



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education

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

Date: July 11, 2018

Re: **Latch Key Program Waiver Request – Greensburg Community Schools**

Recommendation: Approve the Latch Key Program Waiver Request.

Greensburg Community Schools (“Greensburg”) is seeking approval of a school-age child care program requirement waiver for the 2018-2019 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 1st of each year.¹ Greensburg’s Latch Key program waiver request was submitted June 14, 2018.

Greensburg 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 Greensburg’s Latch Key program waiver request for the 2018-2019 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.

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