IC 20-25
ARTICLE 25. INDIANAPOLIS PUBLIC SCHOOLS

IC 20-25-1
Chapter 1. Applicability

IC 20-25-1-1
Applicability
Sec. 1. This article applies to a common school corporation that:
(1) is located in whole or in part in the most populous township
in a county having a population of more than seven hundred
thousand (700,000); and
(2) serves the largest geographical territory of any school
corporation in the township.
IC 20-25-2
Chapter 2. Definitions

IC 20-25-2-1
Applicability of definitions
Sec. 1. The definitions in this chapter apply throughout this article.

IC 20-25-2-2
"Administrator"
Sec. 2. "Administrator" means a full-time employee of a school in the school city who is:
(1) a principal;
(2) an assistant principal;
(3) a superintendent;
(4) an assistant superintendent; or
(5) any other educational manager at the school.

IC 20-25-2-3
"Assessment program"
Sec. 3. "Assessment program" refers to the assessment program established under IC 20-31-8 and a test approved by the board's plan developed under IC 20-25-10.

IC 20-25-2-4
"Assessment test"
Sec. 4. "Assessment test" refers to a test administered to students under the assessment program established under IC 20-31-8.

IC 20-25-2-5
"Board"
Sec. 5. "Board" refers to the local board of school commissioners established by IC 20-25-3-1.

IC 20-25-2-6
"Designated grade level"
Sec. 6. "Designated grade level" refers to a grade level tested under the assessment program established under IC 20-31-8.

IC 20-25-2-7
"Educators"
Sec. 7. "Educators" means teachers and administrators.

IC 20-25-2-8
"Graduation rate"
Sec. 8. "Graduation rate" means the graduation rate for a high school:
(1) determined by the method described in 511 IAC 6.1-1-2; and
(2) calculated by the department.

IC 20-25-2-9
"Neighborhood school"
Sec. 9. "Neighborhood school" means the school of the school city located closest to a student's residence.

IC 20-25-2-10
"Remediation rate"
Sec. 10. "Remediation rate" means the percentage of students, aggregated by grade, in a school who fail to meet state achievement standards in a designated grade level.

IC 20-25-2-11
"Residence"
Sec. 11. "Residence" has the meaning set forth in IC 20-26-11-1.

IC 20-25-2-12
"School city"
Sec. 12. "School city" refers to a school corporation to which this article applies.

IC 20-25-2-13
"State achievement standards"
Sec. 13. "State achievement standards" refers to the state achievement standards by which the assessment program established under IC 20-31-8 assesses students.

IC 20-25-2-14
"Student"
Sec. 14. "Student" refers to a student enrolled in a school city.

IC 20-25-2-15
"Student attendance rate"
Sec. 15. "Student attendance rate" means the student attendance rate for a school as:
(1) determined by the method described in 511 IAC 6.1-1-2; and
(2) calculated by the department.
IC 20-25-2-16
"Student performance improvement level"
Sec. 16. "Student performance improvement level" refers to a level of performance improvement in student academic achievement established by the board.

IC 20-25-2-17
"Teacher"
Sec. 17. "Teacher" means a:
(1) certified; and
(2) full-time;
teacher in the school city.

IC 20-25-2-18
"Teacher attendance rate"
Sec. 18. "Teacher attendance rate" means the attendance rate for teachers at a school calculated by the board in the same manner as described for the student attendance rate in section 15(1) of this chapter.
IC 20-25-3
Chapter 3. Board of School Commissioners; Officers and Employees

IC 20-25-3-1
Board of school commissioners; corporate name
Sec. 1. (a) The government, management, and control of all common schools and common school libraries in the school city are vested in a board of school commissioners that consists of seven (7) school commissioners.

(b) The corporate name of the school city is "The Board of School Commissioners of the City of ____________" (the blank being filled with the name of the civil city), and by that corporate name the school city shall:
   (1) contract;
   (2) be contracted with;
   (3) sue; and
   (4) be sued.

IC 20-25-3-2
Board of school commissioners; powers; liabilities
Sec. 2. (a) The school city board has the following powers:
   (1) The powers conferred upon school cities by Acts 1871, c.15.
   (2) The powers conferred by law as of March 9, 1931, on boards of school commissioners in cities having a population of one hundred thousand (100,000) or more.
   (3) The powers conferred by all laws in effect as of March 9, 1931, on boards of school commissioners in cities having a population of more than two hundred thousand (200,000) or more than three hundred thousand (300,000).
   (4) The powers conferred under IC 20-26-1, IC 20-26-2, IC 20-26-3, IC 20-26-4, IC 20-26-5, IC 20-26-7, and IC 20-41-1, except as otherwise provided in this chapter.
   (b) A school city board provided for by this chapter, in its respective school city, is liable for and must pay and discharge all of the indebtedness, liabilities, and obligations of a board elected in the school city under any of the statutes listed in this section and under this chapter.
   (c) The board is vested with the title and ownership of all property of every kind of the existing school city.

IC 20-25-3-3
Board of school commissioners; qualifications; conflicts of interest; oath; compensation
Sec. 3. (a) A member of the board must:
   (1) be a resident voter of the school city; and
   (2) have been a resident of the school city for at least one (1) year immediately preceding the member's election.
(b) A board member may not:
   (1) serve in an elective or appointive office under the board or under the government of the civil city while serving on the board; or
   (2) knowingly have a pecuniary interest as described in IC 35-44.1-1-4 in a contract or purchase with the school city in which the member is elected.

   If, at any time after a member is elected to the board, the board member knowingly acquires a pecuniary interest in a contract or purchase with the school city, the member is disqualified to continue as a member of the board, and a vacancy in the office is created.

   (c) Each member of the board shall, before assuming the duties of office, take an oath, before a person qualified to administer oaths, that:
      (1) the member possesses all the qualifications required by this chapter for membership on the board;
      (2) the member will honestly and faithfully discharge the duties of office;
      (3) the member will not, while serving as a member of the board, become interested, directly or indirectly, in any contract with or claim against the school city, except as authorized by law;
      (4) in the performance of official duties as a member of the board, including the selection of the board's officers, agents, and employees, the member will not be influenced by any consideration of politics or religion; and
      (5) the member will be controlled in the selection of officers, agents, and employees only by considerations of merit, fitness, and qualification.

   (d) Board members are entitled to receive compensation not to exceed the amount allowed under IC 20-26-4-7 and a per diem not to exceed the rate approved for members of the city-county council established under IC 36-3-4 for attendance at each regular and committee meeting as determined by the board.


IC 20-25-3-4
School board; election of members; procedures; establishment of election districts; term of office; vacancies

Sec. 4. (a) The board consists of seven (7) members. A member:
   (1) must be elected on a nonpartisan basis in general elections held in the county as specified in this section; and
   (2) serves a four (4) year term.

   (b) Five (5) members shall be elected from the school board districts in which the members reside, and two (2) members must be elected at large. Not more than two (2) of the members who serve on the board may reside in the same school board district.

   (c) If a candidate runs for one (1) of the district positions on the board, only eligible voters residing in the candidate's district may vote for that candidate. If a person is a candidate for one (1) of the
at-large positions, eligible voters from all the districts may vote for that candidate.

(d) If a candidate files to run for a position on the board, the candidate must specify whether the candidate is running for a district or an at-large position.

(e) A candidate who runs for a district or an at-large position wins if the candidate receives the greatest number of votes of all the candidates for the position.

(f) Districts shall be established within the school city by the state board. The districts must be drawn on the basis of precinct lines, and as nearly as practicable, of equal population with the population of the largest district not to exceed the population of the smallest district by more than five percent (5%). District lines must not cross precinct lines. The state board shall establish:

(1) balloting procedures for the election under IC 3; and
(2) other procedures required to implement this section.

(g) A member of the board serves under section 3 of this chapter.

(h) In accordance with subsection (k), a vacancy in the board shall be filled temporarily by the board as soon as practicable after the vacancy occurs. The member chosen by the board to fill a vacancy holds office until the member's successor is elected and qualified. The successor shall be elected at the next regular school board election occurring after the date on which the vacancy occurs. The successor fills the vacancy for the remainder of the term.

(i) An individual elected to serve on the board begins the individual's term on the date set in the school corporation's organization plan. The date set in the organization plan for an elected member of the board to take office may not be more than fourteen (14) months after the date of the member's election. If the school corporation's organization plan does not set a date for a member of the board to take office, the member takes office January 1 immediately following the individual's election.

(j) Notwithstanding any law to the contrary, each voter must cast a vote for a school board candidate or school board candidates by voting system or paper ballot. However, the same method used to cast votes for all other offices for which candidates have qualified to be on the election ballot must be used for the board offices.

(k) If a vacancy in the board exists because of the death of a member, the remaining members of the board shall meet and select an individual to fill the vacancy in accordance with subsection (h) after the secretary of the board receives notice of the death under IC 5-8-6.


