) direct the county committee to alter the adjustment or  
 30 adjustments found by the court to be inequitable or violative of  
 31 any provision of the Constitution of the State of Indiana or of the  
 32 United States.  
 33 An appeal may be taken to the supreme court or the court of appeals in  
 34 accordance with the rules of civil procedure of the state.  
 35 (d) A determination by the court with respect to the adjustment of:  
 36 (1) property;  
 37 (2) debts; and  
 38 (3) liabilities;  
 39 among the school corporations or areas involved does not otherwise  
 40 affect the validity of the reorganization or creation of a school  
 41 corporation or corporations under this chapter or IC 20-23-16-1  
 42 through ~~IC 20-23-16-11~~. **IC 20-23-16-5.**



1 SECTION 51. IC 20-23-4-26, AS ADDED BY P.L.1-2005,  
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2015]: Sec. 26. (a) This section applies to each community  
 4 school corporation.

5 (b) A community school corporation established under this chapter  
 6 or IC 20-23-16-1 through ~~IC 20-23-16-11~~, **IC 20-23-16-5**, is a body  
 7 corporate and politic. The corporation may:

8 (1) sue and be sued; and

9 (2) acquire, hold, and convey real and personal property necessary  
 10 to the community school corporation's establishment and  
 11 operation.

12 (c) A corporation has:

13 (1) all the powers, rights, duties, and obligations of the school  
 14 cities of any class in which the school corporation would fall if it  
 15 were organized as a school city; and

16 (2) the additional powers granted school corporations:

17 (A) in general; or

18 (B) school corporations in the population or other  
 19 classifications in which the school corporation falls.

20 (d) The officers of the governing body are a:

21 (1) president;

22 (2) secretary;

23 (3) treasurer; and

24 (4) vice president, if the board of trustees consists of more than  
 25 three (3) members.

26 SECTION 52. IC 20-23-4-38, AS AMENDED BY P.L.1-2007,  
 27 SECTION 142, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2015]: Sec. 38. (a) Whenever an entire county  
 29 has been reorganized under this chapter or IC 20-23-16-1 through  
 30 ~~IC 20-23-16-11~~, **IC 20-23-16-5**, by the creation of a community school  
 31 corporation or corporations for the entire county, the county committee  
 32 shall be dissolved. Where the term of any member of a county  
 33 committee expires before the time of dissolution of the county  
 34 committee, the judge shall fill a vacancy by replacement or  
 35 reappointment for a term of four (4) years in accordance with sections  
 36 11 through 15 of this chapter. In the event the membership of an entire  
 37 county committee shall at any time be vacant by resignation or  
 38 otherwise, the judge shall appoint a new county committee in  
 39 accordance with sections 11 through 15 of this chapter.

40 (b) After a county committee has been dissolved, if the local  
 41 governing body or the state superintendent considers further  
 42 reorganization necessary to improve educational opportunities for the



1 students in the county, the local school trustees or the state  
 2 superintendent shall submit proposed changes to the state board. If the  
 3 changes proposed by the local governing body or the state  
 4 superintendent are approved by the state board, the proposal becomes  
 5 effective under the procedure specified in sections 20 through 24 of  
 6 this chapter so far as the same are applicable.

7 SECTION 53. IC 20-23-6-7, AS ADDED BY P.L.1-2005,  
 8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2015]: Sec. 7. (a) Each school of the consolidated schools is  
 10 under the control and management of the original governing body until  
 11 the consolidated school corporation comes into existence at the time  
 12 provided in section 8 of this chapter. When the consolidated school  
 13 corporation comes into existence, the term of office of each of the  
 14 original members of the governing body expires.

15 (b) The term of any township trustee does not expire. ~~However, the~~  
 16 ~~duties and powers of the trustee as a school township trustee may be~~  
 17 ~~altered or changed by any resolution and the consolidation provided for~~  
 18 ~~in this chapter.~~

19 SECTION 54. IC 20-23-6-12, AS ADDED BY P.L.231-2005,  
 20 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2015]: Sec. 12. (a) This section provides an alternative  
 22 method for a school corporation to be reorganized as a community  
 23 school corporation.

24 (b) The following may petition directly to the state board to be  
 25 reorganized as a community school corporation:

- 26 (1) A consolidated school corporation organized under section 3  
 27 of this chapter.  
 28 (2) A metropolitan school district organized under IC 20-23-7-2.  
 29 ~~or IC 20-23-7-12.~~

30 (c) The following apply to a school corporation that petitions  
 31 directly to the state board under subsection (b):

- 32 (1) The school corporation is not required to ~~do the following:~~  
 33 ~~(A) Seek approval of a county committee established by~~  
 34 ~~IC 20-23-4-11.~~  
 35 ~~(B) pursue a joint meeting of a county committee and the state~~  
 36 ~~board under IC 20-23-4-18.~~  
 37 (2) The state board may waive the attainment of any standard  
 38 required for reorganization as a community school corporation  
 39 under this chapter.

40 SECTION 55. IC 20-23-6-16, AS ADDED BY P.L.1-2005,  
 41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2015]: Sec. 16. It is the policy of the state that whenever a



1 community school corporation (as defined in IC 20-23-4-3) seeks to:

2 (1) reorganize into a community school corporation under  
3 IC 20-23-4 or IC 20-23-16-1 through ~~IC 20-23-16-11;~~

4 **IC 20-23-16-5;**

5 (2) enter into a territorial annexation under IC 20-23-5 either as  
6 an acquiring school corporation or a losing school corporation (as  
7 defined in IC 20-23-5-4);

8 (3) consolidate with another school corporation under IC 20-23-6;  
9 or

10 (4) consolidate with another school corporation into one (1)  
11 metropolitan school district under IC 20-23-7;

12 the school corporation shall give consideration to the educational  
13 opportunities for students, local community interest, the effect on the  
14 community as a whole, and the economic interests of the community  
15 relative to establishing the boundaries of the school corporation that is  
16 involved in the school corporation reorganization, consolidation, or  
17 annexation attempt.

18 SECTION 56. IC 20-23-6-18 IS REPEALED [EFFECTIVE JULY  
19 1, 2015]. ~~Sec. 18: (a) Before January 1, 2011, Prairie Township School~~  
20 ~~Corporation shall reorganize by consolidating with an adjacent school~~  
21 ~~corporation under this chapter.~~

22 ~~(b) If the governing body of Prairie Township School Corporation~~  
23 ~~does not comply with this section before January 1, 2011, the state~~  
24 ~~board shall, after December 31, 2010, develop a reorganization plan for~~  
25 ~~the school corporation and require the governing body to implement~~  
26 ~~the plan.~~

27 SECTION 57. IC 20-23-7-2, AS ADDED BY P.L.1-2005,  
28 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2015]: Sec. 2. (a) In any county or adjoining counties at least  
30 two (2) school corporations, including ~~school townships~~, school towns,  
31 school cities, consolidated school corporations, joint schools,  
32 metropolitan school districts, township school districts, or community  
33 school corporations, regardless of whether the consolidating school  
34 corporations are of the same or of a different character, may  
35 consolidate into one (1) metropolitan school district. Subject to  
36 subsection (h), the consolidation must be initiated by following either  
37 of the following procedures:

38 (1) The township trustee, board of school trustees, board of  
39 education, or other governing body (the trustee, board, or other  
40 governing body is referred to elsewhere in this section as the  
41 "governing body") of each school corporation to be consolidated  
42 shall:





- 1 (A) adopt substantially identical resolutions providing for the  
 2 consolidation; and  
 3 (B) publish a notice setting out the text of the resolution one  
 4 (1) time under IC 5-3-1.
- 5 The resolution must set forth any provision for staggering the  
 6 terms of the board members of the metropolitan school district  
 7 elected under this chapter. If, not more than thirty (30) days after  
 8 publication of the resolution, a petition of protest, signed by at  
 9 least twenty percent (20%) of the registered voters residing in the  
 10 school corporation is filed with the clerk of the circuit court of  
 11 each county where the voters who are eligible to sign the petition  
 12 reside, a referendum election shall be held as provided in  
 13 subsection (c).
- 14 (2) Instead of the adoption of substantially identical resolutions in  
 15 each of the proposed consolidating school corporations under  
 16 subdivision (1), a referendum election under subsection (c) shall  
 17 be held on the occurrence of all of the following:
- 18 (A) At least twenty percent (20%) of the registered voters  
 19 residing in a particular school corporation sign a petition  
 20 requesting that the school corporation consolidate with another  
 21 school corporation (referred to in this subsection as "the  
 22 responding school corporation").
- 23 (B) The petition described in clause (A) is filed with the clerk  
 24 of the circuit court of each county where the voters who are  
 25 eligible to sign the petition reside.
- 26 (C) Not more than thirty (30) days after the service of the  
 27 petition by the clerk of the circuit court to the governing body  
 28 of the responding school corporation under subsection (b) and  
 29 the certification of signatures on the petition occurs under  
 30 subsection (b), the governing body of the responding school  
 31 corporation adopts a resolution approving the petition and  
 32 providing for the consolidation.
- 33 (D) An approving resolution has the same effect as the  
 34 substantially identical resolutions adopted by the governing  
 35 bodies under subdivision (1), and the governing bodies shall  
 36 publish the notice provided under subdivision (1) not more  
 37 than fifteen (15) days after the approving resolution is adopted.  
 38 However, if a governing body that is a party to the  
 39 consolidation fails to publish notice within the required fifteen  
 40 (15) day time period, a referendum election still must be held  
 41 as provided in subsection (c).  
 42 If the governing body of the responding school corporation does



1 not act on the petition within the thirty (30) day period described  
 2 in clause (C), the governing body's inaction constitutes a  
 3 disapproval of the petition request. If the governing body of the  
 4 responding school corporation adopts a resolution disapproving  
 5 the petition or fails to act within the thirty (30) day period, a  
 6 referendum election as described in subsection (c) may not be  
 7 held and the petition requesting the consolidation is defeated.

8 (b) Any petition of protest under subsection (a)(1) or a petition  
 9 requesting consolidation under subsection (a)(2) must show in the  
 10 petition the date on which each person has signed the petition and the  
 11 person's residence on that date. The petition may be executed in several  
 12 counterparts, the total of which constitutes the petition. Each  
 13 counterpart must contain the names of voters residing within a single  
 14 county and shall be filed with the clerk of the circuit court of the  
 15 county. Each counterpart must have attached to it the affidavit of the  
 16 person circulating the counterpart that each signature appearing on the  
 17 counterpart was affixed in that person's presence and is the true and  
 18 lawful signature of each person who made the signature. Any signer  
 19 may file the petition or any counterpart of the petition. Each signer on  
 20 the petition may before and may not after the filing with the clerk  
 21 withdraw the signer's name from the petition. A name may not be  
 22 added to the petition after the petition has been filed with the clerk.  
 23 After the receipt of any counterpart of the petition, each circuit court  
 24 clerk shall certify:

- 25 (1) the number of persons signing the counterpart;
- 26 (2) the number of persons who are registered voters residing  
 27 within that part of the school corporation located within the  
 28 clerk's county, as disclosed by the voter registration records in the  
 29 office of the clerk or the board of registration of the county, or  
 30 wherever registration records may be kept;
- 31 (3) the total number of registered voters residing within the  
 32 boundaries of that part of the school corporation located within  
 33 the county, as disclosed in the voter registration records; and
- 34 (4) the date of the filing of the petition.

35 Certification shall be made by each clerk of the circuit court not more  
 36 than thirty (30) days after the filing of the petition, excluding from the  
 37 calculation of the period any time during which the registration records  
 38 are unavailable to the clerk, or within any additional time as is  
 39 reasonably necessary to permit the clerk to make the certification. In  
 40 certifying the number of registered voters, the clerk of the circuit court  
 41 shall disregard any signature on the petition not made within the ninety  
 42 (90) days immediately before the filing of the petition with the clerk as



1 shown by the dates set out in the petition. The clerk of the circuit court  
2 shall establish a record of the certification in the clerk's office and shall  
3 serve the original petition and a copy of the certification on the county  
4 election board under IC 3-10-9-3 and the governing bodies of each  
5 affected school corporation. Service shall be made by mail or manual  
6 delivery to the governing bodies, to any officer of the governing bodies,  
7 or to the administrative office of the governing bodies, if any, and shall  
8 be made for all purposes of this section on the day of the mailing or the  
9 date of the manual delivery.

10 (c) The county election board in each county where the proposed  
11 metropolitan school district is located, acting jointly where the  
12 proposed metropolitan school district is created and where it is located  
13 in more than one (1) county, shall cause any referendum election  
14 required under either subsection (a)(1) or (a)(2) to be held in the entire  
15 proposed metropolitan district at a special election. The special election  
16 shall be not less than sixty (60) days and not more than ninety (90) days  
17 after the service of the petition of protest and certification by each clerk  
18 of the circuit court under subsection (a)(1) or (a)(2) or after the  
19 occurrence of the first action requiring a referendum under subsection  
20 (a)(2). However, if a primary or general election at which county  
21 officials are to be nominated or elected, or at which city or town  
22 officials are to be elected in those areas of the proposed metropolitan  
23 school district that are within the city or town, is to be held after the  
24 sixty (60) days and not more than six (6) months after the service or the  
25 occurrence of the first action, each election board may hold the  
26 referendum election with the primary or general election.

27 (d) Notice of the special election shall be given by each election  
28 board by publication under IC 5-3-1.

29 (e) Except where it conflicts with this section or cannot be  
30 practicably applied, IC 3 applies to the conduct of the referendum  
31 election. If the referendum election is not conducted at a primary or  
32 general election, the cost of conducting the election shall be charged to  
33 each component school corporation included in the proposed  
34 metropolitan school district in the same proportion as its assessed  
35 valuation bears to the total assessed valuation of the proposed  
36 metropolitan school district and shall be paid from any current  
37 operating fund of each component school corporation not otherwise  
38 appropriated, without appropriation.

39 (f) The question in the referendum election shall be placed on the  
40 ballot in the form prescribed by IC 3-10-9-4 and must state "Shall the  
41 school corporations of \_\_\_\_\_ be formed into one (1) metropolitan  
42 school district under IC 20-23-7?" (in which blanks the respective



1 name of the school districts concerned will be inserted).

2 (g) If:

3 (1) a protest petition with the required signatures is not filed after  
4 the adoption of substantially identical resolutions of the governing  
5 bodies providing for or approving the consolidation as described  
6 in subsection (a)(1); or

7 (2) a referendum election occurs in the entire proposed  
8 metropolitan district and a majority of the voters in each proposed  
9 consolidating school corporation vote in the affirmative;

10 a metropolitan school district is created and comes into existence in the  
11 territory subject to the provisions and under the conditions described  
12 in this chapter. The boundaries include all of the territory within the  
13 school corporations, and it shall be known as "Metropolitan School  
14 District of \_\_\_\_\_, Indiana" (the name of the district concerned will  
15 be inserted in the blank). The name of the district shall be decided by  
16 a majority vote of the metropolitan governing board of the metropolitan  
17 school district at the first meeting. The metropolitan governing board  
18 of the new metropolitan school district shall be composed and elected  
19 under this chapter. The failure of any public official or body to perform  
20 any duty within the time provided in this chapter does not invalidate  
21 any proceedings taken by that official or body, but this provision shall  
22 not be construed to authorize a delay in the holding of a referendum  
23 election under this chapter.

24 (h) If the governing body of a school corporation is involved in a  
25 consolidation proposal under subsection (a)(1) or (a)(2) that fails to  
26 result in a consolidation, the:

27 (1) governing body of the school corporation may not initiate a  
28 subsequent consolidation with another school corporation under  
29 subsection (a)(1); and

30 (2) residents of the school corporation may not file a petition  
31 requesting a consolidation with another school corporation under  
32 subsection (a)(2);

33 for one (1) year after the date on which the prior consolidation proposal  
34 failed.

35 SECTION 58. IC 20-23-7-6, AS AMENDED BY P.L.179-2011,  
36 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2015]: Sec. 6. (a) The first metropolitan board of education  
38 shall be composed of the:

39 (1) trustees; and

40 (2) members of school boards;

41 of the school corporations forming the metropolitan board of education.

42 (b) The members of the metropolitan board of education shall serve



1 ex officio as members subject to the laws concerning length of terms,  
 2 powers of election, or appointment and filling vacancies applicable to  
 3 their respective offices.

4 (c) If a metropolitan school district is comprised of only two (2)  
 5 board members, the two (2) members shall appoint a third board  
 6 member not more than ten (10) days after the creation of the  
 7 metropolitan school district. If the two (2) members are unable to agree  
 8 on or do not make the appointment of a third board member within the  
 9 ten (10) day period after the creation of the metropolitan school district,  
 10 the third member shall be appointed not more than twenty (20) days  
 11 after the creation of the metropolitan school district by the judge of the  
 12 circuit court of the county in which the metropolitan school district is  
 13 located. If the metropolitan school district is located in two (2) or more  
 14 counties, the judge of the circuit court of the county containing that part  
 15 of the metropolitan school district having more students than the part  
 16 or parts located in another county or counties shall appoint the third  
 17 member. The members of the metropolitan board of education serve  
 18 until their successors are elected or appointed and qualified.

19 (d) The first meeting of the first metropolitan board of education  
 20 shall be held not more than one (1) month after the creation of the  
 21 metropolitan school district. The first meeting shall be called by the  
 22 superintendent of schools ~~or township trustee of a school township~~, of  
 23 the school corporation in the district having the largest number of  
 24 students. At the first meeting, the board shall organize, and each year  
 25 during the first ten (10) days after the board members that are elected  
 26 or appointed to a new term take office, the board shall reorganize, by  
 27 electing a president, a vice president, a secretary, and a treasurer.

28 (e) The secretary of the board shall keep an accurate record of the  
 29 minutes of the metropolitan board of education, and the minutes shall  
 30 be kept in the superintendent's office. When a metropolitan school  
 31 district is formed, the metropolitan superintendent shall act as  
 32 administrator of the board and shall carry out the acts and duties as  
 33 designated by the board. A quorum consists of a majority of the  
 34 members of the board. A quorum is required for the transaction of  
 35 business. The vote of a majority of those present is required for a:

- 36 (1) motion;
- 37 (2) ordinance; or
- 38 (3) resolution;

39 to pass.

40 (f) The board shall conduct its affairs in the manner described in this  
 41 section. Except in unusual cases, the board shall hold its meetings at  
 42 the office of the metropolitan superintendent or at a place mutually



1 designated by the board and the superintendent. Board records are to  
 2 be maintained and board business is to be conducted from the office of  
 3 the metropolitan superintendent or a place designated by the board and  
 4 the superintendent.

5 (g) The metropolitan board of education shall have the power to pay  
 6 to a member of the board:

7 (1) a reasonable per diem for service on the board not to exceed  
 8 one hundred twenty-five dollars (\$125) per year; and

9 (2) for travel to and from a member's home to the place of the  
 10 meeting within the district, a sum for mileage equal to the amount  
 11 per mile paid to state officers and employees. The rate per mile  
 12 shall change when the state government changes its rate per mile.

13 SECTION 59. IC 20-23-7-10, AS AMENDED BY P.L.167-2013,  
 14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2015]: Sec. 10. (a) The metropolitan board of education shall  
 16 appoint a metropolitan superintendent of schools who shall serve under  
 17 contract in the same manner and under the same laws that govern the  
 18 employment and service of other licensed school personnel. However,  
 19 the metropolitan superintendent of schools is not required to hold a  
 20 license under IC 20-28-5. The metropolitan superintendent of schools'  
 21 salary and expense allowance is fixed by the metropolitan board of  
 22 education. The metropolitan superintendent of schools' original  
 23 contract:

24 (1) must be for a period of one (1) to five (5) years; and

25 (2) may be changed or extended by mutual agreement.

