

HOUSE BILL No. 1428

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8-2.5-4; IC 3-10; IC 20-23; IC 20-25-3-4.

Synopsis: School board elections. Provides that, beginning in 2023, school board members selected by election must be elected at municipal general elections. (Under current law, school board members selected by election must be elected at general elections.) Makes conforming changes.

Effective: July 1, 2019.

Huston

January 15, 2019, read first time and referred to Committee on Elections and Apportionment.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1428

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

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

1 SECTION 1. IC 3-8-2.5-4, AS AMENDED BY P.L.219-2013,
2 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 4. (a) A petition of nomination for a school board
4 office must be filed not earlier than one hundred four (104) days and
5 not later than noon seventy-four (74) days before the ~~general~~ election
6 **specified in IC 3-10-13**. The petition must be subscribed and sworn to
7 before a person authorized to administer oaths.

8 (b) A declaration of intent to be a write-in candidate for a school
9 board office must be filed not earlier than ninety (90) days before the
10 ~~general~~ election **specified in IC 3-10-13** and not later than noon
11 seventy-four (74) days before the ~~general~~ election **specified in**
12 **IC 3-10-13**. The declaration must be subscribed and sworn to before
13 a person authorized to administer oaths.

14 (c) A person who files a petition of nomination for a school board
15 office may, at any time not later than noon seventy-one (71) days
16 before the general election, file a statement with the same office where
17 the person filed the petition of nomination, stating that the person is no



1 longer a candidate and does not wish the person's name to appear on
2 the election ballot as a candidate.

3 (d) A person who files a declaration of intent to be a write-in
4 candidate for a school board office may, at any time not later than noon
5 seventy-one (71) days before the ~~general~~ election **specified in**
6 **IC 3-10-13**, file a statement with the same office where the person filed
7 the declaration of intent, stating that the person is no longer a write-in
8 candidate for the office.

9 SECTION 2. IC 3-10-2-16, AS ADDED BY P.L.219-2013,
10 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2019]: Sec. 16. (a) Notwithstanding any other statute or a
12 school corporation's organization plan, an elected member of the
13 governing body shall be elected at the general election held
14 immediately before the term of office for that position on the governing
15 body expires.

16 (b) **This section expires January 1, 2023.**

17 SECTION 3. IC 3-10-13 IS ADDED TO THE INDIANA CODE AS
18 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
19 1, 2019]:

20 **Chapter 13. School Board Elections**

21 **Sec. 1. (a) This chapter applies to the election of the members of**
22 **a governing body.**

23 (b) **To the extent that a governing statute is inconsistent with**
24 **this chapter, this chapter governs.**

25 **Sec. 2. As used in this chapter, "governing body" refers to the**
26 **governing body of a school corporation:**

- 27 (1) **any of whose members are elected; and**
28 (2) **subject to any of the governing statutes.**

29 **Sec. 3. As used in this chapter, "governing statute" refers to any**
30 **of the following:**

- 31 (1) **IC 20-23-4.**
32 (2) **IC 20-23-7.**
33 (3) **IC 20-23-8.**
34 (4) **IC 20-23-10.**
35 (5) **IC 20-23-12.**
36 (6) **IC 20-23-13.**
37 (7) **IC 20-23-14.**
38 (8) **IC 20-23-15.**
39 (9) **IC 20-23-17.**
40 (10) **IC 20-23-17.2.**
41 (11) **IC 20-25.**

42 **Sec. 4. As used in this chapter, "municipal election year" refers**



1 to the odd-numbered year immediately before the year that
2 presidential electors and alternate electors are elected.

3 **Sec. 5. As used in this chapter, "municipal general election"**
4 **refers to the election held on the first Tuesday after the first**
5 **Monday of a municipal election year.**

6 **Sec. 6. The elected members of a governing body shall be elected**
7 **at each municipal general election.**

8 **Sec. 6.1. (a) This subsection applies to an elected member of a**
9 **governing body who was elected at the 2020 general election.**
10 **Notwithstanding any other law, the successor of a member**
11 **described in this subsection shall:**

- 12 (1) be elected at the 2023 municipal general election;
- 13 (2) take office at the expiration of the term of the member
- 14 elected at the 2020 general election; and
- 15 (3) serve a four (4) year term.

16 **(b) This subsection applies to an elected member of a governing**
17 **body who was elected at the 2022 general election. Notwithstanding**
18 **any other law, the successor of a member described in this**
19 **subsection shall:**

- 20 (1) be elected at the 2023 municipal general election;
- 21 (2) take office at the expiration of the term of the member
- 22 elected at the 2022 general election; and
- 23 (3) serve a four (4) year term.

24 **(c) This section expires January 1, 2029.**

25 SECTION 4. IC 20-23-4-12, AS AMENDED BY P.L.179-2011,
26 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2019]: Sec. 12. (a) In formulating a preliminary reorganization
28 plan and with respect to each of the community school corporations
29 that are a part of the reorganization plan, the county committee shall
30 determine the following:

- 31 (1) The name of the community school corporation.
- 32 (2) Subject to subsection (e), a general description of the
- 33 boundaries of the community school corporation.
- 34 (3) With respect to the board of school trustees, the following:
 - 35 (A) Whether the number of members is:
 - 36 (i) three (3);
 - 37 (ii) five (5); or
 - 38 (iii) seven (7).
 - 39 (B) Whether the members are elected or appointed.
 - 40 (C) If the members are appointed:
 - 41 (i) when the appointments are made; and
 - 42 (ii) who makes the appointments.



