



STATE OF INDIANA

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July 5, 2022

Nicola Mousdicas
Indiana Department of Education
100 N. Senate Ave., Ninth Floor
Indianapolis, IN 46601

Chad Ranney
Indiana State Board of Education
200 W. Washington St.
Indianapolis, Indiana 46204

RE: Complaint of Noncompliance with Ind. Code § 20-26-7.1 (Brown Intermediate Center)

Dear Ms. Mousdicas and Mr. Ranney:

On December 15, 2021, the Office of the Attorney General (OAG) received a complaint alleging South Bend Community School Corporation (SBCSC) was not in compliance with Indiana Code ch. 20-26-7.1, *Transfers of Vacant School Buildings to Charter Schools*, regarding Brown Intermediate Center (Brown). Ind. Code § 20-26-7.1-9(a) requires the OAG to investigate complaints of noncompliance with the chapter and issue findings indicating whether the complaint is substantiated or unsubstantiated. In February, the OAG issued substantiated findings regarding Brown.

SBCSC responded to the OAG's findings. Based on its initial and follow-up responses, at this time the OAG determines that SBCSC has provided sufficient documentary evidence to show Brown is currently in use and that the corporation has plans renovate Brown for a future use. 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. As the OAG finds SBCSC can meet both requirements, it has closed its file on Brown at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "John Walls".

John Walls
Chief Counsel, Advisory Division