26 (b) Appointments to fill a vacancy for a metropolitan superintendent  
 27 of schools shall be made under this chapter.

28 (c) The board shall:

29 (1) act upon the recommendations of the metropolitan  
 30 superintendent of schools; and

31 (2) make other decisions and perform other duties as required by  
 32 law.

33 (d) A:

34 ~~(1) county superintendent;~~

35 ~~(2) (1) city school superintendent; or~~

36 ~~(3) (2) town superintendent;~~

37 in a metropolitan school district shall continue in the superintendents'  
 38 respective employment at the same salary, paid in the same manner and  
 39 according to the same terms as agreed to before the formation of the  
 40 metropolitan school district.

41 (e) A metropolitan board of education shall:

42 (1) assign administrative duties; and



- 1 (2) designate:
- 2 (A) one (1) of the superintendents in the metropolitan school
- 3 district; or
- 4 (B) a competent and qualified person as determined by the
- 5 board;
- 6 to perform the duties of the metropolitan superintendent of the
- 7 metropolitan school district as set forth in this chapter.
- 8 (f) A metropolitan board of education shall appoint a superintendent
- 9 of the metropolitan school district and other administrative supervisory
- 10 officers as provided in this chapter if:
- 11 (1) the previous superintendent's term expired;
- 12 (2) the previous superintendent's contract of employment ended;
- 13 or
- 14 (3) the previous superintendent:
- 15 (A) died; or
- 16 (B) resigned.
- 17 (g) The appointment and salary of the metropolitan superintendent
- 18 of schools appointed under subsection (f) shall be made, set, and paid
- 19 as provided in this chapter.
- 20 SECTION 60. IC 20-23-7-12 IS REPEALED [EFFECTIVE JULY
- 21 1, 2015]. Sec. 12: (a) As used in this section, "county" means the
- 22 county in which the school township is located.
- 23 (b) As used in this section, "school township" means a school
- 24 township in Indiana that:
- 25 (1) for the last full school semester immediately preceding:
- 26 (A) the adoption of a preliminary resolution by the township
- 27 trustee and the township board under subsection (f); or
- 28 (B) the adoption of a resolution of disapproval by the township
- 29 trustee and the township board under subsection (g);
- 30 had a current ADM of at least six hundred (600) students in
- 31 kindergarten through grade 12 in the public schools of the school
- 32 township; or
- 33 (2) is part of a township in which there were more votes cast for
- 34 township trustee outside the school township than inside the
- 35 school township in the general election at which the trustee was
- 36 elected and that preceded the adoption of the preliminary or
- 37 disapproving resolution.
- 38 (c) As used in this section, "township board" means the township
- 39 board of a township in which the school township is located.
- 40 (d) As used in this section, "township trustee" means the township
- 41 trustee of the township in which the school township is located.
- 42 (e) In a school township, a metropolitan school district may be



1 created by complying with this section. A metropolitan school district  
 2 created under this section shall have the same boundaries as the school  
 3 township. After a district has been created under this section, the  
 4 school township that preceded the metropolitan school district is  
 5 abolished. The procedures or provisions governing the creation of a  
 6 metropolitan school district under another section of this chapter do not  
 7 apply to the creation of a district under this section. After a  
 8 metropolitan school district is created under this section, the district  
 9 shall, except as otherwise provided in this section, be governed by and  
 10 operate in accordance with this chapter governing the operation of a  
 11 metropolitan school district as established under section 2 of this  
 12 chapter.

13 (f) Except as provided in subsection (g), a metropolitan school  
 14 district provided for in subsection (e) may be created in the following  
 15 manner:

16 (1) The township trustee shall call a meeting of the township  
 17 board. At the meeting, the township trustee and a majority of the  
 18 township board shall adopt a resolution that a metropolitan school  
 19 district shall be created in the school township. The township  
 20 trustee shall then give notice:

21 (A) by two (2) publications one (1) week apart in a newspaper  
 22 of general circulation published in the school township; or

23 (B) if there is no newspaper as described in clause (A), in a  
 24 newspaper of general circulation in the county;

25 of the adoption of the resolution setting forth the text of the  
 26 resolution.

27 (2) On the thirtieth day after the date of the last publication of the  
 28 notice under subdivision (1) and if a protest has not been filed, the  
 29 township trustee and a majority of the township board shall  
 30 confirm their preliminary resolution. If, however, on or before the  
 31 twenty-ninth day after the date of the last publication of the  
 32 notice, a number of registered voters of the school township,  
 33 equal to five percent (5%) or more of the number of votes cast in  
 34 the school township for secretary of state at the last preceding  
 35 general election for that office, sign and file with the township  
 36 trustee a petition requesting an election in the school township to  
 37 determine whether or not a metropolitan school district must be  
 38 created in the township in accordance with the preliminary  
 39 resolution, then an election must be held as provided in  
 40 subsection (h). The preliminary resolution and confirming  
 41 resolution provided in this subsection shall both be adopted at a  
 42 meeting of the township trustee and township board in which the





1 township trustee and each member of the township board received  
 2 or waived a written notice of the date, time, place, and purpose of  
 3 the meeting. The resolution and the proof of service or waiver of  
 4 the notice shall be made a part of the records of the township  
 5 board.

6 (g) Except as provided in subsection (f), a metropolitan school  
 7 district may also be created in the following manner:

8 (1) A number of registered voters of the school township, equal  
 9 to five percent (5%) or more of the votes cast in the school  
 10 township for secretary of state at the last general election for that  
 11 office, shall sign and file with the township trustee a petition  
 12 requesting the creation of a metropolitan school district under this  
 13 section.

14 (2) The township trustee and a majority of the township board  
 15 shall, not more than ten (10) days after the filing of a petition:

16 (A) adopt a preliminary resolution that a metropolitan school  
 17 district shall be created in the school township and proceed as  
 18 provided in subsection (f); or

19 (B) adopt a resolution disapproving the creation of the district.

20 (3) If either the township trustee or a majority of township board  
 21 members vote in favor of disapproving the resolution, an election  
 22 must be held to determine whether or not a metropolitan school  
 23 district shall be created in the school township in the same  
 24 manner as is provided in subsection (f) if an election is requested  
 25 by petition.

26 (h) An election required under subsection (f) or (g) may, at the  
 27 option of the township trustee, be held either as a special election or in  
 28 conjunction with a primary or general election to be held not more than  
 29 one hundred twenty (120) days after the filing of a petition under  
 30 subsection (f) or the adoption of the disapproving resolution under  
 31 subsection (g). The township trustee shall certify the question to the  
 32 county election board under IC 3-10-9-3 and give notice of an election:

33 (1) by two (2) publications one (1) week apart in a newspaper of  
 34 general circulation in the school township; or

35 (2) if a newspaper described in subdivision (1) does not exist, in  
 36 a newspaper of general circulation published in the county.

37 The notice must provide that on a day and time named in the notice, the  
 38 polls shall be opened at the usual voting places in the various precincts  
 39 in the school township for the purpose of taking the vote of the  
 40 registered voters of the school township regarding whether a  
 41 metropolitan school district shall be created in the township. The  
 42 election shall be held not less than twenty (20) days and not more than



1 thirty (30) days after the last publication of the notice unless a primary  
 2 or general election will be conducted not more than six (6) months after  
 3 the publication. In that case, the county election board shall place the  
 4 public question on the ballot at the primary or general election. If the  
 5 election is to be a special election, the township trustee shall give  
 6 notice not more than thirty (30) days after the filing of the petition or  
 7 the adoption of the disapproving resolution:

8 (i) On the day and time named in the notice, the polls shall be  
 9 opened and the votes of the voters shall be taken regarding whether a  
 10 metropolitan school district shall be created in the school township:  
 11 IC 3 governs the election except as otherwise provided in this chapter:  
 12 The county election board shall conduct the election. The public  
 13 question shall be placed on the ballot in the form prescribed by  
 14 IC 3-10-9-4 and must state, "Shall a metropolitan school district under  
 15 IC 20-23-7 be formed in the \_\_\_\_\_ School Township of  
 16 \_\_\_\_\_ County, Indiana?": The name of the school township  
 17 shall be inserted in the blanks:

18 (j) The votes cast in the election shall be canvassed at a place in the  
 19 school township determined by the county election board. The  
 20 certificate of the votes cast for and against the creation of a  
 21 metropolitan school district shall be filed in the records of the township  
 22 board and recorded with the county recorder. If the special election is  
 23 not conducted at a primary or general election, the school township  
 24 shall pay the expense of holding the election out of the school general  
 25 fund that is appropriated for this purpose:

26 (k) A metropolitan school district shall, subject to section 7 of this  
 27 chapter, be created on the thirtieth day after the date of the adoption of  
 28 the confirming resolution under subsection (f) or an election held under  
 29 subsection (h). If a public official fails to do the official's duty within  
 30 the time prescribed in this section, the failure does not invalidate the  
 31 proceedings taken under this section. An action to contest the validity  
 32 of the creation of a metropolitan school district under this section or to  
 33 enjoin the operation of a metropolitan school district may not be  
 34 instituted later than the thirtieth day following the date of the adoption  
 35 of the confirming resolution under subsection (f) or of the election held  
 36 under subsection (h). Except as provided in this section, an election  
 37 under this subsection may not be held sooner than twelve (12) months  
 38 after another election held under subsection (h):

39 (l) A metropolitan school district is known as "The Metropolitan  
 40 School District of \_\_\_\_\_ Township, \_\_\_\_\_ County,  
 41 Indiana". The first metropolitan board of education in a metropolitan  
 42 school district created under this section consists of five (5) members:



1 The township trustee and the township board members are ex officio  
 2 members of the first board, subject to the laws concerning length of  
 3 their respective terms of office, manner of election or appointment, and  
 4 the filling of vacancies applicable to their respective offices. The ex  
 5 officio members serve without compensation or reimbursement for  
 6 expenses, other than that which they may receive from their respective  
 7 offices. The township board shall, by a resolution recorded in its  
 8 records, appoint the fifth member of the metropolitan board of  
 9 education. The fifth member shall meet the qualifications of a member  
 10 of a metropolitan board of education under this chapter, with the  
 11 exception of the board member district requirements provided in  
 12 sections 4, 5, and 8.1 of this chapter.

13 (m) A fifth board member shall be appointed not more than fifteen  
 14 (15) days after the date of the adoption of the confirming resolution  
 15 under subsection (f)(2) or an election held under subsection (h). The  
 16 first board shall hold its first meeting not more than fifteen (15) days  
 17 after the date when the fifth board member is appointed or elected, on  
 18 a date established by the township board in the resolution in which it  
 19 appoints the fifth board member. The first board shall serve until  
 20 January 1 following the election of a metropolitan school board at the  
 21 first general election held more than sixty (60) days following the  
 22 creation of the metropolitan school district.

23 (n) After the creation of a metropolitan school district under this  
 24 section, the president of the metropolitan school board of the district  
 25 shall serve as a member of the county board of education and perform  
 26 the duties on the county board of education that were previously  
 27 performed by the township trustee. The metropolitan school board and  
 28 superintendent of the district may call upon the assistance of and use  
 29 the services provided by the county superintendent of schools. This  
 30 subsection does not limit or take away the powers, rights, privileges, or  
 31 duties of the metropolitan school district or the board or superintendent  
 32 of the district provided in this chapter.

33 SECTION 61. IC 20-23-8-5, AS AMENDED BY P.L.179-2011,  
 34 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2015]: Sec. 5. As used in this chapter, "school corporation"  
 36 means a local public school corporation established under the laws of  
 37 Indiana. The term does not include a school township or a school  
 38 corporation covered by IC 20-23-12, IC 20-23-17, or IC 20-23-17.2.

39 SECTION 62. IC 20-23-8-23 IS REPEALED [EFFECTIVE JULY  
 40 1, 2015]. Sec. 23: (a) The failure of a public official or body to perform  
 41 the duties specified in this chapter within the time limits prescribed  
 42 does not invalidate any proceedings taken by the official or board.



1 (b) If a public official or body refuses to perform duties within the  
 2 time limits provided in this chapter, the official or body may be  
 3 mandated to perform the duties in an action filed in the circuit or  
 4 superior court by a voter or by the governing body.

5 (c) The court shall award reasonable attorney's fees to a voter who  
 6 brings an action under this section against a governing body or public  
 7 official and prevails. The governing body or employer of a public  
 8 official shall pay costs and fees incurred by or on behalf of an  
 9 employee in defense of a claim or suit for a loss occurring because of  
 10 acts or omissions within the scope of the employee's employment;  
 11 regardless of whether the employee can or cannot be held personally  
 12 liable for the loss.

13 SECTION 63. IC 20-23-10-2, AS ADDED BY P.L.1-2005,  
 14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2015]: Sec. 2. As used in this chapter, "governing body"  
 16 means the board or commission charged by law with the responsibility  
 17 of administering the affairs of a school corporation, including a board  
 18 of school commissioners, metropolitan board of education, board of  
 19 school trustees, or board of trustees. ~~In the case of a school township;~~  
 20 ~~the term means the trustees and township board acting jointly.~~

21 SECTION 64. IC 20-23-10-8, AS AMENDED BY P.L.179-2011,  
 22 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2015]: Sec. 8. (a) The board members of a merged school  
 24 corporation shall be elected at the first general election following the  
 25 merged school corporation's creation, and vacancies shall be filled in  
 26 accordance with IC 20-23-4-30.

27 (b) Until the first election under subsection (a), the board of trustees  
 28 of the merged school corporation consists of

- 29 (1) the members of the governing body of a school corporation in
- 30 the county. ~~other than a school township; and~~
- 31 (2) ~~the township trustee of a school township in the county.~~

32 (c) The first board of trustees shall select the name of the merged  
 33 school corporation by a majority vote. The name may be changed by  
 34 unanimous vote of the governing body of the merged school  
 35 corporation.

36 SECTION 65. IC 20-23-16-11 IS REPEALED [EFFECTIVE JULY  
 37 1, 2015]. Sec. 11: (a) ~~In a county having a population of more than one~~  
 38 ~~hundred seventy-five thousand (175,000) but less than one hundred~~  
 39 ~~eighty-five thousand (185,000); if, after April 17, 1963:~~

- 40 (1) ~~proceedings have been undertaken in good faith to form a~~
- 41 ~~community school corporation by the consolidation of two (2) or~~
- 42 ~~more prior established school corporations;~~



1 (2) the community school corporation is held, by a final order and  
 2 decision of a court, to be invalidly formed and nonexistent; and  
 3 (3) the order and decision are not subject to further judicial  
 4 review;

5 any bonds issued (before the final order and decision of the court) in  
 6 the name of the community school corporation to provide funds to be  
 7 applied on the cost of construction and equipment of a school building  
 8 are not invalid by reason of the final order and decision of the court but  
 9 constitute the valid and binding obligation of the prior established  
 10 school corporation in the territory where the school building was or is  
 11 being constructed; the same as if the bonds had been validly issued in  
 12 the name of the prior established school corporation.

13 (b) This section applies only if the bonds at the time of their  
 14 issuance would have been within the limitation of indebtedness  
 15 imposed by the Constitution of the State of Indiana on the prior  
 16 established school corporation.

17 SECTION 66. IC 20-23-16-25 IS REPEALED [EFFECTIVE JULY  
 18 1, 2015]. Sec. 25. A metropolitan superintendent of schools shall:

19 (1) act as the general administrator of the metropolitan school  
 20 district; and

21 (2) make recommendations to the board concerning:

22 (A) the conduct of the schools;

23 (B) the employment and dismissal of personnel;

24 (C) the purchase of supplies;

25 (D) the construction of buildings; and

26 (E) other matters pertaining to the conduct of the school within  
 27 the framework of the school laws of this state;

28 (3) attend meetings of the board except when the superintendent's  
 29 reappointment is under consideration;

30 (4) carry out the orders of the board; and

31 (5) make other decisions and perform other duties that are  
 32 prescribed by law.

33 SECTION 67. IC 20-23-16-26, AS AMENDED BY P.L.2-2006,  
 34 SECTION 102, IS AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2015]: Sec. 26. (a) A metropolitan board of  
 36 education shall:

37 (1) make decisions pertaining to the general conduct of the  
 38 schools, and these decisions shall be enforced and entered into the  
 39 minutes recorded by the secretary of the board; and

40 (2) exercise powers previously exercised under the law, by or  
 41 through:

42 (A) township trustees; **and**



- 1 (B) meetings or petitions of the township trustees of the  
 2 county. ~~and~~  
 3 ~~(C) county boards of education previously existing.~~  
 4 The offices of township trustee ~~or county board or county boards of~~  
 5 ~~education~~ as far as the conduct of public schools is concerned are  
 6 abolished as of noon on the day the metropolitan school district is  
 7 created and comes into existence.
- 8 (b) The metropolitan superintendent of schools and other persons  
 9 employed for administrative or supervisory duties may be considered  
 10 to be supervisors of instruction and are eligible, subject to the rules  
 11 adopted by the state board, to qualify for teaching units in accordance  
 12 with law.
- 13 (c) The government of the common schools of a district is vested in  
 14 the board. The board shall function with the authority, powers,  
 15 privileges, duties, and obligations previously granted to or required of  
 16 school cities and their governing boards regarding the:
- 17 (1) purchase of supplies;
  - 18 (2) purchase and sale of:
    - 19 (A) buildings;
    - 20 (B) grounds; and
    - 21 (C) equipment;
  - 22 (3) erection of buildings;
  - 23 (4) employment and dismissal of school personnel;
  - 24 (5) insuring property and employees;
  - 25 (6) making and executing of a budget;
  - 26 (7) borrowing money; and
  - 27 (8) paying the salaries and expenses of the
    - 28 ~~(A) county superintendent; and~~
    - 29 ~~(B) employees;~~
- 30 as approved by the board.
- 31 (d) A board is a body corporate and politic by the name and style of  
 32 "The Metropolitan School District of \_\_\_\_\_, Indiana" with the right  
 33 to prosecute and defend suits and shall act as necessary to the proper  
 34 administration of the common schools of the county.
- 35 (e) The school district shall:
- 36 (1) be vested with rights, titles, and interests of the district's  
 37 predecessor township or town school corporations;
  - 38 (2) assume, pay, and be liable for the:
    - 39 (A) indebtedness;
    - 40 (B) obligations;
    - 41 (C) liabilities; and
    - 42 (D) duties;



- 1 of the predecessor corporations from whatever source derived;  
 2 and  
 3 (3) institute and defend suits arising out of the school district's:  
 4 (A) liabilities;  
 5 (B) obligations;  
 6 (C) duties; and  
 7 (D) rights;

8 assumed by a metropolitan school district.

9 (f) The treasurer, before entering upon the duties of the office, shall  
 10 execute a bond to the acceptance of the county auditor. The bond may  
 11 not be greater than the largest sum of money that will be in the  
 12 possession of the treasurer at any one (1) time. The board of education  
 13 may purchase the bond from a reliable surety company and pay for it  
 14 out of the special school revenue of the metropolitan district.

15 (g) The powers set forth in this section shall not be considered as or  
 16 construed to:

- 17 (1) limit the power and authority of a school board; or  
 18 (2) restrict or modify powers or authority granted by another law  
 19 not in conflict with the provisions of this section.

20 SECTION 68. IC 20-23-16-41, AS ADDED BY P.L.1-2005,  
 21 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2015]: Sec. 41. (a) School boards, boards of school trustees,  
 23 **and** boards of school commissioners ~~and school township trustees~~ may  
 24 hire and fix the salaries for clerical personnel as necessary to assist  
 25 principals of schools in which at least twelve (12) teachers are  
 26 employed.

27 (b) The board or trustees that hire personnel under subsection (a)  
 28 may pay the salaries of the personnel out of the special school funds  
 29 belonging to their respective school corporations in the manner  
 30 provided by law for the payment of other school expenses.