- 1 (D) If the members are elected, that the election is at the
 2 ~~general~~ election **specified in IC 3-10-13. at which county**
 3 ~~officials are elected.~~
- 4 (E) Subject to sections 21 and 22 of this chapter, the manner
 5 in which members are elected or appointed.
- 6 (4) The compensation, if any, of the members of the regular and
 7 interim board of school trustees, which may not exceed the
 8 amount provided in IC 20-26-4-7.
- 9 (5) Subject to subsection (f), qualifications required of the
 10 members of the board of school trustees, including limitations on:
 11 (A) residence; and
 12 (B) term of office.
- 13 (6) If an existing school corporation is divided in the
 14 reorganization, the disposition of assets and liabilities.
- 15 (7) The disposition of school aid bonds, if any.
- 16 (b) If existing school corporations are not divided in the
 17 reorganization, the:
 18 (1) assets;
 19 (2) liabilities; and
 20 (3) obligations;
 21 of the existing school corporations shall be transferred to and assumed
 22 by the new community school corporation of which they are a part,
 23 regardless of whether the plan provides for transfer and assumption.
- 24 (c) The preliminary plan must be supported by a summary statement
 25 of the following:
 26 (1) The educational improvements the plan's adoption will make
 27 possible.
 28 (2) Data showing the:
 29 (A) assessed valuation;
 30 (B) number of resident students in ADA in grades 1 through
 31 12;
 32 (C) assessed valuation per student referred to in clause (B);
 33 and
 34 (D) property tax levies;
 35 of each existing school corporation to which the plan applies.
 36 (3) The:
 37 (A) assessed valuation;
 38 (B) resident ADA; and
 39 (C) assessed valuation per student;
 40 data referred to in subdivision 2(A) through 2(C) that would have
 41 applied for each proposed community school corporation if the
 42 corporation existed in the year the preliminary plan is prepared or



- 1 notice of a hearing or hearings on the preliminary plan is given by
 2 the county committee.
- 3 (4) Any other data or information the county committee considers
 4 appropriate or that may be required by the state board in its rules.
- 5 (d) The county committee:
- 6 (1) shall base the assessed valuations and tax levies referred to in
 7 subsection (c)(2) through (c)(3) on the valuations applying to
 8 taxes collected in:
- 9 (A) the year the preliminary plan is prepared; or
 10 (B) the year notice of a hearing or hearings on the preliminary
 11 plan is given by the county committee;
- 12 (2) may base the resident ADA figures on the calculation of the
 13 figures under the rules under which they are submitted to the state
 14 superintendent by existing school corporations; and
- 15 (3) shall set out the resident ADA figures for:
- 16 (A) the school year in progress if the figures are available for
 17 that year; or
 18 (B) the immediately preceding school year if the figures are
 19 not available for the school year in progress.
- 20 The county committee may obtain the data and information referred to
 21 in this subsection from any source the committee considers reliable. If
 22 the county committee attempts in good faith to comply with this
 23 subsection, the summary statement referred to in subsection (c) is
 24 sufficient regardless of whether the statement is exactly accurate.
- 25 (e) The general description referred to in subsection (a)(2) may
 26 consist of an identification of an existing school corporation that is to
 27 be included in its entirety in the community school corporation. If a
 28 boundary does not follow the boundary of an existing civil unit of
 29 government or school corporation, the description must set out the
 30 boundary:
- 31 (1) as near as reasonably possible by:
- 32 (A) streets;
 33 (B) rivers; and
 34 (C) other similar boundaries;
 35 that are known by common names; or
 36 (2) if descriptions as described in subdivision (1) are not possible,
 37 by section lines or other legal description.
- 38 The description is not defective if there is a good faith effort by the
 39 county committee to comply with this subsection or if the boundary
 40 may be ascertained with reasonable certainty by a person skilled in the
 41 area of real estate description. The county committee may require the
 42 services of the county surveyor in preparing a description of a boundary



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

line.

(f) A member of the board of school trustees:

- (1) may not serve an appointive or elective term of more than four (4) years; and
- (2) may serve more than one (1) consecutive appointive or elective term.

SECTION 5. IC 20-23-4-29.1, AS ADDED BY P.L.179-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 29.1. (a) This section applies to each school corporation.

(b) If a plan provides for election of members of the governing body, the members of the governing body shall be elected at a ~~general~~ **the election specified in IC 3-10-13**. Each candidate must file a petition of nomination in accordance with IC 3-8-2.5 that is signed by the candidate and by ten (10) registered voters residing within the boundaries of the community school corporation. The filing must be made within the time specified by IC 3-8-2.5-4.

(c) All nominations shall be listed for each office in the form prescribed by IC 3-11-2, but without party designation. Voting and tabulation of votes shall be conducted in the same manner as voting and tabulation in general elections are conducted. The precinct election boards serving in each county shall conduct the election for members of the governing body. If a school corporation is located in more than one (1) county, each county election board shall print the ballots required for voters in that county to vote for candidates for members of the governing body.

(d) If the plan provides that the members of the governing body shall be elected by all the voters of the community school corporation, candidates shall be placed on the ballot in the form prescribed by IC 3-11-2, without party designation. The candidates who receive the most votes are elected.

(e) If the plan provides that members of the governing body are to be elected from residence districts by all voters in the community school corporation, nominees for the governing body shall be placed on the ballot in the form prescribed by IC 3-11-2, by residence districts without party designation. The ballot must state the number of members to be voted on and the maximum number of members that may be elected from each residence district as provided in the plan. A ballot is not valid if more than the maximum number of members are voted on from a board member residence district. The candidates who receive the most votes are elected. However, if more than the maximum number that may be elected from a residence district are



1 among those receiving the most votes, the candidates from the
 2 residence districts exceeding the maximum number who receive the
 3 fewest votes shall be eliminated in determining the candidates who are
 4 elected.

5 (f) If the plan provides that members of the governing body are to
 6 be elected from electoral districts solely by the voters of each district,
 7 nominees residing in each electoral district shall be placed on the ballot
 8 in the form prescribed by IC 3-11-2, without party designation. The
 9 ballot must state the number of members to be voted on from the
 10 electoral district. The candidates residing in the electoral district who
 11 receive the most votes are elected.

12 SECTION 6. IC 20-23-4-30, AS AMENDED BY P.L.219-2013,
 13 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2019]: Sec. 30. (a) This section applies to each school
 15 corporation.

