

Office of the Indiana Attorney General School Complaint Findings Report



Office of the Indiana Attorney General
Indiana Government Center South
302 W. Washington St., 5th Floor
Indianapolis, Indiana 46204
Phone: (317) 232-6201

School Corporation Named in Complaint:	Indianapolis Public Schools
Address of School Corporation Named in Complaint:	120 E. Walnut Street Indianapolis, IN 46204
Name and Address of School Building in Complaint:	Floro Torrence School 83, 5050 42nd Street, Indianapolis, IN 46226

Date Complaint Received by the Office of the Indiana Attorney General:	12/22/2022
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Complaint Detail from Complainant:

"1. The School Board failed to comply with Ind. Code § 20-26-7.1-4(a) by not timely notifying the Indiana Department of Education ("IDOE") within the ten (10) day statutory window after taking official action and passing the Rebuilding Stronger Resolution to close, no longer use, or no longer occupy Floro Torrence School 83 ("Floro Torrence") located at 5050 42nd Street, Indianapolis, IN 46226 ("Floro Torrence") (a school building which will cease to be used for classroom instruction) at end of 2022-2023 school year.

2. The School Board failed to comply with the statute by not seeking the required certification of compliance from the Attorney General within the fifteen (15) day statutory timeline pursuant to Ind. Code § 20-26-8.5. The statute requires a school corporation to seek certification pursuant to the requirements in Ind. Code § 20-26-7.1-8.5 "if a governing body passes a resolution to sell, exchange, lease, demolish, hold without operation, or dispose of a school building.""

Statutory Violations:

Indianapolis Public Schools (IPS) is not in violation of Ind. Code ch. 20-26-7.1 with Floro Torrence School 83 as it is still in use and occupied by the district. The building is not vacant upon inspection. IPS has provided sufficient documentary evidence to show the school is currently in use and that IPS intends to use Floro Torrence even after it ceases to use it for classroom instruction. Ind. Code § 20-26-7.1-3(a)(2)(A) requires a school corporation to make the building available if it is no longer in use or vacant, and Ind. Code § 20-26-7.1-3(b)(1)(A) does not require it to comply with the chapter if it intends to renovate the school building for future use by the corporation.

Complaint Findings:

SUBSTANTIATED ☐

UNSUBSTANTIATED ☒