31 SECTION 69. IC 20-24.5-1-2, AS ADDED BY P.L.2-2007,  
 32 SECTION 209, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2015]: Sec. 2. This chapter applies only to the  
 34 following school corporations:

- 35 ~~(1) School townships.~~  
 36 ~~(2) (1) School cities.~~  
 37 ~~(3) (2) School towns.~~  
 38 ~~(4) (3) Community school corporations.~~  
 39 ~~(5) (4) Metropolitan school districts.~~  
 40 ~~(6) (5) County school corporations.~~

41 SECTION 70. IC 20-24.5-2-10, AS AMENDED BY P.L.205-2013,  
 42 SECTION 237, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: Sec. 10. A laboratory school that:  
 2 (1) is operated without an agreement; and  
 3 (2) has an ADM in the fall count of a school year of not more than  
 4 seven hundred fifty (750);  
 5 must be treated as a charter school for purposes of funding under  
 6 ~~IC 20-20-33~~ and IC 20-43.

7 SECTION 71. IC 20-25-5-7, AS ADDED BY P.L.1-2005,  
 8 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2015]: Sec. 7. As used in this chapter, "resolution" of  
 10 ~~(1) a school township means a resolution adopted by the trustee~~  
 11 ~~and a majority of the township board; and~~  
 12 ~~(2) any other school corporation means a resolution duly adopted~~  
 13 ~~by the school corporation's governing body.~~

14 SECTION 72. IC 20-25-5-13, AS ADDED BY P.L.1-2005,  
 15 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2015]: Sec. 13. (a) The notice by publication required by  
 17 sections 11 and 12 of this chapter shall be made two (2) times a week  
 18 apart in two (2) daily newspapers of general circulation in the acquiring  
 19 school corporation and the losing school corporation. The two (2) daily  
 20 newspapers must be published in the English language. If there is only  
 21 one (1) daily newspaper or if there are not any daily newspapers in  
 22 either school corporation, a weekly newspaper may be used to provide  
 23 notice. If there is only one (1) daily or weekly newspaper, publication  
 24 in that newspaper is sufficient. If a newspaper is of general circulation  
 25 in both school corporations, the publication of notice in the newspaper  
 26 qualifies as one (1) of the required publications in each of the school  
 27 corporations. Publication may be made jointly by the losing school  
 28 corporation and the acquiring school corporation. The remonstrance  
 29 period runs from the second publication.

30 (b) If notice is required to be given by an acquiring school  
 31 corporation to a losing school corporation, it may be made by  
 32 registered or certified United States mail, return receipt requested,  
 33 addressed to the:

- 34 (1) governing body of the losing school corporation at the  
 35 governing body's established business office; **or**  
 36 ~~(2) township trustee in the case of a school township; or~~  
 37 ~~(3) (2) superintendent of schools or any officer of the governing~~  
 38 ~~body of any other school corporation.~~

39 SECTION 73. IC 20-26-2-4, AS ADDED BY P.L.1-2005,  
 40 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2015]: Sec. 4. "School corporation" means a local public  
 42 school corporation established under Indiana law, including a:





1 (1) school city;  
 2 (2) school town;  
 3 (3) metropolitan school district;  
 4 (4) consolidated school corporation;  
 5 (5) county school corporation;  
 6 (6) community school corporation; and  
 7 (7) united school corporation.  
 8 The term does not include a school township.  
 9 SECTION 74. IC 20-26-5-0.3 IS REPEALED [EFFECTIVE JULY  
 10 1, 2015]. Sec. 0.3: A donation of proceeds of riverboat gaming to a  
 11 public school endowment corporation that:  
 12 (1) was made by a political subdivision before July 1, 2000; and  
 13 (2) would have been permitted by IC 20-5-6-9 (as added by  
 14 P.L.17-2000 and before its repeal; later codified at section 21 of  
 15 this chapter; before its repeal) if IC 20-5-6-9 had been in effect  
 16 before July 1, 2000;  
 17 is legalized and validated.  
 18 SECTION 75. IC 20-26-5-34 IS REPEALED [EFFECTIVE JULY  
 19 1, 2015]. Sec. 34: (a) This section applies to a school corporation that,  
 20 after June 30, 2013, establishes, amends, renews, or modifies a  
 21 retirement, savings, or severance plan described under Section 401(a);  
 22 Section 403(b); or another applicable section of the Internal Revenue  
 23 Code that requires or permits an individual employed by the school  
 24 corporation to:  
 25 (1) contribute amounts; or  
 26 (2) have amounts contributed by the school corporation on the  
 27 employee's behalf;  
 28 that are credited and allocated to an account for each employee.  
 29 (b) As used in this section, "Internal Revenue Code" has the  
 30 meaning set forth in IC 6-3-1-11.  
 31 (c) To the extent permitted by federal law, whenever a school  
 32 corporation closes a retirement, savings, or investment plan to future  
 33 contributions, a participant in the plan, without regard to the  
 34 participant's age or employment status, may elect to rollover the  
 35 balance invested in the closed plan to:  
 36 (1) another eligible retirement, savings, or investment plan  
 37 offered by the school corporation; or  
 38 (2) an individual retirement account or annuity described under  
 39 Section 408(a) or Section 408(b) of the Internal Revenue Code.  
 40 (d) This section does not apply to or abrogate a written or oral  
 41 contract or agreement in effect on July 1, 2013.  
 42 SECTION 76. IC 20-26-7-3 IS REPEALED [EFFECTIVE JULY 1,



1 2015]. Sec. 3: Any building or other property owned by a civil  
 2 township may be conveyed to the corresponding school township in the  
 3 manner prescribed in section 4 of this chapter:

4 SECTION 77. IC 20-26-7-4 IS REPEALED [EFFECTIVE JULY 1,  
 5 2015]. Sec. 4: (a) To transfer or convey a building or other property  
 6 from a civil township to the corresponding school township; a petition  
 7 may be filed with the board of commissioners of the county in which  
 8 the civil township is located that:

9 (1) asks for the conveyance or transfer of the building or other  
 10 property;

11 (2) describes the nature of the building or other property to be  
 12 conveyed or transferred; and

13 (3) contains the reasons for the conveyance or transfer.

14 (b) A petition must be:

15 (1) signed by a majority of the legal voters residing in the civil  
 16 township; and

17 (2) filed in the office of the county auditor.

18 When the petition is filed, the petitioners shall give a bond, with good  
 19 and sufficient freehold sureties; that is payable to the state; approved  
 20 by the board of county commissioners; and conditioned to pay all  
 21 expenses if the board of county commissioners does not authorize the  
 22 proposed conveyance or transfer.

23 (c) After a petition is filed, the county auditor shall give notice of  
 24 the filing of the petition by publication once a week for two (2)  
 25 consecutive weeks in one (1) newspaper printed and published in the  
 26 county and of general circulation in the county in which the civil  
 27 township is located.

28 (d) The board of commissioners shall:

29 (1) hear the petition at the next regular meeting and on the day  
 30 designated in the notice; and

31 (2) determine all matters concerning the petition.

32 If the board is satisfied as to the propriety of granting the petitioners'  
 33 request, the board shall make a finding to that effect and the trustee of  
 34 the civil township shall convey the building or other property belonging  
 35 to the civil township to the corresponding school township. The school  
 36 township shall hold, control, and manage the building or other  
 37 property. Expenses incurred in the conveyance of the property, if the  
 38 conveyance is authorized, shall be paid out of the general funds of the  
 39 civil township.

40 SECTION 78. IC 20-26-7-15, AS ADDED BY P.L.1-2005,  
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2015]: Sec. 15. (a) Before making the appraisalment and



1 assessment, the appraisers shall take an oath before the clerk of the  
2 court to make a fair, true, and honest appraisal of the real estate.

3 (b) After taking the oath under subsection (a), the appraisers shall  
4 examine the real estate, hear evidence they consider necessary, and  
5 make a report of their appraisal to the court not more than five (5)  
6 days after their appointment.

7 (c) After the examination under subsection (b), the township trustee  
8 or school trustees of the school corporation, or a majority of them, may  
9 pay to the clerk of the court, for the use of the owner or owners of the  
10 real estate, the amount assessed.

11 (d) When the payment is made under subsection (c) and the  
12 payment is shown to the court hearing the cause:

13 (1) the title to the real estate vests immediately in the school  
14 corporation ~~or school township~~ for school purposes;

15 (2) the court shall cause the real estate to be conveyed to the  
16 school corporation ~~or school township~~ by a commissioner  
17 appointed for that purpose; and

18 (3) the school corporation ~~or school township~~ may immediately  
19 take possession of the real estate for the purpose.

20 (e) When the report of the appraisers is filed, any party to the action,  
21 not later than ten (10) days, may except to the amount of the  
22 appraisal and valuation of the real estate and a trial may be had on  
23 the exception before the court as other civil causes are tried. The court  
24 shall fix the amount of the appraisal and assessment, and any party  
25 to the action may appeal the judgment of the court as other civil cases  
26 are appealed.

27 (f) If the township trustee or school trustees, or a majority of them,  
28 except to the amount of the appraisal and assessment:

29 (1) the court shall convey the real estate to the school corporation;  
30 ~~or school township~~;

31 (2) the title to the real estate vests immediately in the school  
32 corporation ~~or school township~~ for the purposes; and

33 (3) subsequent proceedings upon the exceptions affect only the  
34 amount of the appraisal and assessments.

35 SECTION 79. IC 20-26-7-17, AS AMENDED BY P.L.146-2008,  
36 SECTION 466, IS AMENDED TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) A school corporation may:

38 (1) purchase buildings or lands, or both, for school purposes; and

39 (2) improve the buildings or lands, or both.

40 (b) An existing building, other than a building obtained under  
41 IC 5-17-2 (before its repeal) or IC 4-13-1.7, permitting the purchase of  
42 suitable surplus government buildings, may not be purchased for use



1 as a school building unless the building was originally constructed for  
 2 use by the school corporation and used for that purpose for at least five  
 3 (5) years preceding the acquisition as provided in this section through  
 4 section ~~19~~ **18** of this chapter.

5 (c) Notwithstanding this section through section ~~19~~ **18** of this  
 6 chapter limiting the purchase of school buildings, a school corporation  
 7 may:

8 (1) purchase suitable buildings or lands, or both, adjacent to  
 9 school property for school purposes; and

10 (2) improve the buildings or lands, or both, after giving notice to  
 11 the taxpayers of the intention of the school corporation to  
 12 purchase.

13 The taxpayers of the school corporation have the same right of appeal  
 14 under the same procedure as provided for in IC 6-1.1-20-5 through  
 15 IC 6-1.1-20-6.

16 SECTION 80. IC 20-26-7-18, AS AMENDED BY P.L.146-2008,  
 17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 18 2015]: Sec. 18. A school corporation may issue and sell bonds under  
 19 the general statutes governing the issuance of bonds to purchase and  
 20 improve buildings or lands, or both. All laws relating to approval (if  
 21 required) in a local public question under IC 6-1.1-20, the filing of  
 22 petitions remonstrances, and objecting petitions, giving notices of the  
 23 filing of petitions, the determination to issue bonds, and the  
 24 appropriation of the proceeds of the bonds are applicable to the  
 25 issuance of bonds under ~~sections~~ **section 17 through 19** of this chapter.

26 SECTION 81. IC 20-26-7-19 IS REPEALED [EFFECTIVE JULY  
 27 1, 2015]. ~~Sec. 19. (a) If:~~

28 (1) ~~a school township whose boundaries are coterminous with the~~  
 29 ~~boundaries of the corresponding civil township has occupied as~~  
 30 ~~lessee for at least five (5) years a building constructed for its use~~  
 31 ~~as a school building;~~

32 (2) ~~the township board finds that it would be in the best interests~~  
 33 ~~of the school township and its taxpayers for the school township~~  
 34 ~~to purchase the building; and~~

35 (3) ~~the entire amount required to pay the cost of acquisition~~  
 36 ~~cannot be provided by the school township on account of the~~  
 37 ~~constitutional debt limitation;~~

38 ~~the township board; with the approval of the township trustee, may~~  
 39 ~~authorize the issuance of bonds by each of the school township and the~~  
 40 ~~civil township to provide funds to pay the cost of acquisition of the~~  
 41 ~~building.~~

42 (b) ~~The amount of the civil township bonds may not exceed the~~



1 amount required to pay the cost of acquisition over and above the  
 2 amount that can validly be financed by the school township for that  
 3 purpose. The issuance of bonds must be authorized by separate  
 4 resolutions specifying the amount, terms, and conditions of the bonds  
 5 to be issued by each of the corporations. The bonds issued are the  
 6 separate obligations of the corporations, respectively. The bonds must  
 7 be payable at times and in amounts not later than twenty (20) years  
 8 after the date of issuance as the township board may determine and  
 9 shall otherwise be authorized, issued, and sold in accordance with the  
 10 applicable general laws.

11 (c) As used in this section, "building" includes the land occupied by  
 12 the school township for school purposes.

13 SECTION 82. IC 20-26-7-31 IS REPEALED [EFFECTIVE JULY  
 14 1, 2015]. Sec. 31. If a petition is filed under section 30 of this chapter,  
 15 the auditor of the county shall do the following:

16 (1) Mail one (1) copy of the petition to:

17 (A) the county superintendent of schools; and

18 (B) the township trustee or the president of the board of school  
 19 trustees or board of school commissioners of the school  
 20 corporation in which the school building is located.

21 (2) Give notice by one (1) publication in each of two (2)  
 22 newspapers circulating in the school corporation in which the  
 23 school building is located that a hearing will be held:

24 (A) at a place and at a time designated in the notice;

25 (B) not less than ten (10) days after the date on which the  
 26 notice is published;

27 (C) before the board of county commissioners and the county  
 28 council of the county, acting jointly; and

29 (D) at which an interested person may appear in person or by  
 30 attorney and be heard.

31 SECTION 83. IC 20-26-7-43, AS ADDED BY P.L.2-2006,  
 32 SECTION 127, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2015]: Sec. 43. (a) This section applies to  
 34 school corporations organized and formed through reorganization  
 35 under IC 20-23-4, IC 20-23-6, or IC 20-23-7. and school townships  
 36 under IC 20-23-3.

37 (b) This section applies only when a school corporation or school  
 38 township sustains loss by fire, wind, cyclone, or other disaster of all or  
 39 a major part of its school building or school buildings.

40 (c) A school corporation or school township seeking to exercise its  
 41 right of eminent domain under IC 32-24 to obtain land for use in  
 42 reconstructing or replacing the school building or school buildings may



1 not condemn more than twice the acreage established by the state board  
 2 as the minimum acreage requirement for the type of school building  
 3 damaged or destroyed and being reconstructed or replaced. In  
 4 determining the acreage, land already owned by the school corporation  
 5 or school township that adjoins any part of the land out of which  
 6 additional land is sought to be condemned shall be used in computing  
 7 the total acreage for the reconstruction or replacement of the school  
 8 building or school buildings under this section. The need for the  
 9 additional land is subject to judicial review in the court where the  
 10 condemnation action is filed and may, at the request of either party, be  
 11 tried either by the court or a jury before appraisers are appointed with  
 12 full rights of appeal, by either party, from the interlocutory findings.

13 SECTION 84. IC 20-26-7-43 IS REPEALED [EFFECTIVE JULY  
 14 1, 2015]. Sec. 43: (a) This section applies to school corporations  
 15 organized and formed through reorganization under IC 20-23-4;  
 16 IC 20-23-6, or IC 20-23-7; and school townships under IC 20-23-3.

17 (b) This section applies only when a school corporation or school  
 18 township sustains loss by fire, wind, cyclone, or other disaster of all or  
 19 a major part of its school building or school buildings.

20 (c) A school corporation or school township seeking to exercise its  
 21 right of eminent domain under IC 32-24 to obtain land for use in  
 22 reconstructing or replacing the school building or school buildings may  
 23 not condemn more than twice the acreage established by the state board  
 24 as the minimum acreage requirement for the type of school building  
 25 damaged or destroyed and being reconstructed or replaced. In  
 26 determining the acreage, land already owned by the school corporation  
 27 or school township that adjoins any part of the land out of which  
 28 additional land is sought to be condemned shall be used in computing  
 29 the total acreage for the reconstruction or replacement of the school  
 30 building or school buildings under this section. The need for the  
 31 additional land is subject to judicial review in the court where the  
 32 condemnation action is filed and may, at the request of either party, be  
 33 tried either by the court or a jury before appraisers are appointed with  
 34 full rights of appeal, by either party, from the interlocutory findings.

35 SECTION 85. IC 20-26-7-44 IS REPEALED [EFFECTIVE JULY  
 36 1, 2015]. Sec. 44: (a) If:

37 (1) a school township has acquired or acquires any personal  
 38 property or money by gift, devise, or bequest;

39 (2) the donor or testator, at the time of making the gift, devise, or  
 40 bequest does not or did not attach any conditions or directions  
 41 concerning the way or manner in which the gift, devise, or  
 42 bequest may or shall be used or expended for the benefit of the



1 public schools of the school township; and  
 2 (3) a petition is signed by at least fifty (50) resident freeholders of  
 3 the school township and filed before August 2 with the trustee of  
 4 the school township, requesting the township board to appropriate  
 5 and transfer all of the gift, devise, or bequest to a capital projects  
 6 fund or debt service fund to be used for the erection of a new  
 7 school building or buildings;

8 the trustee shall give notice to the taxpayers of the school township, by  
 9 publication, that on the same day on which the township board meets  
 10 to establish the tax levy for the ensuing year, all persons interested in  
 11 the proposed petition may appear and be heard.

12 (b) If the township board grants the petition after the hearing, the  
 13 township board shall appropriate and transfer all the money of the gift,  
 14 devise, or bequest to a capital projects fund or debt service fund for the  
 15 erection of a new school building or buildings.

16 (c) If any gift, devise, or bequest subject to this section consists of  
 17 stocks, bonds, or other personal property, the township trustee, with the  
 18 consent and approval of the township board, may sell the stocks, bonds,  
 19 or other personal property for not less than the market value of the  
 20 property on the day on which the property is sold.

21 SECTION 86. IC 20-26-8-1, AS ADDED BY P.L.1-2005,  
 22 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2015]: Sec. 1. A board of school trustees in a second or third  
 24 class city, ~~or a board of school trustees of a town: or the school trustees~~  
 25 ~~of a school township:~~

26 (1) may, on their own initiative, and shall, upon petition as  
 27 provided in section 2 of this chapter, establish and maintain for  
 28 children and adults in the school buildings and on the school  
 29 grounds under the custody and management of the boards: ~~or~~  
 30 ~~school trustees of school townships:~~

31 (A) evening schools;

32 (B) vacation schools;

33 (C) debating clubs;

34 (D) community centers;

35 (E) gymnasiums;

36 (F) public playgrounds;

37 (G) public baths; and

38 (H) similar activities and accommodations as determined by  
 39 the boards or school trustees of school townships;

40 without charge to the residents of the cities, towns, or townships;  
 41 and

42 (2) may:



1 (A) cooperate, by agreement, with other commissioners or  
 2 boards or school trustees of school townships that have  
 3 custody and management of public parks, libraries, museums,  
 4 and other public buildings and grounds to provide the:

- 5 (i) equipment;  
 6 (ii) supervision;  
 7 (iii) instruction; and  
 8 (iv) oversight;

9 necessary to conduct public educational and recreational  
 10 activities in and upon the other buildings and grounds; and

11 (B) pay all expenses associated with the activities from the  
 12 general fund.