16 (b) If a tie vote occurs among any of the candidates, the tie vote
 17 shall be resolved under IC 3-12-9-4.

18 (c) If after the first governing body takes office, there is a vacancy
 19 on the governing body for any reason, including the failure of the
 20 sufficient number of petitions for candidates being filed, whether the
 21 vacating member was elected or appointed, the remaining members of
 22 the governing body, whether or not a majority of the governing body,
 23 shall by a majority vote fill the vacancy by appointing a person from
 24 within the boundaries of the community school corporation to serve for
 25 the term or balance of the term. An individual appointed under this
 26 subsection must possess the qualifications provided for a regularly
 27 elected or appointed governing body member filling the office. If:

28 (1) a tie vote occurs among the members of the governing body
 29 under this subsection or IC 3-12-9-4; or

30 (2) the governing body fails to act within thirty (30) days after any
 31 vacancy occurs;

32 the judge of the circuit court in the county where the majority of
 33 registered voters of the school corporation reside shall make the
 34 appointment.

35 (d) A vacancy in the governing body occurs if a member ceases to
 36 be a resident of any community school corporation. A vacancy does not
 37 occur when the member moves from a district of the school corporation
 38 from which the member was elected or appointed if the member
 39 continues to be a resident of the school corporation.

40 (e) ~~At the first general election in which members of the governing~~
 41 ~~body are elected:~~

42 (1) ~~a simple majority of the candidates elected as members of the~~



1 governing body who receive the greatest number of votes shall be
 2 elected for four (4) year terms; and
 3 (2) the balance of the candidates elected as members of the
 4 governing body receiving the next greatest number of votes shall
 5 be elected for two (2) year terms.

6 ~~Thereafter~~, All school board members shall be elected for four (4) year
 7 terms.

8 (f) Elected governing body members take office and assume their
 9 duties on the date set in the school corporation's organization plan. The
 10 date set in the organization plan for an elected member of the
 11 governing body to take office may not be more than fourteen (14)
 12 months after the date of the member's election. If the school
 13 corporation's organization plan does not set a date for an elected
 14 member of the governing body to take office, the member takes office
 15 January 1 immediately after the member's election.

16 SECTION 7. IC 20-23-7-2, AS AMENDED BY P.L.244-2017,
 17 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2019]: Sec. 2. (a) In any county or adjoining counties at least
 19 two (2) school corporations, including school towns, school cities,
 20 consolidated school corporations, joint schools, metropolitan school
 21 districts, township school districts, or community school corporations,
 22 regardless of whether the consolidating school corporations are of the
 23 same or of a different character, may consolidate into one (1)
 24 metropolitan school district. Subject to subsection (h), the
 25 consolidation must be initiated by following either of the following
 26 procedures:

27 (1) The board of school trustees, board of education, or other
 28 governing body (the board or other governing body is referred to
 29 elsewhere in this section as the "governing body") of each school
 30 corporation to be consolidated shall:

31 (A) adopt substantially identical resolutions providing for the
 32 consolidation; and

33 (B) publish a notice setting out the text of the resolution one
 34 (1) time under IC 5-3-1.

35 The resolution **must may not** set forth any provision for
 36 staggering the terms of the board members of the metropolitan
 37 school district elected under this chapter. If, not more than thirty
 38 (30) days after publication of the resolution, a petition of protest,
 39 signed by at least twenty percent (20%) of the registered voters
 40 residing in the school corporation is filed with the clerk of the
 41 circuit court of each county where the voters who are eligible to
 42 sign the petition reside, a referendum election shall be held as



1 provided in subsection (c).

2 (2) Instead of the adoption of substantially identical resolutions in
 3 each of the proposed consolidating school corporations under
 4 subdivision (1), a referendum election under subsection (c) shall
 5 be held on the occurrence of all of the following:

6 (A) At least twenty percent (20%) of the registered voters
 7 residing in a particular school corporation sign a petition
 8 requesting that the school corporation consolidate with another
 9 school corporation (referred to in this subsection as "the
 10 responding school corporation").

11 (B) The petition described in clause (A) is filed with the clerk
 12 of the circuit court of each county where the voters who are
 13 eligible to sign the petition reside.

14 (C) Not more than thirty (30) days after the service of the
 15 petition by the clerk of the circuit court to the governing body
 16 of the responding school corporation under subsection (b) and
 17 the certification of signatures on the petition occurs under
 18 subsection (b), the governing body of the responding school
 19 corporation adopts a resolution approving the petition and
 20 providing for the consolidation.

21 (D) An approving resolution has the same effect as the
 22 substantially identical resolutions adopted by the governing
 23 bodies under subdivision (1), and the governing bodies shall
 24 publish the notice provided under subdivision (1) not more
 25 than fifteen (15) days after the approving resolution is adopted.
 26 However, if a governing body that is a party to the
 27 consolidation fails to publish notice within the required fifteen
 28 (15) day time period, a referendum election still must be held
 29 as provided in subsection (c).

30 If the governing body of the responding school corporation does
 31 not act on the petition within the thirty (30) day period described
 32 in clause (C), the governing body's inaction constitutes a
 33 disapproval of the petition request. If the governing body of the
 34 responding school corporation adopts a resolution disapproving
 35 the petition or fails to act within the thirty (30) day period, a
 36 referendum election as described in subsection (c) may not be
 37 held and the petition requesting the consolidation is defeated.

