

**BEFORE THE INDIANA
STATE BOARD OF EDUCATION**

IN THE MATTER OF:)	
)	Cause No. 20-226
CALUMET CHRISTIAN SCHOOL)	
(SCHOOL #B815),)	REQUEST PURSUANT TO
)	IC 20-51-4-9
PETITIONER)	
)	

**COMBINED FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND
PROPOSED DETERMINATION**

Calumet Christian School is requesting a waiver, the effect of which is to suspend A-F consequences for the 2020-2021 school year, pursuant to IC 20-51-4-9. The undersigned recommends the waiver request be granted.

I. Basis for Agency Review

During the 2017 legislative session, the Indiana General Assembly enacted P.L. 251-2017, which, in relevant part, amended IC 20-51-4-9 to include subsection (b). Subsection (b) permits an eligible school that is subject to the consequences imposed under IC 20-51-4-9(a) to request that the State Board of Education (“Board”) waive those consequences for one year.

A. Consequences under IC 20-51-4-9(a)

In general, an eligible school may accept choice scholarship funds from eligible choice scholarship students enrolled at the school. However, an eligible school that receives any combination of Ds or Fs in consecutive years shall have its ability to enroll new choice scholarship students suspended. Under subsection (a), the eligible school’s ability to enroll new choice scholarship students shall remain suspended until the eligible school receives a C or better in consecutive years.

B. Requests for a Waiver or Delay of Consequences under IC 20-51-4-9(b)

Indiana Code § 20-51-4-9(b) affords eligible schools an opportunity to seek a waiver from the Board to avoid the consequences imposed under subsection (a). Pursuant to IC 20-51-4-9(b), an eligible school that is subject to the consequences imposed under subsection (a) may submit a request to the Board to waive or delay the consequences for a period of one year. In order to obtain the waiver, subsection (b) provides, in relevant part, that the Board “may grant a request to an eligible school that requests a waiver or delay under this subsection **if the eligible school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year.**” (emphasis added).

In other words, the Board’s ability to grant an eligible school’s request for a waiver is contingent upon whether the eligible school satisfies the legal threshold by showing that a majority

of students demonstrated academic improvement during the preceding year. Waivers can only be granted for one year; however, a school may return to the Board and ask for a waiver the following year until the school is removed from consequences under the statute.

II. Combined Findings of Fact and Conclusions of Law

Calumet Christian School (“Calumet”) is a K-12 nonpublic school in Griffith, Indiana. Because Calumet has been assigned one of the lowest two letter grades for three consecutive years, absent a waiver, the school’s ability to receive choice scholarship funds for new students will be suspended until the school receives two consecutive grades that are a C or higher. *See* IC 20-51-4-9(a)(2). Mr. Daniel Obinger, Calumet’s Administrator, submitted a request for a waiver of consequences based on the improvement of a majority of students from prior year.

Data from IDOE show Calumet received a D (63.9 points) for the 2017-2018 school year and a D (68.2 points) for the 2018-19 year, showing an improvement in total points. Further, if an N-size of zero is used for the 2018-19 school year, Calumet would have a C grade with 75.3 total points.

Calumet’s student growth data show the following:

Grades 3-8

2018/2019 ELA GROWTH			
	LOW	STANDARD	HIGH
Number			
Percent	42.5%	35.0%	22.5%

2018/2019 MATH GROWTH			
	LOW	STANDARD	HIGH
Number			
Percent	27.5%	30.0%	42.5%

Grade 10

2018/2019 ELA GROWTH			
	LOW	STANDARD	HIGH
Number			
Percent	14.3%	14.3%	71.4%

2018/2019 MATH GROWTH			
	LOW	STANDARD	HIGH
Number			
Percent	14.3%	14.3%	71.4%

As demonstrated by these charts, more than majority of Calumet’s students have shown standard plus high growth across the board – 57.5% in grades 3-8 ELA; 72.5% in grades 3-8 math; 85.7% grade 10 ELA; and 85.7% grade 10 math. Therefore, based on 1) growth data, 2) the improvement of total points, and 3) Calumet earning a C grade with a zero N-size, the undersigned recommends granting the waiver request.

Brian M Murphy

Brian Murphy, Executive Director, SBOE