IC 20-25-3-5
Board of school commissioners; organization

Sec. 5. The board in a school city shall organize in the manner set forth in IC 20-26-4-1.
IC 20-25-3-6
Standing committee; appointments; hiring and compensation of officers and employees; bylaws and rules

Sec. 6. (a) A member of a standing committee of the board provided for by the board's rules shall be appointed by the president within three (3) weeks after the president's election to the office of president.

(b) Subject to the limitations in this chapter, the board may fix the salaries of each officer and employee of the board.

(c) The board in:
   (1) electing and choosing a general superintendent; and
   (2) employing agents and employees that the board considers necessary to conduct the business of the school city; shall choose individuals whose qualifications peculiarly fit the positions the individuals will occupy.

(d) The board shall contract for and establish the amount of salary or compensation to be paid to each officer, agent, and employee chosen or elected by the board. The board shall adopt a schedule of salaries that the board considers proper, and for the purpose of establishing a salary schedule, the board may divide teachers, principals, and other employees into classes based upon efficiency, qualifications, experience, and responsibility. Each principal, teacher, or employee in a class shall receive the same regular salary given to each of the other members of the same class, subject to the provisions of this article.

(e) The board may:
   (1) by rule fix the time and the number of meetings of the board, except that one (1) regular meeting must be held in each calendar month; and
   (2) make, amend, and repeal bylaws and rules for:
       (A) the board's own procedure; and
       (B) the government and management of:
           (i) the board's schools; and
           (ii) property under the board's control.


IC 20-25-3-7
Written resolutions required

Sec. 7. Each legislative act of the board must be by written resolution.


IC 20-25-3-8
Selection and compensation of officers and employees

Sec. 8. (a) The board may:
   (1) determine the number of employees of the board;
   (2) prescribe the employees' duties; and
   (3) fix the employees' compensation.
(b) The board shall adopt rules for obtaining, by open competition and without regard to religious or political belief, lists of candidates from which all teachers and all other officers and employees are selected.

(c) The selection of a candidate as a teacher, an officer, or an employee must be based solely on the fitness of the candidate under the rules adopted under subsection (b).


IC 20-25-3-9
General superintendent; appointment; term; compensation

Sec. 9. (a) The board shall appoint a general superintendent if a vacancy occurs or will imminently occur in the office of the superintendent due to the:

(1) expiration of the term; or
(2) death, resignation, or removal from office;

of the incumbent superintendent.

(b) The board's election of a superintendent shall be effected by resolution of the board. The resolution must specify the day on which the superintendent's term begins and the day on which the superintendent's term ends. The board may not appoint a superintendent for a term longer than four (4) years.

(c) The superintendent's salary must be prescribed in the resolution declaring the superintendent's appointment and must be paid to the superintendent in a frequency determined by the board, but not less frequently than monthly.

(d) The board shall:

(1) act upon the recommendations of the superintendent; and
(2) make other decisions and perform other duties that fall within the general framework of the laws of the state.


IC 20-25-3-10
Superintendent; duties; recommendations to board

Sec. 10. (a) The superintendent shall act as general administrator of the school city and make recommendations to the board concerning:

(1) the conduct of the schools;
(2) the employment and dismissal of personnel;
(3) the purchase of supplies;
(4) the construction of buildings; and
(5) all other matters pertaining to the conduct of the schools within the general framework of the school laws of the state.

(b) The superintendent shall:

(1) attend all meetings of the board, except when the superintendent's appointment is under consideration;
(2) carry out the orders of the board; and
(3) make all other decisions and perform all other duties that are prescribed by law or that reasonably fall within the superintendent's power and jurisdiction.
IC 20-25-3-11
Payments from funds of board

Sec. 11. (a) Except as provided in subsections (b) and (c), a payment made from money of the board must be made in accordance with budget appropriations.

(b) If a payment is from a fund of the board that is not subject to budgeting and appropriation but has been transferred to the board for specific purposes, the payment must be made:

(1) in accordance with the terms of the fund being drawn upon that are made available to the board; and

(2) after the superintendent has approved the proposed payment.

(c) If a payment is from a fund of the board that is not subject to budgeting and appropriation and is unrestricted as to the purposes for which it may be expended, the payment must be made in accordance with the prior:

(1) direction of the superintendent; or

(2) order of the board.

(d) Not later than thirty (30) days after a payment under subsection (b) or (c) is made from a fund of the board, the superintendent shall report the payment to the board for approval.

IC 20-25-3-12
Appointment or discharge of employees other than teachers; hearings; appeal

Sec. 12. (a) An appointment or discharge of an employee of the school city must be:

(1) made in conformity with the rules of the board; and

(2) reported at the meeting of the board that follows the date of each appointment or discharge by the superintendent.

(b) The superintendent's actions reported to the board under this section are subject to the approval of the majority of the board.

(c) A discharge operates as a suspension until the discharge is approved by the board.

(d) A school employee of the school city, except a probationary employee discharged before the end of the employee's probationary period, is entitled to request a hearing before being discharged. Upon written request for a hearing from the school employee, the superintendent shall appoint a hearing examiner.

(e) The hearing examiner appointed by the superintendent under subsection (d) may be an individual on the school city's administrative staff or the school city's counsel, as long as the hearing examiner:

(1) did not recommend the discharge of the employee;

(2) will not be a witness at the hearing; and

(3) has no involvement in the recommendation to discharge the employee.

(f) The hearing examiner shall:
(1) make a written report of the hearing examiner's findings and conclusions; and
(2) submit the report to the superintendent.
(g) An employee may appeal in writing an adverse decision of the hearing examiner to the board. Upon appeal, the board shall review the decision of the hearing examiner and may receive additional evidence or testimony.
(h) The board shall adopt rules and procedures that afford an employee, other than a probationary employee, the right to a hearing and the right to appeal under this section.
(i) This section does not apply to teachers.

IC 20-25-3-13
Appropriations by board
Sec. 13. (a) Money may not be drawn from the treasury of the board except for appropriations made:
(1) by the board; and
(2) upon an aye and nay vote recorded in the board's minutes.
(b) An appropriation may not be made for a period extending beyond December 31 of the current calendar year.
(c) Except as otherwise provided in this article, at the end of a fiscal year, all unexpended balances of all appropriations, except appropriations from tuition funds and the capital projects fund, revert to the board's general fund.
(d) General fund money that has been obligated but not paid at the end of a fiscal year may be paid without a new appropriation. Except as otherwise provided in this article, money obligated under this subsection does not revert to the board's general fund at the end of the fiscal year in which the money is appropriated, unless the board by affirmative act causes the money to revert.

IC 20-25-3-14
Books, accounts, and vouchers of board; examination by state board of accounts
Sec. 14. (a) The books, accounts, and vouchers of the board and of all the board's officers and employees may be examined by the state board of accounts at a time selected by the state board of accounts.
(b) An officer or employee of the board shall, on request of the state board of accounts:
(1) produce and submit to the state board of accounts for examination all:
(A) books;
(B) papers;
(C) documents;
(D) vouchers;
(E) accounts; and
(F) records;
of the board in the possession of the officer or employee or
belonging to the office of the officer or employee; and
(2) assist in every way the state board of accounts in its work in
making an examination.

IC 20-25-3-15
Treasurer's receipts for payments
Sec. 15. (a) Money payable to the board must be paid to the
board's treasurer. The treasurer's receipt for the money must be filed
with the business manager of the board.
(b) The business manager, after receiving the treasurer's receipt,
shall issue a quietus. The business manager's quietus alone is
sufficient evidence of payment to the board.
(c) Only the treasurer of the board may collect or receive money
payable to the board. A payment made to an individual other than the
treasurer and a receipt given by an individual other than the treasurer
are void as against the board.
IC 20-25-4
Chapter 4. General Administrative Provisions

IC 20-25-4-1
Contracts or obligations; appropriations
Sec. 1. A contract or an obligation is not binding on the board unless the board makes an appropriation for the contract or obligation.

IC 20-25-4-2
Contracts involving more than $75,000; bidding for supplies and materials
Sec. 2. (a) A contract involving more than seventy-five thousand dollars ($75,000) must be:
   (1) in writing;
   (2) executed in the name of the board by:
       (A) the board's business manager; or
       (B) another board designated employee; and
   (3) approved by the board.
   (b) If money for a contract or purchase has been appropriated by the board, the designated employee may make contracts and purchases not exceeding seventy-five thousand dollars ($75,000) in any one (1) transaction. A contract and purchase under this subsection must be reported to the board at its next regular meeting.
   (c) A purchase of supplies or materials may not be made from one person, firm, limited liability company, or corporation at any one time or in any one (1) transaction totalling more than ten thousand dollars ($10,000) unless bids for the purchase of the supplies or the materials have been advertised and accepted. The board shall determine the mode and manner of advertising for bids for supplies and materials.