38 (b) Any petition of protest under subsection (a)(1) or a petition
 39 requesting consolidation under subsection (a)(2) must show in the
 40 petition the date on which each person has signed the petition and the
 41 person's residence on that date. The petition may be executed in several
 42 counterparts, the total of which constitutes the petition. Each



1 counterpart must contain the names of voters residing within a single
 2 county and shall be filed with the clerk of the circuit court of the
 3 county. Each counterpart must have attached to it the affidavit of the
 4 person circulating the counterpart that each signature appearing on the
 5 counterpart was affixed in that person's presence and is the true and
 6 lawful signature of each person who made the signature. Any signer
 7 may file the petition or any counterpart of the petition. Each signer on
 8 the petition may before and may not after the filing with the clerk
 9 withdraw the signer's name from the petition. A name may not be
 10 added to the petition after the petition has been filed with the clerk.
 11 After the receipt of any counterpart of the petition, each circuit court
 12 clerk shall certify:

- 13 (1) the number of persons signing the counterpart;
- 14 (2) the number of persons who are registered voters residing
 15 within that part of the school corporation located within the
 16 clerk's county, as disclosed by the voter registration records in the
 17 office of the clerk or the board of registration of the county, or
 18 wherever registration records may be kept;
- 19 (3) the total number of registered voters residing within the
 20 boundaries of that part of the school corporation located within
 21 the county, as disclosed in the voter registration records; and
 22 (4) the date of the filing of the petition.

23 Certification shall be made by each clerk of the circuit court not more
 24 than thirty (30) days after the filing of the petition, excluding from the
 25 calculation of the period any time during which the registration records
 26 are unavailable to the clerk, or within any additional time as is
 27 reasonably necessary to permit the clerk to make the certification. In
 28 certifying the number of registered voters, the clerk of the circuit court
 29 shall disregard any signature on the petition not made within the ninety
 30 (90) days immediately before the filing of the petition with the clerk as
 31 shown by the dates set out in the petition. The clerk of the circuit court
 32 shall establish a record of the certification in the clerk's office and shall
 33 serve the original petition and a copy of the certification on the county
 34 election board under IC 3-10-9-3 and the governing bodies of each
 35 affected school corporation. Service shall be made by mail or manual
 36 delivery to the governing bodies, to any officer of the governing bodies,
 37 or to the administrative office of the governing bodies, if any, and shall
 38 be made for all purposes of this section on the day of the mailing or the
 39 date of the manual delivery.

40 (c) The county election board in each county where the proposed
 41 metropolitan school district is located, acting jointly where the
 42 proposed metropolitan school district is created and where it is located



1 in more than one (1) county, shall cause any referendum election
 2 required under either subsection (a)(1) or (a)(2) to be held in the entire
 3 proposed metropolitan district at a special election. The special election
 4 shall be not less than sixty (60) days and not more than ninety (90) days
 5 after the service of the petition of protest and certification by each clerk
 6 of the circuit court under subsection (a)(1) or (a)(2) or after the
 7 occurrence of the first action requiring a referendum under subsection
 8 (a)(2). However, if a primary or general election at which county
 9 officials are to be nominated or elected, or at which city or town
 10 officials are to be elected in those areas of the proposed metropolitan
 11 school district that are within the city or town, is to be held after the
 12 sixty (60) days and not more than six (6) months after the service or the
 13 occurrence of the first action, each election board may hold the
 14 referendum election with the primary or general election.

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

17 (e) Except where it conflicts with this section or cannot be
 18 practicably applied, IC 3 applies to the conduct of the referendum
 19 election. If the referendum election is not conducted at a primary or
 20 general election, the cost of conducting the election shall be charged to
 21 each component school corporation included in the proposed
 22 metropolitan school district in the same proportion as its assessed
 23 valuation bears to the total assessed valuation of the proposed
 24 metropolitan school district and shall be paid from the operations fund
 25 of each component school corporation not otherwise appropriated,
 26 without appropriation.

27 (f) The question in the referendum election shall be placed on the
 28 ballot in the form prescribed by IC 3-10-9-4 and must state "Shall the
 29 school corporations of _____ be formed into one (1) metropolitan
 30 school district under IC 20-23-7?" (in which blanks the respective
 31 name of the school districts concerned will be inserted).

32 (g) If:

33 (1) a protest petition with the required signatures is not filed after
 34 the adoption of substantially identical resolutions of the governing
 35 bodies providing for or approving the consolidation as described
 36 in subsection (a)(1); or

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

40 a metropolitan school district is created and comes into existence in the
 41 territory subject to the provisions and under the conditions described
 42 in this chapter. The boundaries include all of the territory within the



1 school corporations, and it shall be known as "Metropolitan School
 2 District of _____, Indiana" (the name of the district concerned will
 3 be inserted in the blank). The name of the district shall be decided by
 4 a majority vote of the metropolitan governing board of the metropolitan
 5 school district at the first meeting. The metropolitan governing board
 6 of the new metropolitan school district shall be composed and elected
 7 under this chapter. The failure of any public official or body to perform
 8 any duty within the time provided in this chapter does not invalidate
 9 any proceedings taken by that official or body, but this provision shall
 10 not be construed to authorize a delay in the holding of a referendum
 11 election under this chapter.

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

15 (1) governing body of the school corporation may not initiate a
 16 subsequent consolidation with another school corporation under
 17 subsection (a)(1); and

18 (2) residents of the school corporation may not file a petition
 19 requesting a consolidation with another school corporation under
 20 subsection (a)(2);

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

23 SECTION 8. IC 20-23-7-8.1, AS AMENDED BY P.L.219-2013,
 24 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2019]: Sec. 8.1. (a) The registered voters of the metropolitan
 26 school district shall elect the members of the metropolitan board of
 27 education at ~~general~~ elections **specified in IC 3-10-13, held biennially**;
 28 beginning with the next ~~general~~ election **specified in IC 3-10-13** that
 29 is held more than sixty (60) days after the creation of the metropolitan
 30 school district as provided in this chapter.

31 (b) Each nominee for the board must file a petition of nomination
 32 signed by the nominee and by ten (10) registered voters residing in the
 33 same board member district as the nominee. The petition must be filed
 34 in accordance with IC 3-8-2.5 with the circuit court clerk of each
 35 county in which the metropolitan school district is located.

36 (c) Nominees for the board shall be listed on the ~~general~~ election
 37 ballot:

38 (1) in the form prescribed by IC 3-11-2;

39 (2) by board member districts; and

40 (3) without party designation.