13 SECTION 87. IC 20-26-8-2 IS REPEALED [EFFECTIVE JULY 1,  
 14 2015]. Sec. 2: (a) If:

15 (1) a petition is filed with:

- 16 (A) the clerk of a municipality; or  
 17 (B) the trustee of any township;

18 that is signed by at least ten percent (10%) of the number of  
 19 voters voting at the last general election held in the city; or

20 (2) a petition is presented that contains the signatures of at least  
 21 one hundred (100) freeholders living in a town or township;

22 that sets forth a question in the form prescribed by IC 3-10-9-4 and a  
 23 date for an election on the question; the question of exercising the  
 24 powers granted for any of the purposes enumerated in section 1 of this  
 25 chapter shall be submitted to the electors of the municipalities or  
 26 townships:

27 (b) The clerk or trustee shall certify the public question to the  
 28 county election board of each county in which the school corporation  
 29 is located. The county election board shall place the public question on  
 30 the ballot at the first primary or general election conducted after  
 31 certification under IC 3-10-9-3. If the first primary or general election  
 32 will be conducted more than six (6) months after certification, the  
 33 county election board shall conduct the election not later than thirty  
 34 (30) days after certification.

35 (c) If a majority of the votes cast upon the question are affirmative:

- 36 (1) the board of school trustees of the municipality; or  
 37 (2) the school trustee of the school township;

38 shall exercise the powers in accordance with the petition under this  
 39 chapter.

40 SECTION 88. IC 20-26-8-3 IS REPEALED [EFFECTIVE JULY 1,  
 41 2015]. Sec. 3: (a) The board or school trustee of any school township  
 42 may receive and expend for purposes of this chapter money received





1 as gifts or appropriations made by individuals, business establishments,  
2 or organizations:

3 (b) The board or school trustee of a school township may also  
4 receive property that donors transfer to the board or school trustee of  
5 a school township. The property may be used only in conformity with  
6 the purposes of this chapter:

7 SECTION 89. IC 20-26-8-13 IS REPEALED [EFFECTIVE JULY  
8 1, 2015]. Sec. 13. (a) In a school township located in a county having  
9 a population of:

10 (1) more than four hundred thousand (400,000) but less than  
11 seven hundred thousand (700,000); or

12 (2) more than two hundred fifty thousand (250,000) but less than  
13 two hundred seventy thousand (270,000);

14 the township trustee, in administering the recreation program under this  
15 chapter, may supplement the funds by making a reasonable charge for  
16 admission to any outdoor swimming pool located on the school  
17 township property and owned by the school township:

18 (b) With the approval of the township board, the township trustee  
19 shall establish the admission fee or a schedule of admission fees to be  
20 collected for the use of the swimming pool. Fees collected shall be  
21 deposited in a recreation fund established under this chapter.  
22 Disbursements for personal services, operation, maintenance, and  
23 repairs of the swimming pool shall be paid from the recreation fund.

24 SECTION 90. IC 20-26-9-2, AS AMENDED BY P.L.54-2006,  
25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2015]: Sec. 2. (a) This subsection applies before July 1, 2007.  
27 As used in this chapter, "qualifying school building" refers to a public  
28 school building in which:

29 (1) at least twenty-five percent (25%) of the students who were  
30 enrolled at that school building during the prior school year  
31 qualified for free or reduced price lunches under guidelines  
32 established under 42 U.S.C. 1758(b); and

33 (2) lunches are served to students:

34 (b) This subsection applies after June 30, 2007. As used in this  
35 chapter, "qualifying school building" refers to a public school building  
36 in which:

37 (1) at least fifteen percent (15%) of the students who were  
38 enrolled at that school building during the prior school year  
39 qualified for free or reduced price lunches under guidelines  
40 established under 42 U.S.C. 1758(b); and

41 (2) lunches are served to students.

42 SECTION 91. IC 20-26-9-12, AS AMENDED BY P.L.146-2008,



1 SECTION 468, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2015]: Sec. 12. (a) School cities, ~~school~~  
 3 ~~townships~~, school towns, and joint districts may:

4 (1) establish, equip, operate, and maintain school kitchens and  
 5 school lunchrooms for the improvement of the health of students  
 6 and for the advancement of the educational work of their  
 7 respective schools;

8 (2) employ all necessary directors, assistants, and agents; and

9 (3) appropriate funds for the school lunch program.

10 Participation in a school lunch program under this chapter is  
 11 discretionary with the governing board of a school corporation.

12 (b) If federal funds are not available to operate a school lunch  
 13 program:

14 (1) the state may not participate in a school lunch program; and

15 (2) money appropriated by the state for that purpose and not  
 16 expended shall immediately revert to the state general fund.

17 (c) Failure on the part of the state to participate in the school lunch  
 18 program does not invalidate any appropriation made or school lunch  
 19 program carried on by a school corporation by means of gifts or money  
 20 appropriated from state tuition support distributions received by the  
 21 school corporation.

22 SECTION 92. IC 20-26-10-10, AS ADDED BY P.L.1-2005,  
 23 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2015]: Sec. 10. Two (2) or more school corporations within  
 25 a county may through their respective school trustees and boards  
 26 engage in any of the following:

27 (1) Joint employment of professional personnel.

28 (2) Joint purchases of necessary supplies, equipment, and other  
 29 materials that the participating school officers consider proper to  
 30 the operation of their respective schools.

31 The cost of these services and purchases to participating corporations  
 32 shall be determined by their proportionate use in the schools of  
 33 participating corporations. ~~The county superintendent of schools is the~~  
 34 ~~administrator of these joint activities.~~

35 SECTION 93. IC 20-26-10-11 IS REPEALED [EFFECTIVE JULY  
 36 1, 2015]. ~~Sec. 11. (a) A county board of education may authorize the~~  
 37 ~~county superintendent of schools to establish a joint service and supply~~  
 38 ~~fund; into which fund the participating school corporations shall pay~~  
 39 ~~their proportionate share under an agreement for the joint services and~~  
 40 ~~supplies in which the school corporations are interested. The county~~  
 41 ~~superintendent of schools may disburse from the service and supply~~  
 42 ~~fund proper expenditures to pay salaries of jointly employed personnel~~



1 and other joint service expenditures:

2 (b) The county superintendent of schools shall keep a complete  
3 written accounting of all receipts and disbursements related to the joint  
4 service and supply fund in a form approved by the state board of  
5 accounts. The accounting shall be audited by the state board of  
6 accounts. The county superintendent of schools shall make a complete  
7 and detailed financial report of all receipts and disbursements in the  
8 joint service and supply fund at the end of each fiscal year and shall  
9 furnish copies of the report to all participating school corporations.

10 SECTION 94. IC 20-26-11-19 IS REPEALED [EFFECTIVE JULY  
11 1, 2015]. Sec. 19: (a) This section through section 29 of this chapter  
12 concern the transfer of students for education from one (1) school  
13 corporation (transferor corporation) to another school corporation  
14 (transferee corporation) in compliance with a court order as described  
15 in this section. This chapter applies solely in a situation where a court  
16 of the United States or of Indiana in a suit to which the transferor or  
17 transferee corporation or corporations are parties has found the  
18 following:

19 (1) A transferor corporation has violated the equal protection  
20 clause of the Fourteenth Amendment to the Constitution of the  
21 United States by practicing de jure racial segregation of the  
22 students within its borders.

23 (2) A unitary school system within the meaning of the Fourteenth  
24 Amendment cannot be implemented within the boundaries of the  
25 transferor corporation.

26 (3) The Fourteenth Amendment compels the court to order a  
27 transferor corporation to transfer its students for education to one  
28 (1) or more transferee corporations to effect a plan of  
29 desegregation in the transferor corporation that is acceptable  
30 within the meaning of the Fourteenth Amendment.

31 (b) This chapter does not apply until all appeals from the order,  
32 whether taken by the transferor corporation, any transferee corporation  
33 or any party to the action, have been exhausted or the time for taking  
34 the appeals has expired, except where all stays of a transfer order  
35 pending appeal or further court action have been denied.

36 SECTION 95. IC 20-26-11-20 IS REPEALED [EFFECTIVE JULY  
37 1, 2015]. Sec. 20: (a) As used in sections 19 through 29 of this chapter,  
38 "class of school" refers to a classification of each school in the  
39 transferee corporation by the grades taught therein (generally  
40 denominated as elementary schools, middle schools or junior high  
41 schools, high schools, and special schools such as schools for special  
42 education, career and technical education, or career education):



1 Elementary schools include schools containing kindergarten, but for  
 2 purposes of this chapter, a kindergarten student shall be counted as  
 3 one-half (1/2) student.

4 (b) As used in sections 19 through 29 of this chapter, "transferee  
 5 corporation" means the school corporation receiving students under a  
 6 court order described in section 19 of this chapter.

7 (c) As used in sections 19 through 29 of this chapter, "transferor  
 8 corporation" means the school corporation transferring students under  
 9 a court order described in section 19 of this chapter.

10 (d) As used in sections 19 through 29 of this chapter, "transferred  
 11 student" means any student transferred under a court order described  
 12 in section 19 of this chapter.

13 SECTION 96. IC 20-26-11-21 IS REPEALED [EFFECTIVE JULY  
 14 1, 2015]. Sec. 21. (a) The governing body of a transferee corporation  
 15 may add two (2) members; one (1) of whom must be a resident of the  
 16 contributing geographic area within the transferor corporation from  
 17 which students are being bused; to the transferee corporation's  
 18 governing body for each transferor corporation that the transferee  
 19 corporation serves. These members are in addition to the number of  
 20 members of the governing body who are residents of the transferee  
 21 corporation.

22 (b) Each member who is a resident of a contributing transferor  
 23 corporation added to the governing body of a transferee corporation by  
 24 this section:

25 (1) shall be elected by a majority of all registered and eligible  
 26 voters who vote in each applicable school board election in the  
 27 school corporation;

28 (2) must have the same qualifications, other than residency or  
 29 property ownership; that are required for a member of the  
 30 governing body who is a resident of the transferee corporation;  
 31 and

32 (3) serves for the same number of years as members of the  
 33 governing body who are residents of the transferee corporation.

34 (c) The members of the governing body of the transferee corporation  
 35 shall appoint by majority vote the first additional members of a  
 36 governing body under this section. The members appointed under this  
 37 subsection serve until replacement members are elected under  
 38 subsections (d) and (e).

39 (d) The first elected members of a governing body from a transferor  
 40 corporation shall be elected at the first election after the members are  
 41 added under subsection (a):

42 (1) that occurs in the transferor corporation; and



1 (2) where one (1) or more members of the governing body of the  
2 transferor corporation are elected:

3 The election shall be conducted in the manner required by law for the  
4 conduct of elections of governing bodies of school corporations:

5 (e) This subsection applies to an additional member of a governing  
6 body appointed under subsection (c) to whom subsection (d) does not  
7 apply. The first additional elected member of a governing body must  
8 be elected at the first election after the members are added under  
9 subsection (a) where one (1) or more members of the governing body  
10 of the transferee corporation are elected. The election must be  
11 conducted in the manner required by law for the conduct of elections  
12 of governing bodies of school corporations:

13 SECTION 97. IC 20-26-11-22 IS REPEALED [EFFECTIVE JULY  
14 1, 2015]. Sec. 22: (a) The transferee corporation is entitled to receive  
15 from the transferor corporation transfer tuition for each transferred  
16 student for each school year calculated in two (2) parts as follows:

17 (1) Operating cost.

18 (2) Capital cost.

19 These costs must be allocated on a per student basis separately for each  
20 class of school:

21 (b) The operating cost for each class of school must be based on the  
22 total expenditures of the transferee corporation for the class from its  
23 general fund expenditures as set out on the classified budget forms  
24 prescribed by the state board of accounts; excluding from the  
25 calculation capital outlay; debt service; costs of transportation; salaries  
26 of board members; contracted service for legal expenses; and any  
27 expenditure that is made out of the general fund from extracurricular  
28 account receipts; for the school year:

29 (c) The capital cost for each class of school must consist of the  
30 lesser of the following alternatives:

31 (1) The capital cost must be based on an amount equal to five  
32 percent (5%) of the cost of transferee corporation's physical plant;  
33 equipment; and all items connected to the physical plant or  
34 equipment; including:

35 (A) buildings; additions; and remodeling to the buildings;  
36 excluding ordinary maintenance; and

37 (B) on-site and off-site improvements such as walks; sewers;  
38 waterlines; drives; and playgrounds;

39 that have been paid or are obligated to be paid in the future out of  
40 the general fund; capital projects fund; or debt service fund;  
41 including principal and interest, lease rental payments; and funds  
42 that were legal predecessors to these funds. If an item of the



1 physical plant; equipment; appurtenances; or part of the item is  
 2 more than twenty (20) years old at the beginning of the school  
 3 year; the capital cost of the item shall be disregarded in making  
 4 the capital cost computation:

5 (2) The capital cost must be based on the amount budgeted from  
 6 the general fund for capital outlay for physical plant; equipment;  
 7 and appurtenances and the amounts levied for the debt service  
 8 fund and the capital projects fund for the calendar year in which  
 9 the school year ends:

10 (d) If an item of expense or cost cannot be allocated to a class of  
 11 school; the item shall be prorated to all classes of schools on the basis  
 12 of the ADM of each class in the transferee corporation; as determined  
 13 in the fall count of ADM in the school year; compared to the total  
 14 current ADM therein; as determined in the fall count of ADM in the  
 15 school year:

16 (e) The transfer tuition for each student transferred for each school  
 17 year shall be calculated by dividing the transferee school corporation's  
 18 total operating costs and the total capital costs for the class of school  
 19 in which the student is enrolled by the ADM of students therein; as  
 20 determined in the fall count of ADM in the school year. If a transferred  
 21 student is enrolled in a transferee corporation for less than the full  
 22 school year; the transfer tuition shall be calculated by the proportion of  
 23 such school year for which the transferred student is enrolled. A school  
 24 year for this purpose consists of the number of days school is in session  
 25 for student attendance. A student shall be enrolled in a transferee  
 26 school; whether or not the student is in attendance; unless the:

27 (1) student's residence is outside the area of students transferred  
 28 to the transferee corporation;

29 (2) student has been excluded or expelled from school; or

30 (3) student has been confirmed as a school dropout.

31 The transferor and transferee corporations may enter into written  
 32 agreements concerning the amount of transfer tuition. If an agreement  
 33 cannot be reached; the amount shall be determined by the state  
 34 superintendent; with costs to be established; where in dispute; by the  
 35 state board of accounts:

36 (f) The transferor corporation shall pay the transferee corporation;  
 37 when billed; the amount of curricular material rental due from  
 38 transferred students who are unable to pay the curricular material rental  
 39 amount. The transferor corporation is entitled to collect the amount of  
 40 the curricular material rental from the appropriate township trustee;  
 41 from its own funds; or from any other source; in the amounts and  
 42 manner provided by law:



1 SECTION 98. IC 20-26-11-23 IS REPEALED [EFFECTIVE JULY  
2 1, 2015]. Sec. 23: (a) If a transfer is ordered to commence in a school  
3 year, where the transferor corporation has net additional costs over  
4 savings (on account of any transfer ordered) allocable to the state fiscal  
5 year in which the school year begins; and where the transferee  
6 corporation does not have budgeted funds for the net additional costs;  
7 the net additional costs may be recovered by one (1) or more of the  
8 following methods in addition to any other methods provided by  
9 applicable law:

10 (1) An emergency loan made under IC 20-48-1-7 to be paid; out  
11 of the debt service levy and fund; or a loan from any state fund  
12 made available for the net additional costs:

13 (2) An advance in the state fiscal year of state funds; which would  
14 otherwise become payable to the transferee corporation after such  
15 state fiscal year under law:

16 (3) A grant or grants in the calendar year from any funds of the  
17 state made available for the net additional costs:

18 (b) The net additional costs must be certified by the department of  
19 local government finance. Repayment of any advance or loan from the  
20 state shall be made from state tuition support distributions or other  
21 money available to the school corporation:

22 SECTION 99. IC 20-26-11-24 IS REPEALED [EFFECTIVE JULY  
23 1, 2015]. Sec. 24: Transfer tuition for each school year shall be paid by  
24 the transferor corporation during the term of the year and following the  
25 end of term in four (4) installments within ten (10) days after the first  
26 day of November, February, May and August, respectively. The first  
27 three (3) payments shall be calculated on the basis of estimates based  
28 on the previous year's cost per student and the enrollment for the day  
29 schools are open in the transferee corporation next preceding the  
30 applicable payment date:

31 SECTION 100. IC 20-26-11-25 IS REPEALED [EFFECTIVE JULY  
32 1, 2015]. Sec. 25: (a) Payment of the operating cost must be paid from  
33 and receipted to the respective general funds of the transferor and  
34 transferee corporations:

35 (b) Payment of capital costs must be made by the transferor  
36 corporation; at its discretion; from any fund or source and be receipted  
37 by the transferee corporation; at its discretion; either to the capital  
38 projects fund or to the debt service fund:

39 SECTION 101. IC 20-26-11-26 IS REPEALED [EFFECTIVE JULY  
40 1, 2015]. Sec. 26: The transferor corporation shall provide each  
41 transferred student transportation to and from the school in the  
42 transferee corporation to which the student is assigned: However; the



1 transferor corporation may require the transferred student to walk a  
 2 reasonable distance from the student's home to school or to a  
 3 transportation pickup point.

4 SECTION 102. IC 20-26-11-27 IS REPEALED [EFFECTIVE JULY  
 5 1, 2015]. Sec. 27: Transportation must be provided by the transferor  
 6 corporation to each transferred student under IC 20-27. However, the  
 7 transferor corporation may contract with the transferee corporation to  
 8 provide transportation to the transferred students at the expense of the  
 9 transferor corporation; and that the transferor corporation, in addition  
 10 to the other means of financing the purchase of transportation  
 11 equipment, may make the purchases out of its capital projects fund.

12 SECTION 103. IC 20-26-11-29, AS ADDED BY P.L.1-2005,  
 13 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2015]: Sec. 29. (a) The provisions of sections 19 through 29  
 15 of this chapter concerning the calculation of transfer tuition; the credits  
 16 for state distribution; state reimbursement of transportation costs; or  
 17 other state reimbursement may be implemented by rules adopted by the  
 18 state board.

19 (b) (a) The state board shall adopt rules for the enforcement of the  
 20 payment of transfer tuition. The payment enforcement may include the  
 21 withholding of state support from the transferor corporation for the  
 22 benefit of the transferee corporation.

23 (c) (b) A transferor or the transferee corporation may dispute the  
 24 amount of transfer tuition or state reimbursement by petitioning the  
 25 state superintendent. Any dispute in the amount of transfer tuition or  
 26 state reimbursement shall be determined by the state superintendent.

27 SECTION 104. IC 20-26-12-23, AS AMENDED BY P.L.286-2013,  
 28 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2015]: Sec. 23. (a) A school corporation may:

- 30 (1) borrow money to buy curricular materials; and
- 31 (2) issue notes, maturing serially in not more than six (6) years  
 32 and payable from its general fund, to secure the loan.

33 However, when an adoption is made by the proper local officials for  
 34 less than six (6) years, the period for which the notes may be issued is  
 35 limited to the period for which that adoption is effective.

36 (b) Notwithstanding subsection (a), a school township may not  
 37 borrow money to purchase curricular materials unless a petition  
 38 requesting such an action and bearing the signatures of twenty-five  
 39 percent (25%) of the resident taxpayers of the school township has  
 40 been presented to and approved by the township trustee and township  
 41 board.

42 SECTION 105. IC 20-27-5-8, AS ADDED BY P.L.1-2005,





1 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2015]: Sec. 8. (a) The governing body of a school corporation  
3 shall adopt specifications for transportation and fleet contracts before  
4 entering into a transportation or fleet contract under section 5 or 6 of  
5 this chapter.

6 (b) The specifications shall be prepared and placed on file in the  
7 office of the governing body at least fifteen (15) days before the  
8 advertised date for beginning negotiations or receiving proposals or  
9 bids. ~~However, if a school corporation is under the jurisdiction of a~~  
10 ~~county superintendent of schools, the specifications shall be placed on~~  
11 ~~file in the office of the county superintendent.~~

12 (c) All specifications are public records and are open, during regular  
13 office hours, for inspection by the public.

