



# INDIANA STATE BOARD OF EDUCATION

**To:** Indiana State Board of Education

**From:** Chad E. Ranney, Deputy General Counsel – Indiana State Board of Education

**Date:** September 2, 2020

**Re:** **Latch Key Program Waiver Request – East Noble School Corporation**

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**Recommendation: Approve the Latch Key Program Waiver Request.**

East Noble School Corporation (“East Noble”) is seeking approval of a school-age child care program requirement waiver for the 2020-2021 school year. Approval by the Indiana State Board of Education (“Board”) is required for Latch Key program waivers under IC 20-26-5-2.

School-age child care programs, commonly known as Latch Key programs, are programs which provide care and education for children of working parents. This program is designed to be a link between the home and the school. Certified, qualified and experienced child care providers supervise, teach and interact with children to ensure that they are cared for, supervised, exposed to many learning activities, allowed to complete homework and share enjoyment in a relaxed and carefully designed developmentally appropriate environment.

A school corporation may seek a waiver from the child care program requirement if the school corporation believes compliance with the requirement would result in “undue hardship.” IC 20-26-5-2(c) explains:

(c) A school corporation shall receive a waiver from the state board of the requirement under subsection (a) if the school corporation believes that the school corporation would experience an undue hardship due to a low number of eligible children intending to use a child care program, regardless of whether the child care program is conducted by the school corporation or under a contractual agreement. **To receive a waiver, the school corporation must include a detailed description of the school corporation’s attempt to implement a child care program including the following:**

(1) A description of the steps taken to:

(A) conduct a child care program described in subsection (a)(1); or

(B) actively solicit nonprofit organizations or for-profit organizations to implement a child care program as provided in subsection (a)(2).

(2) Evidence that a request in writing was made to each parent to contact the school corporation to indicate the parent’s willingness to use a child care program and documentation of the results received from parents.

In other words, to be eligible for such a waiver, the school corporation must demonstrate that it has made a good-faith effort to determine the feasibility of creating such a program as well as parent interest in utilizing a Latch Key program.

The Indiana Department of Education’s (“Department”) publicized deadline for all waiver requests is September 1 of each year.<sup>1</sup> East Noble’s Latch Key program waiver request was submitted prior to the deadline.

East Noble provided all supporting documentation required, including:

- A written description of the steps taken to determine the feasibility of a Latch Key program and/or to actively solicit other non-profit or for-profit organizations to implement the program.
- Evidence that a request in writing was made to all parents to contact the school corporation to indicate their willingness to utilize the Latch Key program and documentation of any parental survey results.
- Analysis of parent interest and projected attendance from the implementation of such a program.
- The nature of the hardship that the school corporation would experience due to a low number of eligible children intending to utilize the Latch Key program services.

The Department has deferred to the Board’s discretion for approval or rejection of East Noble’s waiver requests for the 2020-2021 school year.

**Recommendation:** Because IC 20-26-5-2(c) states that a “school corporation shall receive a waiver” if it provides the information outlined in the statute, Board staff recommends granting the waiver.

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<sup>1</sup> See <https://www.doe.in.gov/21stccle/latch-keyschool-age-child-care-program>.

## INDIANA STATE BOARD OF EDUCATION ACTION

The Indiana State Board of Education, at its September 2, 2020 meeting, approved East Noble School Corporation's request for a waiver submitted to the Board pursuant to IC 20-26-5-2.

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Indiana State Board of Education  
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**INDIANA STATE BOARD OF EDUCATION**

**WAIVER FORM**

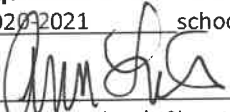
Indiana State Board of Education  
School-Age Child-Care Program Waiver  
Submission Date: August 5, 2020

Deadline: September 1<sup>th</sup> (Annually)

East Noble School Corporation requests a waiver of the requirement that it make a school-age child-care program available to all children in Kindergarten through Grade Six as required by IC 20-26-5-2, because the school corporation would experience an undue hardship due to the low number of eligible children intending to use the child care program. In support of this request, the school corporation submits the following detailed description of its attempt to implement a child care/latchkey program:

