

EDUCATION

Valor Classical Academy sues Carmel Clay Schools over use of Orchard Park Elementary



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Valor Classical Academy is suing Carmel Clay Schools regarding the use of Orchard Park Elementary in hopes the charter school, which has plans for Hamilton County, will be able to use the building.

Per the lawsuit filed Friday, Valor alleges that per state law, Carmel Clay Schools should notified the state about the closure of the elementary building, which would have made it available to Valor to lease or buy for \$1.

Carmel Clay School Board voted to close Orchard Park in June 2018 but the school remained open through May 2021. In June 2021, the board approved a resolution for a partnership with Carmel Clay Parks and Recreation for shared use of the property.

The district has said the building remained in use since classes ended and pointed to a response from Indiana Attorney General Todd Rokita's office that the district followed state law.

Valor Classical Academy plans to open a charter school to K-6 students in fall 2023 and is partnering with Hillsdale College, known for its conservative values and connections to former president Donald Trump's administration.

A charter school is a public school that operates under a contract – or charter – between the school's organizer and an authorizer or sponsor. And if a student enrolls, the state funding allocated for that student would go to the charter school.

\$1 buy or lease law

Per state law, a school board has 10 days to notify the state after passing a resolution or taking official action to “close, no longer use, or no longer occupy a school building that was previously used for classroom instruction.”

That notification then makes the building available for charter schools to inspect and say if they are interested in leasing or purchasing.

Charter schools can then lease the unused building for \$1 per year or buy it for \$1 if the charter meets certain requirements, including using the space for classroom instruction.

The law also includes that the attorney general will investigate complaints regarding if a school district has complied with this law.

A Dec. 10, 2021 complaint was filed about Carmel and its use of Orchard Park, alleging that the law was not followed. The document on the attorney general's website does not list who filed the complaint.

However, the AG's office concluded that the complaint was unsubstantiated, and the school district is not in violation of the law “with Orchard Park Elementary as it is still in use and occupied by the district. The building is not vacant upon inspection.”

The building is being used for storage and for trainings by the district as well as the parks department, officials said.

Valor wants to use Orchard Park

In a news release about the lawsuit, the charter school founders said they hope the court will agree with their claims and open a window of time that a charter school can claim the building.

“Orchard Park is owned by the taxpayers and is no longer being used for classroom instruction,” said Holly Wilson, Valor's founding board president. “We'd like to restore this facility back to a productive use by opening a classical school that supports parents, students, and educators and adds new opportunities and value to this vibrant community.”

In response, Carmel Clay schools said in a statement the attorney general's office "confirmed we have been fully compliant with the law regarding the use of our property."

"The Orchard Park property is an important asset to the neighborhood and we remain pleased to partner with Carmel Clay Parks and Recreation for the property's future use to benefit our entire community," the statement reads. "We are aware of the lawsuit initiated by Indiana State Representative Christopher Jeter on behalf of the Indiana Classical Schools Corporation...CCS will now efficiently address the matter through the judicial process as needed."

The public back-and-forth about the former elementary school started when Valor announced its plans to come to Hamilton County and said it was "in communication" with Carmel Clay Schools to obtain the former Orchard Park Elementary.

Superintendent Michael Beresford said during a school board meeting days after the announcement the district had not had contact with Valor or any school about "transferring ownership of Orchard Park."

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