

## **IC 20-23-16**

### **Chapter 16. School Corporation Organization; Miscellaneous Provisions**

#### **IC 20-23-16-1**

##### **United school corporation**

Sec. 1. If a united school corporation is created from existing school corporations that are each entirely located in one (1) county, the county committees of the counties in which the school corporations are located shall jointly prepare a plan for the united school corporation. For the purpose of submission to the state board, the plan shall be included in the comprehensive plan of the county that has the largest number of students residing in the proposed united school corporation. If an existing school corporation from which a united school corporation is created contains territory in two (2) or more counties, the county committee of the county containing that part of the school corporation that has the most students shall include the entire corporation in its plan in the absence of a written agreement with the county committee of the adjoining county to the contrary.

*As added by P.L.1-2005, SEC.7.*

#### **IC 20-23-16-2**

##### **Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

#### **IC 20-23-16-3**

##### **Membership of community school corporation operating joint high school**

Sec. 3. With respect to a proposed community school corporation formed out of two (2) or more school corporations operating a joint high school that has an enrollment of at least six hundred (600) in grades 9 through 12 at the time of the adoption of a preliminary plan adopted under IC 20-23-4-11 through IC 20-23-4-17 and section 1 of this chapter, the preliminary plan or final plan adopted under IC 20-23-4-11 through IC 20-23-4-17 and section 1 of this chapter may provide for a board of nine (9) members.

*As added by P.L.1-2005, SEC.7. Amended by P.L.231-2005, SEC.26; P.L.1-2006, SEC.321; P.L.1-2010, SEC.77.*

#### **IC 20-23-16-4**

##### **Repealed**

*(Repealed by P.L.2-2006, SEC.199.)*

#### **IC 20-23-16-5**

##### **Transfer of pupils of rejected school corporation territory**

Sec. 5. School corporations adjacent to rejected segments of proposed reorganized school corporations shall accept on transfer, in the manner required by law, pupils of the rejected school corporation territory.

*As added by P.L.1-2005, SEC.7.*

**IC 20-23-16-6**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-7**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-8**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-9**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-10**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-11**

**Invalid school corporations in certain counties; effect on bonds issued**

Sec. 11. (a) In a county having a population of more than one hundred seventy-five thousand (175,000) but less than one hundred eighty-five thousand (185,000), if, after April 17, 1963:

- (1) proceedings have been undertaken in good faith to form a community school corporation by the consolidation of two (2) or more prior established school corporations;
- (2) the community school corporation is held, by a final order and decision of a court, to be invalidly formed and nonexistent; and
- (3) the order and decision are not subject to further judicial review;

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

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

*As added by P.L.1-2005, SEC.7. Amended by P.L.119-2012,*

SEC.152.

**IC 20-23-16-12**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-13**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-14**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-15**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-16**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-17**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-18**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-19**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-20**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-21**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-22**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-23**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-24**

**Repealed**

*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-25**

**Metropolitan superintendent of schools; duties**

Sec. 25. A metropolitan superintendent of schools shall:

- (1) act as the general administrator of the metropolitan school district; and
- (2) make recommendations to the board concerning:
  - (A) the conduct of the schools;
  - (B) the employment and dismissal of personnel;
  - (C) the purchase of supplies;
  - (D) the construction of buildings; and
  - (E) other matters pertaining to the conduct of the school within the framework of the school laws of this state;
- (3) attend meetings of the board except when the superintendent's reappointment is under consideration;
- (4) carry out the orders of the board; and
- (5) make other decisions and perform other duties that are prescribed by law.

*As added by P.L.1-2005, SEC.7.*

**IC 20-23-16-26**

**Metropolitan board and school districts; powers and duties**

Sec. 26. (a) A metropolitan board of education shall:

- (1) make decisions pertaining to the general conduct of the schools, and these decisions shall be enforced and entered into the minutes recorded by the secretary of the board; and
- (2) exercise powers previously exercised under the law, by or through:
  - (A) township trustees;
  - (B) meetings or petitions of the township trustees of the county; and
  - (C) county boards of education previously existing.

The offices of township trustee or county board or county boards of education as far as the conduct of public schools is concerned are abolished as of noon on the day the metropolitan school district is created and comes into existence.

(b) The metropolitan superintendent of schools and other persons employed for administrative or supervisory duties may be considered to be supervisors of instruction and are eligible, subject to the rules adopted by the state board, to qualify for teaching units in accordance with law.

(c) The government of the common schools of a district is vested in the board. The board shall function with the authority, powers, privileges, duties, and obligations previously granted to or required of school cities and their governing boards regarding the:

- (1) purchase of supplies;
- (2) purchase and sale of:

- (A) buildings;
- (B) grounds; and
- (C) equipment;
- (3) erection of buildings;
- (4) employment and dismissal of school personnel;
- (5) insuring property and employees;
- (6) making and executing of a budget;
- (7) borrowing money; and
- (8) paying the salaries and expenses of the:
  - (A) county superintendent; and
  - (B) employees;

as approved by the board.

(d) A board is a body corporate and politic by the name and style of "The Metropolitan School District of \_\_\_\_\_, Indiana" with the right to prosecute and defend suits and shall act as necessary to the proper administration of the common schools of the county.

(e) The school district shall:

- (1) be vested with rights, titles, and interests of the district's predecessor township or town school corporations;
- (2) assume, pay, and be liable for the:
  - (A) indebtedness;
  - (B) obligations;
  - (C) liabilities; and
  - (D) duties;

of the predecessor corporations from whatever source derived; and

- (3) institute and defend suits arising out of the school district's:
  - (A) liabilities;
  - (B) obligations;
  - (C) duties; and
  - (D) rights;

assumed by a metropolitan school district.

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

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

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

*As added by P.L.1-2005, SEC.7. Amended by P.L.2-2006, SEC.102.*

**IC 20-23-16-27**

*(Repealed by P.L.2-2006, SEC.199.)*

**IC 20-23-16-28**

**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-29**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-30**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-31**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-32**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-33**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-34**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-35**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-36**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-37**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-38**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-39**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-40**  
**Repealed**  
*(Repealed by P.L.231-2005, SEC.52.)*

**IC 20-23-16-41**

**Authorization to hire and fix salaries of necessary clerical personnel in certain schools; authorization to pay salaries out of special school funds**

Sec. 41. (a) School boards, boards of school trustees, boards of school commissioners, and school township trustees may hire and fix the salaries for clerical personnel as necessary to assist principals of schools in which at least twelve (12) teachers are employed.

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

*As added by P.L.1-2005, SEC.7.*