



# Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

**To:** Indiana State Board of Education

**From:** Office of Accountability, Indiana Department of Education

**Date:** March 31, 2021

**Subject:** Process for Nonpublic Schools Seeking State Accreditation under IC 20-31-4.1

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This memorandum outlines the proposed process to implement IC 20-31-4.1 for nonpublic schools that voluntarily seek state accreditation. Indiana Department of Education (Department) staff recommend the adoption of this process by the Indiana State Board of Education (Board).

## Background

Public Law 92-2020 repealed and replaced the chapter in Title 20 pertaining to Indiana's performance-based accreditation system. Pursuant to IC 20-31-4.1-2 *et seq.*, the Board shall establish a performance-based accreditation system for accrediting schools in Indiana. A school in Indiana shall be accredited under this system if the school meets all applicable legal standards, as determined by the Board. Further, the Board may accredit a nonpublic school under the performance-based accreditation system at the time the nonpublic school begins operations in Indiana.

IC 20-31-4.1-10 charges the Board with adopting rules to implement the performance-based accreditation system. The process outlined below would provide the Board with a framework to accredit a nonpublic school at the time the nonpublic school begins operations in Indiana while the Board carries out the rulemaking process required under IC 4-22-2.

## Proposed Process

Department staff recommend the implementation of the following process to carry out IC 20-31-4.1 *et seq.* while the Board carries out the rulemaking process.

### **1. Application Submission, Review, and Determination**

- a. A nonpublic school may submit a "Notice of Intent" to pursue accreditation under Indiana's performance-based accreditation system.
- b. The Department provides the nonpublic school with the official application<sup>1</sup> that must be completed and submitted to the Department by the stated deadline.
- c. The Department reviews the application and drafts preliminary findings regarding the responses from the nonpublic school on the application.
- d. The nonpublic school is given an opportunity to respond to the Department's findings and resolve or clarify any areas of deficiency in the application.
- e. The Department presents the Board with its final recommendation regarding whether to grant or deny accreditation to the nonpublic school.
- f. The Board takes official action to either grant or deny accreditation.

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<sup>1</sup> See Attachment I.



## Indiana Department of Education

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Dr. Katie Jenner, Secretary of Education

### **2. Year One of Accreditation**

- a. The nonpublic school holds “provisional accreditation” status<sup>2</sup> as it continues to demonstrate compliance with all applicable legal standards for state-accredited nonpublic schools.
- b. The nonpublic school must complete legal standard deliverables based on a schedule determined by the Department. The Department will monitor compliance with all legal standard deliverables. A nonpublic school may not waive an applicable statute or regulation pursuant to IC 20-31-4.1 *et seq.* during its first year of operation unless the nonpublic school demonstrates that such a waiver would advance the mission or purpose of the school.
- c. If the nonpublic school fails to satisfy one or more deliverable, then the Department will provide notice of the finding of noncompliance and issue corrective action to rectify the noncompliance. The nonpublic school has one (1) month to resolve the issue. If the nonpublic school fails to resolve the issue of noncompliance by the stated deadline, then the nonpublic school will forfeit its accreditation status at the close of the active school year.

### **3. Year Two of Accreditation**

- a. The nonpublic school holds “provisional accreditation” status as it continues to demonstrate compliance with all applicable legal standards for state-accredited nonpublic schools. The Department will monitor compliance with all legal standards.
- b. If the nonpublic school fails to comply with one or more of the legal standards applicable for state-accredited nonpublic schools, then the Department will provide notice of the finding of noncompliance and issue corrective action to rectify the noncompliance. The nonpublic school has one (1) month to resolve the issue. If the nonpublic school fails to resolve the issue of noncompliance by the stated deadline, then the nonpublic school will forfeit its accreditation status at the close of the active school year.

### **4. Year Three of Accreditation and Beyond**

- a. The process for the third and subsequent years of accreditation will be determined and established by the Board’s final administrative rule for the new accreditation system, as required under IC 20-31-4.1-10.

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<sup>2</sup> The nonpublic school will be eligible to participate in Indiana’s Choice Scholarship Program while holding “provisional accreditation”.



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### Timelines

The Department anticipates this process will be implemented until official regulations are finalized and adopted by the Board. The following timeline would apply for nonpublic schools that submit applications to be accredited beginning with the 2021-2022 school year:

| Timeframe                           | Action/s   |
|-------------------------------------|--|
| <b>April 14 – May 14, 2021</b>      | <ul style="list-style-type: none"><li>• Nonpublic school provides notice of intent to Department</li><li>• Nonpublic school completes/submits application for accreditation</li><li>• Department issues notice of findings/deficiencies and provides an opportunity to respond</li></ul> |
| <b>May 14 – May 21, 2021</b>        | <ul style="list-style-type: none"><li>• Nonpublic school provides response to Department findings</li><li>• Department conducts final review</li></ul>   |
| <b>June 2, 2021</b>                 | <ul style="list-style-type: none"><li>• Board takes final, official action to grant or deny accreditation</li></ul>  |
| <b>July 1, 2021 – June 30, 2022</b> | <ul style="list-style-type: none"><li>• Probationary Year 1</li></ul>  |
| <b>July 1, 2022 – June 30, 2023</b> | <ul style="list-style-type: none"><li>• Probationary Year 2</li></ul>  |
| <b>July 1, 2023 – June 30, 2024</b> | <ul style="list-style-type: none"><li>• Full accreditation cycle begins</li></ul>  |

The following timeline would apply for nonpublic schools that submit applications to be accredited beginning with the 2022-2023 school year, or any subsequent school year until the Board finalizes and adopts official regulations:

| Timeframe*              | Action/s   |
|-------------------------|--|
| <b>January – April</b>  | <ul style="list-style-type: none"><li>• Nonpublic school provides notice of intent to Department</li><li>• Nonpublic school completes/submits application for accreditation</li><li>• Department issues notice of findings/deficiencies and provides an opportunity to respond</li></ul> |
| <b>May</b>              | <ul style="list-style-type: none"><li>• Nonpublic school provides response to Department findings</li><li>• Department conducts final review</li></ul>   |
| <b>June 2022</b>        | <ul style="list-style-type: none"><li>• Board takes final, official action to grant or deny accreditation</li></ul>  |
| <b>July 1 – June 30</b> | <ul style="list-style-type: none"><li>• Probationary Year 1</li></ul>  |
| <b>July 1 – June 30</b> | <ul style="list-style-type: none"><li>• Probationary Year 2</li></ul>  |
| <b>July 1 – June 30</b> | <ul style="list-style-type: none"><li>• Full accreditation cycle begins</li></ul>  |

\*Specific dates to be determined