41 The ballot must state the number of board members to be voted on and
 42 the maximum number of members that may be elected from each board



1 member district as provided under section 5 of this chapter. A ballot
 2 that contains more votes than the maximum number allowed from a
 3 board member district is invalid.

4 (d) The precinct election boards in each county serving at the
 5 ~~general~~ election shall conduct the election for school board members.

6 (e) Voting and tabulation of votes shall be conducted in accordance
 7 with IC 3, and the candidates who receive the most votes are elected to
 8 the board.

9 (f) If there are more candidates from a particular board member
 10 district than may be elected from the board member district under
 11 section 5 of this chapter:

12 (1) the number of candidates elected is the greatest number that
 13 may be elected from the board member district;

14 (2) the candidates elected are those who, among the candidates
 15 from the board member district, receive the most votes; and

16 (3) the other candidates from the board member district are
 17 eliminated.

18 (g) If there is a tie vote among the candidates for the board, the
 19 judge of the circuit court in the county where the majority of the
 20 registered voters of the metropolitan school district reside shall select
 21 one (1) of the candidates who shall be declared and certified elected.

22 (h) If, at any time after the first board member election, a vacancy
 23 on the board occurs for any reason, including an insufficient number of
 24 petitions for candidates being filed, and regardless of whether the
 25 vacating member was elected or appointed, the remaining members of
 26 the board, whether or not a majority of the board, shall by a majority
 27 vote fill the vacancy by:

28 (1) appointing a person from the board member district from
 29 which the person who vacated the board was elected; or

30 (2) if the person was appointed, appointing a person from the
 31 board member district from which the last elected predecessor of
 32 the person was elected.

33 If a majority of the remaining members of the board is unable to agree
 34 or the board fails to act within thirty (30) days after a vacancy occurs,
 35 the judge of the circuit court in the county where the majority of
 36 registered voters of the metropolitan school district reside shall make
 37 the appointment.

38 (i) At a ~~general~~ **the** election held on the earlier of:

39 (1) more than sixty (60) days after an elected board member
 40 vacates membership on the board; or

41 (2) immediately before the end of the term for which the vacating
 42 member was elected;



1 a successor to a board member appointed under subsection (h) shall be
 2 elected. Unless the successor takes office at the end of the term of the
 3 vacating member, the member shall serve only for the balance of the
 4 vacating member's term. In an election for a successor board member
 5 to fill a vacancy for a two (2) year balance of a term, candidates for
 6 board membership need not file for or with reference to the vacancy.
 7 However, as required by IC 3-11-2, candidates for at-large seats must
 8 be distinguished on the ballot from candidates for district seats. If there
 9 is more than one (1) at-large seat on the ballot due to this vacancy, the
 10 elected candidate who receives the fewest votes at the election at which
 11 the successor is elected shall serve for a two (2) year term.

12 ~~(j) At the first general election where members of the board are~~
 13 ~~elected under this section, the elected candidates who constitute a~~
 14 ~~simple majority of the elected candidates and who receive the most~~
 15 ~~votes shall be elected for four (4) year terms, and the other elected~~
 16 ~~candidates shall be elected for two (2) year terms.~~

17 ~~(k)~~ (j) Board members shall be elected for four (4) year terms after
 18 the first election and shall take office on the date set in the school
 19 corporation's organization plan. The date set in the organization plan
 20 for an elected member of the governing body to take office may not be
 21 more than fourteen (14) months after the date of the member's election.
 22 If the school corporation's organization plan does not set a date for an
 23 elected member of the governing body to take office, the member takes
 24 office January 1 immediately following the member's election.

25 SECTION 9. IC 20-23-8-7, AS AMENDED BY P.L.119-2012,
 26 SECTION 146, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) A plan or proposed plan must
 28 contain the following items:

29 (1) The number of members of the governing body, which shall
 30 be:

31 (A) three (3);

32 (B) five (5); or

33 (C) seven (7);

34 members.

35 (2) Whether the governing board shall be elected, appointed, or
 36 both.

37 (3) If appointed, when and by whom, and a general description of
 38 the manner of appointment that conforms with the requirements
 39 of IC 20-23-4-28.

40 (4) A provision that the members of an elected governing board
 41 shall be elected at the ~~general~~ election **specified in IC 3-10-13.**
 42 ~~at which county officials are elected.~~



- 1 (5) If the governing board will have members who are elected and
- 2 members who are appointed, the following information:
- 3 (A) The number of appointed members.
- 4 (B) When and by whom each of the appointed members are
- 5 appointed.
- 6 (C) A general description of the manner of appointment that
- 7 conforms with the requirements of IC 20-23-4-28.
- 8 (D) The number of elected members.
- 9 (E) A general description of the manner of election that
- 10 conforms with the requirements of IC 20-23-4-27.
- 11 (6) The limitations on:
- 12 (A) residence;
- 13 (B) term of office; and
- 14 (C) other qualifications;
- 15 required by members of the governing body.
- 16 (7) The time the plan takes effect.

17 A plan or proposed plan may have additional details to make the
 18 provisions of the plan workable. The details may include provisions
 19 relating to the commencement or length of terms of office of the
 20 members of the governing body taking office under the plan.

21 (b) Except as provided in subsection (a)(1), in a city having a
 22 population of more than fifty-five thousand (55,000) but less than sixty
 23 thousand (60,000), the governing body described in a plan may have up
 24 to nine (9) members.

25 SECTION 10. IC 20-23-10-8, AS AMENDED BY P.L.233-2015,
 26 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2019]: Sec. 8. (a) The board members of a merged school
 28 corporation shall be elected at the first ~~general~~ **specified in**
 29 **IC 3-10-13** following the merged school corporation's creation, and
 30 vacancies shall be filled in accordance with IC 20-23-4-30.

31 (b) Until the first election under subsection (a), the board of trustees
 32 of the merged school corporation consists of the members of the
 33 governing body of a school corporation in the county.