1. A description of the steps taken by the school corporation to conduct a latch-key program or to actively solicit other nonprofit organizations or for-profit organizations to implement the program as described in IC 20-26-5-2(a). [IC 20-26-5-2(c)(1)]
2. Evidence that a request in writing was made to all parents to contact the school corporation to indicate their willingness to utilize the latch-key program. Attach a copy of the survey along with documentation of the results received from parents in this regard. [IC 20-26-5-2(c)(2)]
3. The nature of the hardship that the school corporation would experience due to a low number of eligible children intending to utilize the services of the latch-key program, as described in item 2 of this request, regardless of whether the latch-key program is conducted by the school or under a contractual agreement. [IC 20-26-5-2(c)]

**The school corporation believes that the hardship described in item 3 of this request constitutes an undue hardship, and requests that the Indiana State Board of Education grant a waiver of the requirements of IC 20-26-5-2 for the 2020/2021 school year.**

  
\_\_\_\_\_  
(Superintendent's Signature)

Ann Linson  
\_\_\_\_\_  
(Superintendent's Name Printed)

East Noble School Corporation, 126 W. Rush Street  
\_\_\_\_\_  
(Address)

Kendallville, IN 46755  
\_\_\_\_\_  
(City) (Zip)

(260) 347-2502  
\_\_\_\_\_  
(Area Code) (Telephone number)

August 5, 2020

Cole Dietrich  
Indiana Department of Education  
South Tower, Suite 600  
115 W. Washington Street  
Indianapolis, IN 46204

East Noble School Corporation is formally requesting a waiver from the child care program requirement outlined in I.C. 20-26-5-2. East Noble School Corporation is comprised of five elementary schools that reside in three distinct geographical locations within the corporation boundaries. Three schools are located in Kendallville, one in Avilla and one in Rome City, Indiana. As in past years, the Cole Center Family YMCA has provided before and after school care for our students at their facility in Kendallville, IN and East Noble School Corporation provides bussing to and from each school location. Appletree Daycare and Kendallville Daycare provide off-site pre and aftercare utilizing a mixture of East Noble bussing and facility van transportation for pick up and drop off of students.

Providing on-site care for such a small number of students presents a financial hardship for the providers. We have used a minimum number of 15 students in the past to determine if on-site care is a financially sound choice. We have offered on-site programs in the past and then were forced to suspend care in the middle of the school year when enrollment drops below 10 students. It is more disruptive to families to change care routines in the middle of the year than to use a central location for services. By transporting all students to one facility, the provider's employees and resources are centrally located and more opportunities can be offered to all students.

In total, the district received 18 responses across the five elementary schools. At the time of the survey, parents and the school corporation did not know if school would even resume in August 2020 due to COVID-19. With changes this year due to COVID-19, approximately 12% of the elementary age student body has opted for online learning and will not be in attending school in-person. This reduction in students has lowered the already small requests for care.

Becca Lamon



Assistant Superintendent  
East Noble School Corporation

# ENSC *Great Students Great Schools Great Communities*

**East Noble School Corporation**

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May 1, 2020

Dear Families,

Indiana State Law (IC 20-26-5-2) requires school corporations in Indiana to offer child care programs for students in Grades K-6, if such programs are needed. With an interest in better serving the community, East Noble School Corporation is exploring whether there is enough interest to offer an affordable, high quality after school program at Rome City Elementary through a partnership with an outside provider.

If your family is interested in learning more about after school programming for K-5 students at Rome City Elementary School for the 2020-2021 school year, please complete the brief survey below and return to the school office before May 29, 2020.

1. At a cost of \$8 per afternoon, are you interested in utilizing an after-school program offered at Avilla Elementary for the 2020-2021 school year?

Yes     No     Maybe

2. How many students in your household are you potentially seeking care for? \_\_\_\_\_

3. How many days each week would you expect your child(ren) to attend our program?

1-3 days/week     4-5 days/week

4. Until which time in the evening would you need after school child care?

4:00 PM     4:30 PM     5:00 PM     5:30 PM     6:00 PM

To guarantee an after-school program for the 2020-2021 school year, it is our goal to serve a minimum of ten students daily. Please provide your contact information below so that we may share pertinent registration details with you, if we are able to sustain a program.

Name of Parent/Guardian: \_\_\_\_\_ Student Name(s)/Grade(s) \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Questions you would like answered:

126 West Rush Street, Kendallville, IN 46755 \* 260-347-2502  
www.eastnoble.net