



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education Members
From: Timothy Schultz, General Counsel Indiana State Board of Education
Date: April 4, 2018
RE: Faith Academy Waiver Request

I. Summary of the Applicable Law.

Pursuant to IC 20-51-4, certain nonpublic schools may qualify for choice scholarship funds. These qualifying schools are referred to as “eligible schools”.¹ However, eligible schools receiving choice scholarship funds that are placed in the lowest two grade designations for consecutive years will have their ability to receive choice scholarship funds suspended. Indiana Code 20-51-4-9(a) reads:

(a) Except as provided in subsection (b), the department shall enforce the following consequences for an eligible school that is nonpublic:

(1) If the school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-3 for two (2) consecutive years, the department shall suspend choice scholarship payments for one (1) year for new students who would otherwise use a choice scholarship to attend the school.

(2) If the school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-3 for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for two (2) consecutive years.

(3) If the school is placed in the lowest category or designation under IC 20-31-8-3 for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for three (3) consecutive years.

(4) Students who:

(A) are currently enrolled at a school described in subdivision (1), (2), or (3); and

(B) qualify for a choice scholarship for the upcoming school year; may continue to receive a choice scholarship at the school.

Based on the language contained in IC 20-51-4-9(a), eligible schools are subject to three categories of consequences as demonstrated by the following chart:

¹ IC 20-51-1-4.7

“Eligible school” refers to a public or nonpublic elementary school or high school that:

- (1) is located in Indiana;
- (2) requires an eligible choice scholarship student to pay tuition or transfer tuition to attend;
- (3) voluntarily agrees to enroll an eligible choice scholarship student;
- (4) is accredited by either the state board or a national or regional accreditation agency that is recognized by the state board;
- (5) administers the Indiana statewide testing for educational progress (ISTEP) program under IC 20-32-5;
- (6) is not a charter school or the school corporation in which an eligible choice scholarship student has legal settlement under IC 20-26-11; and
- (7) submits to the department only the student performance data required for a category designation under IC 20- 31-8-3.

	Yellow = a warning year		Red = a consequence year, no new students	Green = consequences have been lifted, school can accept new Choice Scholarship Students			
	Year 1 & 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Category 1 Consequences	Any combination of D's or F's. School will be placed in Category 1 of Consequences during Year 4.	As a result of school grades being issued in late fall or early winter, schools will not know if they qualify for consequences in this year and will be able to accept new Choice Scholarship students while awaiting grades.	<u>Category 1 Consequences imposed.</u> School may not receive new Choice Scholarship students in year 4. Schools will receive grades for Year 3 during the late fall or early winter of Year 4. If school receives a C during Year 3, then the Category 1 Consequences will be lifted in Year 5.	<u>Category 1 Consequences have ended.</u> School may accept new Choice Scholarship students.			
Category 2 Consequences	Any combination of D's or F's. School will be placed in Category 1 of Consequences during Year 4.	As a result of school grades being issued in late fall or early winter, schools will not know if they qualify for consequences in this year and will be able to accept new Choice Scholarship students while awaiting grades.	<u>Category 1 Consequences imposed.</u> School may not receive new Choice Scholarship students in Year 4. Schools will receive grades for Year 3 during the late fall or early winter of Year 4. If school receives a D or F during Year 3, then school will be placed in Category 2 Consequences.	<u>Category 2 Consequences imposed.</u> School may not receive new Choice Scholarship students in Year 5. School must receive a C or better for two consecutive years to end Category 2 Consequences.	As a result of school grades being issued in late fall or early winter, a school will not know if they have received a C or better for two consecutive years prior to the start of Year 6. Thus, Category 2 Consequences remain in effect and school will not be able to accept new Choice Scholarship students while awaiting Year 5 grade.	If school receives two consecutive Cs or better in Years 4 and 5, the <u>Category 2 Consequences will end</u> and school may accept new Choice Scholarship students for Year 7.	
Category 3 Consequences	Two consecutive F's. School will be placed in Category 1 of Consequences during Year 4.	As a result of school grades being issued in late fall or early winter, schools will not know if they qualify for consequences in this year and will be able to accept new Choice Scholarship students while awaiting grades.	<u>Category 1 Consequences imposed.</u> School may not receive new Choice Scholarship students in Year 4. Schools will receive grades for Year 3 during the late fall or early winter of Year 4. If school receives an F during Year 3, then school will be placed in Category 3 Consequences.	<u>Category 3 Consequences imposed.</u> School may not receive new Choice Scholarship students in Years 5 and 6. School must receive a C or better for three consecutive years to end Category 3 Consequences.		As a result of school grades being issued in late fall or early winter, a school will not know if they have received a C or better for three consecutive years prior to the start of Year 7. Thus, Category 3 Consequences remain in effect and school will not be able to accept new Choice Scholarship students while awaiting Year 6 grade.	If school receives three consecutive Cs or better in Years 4, 5, and 6, the <u>Category 3 Consequences will end</u> and school may accept new Choice Scholarship students for Year 8.

