

(PRE-FILED)

By: **Delegates Gutierrez and Marriott**
Requested: October 18, 2005
Introduced and read first time: January 11, 2006
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of requiring county boards of education to collect, maintain, and
5 analyze certain graduation rates using certain formulas by certain dates;
6 requiring county boards to report certain information to the public and to the
7 State Department of Education in a certain format; requiring the Department to
8 compile certain information, calculate certain graduation rates, and post certain
9 graduation rates on its website; stating a certain purpose; authorizing certain
10 county boards and the Department to develop and implement certain additional
11 indicators; requiring the Department to ensure that certain information is
12 comparable for certain purposes; requiring the Department to implement
13 certain training, a certain system for verification of the accuracy of certain data,
14 and a public awareness campaign; requiring the Department to provide certain
15 technical support and serve as a certain repository; requiring certain reports;
16 requiring a certain report to be posted on a certain website; requiring the use of
17 certain graduation rates for certain purposes; defining certain terms; and
18 generally relating to the collecting, maintaining, analyzing, and reporting of
19 graduation rate and interim graduation rate data.

20 BY adding to
21 Article - Education
22 Section 7-203.2
23 Annotated Code of Maryland
24 (2004 Replacement Volume and 2005 Supplement)

25 Preamble

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

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

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

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

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

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

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

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

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

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

25 **Article - Education**

26 7-203.2.

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

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

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

32 1. TRANSFERS INTO THE GROUP:

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

- 1 B. DURING THE TENTH GRADE OF THE GROUP'S SECOND
2 YEAR IN HIGH SCHOOL;
- 3 C. DURING THE ELEVENTH GRADE OF THE GROUP'S THIRD
4 YEAR IN HIGH SCHOOL; OR
- 5 D. DURING THE TWELFTH GRADE OF THE GROUP'S FOURTH
6 YEAR IN HIGH SCHOOL;
- 7 2. IS RETAINED IN GRADE; OR
- 8 3. IS ENROLLED IN A GED PROGRAM.
- 9 (III) "FOUR-YEAR COHORT" DOES NOT INCLUDE A STUDENT WHO:
- 10 1. DIES BEFORE GRADUATION;
- 11 2. TRANSFERS OUT OF THE GROUP; OR
- 12 3. THE COUNTY BOARD CONFIRMS HAS PERMANENTLY LEFT
13 THE UNITED STATES.
- 14 (IV) STUDENTS RETAINED IN GRADE ARE ONLY COUNTED ONCE AS
15 MEMBERS OF THEIR ORIGINAL COHORT.
- 16 (3) "GRADUATION RATE" MEANS THE PERCENTAGE OBTAINED FROM
17 APPLYING THE GRADUATION RATE FORMULA.
- 18 (4) "GRADUATION RATE FORMULA" MEANS THE NUMBER OF STUDENTS
19 WHO GRADUATE ON TIME DIVIDED BY THE NUMBER OF STUDENTS IN THE
20 FOUR-YEAR COHORT.
- 21 (5) (I) "ON TIME" MEANS ON OR BEFORE THE CONCLUSION OF A
22 FOUR-YEAR COHORT'S FOURTH YEAR OF HIGH SCHOOL.
- 23 (II) "ON TIME" INCLUDES A SENIOR SUMMER SESSION IN A
24 JURISDICTION THAT OFFERS SENIOR SUMMER SESSIONS.
- 25 (6) (I) "TRANSFER OUT" MEANS A STUDENT WHO THE COUNTY BOARD
26 CONFIRMS, VIA WRITTEN DOCUMENTATION, HAS ENROLLED IN ANOTHER HIGH
27 SCHOOL OR OTHER EDUCATIONAL PROGRAM FROM WHICH THAT STUDENT IS
28 EXPECTED TO RECEIVE A REGULAR HIGH SCHOOL DIPLOMA.
- 29 (II) "TRANSFER OUT" DOES NOT INCLUDE A STUDENT ENROLLED
30 IN:
- 31 1. A GED PROGRAM; OR
- 32 2. AN ALTERNATIVE EDUCATION PROGRAM THAT DOES NOT
33 ISSUE OR PROVIDE CREDITS TOWARD A REGULAR HIGH SCHOOL DIPLOMA.

1 (B) THE PURPOSE OF THIS SECTION IS TO:

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

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

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

11 (I) COLLECT, MAINTAIN, AND ANALYZE GRADUATION RATES FOR
12 PUBLIC SCHOOLS, SCHOOL DISTRICTS, AND THE STATE; AND

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

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

20 2. THE DEPARTMENT.

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

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

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

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

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

37 (E) THE DEPARTMENT SHALL:

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

5 (2) IMPLEMENT A STANDARD PROCESS FOR VERIFYING THE ACCURACY
6 OF DATA INCLUDING:

7 (I) STATISTICAL CHECKS AND ANALYSES; AND

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

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

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

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

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

22 (I) THE IMPLEMENTATION OF THIS SECTION;

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

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

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

30 SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 1,
31 2006, September 1, 2007, September 1, 2008, and September 1, 2009, each county
32 board shall:

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

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

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

5 (ii) the State Department of Education.

6 SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1,
7 2006, October 1, 2007, October 1, 2008, and October 1, 2009, the State Department of
8 Education shall:

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

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

17 SECTION 4. AND BE IT FURTHER ENACTED, That in 2006, 2007, 2008, and
18 2009, for the purpose of determining Adequate Yearly Progress under the federal No
19 Child Left Behind Act, the State Department of Education shall use the interim
20 graduation rates determined under Sections 2 and 3 of this Act as the additional high
21 school indicator.

22 SECTION 5. AND BE IT FURTHER ENACTED, That on or before August 1,
23 2006, the State Department of Education shall report to the Governor and, subject to
24 § 2-1246 of the State Government Article, to the General Assembly, regarding
25 measures being taken to implement Sections 2 and 3 of this Act and shall include the
26 categories and codes being used for identifying, tracking, calculating, and publicly
27 reporting transfers out of a four-year cohort, as defined by § 7-203.2 of the Education
28 Article. This report shall be posted on the Department's website.

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