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

38 SECTION 11. IC 20-23-12-3, AS AMENDED BY
 39 P.L.213-2018(ss), SECTION 16, IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The emergency
 41 manager appointed by the distressed unit appeal board under
 42 IC 6-1.1-20.3 shall act as the governing body of the school corporation



1 and has the powers set forth in IC 6-1.1-20.3-8.5, including the powers
 2 and duties of the governing body of the school corporation. The school
 3 corporation shall also have an advisory board that consists of seven (7)
 4 members elected as follows:

5 (1) On a nonpartisan basis.

6 (2) In a ~~general~~ the election **specified in IC 3-10-13. in the**
 7 ~~county.~~

8 The advisory board is created to provide nonbinding recommendations
 9 to the emergency manager.

10 (b) Six (6) of the members shall be elected from the school districts
 11 drawn under section 4 of this chapter. Each member:

12 (1) is elected from the school district in which the member
 13 resides; and

14 (2) upon election and in conducting the business of the advisory
 15 board, represents the interests of the entire school corporation.

16 (c) One (1) of the members elected:

17 (1) is the at-large member of the advisory board;

18 (2) may reside in any of the districts drawn under section 4 of this
 19 chapter; and

20 (3) upon election and in conducting the business of the advisory
 21 board, represents the interests of the entire school corporation.

22 (d) A per diem may not be paid to a member.

23 (e) The advisory board may hold a public meeting subject to the
 24 limits on the number of meetings set forth in IC 6-1.1-20.3-6.8(d). The
 25 advisory board is subject to IC 5-14-1.5 (the open door law) for these
 26 meetings. The advisory board may hold additional meetings that are
 27 authorized as executive sessions under IC 5-14-1.5 (the open door law)
 28 as provided in IC 5-14-1.5-6.1. The advisory board is subject to the
 29 public notice requirements of IC 5-14-1.5 (the open door law) for these
 30 additional meetings. The records of the advisory board are subject to
 31 IC 5-14-3 (access to public records).

32 SECTION 12. IC 20-23-12-5, AS AMENDED BY
 33 P.L.213-2018(ss), SECTION 17, IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The six (6)
 35 members who are elected for a position on the advisory board
 36 described under section 3(b) of this chapter are determined as follows:

37 (1) Each prospective candidate must file a nomination petition
 38 with the board of elections and registration not earlier than one
 39 hundred four (104) days and not later than noon seventy-four (74)
 40 days before the election **specified in IC 3-10-13** at which the
 41 members are to be elected that includes the following
 42 information:



- 1 (A) The name of the prospective candidate.
 2 (B) The district in which the prospective candidate resides.
 3 (C) The signatures of at least one hundred (100) registered
 4 voters residing in the school corporation.
 5 (D) The fact that the prospective candidate is running for a
 6 district position.
 7 (E) A certification that the prospective candidate meets the
 8 qualifications for candidacy imposed by this chapter.
 9 (2) Only eligible voters residing in the district may vote for a
 10 candidate.
 11 (3) The candidate within each district who receives the greatest
 12 number of votes in the district is elected.
 13 (b) The at-large member elected under section 3(c) of this chapter
 14 is determined as follows:
 15 (1) Each prospective candidate must file a nomination petition
 16 with the clerk of the circuit court at least seventy-four (74) days
 17 before the election **specified in IC 3-10-13** at which the at-large
 18 member is to be elected. The petition must include the following
 19 information:
 20 (A) The name of the prospective candidate.
 21 (B) The signatures of at least one hundred (100) registered
 22 voters residing within the school corporation.
 23 (C) The fact that the prospective candidate is running for the
 24 at-large position on the advisory board.
 25 (D) A certification that the prospective candidate meets the
 26 qualifications for candidacy imposed by this chapter.
 27 (2) Only eligible voters residing in the school corporation may
 28 vote for a candidate.
 29 (3) The candidate who:
 30 (A) runs for the at-large position on the advisory board; and
 31 (B) receives the greatest number of votes in the school
 32 corporation;
 33 is elected to the at-large position.
 34 SECTION 13. IC 20-23-12-9, AS AMENDED BY P.L.74-2017,
 35 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2019]: Sec. 9. (a) The members are elected as follows:
 37 (1) Three (3) of the members elected under section 3(b) of this
 38 chapter are elected at the general election to be held in 2020 and
 39 every four (4) years thereafter.
 40 (2) Three (3) of the members elected under section 3(b) of this
 41 chapter are elected at the general election to be held in 2018 and
 42 every four (4) years thereafter.



1 (3) The at-large member elected under section 3(c) of this chapter
 2 is elected at the general election to be held in 2020 and every four
 3 (4) years thereafter.

4 **(b) This section expires January 1, 2023.**

5 SECTION 14. IC 20-23-13-2.1, AS ADDED BY P.L.179-2011,
 6 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2019]: Sec. 2.1. (a) As used in this section, "county election
 8 board" includes a board of elections and registration established under
 9 IC 3-6-5.2.

10 (b) The voters of the school corporation shall elect the members of
 11 the governing body at a ~~general~~ the election **specified in IC 3-10-13**
 12 for a term of four (4) years. The members shall be elected from the city
 13 at large without reference to district.

14 (c) Each candidate for election to the governing body must file a
 15 petition of nomination with the county election board in each county in
 16 which a school corporation subject to this chapter is located. The
 17 petition of nomination must comply with IC 3-8-2.5 and the following
 18 requirements:

19 (1) The petition must be signed by at least two hundred (200)
 20 legal voters of the school corporation.

21 (2) Each petition may nominate only one (1) candidate.

22 (3) The number of petitions signed by a legal voter may not
 23 exceed the number of school trustees to be elected.

24 (d) After all the petitions described in subsection (c) are filed with
 25 the county election board, the board shall publish the names of those
 26 nominated in accordance with IC 5-3-1 and shall certify the
 27 nominations in the manner required by law. IC 3 governs the election
 28 to the extent that it is not inconsistent with this chapter.

