



INDIANA STATE BOARD OF EDUCATION

MEMORANDUM

To: Indiana State Board of Education
From: Timothy Schultz, Deputy General Counsel, Assigned Hearing Officer
Date: April 15, 2016
RE: Gary Lighthouse Charter School Grade Appeal 3-12016

Recommendation: Deny Gary Lighthouse Charter School's Grade Appeal.

This matter concerns Gary Lighthouse Charter School's ("GLCS") appeal of its 2014-2015 performance and improvement category grade ("grade") pursuant to IC 20-31-8-6 and 511 IAC 6.2-6-12. Specifically, GLCS is appealing the school's assigned college and career readiness score of 0.0 points. The college and career readiness score is governed by 511 IAC 6.2-6-5.3(v) and -5.3(w). Pursuant to this administrative rule, the college and career readiness score is calculated as follows:

(v) A school's college and career readiness score shall be based on the percentage of students described in subsection (u) who accomplished any of the following:

- (1) Passed an AP exam with a score of 3, 4, or 5.
- (2) Passed an IB exam with a score of 4, 5, 6, or 7.
- (3) Earned three (3) college credits as defined in section 0.5 of this rule.
- (4) Obtained an industry certification as defined in section 0.5 of this rule.
- (5) Any other benchmarks approved by the board and published in accordance with section 4 of this rule.

(w) A school's college and career readiness score shall be determined by the percentage of students described in subsection (v) in accordance with the following:

- 25.0 - 100% = 4.00 points
- 18.4 - 24.9% = 3.00 points
- 11.7 - 18.3% = 2.00 points
- 5.0 - 11.6% = 1.00 points
- 0.0 - 4.9% = 0.00 points.

This score is then combined with several other factors to determine a school's annual grade. *See* 511 IAC 6.2-6-5.3(x) and -5.3(y).

GLCS acknowledges that prior to the 2014-2015 school year, the school's low college and career readiness score accurately reflected the services offered by the school. However, as explained during its appeal hearing, GLCS's administration underwent a major overhaul approximately 2 years ago in order to address certain school performance issues. As part of the transition, GLCS hired and placed turnaround leaders in each building. Additionally, the school devoted considerable resources to address its lack of a dual credit and advanced placement programs.

Due to GLCS's restart, beginning in the 2014-2015 school year, GLCS claims that its 2014-2015 college and career readiness score does not accurately reflect the school's efforts to improve its college and career readiness metrics. In support of this contention, GLCS's asserted that during the 2014-2015 school year 49 students, or 46% of the senior class, were enrolled in a dual credit class. Further, GLCS expects 28 students, or 26.9% of the senior class, to graduate this year with at least 1 dual credit course (equal to 3 credit hours). Additionally, GLCS noted that it has devoted more resources to the advance placement program, resulting in numerous students receiving advance placement credits during the 2014-2015 school year. Furthermore, during the current school year the advance placement program has expanded from 3 courses to 4, and has over 200 students currently enrolled in the program. GLCS also explained that its focus has not been limited to the dual credit and advanced placement programs. GLCS is expecting one student to graduate in the 2015-2016 school year with an associate's degree from IVY Tech, and another 6 students graduating with a 1 year (30 credits) Core Transfer Certification. GLCS anticipates a student graduating with a welding certification, and almost a dozen students on track to graduate with a Technical Honors/Industry Certification.

Based on GLCS's contentions presented as part of its appeal, it is apparent that the school is making significant progress, and it should be commended for such progress. Unfortunately, GLCS's appeal lacks legal support to amend the schools 2014-2015 grade. The reason the appeal must fail is due to the manner in which grades are calculated. Certain factors that are used to calculate a school's overall grade are based on information that is collected in arrears. One of those factors is the college career and readiness score. The reason this score is calculated in arrears is due to IC 20-26-13-7, which explains that a "reporting year refers to the period beginning October 1 of a year and ending September 30 of the following year." As data that affects a school's college and career readiness score is not available until October of a given year, using such data to calculate a school's performance grade that needs to be finalized shortly thereafter is simply not feasible. Indeed, the State Board of Education has acknowledged this issue, explaining that a legislative fix would be necessary allow college career readiness scores to reflect current year results. *See* LEGISLATIVE AGENDA RECOMMENDATIONS – ACTION ITEM, at pg. 3, December 3, 2014, located at http://www.in.gov/sboe/files/2014-12-03_SBOE_Legislative_Agenda_-_Committee_Recommendations.pdf.

Thus, the manner in which the college and career readiness score is calculated is the reason why GLCS's appeal must fail. While it seems the school has been making significant progress beginning in the 2014-2015 school year, it is the results from the 2013-2014 school year that determine the score subject to this appeal. GLCS's score was calculated in the same manner as all other schools. While GLCS's 2014-2015 grade might not reflect the recent progress the school is making in regards to its college and career readiness metrics, it is not feasible to create a unique grading system for only one school. For the reasons stated above, the SBOE should deny this appeal.

Timothy Schultz, Deputy General Counsel
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