IC 20-25-4-3
School building improvements; bidding procedure
Sec. 3. (a) This section does not apply if the board by formal vote elects to:
   (1) build;
   (2) enlarge;
   (3) make alterations to; or
   (4) make improvements to;
a school or building owned by the board if the project described in subdivisions (1) through (4) will cost not more than fifteen thousand dollars ($15,000) and the board intends to complete the project using its own employees.
   (b) If subsection (a) does not apply and the board determines to:
      (1) build;
      (2) enlarge;
      (3) make alterations to; or
(4) make improvements to;
a school or building owned by the board, the cost of which is estimated to be more than ten thousand dollars ($10,000), the business manager or other board designated employee shall advertise for bids in the manner provided in subsection (c).

(c) The advertisements for bids must be placed as follows:
   (1) One (1) advertisement must be placed each week for three (3) weeks.
   (2) The first advertisement must be placed at least twenty-one (21) days before the bids are opened.
   (3) The advertisement must be placed in two (2) newspapers of general circulation in the city.

The board shall enter in full in the minutes that advertisements for bids have been placed under this subsection.

(d) If bids are taken under this section, a bid must be:
   (1) enclosed by the bidder in an envelope sealed by the bidder; and
   (2) presented at a meeting of the board or the bid committee of the board at the time and place fixed by the advertisement.

A bid may not be received after the time established in the advertisement.

(e) The business manager at the hour established in the advertisements and in the presence of the board or the bid committee shall open all the bids. The bids must then be publicly read by a designated employee and be immediately entered in full in the records of the board.

(f) The board shall, by general rules, specify the condition of each bid, and only the lowest and best bids from responsible bidders may be accepted. The board may, if the board has reason to suspect collusion among bidders, reject the bids of all bidders involved in the collusion.


IC 20-25-4-4
Designation of bid committee; opening and tabulating of bids

Sec. 4. (a) Notwithstanding any other law, the board may designate a committee of the board, which may consist of employees or officers of the board, to open or tabulate bids at a date, time, and place fixed by advertisement for:
   (1) the purchase of:
      (A) supplies;
      (B) material;
      (C) equipment; or
      (D) land;
   (2) the building, enlargement, or alteration of any school building; or
   (3) any other purpose.

(b) The committee of the board shall open and tabulate each bid that is presented to the committee. The bids shall be:
   (1) read and tabulated publicly;
(2) immediately entered in the record of the board; and
(3) reported to the board at the board's next meeting.
(c) A bid shall be accepted or rejected by the committee of the
board under this section. The bid shall be accepted or rejected by the
board in an official board meeting.

IC 20-25-4-5
Repealed
(Repealed by P.L.2-2006, SEC.199.)

IC 20-25-4-6
Repealed
(Repealed by P.L.2-2006, SEC.199.)

IC 20-25-4-7
Repealed
(Repealed by P.L.2-2006, SEC.199.)

IC 20-25-4-8
Repealed
(Repealed by P.L.2-2006, SEC.199.)

IC 20-25-4-9
Repealed
(Repealed by P.L.2-2006, SEC.199.)

IC 20-25-4-10
Limitations on debt; eminent domain power of board of school
commissioners
Sec. 10. (a) If the compensation to be paid for the purchase of real
estate or an interest in real estate required by the board for the board's
purposes cannot be agreed upon or determined by the:
(1) board; and
(2) persons owning or having an interest in the land desired;
the board may, by eminent domain, determine the compensation and
acquire the title to the real estate or interest in the real estate by court
action under IC 32-24.
(b) The right and power of the board to own and acquire real estate
and interests in real estate in any manner and for any purpose
specified in this chapter or by the general school laws of Indiana is
not limited to real estate situated within the corporate boundaries of
the civil city in which a school city is located. However, the right and
power to acquire and own real estate extends to any parcel or trace of
real estate the whole of which is situated:
(1) within one-half (1/2) mile of the nearest point on the
corporate boundary of the civil city;
(2) within a platted territory:
(A) outside but contiguous to; or
(B) contiguous to another platted territory that is contiguous
(3) within one-half (1/2) mile of the nearest point of the boundary of a platted territory:
   (A) outside but contiguous to; or
   (B) contiguous to another platted territory that is contiguous to;
   the corporate boundary of the civil city.

"Platted territory", as used in this subsection, means a territory or land area for which a plat has been recorded in the manner provided by Indiana law pertaining to the recording of plats of land.

(c) Before acquiring any real estate or interest in real estate outside the corporate limits of the civil city, the board must, by resolution entered into the record of the board's corporate minutes, find and determine that, in the judgment of the board, the real estate or interest in real estate to be acquired will be needed for the future purposes of the board. This chapter does not limit the right of any board to accept, own, and hold real estate or an interest in real estate, wherever situated, that is acquired by the board by gift or devise.


IC 20-25-4-11  
Board of school commissioners; powers and duties conferred by law

Sec. 11. The board has the powers and duties conferred upon governing bodies by existing statutes and by the general school laws, including IC 20-26-1, IC 20-26-2, IC 20-26-3, IC 20-26-4, IC 20-26-5, IC 20-26-7, and IC 20-41-1, to the extent the powers and duties are consistent with this chapter.


IC 20-25-4-12  
Board of school commissioners; powers; prohibited land acquisitions

Sec. 12. (a) The board may:
   (1) except as provided in subsection (b), acquire by purchase, devise, gift, lease, or condemnation grounds needed by the school city;
   (2) construct or lease buildings for school, school administration, or school office purposes;
   (3) employ and pay all employees needed in any branch of the work committed to the board;
   (4) disburse, according to law, all money of the school city for lawful school city purposes;
   (5) have and exercise in the school city full and exclusive:
        (A) authority concerning the conduct and management of all common schools, including elementary schools and high schools; and
        (B) power to establish and enforce all regulations for the:
            (i) grading of; and
(ii) courses of;
  instruction in all schools and for the government and
discipline of the schools;
(6) divide the city into districts for school attendance purposes;
(7) maintain special day or night schools to which the board
may admit adults and children at least fifteen (15) years of age;
and
(8) maintain playgrounds and vacation schools.
(b) The board may not acquire the following real property:
   Lots 693-719, inclusive, and 7 1/2 feet west of and adjacent to
   such lots, in Norcliffe Addition, an addition to the city of
   Indianapolis, as per plat thereof, recorded in plat book 18 at
   pages 165 and 166, in the office of the recorder of Marion
   County, Indiana.

IC 20-25-4-13
Operating expenses for special schools and vacation schools;
imposition of fees
Sec. 13. The expense of operating special schools under section
12(a)(7) of this chapter and playgrounds and vacation schools under
section 12(a)(8) of this chapter must be paid out of the board's
general fund. The board may make and impose fees that the board
considers reasonable for:
   (1) enrollment of any high school graduate in any class offered
      in a special school; and
   (2) enrollment by any person at least seventeen (17) years of age
      in any special school class that does not provide credit toward
      graduation or progression in the regularly maintained common
      schools in the school city.
The receipts from fees under this section become a part of the board's
general fund.

IC 20-25-4-14
School cities; power to sell real estate and transfer personal
property
Sec. 14. (a) A school city may:
   (1) sell real estate;
   (2) transfer personal property; and
   (3) execute deeds of conveyance and instruments of transfer
      with or without covenants of warranty;
if, in the opinion of the board, the real estate or personal property
cannot be advantageously used for school or library purposes and can
be sold for its fair cash value.
   (b) A determination by the board that real estate or personal
property cannot be advantageously used under subsection (a) must be
entered into the record of the minutes of the school city's board.
IC 20-25-4-15
Absence of board commissioners or employees; reimbursement for expenses
Sec. 15. (a) The board may, subject to the board's rules, authorize a member of the board or an officer or individual employed by the board to be absent from the school city in the interest of the school city without loss of compensation.
(b) The board may refund to an individual described in subsection (a) necessary expenses incurred during the individual's absence. The amount refunded under this subsection must be paid from the board's general fund.

IC 20-25-4-16
Industrial or manual training and education system; establishment
Sec. 16. (a) The board may establish and conduct a system of industrial or manual training and education in connection with and as part of the board's common school system.
(b) Industrial or manual training or education may include:
(1) the principal use of tools and mechanical implements; and
(2) the elementary principles of mechanical construction, mechanical drawing, and printing.
The board shall employ competent instructors in each of the various subjects.
(c) The board shall establish rules and regulations for the admission of students to the industrial and manual training education system. The rules and regulations must, in the judgment of the board, produce the best results and provide instruction to the largest practicable number of students. The instruction in industrial and manual training education may be given in space provided in school buildings or in separate buildings if, in the judgment of the board, it is most advantageous.