II. Ability to Request a Waiver of Consequences.

The legislature enacted P.L. 251, which permits eligible schools to submit a request to the Indiana State Board of Education (“Board”) to waive or delay the consequences contained in IC 20-51-4-9(a). Specifically, P.L. 251 amended IC 20-51-4-9 to include the following provision:

(b) An eligible school may submit a request to the state board to waive or delay consequences imposed under subsection (a) for a particular school year. The state 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**. A waiver or delay granted to an eligible school under this subsection is for one (1) school year only. An eligible school must make an additional request under this subsection to the state board to receive further delay or waiver of consequences imposed under subsection (a).

Thus, IC 20-51-4-9(b) permits an eligible school to request the ability to avoid consequences and continue accepting new choice scholarship students, despite receiving consecutive D’s or F’s, if the school can show that a majority of the school’s students demonstrated “academic improvement during the preceding school year.” As of the date of this memo, the Board has not adopted a standard to determine if an eligible school has demonstrated academic improvement during the preceding year.

It is important to note that the newly added language states that any waiver granted by the Board will be for one year only. The receipt of a waiver does not reset a school’s grades. If a school is in a situation in which it needs to achieve three consecutive C’s or better, and it is granted a waiver, the school will need to continue asking for waivers until it has received the necessary consecutive grades to be taken out of the consequence categories contained in IC 20-51-4-9(a).

III. The Waiver Request.

Faith Academy (“Faith”) has submitted a waiver request to the Board pursuant to IC 20-51-4-9(b), seeking a waiver for the 2018-19 school year.

A. Faith’s Waiver Request.

Faith received a “D” for the 2015-16 school year but received an “F” for the 2016-17 school year. As Faith received a combination of a “D” and/or “F” for two consecutive years, its ability to receive choice scholarship students has been suspended until the school receives a “C” or higher grade. IC 20-51-4-9(a)(1).

2015-2016 Indicators

	Points	Weight	Weighted Points
Performance Domain Grades 3-8	41.15	0.500	20.58
Performance Domain Grade 10	0.00	0.000	0.00
Growth Domain Grade 4-8	95.60	0.500	47.80
Growth Domain Grade 9-12	0.00	0.000	0.00
Multiple Measures Domain Grade 12	0.00	0.000	0.00
Overall points			68.4
Overall grade			D

2016-2017 Indicators

	Points	Weight	Weighted Points
Performance Domain Grades 3-8	21.60	0.500	10.80
Performance Domain Grade 10	0.00	0.000	0.00
Growth Domain Grade 4-8	82.00	0.500	41.00
Growth Domain Grade 9-12	0.00	0.000	0.00
Multiple Measures Domain Grade 12	0.00	0.000	0.00
Overall points			51.8
Overall grade			F

Supplemental Data Submission: Faith has provided the attached supplemental information to support its waiver request. Additionally, Faith’s 2015-2016 and 2016-2017 report cards, available on the Indiana Department of Education’s COMPASS website <https://compass.doe.in.gov/dashboard/overview.aspx>, are also included for the Board’s consideration.

If the Board determines that Faith has demonstrated that a majority of the school’s students demonstrated academic improvement during the preceding school year, the Board may grant the waiver request.



