

**STATE OF INDIANA**  
**DEPARTMENT OF LOCAL GOVERNMENT FINANCE**  
**Room 1058, IGCN – 100 North Senate**  
**Indianapolis, IN 46204**

**IN THE MATTER OF THE REQUEST )**  
**OF LINTON-STOCKTON SCHOOL )**  
**CORPORATION, GREENE COUNTY, FOR AN )     **A23-019****  
**INCREASE TO ITS OPERATIONS FUND )**  
**MAXIMUM LEVY UNDER IC 20-46-8-3 )**

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The Department of Local Government Finance (“Department”) has reviewed Linton-Stockton School Corporation’s (“Corporation”) appeal for an excess levy in the amount of \$170,000 due to projected increased transportation expenses.

Indiana Code § 20-46-8-3 provides that “[a] school corporation may appeal to the [Department]...to increase the maximum levy permitted for the school corporation’s [transportation] fund. To be granted an increase by the [Department], the school corporation must establish that the increase is necessary because of either or both of the following:

- (1) A transportation operating cost increase of at least ten percent (10%) over the preceding year as a result of at least one (1) of the following:
  - (A) A fuel expense increase.
  - (B) A significant increase in the number of students enrolled in the school corporation who need transportation or a significant increase in the mileage traveled by the school corporation’s buses compared with the previous year.
  - (C) A significant increase in the number of students enrolled in special education who need transportation or a significant increase in the mileage traveled by the school corporation’s buses due to students enrolled in special education as compared with the previous year.
  - (D) Increased transportation operating costs due to compliance with a court ordered desegregation plan.
  - (E) The closure of a school building within the school corporation that results in a significant increase in the distances that students must be transported to attend another school building.
- (2) A cost increase associated with the school corporation’s bus replacement plan adopted or amended under IC 20-40-18-9.

In addition, the Corporation must establish that it will be unable to provide transportation services without an increase. The Corporation must also ground its appeal upon reasonably detailed statements of fact.

Upon review of the petition, the Department, following Ind. Code § 20-46-8-3, and in consideration of all evidence provided, finds as follows:

**APPROVED WITH MODIFICATION:**

The Corporation’s request for an increase in its maximum levy is approved in the amount of **\$73,000**.

The Corporation requests an excess levy based on an amendment to its bus replacement plan under Ind. Code § 20-46-8-3(2). The Corporation states that the Operations Fund has a high circuit breaker impact because the Town of Linton is located in its jurisdiction. The Corporation also states that while they are located within the boundary of the Town of Linton, the Corporation’s boundaries extend into the county. Since the Corporation is in a predominantly rural area, buses have to travel on rural roads which are typically rougher and wear down the buses faster. The Corporation adds that it also transports special needs to another school corporation which doubles the miles for bus routes, not including extracurricular. The Corporation also states that they absorbed one (1) contracted bus route during the 2022-2023 school and two (2) other owner-operators have indicated to the Corporation that this will be their last contracted school year. This means that the Corporation will have to acquire new buses, while also replacing some of their current buses that are past their useful life.

The Corporation’s 2023-2027 bus replacement plan (“2023 Plan”) represents the following annual costs:

<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>Total</b>
\$170,000	\$185,000	\$115,000	\$195,000	\$125,000	\$790,000

The Corporation’s 2024-2028 bus replacement plan (“2024 Plan”) adds one (1) 2015 Thomas bus and one (1) 2016 Thomas bus. The 2024 Plan represents the following annual costs:

<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>Total</b>
\$340,000	\$115,000	\$185,000	\$125,000	\$390,000	\$1,155,000

Taking the difference of the total cost between the 2024 Plan (\$1,155,000) and the 2023 Plan (\$790,000), the result is \$365,000. Annualizing this result yields \$73,000.

Finally, the Corporation stated on its Budget Form 3 that it seeks an excess levy appeal of \$170,000 for its Operations Fund.

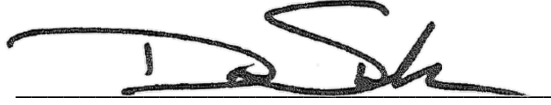
Indiana Code § 6-1.1-20.6-9.5 prohibits local units from increasing their levies to make up for losses due to circuit breaker credit. Thus, the Department cannot accept the Corporation’s claim that circuit breaker credits is affecting their transportation expenses. The Department acknowledges that there is sufficient evidence to support an excess levy on the basis of bus replacement costs.

Therefore, the Department approves an increase to the operations fund maximum levy in the amount of \$73,000. This is the result of the calculation for the amended bus replacement plan, which does not exceed the amounts advertised and requested by the Corporation.

This is a one-time, permanent increase.

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**WITNESS MY HAND AND SEAL** of this Department on this 17 day of November, 2023.

A handwritten signature in black ink, appearing to read 'D. Shackle', written over a horizontal line.

**Daniel Shackle, Commissioner**