IC 20-25-4-17
Industrial or trade school properties acquired by gift; maintenance and operation of trade school; transfer tuition charges; nonresidents
Sec. 17. (a) If a school city acquires title to or possession of real estate, buildings, and personal property in the school city by gift or donation, and the real estate, building, or personal property was used as an industrial or trade school for the education of youths in the trades of:
(1) printing;
(2) lithography;
(3) machine making;
(4) molding;
(5) typesetting;
(6) bricklaying;
(7) tile setting;
(8) pattern making;
(9) pharmacy; or
(10) other trades or occupations;
the board may, by the use of the board's school funds, maintain and
operate the industrial or trade school or schools.
(b) If real estate, a building, or personal property is acquired by
the school city under subsection (a), the board shall:
(1) perform any conditions incident to the school city's
acquisition of the property;
(2) maintain and operate the trade school and real estate,
building, or personal property;
(3) employ competent instructors in the various subjects to be
taught;
(4) purchase all necessary tools, implements, supplies, and
apparatus; and
(5) establish general rules and requirements for:
   (A) admission of pupils to the school or schools;
   (B) the courses of instruction; and
   (C) the conduct of the trade or industrial schools;
that, in the board's judgment, will produce the best results and
give instruction to the largest practicable number of students.
The school city may also use the real estate, building, or personal
property acquired under subsection (a) for other school purposes, but
not for any purpose that will materially interfere with the conduct of
the trade or industrial schools.
(c) The transfer tuition charge for each student who:
(1) is transferred to the school city from another school
corporation in Indiana; and
(2) receives trade or industrial instruction in a trade or industrial
school located on property acquired under subsection (a);
must be the actual per capita cost of operating the school the student
attends. However, the costs of permanent improvements or additions,
the salaries of the superintendents, or the costs of apparatus or
repairing broken or damaged apparatus may not be used in computing
the actual per capita cost.
(d) If the school city admits a student to a trade school acquired by
means described in this section and the student is not, by law, entitled
to school privileges, the tuition charge for the student may not be
greater than the per capita cost of operating the school the student
attends. The cost of permanent improvements and additions may not
be included in computing the cost under this subsection.
(e) A school city may admit to the school city's career and
technical, trade, or industrial schools nonresidents of Indiana. A
nonresident student must pay reasonable laboratory and shop fees and
a tuition fee of not more than the per student cost to the school city
conducting the career and technical, trade, or industrial schools. A
return on capital invested in buildings, grounds, or equipment may
not be included in computing the per student cost under this
subsection.
IC 20-25-4-18
Authority of school cities to accept property in trust
Sec. 18. (a) A school city may accept property in trust to be used for common school or career and technical, trade, or industrial school purposes. The school city, whether made trustee by appointment of a court or by the founder of the trust, may carry out the terms of the trust in conducting common schools or career and technical, trade, or industrial schools.
(b) If a school city by:
(1) resolution of; or
(2) other formal corporate action of;
the board accepts real estate or other property in trust under subsection (a), the school city shall perform all requirements made conditions of the trust performable by the trustee.

IC 20-25-4-19
School lunches; expenses
Sec. 19. (a) If the board determines it will promote the health of school children and advance the educational work of the schools, the board may provide for the serving of lunches to the students attending designated schools.
(b) The board may:
(1) establish kitchens and lunch rooms;
(2) provide equipment suitable for kitchens and lunch rooms;
(3) make other necessary provision for furnishing and serving lunches; and
(4) employ a director and other necessary assistants or employees;
to provide lunches under subsection (a).
(c) The board shall pay the expenses arising under subsection (b) out of the board's general fund. The expense of operating a lunch department shall, so far as practicable, be paid from charges paid by the students for the lunches. However, the board may, in the board's discretion, furnish lunches without cost to a student who is needy and unable to pay for the student's lunch.

IC 20-25-4-20
Applicability of general school laws
Sec. 20. The general school laws of Indiana and all laws and parts of laws applicable to the general system of common schools in school cities, so far as not inconsistent with this chapter and other provisions of this article, and unless made inapplicable by this article, are in full force and effect in a school city to which this chapter applies.
IC 20-25-4-21
School reorganization plans; applicability
Sec. 21. This chapter applies to the school city to the extent the chapter is not in conflict with:
   (1) IC 20-23-4 and IC 20-23-16; and
   (2) the school reorganization plan applicable to the school city or the school city's successor corporation under the terms of IC 20-23-4 and IC 20-23-16.
However, IC 20-25-3-4 prevails over any conflicting provision of IC 20-23-4 and IC 20-23-16 and over the provisions of any school reorganization plan.

IC 20-25-4-22
Authority to establish police department
Sec. 22. The governing body of a school city may establish a police department under IC 20-26-16.
IC 20-25-5
Chapter 5. Real Property Annexations and Transfers; Remonstrances

IC 20-25-5-1
"Acquiring school corporation"
Sec. 1. As used in this chapter, "acquiring school corporation" means the school corporation that acquires territory as a result of annexation.

IC 20-25-5-2
"Annex"
Sec. 2. As used in this chapter, "annex", "annexing", "annexation", and "school annexation" mean an action in which the boundaries of a school corporation are changed so that additional territory, constituting all or a part of one (1) or more other school corporations, is transferred to the acquiring school corporation.

IC 20-25-5-3
"Annexed territory"
Sec. 3. As used in this chapter, "annexed territory" means the territory acquired by an acquiring school corporation as a result of annexation from a losing school corporation.

IC 20-25-5-4
"Civil annexation"
Sec. 4. As used in this chapter, "civil annexation" means an action in which the civil boundaries of a civil city are extended.

IC 20-25-5-5
"Civil city"
Sec. 5. As used in this chapter, "civil city" means a civil city or a civil town, the area of which, or the major part of the area of which, is under the jurisdiction of a school city.

IC 20-25-5-6
"Losing school corporation"
Sec. 6. As used in this chapter, "losing school corporation" means a school corporation that loses territory to an acquiring school corporation by annexation.

IC 20-25-5-7
"Resolution"
Sec. 7. As used in this chapter, "resolution" of:
(1) a school township means a resolution adopted by the trustee and a majority of the township board; and
(2) any other school corporation means a resolution duly adopted by the school corporation's governing body.


IC 20-25-5-8
"School city"
Sec. 8. As used in this chapter, "school city" means a school corporation that at any time:
(1) is a school city;
(2) is a school town;
(3) has succeeded to the jurisdiction of all a school city or a school town; or
(4) has succeeded to the jurisdiction of a major part in area of a school city or school town.


IC 20-25-5-9
"School corporation"
Sec. 9. As used in this chapter, "school corporation" means a public school corporation of the state located in whole or in part in a county containing a consolidated city.


IC 20-25-5-10
Annexation authorized
Sec. 10. Subject to the limitations and procedure set out in this chapter, any:
(1) school corporation may annex territory from any other school corporation by resolutions of the acquiring and losing school corporations as provided in section 11 of this chapter; and
(2) school city may annex territory from any other school corporation by a single resolution of the school city as provided in section 12 of this chapter.


IC 20-25-5-11
Annexation by school corporations; procedure
Sec. 11. (a) An annexation may be effected if an acquiring school corporation and a losing school corporation each adopts a substantially identical annexation resolution that contains the following items:
(1) A description of the annexed territory. The description must, as near as reasonably possible, be by streets and other boundaries known by common names. The description does not need to include a legal description unless a legal description is necessary to identify the annexed territory. A notice is not defective if there is a good faith compliance with this section
and if the area designated may be ascertained with reasonable certainty by a person skilled in the area of real estate description.

(2) The time the annexation takes place. The time the annexation takes place may vary with respect to the different parts of the annexed territory. If the entire annexed territory is contiguous to the acquiring school corporation, the annexed territory may be annexed so that some parts may not be contiguous to the annexed territory for temporary periods.

(3) The terms and conditions facilitating education of students in the annexed territory, losing school corporation, or acquiring school corporation. The terms may include, but are not limited to, the continued attendance by students in the annexed territory at schools in the losing school corporation for specified periods after annexation on a transfer basis. If a student in an annexed territory attends a school in a losing school corporation under this subdivision, transfer tuition for the student must be paid by the acquiring school corporation to the losing school corporation in the manner and at the rates provided by the statutes governing the computation and payment of transfer tuition costs.

(4) The:

(A) disposition of assets and liabilities of the losing school corporation to the acquiring school corporation;  
(B) allocation between the acquiring school corporation and losing school corporation of subsequently collected school taxes levied on property in the annexed territory; and 
(C) amount, if any, to be paid by the acquiring school corporation to the losing school corporation on account of property received from the losing school corporation.

The disposition, allocation, and amount must be equitable.