Faith Temple of Christ

7601 Whitcomb St. Merrillville, Indiana 46410
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www.faithtempleofchrist.org



March 15, 2018

Greetings Mr. Keller and Ms. Erbse,

We received a letter stating that we would not be able to enroll new students for the upcoming school year due to academic performance. We would like to appeal the decision to place a moratorium on enrollment for Faith Academy for the upcoming 2018-2019 School Year. Faith Academy has been in existence for a period of 6 years. There are many extenuating circumstances surrounding what appears to be academic decline. Based on these circumstances we would like the opportunity to remediate our approach in meeting the needs for our children. A disruption in enrollment would inevitably cause further decline in student academic performance due to the lack of human and financial resources that our children need. The following reflect the many challenges that we have experienced, but more importantly the progress that we have made towards improvements.

Choice Voucher System

The State of Indiana's Choice Voucher system is intended to give students from failing schools an opportunity to attend private schools that parents otherwise couldn't afford. While this is good for parents and their children, it puts private schools in an extremely vulnerable position and for many giving them a bad name. When there is an entire district, like Gary Community Schools (one of the largest in Indiana) academically failing, the outcome consequently will be the same for a non-public schools which can only be supported through vouchers due to the low socio-economics of the entire district.

Faith Academy is located in Northwest Indiana in the city of Merrillville and the county of Lake. Faith Academy is an extension of Faith Temple of Christ located north of US 30 and west of the Lake County Library. Our Student Enrollment is predominately African American at 90%, Latino at 10%. The majority of students (83%) come from Gary, Indiana via Choice Voucher Program. The other 17% of students reside in local communities: Merrillville (16%); East Chicago (1%). The Median income for a family in Merrillville is \$53,000.00. The Median income for a family living in Gary is \$25,000.00.

The Challenge

During Faith Academy's first few years of operation, we primarily served early childhood students from Merrillville. The last few years our reach has expanded to Gary based on student need. Last year Faith Academy made the decision to add middle and high school due to parent demand. Due to the gap in learning, we were not as successful in increasing learning for those particular students, however, we were very successful of shaping their disposition. After careful observation we determined that it is best for Faith Academy to return to an elementary school status beginning the 2018 – 2019 School Year.

As you are aware from the Gary Community School (GCSC) Report Card, most students are far below grade level and an overwhelming amount of students have special needs. Just recently, we were told by a NISEC educational diagnostician that our school has more IEP students than any other school that she knows of. Parents of these students in particular sought out Faith Academy as an academic and spiritual refuge to help their children succeed.

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In accordance with our mission and State guidelines to accept and enroll students, we accepted students, with no questions asked, with the goal of raising the students both academically and socially.

Out of our 96 student body population, 80 of our students reside in Gary. Of the students from Gary, 40% were more than 3 grade levels behind upon acceptance according to MAP benchmark assessment; 20% are two grade levels behind and 10% are at least one grade level behind. Together, 70% of the students from Gary are behind grade level. In addition, 35% of these same students have IEP's/ISPs, which is far beyond the national norm.

Based on our student population Faith Academy is entitled to receive Title I funds via GCSC. We submitted our notice to participate in Title1 during the summer of 2017. We received our approved Title I budget of 160K four months after the school year began in (December). Furthermore, it was another two months before our supplies were even ordered by GCSC. Unfortunately, for our children, it was not until just last week that we received a partial supply order from GCSC. We have made exceptional effort to be in constant correspondence with GCSC administration as well as the IDOE Title I administration regarding our desperate needs. Such resources are necessary for our children to meet State demands of competency and are vital to ensure their success.

In addition, we requested four intervention specialist, but only received two in the month of January. This is five months after the school year began, our children need immediate intervention. Surprisingly, the other two intervention specialist arrived one week ago, which ironically was one week prior to our administering ISTEP testing to our dear children.

The success of our children depends heavily upon our abilities or inabilities, to faithfully deliver precious resources that all children need. Failure to deliver such valuable resources in a consistent and timely manner is an injustice which leads our children to failure. It is apparent that the administration of GCSC is limited in its ability and / or availability to process request in a timely manner. In no case should any child be put in such a cruel disadvantage, after being entitled to precious resources such as these.

