

## **IC 20-23-12**

### Chapter 12. Election of Governing Body Members in Gary

#### **IC 20-23-12-1**

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

Sec. 1. IC 20-23-8 does not apply to:

- (1) a school corporation; or
- (2) the governing body of a school corporation;

covered by this chapter.

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

#### **IC 20-23-12-2**

##### **"School corporation"**

Sec. 2. As used in this chapter, "school corporation" means a school corporation that is located in a city having a population of more than ninety thousand (90,000) but less than one hundred five thousand (105,000).

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

#### **IC 20-23-12-3**

##### **Governing body; members**

Sec. 3. (a) The governing body of the school corporation consists of seven (7) members elected as follows:

- (1) On a nonpartisan basis.
- (2) In a general election in the county.

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

- (1) is elected from the school district in which the member resides; and
- (2) upon election and in conducting the business of the governing body, represents the interests of the entire school corporation.

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

- (1) is the at-large member of the governing body;
- (2) may reside in any of the districts drawn under section 4 of this chapter; and
- (3) upon election and in conducting the business of the governing body, represents the interests of the entire school corporation.

*As added by P.L.1-2005, SEC.7. Amended by P.L.179-2011, SEC.21.*

#### **IC 20-23-12-4**

##### **Districts**

Sec. 4. The districts are drawn on the same lines as the common council districts referred to in IC 36-4-6-3.

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

#### **IC 20-23-12-5**

##### **Candidates for district positions on governing body; election**

Sec. 5. (a) The six (6) members who are elected for a position on

the governing body described under section 3(b) of this chapter are determined as follows:

(1) Each prospective candidate must file a nomination petition with the board of elections and registration not earlier than one hundred four (104) days and not later than noon seventy-four (74) days before the election at which the members are to be elected that includes the following information:

(A) The name of the prospective candidate.

(B) The district in which the prospective candidate resides.

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

(D) The fact that the prospective candidate is running for a district position.

(E) A certification that the prospective candidate meets the qualifications for candidacy imposed by this chapter.

(2) Only eligible voters residing in the district may vote for a candidate.

(3) The candidate within each district who receives the greatest number of votes in the district is elected.

(b) The at-large member elected under section 3(c) of this chapter is determined as follows:

(1) Each prospective candidate must file a nomination petition with the clerk of the circuit court at least seventy-four (74) days before the election at which the at-large member is to be elected. The petition must include the following information:

(A) The name of the prospective candidate.

(B) The signatures of at least one hundred (100) registered voters residing within the school corporation.

(C) The fact that the prospective candidate is running for the at-large position on the governing body.

(D) A certification that the prospective candidate meets the qualifications for candidacy imposed by this chapter.

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

(3) The candidate who:

(A) runs for the at-large position on the governing body; and

(B) receives the greatest number of votes in the school corporation;

is elected to the at-large position.

*As added by P.L.1-2005, SEC.7. Amended by P.L.230-2005, SEC.79; P.L.1-2006, SEC.318.*

## **IC 20-23-12-6**

### **Residency requirements**

Sec. 6. (a) A candidate who runs for a position on the governing body described under section 3(b) of this chapter must reside in the school corporation district for which the candidate filed.

(b) A candidate who runs for the at-large position on the governing body described in section 3(c) of this chapter must reside in the school corporation.

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

#### **IC 20-23-12-7**

##### **Balloting procedures**

Sec. 7. The state board, with assistance from the county election board, shall establish:

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

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

#### **IC 20-23-12-8**

##### **Term of office**

Sec. 8. (a) The term of each person elected to serve on the governing body is four (4) years.

(b) The term of each person elected to serve on the governing body begins the January 1 that next follows the person's election.

*As added by P.L.1-2005, SEC.7. Amended by P.L.179-2011, SEC.22.*

#### **IC 20-23-12-9**

##### **Schedule of elections**

Sec. 9. The members are elected as follows:

- (1) Three (3) of the members elected under section 3(b) of this chapter are elected at the general election to be held in 2012 and every four (4) years thereafter.
- (2) Three (3) of the members elected under section 3(b) of this chapter are elected at the general election to be held in 2014 and every four (4) years thereafter.
- (3) The at-large member elected under section 3(c) of this chapter is elected at the general election to be held in 2012 and every four (4) years thereafter.

*As added by P.L.1-2005, SEC.7. Amended by P.L.179-2011, SEC.23.*

#### **IC 20-23-12-10**

##### **Vacancies**

Sec. 10. (a) A vacancy on the governing body is created when:

- (1) a member:
  - (A) dies;
  - (B) resigns from the governing body;
  - (C) ceases to be a resident of the school corporation;
  - (D) fails to attend, except for reason of chronic illness, six (6) regularly scheduled meetings of the governing body in any twelve (12) month period; or
  - (E) ceases to be a resident of the school district in which the member was elected; or
- (2) a vacancy is created under any other law.

(b) The governing body shall temporarily fill a vacancy on the governing body as soon as practicable after the vacancy occurs.

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

#### **IC 20-23-12-11**

**List of members and officers of school corporation**

Sec. 11. Before August 1 of each year, the school corporation shall file with the state superintendent a list of the:

- (1) names and addresses of members of the school corporation's governing body;
- (2) names and addresses of the school corporation's officers; and
- (3) expiration dates of the terms of the school corporation's members and officers.

The school corporation shall file any change in the list not later than thirty (30) days after the change occurs.

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