(b) After the adoption of the resolutions under subsection (a), notice shall be given by publication in both the acquiring school corporation and the losing school corporation. The notice must include the text of the resolution, a statement that the resolution has been adopted, and a statement that a right of remonstrance exists as provided in this chapter. It is not necessary to set out the remonstrance provisions of this chapter in the notice. A general reference to a right of remonstrance with a reference to this chapter is sufficient to satisfy the requirements of this subsection. The annexation must take effect not later than thirty (30) days after the publication of the notice or at the time provided in the resolution, whichever is later. However, the annexation is not required to take effect within the period required by this subsection if a remonstrance, based on a ground other than that set out in section 14(a)(5) of this chapter, is filed in the circuit or superior court of the county in which the annexed territory or any part of the annexed territory is located. The remonstrance must be filed by registered voters residing in the losing school corporation at least equal in number to the greater of:

(1) ten percent (10%) of the number of registered voters residing
in the losing school corporation; or
(2) fifty-one percent (51%) of the number of registered voters residing in the annexed territory.


IC 20-25-5-12
Annexation by school city; procedure

Sec. 12. (a) Notwithstanding section 11 of this chapter, a school city may effect an annexation as follows:

(1) The acquiring school corporation must adopt an annexation resolution of the type provided in section 11 of this chapter. Unless the losing corporation consents, the resolution may not provide a time for annexation before July 1 following the May 1 next succeeding the last publication of the notice of annexation.

(2) The acquiring school corporation, after adopting a resolution under subdivision (1), shall give notice of the type provided in section 11 of this chapter by publication in the acquiring school corporation and in the losing school corporation. The acquiring school corporation shall also give notice to the losing school corporation before the last publication of notice of the type provided in section 11 of this chapter. The annexation must take effect thirty (30) days after the last publication in the losing school corporation or at the time provided in the resolution, whichever is later. However, the annexation is not required to take effect within the period required by this subdivision if a remonstrance, based on a ground other than that set out in section 14(a)(5) of this chapter, is filed in the circuit or superior court of the county in which the annexed territory or a part of the annexed territory is located. The remonstrance must be filed by:

(A) the losing school corporation;
(B) not less than a majority of the owners of land in the annexed territory; or
(C) the owners of seventy-five percent (75%) or more in assessed valuation of the real estate in the annexed territory.

(b) For purposes of determining ownership under subsection (a)(2)(B) and (a)(2)(C), the following rules apply:

(1) Only the record title holder or holders of a single piece of property are considered an owner.

(2) If record title of a single piece of property is in more than one (1) individual, all the individuals constitute only one (1) owner, and the remonstrance of any one (1) of the individuals constitutes the remonstrance of all the individuals, whether or not the other individuals authorized the filing of the remonstrance.


IC 20-25-5-13
Notice of annexation; publication; notice to losing school
Sec. 13. (a) The notice by publication required by sections 11 and 12 of this chapter shall be made two (2) times a week apart in two (2) daily newspapers of general circulation in the acquiring school corporation and the losing school corporation. The two (2) daily newspapers must be published in the English language. If there is only one (1) daily newspaper or if there are not any daily newspapers in either school corporation, a weekly newspaper may be used to provide notice. If there is only one (1) daily or weekly newspaper, publication in that newspaper is sufficient. If a newspaper is of general circulation in both school corporations, the publication of notice in the newspaper qualifies as one (1) of the required publications in each of the school corporations. Publication may be made jointly by the losing school corporation and the acquiring school corporation. The remonstrance period runs from the second publication.

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

1. governing body of the losing school corporation at the governing body’s established business office;
2. township trustee in the case of a school township; or
3. superintendent of schools or any officer of the governing body of any other school corporation.


IC 20-25-5-14
Remonstrance; procedure; grounds

Sec. 14. (a) A remonstrance under section 11 or 12 of this chapter must be in substantially the following form:

The undersigned hereby remonstrate against the annexation of the following described territory situated in ________ County, Indiana, whereby it would be transferred from ___________ (the losing corporation) to ____________ (the acquiring corporation):

(Description of the annexed territory sufficient to identify it.)

The remonstrance may be filed in any number of counterparts. Each counterpart must have attached to it the affidavit of the individual circulating the counterpart that affirms that each signature appearing on the counterpart was affixed in the presence of the individual circulating the counterpart and that each signature is the true and lawful signature of the individual who made it. The individual who makes the affidavit is not required to be one (1) of the individuals who signs the counterpart to which the affidavit is attached. The remonstrance must be accompanied by a complaint filed by one (1) or more of the remonstrators. The individual or individuals who file the complaint must be treated as a representative of the entire class of remonstrators and must sign the complaint individually or have their respective attorneys sign it. The complaint must state the reasons for the remonstrance. The reasons for the remonstrance are limited to the
(1) There is a procedural defect in the manner in which the 
annexation is carried out that is jurisdictional.

(2) The annexed territory does not form a compact area abutting 
the acquiring school corporation.

(3) The losing school corporation is left with no high school 
facilities, or its enrollment after annexation will be less than one 
thousand (1,000) students. This subdivision does not provide a 
basis for a remonstrance if the annexation includes all of the 
territory of the losing school corporation.

(4) The benefits to be derived from the annexation are 
outweighed by the detriments after consideration of the 
respective benefits and detriments to the schools, the students 
residing in the acquiring school corporation, the students 
residing in the losing school corporation, and the students 
residing in the annexed territory.

(5) The disposition of assets and liabilities of the losing 
corporation, the allocation of school tax receipts between the 
two (2) school corporations, and the amount to be paid by the 
acquiring school corporation as set out in the annexation 
resolution are inequitable.

Except for subdivision (1), each allegation enumerated under this 
subsection may be made in the statutory language.

(b) The plaintiff in a remonstrance suit is the individual whose 
name appears on the complaint and may be the losing school 
corporation in a remonstrance under section 12 of this chapter. The 
defendants in a remonstrance under section 11 of this chapter are the 
acquiring school corporation and the losing school corporation. The 
defendant in a remonstrance under section 12 of this chapter is the 
acquiring school corporation. Service of process shall be made on 
each defendant in the manner required in other civil actions.

(c) To determine if a petition is timely filed, the time of filing is 
the time of filing with the clerk of the circuit court without regard to 
the time of issuance of the summons. If the thirtieth day falls on 
Sunday, a holiday, or any other day when the clerk's office is not 
open, the time for filing must be extended to the next day when the 
clerk's office is open.

(d) The issues in a remonstrance suit are made up by the 
allegations in the complaint that are denied by each defendant. A 
responsive pleading does not need to be filed. A defendant may file 
a motion to dismiss the suit on the ground that the:

(1) requisite number of qualified remonstrators have not signed 
the petition;

(2) remonstrance was not timely filed; or

(3) complaint does not state a cause of action.

A responsive pleading to a motion to dismiss does not need to be 
filed. With respect to a motion under subdivisions (1) and (2), the 
allegations are considered denied by the remonstrators. In order to 
determine whether there are the requisite number of qualified 
remonstrators, an individual is not entitled to withdraw the
individual's name after a remonstrance is filed, and an individual is not entitled to add the individual's name to the remonstrance after the remonstrance is filed. An individual may, however, at a remonstrance trial, in support or derogation of the substantive matters in the complaint, introduce into evidence a verified statement that the individual wishes to add or withdraw the individual's name from the remonstrance. The court may hear all or part of the matters raised by the motion to dismiss separately, or the court may consolidate all or part of the matters in the motion to dismiss with matters relating to the substance of the case for trial. A complaint may not be dismissed for failure to state a cause of action if a fair reading of the complaint makes out one (1) of the grounds for remonstrance and suit provided in subsection (a). An amendment of the complaint may be permitted in the discretion of the court if the amendment does not state a new ground of remonstrance.

(e) A remonstrance trial must be conducted in the same manner as other civil cases by the court without the intervention of a jury on the issues raised by a complaint or a motion to dismiss, or both. A change of venue from a judge is permitted, but a change of venue from the county is not permitted. The court shall expedite the hearing of the case. A court's judgment, except with respect to a matter raised under subsection (a)(5), must be that the:

(1) annexation will take place;
(2) annexation will not take place; or
(3) remonstrance is dismissed.

(f) If the court finds that the remonstrators have proved a reason for the remonstrance described in subsection (a)(1) through (a)(4), the court's judgment shall be that the annexation will not take place. If the remonstrators fail to prove a reason for the remonstrance described in subsection (a)(1) through (a)(4), the court's judgment shall be that the annexation will take place. If the remonstrators raise an issue under subsection (a)(5) in support of a remonstrance, the court's judgment may be either that the disposition, allocation, and amount set out in the annexing resolution are equitable or inequitable. If the court finds that the disposition, allocation, and amount set out in the annexing resolution are inequitable, the court shall provide for an equitable disposition, allocation, and amount. Costs will follow judgment. Appeals may be taken from any judgment of the court in the same manner as appeals are taken in other civil cases.


