

## **IC 21-28-4**

### **Chapter 4. Joint Building and Financing Agreements; Joint Laboratory School Agreements**

#### **IC 21-28-4-1**

##### **Applicability of chapter**

Sec. 1. This chapter applies to all state educational institutions.  
*As added by P.L.2-2007, SEC.269.*

#### **IC 21-28-4-2**

##### **Board; limitation of powers**

Sec. 2. This chapter does not authorize the board of trustees of a state educational institution to exercise a power under an agreement that the board of trustees could not otherwise separately exercise under an enabling statute.  
*As added by P.L.2-2007, SEC.269.*

#### **IC 21-28-4-3**

##### **Joint powers**

Sec. 3. If:

- (1) the board of trustees of a state educational institution wants to exercise a power or powers conferred to it under one (1) or more of the state educational institution's enabling statutes; and
- (2) the board of trustees of one (1) or more other state educational institutions want to exercise a power or powers conferred to it or them under one (1) or more enabling statutes;

both or all of those boards of trustees may exercise the powers jointly as provided in this chapter.  
*As added by P.L.2-2007, SEC.269.*

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##### **Resolutions**

Sec. 4. A board of trustees that wants to exercise powers granted in an enabling act must enter into a written agreement by resolution.  
*As added by P.L.2-2007, SEC.269.*

#### **IC 21-28-4-5**

##### **Agreements**

Sec. 5. An agreement:

- (1) must provide for the following:
  - (A) Its duration.
  - (B) Its purpose.
  - (C) The manner of:
    - (i) financing, staffing, and supplying the joint undertaking; and
    - (ii) establishing and maintaining a budget for the joint undertaking.
  - (D) The methods that may be employed to:
    - (i) accomplish the partial or complete termination of the agreement; and

(ii) dispose of property upon partial or complete termination.

(E) Administration through a separate legal entity.

(F) With respect to a separate legal entity:

(i) the nature;

(ii) the organization;

(iii) the composition; and

(iv) the powers;

of the separate legal entity; and

(2) may provide for any other appropriate matters.

*As added by P.L.2-2007, SEC.269.*

#### **IC 21-28-4-6**

##### **Separate legal entities; powers**

Sec. 6. A separate legal entity established by an agreement has only the powers delegated to it by the agreement.

*As added by P.L.2-2007, SEC.269.*

#### **IC 21-28-4-7**

##### **Agreement filings**

Sec. 7. Before an agreement takes effect, a copy of the agreement must be filed with the board of trustees of each state educational institution that is a party to the agreement.

*As added by P.L.2-2007, SEC.269.*

#### **IC 21-28-4-8**

##### **Agreement filings; state board of accounts**

Sec. 8. Not later than sixty (60) days after an agreement takes effect, a copy of the agreement must be filed with:

(1) the state board of accounts for audit purposes; and

(2) the budget agency.

*As added by P.L.2-2007, SEC.269.*