



STATE OF INDIANA

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**TODD ROKITA**  
INDIANA ATTORNEY GENERAL

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 (Hamilton Elementary)

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 Hamilton Elementary School (Hamilton). 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 Hamilton.

SBCSC responded to the OAG's findings. Based on its initial and follow-up responses, the OAG determines that SBCSC **has not** provided sufficient documentary evidence to show it is currently making substantive use of Hamilton or that the school corporation has plans to renovate it for a future use. As the OAG affirms its substantiated findings, SBCSC should make Hamilton Elementary available to charter schools and state educational institutions pursuant to Ind. Code ch. 20-26-7.1. Pursuant to Ind. Code § 20-26-7.1-9(b), the OAG recommends the Indiana Department of Education and the State Board of Education take whatever action is necessary to facilitate that action, and the OAG can assist in any way to ensure compliance with Ind. Code ch. 20-26-7.1.

Sincerely,

A handwritten signature in black ink, appearing to read "John Walls", with a long horizontal flourish extending to the right.

John Walls  
Chief Counsel, Advisory Division