

ENROLLED BILL

-- *Education, Health, and Environmental Affairs/Ways and Means* --

Introduced by ~~Senator Britt~~ **Senators Britt, Jones, and McFadden**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____M.

President.

CHAPTER 229

AN ACT concerning

**Public Schools - Graduation Rate Formula - Collecting, Maintaining,
Analyzing, and Reporting**

FOR the purpose of requiring county boards of education to collect, maintain, and analyze certain graduation rates using certain formulas by certain dates; requiring county boards to report certain information to the public and to the State Department of Education in a certain format; requiring the Department to compile certain information, calculate certain graduation rates, and post certain graduation rates on its website; stating a certain purpose; authorizing certain county boards and the Department to develop and implement certain additional indicators; requiring the Department to ensure that certain information is comparable for certain purposes; requiring the Department to implement certain training, a certain system for verification of the accuracy of certain data, and a public awareness campaign; requiring the Department to provide certain technical support and serve as a certain repository; requiring certain reports; requiring a certain report to be posted on a certain website; requiring the use of certain graduation rates for certain purposes; defining certain terms; and

generally relating to the collecting, maintaining, analyzing, and reporting of graduation rate and interim graduation rate data.

BY adding to

Article - Education
Section 7-203.2
Annotated Code of Maryland
(2004 Replacement Volume and 2005 Supplement)

Preamble

WHEREAS, The high schools of the State play an integral role in preparing students for college and work in the 21st century; and

WHEREAS, It is of critical importance to the success of our economy, civic life, and assurance of equal opportunity that public high schools provide this preparation; and

WHEREAS, Without accurate data regarding graduation rates it is extremely difficult to evaluate the efficacy of the State's system of public education; and

WHEREAS, Better information can lead to better policies and program implementation; and

WHEREAS, Parents and community members, who are critical to ensuring strong educational accountability, are hampered in their efforts to improve our schools if they do not have accurate data; and

WHEREAS, It is of critical importance that accurate data be collected, maintained, analyzed, and publicly reported by our State's education system with respect to high school student graduation rates; and

WHEREAS, Existing data from independent researchers indicates that when graduation rates are disaggregated by racial and ethnic groups, students with disabilities, students who are limited English proficient, and socioeconomically disadvantaged students, many of these subgroups are experiencing particularly low rates of high school graduation; and

WHEREAS, The State of Maryland should be committed to developing and implementing a student record data system with unique student identifiers that can track students from kindergarten through postsecondary education; and

WHEREAS, The State of Maryland should be committed to maintaining a data and public reporting system that accurately accounts for all students when calculating high school graduation rates and informs the public of progress toward the goal of universal high school graduation; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Education

7-203.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "FOUR-YEAR COHORT" MEANS A GROUP OF STUDENTS WHO ENTER NINTH GRADE TOGETHER.

(II) "FOUR-YEAR COHORT" INCLUDES A STUDENT WHO:

1. TRANSFERS INTO THE GROUP:

A. DURING THE NINTH GRADE OF THE GROUP'S FIRST YEAR
IN HIGH SCHOOL;

B. DURING THE TENTH GRADE OF THE GROUP'S SECOND
YEAR IN HIGH SCHOOL;

C. DURING THE ELEVENTH GRADE OF THE GROUP'S THIRD
YEAR IN HIGH SCHOOL; OR

D. DURING THE TWELFTH GRADE OF THE GROUP'S FOURTH
YEAR IN HIGH SCHOOL;

2. IS RETAINED IN GRADE; OR

3. IS ENROLLED IN A GED PROGRAM.

(III) "FOUR-YEAR COHORT" DOES NOT INCLUDE A STUDENT WHO:

1. DIES BEFORE GRADUATION;

2. TRANSFERS OUT OF THE GROUP; OR

3. THE COUNTY BOARD CONFIRMS HAS PERMANENTLY LEFT
THE UNITED STATES.

(IV) STUDENTS RETAINED IN GRADE ARE ONLY COUNTED ONCE AS MEMBERS OF THEIR ORIGINAL COHORT.

(3) "GRADUATION RATE" MEANS THE PERCENTAGE OBTAINED FROM APPLYING THE GRADUATION RATE FORMULA.

(4) (I) "GRADUATION RATE FORMULA" MEANS THE NUMBER OF STUDENTS WHO GRADUATE ON TIME WITH A REGULAR MARYLAND HIGH SCHOOL DIPLOMA DIVIDED BY THE NUMBER OF STUDENTS IN THE FOUR-YEAR COHORT.