IC 20-25-5-15
Equitable disposition of assets and liabilities, allocation of taxes, and payment by acquiring school corporation

Sec. 15. With respect to whether the disposition of the assets and liabilities of the losing school corporation is equitable, the allocation of school tax receipts is equitable, and the amount to be paid by the acquiring school corporation is equitable, a court must be satisfied that the annexing resolution conforms substantially to the following standards:
(1) Except for current obligations or temporary borrowing, the acquiring school corporation shall assume a part of all installments of principal and interest on the indebtedness of the losing school corporation that is due after the end of the last calendar year in which the losing school corporation is entitled to receive current tax receipts from property tax levies on the property in the annexed territory. The part assumed by the acquiring school corporation consists of the following:

(A) All installments relating to any indebtedness incurred in connection with the acquisition or construction of a building located in the annexed territory.

(B) A proportion of all installments relating to any other indebtedness that is in the same proportion as the valuation of the real property in the annexed territory bears to the valuation of all the real property in the losing school corporation. Valuation under this clause is based upon the assessment for general taxation immediately before annexation.

(2) The acquiring school corporation shall make the payments and assume the obligations provided for a school corporation acquiring:

(A) territory;

(B) a building or buildings; or

(C) both territory and a building or buildings;

under IC 20-47-5.

(3) If the annexed territory includes an entire losing school corporation, the acquiring school corporation shall:

(A) acquire all the property and assets of the losing school corporation without making any payments for the losing school corporation; and

(B) assume all of the liabilities and obligations of the losing school corporation.


IC 20-25-5-16
Effective date of annexation

Sec. 16. (a) If a remonstrance is filed on any ground other than a ground set forth in section 14(a)(5) of this chapter, annexation does not become effective until final judgment in the remonstrance suit. A judgment is not considered final until the time for taking an appeal has expired or, if an appeal is taken within the permitted time, until a final judgment is issued in the appeal.

(b) A judgment of a trial court dismissing a remonstrance is a final judgment, subject to subsection (a).

(c) If a judgment is against annexation, no further annexation of the annexed territory may occur for two (2) years after the date of the filing of the remonstrance. However, a judgment against annexation does not prevent either the:

(1) acquiring school corporation; or
(2) acquiring school corporation and the losing school corporation; from rescinding the annexation resolution. If an annexation resolution is rescinded under this subsection, the suit must be dismissed without prejudice. If an annexation suit is dismissed without prejudice under this subsection, the two (2) year prohibition does not apply unless a subsequent annexation resolution is adopted primarily for the purpose of harassment and not for another purpose, such as the correction of procedural irregularities or a substantial change in the annexed territory or the annexation resolution.

(d) If a remonstrance relates solely to a matter raised under section 14(a)(5) of this chapter, the annexation takes effect at the time provided under section 11 or 12 of this chapter.


IC 20-25-5-17
Boundaries of school city or school town; application of chapter

Sec. 17. Notwithstanding any other statute that provides that the boundaries of a school city or school town are coterminous or coextensive with the boundaries of a civil city or civil town, the boundaries of a school city may be changed after March 8, 1961, solely by annexation under this chapter if this chapter was in effect at the time the annexation became effective or finally effective.


IC 20-25-5-18
Conflicting laws void; continued effect of consolidation laws; approval not required for annexation

Sec. 18. (a) Except as provided in subsection (b), a law or a part of a law in conflict with this chapter is void.

(b) This chapter may not be construed to invalidate IC 20-23-4, IC 20-23-16, or any other statute concerning the consolidation of two (2) or more school corporations to which this chapter is supplementary. However, IC 20-23-4 and IC 20-23-16 are void to the extent that IC 20-23-4 and IC 20-23-16 conflict with the subsequent provisions of this section.

(c) An annexation sought under this chapter does not require the approval of a:

(1) county committee;
(2) state commission; or
(3) committee created under or referred to in IC 20-23-4.

(d) Acts 1961, c.186, s.9, with respect to an annexation that is finally effective before February 25, 1969, operates after March 8, 1961, before and after a final plan is put into effect by:

(1) election;
(2) petition;
(3) another proceeding under IC 20-23-4 or IC 20-23-16; or
(4) another statute concerning the consolidation of two (2) or more school corporations.

IC 20-25-5-19
Annexations not effective before February 25, 1969; repeal of statute

Sec. 19. Acts 1961, c.186, s.9 is repealed regarding an annexation that is not effective or finally effective before February 25, 1969. 
*As added by P.L.1-2005, SEC.9.*

IC 20-25-5-20
Transfer of unused property to board of park commissioners

Sec. 20. (a) This section applies to a school city described in IC 20-25-2-12.

(b) All real estate belonging to a school city that:
   (1) consists of lots and buildings on the real property of the school city; and
   (2) has not been used for school purposes for at least five (5) years;
may be transferred to and placed under the jurisdiction of the board of park commissioners of the city in which the school city is located and must be operated, managed, controlled, and maintained as a recreation center for the use and benefit of the city.
*As added by P.L.1-2005, SEC.9.*
IC 20-25-6
Chapter 6. Determination of School City Conditions and Needs

IC 20-25-6-1
Conditions and needs found to exist
Sec. 1. The following school city conditions and needs are found to exist on January 1, 1995:

(1) Education in the school city presents unique challenges.
(2) Student achievement in the school city on statewide tests consistently has been significantly below:
   (A) the state average; and
   (B) achievement attained in school corporations adjacent to the school city.
(3) The need for remediation of students in the school city consistently has been significantly higher than:
   (A) the state average; and
   (B) remediation rates in school corporations adjacent to the school city.
(4) Graduation rates in the school city consistently have been significantly below:
   (A) the state average; and
   (B) graduation rates in school corporations adjacent to the school city.
(5) Student attendance rates in the school city consistently have been below:
   (A) the state average; and
   (B) student attendance rates in school corporations adjacent to the school city.
(6) There are individual schools in the school city whose students are achieving, but overall student achievement in the school city is unsatisfactory.
(7) Improving education in the school city requires unique legislative intervention.
(8) Educator driven school level control of efforts to improve student achievement in their schools and a program of performance awards in the school city will encourage the development and use of:
   (A) innovative teaching methods;
   (B) improved opportunities for teacher professional development;
   (C) programs achieving greater levels of parental involvement;
   (D) more efficient administrative efforts; and
   (E) improved student achievement.
(9) Greater accountability among educators in their schools, including:
   (A) evaluations based on student achievement measures and administrative efficiency criteria; and
   (B) annual reports to the public regarding student
achievement information and administrative performance measures;
will encourage the development and use of creative and innovative educational methods and improve student achievement.
(10) Providing a range of remediation opportunities to students in the school city who:
    (A) fail to meet state achievement standards; or
    (B) are determined to be at risk of academic failure by the board;
will enhance the educational opportunities available to students and improve student performance.
(11) Enhanced intervention for schools whose students fail to meet expected performance levels will improve the:
    (A) educational opportunities; and
    (B) educational achievement;
in the school city.
(12) Allowing students to attend neighborhood schools and the development and implementation of a plan by the board to increase student performance and achievement in the school city are necessary to:
    (A) achieve the legislative objectives referred to in this section;
    (B) meet the unique challenges to education in the school city; and
    (C) improve student achievement in the school city.
IC 20-25-7
  Chapter 7. Neighborhood Schools

IC 20-25-7-1
Parental choice program
  Sec. 1. The school city shall offer a parental choice program that allows a parent the opportunity to choose the school in the school city that the parent's child will attend.

IC 20-25-7-2
Criteria for parental choices and assignment to schools
  Sec. 2. (a) The board shall establish appropriate criteria to:
    (1) set priorities for parental choices; and
    (2) assign students to schools.
  (b) Criteria established under this section must provide that if the parent of a student chooses to enroll the student in a neighborhood school, the student will be assigned to the neighborhood school, subject only to building capacity limitations.
IC 20-25-8
Chapter 8. Parental Involvement in Schools

IC 20-25-8-1
"Student's parent"
Sec. 1. As used in this chapter, the term "student's parent" includes the foster parent of a student.

IC 20-25-8-2
Written compact
Sec. 2. (a) Each school in the school city shall develop a written compact among:
   (1) the school;
   (2) the students;
   (3) the students' teachers; and
   (4) the students' parents.
   (b) A written compact must contain the expectations for:
       (1) the school;
       (2) the student;
       (3) the student's teachers; and
       (4) the student's parent.
   (c) Each educator at the school shall affirm and sign the compact.
   (d) Each student and the student's parent shall go to the school before the start of each school year to sign and affirm the compact.

IC 20-25-8-3
Foster parents not completing compact
Sec. 3. Each school shall report to the local office of the department of child services the names of foster parents who have not completed a compact under this chapter.
IC 20-25-9
Chapter 9. Performance Measures for Student Achievement

IC 20-25-9-1
Use of student performance improvement levels
Sec. 1. IC 20-31-8 applies to the school city and its schools. The board shall use the student performance improvement levels established under IC 20-25-11 to:

(1) assess;
(2) report; and
(3) improve;
the performance of schools, educators, and students in the school city.

