

## **RESOLUTION 2018-4**

### **RESOLUTION OF THE DISTRESSED UNIT APPEAL BOARD AUTHORIZING THE PROVISION OF FINANCIAL SUPPORT TO MUNCIE COMMUNITY SCHOOLS PURSUANT TO INDIANA CODE 20-23-18-13**

WHEREAS, Indiana Code (“IC”) 6-1.1-20.3-4 establishes the Distressed Unit Appeal Board (“DUAB”); and

WHEREAS, under the authority of IC 6-1.1-20.3-7.1 (2017), DUAB designated Muncie Community Schools (“School Corporation”) as a distressed political subdivision on December 13, 2017, through DUAB Resolution 2017-3; and

WHEREAS, House Enrolled Act 1315(ss) was signed into law on May 14, 2018; and

WHEREAS, House Enrolled Act 1315(ss) creates a new chapter of Indiana Code, IC 20-23-18, which was effective upon passage; and

WHEREAS, IC 20-23-18-1 allows the Ball State University Board of Trustees (“BSU Board”) to adopt a resolution by June 1, 2018, to take advantage of the relationship between Ball State University and the School Corporation; and

WHEREAS, the BSU Board adopted such resolution on May 16, 2018; and

WHEREAS, through DUAB Resolution 2018-1, DUAB terminated the School Corporation’s designation as a distressed political subdivision on June 4, 2018, with such termination being effective on July 1, 2018; and

WHEREAS, IC 20-23-18-13(a) states that, during the period of July 1, 2018 through June 30, 2020, DUAB may provide financial support to the School Corporation in an amount that does not exceed the amount of compensation that would have been provided to an emergency manager of the School Corporation if the School Corporation had retained the designation of a distressed political subdivision; and

WHEREAS, IC 20-23-18-13(b) states that such financial support may not exceed one million dollars (\$1,000,000); and

WHEREAS, IC 20-23-18-13(c) provides that such financial support shall be provided directly to the School Corporation;

NOW, THEREFORE, BE IT RESOLVED that the Distressed Unit Appeal Board authorizes the provision of financial support to the School Corporation in the following amounts:

- State Fiscal Year 2019 - \$500,000; and
- State Fiscal Year 2020 - \$500,000;

BE IT RESOLVED that such payments shall be made as soon as practicable after the start of the State Fiscal Year directly to the School Corporation; and

BE IT RESOLVED that the payment due in State Fiscal Year 2020 is contingent on the Indiana General Assembly appropriating sufficient funds, as determined by the State Budget Director, to cover the cost of this support plus the other expenses and obligations of DUAB. If the State Budget Director determines that the Indiana General Assembly has not appropriated sufficient funds, DUAB shall not be obligated to provide financial support to MCS in that year.

Adopted by the Distressed Unit Appeal Board on November 15, 2018, by vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**DISTRESSED UNIT APPEAL BOARD**

\_\_\_\_\_  
Micah Vincent, Chairman

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Paul Joyce, State Examiner

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Dr. Jennifer McCormick, Superintendent of Public  
Instruction

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Wesley R. Bennett, Commissioner, Department of  
Local Government Finance

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Rebecca Kubacki, Governor's Appointee