



# INDIANA STATE BOARD OF EDUCATION

## MEMORANDUM

**To:** Indiana State Board of Education  
**From:** Brian Murphy, General Counsel, Assigned Hearing Officer  
**Date:** February 29, 2016  
**RE:** Career Academy Accountability Baseline Reset Appeal - 1-12016

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**Recommendation: Grant Career Academy High School's request for a baseline reset.**

This matter concerns Career Academy High School's request for a baseline reset of its accountability grade history; this would require the school be assigned a new school number, and, as a result, its first grade would be the 2015-16 grade, likely to be released the fall or winter of 2016.

To give a brief history, Career Academy of South Bend served grades 5-12, and its authorizer was Ball State. Career Academy decided to part ways with Ball State, and in the summer of 2015, submitted applications to Trine. Trine approved a charter for Career Academy High School, now a 9-12, which carried the same school number and grade history as Career Academy of South Bend, which had served grades 5-12. Trine also approved new charters for two new schools: Career Academy Middle School, serving grades 5-8, and Success Academy Primary School, serving K-4.

Career Academy High School requested that it be granted a baseline reset, so it would not carry the prior grades of Career Academy of South Bend. The request was made under the SBOE's baseline reset rule, which states:

511 IAC 6.2-6-5.9 School changes due to opening, reopening, reconfiguring, or redistribution of students; new accountability baselines.

(a) Beginning with the 2011-2012 school year, this section applies to schools that:

- (1) open;
- (2) reopen;
- (3) reconfigure; or
- (4) redistribute students.

(b) To obtain a new accountability baseline, a school described in subsection (a) must clearly demonstrate all of the following:

- (1) A change of at least seventy percent (70%) of the student population from the previous year, either by elimination or addition.*
- (2) A significant change in educational philosophy, curriculum, or staffing.*
- (3) A change is not being made to avoid accountability.*

Elements (b)(1) and (b)(2) were found to have been met, but it was determined that element (b)(3) was not met, because insufficient information was presented to show that the reset was not to avoid accountability.

Pursuant to IC 20-31-8-6, and 511 IAC 6.2-6-12, Career Academy High School appealed the decision regarding element (b)(3) to the SBOE. I conducted a hearing on February 29, 2016, and information was presented showing that Career Academy High School is not seeking a baseline reset to avoid accountability.

Career Academy introduced evidence that it began curriculum and staffing changes to improve performance starting in 2013, hired a new principal in 2014, submitted an IDOE-approved and monitored Turnaround School Student Assistance Plan, which has been implemented going forward into 2015-16.

Career Academy High School also stated that, in the summer of 2015, they desired to start work with a new authorizer as part of the changes they were making. They applied to Trine, which approved the charter for the new configuration of Career Academy High School.

Most notably, Career Academy submitted a sworn affidavit from Lawrence Garatoni, who is the president of the board of Career Academy and one of the founders, which stated that the reconfiguration was not to avoid accountability. The affidavit went on to explain that, during the time of December, 2014 to January, 2015, Career Academy made the decision to modify configurations in order to establish a feeder system, which was important to Career Academy because they were finding that a significant number of students entering grade 5 were behind academically, even by as much as 2 grade levels. In addition, the modification was made to conform to the configurations of other public schools in the South Bend area (K-4; 5-8; 9-12).

The affidavit also stated that Career Academy leadership was not aware they could request a baseline reset until June of 2015, when Trine was informed by DOE; Trine then relayed that information to them. June of 2015 was after Career Academy had deliberated and decided on the new configurations in December of 2014 to January of 2015.

For the foregoing reasons, I do not believe Career Academy reconfigured the 5-12 to a 9-12 to avoid accountability, and I recommend the SBOE grant the baseline request for Career Academy

High School. Career Academy High School would then be assigned a new school number, and the first grade assigned to the school would be the 2015-16 grade, which will be likely released in the fall or winter of 2016.



Brian Murphy, General Counsel  
Indiana State Board of Education