

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE
100 NORTH SENATE AVENUE
IGC-N, ROOM N1058
INDIANAPOLIS, INDIANA 46204**

**IN THE MATTER OF THE REVIEW OF)
PROPOSED LANGUAGE AND ESTIMATED)
RATE CERTIFICATION FOR A BALLOT) No. 18-029-REF-B
QUESTION REGARDING DEKALB COUNTY)
CENTRAL UNITED SCHOOL DISTRICT)**

**FINDINGS AND FINAL DETERMINATION ON PROPOSED QUESTION SUBMITTED
NOVEMBER 14, 2018**

1. On December 6, 2018, the Department of Local Government Finance (“Department”) approved a proposed ballot question submitted by the Steuben County Election Board (“Steuben Board”) regarding the proposal of the DeKalb County Central United School District (“District”) to issue bonds or enter into a lease to finance renovation of and improvements to James R. Watson Elementary School, DeKalb High School and DeKalb Middle School, including site improvements, and which is estimated to cost not more than \$37,600,000 and is estimated to increase the property tax rate for debt service by \$0.3391 per \$100 of assessed valuation. Subsequently, counsel for the District identified that the proposed question adopted by the Steuben Board did not match that of the DeKalb County Election Board (“DeKalb Board”), which the Department previously approved on November 26, 2018. On December 20, 2018, the Steuben Board submitted a revised question.
2. This Order amends and does not supersede the November 26 and December 6 orders.
3. Under Indiana law, the voters in the area served by the District will vote in a referendum to approve or deny borrowing for the project and raise property taxes to support it.
4. Indiana law governs the format and wording of the ballot question for the referendum. Indiana Code 6-1.1-20-3.6(c).
5. Under Indiana law, “the **following question shall** be submitted to the eligible voters at the election”:

“Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert a brief description of the controlled project), which is estimated to cost not more than _____ (insert the total cost of the project) and is estimated to increase the property tax rate for debt service by _____ (insert increase in tax rate as determined by the department of local government finance)?”

Indiana Code 6-1.1-20-3.6(c) (emphasis added).

6. The ballot question then must contain three parts:
 - a brief description of the project;
 - the estimated total project cost; and
 - the estimated tax rate increase for the project.
7. The law requires the Department to determine the estimate of the tax rate increase.
8. The law also requires the Department to either approve the ballot language or recommend that it be modified to ensure that the description of the controlled project is accurate and not biased.
9. The District is a cross-county school corporation located in DeKalb County and Steuben County. Therefore, per IC 6-1.1-20-3.6(c), the DeKalb Board and the Steuben Board must jointly adopt the proposed question and obtain approval from the Department.
10. The Steuben Board requested that the Department review this proposed question:

“Shall DeKalb County Central United School District issue bonds or enter into a lease to finance the renovation of and improvements to James R. Watson Elementary School, DeKalb High School and DeKalb Middle School, including site improvements, which is estimated to cost not more than \$37,600,000 and is estimated to increase the property tax rate for debt service in an amount of no more than \$0.3391?”

11. In its November 26 order, the Department erroneously stated the proposed question approved by the DeKalb Board. The actual proposed question is as follows:

“Shall DeKalb County Central United School District issue bonds or enter into a lease to finance the renovation of and improvements to James R. Watson Elementary School, DeKalb High School and DeKalb Middle School, including site improvements, which is estimated to cost not more than \$37,600,000 and is estimated to increase the property tax rate for debt service in an amount of no more than \$0.3391?”

12. For purposes of the DeKalb Board’s action, the Department’s previous approval in its November 26 order shall be applied to the proposed question as given above. The following is to be applied only to the Steuben Board’s action.

Determination of Tax Rate Increase

13. The Department previously certified the tax rate in its December 6 order.

Accuracy and Bias

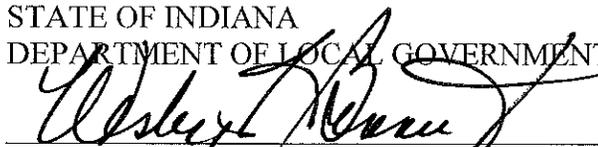
14. The Department must review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of or a vote against the controlled project. The Department concludes that in the proposed question adopted by the Steuben Board, the description of the controlled project is not biased against either a vote in favor of or a vote against the controlled project.
15. The Department notes that the differences made to this proposed question from what the Steuben Board previously adopted are intended by the Steuben Board to make this proposed question appear identical to the proposed question adopted by the DeKalb Board, which to reiterate the Department has already approved. As the proposed questions are identical, and the Department has previously approved the proposed question adopted by the DeKalb Board, no further review is necessary to ensure accuracy or bias with respect to the Steuben Board's question.

Final Determination

WHEREFORE, based on the above findings and applicable law, the Department finds that the proposed language adopted by the Steuben Board is in compliance with IC 6-1.1-20-3.6(c) and approves that language as proposed.

Dated this 27th day of December, 2018.

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE


Wesley R. Bennett, Commissioner
Department of Local Government Finance