Academic Achievement:

While Faith Academy resides in Merrillville, Indiana; 83% of the students resides in Gary, Indiana and are bussed to Faith Academy. Enrollment from the Gary Community School Corporation has continued to grow due to the number of failing schools. School Year 2016 was the first year in which Faith Academy received an IDOE Report Card with a letter grade due to enrollment. While the performance level was less than that of the state average; there is evidence of continuous growth. There was a 5.8 point increase from 2014 to 2015 and 2.7 increase from 2015 to 2016. While Merrillville and Gary are trending downward in their overall performance over the past three years, up until last year Faith Academy is trending upward. We believe that the acceptance of high school students drastically impacted our legacy scores. As a result, we have decided to eliminate grades 9-12 beginning 2018-2019 School Year.



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In the School Year of 2017, Faith Academy 3rd grade students passed the IREAD at 100%, on the first attempt, compared to Merrillville at 93.6% and Gary at 87.5% prospectively. Last year all but one student passed the IREAD by the second attempt. Faith Academy's grade is primarily the result of the performance rate (the number of students passing the ISTEP). Since most (87%) of the students come from failing schools within the Gary Community School Corporation, it is understandable that the performance rate is low. Conversely, the Growth Rate is 95.5%, which is comparable to Merrillville. These results inform us that that the longer the student is enrolled in Faith Academy, the level of performance and pass rate increases.

Up until recently, Choice programs were unable to take advantage of the Formative Assessment Grant provided by the IDOE. Being able to implement a formal Benchmark Assessment such as NWEA or Acuity will better inform differentiated instruction and intervention.

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School Corp.	Faith Academy	Gary School Corp.	Merrillville School Corp
Enrollment	74	5,823	6,512
Current Grade	F	F	B
Year			
2014 ISTEP	21%	47.7%	68.5%
2015 ISTEP	26.8%	21.9	44.2%
2016 ISTEP	29.5%	18.6	39.1%
2017 ISTEP	21.60%	N/A	59.6
2014 IREAD	N/A	77.2	91.4%
2015 IREAD	100%	87.5	93.6%
2016 IREAD	100%	82%	77%
2017 IREAD	100%	73%	93%
Growth Performance	95%	76.80%	96.60%

Faith Academy Report Card – All Students					
Year	2014	2015	2016	2017	Total
Enrollment			74	96	
Current Grade	N/A	N/A	D	F	
Performance	N/A	60%	68.4	51.8	

Faith Academy ISTEP – Legacy Students (at least 3 years)					
Year	2014	2015	2016	2017	2018
Enrollment	10	16	27	32	33
% Passing	95%	92%	89%	82%	



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Continuous Improvement

In spite of limited resources, we have put some best practices in place to improve student performance.

- Replaced Principal with a New Highly Qualified Principal
- Replaced over 50% of our Teacher
- Faith Academy utilized a six-step approach in hiring teachers
- Monthly Parent Nights focusing on literacy
- Weekly teacher professional development
- AP courses for high school students
- Dual credit courses for high school students
- Increase ELA from 120 minutes/day to 190 minutes/day
- Increase Mathematics from 90 minutes/day to 120 minutes/day
- Implemented a variety of instructional strategies i.e. differentiated instruction
- Implementation of After School Tutoring Program

The Resolve

After the drastic changes of our administration, from our principal to our teachers, we have come to the realization that the greatest need for our children is a more realistic intervention approach. As previously stated the State of Indiana's Choice Voucher system is intended to give students from failing schools an opportunity to attend private schools that parents otherwise couldn't afford. The sole purpose of a private school is to provide children with more valuable and liable resources that would aid their academic performance, and in many cases give failing children an avenue for a turn around.

While we all would agree that this is good for parents and their children, we must also concur that the effectiveness of these resources are time sensitive. Resources that are not delivered in a timely manner are resources that our children cannot benefit from. We therefore, respectfully request such services from GCSC in order for us to effectively do our part as a private School Education provider. Knowing that Gary Schools are predominantly failing Schools resources should be in their classrooms at the beginning of the school year.

Our approach is to deliver precious resources to our children in a professional and timely manner so that they can receive the full benefit of which resources are intended. This would give our children an advantage and bring them up to a level of confidence and competency in order to meet the standard of State requirements.

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The following comprehensive needs analysis was conducted and implemented to address the needs of the students to improve performance.