(II) "GRADUATION RATE FORMULA" DOES NOT INCLUDE STUDENTS WHO GRADUATE ON TIME WITH A GED OR OTHER CERTIFICATE NOT ALIGNED WITH STATE STANDARDS.

(5) (I) "ON TIME" MEANS ON OR BEFORE THE CONCLUSION OF A FOUR-YEAR COHORT'S FOURTH YEAR OF HIGH SCHOOL.

(II) "ON TIME" INCLUDES A SENIOR SUMMER SESSION IN A JURISDICTION THAT OFFERS SENIOR SUMMER SESSIONS.

(6) (I) "TRANSFER OUT" MEANS A STUDENT WHO THE COUNTY BOARD CONFIRMS, VIA WRITTEN DOCUMENTATION, HAS ENROLLED IN ANOTHER HIGH SCHOOL OR OTHER EDUCATIONAL PROGRAM FROM WHICH THAT STUDENT IS EXPECTED TO RECEIVE A ~~REGULAR~~ MARYLAND HIGH SCHOOL DIPLOMA.

(II) "TRANSFER OUT" DOES NOT INCLUDE A STUDENT ENROLLED IN:

1. A GED PROGRAM; OR
2. AN ALTERNATIVE EDUCATION PROGRAM THAT DOES NOT ISSUE OR PROVIDE CREDITS TOWARD A ~~REGULAR~~ MARYLAND HIGH SCHOOL DIPLOMA.

(B) THE PURPOSE OF THIS SECTION IS TO:

(1) INITIATE A PROCESS BY WHICH THE STATE MAY ACHIEVE THE GOAL OF COLLECTING, MAINTAINING, ANALYZING, AND PUBLICLY REPORTING DATA RELATING TO THE GRADUATION RATES OF STUDENTS IN PUBLIC HIGH SCHOOLS AS AN ESSENTIAL STEP IN ADDRESSING GAPS IN EDUCATIONAL ACHIEVEMENT AMONG A DIVERSE STUDENT POPULATION; AND

(2) EXPLICITLY DELINEATE THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT AND THE COUNTY BOARDS IN THIS REGARD.

(C) (1) BEGINNING ON OR BEFORE SEPTEMBER 1, ~~2010~~ 2011, AND EACH YEAR THEREAFTER, A COUNTY BOARD SHALL:

(I) COLLECT, MAINTAIN, AND ANALYZE GRADUATION RATES FOR PUBLIC SCHOOLS, ~~SCHOOL DISTRICTS~~ LOCAL SCHOOL SYSTEMS, AND THE STATE; AND

(II) REPORT THE INFORMATION REQUIRED UNDER ITEM (I) OF THIS PARAGRAPH TO:

1. THE PUBLIC IN THE AGGREGATE AND DISAGGREGATED BY AMERICAN INDIAN, AFRICAN AMERICAN, HISPANIC, WHITE, ASIAN/PACIFIC ISLANDER, STUDENTS WHO ARE LIMITED ENGLISH PROFICIENT, STUDENTS WHO RECEIVE FREE AND REDUCED PRICED MEALS, AND STUDENTS WHO RECEIVE SPECIAL EDUCATION SERVICES; AND

2. THE DEPARTMENT.

(2) BEGINNING ON OR BEFORE OCTOBER 1, ~~2010~~ 2011, AND EACH YEAR THEREAFTER, THE DEPARTMENT SHALL:

(I) COMPILE THE INFORMATION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND CALCULATE A GRADUATION RATE FOR THE STATE; AND

(II) POST THE INFORMATION OBTAINED UNDER THIS SUBSECTION FOR EACH COUNTY ON ITS WEBSITE IN THE AGGREGATE AND DISAGGREGATED BY AMERICAN INDIAN, AFRICAN AMERICAN, HISPANIC, WHITE, ASIAN/PACIFIC ISLANDER, STUDENTS WHO ARE LIMITED ENGLISH PROFICIENT, STUDENTS WHO RECEIVE FREE AND REDUCED PRICED MEALS, AND STUDENTS WHO RECEIVE SPECIAL EDUCATION SERVICES.

(D) (1) THE COUNTY BOARDS AND THE DEPARTMENT MAY DEVELOP AND IMPLEMENT ADDITIONAL INDICATORS TO COLLECT, MAINTAIN, ANALYZE, AND PUBLICLY REPORT DATA REGARDING ALTERNATIVE HIGH SCHOOL COMPLETIONS.

(2) THE DEPARTMENT SHALL ENSURE THAT THE INFORMATION COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS COMPARABLE FOR PUBLIC SCHOOLS AND ~~SCHOOL DISTRICTS~~ LOCAL SCHOOL SYSTEMS IN THE STATE.