14 SECTION 106. IC 20-27-5-10, AS ADDED BY P.L.1-2005,  
15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2015]: Sec. 10. (a) The governing body shall give notice to the  
17 public at least ten (10) days before beginning negotiations or receiving  
18 proposals or bids for transportation or fleet contracts. Notice shall be  
19 given in the manner provided by IC 5-3-1. The notice must include the  
20 following information:

21 (1) That the governing body will negotiate, receive proposals, or  
22 receive bids for transportation contracts and fleet contracts on a  
23 specified date.

24 (2) That the governing body will execute contracts for the school  
25 bus routes of the school corporation.

26 (3) That the specifications for the routes and related information  
27 are on file in the office of the governing body. ~~or in the office of~~  
28 ~~the county superintendent.~~

29 (b) A transportation or fleet contract may not be negotiated until  
30 notice has been given under this section.

31 SECTION 107. IC 20-28-6-2, AS AMENDED BY P.L.6-2012,  
32 SECTION 137, IS AMENDED TO READ AS FOLLOWS  
33 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A contract entered into by a  
34 teacher and a school corporation must:

35 (1) be in writing;

36 (2) be signed by both parties; and

37 (3) contain the:

38 (A) beginning date of the school term as determined annually  
39 by the school corporation;

40 (B) number of days in the school term as determined annually  
41 by the school corporation;

42 (C) total salary to be paid to the teacher during the school year;



- 1 (D) number of salary payments to be made to the teacher  
 2 during the school year; and  
 3 (E) number of hours per day the teacher is expected to work,  
 4 as discussed pursuant to IC 20-29-6-7.

5 (b) The contract may provide for the annual determination of the  
 6 teacher's annual compensation ~~by a local salary schedule, which is part~~  
 7 ~~of the contract.~~ **under IC 20-29-6.** The salary schedule may be  
 8 changed by **subsequent adoption of salary changes under the**  
 9 **collective bargaining process.** ~~the school corporation on or before~~  
 10 ~~May 1 of a year, with the changes effective the next school year. A~~  
 11 ~~teacher affected by the changes shall be furnished with printed copies~~  
 12 ~~of the changed schedule not later than thirty (30) days after the~~  
 13 ~~schedule's adoption.~~

14 (c) A contract under this section is also governed by the following  
 15 statutes:

- 16 (1) IC 20-28-9-5 through IC 20-28-9-6.  
 17 (2) IC 20-28-9-9 through IC 20-28-9-11.  
 18 (3) IC 20-28-9-13.  
 19 (4) IC 20-28-9-14.

20 (d) A governing body shall provide the blank contract forms  
 21 ~~carefully worded by the state superintendent, prescribed by the~~  
 22 **governing body** and have them signed. The contracts are public  
 23 records open to inspection by the residents of each school corporation.

24 (e) An action may be brought on a contract that conforms with  
 25 subsections (a)(1), (a)(2), and (d).

26 SECTION 108. IC 20-29-2-10, AS ADDED BY P.L.1-2005,  
 27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2015]: Sec. 10. "Governing body" means:

- 29 ~~(1) a township trustee and the township board; of a school~~  
 30 ~~township;~~  
 31 ~~(2) a county board of education;~~  
 32 ~~(3) (1) a board of school commissioners;~~  
 33 ~~(4) (2) a metropolitan board of education;~~  
 34 ~~(5) (3) a board of trustees;~~  
 35 ~~(6) (4) any other board or commission charged by law with the~~  
 36 ~~responsibility of administering the affairs of a school corporation;~~  
 37 ~~or~~  
 38 ~~(7) (5) the body that administers a charter school established~~  
 39 ~~under IC 20-24.~~

40 SECTION 109. IC 20-29-2-12, AS AMENDED BY P.L.234-2007,  
 41 SECTION 109, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2015]: Sec. 12. "School corporation" means a



1 local public school corporation established under Indiana law. The term  
2 includes any:

- 3 (1) school city;  
4 (2) school town;  
5 ~~(3) school township;~~  
6 ~~(4) (3) consolidated school corporation;~~  
7 ~~(5) (4) metropolitan school district;~~  
8 ~~(6) (5) township school corporation;~~  
9 ~~(7) (6) county school corporation;~~  
10 ~~(8) (7) united school corporation;~~  
11 ~~(9) (8) community school corporation; and~~  
12 ~~(10) (9) public career and technical education center or school or~~  
13 ~~school for children with disabilities established or maintained by~~  
14 ~~two (2) or more school corporations.~~

15 SECTION 110. IC 20-30-8-7, AS AMENDED BY P.L.286-2013,  
16 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2015]: Sec. 7. The program organizer may request the  
18 approval from the department ~~for the following:~~

19 ~~(1) To receive the grant for alternative education programs under~~  
20 ~~IC 20-20-33.~~

21 ~~(2) to be granted waivers from rules adopted by the state board that~~  
22 ~~may otherwise interfere with the objectives of the alternative education~~  
23 ~~program, including waivers of:~~

- 24 ~~(A) (1) certain high school graduation requirements;~~  
25 ~~(B) (2) the length of the student instructional day; as set forth in~~  
26 ~~IC 20-30-2-2;~~  
27 ~~(C) (3) required curriculum and curricular materials;~~  
28 ~~(D) (4) teacher certification requirements; and~~  
29 ~~(E) (5) physical facility requirements.~~

30 SECTION 111. IC 20-30-8-8, AS AMENDED BY P.L.2-2006,  
31 SECTION 145, IS AMENDED TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2015]: Sec. 8. ~~(a) Before a program organizer~~  
33 ~~is eligible for the funding under IC 20-20-33, a program organizer must~~  
34 ~~have the grant for the program approved by both:~~

- 35 ~~(1) the department; and~~  
36 ~~(2) the budget agency after review by the budget committee.~~

37 ~~(b) (a) A school corporation may initiate the program and waiver~~  
38 ~~approval process under section 7 of this chapter and the grant approval~~  
39 ~~process under this section by submitting an application for the~~  
40 ~~proposed alternative education program, on forms developed by the~~  
41 ~~department, to the department. The application must include the~~  
42 ~~following information:~~



- 1 (1) The number of eligible students expected to participate in the  
 2 alternative education program.
- 3 (2) A description of the proposed alternative education program,  
 4 including a description of the nature of the alternative education  
 5 program curriculum.
- 6 (3) The extent to which the manner of instruction at the  
 7 alternative education program differs from the manner of  
 8 instruction available in the traditional school setting.
- 9 (4) A description of specific progressive disciplinary procedures  
 10 that:
- 11 (A) are reasonably designed to modify disruptive behavior in  
 12 the traditional school learning environment without  
 13 necessitating admission to an alternative education program;  
 14 and
- 15 (B) will be used before admitting a disruptive student to an  
 16 alternative education program.
- 17 (5) Any other pertinent information required by the department.
- 18 ~~(c)~~ **(b)** The term of a grant may not exceed one (1) school year. If a  
 19 school corporation fails to conduct an alternative education program in  
 20 conformity with:
- 21 (1) this chapter;
- 22 (2) the rules adopted by the state board; or
- 23 (3) the terms of the approved grant;
- 24 the department or the budget agency, after review by the budget  
 25 committee, may terminate funding for the alternative education  
 26 program before the grant expires.
- 27 SECTION 112. IC 20-31-9.5-8 IS REPEALED [EFFECTIVE JULY  
 28 1, 2015]. Sec. 8: (a) If the state board, upon remand of the Marion  
 29 County Circuit Court case of Board of School Commissioners of the  
 30 City of Indianapolis v. Indiana State Board of Education and Indiana  
 31 Department of Education (cause number 49D03-1206-MI-023257),  
 32 determines that the Indianapolis public school corporation or any other  
 33 school corporation is entitled to a distribution to correct the amount  
 34 that was withheld under IC 20-31-9.5 during July through December  
 35 2012 from state tuition support and federal funds otherwise to be  
 36 distributed to the school corporation, the following apply:
- 37 (1) The state board shall make distributions to the following:
- 38 (A) The Indianapolis public school corporation;
- 39 (B) Any other school corporation affected by a redetermination  
 40 of the amount that was withheld under IC 20-31-9.5 during  
 41 July through December 2012.
- 42 (2) Before making a distribution to a school corporation under



1 this section, the state board must obtain from the recipient school  
 2 corporation an agreement that the school corporation will dismiss  
 3 and not pursue any claims against the state or any state officer or  
 4 entity, the special management team, or the turnaround academy  
 5 with regard to distributions received by the special management  
 6 team or turnaround academy under IC 20-31-9.5 during July  
 7 through December 2012.

8 (b) There is appropriated from the state general fund to the state  
 9 board for the 2012-2013 state fiscal year, seven million four hundred  
 10 five thousand eight hundred ninety-two dollars (\$7,405,892) to make  
 11 distributions as provided in subsection (a):

12 SECTION 113. IC 20-32-5-10, AS ADDED BY P.L.1-2005,  
 13 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2015]: Sec. 10. After a school receives score reports, the  
 15 school shall **offer to** schedule a parent/teacher conference with the  
 16 following:

17 (1) a parent of a student who requests a parent/teacher conference  
 18 on the scores of the student.

19 (2) The parent of each student who does not receive a passing  
 20 score on the test. The conference must include a discussion of:

21 (A) the student's test scores, including subscores on academic  
 22 standards; and

23 (B) the proposed remediation plan for the student.

24 SECTION 114. IC 20-32-5-12 IS REPEALED [EFFECTIVE JULY  
 25 1, 2015] Sec. 12. The department shall develop a format for the  
 26 publication by school corporations in an annual performance report  
 27 required by statute of appropriate academic information required by the  
 28 department, including ISTEP program test scores and information  
 29 required to be disaggregated by the department under section 13.5 of  
 30 this chapter, in a manner that a reasonable person can easily read and  
 31 understand.

32 SECTION 115. IC 20-32-5-19, AS ADDED BY P.L.1-2005,  
 33 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2015]: Sec. 19. If state funds appropriated for remediation are  
 35 available under IC 20-32-8 at the end of a state fiscal year, the funds

36 (1) do not revert to the state general fund. ~~and~~

37 (2) must be transferred to the 4R's technology program for use  
 38 under IC 20-20-13-9.

39 SECTION 116. IC 20-32-5-21, AS AMENDED BY P.L.286-2013,  
 40 SECTION 110, IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2015]: Sec. 21. (a) The state board may **require**  
 42 **allow** schools to participate in national or international assessments.



1 (b) The state board may establish an assessment to be administered  
 2 at the conclusion of each Core 40 course in English/language arts,  
 3 mathematics, social studies, and science. However, participation in a  
 4 Core 40 assessment established under this subsection must be  
 5 voluntary on the part of a school corporation.

6 (c) The state board may establish a diagnostic reading assessment  
 7 for use in grades 1 and 2 to promote grade level reading competency by  
 8 grade 3. However, participation in a reading assessment established  
 9 under this subsection must be voluntary on the part of a school  
 10 corporation.

11 (d) The state board may establish assessments to supplement ISTEP  
 12 assessments for secondary school students.

13 SECTION 117. IC 20-32-7-5, AS ADDED BY P.L.1-2005,  
 14 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2015]: Sec. 5. The governing body shall develop guidelines  
 16 for the portfolio program. ~~including guidelines governing the~~  
 17 ~~appropriate contents of the portfolios.~~

18 SECTION 118. IC 20-33-2-9, AS AMENDED BY P.L.1-2010,  
 19 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2015]: Sec. 9. (a) ~~The governing body of each school~~  
 21 ~~corporation shall designate the appropriate employees of the school~~  
 22 ~~corporation to conduct the exit interviews for students described in~~  
 23 ~~section 6(3) of this chapter. Each exit interview must be personally~~  
 24 ~~attended by:~~

- 25 (1) ~~the student's parent;~~
- 26 (2) ~~the student;~~
- 27 (3) ~~each designated appropriate school employee; and~~
- 28 (4) ~~the student's principal.~~

29 (b) (a) A student who is at least sixteen (16) years of age but less  
 30 than eighteen (18) years of age is bound by the requirements of  
 31 compulsory school attendance and may not withdraw from school  
 32 before graduation unless:

- 33 (1) the student, the student's parent, and the principal agree to the  
 34 withdrawal;
- 35 (2) at the exit interview, the student provides written  
 36 acknowledgment of the withdrawal that meets the requirements  
 37 of subsection (c) and the:  
 38 (A) student's parent; and  
 39 (B) school principal;
- 40 each provide written consent for the student to withdraw from  
 41 school; and
- 42 (3) the withdrawal is due to:



- 1 (A) financial hardship and the individual must be employed to  
 2 support the individual's family or a dependent;  
 3 (B) illness; or  
 4 (C) an order by a court that has jurisdiction over the student.  
 5 ~~(c)~~ **(b)** A written acknowledgment of withdrawal under subsection  
 6 (b) must include a statement that the student and the student's parent  
 7 understand that withdrawing from school is likely to:  
 8 (1) reduce the student's future earnings; and  
 9 (2) increase the student's likelihood of being unemployed in the  
 10 future.  
 11 SECTION 119. IC 20-33-2-21, AS ADDED BY P.L.1-2005,  
 12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2015]: Sec. 21. ~~(a) Each principal and teacher in a public  
 14 school that is attended by a student subject to the compulsory school  
 15 attendance law under this chapter shall furnish, on request of the  
 16 superintendent of the school corporation in which they are employed,  
 17 a list of:~~  
 18 ~~(1) names;~~  
 19 ~~(2) addresses; and~~  
 20 ~~(3) ages;~~  
 21 ~~of all minors attending the school. When a student withdraws from~~  
 22 ~~school, the principal and teacher shall immediately report to the~~  
 23 ~~superintendent the student's name and address and the date of the~~  
 24 ~~student's withdrawal.~~  
 25 ~~(b)~~ **(a)** Each principal or school administrator in a nonpublic school  
 26 that is attended by a student who is subject to the compulsory school  
 27 attendance law under this chapter shall furnish, on request of the state  
 28 superintendent, the number of students by grade level attending the  
 29 school.  
 30 ~~(c)~~ **(b)** If:  
 31 (1) a student withdraws from a nonpublic school; and  
 32 (2) no public or other nonpublic school has requested the student's  
 33 educational records within fifteen (15) school days after the date  
 34 the student withdrew from school;  
 35 the nonpublic school shall report to the state superintendent or the  
 36 superintendent of the school corporation in which the nonpublic school  
 37 is located, the name and address of the student and the date the student  
 38 withdrew from school.  
 39 SECTION 120. IC 20-33-2-22 IS REPEALED [EFFECTIVE JULY  
 40 1, 2015]. Sec. 22: ~~(a) Not later than fifteen (15) school days after the  
 41 beginning of each semester, the principal of a public high school shall  
 42 send to the superintendent with jurisdiction over the school a list of~~



1 names and last known addresses of all students:

2 (1) not graduated; and

3 (2) not enrolled in the then current semester who were otherwise  
4 eligible for enrollment.

5 (b) Each superintendent immediately shall make available all lists  
6 received under this section to an authorized representative of:

7 (1) Ivy Tech Community College of Indiana; and

8 (2) an agency whose purpose it is to enroll high school dropouts  
9 in various training programs.

10 (c) Each representative authorized to receive a list prepared under  
11 subsection (b) shall stipulate in writing that the list will be used only to  
12 contact prospective students or prospective trainees. If a list is used for  
13 any other purpose, the college or agency that the recipient represents  
14 is ineligible to receive subsequent lists for five (5) years.

15 SECTION 121. IC 20-33-2-24 IS REPEALED [EFFECTIVE JULY  
16 1, 2015]. Sec. 24: (a) When a child is delivered into the custody of a  
17 principal or acting chief administrative officer under section 23 of this  
18 chapter, the principal or officer shall immediately place the child in  
19 class in the grade or course of study in which the child is enrolled or to  
20 which the child may be properly assigned:

21 (b) A child who is placed in class under this section shall not be  
22 kept at school beyond the regular hour of dismissal on that day for the  
23 grade or course of study in which the child is placed. As promptly as  
24 reasonably possible after placing a child in class under this section, the  
25 principal or acting chief administrative officer shall attempt to advise  
26 the child's parent of the facts of the case by telephone. The principal or  
27 acting chief administrative officer shall advise the parent of the facts  
28 of the case by mail on the same day the principal or officer receives the  
29 child:

30 SECTION 122. IC 20-33-8-0.2, AS AMENDED BY P.L.285-2013,  
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2015]: Sec. 0.2. (a) As used in this chapter, "bullying" means  
33 overt, unwanted, repeated acts or gestures, including verbal or written  
34 communications or images transmitted in any manner (including  
35 digitally or electronically), physical acts committed, aggression, or any  
36 other behaviors, that are committed by a student or group of students  
37 against another student with the intent to harass, ridicule, humiliate,  
38 intimidate, or harm the targeted student and create for the targeted  
39 student an objectively hostile school environment that:

40 (1) places the targeted student in reasonable fear of harm to the  
41 targeted student's person or property;

42 (2) has a substantially detrimental effect on the targeted student's





1 physical or mental health;

2 (3) has the effect of substantially interfering with the targeted  
3 student's academic performance; or

4 (4) has the effect of substantially interfering with the targeted  
5 student's ability to participate in or benefit from the services,  
6 activities, and privileges provided by the school.

7 (b) The term may not be interpreted to impose any burden or  
8 sanction on; or include in the definition of the term; the following:

9 (1) Participating in a religious event.

10 (2) Acting in an emergency involving the protection of a person  
11 or property from an imminent threat of serious bodily injury or  
12 substantial danger.

13 (3) Participating in an activity consisting of the exercise of a  
14 student's rights protected under the First Amendment to the  
15 United States Constitution or Article I, Section 31 of the  
16 Constitution of the State of Indiana; or both.

17 (4) Participating in an activity conducted by a nonprofit or  
18 governmental entity that provides recreation, education, training,  
19 or other care under the supervision of one (1) or more adults.

20 (5) Participating in an activity undertaken at the prior written  
21 direction of the student's parent.

22 (6) Engaging in interstate or international travel from a location  
23 outside Indiana to another location outside Indiana.

24 SECTION 123. IC 20-35-4-2 IS REPEALED [EFFECTIVE JULY  
25 1, 2015]. Sec. 2: (a) The division may, upon application by the  
26 governing body of a school corporation, together with proof of need,  
27 authorize the school corporation to purchase, convert, remodel, or  
28 construct rooms or buildings for special schools for children with  
29 disabilities in an effort to have the schools located near the homes of  
30 the children with disabilities the schools will serve.

31 (b) The school corporation:

32 (1) shall pay the cost of purchase, conversion, remodeling, and  
33 construction and the cost of building equipment of any such  
34 school; and

35 (2) may finance such conversion, remodeling, and construction as  
36 other school buildings are financed.

37 (c) The school corporation establishing any such school may send  
38 all its children with disabilities to the school and shall admit, if  
39 facilities permit, any other children with disabilities in Indiana who:

40 (1) are eligible under this chapter; and

41 (2) are not provided with an opportunity to attend an adequate  
42 school in their own school corporation.



1 SECTION 124. IC 20-35-5-1, AS AMENDED BY P.L.38-2014,  
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2015]: Sec. 1. The definitions in this section apply throughout  
 4 this chapter.

5 (1) "Agreement" means an:

6 (A) identical resolution adopted by the governing body of each  
 7 participating school corporation or the governing board of a  
 8 participating charter school; or

9 (B) agreement approved by the governing body of each  
 10 participating school corporation or the governing board of a  
 11 participating charter school;

12 providing for a special education cooperative.