COMPREHENSIVE NEEDS ANALYSIS	DATA	GOALS	ACTIVITIES
<p>President Dennis Walton Founder</p> <p>Vice-President Sheila Walton Executive</p> <hr/> <p>Board Members David Nelson Chairman</p> <p>Teri Houk Secretary</p> <p>Christian Ford Treasurer</p> <p>Art Russel Member</p> <p>Kayetta Brown Member</p> <p>June Bowers Member</p> <p>Marisol Edmond Member</p> <p>The leadership team met to review the school data. The data included performance, growth, attendance and results from climate culture surveys.</p> <p>In addition, results from a Semi-Annual Review which was based on a triangulation method (documentation, observations and interviews) and monthly Dashboard reports from contracted School Improvement Coach were reviewed and analyzed.</p> <p>The data revealed that increase in performance is steady, but low, however, growth is high and steady. The legacy students show strong performance and growth over time.</p> <p>The Mid-Year Review and Surveys reflect the commitment of the staff.</p> <p>The Mid-Year review and monthly dashboard also reveal the lack of technology available in the elementary school and the lack of consistency in lesson planning.</p> <p>Character Education through the Bible course and integrated in the course is evident in the behavior and dispositions of each student as the suspension rate is low and the expulsion rate is non-existence to date.</p> <p>Parents actively participate in parent conferences, however, participation is low in other activities</p> <p>The Advisory Board holds the administration and teachers accountable to continuous improvement based on results and recommendations.</p>	<p>ISTEP</p> <p>IREAD</p> <p>Attendance</p> <p>Parent Participation</p> <p>Formative Assessment</p> <p>Teacher Survey</p> <p>Parent Family Friendly Survey</p> <p>Student Survey</p>	<p>Increase ISTEP performance (pass) rate by 20%</p> <p>Increase ISTEP growth rate by 10%</p> <p>Increase Parent Participation by 50%</p> <p>Increase instructional technology in each classroom</p> <p>Implement standardized process and procedures</p> <p>Implement Formative Benchmark Assessments BOY, MOY and EOY</p> <p>Timely Delivery of Valuable Resources that all Children Need</p>	<p>Apply for the Formative Assessment Grant. Use the benchmark results of the assessment to differentiate and provide intervention</p> <p>Increase ELA from 90 minutes to 120 min</p> <p>Increase Math from 60 minutes to 90 minutes</p> <p>Implement a more interactive curriculum</p> <p>Implement leadership component to curriculum</p> <p>Technology and Differentiated Instruction Professional Development</p> <p>Increase the length of the school day by 30 minutes</p> <p>Increase the length of the school year by 10 days</p> <p>Four Parent Data Nights per year</p> <p>Four Parent Curriculum Nights per year</p> <p>Establish a Parent Activity calendar with monthly activities</p> <p>Establish a Parent Participation Point System</p>

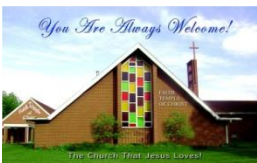


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Again, we appeal the decision to place a moratorium on enrollment for Faith Academy School for reasonable cause that is surrounded by obvious and extenuating circumstance. The restriction of such resources can inadvertently affect the process of many children, who are advancing in their cycle of a full turn around. We respectfully request that this administration would consider our grave concerns for our children, and to do what is good for the well being of the less fortunate. We are appreciative of your support in this matter.

Respectfully,

Pastor Dennis Walton

Contact: (219)384-7727

email: pastor@faithtempleofchrist.org

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Search School and Corporation Reports

Faith Academy (B748)

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[School Homepage](#)

Principal: Ms April Morrow

amorrow@faithacademyedu.org

Grade Levels KG - 12

Accreditation Status: Freeway State Accreditation

Lake County

Non-Public School



Report Card

Year: ▼

2015-2016 Report Card

D

Letter Grade

Faith Academy

Faith Academy received a D as its final letter grade for school accountability.

Overall Summary

	Points	Weight	Weighted Points
Performance Domain Grades 3-8	41.15	0.500	20.58
Performance Domain Grade 10	0.00	0.000	0.00
Growth Domain Grade 4-8	95.60	0.500	47.80
Growth Domain Grade 9-12	0.00	0.000	0.00
Multiple Measures Domain Grade 12	0.00	0.000	0.00
Overall points			68.4
Overall grade			D

Performance Domain

Elementary - Mathematics

33.8% of students passed the assessment.

This rate is **below** the state average.

97.1% of students participated in the assessment.

Elementary - English/Language Arts

48.5% of students passed the assessment.