IC 20-25-9-2
Students in need of summer remediation; use of state achievement standards
Sec. 2. The board shall use state achievement standards to identify students in need of summer remediation services.

IC 20-25-9-3
Uses for student performance improvement levels
Sec. 3. The board shall use the student performance improvement levels established under IC 20-25-11 to:

(1) implement the board's plan;
(2) evaluate school performance;
(3) publish annual reports; and
(4) determine academic receivership under IC 20-25-15.

IC 20-25-9-4
Determination of whether to put school in academic receivership
Sec. 4. The board shall use student performance improvement levels to determine whether to place a school in academic receivership under IC 20-25-15.

IC 20-25-9-5
Measuring and recording student achievement and teacher and administrative performance
Sec. 5. Each school in the school city shall measure and record:

(1) the students' achievement in reaching the school's student performance improvement levels established under IC 20-25-11;
(2) student achievement information for the school described in IC 20-20-8-8 and IC 20-25-9-6; and
(3) teacher and administrative performance information for the school described in IC 20-25-9-6;
which in each case must not be less rigorous than the student
performance improvement levels and information developed and required under IC 20-31-8.


IC 20-25-9-6
Annual report; required information
Sec. 6. For all schools under this article, the report must include the following, in addition to the requirements of IC 20-20-8-8:

(1) Student achievement information as follows:
   (A) For each elementary and middle school, grade advancement rates.
   (B) For each high school, the percentage of students who apply to, are accepted by, and attend a college, university, or other postsecondary educational institution after high school.

(2) Administrative performance measures as follows:
   (A) School receipts and expenditures by source, compared with budget amounts.
   (B) Total school enrollment.
   (C) The school's general fund expenditures per student and total expenditures per student.
   (D) The amount and percentage of the school's general fund expenditures and the amount and percentage of total expenditures directly reaching the classroom as determined by a formula to be established by the board.
   (E) Teacher/pupil ratios totaled by class, grade, and school.
   (F) Administrator/pupil ratio for the school.
   (G) Teacher attendance rates totaled by class, grade, and school.

(3) Achievement on the annual performance objectives identified under IC 20-25-11.

(4) The performance objectives established under IC 20-25-11 for the upcoming school year.

(5) State and school city averages for each of the measures set forth in subdivisions (1) through (2), if available.

IC 20-25-10
Chapter 10. Board Plan for Improvement of Student Achievement

IC 20-25-10-1
Plan for improvement of student achievement; conformity with school laws

Sec. 1. (a) The board shall modify, develop, and implement a plan for the improvement of student achievement in the schools in the school city.

(b) A plan modified, developed, and implemented under this chapter must be consistent with this article and with IC 20-31-1, IC 20-31-2, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10.


IC 20-25-10-2
Plan requirements

Sec. 2. The plan modified, developed, and implemented under this chapter must do the following:

(1) Provide for efforts to increase support of the schools by:
   (A) the parents of students; and
   (B) the neighborhood communities surrounding the schools.

(2) Establish student performance improvement levels for students in each school in the school city that are not less rigorous than the student performance improvement levels developed under IC 20-31.

(3) Provide opportunity and support for the educators in each school to develop a school plan, including:
   (A) traditional or innovative methods and approaches to improve student achievement; and
   (B) efficient and cost effective management efforts in the school;
   that are developed consistently with IC 20-25-12-1 and with the board's plan developed under this chapter.

(4) Require annual reports identifying the progress of student achievement for each school as described in IC 20-20-8-8 and IC 20-25-9-6.

(5) Provide for the effective evaluation of:
   (A) each school in the school city; and
   (B) the school's educators;
   including the consideration of student achievement in the school.

(6) Provide a range of opportunity for remediation of students who:
   (A) fail to meet state achievement standards; or
   (B) are at risk of academic failure.

(7) Require action to raise the level of performance of a school if the school's students fail to achieve student performance improvement levels established for the school under
IC 20-25-11-1.

IC 20-25-10-3
Modification, development, publication, and implementation of plan
Sec. 3. The board shall:
(1) modify, develop, and publish the plan required under this chapter; and
(2) implement the modified plan;
in compliance with the timelines of IC 20-31-1, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10.

IC 20-25-10-4
Revisions; publication required
Sec. 4. If the board revises the plan required under this chapter after the plan is published, the board shall publish the revisions.

IC 20-25-10-5
Assessment and evaluation of educational programs
Sec. 5. (a) The board shall annually assess and evaluate educational programs offered by the school city to determine:
(1) the relationship of the programs to improved student achievement; and
(2) the educational value of the programs in relation to cost.
(b) The board may obtain information from:
(1) educators in the schools offering a program;
(2) students participating in a program; and
(3) the parents of students participating in a program;
in preparing an assessment and evaluation under this section. The assessment must include the performance of the school's students in achieving student performance improvement levels under IC 20-31-1, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, IC 20-31-10, and IC 20-25-11.
IC 20-25-11
Chapter 11. Annual Performance Objectives

IC 20-25-11-1
Establishment of annual student performance improvement levels

Sec. 1. The board shall establish annual student performance improvement levels for each school that are not less rigorous than the student performance improvement levels under IC 20-31-1, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10, including the following:

(1) For students:
   (A) improvement in results on assessment tests and assessment programs;
   (B) improvement in attendance rates; and
   (C) improvement in progress toward graduation.

(2) For teachers:
   (A) improvement in student results on assessment tests and assessment programs;
   (B) improvement in the number and percentage of students achieving:
      (i) state achievement standards; and
      (ii) if applicable, performance levels set by the board on assessment tests;
   (C) improvement in student progress toward graduation;
   (D) improvement in student attendance rates for the school year;
   (E) improvement in individual teacher attendance rates;
   (F) improvement in:
      (i) communication with parents; and
      (ii) parental involvement in classroom and extracurricular activities; and
   (G) other objectives developed by the board.

(3) For the school and school administrators:
   (A) improvement in student results on assessment tests, totaled by class and grade;
   (B) improvement in the number and percentage of students achieving:
      (i) state achievement standards; and
      (ii) if applicable, performance levels set by the board on assessment tests, totaled by class and grade;
   (C) improvement in:
      (i) student graduation rates; and
      (ii) progress toward graduation;
   (D) improvement in student attendance rates;
   (E) management of:
      (i) general fund expenditures; and
      (ii) total expenditures per student;
   (F) improvement in teacher attendance rates; and
   (G) other objectives developed by the board.
IC 20-25-12
Chapter 12. School Plans for Improvement

IC 20-25-12-1
Contents of board's plan
Sec. 1. (a) IC 20-31-1, IC 20-31-2, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10 apply to the school city. The composition of a local school improvement committee is determined under IC 20-31-1, IC 20-31-2, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10.

(b) The plan developed and implemented by the board under IC 20-25-10 must contain general guidelines for decisions by the educators in each school to improve student achievement in the school.

(c) The board's plan shall provide for the publication to other schools in the school city and to the general community those:
   (1) processes;
   (2) innovations; and
   (3) approaches;
that have led individual schools to significant improvement in student achievement.

IC 20-25-12-2
Educators' plan; use of traditional or innovative techniques
Sec. 2. (a) Educators in each school are responsible for improving student achievement in the school and may develop the educators' own school plan to achieve improvement that:
   (1) conforms to the guidelines issued by the board; and
   (2) has a cost that does not exceed the amount allocated to the school under section 5 of this chapter.

(b) Educators may use traditional or innovative techniques that the educators believe will:
   (1) best maintain a secure and supportive educational environment; and
   (2) improve student achievement.

IC 20-25-12-3
Provision for parental involvement
Sec. 3. Each school's plan must include the development and maintenance of efforts to increase parental involvement in educational activities.

IC 20-25-12-4
Promotion of student achievement
Sec. 4. School plans must promote:
   (1) increased options for; and
   (2) innovative and successful approaches to;
improving student achievement.


IC 20-25-12-5
General fund budgets for schools
Sec. 5. The initial approved general fund budget for each school for a school year must be, as nearly as is reasonable and practicable, proportionate to the total general fund budget for the school city in the same ratio as the school's estimated current ADM for the fall count in the school year compares to the school city's estimated current ADM for the fall count for that school year.


IC 20-25-12-6
Educators' determination of needed educational resources; purchases and acquisitions
Sec. 6. (a) Each school's educators may:
(1) determine the educational resources, goods, and services that are necessary and appropriate for improving student performance in the school; and
(2) obtain or purchase the educational resources, goods, and services.

(b) Purchases and acquisitions under this section are subject to:
(1) the general guidelines developed by the board; and
(2) the school's budget.