29 (e) The county election board shall prepare the ballot for the ~~general~~
 30 election **specified in IC 3-10-13** at which members of the governing
 31 body are to be elected so that the names of the candidates nominated
 32 appear on the ballot:

33 (1) in alphabetical order;

34 (2) without party designation; and

35 (3) in the form prescribed by IC 3-11-2.

36 (f) The county election board shall not publish or place on the ballot
 37 the name of a candidate who is not eligible under this chapter for
 38 membership on the governing body.

39 (g) Each voter may vote for as many candidates as there are
 40 members of the governing body to be elected.

41 SECTION 15. IC 20-23-14-5, AS AMENDED BY P.L.6-2012,
 42 SECTION 127, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2019]: Sec. 5. To be eligible to be a candidate
2 for the governing body under this chapter, the following apply:

3 (1) Each prospective candidate must file a petition of nomination
4 with the board of elections and registration not earlier than one
5 hundred four (104) days and not later than noon seventy-four (74)
6 days before the ~~general~~ election **specified in IC 3-10-13** at which
7 the members are to be elected. The petition of nomination must
8 include the following:

9 (A) The name of the prospective candidate.

10 (B) Whether the prospective candidate is a district candidate
11 or an at-large candidate.

12 (C) A certification that the prospective candidate meets the
13 qualifications for candidacy imposed under this chapter.

14 (D) The signatures of at least one hundred (100) registered
15 voters residing in the school corporation.

16 (2) Each prospective candidate for a district position must:

17 (A) reside in the district; and

18 (B) have resided in the district for at least the three (3) years
19 immediately preceding the election.

20 (3) Each prospective candidate for an at-large position must:

21 (A) reside in the school corporation; and

22 (B) have resided in the school corporation for at least the three
23 (3) years immediately preceding the election.

24 (4) Each prospective candidate (regardless of whether the
25 candidate is a district candidate or an at-large candidate) must:

26 (A) be a registered voter;

27 (B) have been a registered voter for at least the three (3) years
28 immediately preceding the election; and

29 (C) be a high school graduate or have received a:

30 (i) high school equivalency certificate; or

31 (ii) state general educational development (GED) diploma
32 under IC 20-20-6 (before its repeal) or IC 22-4.1-18.

33 (5) A prospective candidate may not:

34 (A) hold any other elective or appointive office; or

35 (B) have a pecuniary interest in any contract with the school
36 corporation or its governing body;

37 as prohibited by law.

38 SECTION 16. IC 20-23-14-9, AS AMENDED BY P.L.74-2017,
39 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2019]: Sec. 9. (a) The members are elected as follows:

41 (1) Three (3) of the members are elected at the general election to
42 be held in 2020 and every four (4) years thereafter.



1 (2) Two (2) of the members are elected at the general election to
 2 be held in 2018 and every four (4) years thereafter.

3 **(b) This section expires January 1, 2023.**

4 SECTION 17. IC 20-23-15-6, AS ADDED BY P.L.1-2005,
 5 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 6. (a) The governing body of the school
 7 corporation consists of seven (7) members who shall be elected:

8 (1) on a nonpartisan basis; and

9 (2) in the ~~general~~ election **specified in IC 3-10-13. held in the**
 10 **county.**

11 (b) Five (5) of the members shall be elected from the school districts
 12 in which the members reside as established under section 7 of this
 13 chapter.

14 (c) Two (2) of the members shall be elected at large.

15 SECTION 18. IC 20-23-17-3, AS AMENDED BY P.L.219-2013,
 16 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2019]: Sec. 3. (a) The governing body of the school
 18 corporation consists of five (5) members chosen as follows:

19 (1) Three (3) members shall be elected by the voters of the school
 20 corporation at a ~~general~~ **the election specified in IC 3-10-13** to be
 21 held in the county and every four (4) years thereafter.

22 (2) One (1) member shall be appointed by the city executive.

23 (3) One (1) member shall be appointed by the city legislative
 24 body.

25 (b) The members elected under subsection (a)(1) shall be elected as
 26 follows:

27 (1) On a nonpartisan basis.

28 (2) In a ~~general~~ **the election specified in IC 3-10-13. held in the**
 29 **county.**

30 (3) By the registered voters of the entire school corporation.

31 (c) The following apply to an election of members of the governing
 32 body of the school corporation under subsection (a)(1):

33 (1) Each candidate must file a petition of nomination with the
 34 circuit court clerk not earlier than one hundred four (104) days
 35 and not later than seventy-four (74) days before the election
 36 **specified in IC 3-10-13** at which members are to be elected. The
 37 petition of nomination must include the following information:

38 (A) The name of the candidate.

39 (B) A certification that the candidate meets the qualifications
 40 for candidacy imposed by this chapter.

41 (2) Only eligible voters residing in the school corporation may
 42 vote for a candidate seeking election.



1 SECTION 19. IC 20-23-17-8, AS AMENDED BY P.L.74-2017,
 2 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2019]: Sec. 8. (a) This subsection applies to a member of the
 4 governing body elected at the 2016 general election. The successors of
 5 a member elected at the 2016 general election shall:

- 6 (1) be elected at the 2020 general election and every four (4)
 7 years thereafter as provided in section 3(a)(1) of this chapter; and
 8 (2) take office as provided in section 4 of this chapter.

9 **This subsection expires January 1, 2023.**

10 (b) This subsection applies to the appointed member of the
 11 governing body whose term expires December 31, 2017. The
 12 successors of this member shall be appointed by the city legislative
 13 body as provided in section 3(a)(3) of this chapter and take office as
 14 provided in section 4 of this chapter.

15 (c) This subsection applies to the member of the governing body
 16 elected at the 2014 general election. The successors of a member
 17 elected at the 2014 general election shall:

- 18 (1) be elected at the 2018 general election and every four (4)
 19 years thereafter as provided in section 3(a)(1) of this chapter; and
 20 (2) take office as provided in section 4 of this chapter.