13 (2) "Assessed valuation" of a participating school corporation for  
 14 a school year means the net assessed valuation of the school  
 15 corporation for the immediately preceding March 1, adjusted in  
 16 the same manner as any adjustment is made in determining the  
 17 amount of state distribution for school support.

18 (3) "Board of managers" means the board or commission charged  
 19 with the responsibility of administering the affairs of a special  
 20 education cooperative.

21 (4) "Governing body" of a participating school corporation or  
 22 charter school means the board or commission charged by law  
 23 with the responsibility of administering the affairs of the school  
 24 corporation or charter school. ~~In the case of a school township,  
 25 the term means the township trustee and township board.~~

26 (5) "Participating school corporation" means a local public school  
 27 corporation that:

28 (A) is established under Indiana law; and

29 (B) cooperates with other school corporations or charter  
 30 schools in a special education cooperative.

31 (6) "Participating charter school" means a charter school that is  
 32 established under Indiana law and cooperates with other school  
 33 corporations or charter schools in a special education cooperative.

34 (7) "Percentage share" of a participating school corporation is the  
 35 percent that its assessed valuation bears to the total assessed  
 36 valuation of all the participating school corporations joining in an  
 37 agreement.

38 (8) "Special education cooperative" means a department, school,  
 39 charter school, or school corporation established, maintained, and  
 40 supervised for the education of children with disabilities in  
 41 accordance with this section.

42 SECTION 125. IC 20-36-2-2, AS AMENDED BY P.L.173-2009,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2015]: Sec. 2. A governing body shall develop and  
3 periodically update a local plan to provide appropriate educational  
4 experiences to high ability students in the school corporation in  
5 kindergarten through grade 12. The plan must include the following  
6 components:

7 (1) The establishment of a broad based planning committee that  
8 meets periodically to review the local education authority's plan  
9 for high ability students. The committee must have  
10 representatives from diverse groups representing the school and  
11 community.

12 (2) Student assessments that identify high ability students using  
13 multifaceted assessments to ensure that students not identified by  
14 traditional assessments because of economic disadvantage,  
15 cultural background, underachievement, or disabilities are  
16 included. The assessments must identify students with high  
17 abilities in the general intellectual domain and specific academic  
18 domains. The results of an assessment under this subdivision  
19 must be recorded with the student test number assigned to a  
20 student.

21 (3) Professional development.

22 (4) Development and implementation of local services for high  
23 ability students, including appropriately differentiated curriculum  
24 and instruction in the core academic areas designated by the state  
25 board for each grade consistent with federal, state, local, and  
26 private funding sources.

27 (5) Evaluation of the local program for high ability students.

28 (6) Best practices to increase the number of participants in high  
29 ability student programs who are from racial and ethnic groups  
30 that have been underrepresented in those programs.

31 SECTION 126. IC 20-40-1-5, AS ADDED BY P.L.2-2006,  
32 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
33 [EFFECTIVE JULY 1, 2015]: Sec. 5. Statutes outside this article that  
34 permit or require the establishment of joint funds include the following:

35 (1) IC 20-26-10-3 (joint fund for a joint program).

36 (2) IC 20-26-10-8 (joint services, leasing, construction, and  
37 supply fund).

38 (3) IC 20-26-10-9 (joint investment fund).

39 (4) IC 20-26-10-11 (joint service and supply fund to pay for a  
40 joint program).

41 (5) (4) IC 20-30-6-5 (joint fund to conduct educational television  
42 instruction and contract with a commercial television station for



- 1 the use of the station's facilities and staff).
- 2 SECTION 127. IC 20-40-8-13, AS ADDED BY P.L.2-2006,  
 3 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
 4 [EFFECTIVE JULY 1, 2015]: Sec. 13. Money in the fund may be used  
 5 for any of the following purposes:
- 6 (1) To purchase, lease, upgrade, maintain, or repair one (1) or  
 7 more of the following:
- 8 (A) Computer hardware.  
 9 (B) Computer software.  
 10 (C) Wiring and computer networks.  
 11 (D) Communication access systems used to connect with  
 12 computer networks or electronic gateways.
- 13 (2) To pay for the services of full-time or part-time computer  
 14 maintenance employees.
- 15 (3) To conduct nonrecurring in-service technology training of  
 16 school employees.
- 17 (4) To pay advances, together with interest on the advances, from  
 18 the common school fund for educational technology programs  
 19 under IC 20-49-4.
- 20 (5) To acquire any equipment or services necessary  
 21 ~~(A) to implement the technology preparation curriculum under~~  
 22 ~~IC 20-30-12;~~  
 23 ~~(B) to participate in a program to provide educational~~  
 24 ~~technologies, including:~~  
 25 ~~(i) computers in the homes of students (commonly referred~~  
 26 ~~to as "the buddy system project") under IC 20-20-13-6;~~  
 27 ~~(ii) the 4R's technology program; or~~  
 28 ~~(iii) any other program under the educational technology~~  
 29 ~~program described in IC 20-20-13; or~~  
 30 ~~(C) to obtain any combination of equipment or services~~  
 31 ~~described in clauses (A) and (B);~~
- 32 SECTION 128. IC 20-40-15-5, AS ADDED BY P.L.2-2006,  
 33 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) Except as provided in  
 35 subsection (b), money in the fund may be used for one (1) or more of  
 36 the purposes described in ~~IC 20-20-13~~; IC 20-26-15-6(4)(B) or  
 37 IC 20-40-8-13.
- 38 (b) Money in the fund may not be used to purchase software  
 39 programs to be used exclusively for administrative purposes, such as  
 40 payroll and attendance records, personnel records, administration of  
 41 insurance or pension programs, or any other similar purpose. However,  
 42 if a particular software program will be used for administrative



1 purposes and for other purposes described in subsection (a), a part of  
 2 the cost of the software program may be paid from the fund. The part  
 3 of the cost that may be paid from the fund is the total cost of the  
 4 software program multiplied by the estimated percentage of use of the  
 5 software program for nonadministrative purposes.

6 SECTION 129. IC 20-41-1-8, AS ADDED BY P.L.2-2006,  
 7 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The treasurer shall keep an  
 9 accurate account of all money received by the collecting authority and  
 10 expended, showing:

- 11 (1) the sources of all receipts;
- 12 (2) the purposes for which the money was expended; and
- 13 (3) the balance on hand.

14 A copy of the report, together with all records and files of  
 15 extracurricular activities, shall be filed as required under section 3 of  
 16 this chapter.

17 (b) However, in a school that has two (2) or more semesters in any  
 18 one (1) school year, the treasurer of the school shall file a copy of the  
 19 treasurer's financial report of receipts and disbursements with the  
 20 township trustee ~~board of school trustees, or board of school~~  
 21 ~~commissioners~~ not more than two (2) weeks after the close of each  
 22 semester. Records and files of extracurricular activities for the entire  
 23 school year shall be filed with the last financial semester report of any  
 24 one (1) school year.

25 (c) A copy of the report shall be filed with and kept by the city  
 26 superintendent having jurisdiction. ~~and the county superintendent~~  
 27 ~~where the superintendent has jurisdiction.~~

28 (d) The records under this section shall be kept for five (5) years,  
 29 after which they may be destroyed.

30 SECTION 130. IC 20-48-4-9, AS ADDED BY P.L.2-2006,  
 31 SECTION 171, IS AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2015]: Sec. 9. In carrying out sections 6 through  
 33 8 of this chapter, the township trustee may join with the ~~school~~  
 34 ~~township or~~ district in the alteration, construction, or addition,  
 35 contracting together and joining in the employment of an engineer or  
 36 architect.

37 SECTION 131. IC 20-49-3-8, AS AMENDED BY P.L.40-2014,  
 38 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2015]: Sec. 8. The fund may be used to make advances:

- 40 (1) to school corporations, including ~~school townships and~~ school  
 41 corporation career and technical education schools described in  
 42 IC 20-37-1-1, under IC 20-49-4 and IC 20-49-5; and



1 (2) under IC 20-49-6.  
 2 Unless the context clearly requires otherwise, a reference to a school  
 3 corporation in this chapter includes a school corporation career and  
 4 technical education school described in IC 20-37-1-1. However, an  
 5 advance to a school corporation career and technical education school  
 6 described in IC 20-37-1-1 is not considered an advance to a school  
 7 corporation for purposes of determining if the school corporation career  
 8 and technical education school described in IC 20-37-1-1 qualifies for  
 9 an advance.

10 SECTION 132. IC 20-49-4-1, AS AMENDED BY P.L.40-2014,  
 11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2015]: Sec. 1. This chapter applies to school corporations  
 13 organized and formed through reorganization under IC 20-23-4,  
 14 IC 20-23-6, or IC 20-23-7 school townships under ~~IC 20-23-3~~; and  
 15 school corporation career and technical education schools described in  
 16 IC 20-37-1-1. Unless the context clearly requires otherwise, a reference  
 17 to a school corporation in this chapter includes a school corporation  
 18 career and technical education school described in IC 20-37-1-1.

19 SECTION 133. IC 20-49-4-0.3 IS REPEALED [EFFECTIVE JULY  
 20 1, 2015]. ~~Sec. 0.3: All agreements that are:~~

21 ~~(1) executed by or on behalf of school corporations or school~~  
 22 ~~townships before February 28, 1992; and~~  
 23 ~~(2) for advances from the Indiana common school fund under~~  
 24 ~~IC 21-1-5 (before its repeal; now codified in this chapter);~~  
 25 ~~are validated and legalized.~~

26 SECTION 134. IC 20-49-4-0.4 IS REPEALED [EFFECTIVE JULY  
 27 1, 2015]. ~~Sec. 0.4: All agreements that are:~~

28 ~~(1) executed by or on behalf of school corporations or school~~  
 29 ~~townships before March 10, 1996; and~~  
 30 ~~(2) for advances from the common school fund under IC 21-1-5~~  
 31 ~~(before its repeal; now codified in this chapter);~~  
 32 ~~are validated and legalized.~~

33 SECTION 135. IC 20-49-4-1, AS AMENDED BY P.L.40-2014,  
 34 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2015]: Sec. 1. This chapter applies to school corporations  
 36 organized and formed through reorganization under IC 20-23-4,  
 37 IC 20-23-6, or IC 20-23-7 school townships under ~~IC 20-23-3~~; and  
 38 school corporation career and technical education schools described in  
 39 IC 20-37-1-1. Unless the context clearly requires otherwise, a reference  
 40 to a school corporation in this chapter includes a school corporation  
 41 career and technical education school described in IC 20-37-1-1.

42 SECTION 136. IC 22-3-2-5 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) Every employer  
 2 who is bound by the compensation provisions of IC 22-3-2 through  
 3 IC 22-3-6, except the state, counties, townships, cities, towns, school  
 4 cities, school towns, ~~school townships~~, other municipal corporations,  
 5 state institutions, state boards, state commissions, banks, trust  
 6 companies, and building and loan associations, shall insure the  
 7 payment of compensation to the employer's employees and their  
 8 dependents in the manner provided in IC 22-3-3, or procure from the  
 9 worker's compensation board a certificate authorizing the employer to  
 10 carry such risk without insurance. While such insurance or such  
 11 certificate remains in force, the employer or those conducting the  
 12 employer's business and the employer's worker's compensation  
 13 insurance carrier shall be liable to any employee and the employee's  
 14 dependents for personal injury or death by accident arising out of and  
 15 in the course of employment only to the extent and in the manner  
 16 specified in IC 22-3-2 through IC 22-3-6.

17 (b) The state may not purchase worker's compensation insurance.  
 18 The state may establish a program of self-insurance to cover its liability  
 19 under this article. The state may administer its program of  
 20 self-insurance or may contract with any private agency, business firm,  
 21 limited liability company, or corporation to administer any part of the  
 22 program. The state department of insurance may, in the manner  
 23 prescribed by IC 4-22-2, adopt the rules necessary to implement the  
 24 state's program of self-insurance.

25 SECTION 137. IC 22-3-7-34, AS AMENDED BY P.L.1-2006,  
 26 SECTION 343, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2015]: Sec. 34. (a) As used in this section,  
 28 "person" does not include:

- 29 (1) an owner who contracts for performance of work on the  
 30 owner's owner occupied residential property; or  
 31 (2) a nonprofit corporation that is recognized as tax exempt under  
 32 Section 501(c)(3) of the Internal Revenue Code (as defined in  
 33 IC 6-3-1-11(a)) to the extent the corporation enters into an  
 34 independent contractor agreement with a person for the  
 35 performance of youth coaching services on a part-time basis.

36 (b) Every employer bound by the compensation provisions of this  
 37 chapter, except the state, counties, townships, cities, towns, school  
 38 cities, school towns, ~~school townships~~, other municipal corporations,  
 39 state institutions, state boards, and state commissions, shall insure the  
 40 payment of compensation to the employer's employees and their  
 41 dependents in the manner provided in this chapter, or procure from the  
 42 worker's compensation board a certificate authorizing the employer to



1 carry such risk without insurance. While that insurance or certificate  
2 remains in force, the employer, or those conducting the employer's  
3 business, and the employer's occupational disease insurance carrier  
4 shall be liable to any employee and the employee's dependents for  
5 disablement or death from occupational disease arising out of and in  
6 the course of employment only to the extent and in the manner  
7 specified in this chapter.

8 (c) Every employer who, by election, is bound by the compensation  
9 provisions of this chapter, except those exempted from the provisions  
10 by subsection (b), shall:

11 (1) insure and keep insured the employer's liability under this  
12 chapter in some corporation, association, or organization  
13 authorized to transact the business of worker's compensation  
14 insurance in this state; or

15 (2) furnish to the worker's compensation board satisfactory proof  
16 of the employer's financial ability to pay the compensation in the  
17 amount and manner and when due as provided for in this chapter.

18 In the latter case the board may require the deposit of an acceptable  
19 security, indemnity, or bond to secure the payment of compensation  
20 liabilities as they are incurred.

21 (d) Every employer required to carry insurance under this section  
22 shall file with the worker's compensation board in the form prescribed  
23 by it, within ten (10) days after the termination of the employer's  
24 insurance by expiration or cancellation, evidence of the employer's  
25 compliance with subsection (c) and other provisions relating to the  
26 insurance under this chapter. The venue of all criminal actions under  
27 this section lies in the county in which the employee was last exposed  
28 to the occupational disease causing disablement. The prosecuting  
29 attorney of the county shall prosecute all violations upon written  
30 request of the board. The violations shall be prosecuted in the name of  
31 the state.

32 (e) Whenever an employer has complied with subsection (c) relating  
33 to self-insurance, the worker's compensation board shall issue to the  
34 employer a certificate which shall remain in force for a period fixed by  
35 the board, but the board may, upon at least thirty (30) days notice, and  
36 a hearing to the employer, revoke the certificate, upon presentation of  
37 satisfactory evidence for the revocation. After the revocation, the board  
38 may grant a new certificate to the employer upon the employer's  
39 petition, and satisfactory proof of the employer's financial ability.

40 (f)(1) Subject to the approval of the worker's compensation board,  
41 any employer may enter into or continue any agreement with the  
42 employer's employees to provide a system of compensation, benefit, or





1 insurance in lieu of the compensation and insurance provided by this  
 2 chapter. A substitute system may not be approved unless it confers  
 3 benefits upon employees and their dependents at least equivalent to the  
 4 benefits provided by this chapter. It may not be approved if it requires  
 5 contributions from the employees unless it confers benefits in addition  
 6 to those provided under this chapter, which are at least commensurate  
 7 with such contributions.

8 (f)(2) The substitute system may be terminated by the worker's  
 9 compensation board on reasonable notice and hearing to the interested  
 10 parties, if it appears that the same is not fairly administered or if its  
 11 operation shall disclose latent defects threatening its solvency, or if for  
 12 any substantial reason it fails to accomplish the purpose of this chapter.  
 13 On termination, the board shall determine the proper distribution of all  
 14 remaining assets, if any, subject to the right of any party in interest to  
 15 take an appeal to the court of appeals.

16 (g)(1) No insurer shall enter into or issue any policy of insurance  
 17 under this chapter until its policy form has been submitted to and  
 18 approved by the worker's compensation board. The board shall not  
 19 approve the policy form of any insurance company until the company  
 20 shall file with it the certificate of the insurance commissioner showing  
 21 that the company is authorized to transact the business of worker's  
 22 compensation insurance in Indiana. The filing of a policy form by any  
 23 insurance company or reciprocal insurance association with the board  
 24 for approval constitutes on the part of the company or association a  
 25 conclusive and unqualified acceptance of each of the compensation  
 26 provisions of this chapter, and an agreement by it to be bound by the  
 27 compensation provisions of this chapter.

28 (g)(2) All policies of insurance companies and of reciprocal  
 29 insurance associations, insuring the payment of compensation under  
 30 this chapter, shall be conclusively presumed to cover all the employees  
 31 and the entire compensation liability of the insured under this chapter  
 32 in all cases in which the last day of the exposure rendering the  
 33 employer liable is within the effective period of such policy.

34 (g)(3) Any provision in any such policy attempting to limit or  
 35 modify the liability of the company or association insuring the same  
 36 shall be wholly void.

37 (g)(4) Every policy of any company or association shall be deemed  
 38 to include the following provisions:

39 "(A) The insurer assumes in full all the obligations to pay  
 40 physician's fees, nurse's charges, hospital supplies, burial  
 41 expenses, compensation or death benefits imposed upon or  
 42 accepted by the insured under this chapter.



1 (B) This policy is subject to the provisions of this chapter relative  
2 to the liability of the insured to pay physician's fees, nurse's  
3 charges, hospital services, hospital supplies, burial expenses,  
4 compensation or death benefits to and for such employees, the  
5 acceptance of such liability by the insured, the adjustment, trial  
6 and adjudication of claims for such physician's fees, nurse's  
7 charges, hospital services, hospital supplies, burial expenses,  
8 compensation, or death benefits.

9 (C) Between this insurer and the employee, notice to or  
10 knowledge of the occurrence of the disablement on the part of the  
11 insured (the employer) shall be notice or knowledge thereof, on  
12 the part of the insurer. The jurisdiction of the insured (the  
13 employer) for the purpose of this chapter is the jurisdiction of this  
14 insurer, and this insurer shall in all things be bound by and shall  
15 be subject to the awards, judgments and decrees rendered against  
16 the insured (the employer) under this chapter.

17 (D) This insurer will promptly pay to the person entitled to the  
18 same all benefits conferred by this chapter, including all  
19 physician's fees, nurse's charges, hospital services, hospital  
20 supplies, burial expenses, and all installments of compensation or  
21 death benefits that may be awarded or agreed upon under this  
22 chapter. The obligation of this insurer shall not be affected by any  
23 default of the insured (the employer) after disablement or by any  
24 default in giving of any notice required by this policy, or  
25 otherwise. This policy is a direct promise by this insurer to the  
26 person entitled to physician's fees, nurse's charges, fees for  
27 hospital services, charges for hospital services, charges for  
28 hospital supplies, charges for burial, compensation, or death  
29 benefits, and shall be enforceable in the name of the person.

30 (E) Any termination of this policy by cancellation shall not be  
31 effective as to employees of the insured covered hereby unless at  
32 least thirty (30) days prior to the taking effect of such  
33 cancellation, a written notice giving the date upon which such  
34 termination is to become effective has been received by the  
35 worker's compensation board of Indiana at its office in  
36 Indianapolis, Indiana.

37 (F) This policy shall automatically expire one (1) year from the  
38 effective date of the policy, unless the policy covers a period of  
39 three (3) years, in which event, it shall automatically expire three  
40 (3) years from the effective date of the policy. The termination  
41 either of a one (1) year or a three (3) year policy, is effective as to  
42 the employees of the insured covered by the policy."



1 (g)(5) All claims for compensation, nurse's charges, hospital  
2 services, hospital supplies, physician's fees, or burial expenses may be  
3 made directly against either the employer or the insurer or both, and the  
4 award of the worker's compensation board may be made against either  
5 the employer or the insurer or both.

