

## LEGAL SERVICES INFORMATION – JANUARY SCHOOL BOARD MEETINGS

### BOARD MEMBER OATH OF OFFICE REQUIREMENTS:

Any elected or appointed school board members taking office January 1, 2025, must take the oath of office found at [IC 20-26-4-2](#) before assuming the official duties of office. Please note that this requirement applies to both first-time and repeat board members who are beginning another four-year term. The requirement to take the oath of office does not apply to a board member who is remaining on the school board due to the “holdover” provision of Article 15, Section 3 of the Indiana Constitution. (See [IC 5-4-1-1.2](#))

The oath must be administered by a notary public or other qualified person. (See [IC 33-42-9-7](#)) The oath must be signed by the board member and the person who administers it. The signed oath must be filed with the circuit court clerk’s office of the county containing the greatest percentage of the population of the school corporation after it is administered. (See [IC 5-4-1-4](#))

The oath may be administered at any time after being elected or appointed and may be administered privately or at a school board meeting. The oath must be taken and filed within 30 days after the beginning of the board member’s term, otherwise the office becomes vacant. (See [IC 5-4-1-1.2](#))

### BOARD ORGANIZATION REQUIREMENTS:

Every school board must elect a president, a vice president, and a secretary not more than 15 days after the start date of the members’ terms of office. Since most board members’ terms begin January 1, the majority of boards must meet by January 16, 2025, to elect these officers. The board must also appoint a treasurer of the board and the school corporation. The person appointed as treasurer may not be a member of the school board and may not be the superintendent. (See [IC 20-26-4-1](#))

While not required by statute, many boards review their compensation at the organization meeting. Board members may receive up to \$2000 per year for their service plus a per diem. ((See [IC 20-26-4-7](#)) For those school boards that have adopted per diem rates for attendance at school board meetings, **the maximum rates for 2025 continue to be \$150 for regular meetings**, which are those meetings established by board resolution, **and \$75 for other meetings**, such as special meetings, executive sessions, and committee meetings. Please note the position of the State Board of Accounts regarding board member compensation, as stated in [The School Administrator](#) (Volume 231, Page 6, September 2020).

### BOARD OF FINANCE - ANNUAL MEETING REQUIREMENTS:

Indiana law requires the board of finance to meet annually after the first Monday in January and on or before the last day of January. (See [IC 5-13-7-6](#) ) For school corporations, the board of school trustees is also the board of finance. (See [IC 5-13-7-5](#))

The board of finance must conduct the following business at its annual meeting:

- (1) The board must elect a president and secretary. (See [IC 5-13-7-6](#))
- (2) The board must review a written report that summarizes the investments made by the school corporation during the 2024 calendar year. The written report must be prepared by the investment officer. (See [IC 5-13-7-7](#))
- (3) The board must review the overall investment policy of the school corporation. (See [IC 5-13-7-7](#))
- (4) The board must receive and review a written report on the financial condition of the school corporation. This report must be given by the superintendent or the superintendent's designee. In reporting on the school corporation's financial condition, the superintendent/designee must use the fiscal and qualitative indicators determined under IC 20-19-7-4 by the fiscal and qualitative indicators committee. (See [IC 5-13-7-8](#))

The Distressed Unit Appeal Board ("DUAB") has released the annual update of the School Corporation Fiscal Indicators with calendar year 2023 financial information. The dashboard can be accessed at [www.in.gov/duab/school-corporation-fiscal-indicators](http://www.in.gov/duab/school-corporation-fiscal-indicators).

#### **ADVERTISING REQUIREMENTS:**

Both the organization meeting and the board of finance meeting must be open to the public and advertised in accordance with the Open Door Law ([IC 5-14-1.5](#)). The meetings may take place on the same date, but ISBA recommends that the meetings be advertised at different times. For example, the board of finance meeting could be advertised for 6:30PM and the regular school board meeting could be advertised for 7PM.

Please feel free to contact the ISBA Legal Staff if you have questions.