IC 20-25-12-7
School budget allocations for noneducational goods and services
Sec. 7. Subject to the general guidelines developed by the board and after consulting with the school's teachers, each school's administrators may determine the:
(1) sources of; and
(2) part of;
the school's available budget allocated for noneducational goods and services.


IC 20-25-12-8
Excess general fund money; permissible uses
Sec. 8. (a) If, as a result of a school's efforts to incur less expense than was budgeted in a fiscal year, the school has excess general fund money after the school's expenses for the fiscal year are paid in full, the school retains control of the excess.

(b) The school shall use excess general fund money retained under this section during the following school year for:
(1) professional development of the school's educators; and
(2) other classroom instructional purposes;
under the general guidelines developed by the board.
(c) The board may not consider a school's excess general fund money retained under this section when setting or approving the school's budget for subsequent years.

IC 20-25-13
Chapter 13. Staff Performance Evaluations

IC 20-25-13-1
Repealed
(Repealed by P.L.90-2011, SEC.50.)

IC 20-25-13-2
Annual staff performance evaluation plan
Sec. 2. Each school year, a school shall develop and implement a staff performance evaluation plan to evaluate the performance of the school's certified employees under guidelines established by the board.

IC 20-25-13-3
Plan requirements
Sec. 3. A staff performance evaluation plan must do the following:
(1) Provide for evaluation of the school's and the school's educators' performance based on the school's students' performance improvement level under IC 20-25-11, including the following:
   (A) Student achievement on assessment tests and assessment programs.
   (B) Graduation rates.
   (C) Scholastic aptitude test scores.
   (D) Other objective standards developed by the board for measuring student, teacher, and administrator performance improvement consistent with:
      (i) state academic standards; and
      (ii) student performance improvement levels developed under IC 20-25-11.
(2) Provide for:
   (A) the continuing professional development; and
   (B) improvement of the performance; of the individuals evaluated.
(3) Require periodic assessment of the effectiveness of the plan.

IC 20-25-13-4
Plan as basis for employment decisions
Sec. 4. A staff performance evaluation plan may provide the basis for making employment decisions.

IC 20-25-13-5
Plan as condition for accreditation
Sec. 5. Development and implementation of a staff performance evaluation plan for each school is a condition for accreditation for the school under IC 20-19-2-8(a)(4).
IC 20-25-13-6
Compliance with board guidelines; approval of board
Sec. 6. A staff performance evaluation plan must:
    (1) comply with guidelines established by; and
    (2) be approved by;
the board.

IC 20-25-13-7
Student improvement levels to serve as factor in teacher evaluation
Sec. 7. IC 20-28-6-4 and IC 20-28-6-5 apply to certificated employees in the school city. A teacher's students' performance improvement levels under the assessment tests and programs of IC 20-31-1, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10 may be used as a factor, but not the only factor, to evaluate the performance of a teacher in the school city.
IC 20-25-14
Chapter 14. Summer Remediation

IC 20-25-14-1
Required and optional summer remediation services
Sec. 1. (a) The school city must provide summer remediation services to each student in a designated grade level who does not meet state achievement standards.
(b) The school city may provide summer remediation services to students of any other grade level who are determined by the school city to be at risk of academic failure.

IC 20-25-14-2
Proposals and contracts for provision of services; eligible providers
Sec. 2. The board may:
(1) request and receive competitive proposals from:
   (A) a school of the school city;
   (B) another public educational institution; or
   (C) a group of educators from the school city;
   to provide summer remediation services under guidelines and specified performance standards established by the board; and
(2) contract with one (1) or more providers listed in subdivision (1) to provide summer remediation services to students in the school city.

IC 20-25-14-3
Costs; state reimbursement
Sec. 3. The school city:
(1) shall pay the cost of summer remediation services; and
(2) may use all available funding from the state for the payment.
The purchase of remediation services is eligible for state reimbursement in the same manner as other state funding, including summer school funding.

IC 20-25-14-4
Services provided by contractors; summer remediation subsidy
Sec. 4. (a) Summer remediation services provided by contractors under section 2 of this chapter shall be provided at no tuition cost to the student.
(b) Upon the request of the parent of a student described in section 1 of this chapter, the school city shall provide the parent with a summer remediation subsidy in an amount equal to fifty percent (50%) of the lowest per student cost of summer remediation services provided by a contractor under section 2 of this chapter.
(c) A parent to whom a summer remediation subsidy is provided may use the subsidy to purchase summer remediation services from a provider located in Marion County. The parent may choose to use
the remediation subsidy at an accredited public school. If the amount of tuition for the remediation services is greater than the amount of the remediation subsidy provided to the parent, the parent is responsible for the additional amount.

(d) The allocated remediation subsidy is payable to a provider of remediation services upon the provider's enrollment of the student in the remediation program.

(e) Payment of a remediation subsidy fulfills the obligation under this chapter of the school city to provide remediation services to a student.

(f) If a student who has received a remediation subsidy does not complete a remediation program, the provider of remediation services shall refund the remediation subsidy on a pro rata basis to the school city.

IC 20-25-15
Chapter 15. Academic Receivership

IC 20-25-15-1
Placement of school in academic receivership
Sec. 1. In addition to the consequences of IC 20-31-9, the board shall place a school in the school city in academic receivership if the school fails for any two (2) consecutive school years to meet student performance improvement levels.

IC 20-25-15-2
Required evaluations
Sec. 2. Before August 1 of a school year for which a school is placed in academic receivership, the superintendent and the board shall require the following:
(1) Evaluation of each administrator at the school.
(2) Evaluation of each teacher at the school.
(3) Evaluation of the school's educational plan.
(4) Consideration of:
   (A) personnel;
   (B) management;
   (C) plan; and
   (D) policy;
   changes for the school to improve student performance at the school.
(5) Identification of significant:
   (A) management;
   (B) personnel;
   (C) plan; or
   (D) policy;
   changes that in the board's judgment must be implemented to improve the school's performance.

IC 20-25-15-3
Actions to raise school's level of performance
Sec. 3. (a) If a school is placed in academic receivership, the superintendent and the board must take action to raise the school's level of performance.
(b) In addition to the consequences of IC 20-31-9, the actions that the superintendent and the board may take to raise the performance of a school in academic receivership include the following:
(1) Shifting resources of the school city to the school.
(2) Changing or removing:
   (A) the school principal;
   (B) teachers;
   (C) administrators; or
   (D) other staff.
(3) Establishing a new educational plan for the school.
(4) Requiring the superintendent or another school city appointee to administer the school until the academic receivership status of the school is removed.

(5) Contracting with a:
   (A) for-profit organization;
   (B) nonprofit organization; or
   (C) individual;
   to manage the school.

(6) Closing the school.

(7) Any other management, personnel, or policy changes that the superintendent and board expect in the following school year to:
   (A) raise the performance of the school; and
   (B) avoid continuing academic receivership status for the school.

(c) If this chapter is inconsistent with any other law relating to:
   (1) education;
   (2) teachers; or
   (3) common schools;
this chapter governs.

IC 20-25-16
Chapter 16. Additional Powers toModify Policies and Waive Requirements, Lease Property, and Transfer Funds

IC 20-25-16-1
Powers of board

Sec. 1. To provide the board with the necessary flexibility and resources to carry out this article, the following apply:

(1) The board may:
   (A) eliminate or modify existing policies;
   (B) create new policies; and
   (C) alter policies;
subject to this article and the plan developed under IC 20-25-10.
(2) IC 20-29 applies to the school city, except for the provision of IC 20-29-6-7(a) that requires any items included in the 1972-1973 agreements between an employer school corporation and an employee organization to continue to be bargainable.
(3) The board may waive the following statutes and rules for any school in the school city without administrative, regulatory, or legislative approval:
   (A) The following rules concerning curriculum and instructional time:
       511 IAC 6.1-5-0.5
       511 IAC 6.1-5-1
       511 IAC 6.1-5-2.5
       511 IAC 6.1-5-3.5
       511 IAC 6.1-5-4.
   (B) 511 IAC 6.1-4-1 concerning student/teacher ratios.
   (C) 511 IAC 6.1-4-2 concerning school principals.
(4) Notwithstanding any other law, a school city may do the following:
   (A) Lease school transportation equipment to others for nonschool use when the equipment is not in use for a school city purpose.
   (B) Establish a professional development and technology fund to be used for:
      (i) professional development; or
      (ii) technology, including video distance learning.
   (C) Transfer funds obtained from sources other than state or local government taxation to any account of the school corporation, including a professional development and technology fund established under clause (B).
(5) Transfer funds obtained from property taxation to the general fund and the school transportation fund, subject to the following:
   (A) The sum of the property tax rates for the general fund and the school transportation fund after a transfer occurs under this subdivision may not exceed the sum of the property tax rates for the general fund and the school transportation fund before a transfer occurs under this
subdivision.

(B) This subdivision does not allow a school corporation to transfer to any other fund money from the debt service fund.  