

Office of the Indiana Attorney General School Complaint Findings Report



Office of the Indiana Attorney General
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School Corporation Named in Complaint:	South Bend School Corporation
Address of School Corporation Named in Complaint:	215 S. Dr. Martin Luther King Jr., Blvd., South Bend, IN 46601
Name and Address of School Building in Complaint:	Hamilton Elementary School, 1530 Jackson Road, South Bend, IN 46614

Date Complaint Received by the Office of the Indiana Attorney General:	12/15/2021
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Complaint Detail from Complainant:

"SBCSC is violating Indiana Code 20-26-7.1-3(a)(2): a school corporation that ceases using a building previously used for public instruction must make the building available to charter schools before the school corporation may sell, exchange, lease, demolish, hold without operating, or dispose of the building. On June 24, 2019, SBCSC announced its intent to lease the former Hamilton Elementary School, which SBCSC ceased operating at the end of the 2018-19 school year, to the South Bend Hebrew Day School (HDS), a private school. On February 22, 2021, SBCSC announced its intent to close the Hay Elementary School, 19685 Johnson Road, South Bend, at the end of the 2020-21 school year. In June of 2021, SBCSC and HDS decided to exchange the Hamilton building for the Hay building: HDS leased the Hay building and surrendered its right to the Hamilton building. As a result, SBCSC is holding the Hamilton building, a vacant building, without having made it available to a charter school or having obtained certification from the Attorney General of compliance with IC 20-26-7.1."

Statutory Violations:

Based on our investigation, it could not be established that South Bend Community School Corporation is occupying or using Hamilton Elementary School, and SBCSC has not notified the Indiana Department of Education or made the building available for inspection by a charter school or state educational institution, in violation of IC 20-26-7.1-4(a).

Complaint Findings:

SUBSTANTIATED

UNSUBSTANTIATED