This rate is **below** the state average.

98.5% of students participated in the assessment.

High School - Mathematics

0 of students passed the assessment.

This rate is **below** the state average.

100.0% of students participated in the assessment.

High School - English/Language Arts

0 of students passed the assessment.

This rate is **above** the state average.

100.0% of students participated in the assessment.

Growth Domain

A school's letter grade may increase, decrease, or remain the same based on student improvement.

Mathematics

81.6 points for Top 75% Growth

104.2 points for Bottom 25% Growth

92.9 points for Growth

English/Language Arts

80.3 points for Top 75% Growth

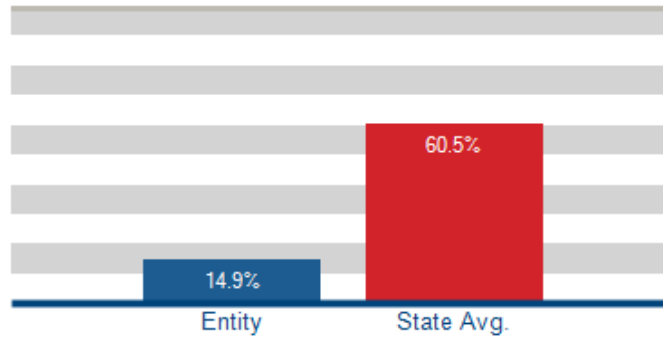
116.1 points for Bottom 25% Growth.

98.2 points for Growth

Student Performance (3rd - 8th Grade)

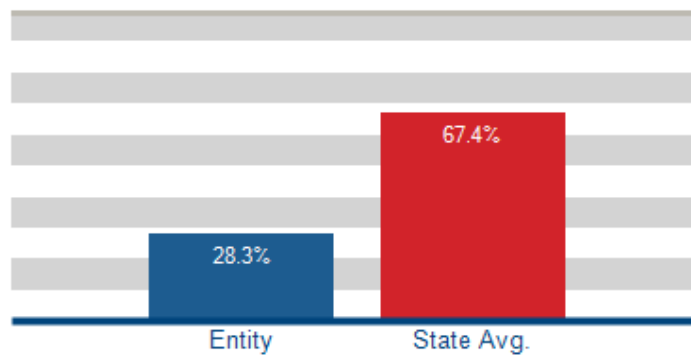
Mathematics

Percent Passing



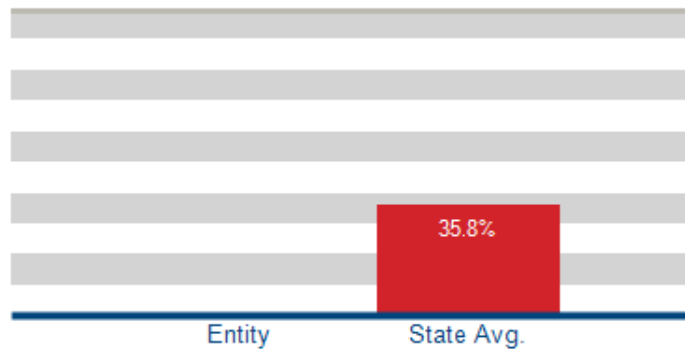
English/Language Arts

Percent Passing

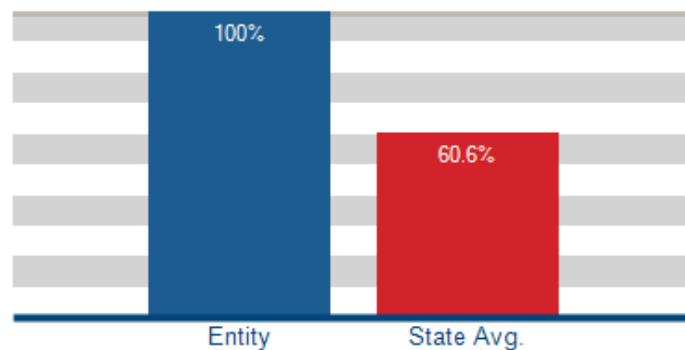


Student Performance (9th - 12th Grade)

Algebra I End-of-Course Assessment (ECA)



English 10 End-of-Course Assessment (ECA)



Report Card

Year: 2016-17

2016-2017 Report Card

F

Letter Grade

Faith Academy

Faith Academy received an "F" as its final letter grade for school accountability.