6 (g)(6) If any insurer shall fail to pay any final award or judgment  
7 (except during the pendency of an appeal) rendered against it, or its  
8 insured, or, if it shall fail to comply with this chapter, the worker's  
9 compensation board shall revoke the approval of its policy forms, and  
10 shall not accept any further proofs of insurance from it until it shall  
11 have paid the award or judgment or complied with this chapter, and  
12 shall have resubmitted its policy form and received the approval of the  
13 policy by the worker's compensation board.

14 (h) No policy of insurance covering the liability of an employer for  
15 worker's compensation shall be construed to cover the liability of the  
16 employer under this chapter for any occupational disease unless the  
17 liability is expressly accepted by the insurance carrier issuing the  
18 policy and is endorsed in that policy. The insurance or security in force  
19 to cover compensation liability under this chapter shall be separate  
20 from the insurance or security under IC 22-3-2 through IC 22-3-6. Any  
21 insurance contract covering liability under either part of this article  
22 need not cover any liability under the other.

23 (i) For the purpose of complying with subsection (c), groups of  
24 employers are authorized to form mutual insurance associations or  
25 reciprocal or interinsurance exchanges subject to any reasonable  
26 conditions and restrictions fixed by the department of insurance. This  
27 subsection does not apply to mutual insurance associations and  
28 reciprocal or interinsurance exchanges formed and operating on or  
29 before January 1, 1991, which shall continue to operate subject to the  
30 provisions of this chapter and to such reasonable conditions and  
31 restrictions as may be fixed by the worker's compensation board.

32 (j) Membership in a mutual insurance association or a reciprocal or  
33 interinsurance exchange so proved, together with evidence of the  
34 payment of premiums due, is evidence of compliance with subsection  
35 (c).

36 (k) Any person bound under the compensation provisions of this  
37 chapter, contracting for the performance of any work exceeding one  
38 thousand dollars (\$1,000) in value, in which the hazard of an  
39 occupational disease exists, by a contractor subject to the compensation  
40 provisions of this chapter without exacting from the contractor a  
41 certificate from the worker's compensation board showing that the  
42 contractor has complied with subsections (b), (c), and (d), shall be



1 liable to the same extent as the contractor for compensation, physician's  
2 fees, hospital fees, nurse's charges, and burial expenses on account of  
3 the injury or death of any employee of such contractor, due to  
4 occupational disease arising out of and in the course of the  
5 performance of the work covered by such contract.

6 (l) Any contractor who sublets any contract for the performance of  
7 any work to a subcontractor subject to the compensation provisions of  
8 this chapter, without obtaining a certificate from the worker's  
9 compensation board showing that the subcontractor has complied with  
10 subsections (b), (c), and (d), is liable to the same extent as the  
11 subcontractor for the payment of compensation, physician's fees,  
12 hospital fees, nurse's charges, and burial expense on account of the  
13 injury or death of any employee of the subcontractor due to  
14 occupational disease arising out of and in the course of the  
15 performance of the work covered by the subcontract.

16 (m) A person paying compensation, physician's fees, hospital fees,  
17 nurse's charges, or burial expenses, under subsection (k) or (l), may  
18 recover the amount paid or to be paid from any person who would  
19 otherwise have been liable for the payment thereof and may, in  
20 addition, recover the litigation expenses and attorney's fees incurred in  
21 the action before the worker's compensation board as well as the  
22 litigation expenses and attorney's fees incurred in an action to collect  
23 the compensation, medical expenses, and burial expenses.

24 (n) Every claim filed with the worker's compensation board under  
25 this section shall be instituted against all parties liable for payment.  
26 The worker's compensation board, in an award under subsection (k),  
27 shall fix the order in which such parties shall be exhausted, beginning  
28 with the immediate employer and, in an award under subsection (l),  
29 shall determine whether the subcontractor has the financial ability to  
30 pay the compensation and medical expenses when due and, if not, shall  
31 order the contractor to pay the compensation and medical expenses.

32 SECTION 138. IC 23-13-5-8, AS AMENDED BY P.L.2-2007,  
33 SECTION 316, IS AMENDED TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) Should for any cause any  
35 action of the board of directors or trustees of a corporation be invalid  
36 or ineffective in whole or in part as and for a cancellation or retirement  
37 of capital stock as provided in this chapter, then the entire act of  
38 cancellation or retirement as to all other stock shall be held null and  
39 void. If at any time after the transfer of any stock to the corporation or  
40 to the trustees or directors it becomes no longer possible for the  
41 corporation to operate the postsecondary educational institution as a  
42 postsecondary educational institution, and the fact is found to exist by



1 the board of trustees or directors, the property and assets of the  
 2 corporation vest in and belong absolutely to the local public school  
 3 corporation within whose territorial limits the postsecondary  
 4 educational institution is situated unless the local public school  
 5 corporation elects to refuse to accept the property and assets in writing  
 6 served upon the board of trustees or an officer thereof within one  
 7 hundred twenty (120) days. If the local public school corporation elects  
 8 to refuse to accept the property and assets, then the property and assets  
 9 of the corporation vest in and belong absolutely to the county within  
 10 whose territorial limits the postsecondary educational institution is  
 11 situated unless the county, acting by its legislative body, elects to  
 12 refuse to accept the property and assets in writing served upon the  
 13 board of trustees or an officer within one hundred twenty (120) days.  
 14 If the county refuses to accept the property and assets, the property and  
 15 assets vest in and belong absolutely to the state general fund. ~~If the~~  
 16 ~~postsecondary educational institution is situated in a school township,~~  
 17 ~~the election shall be made by the township executive with the approval~~  
 18 ~~of the township legislative body.~~ If situated in a school city or town  
 19 corporation, the election shall be made by the school board of the  
 20 municipality.

21 (b) The local school corporation receiving the property or assets is  
 22 responsible for the payment of the lawful debts and liabilities of the  
 23 corporation. For the purpose of raising funds to pay the debts and  
 24 liabilities, the township executive, with the concurrence and sanction  
 25 of the township legislative body, or the city or town school board, as  
 26 the case may be, is authorized and empowered to issue and sell bonds  
 27 of the ~~school township~~, school city or school town. The debt created by  
 28 the bonds, together with all other indebtedness of the school  
 29 corporation, may not exceed two percent (2%) of the adjusted value of  
 30 the taxable property within the school corporation as determined under  
 31 IC 36-1-15. If the building or property of the corporation vested in the  
 32 school corporation is suitable for instructing students of the township  
 33 in the arts of agriculture, domestic science, or physical or practical  
 34 mental culture, and in which to hold school or civic entertainments or  
 35 be used for township, town, or city purposes, then the township  
 36 executive, with the concurrence and sanction of the township, city, or  
 37 town legislative body, as the case may be, is authorized and empowered  
 38 to issue and sell bonds of the civil township, city, or town, as the case  
 39 may be, and apply the proceeds to the payment of the debts and  
 40 liabilities of the corporation. The proceeds of the bonds, together with  
 41 all other indebtedness of the civil township, city, or town, may not  
 42 exceed two percent (2%) of the adjusted value of the taxable property



1 within the civil township, city, or town, as determined under  
 2 IC 36-1-15. If the county receives the property, it is authorized to issue  
 3 its general obligation bonds to pay the debts and liabilities as general  
 4 obligation bonds of counties are issued under the general law. Unless  
 5 the school and civil townships and school and civil cities and towns can  
 6 liquidate the debts and liabilities without violating Article 13, Section  
 7 1 of the Constitution of the State of Indiana and IC 36-1-15, they shall  
 8 elect to refuse to accept the property. Unless the county can liquidate  
 9 the debts and liabilities without violating the constitutional provision,  
 10 it shall elect to refuse the property. If a civil township, city, or town  
 11 uses its funds or the proceeds of the sale of its bonds to liquidate the  
 12 debts and liabilities, it shall have an interest in the property in the  
 13 proportion the funds expended by it bear to the funds expended by the  
 14 ~~school township~~; school city or school town.

15 (c) Any bonds issued under this chapter shall be payable in not more  
 16 than twenty (20) years after the date of their issuance. The municipal  
 17 corporation issuing the bonds shall annually levy a tax on all of the  
 18 taxable property within the municipal corporation in an amount  
 19 sufficient to pay the interest on and the principal of such bonds as they  
 20 mature. The bonds may mature and be payable either semiannually or  
 21 annually. Notice of sale of the bonds shall be published once each week  
 22 for two (2) weeks in a newspaper published in the municipal  
 23 corporation issuing the bonds, or in a newspaper published in the  
 24 county seat of the county in which the municipal corporation is located.  
 25 Additional notices may be published.

26 (d) If the corporation ceases to exist or winds up its affairs without  
 27 its board of trustees or directors finding that it is no longer possible for  
 28 the corporation to operate the university, college, or institution of  
 29 learning as a postsecondary educational institution, this shall have the  
 30 same effect as such a finding.

31 SECTION 139. IC 31-9-2-129 IS REPEALED [EFFECTIVE JULY  
 32 1, 2015]. ~~Sec. 129. "Team"; for purposes of IC 31-33-3, refers to a~~  
 33 ~~community child protection team appointed under IC 31-33-3.~~

34 SECTION 140. IC 31-33-3 IS REPEALED [EFFECTIVE JULY 1,  
 35 2015]. (Community Child Protection Team).

36 SECTION 141. IC 31-33-4-1, AS AMENDED BY P.L.146-2008,  
 37 SECTION 576, IS AMENDED TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2015]: Sec. 1. Before February 2 of each  
 39 even-numbered year, each regional services council, after a public  
 40 hearing, shall:

- 41 (1) prepare a local plan for the provision of child protection  
 42 services; and



1 (2) submit the plan to:

2 (A) the director;

3 (B) each juvenile court within the region; **and**

4 ~~(C) the community child protection team as provided for in~~  
5 ~~IC 31-33-3-1; and~~

6 ~~(D)~~ (C) appropriate public or voluntary agencies, including  
7 organizations for the prevention of child abuse or neglect.

8 SECTION 142. IC 31-33-8-9, AS AMENDED BY P.L.131-2009,  
9 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2015]: Sec. 9. (a) The department's report under section 8 of  
11 this chapter shall be made available to:

12 (1) the appropriate court;

13 (2) the prosecuting attorney; or

14 (3) the appropriate law enforcement agency;

15 upon request.

16 (b) If child abuse or neglect is substantiated after an assessment is  
17 conducted under section 7 of this chapter, the department shall forward  
18 its report to the office of the prosecuting attorney having jurisdiction in  
19 the county in which the alleged child abuse or neglect occurred.

20 ~~(c) If the assessment substantiates a finding of child abuse or neglect~~  
21 ~~as determined by the department, a report shall be sent to the~~  
22 ~~coordinator of the community child protection team under IC 31-33-3.~~

23 SECTION 143. IC 31-33-18-2, AS AMENDED BY P.L.123-2014,  
24 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2015]: Sec. 2. The reports and other material described in  
26 section 1(a) of this chapter and the unredacted reports and other  
27 material described in section 1(b) of this chapter shall be made  
28 available only to the following:

29 (1) Persons authorized by this article.

30 (2) A legally mandated public or private child protective agency  
31 investigating a report of child abuse or neglect or treating a child  
32 or family that is the subject of a report or record.

33 (3) Any of the following who are investigating a report of a child  
34 who may be a victim of child abuse or neglect:

35 (A) A police officer or other law enforcement agency.

36 (B) A prosecuting attorney.

37 (C) A coroner, in the case of the death of a child.

38 (4) A physician who has before the physician a child whom the  
39 physician reasonably suspects may be a victim of child abuse or  
40 neglect.

41 (5) An individual legally authorized to place a child in protective  
42 custody if:



- 1 (A) the individual has before the individual a child whom the  
 2 individual reasonably suspects may be a victim of abuse or  
 3 neglect; and  
 4 (B) the individual requires the information in the report or  
 5 record to determine whether to place the child in protective  
 6 custody.
- 7 (6) An agency having the legal responsibility or authorization to  
 8 care for, treat, or supervise a child who is the subject of a report  
 9 or record or a parent, guardian, custodian, or other person who is  
 10 responsible for the child's welfare.
- 11 (7) An individual named in the report or record who is alleged to  
 12 be abused or neglected or, if the individual named in the report is  
 13 a child or is otherwise incompetent, the individual's guardian ad  
 14 litem or the individual's court appointed special advocate, or both.
- 15 (8) Each parent, guardian, custodian, or other person responsible  
 16 for the welfare of a child named in a report or record and an  
 17 attorney of the person described under this subdivision, with  
 18 protection for the identity of reporters and other appropriate  
 19 individuals.
- 20 (9) A court, for redaction of the record in accordance with section  
 21 1.5 of this chapter, or upon the court's finding that access to the  
 22 records may be necessary for determination of an issue before the  
 23 court. However, except for disclosure of a redacted record in  
 24 accordance with section 1.5 of this chapter, access is limited to in  
 25 camera inspection unless the court determines that public  
 26 disclosure of the information contained in the records is necessary  
 27 for the resolution of an issue then pending before the court.
- 28 (10) A grand jury upon the grand jury's determination that access  
 29 to the records is necessary in the conduct of the grand jury's  
 30 official business.
- 31 (11) An appropriate state or local official responsible for child  
 32 protection services or legislation carrying out the official's official  
 33 functions.
- 34 (12) A foster care review board established by a juvenile court  
 35 under IC 31-34-21-9 (or IC 31-6-4-19 before its repeal) upon the  
 36 court's determination that access to the records is necessary to  
 37 enable the foster care review board to carry out the board's  
 38 purpose under IC 31-34-21.
- 39 ~~(13) The community child protection team appointed under~~  
 40 ~~IC 31-33-3 (or IC 31-6-11-14 before its repeal); upon request, to~~  
 41 ~~enable the team to carry out the team's purpose under IC 31-33-3.~~  
 42 (13) A person about whom a report has been made, with





- 1 protection for the identity of:
- 2 (A) any person reporting known or suspected child abuse or
- 3 neglect; and
- 4 (B) any other person if the person or agency making the
- 5 information available finds that disclosure of the information
- 6 would be likely to endanger the life or safety of the person.
- 7 ~~(15)~~ **(14)** An employee of the department, a caseworker, or a
- 8 juvenile probation officer conducting a criminal history check
- 9 under IC 31-26-5, IC 31-34, or IC 31-37 to determine the
- 10 appropriateness of an out-of-home placement for a:
- 11 (A) child at imminent risk of placement;
- 12 (B) child in need of services; or
- 13 (C) delinquent child.
- 14 The results of a criminal history check conducted under this
- 15 subdivision must be disclosed to a court determining the
- 16 placement of a child described in clauses (A) through (C).
- 17 ~~(16)~~ **(15)** A local child fatality review team established under
- 18 IC 16-49-2.
- 19 ~~(17)~~ **(16)** The statewide child fatality review committee
- 20 established by IC 16-49-4.
- 21 ~~(18)~~ **(17)** The department.
- 22 ~~(19)~~ **(18)** The division of family resources, if the investigation
- 23 report:
- 24 (A) is classified as substantiated; and
- 25 (B) concerns:
- 26 (i) an applicant for a license to operate;
- 27 (ii) a person licensed to operate;
- 28 (iii) an employee of; or
- 29 (iv) a volunteer providing services at;
- 30 a child care center licensed under IC 12-17.2-4 or a child care
- 31 home licensed under IC 12-17.2-5.
- 32 ~~(20)~~ **(19)** A citizen review panel established under
- 33 IC 31-25-2-20.4.
- 34 ~~(21)~~ **(20)** The department of child services ombudsman
- 35 established by IC 4-13-19-3.
- 36 ~~(22)~~ **(21)** The state superintendent of public instruction with
- 37 protection for the identity of:
- 38 (A) any person reporting known or suspected child abuse or
- 39 neglect; and
- 40 (B) any other person if the person or agency making the
- 41 information available finds that disclosure of the information
- 42 would be likely to endanger the life or safety of the person.



1           ~~(23)~~ **(22)** The state child fatality review coordinator employed by  
2 the state department of health under IC 16-49-5-1.

3           ~~(24)~~ **(23)** A person who operates a child caring institution, group  
4 home, or secure private facility if all the following apply:

5           (A) The child caring institution, group home, or secure private  
6 facility is licensed under IC 31-27.

7           (B) The report or other materials concern:

8           (i) an employee of;

9           (ii) a volunteer providing services at; or

10           (iii) a child placed at;

11           the child caring institution, group home, or secure private  
12 facility.

13           (C) The allegation in the report occurred at the child caring  
14 institution, group home, or secure private facility.

15           ~~(25)~~ **(24)** A person who operates a child placing agency if all the  
16 following apply:

17           (A) The child placing agency is licensed under IC 31-27.

18           (B) The report or other materials concern:

19           (i) a child placed in a foster home licensed by the child  
20 placing agency;

21           (ii) a person licensed by the child placing agency to operate  
22 a foster family home;

23           (iii) an employee of the child placing agency or a foster  
24 family home licensed by the child placing agency; or

25           (iv) a volunteer providing services at the child placing  
26 agency or a foster family home licensed by the child placing  
27 agency.

28           (C) The allegations in the report occurred in the foster family  
29 home or in the course of employment or volunteering at the  
30 child placing agency or foster family home.

31           SECTION 144. IC 31-34-4-6, AS AMENDED BY P.L.145-2006,  
32 SECTION 291, IS AMENDED TO READ AS FOLLOWS  
33 [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) The department shall submit  
34 written information to a parent, custodian, or guardian of a child who  
35 is alleged to be abused or neglected regarding the following legal rights  
36 of the parent, custodian, or guardian:

37           (1) The right to have a detention hearing held by a court within  
38 forty-eight (48) hours after the child's removal from the home and  
39 to request return of the child at the hearing.

40           (2) The right to:

41           (A) be represented by an attorney;

42           (B) cross examine witnesses; and



1 (C) present evidence on the parent's, custodian's, or guardian's  
 2 own behalf;  
 3 at each court proceeding on a petition alleging that the child is a  
 4 child in need of services. The parent, guardian, or custodian has  
 5 the right to be represented by a court appointed attorney under  
 6 clause (A) upon the request of the parent, guardian, or custodian  
 7 if the court finds that the parent, guardian, or custodian does not  
 8 have sufficient financial means for obtaining representation as  
 9 described in IC 34-10-1.  
 10 (3) The right not to make statements that incriminate the parent,  
 11 custodian, or guardian and that an incriminating statement may be  
 12 used during a court proceeding on a petition alleging that the  
 13 child is a child in need of services.  
 14 ~~(4) The right to request to have the case reviewed by the child~~  
 15 ~~protection team under IC 31-33-3-6.~~  
 16 ~~(5)~~ (4) The right to be advised that after July 1, 1999, a petition to  
 17 terminate the parent-child relationship must be filed whenever a  
 18 child has been removed from the child's parent and has been  
 19 under the supervision of the department for at least fifteen (15)  
 20 months of the most recent twenty-two (22) months.  
 21 (b) The department shall submit the written information under  
 22 subsection (a) to the child's parent, guardian, or custodian at the time:  
 23 (1) the child is taken into custody; or  
 24 (2) the department files a petition alleging that the child is a child  
 25 in need of services;  
 26 whichever occurs earlier.  
 27 SECTION 145. IC 36-1-2-17 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. "School  
 29 corporation" means a local public school corporation established under  
 30 state law. The term includes a school city, school town, ~~school~~  
 31 ~~township~~, metropolitan school district, consolidated school corporation,  
 32 county school corporation, township school corporation, community  
 33 school corporation, or united school corporation.  
 34 SECTION 146. IC 36-1-2-22 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 22. "Township" refers  
 36 to a civil township, unless the reference is to a congressional township,  
 37 ~~or school township.~~  
 38 SECTION 147. IC 36-1-8-5, AS AMENDED BY P.L.1-2007,  
 39 SECTION 238, IS AMENDED TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section applies to all  
 41 funds raised by a general or special tax levy on all the taxable property  
 42 of a political subdivision.