(E) THE DEPARTMENT SHALL:

(1) IMPLEMENT TRAINING FOR ADMINISTRATORS AND OTHER PERSONNEL RESPONSIBLE FOR COLLECTING, MAINTAINING, ANALYZING, AND PUBLICLY REPORTING DATA REGARDING FOUR-YEAR COHORTS AND GRADUATION RATES;

(2) IMPLEMENT A ~~SYSTEM~~ STANDARD PROCESS FOR VERIFYING THE ACCURACY OF DATA INCLUDING:

(I) STATISTICAL CHECKS AND ANALYSES; AND

(II) ON-SITE AUDITS OF RECORD-KEEPING PROCEDURES;

(3) IMPLEMENT A PUBLIC AWARENESS CAMPAIGN INCLUDING OUTREACH TO CIVIC ASSOCIATIONS, COMMUNITY-BASED GROUPS, AND PARENT ORGANIZATIONS AND THE SOLICITATION OF SUGGESTIONS AND COMMUNITY SUPPORT REGARDING THE NEED FOR COLLECTING, MAINTAINING, ANALYZING, AND PUBLICLY REPORTING ACCURATE DATA REGARDING FOUR-YEAR COHORTS AND GRADUATION RATES;

(4) PROVIDE TECHNICAL SUPPORT TO THE COUNTY BOARDS WITH COLLECTING, MAINTAINING, ANALYZING, AND PUBLICLY REPORTING GRADUATION RATE DATA; AND

(5) SERVE AS A CENTRAL REPOSITORY FOR THIS DATA.

(F) (1) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE STATE BOARD SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, REGARDING:

(I) THE IMPLEMENTATION OF THIS SECTION;

(II) STATISTICAL ANALYSES AND DATA VERIFICATION PROCESSES DEVELOPED UNDER THIS SECTION; AND

(III) DISCREPANCIES DISCOVERED WHILE COLLECTING, MAINTAINING, ANALYZING, AND PUBLICLY REPORTING THE INFORMATION REQUIRED UNDER THIS SECTION.

(2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL BE POSTED ON THE DEPARTMENT'S WEBSITE.

SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 1, 2006, September 1, 2007, September 1, 2008, ~~and~~ September 1, 2009, and September 1, 2010, each county board shall:

(1) collect, maintain, and analyze an interim graduation rate by dividing the number of students that receive a regular high school diploma in a given year by the number of students that enrolled in the ninth grade four years earlier; and

(2) report the information required under item (1) of this section to:

(i) the public in the aggregate and disaggregated by American Indian, African American, Hispanic, White, Asian/Pacific Islander, students who are limited English proficient, students who receive free and reduced priced meals, and students who receive special education services; and

(ii) the State Department of Education.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1, 2006, October 1, 2007, October 1, 2008, ~~and~~ October 1, 2009, and October 1, 2010, the State Department of Education shall:

(1) compile the information received under Section 2 of this Act and calculate an interim graduation rate for the State; and

(2) post the information obtained under Section 2 of this Act for each county and the interim graduation rate for the State on its website in the aggregate and disaggregated by American Indian, African American, Hispanic, White, Asian/Pacific Islander, students who are limited English proficient, students who receive free and reduced priced meals, and students who receive special education services.

SECTION 4. AND BE IT FURTHER ENACTED, ~~That in~~ That:

(a) Unless the State Board of Education chooses to comply with subsection (b) of this section before ~~2010~~ 2011, in 2006, 2007, 2008, and 2009, and 2010, for the purpose of determining Adequate Yearly Progress under the federal No Child Left Behind Act, the State Department of Education shall use the interim graduation rates determined under Sections 2 and 3 of this Act as the additional high school indicator.

(b) Notwithstanding the provisions of subsection (a) of this section, by ~~2010~~ 2011, the State Department of Education shall use as the additional high school indicator the graduation rate as defined under § 7-203.2 of the Education Article, as enacted by Section 1 of this Act, including permissible adjustments consistent with the federal No Child Left Behind Act that ~~allows~~ allow additional time for students with disabilities, students with limited English proficiency, and other students when educationally appropriate based on an individualized review of a student's pathway to graduation.

SECTION 5. AND BE IT FURTHER ENACTED, That on or before August 1, 2006, the State Department of Education shall report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly, regarding measures being taken to implement Sections 2 and 3 of this Act and shall include the categories and codes being used for identifying, tracking, calculating, and publicly reporting transfers out of a four-year cohort, as defined by § 7-203.2 of the Education Article. This report shall be posted on the Department's website.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2006.