Overall Summary

	Points	Weight	Weighted Points
Performance Domain Grades 3-8	21.60	0.500	10.80
Performance Domain Grade 10	0.00	0.000	0.00
Growth Domain Grade 4-8	82.00	0.500	41.00
Growth Domain Grade 9-12	0.00	0.000	0.00
Multiple Measures Domain Grade 12	0.00	0.000	0.00
Overall points			51.8
Overall grade			F

Performance Domain

Elementary - Mathematics

14.9% of students passed the assessment.

This rate is **below** the state average.

98.0% of students participated in the assessment.

Elementary - English/Language Arts

28.3% of students passed the assessment.

This rate is **below** the state average.

95.9% of students participated in the assessment.

High School - Mathematics

0.0% of students passed the assessment.

This rate is **below** the state average.

100.0% of students participated in the assessment.

High School - English/Language Arts

100.0% of students passed the assessment.

This rate is **above** the state average.

100.0% of students participated in the assessment.

Growth Domain

A school's letter grade may increase, decrease, or remain the same based on student improvement.

Elementary - Mathematics

55 points for Top 75% Growth

points for Bottom 25% Growth

points for Growth

Elementary - English/Language Arts

85.4 points for Top 75% Growth

103.6 points for Bottom 25% Growth.

94.5 points for Growth

High School - Mathematics

50 points for Top 75% Growth

points for Bottom 25% Growth

points for Growth

0 points bonus for 10th-12th Grade Improvement

25 points for Overall Growth

High School - English/Language Arts

150 points for Top 75% Growth

points for Bottom 25% Growth.

75 points for Growth

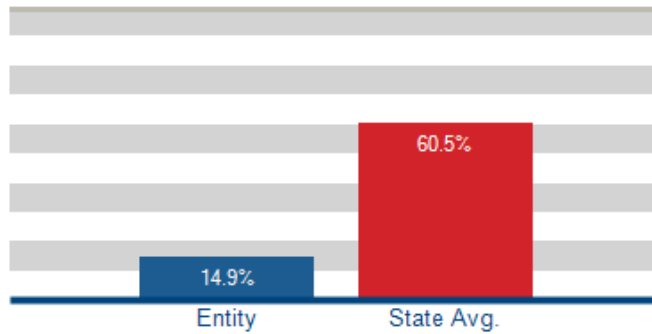
0 points bonus for 10th-12th Grade Improvement

75 points for Overall Growth

Student Performance (3rd - 8th Grade)

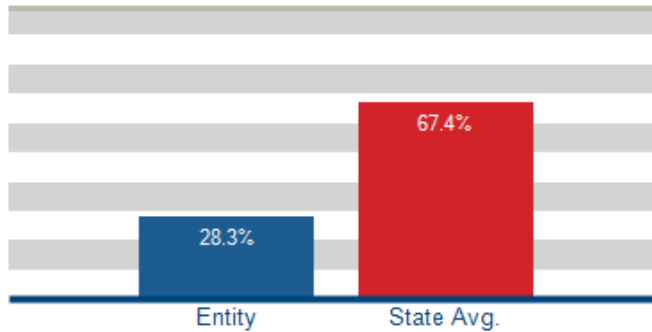
Mathematics

Percent Passing



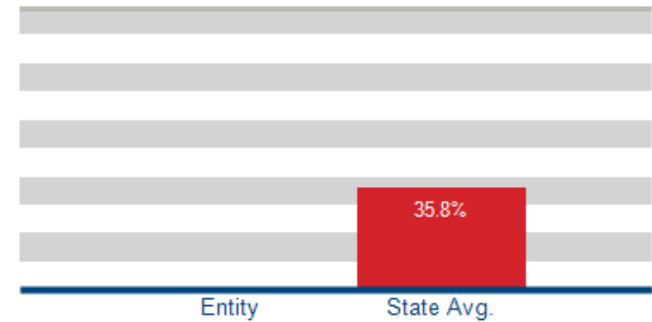
English/Language Arts

Percent Passing



Student Performance (9th - 12th Grade)

Algebra I End-of-Course Assessment (ECA)



English 10 End-of-Course Assessment (ECA)