21 **This subsection expires January 1, 2023.**

22 (d) This subsection applies to the appointed member of the
 23 governing body whose term expires December 31, 2018. The
 24 successors of this member shall be appointed by the city executive as
 25 provided in section 3(a)(2) of this chapter and take office as provided
 26 in section 4 of this chapter.

27 SECTION 20. IC 20-23-17.2-5, AS AMENDED BY P.L.222-2015,
 28 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2019]: Sec. 5. (a) The following apply to an election of
 30 members of the governing body of the school corporation under section
 31 3.1(b) of this chapter:

32 (1) Each candidate must file a petition of nomination with the
 33 circuit court clerk not earlier than one hundred four (104) days
 34 and not later than seventy-four (74) days before the ~~general~~
 35 election **specified in IC 3-10-13** at which members are to be
 36 elected. The petition of nomination must include the following
 37 information:

- 38 (A) The name of the candidate.
 39 (B) The candidate's residence address and the district in which
 40 the candidate resides.
 41 (C) The signatures of at least twenty (20) registered voters
 42 residing within the school corporation district the candidate



- 1 seeks to represent.
- 2 (D) A certification that the candidate meets the qualifications
- 3 for candidacy imposed by this chapter.
- 4 (E) The school corporation district that the candidate seeks to
- 5 represent.
- 6 (2) Only eligible voters residing in the school corporation district
- 7 as provided in section 4.1 of this chapter may vote for a candidate
- 8 to represent that school corporation district.
- 9 (3) One (1) candidate shall be elected for each school corporation
- 10 district provided by section 4.1 of this chapter. The candidate
- 11 elected for a school corporation district must reside within the
- 12 boundaries of the school corporation district. The candidate
- 13 elected as the member for a particular school corporation district
- 14 is the candidate who, among all the candidates who reside within
- 15 that school corporation district, receives the greatest number of
- 16 votes from voters residing in that school corporation district.
- 17 (b) The following apply to an election of the members of the
- 18 governing body of the school corporation under section 3.1(c) of this
- 19 chapter:
- 20 (1) Each candidate must file a petition of nomination with the
- 21 circuit court clerk not earlier than one hundred four (104) days
- 22 and not later than seventy-four (74) days before the ~~general~~
- 23 election **specified in IC 3-10-13** at which members are to be
- 24 elected. The petition of nomination must include the following
- 25 information:
- 26 (A) The name of the candidate.
- 27 (B) The candidate's residence address.
- 28 (C) The signatures of at least one hundred (100) registered
- 29 voters residing within the school corporation.
- 30 (D) A certification that the candidate meets the qualifications
- 31 for candidacy imposed by this chapter.
- 32 (E) The fact that the candidate seeks to be elected from the
- 33 school corporation at large.
- 34 (2) Only eligible voters residing in the school corporation may
- 35 vote for a candidate.
- 36 (3) Two (2) candidates shall be elected at large. The two (2)
- 37 candidates who receive the greatest number of votes among all
- 38 candidates running for an at-large seat are elected as members of
- 39 the governing body.
- 40 SECTION 21. IC 20-25-3-4, AS AMENDED BY P.L.219-2013,
- 41 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2019]: Sec. 4. (a) The board consists of seven (7) members.



- 1 A member:
- 2 (1) must be elected on a nonpartisan basis **as described in this**
- 3 **section in general elections specified in IC 3-10-13; held in the**
- 4 **county as specified in this section;** and
- 5 (2) serves a four (4) year term.
- 6 (b) Five (5) members shall be elected from the school board districts
- 7 in which the members reside, and two (2) members must be elected at
- 8 large. Not more than two (2) of the members who serve on the board
- 9 may reside in the same school board district.
- 10 (c) If a candidate runs for one (1) of the district positions on the
- 11 board, only eligible voters residing in the candidate's district may vote
- 12 for that candidate. If a person is a candidate for one (1) of the at-large
- 13 positions, eligible voters from all the districts may vote for that
- 14 candidate.
- 15 (d) If a candidate files to run for a position on the board, the
- 16 candidate must specify whether the candidate is running for a district
- 17 or an at-large position.
- 18 (e) A candidate who runs for a district or an at-large position wins
- 19 if the candidate receives the greatest number of votes of all the
- 20 candidates for the position.
- 21 (f) Districts shall be established within the school city by the state
- 22 board. The districts must be drawn on the basis of precinct lines, and
- 23 as nearly as practicable, of equal population with the population of the
- 24 largest district not to exceed the population of the smallest district by
- 25 more than five percent (5%). District lines must not cross precinct
- 26 lines. The state board shall establish:
- 27 (1) balloting procedures for the election under IC 3; and
- 28 (2) other procedures required to implement this section.
- 29 (g) A member of the board serves under section 3 of this chapter.
- 30 (h) In accordance with subsection (k), a vacancy in the board shall
- 31 be filled temporarily by the board as soon as practicable after the
- 32 vacancy occurs. The member chosen by the board to fill a vacancy
- 33 holds office until the member's successor is elected and qualified. The
- 34 successor shall be elected at the next regular school board election
- 35 occurring after the date on which the vacancy occurs. The successor
- 36 fills the vacancy for the remainder of the term.
- 37 (i) An individual elected to serve on the board begins the
- 38 individual's term on the date set in the school corporation's organization
- 39 plan. The date set in the organization plan for an elected member of the
- 40 board to take office may not be more than fourteen (14) months after
- 41 the date of the member's election. If the school corporation's
- 42 organization plan does not set a date for a member of the board to take



1 office, the member takes office January 1 immediately following the
2 individual's election.
3 (j) Notwithstanding any law to the contrary, each voter must cast a
4 vote for a school board candidate or school board candidates by voting
5 system or paper ballot. However, the same method used to cast votes
6 for all other offices for which candidates have qualified to be on the
7 election ballot must be used for the board offices.
8 (k) If a vacancy in the board exists because of the death of a
9 member, the remaining members of the board shall meet and select an
10 individual to fill the vacancy in accordance with subsection (h) after
11 the secretary of the board receives notice of the death under IC 5-8-6.