1 (b) Whenever the purposes of a tax levy have been fulfilled and an  
 2 unused and unencumbered balance remains in the fund, the fiscal body  
 3 of the political subdivision shall order the balance of that fund to be  
 4 transferred as follows, unless a statute provides that it be transferred  
 5 otherwise:

6 (1) Funds of a county, to the general fund or rainy day fund of the  
 7 county, as provided in section 5.1 of this chapter.

8 (2) Funds of a municipality, to the general fund or rainy day fund  
 9 of the municipality, as provided in section 5.1 of this chapter.

10 (3) Funds of a township for redemption of township assistance  
 11 obligations, to the township assistance fund of the township or  
 12 rainy day fund of the township, as provided in section 5.1 of this  
 13 chapter.

14 (4) Funds of any other political subdivision, to the general fund or  
 15 rainy day fund of the political subdivision, as provided in section  
 16 5.1 of this chapter. However, if the political subdivision is  
 17 dissolved or does not have a general fund or rainy day fund, then  
 18 to the general fund of each of the units located in the political  
 19 subdivision in the same proportion that the assessed valuation of  
 20 the unit bears to the total assessed valuation of the political  
 21 subdivision.

22 (c) Whenever an unused and unencumbered balance remains in the  
 23 civil township fund of a township and a current tax levy for the fund is  
 24 not needed, the township fiscal body may order any part of the balance  
 25 of that fund transferred to the debt service fund of the school  
 26 corporation located in or partly in the township. However, if more than  
 27 one (1) school corporation is located in or partly in the township, then  
 28 any sum transferred shall be transferred to the debt service fund of each  
 29 of those school corporations in the same proportion that the part of the  
 30 assessed valuation of the school corporation in the township bears to  
 31 the total assessed valuation of the township.

32 (d) If there is:

33 (1) an unexpended balance in the debt service fund of any school  
 34 township; and

35 (2) no outstanding bonded or other indebtedness of the school  
 36 township to the payment of which the unexpended balance or any  
 37 part of the unexpended balance can be legally applied;

38 the township trustee of the township, with the approval of the township  
 39 board, may transfer the unexpended balance in the debt service fund to  
 40 the school general fund of the school township.

41 (e) (d) Whenever any township has collected any fund for the  
 42 special or specific purpose of erecting or constructing a school building



1 and the township trustee of the township decides to abandon the  
 2 proposed work of erecting or constructing the school building, the  
 3 township trustee of the township shall transfer the fund collected for  
 4 the special or specific purpose to the township fund of the township,  
 5 upon the order of the township board to make the transfer. It is lawful  
 6 thereafter to use the funds for any purpose for which the township  
 7 funds of the township may be used.

8 ~~(f)~~ (e) Transfers to a political subdivision's rainy day fund may be  
 9 made at any time during the political subdivision's fiscal year.

10 SECTION 148. IC 36-2-2-24 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 24. (a) The executive  
 12 shall establish and maintain a county courthouse, county jail, and  
 13 public offices for the county clerk, the county auditor, the county  
 14 recorder, the county treasurer, the county sheriff, **and** the county  
 15 surveyor. ~~and the county superintendent of schools.~~

16 (b) Offices for the surveyor ~~and superintendent of schools~~ must be  
 17 in the courthouse or at the county seat.

18 (c) Offices for the sheriff may be located:

- 19 (1) in the courthouse;  
 20 (2) inside the corporate limits of the county seat; or  
 21 (3) outside the corporate limits of the county seat but within the  
 22 limits of the county.

23 SECTION 149. IC 36-2-16-4, AS AMENDED BY P.L.174-2006,  
 24 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2015]: Sec. 4. Each of the following county officers is entitled  
 26 to appoint one (1) first or chief deputy, and also may appoint the  
 27 number of other full-time or part-time deputies and employees  
 28 authorized by the county fiscal body:

- 29 (1) The county auditor.  
 30 (2) The county treasurer.  
 31 (3) The county recorder.  
 32 ~~(4) The county superintendent of schools.~~  
 33 ~~(5)~~ (4) The county sheriff.

34 SECTION 150. IC 36-2-17-2 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The county  
 36 auditor, county treasurer, county surveyor, **and** county sheriff ~~and~~  
 37 ~~county superintendent of schools~~ shall keep in their offices all records  
 38 that they are required to make and shall deliver them to their  
 39 successors.

40 (b) The clerk of the circuit court, county auditor, and county  
 41 recorder shall use permanent jet-black, nonfading ink when preparing  
 42 official records in longhand. A person who violates this subsection



1 commits a Class C infraction.

2 SECTION 151. IC 36-7-4-208, AS AMENDED BY P.L.126-2011,  
3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2015]: Sec. 208. (a) ADVISORY. The county plan  
5 commission consists of nine (9) members, as follows:

6 (1) One (1) member appointed by the county executive from its  
7 membership.

8 (2) One (1) member appointed by the county fiscal body from its  
9 membership.

10 (3) The county surveyor or the county surveyor's designee.

11 (4) The county agricultural extension educator. However, if the  
12 county does not have a county agricultural extension educator, the  
13 county extension board shall select a resident of the county who  
14 is a property owner with agricultural interest to serve on the  
15 commission under this subdivision for a period not to exceed one  
16 (1) year.

17 (5) Five (5) members appointed in accordance with one (1) of the  
18 following:

19 (A) Four (4) citizen members, of whom no more than two (2)  
20 may be of the same political party. Each of the four (4)  
21 members must be:

22 (i) a resident of an unincorporated area of the county; or

23 (ii) a resident of the county who is also an owner of real  
24 property located in whole or in part in an unincorporated  
25 area of the county;

26 appointed by the county executive. However, at least two (2)  
27 of the citizen members must be residents of the unincorporated  
28 area of the county. Also one (1) township trustee, who must be  
29 a resident of an unincorporated area of the county appointed  
30 by the county executive upon the recommendation of the  
31 township trustees whose townships are within the jurisdiction  
32 of the county plan commission.

33 (B) Five (5) citizen members, of whom not more than three (3)  
34 may be of the same political party. Each of the five (5)  
35 members must be:

36 (i) a resident of an unincorporated area of the county; or

37 (ii) a resident of the county who is also an owner of real  
38 property located in whole or in part in an unincorporated  
39 area of the county;

40 appointed by the county executive. However at least three (3)  
41 members must be residents of the unincorporated area of the  
42 county.



1 If a county executive changes the plan commission from having  
 2 members described in clause (B) to having members described in  
 3 clause (A), the county executive shall appoint a township trustee  
 4 to replace the first citizen member whose term expires and who  
 5 belongs to the same political party as the township trustee. Each  
 6 member appointed to the commission is entitled to receive  
 7 compensation for mileage at the same rate and the same  
 8 compensation for services as a member of a county executive, a  
 9 member of a county fiscal body, a county surveyor, or an  
 10 appointee of a county surveyor receives for serving on the  
 11 commission, as set forth in section 222.5 of this chapter.

12 (b) ADVISORY. The metropolitan plan commission consists of nine  
 13 (9) members, as follows:

14 (1) One (1) member appointed by the county legislative body  
 15 from its membership.

16 (2) One (1) member appointed by the second class city legislative  
 17 body from its membership.

18 (3) Three (3) citizen members who:

19 (A) reside in an unincorporated area of the county; or

20 (B) reside in the county and also own real property located in  
 21 whole or in part in an unincorporated area of the county;

22 of whom no more than two (2) may be of the same political party,  
 23 appointed by the county legislative body. One (1) of these  
 24 members must be actively engaged in farming.

25 (4) Four (4) citizen members, of whom no more than two (2) may  
 26 be of the same political party, appointed by the second class city  
 27 executive. One (1) of these members must be from the  
 28 metropolitan school authority or community school corporation  
 29 and a resident of that school district, and the other three (3)  
 30 members must be residents of the second class city.

31 (c) AREA. When there are six (6) county representatives, they are  
 32 as follows:

33 (1) One (1) member appointed by the county executive from its  
 34 membership.

35 (2) One (1) member appointed by the county fiscal body from its  
 36 membership.

37 (3) ~~The county superintendent of schools, or if that office does not~~  
 38 ~~exist,~~ A representative appointed by the school corporation  
 39 superintendents within the jurisdiction of the area plan  
 40 commission.

41 (4) One (1) of the following appointed by the county executive:

42 (A) The county agricultural extension educator.



- 1 (B) The county surveyor or the county surveyor's designee.
- 2 (5) One (1) citizen member who is:
- 3 (A) a resident of the unincorporated area of the county; or
- 4 (B) a resident of the county who is also an owner of real
- 5 property located in whole or in part in the unincorporated area
- 6 of the county;
- 7 appointed by the county executive.
- 8 (6) One (1) citizen member who is:
- 9 (A) a resident of the unincorporated area of the county; or
- 10 (B) a resident of the county who is also an owner of real
- 11 property located in whole or in part in the unincorporated area
- 12 of the county;
- 13 appointed by the county fiscal body.
- 14 (d) AREA. When there are five (5) county representatives, they are
- 15 the representatives listed or appointed under subsection (c)(3), (c)(4),
- 16 (c)(5), and (c)(6) and:
- 17 (1) the county surveyor or the county surveyor's designee if the
- 18 county executive appoints the county agricultural extension
- 19 educator under subsection (c)(4); or
- 20 (2) the county agricultural extension educator if the county
- 21 executive appoints the county surveyor under subsection (c)(4).
- 22 SECTION 152. IC 36-9-13-2, AS AMENDED BY P.L.77-2014,
- 23 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2015]: Sec. 2. For purposes of this chapter, the following are
- 25 considered the governing bodies of their respective eligible entities:
- 26 (1) Board of commissioners, for a county not subject to
- 27 IC 36-2-2.5, IC 36-2-3.5, or IC 36-3-1.
- 28 (2) County council, for a county subject to IC 36-2-2.5 or
- 29 IC 36-2-3.5.
- 30 (3) City-county council, for a consolidated city or county having
- 31 a consolidated city.
- 32 (4) Common council, for a city other than a consolidated city.
- 33 (5) Town council, for a town.
- 34 (6) Trustee and township board, for a civil or school township.
- 35 (7) Board of school trustees, board of school commissioners, or
- 36 school board, for a school corporation.
- 37 (8) Board of trustees, for a health and hospital corporation.
- 38 SECTION 153. IC 36-10-12-4 IS REPEALED [EFFECTIVE JULY
- 39 1, 2015]. Sec. 4: As used in this chapter, "township" means a school
- 40 township that is located in a county containing a consolidated city.
- 41 SECTION 154. IC 36-10-12-5 IS REPEALED [EFFECTIVE JULY
- 42 1, 2015]. Sec. 5: As used in this chapter, "township board" means the





1 township board of a township:  
 2 SECTION 155. IC 36-10-12-6 IS REPEALED [EFFECTIVE JULY  
 3 1, 2015]. Sec. 6: As used in this chapter, "township trustee" means the  
 4 duly elected trustee of the civil township in which a school township  
 5 is located.  
 6 SECTION 156. IC 36-10-12-7 IS REPEALED [EFFECTIVE JULY  
 7 1, 2015]. Sec. 7: (a) With the consent of the township board, the  
 8 township trustee may provide financial assistance to a children's  
 9 museum. The assistance shall be:  
 10 (1) paid from the funds of the school township;  
 11 (2) budgeted and appropriated as provided by law; and  
 12 (3) in an amount each year not to exceed the product of  
 13 twenty-five cents (\$0.25) multiplied by the ADA (as defined in  
 14 IC 20-18-2-1.5(a)) of children enrolled in grades 1 through 8 in  
 15 the public schools of the township as reported in the last  
 16 preceding annual report to the state superintendent of public  
 17 instruction.  
 18 (b) The assistance under subsection (a) is payable annually. The  
 19 trustee and the township board may continue the assistance annually if  
 20 the board of trustees or other governing body of the children's museum  
 21 has accepted by resolution the provisions of this chapter and has filed  
 22 a certified copy of the resolution with the township trustee of the  
 23 township before the date of the first payment.  
 24 SECTION 157. IC 36-10-12-9, AS ADDED BY P.L.1-2005,  
 25 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2015]: Sec. 9. (a) A children's museum is not entitled to  
 27 receive financial assistance under ~~sections 7 and section 8~~ of this  
 28 chapter until the ~~board of trustees or other~~ governing body of the  
 29 museum agrees with the ~~township trustee or~~ board of school trustees,  
 30 by proper resolution, to do the following:  
 31 (1) ~~To allow the county superintendent of schools of the county~~  
 32 ~~to attend all meetings of the board of trustees or other governing~~  
 33 ~~body of the children's museum so that the superintendent is~~  
 34 ~~advised as to the work done and proposed to be done by the~~  
 35 ~~children's museum.~~  
 36 (2) (1) To allow the ~~township trustees of a township or~~ board of  
 37 school trustees of a town furnishing financial assistance to the  
 38 children's museum to nominate individuals eligible for  
 39 membership on the board of trustees or other governing body of  
 40 the museum. The children's museum must elect one (1) member  
 41 from the list or lists of individuals nominated as a member of the  
 42 board of trustees or other governing body of the children's



1 museum. The member elected under this subdivision represents  
2 all ~~townships and~~ towns.

3 ~~(3)~~ (2) To grant free admission to the children's museum and  
4 galleries to all students and teachers of a ~~township or~~ town that  
5 furnishes financial assistance to the children's museum.

6 ~~(4)~~ (3) To allow the use, at reasonable times and in reasonable  
7 ways, of the plant, equipment, and facilities of the children's  
8 museum to educate the students of the ~~township or~~ town.

9 ~~(5)~~ (4) To allow the use of the services of the personnel of the  
10 children's museum, at reasonable times and in reasonable ways,  
11 under the direction of the children's museum, if the services are  
12 consistent with the regular established duties of the personnel.

13 ~~(6)~~ (5) To allow the loan of suitable and available objects and  
14 items from the children's museum's collection to a school of the  
15 ~~township or~~ town to aid and supplement the curriculum of the  
16 school.

17 (b) A copy of the resolution must be filed in the office of the  
18 ~~township trustee or with the~~ secretary of the board of school trustees  
19 before the children's museum receives financial assistance under this  
20 chapter.

21 SECTION 158. IC 36-10-12-10, AS ADDED BY P.L.1-2005,  
22 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2015]: Sec. 10. After a children's museum qualifies to receive  
24 financial assistance from a ~~township or~~ town under this chapter, the  
25 board of trustees or the governing body of the children's museum is not  
26 required to adopt new resolutions each year. Each original resolution  
27 continues and remains in full force and effect until the original  
28 resolution is revoked or rescinded by another resolution that is certified  
29 and filed under this chapter.

30 SECTION 159. IC 36-12-2-17, AS ADDED BY P.L.1-2005,  
31 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2015]: Sec. 17. The four (4) additional members of a county  
33 contractual library board required by IC 36-12-6-2 shall be appointed  
34 as follows:

35 (1) Two (2) members appointed by the executive of the county in  
36 which the county contractual library district is located.

37 (2) Two (2) members appointed by the ~~county superintendent of~~  
38 ~~schools; or if there is no county superintendent of schools; by the~~  
39 county auditor of the county in which the library district is  
40 located.

41 SECTION 160. IC 36-12-7-7, AS ADDED BY P.L.1-2005,  
42 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]; Sec. 7. (a) The library board of a library established as  
 2 an 1899 township library consists of the school township trustee in the  
 3 township where the library is located and two (2) residents of the  
 4 township who are appointed by the board of commissioners of the  
 5 county where the library is located. Appointments are for a term of four  
 6 (4) years. Members of the library board serve without compensation.

7 (b) The library board:

8 (1) shall control the purchase of books and the management of the  
 9 library;

10 (2) shall possess and retain custody of any books remaining in the  
 11 old township library in the township where the library is located;

12 (3) may receive donations, bequests, and legacies on behalf of the  
 13 library; and

14 (4) may receive copies of all documents of the state available for  
 15 distribution from the director of the state library.

16 (c) The 1899 township library is the property of the ~~school~~  
 17 township. The ~~school~~ township trustee is responsible for the safe  
 18 preservation of the township library.

19 (d) Two (2) or more adjacent townships may unite to maintain a  
 20 township library. The library is controlled by either:

21 (1) a combined library board, which consists of each of the  
 22 uniting township boards appointed under subsection (a); or

23 (2) the one (1) township library board appointed under subsection  
 24 (a) of the uniting townships that receives funding for the  
 25 operation of the uniting township library.

26 (e) The legislative body of any township that contains a library  
 27 established as an 1899 township library may levy a tax annually of not  
 28 more than three and thirty-three hundredths cents (\$0.0333) on each  
 29 one hundred dollars (\$100) of taxable property assessed for taxation in  
 30 the township. If the legislative body does not levy the tax, a petition  
 31 signed by at least the number of registered voters required under  
 32 IC 3-8-6-3 to place a candidate on the ballot may be filed with the  
 33 circuit court clerk, who:

34 (1) shall determine if an adequate number of voters have signed  
 35 the petition; and

36 (2) if an adequate number of voters have signed the petition, shall  
 37 certify the public question to the county election board under  
 38 IC 3-10-9-3. The county election board shall then cause to be  
 39 printed on the ballot for the township the following question in  
 40 the form prescribed by IC 3-10-9-4: "Shall a township library tax  
 41 be levied?".

42 If a majority of the votes cast on the question in subdivision (2) are in



1 the affirmative, the township trustee shall annually levy a tax of not less  
 2 than one and sixty-seven hundredths cents (\$0.0167) and not more than  
 3 three and thirty-three hundredths cents (\$0.0333) on each one hundred  
 4 dollars (\$100) of taxable property in the township for the establishment  
 5 and support of a township library. The township tax shall be levied,  
 6 assessed, collected, and paid according to the procedure outlined in  
 7 IC 6-1.1.

8 (f) The tax levy under subsection (e) shall be discontinued when the  
 9 question of discontinuing the levy has been submitted to a vote  
 10 according to the procedure provided in subsection (e) and the majority  
 11 of the votes cast on the question is in the negative.

12 (g) If a public library that is open for the use of all the residents of  
 13 the township is located in the township, the proceeds of the tax  
 14 collected under subsection (e) shall be paid to that public library.

15 (h) In a township outside a city that contains a library:

16 (1) established by private donations of the value of at least ten  
 17 thousand dollars (\$10,000), including the real estate and buildings  
 18 used for the library; and

19 (2) used for the benefit of all the inhabitants of the township;

20 the township trustee of the township shall annually levy and collect not  
 21 more than two cents (\$0.02) on each one hundred dollars (\$100) upon  
 22 the taxable property within the limits of the township. The money shall  
 23 be paid to the trustees of the library, to be applied by the trustees for  
 24 the purchase of books and the payment of the maintenance costs for the  
 25 library. When it becomes necessary to purchase additional ground for  
 26 the extension or protection of library buildings already established by  
 27 private donation, the trustee, with the consent of the county legislative  
 28 body, may annually levy and collect not more than one and sixty-seven  
 29 hundredths cents (\$0.0167) on each one hundred dollars (\$100) of  
 30 taxable property of the township for not more than three (3) years  
 31 successively, to be expended by the trustees for the purchase of  
 32 property and the construction and enlargement of library buildings.

33 (i) The 1899 township library is free to all the residents of the  
 34 township.

35 SECTION 161. [EFFECTIVE JULY 1, 2015] **(a) The legislative**  
 36 **services agency shall prepare legislation for introduction in the**  
 37 **2016 regular session of the general assembly to organize and**  
 38 **correct statutes affected by this act.**

39 **(b) This SECTION expires December 31, 2015.**

