

UNOFFICIAL COPY OF SENATE BILL 59

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(6lr1150)

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 _____

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

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

3 BY adding to
4 Article - Education
5 Section 7-203.2
6 Annotated Code of Maryland
7 (2004 Replacement Volume and 2005 Supplement)

8 Preamble

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

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

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

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

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

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

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

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

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

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

1

Article - Education

2 7-203.2.

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

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

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

8 1. TRANSFERS INTO THE GROUP:

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

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

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

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

17 2. IS RETAINED IN GRADE; OR

18 3. IS ENROLLED IN A GED PROGRAM.

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

20 1. DIES BEFORE GRADUATION;

21 2. TRANSFERS OUT OF THE GROUP; OR

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

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

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

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

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

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

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

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

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

14 1. A GED PROGRAM; OR

15 2. AN ALTERNATIVE EDUCATION PROGRAM THAT DOES NOT
 16 ISSUE OR PROVIDE CREDITS TOWARD A ~~REGULAR~~ MARYLAND HIGH SCHOOL
 17 DIPLOMA.

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

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

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

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

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

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

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

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

4 (I) THE IMPLEMENTATION OF THIS SECTION;

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

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

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 1,
 13 2006, September 1, 2007, September 1, 2008, ~~and~~ September 1, 2009, and September
 14 1, 2010, each county board shall:

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

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

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

23 (ii) the State Department of Education.

24 SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1,
 25 2006, October 1, 2007, October 1, 2008, ~~and~~ October 1, 2009, and October 1, 2010, the
 26 State Department of Education shall:

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

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

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

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

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

14 SECTION 5. AND BE IT FURTHER ENACTED, That on or before August 1,
15 2006, the State Department of Education shall report to the Governor and, subject to
16 § 2-1246 of the State Government Article, to the General Assembly, regarding
17 measures being taken to implement Sections 2 and 3 of this Act and shall include the
18 categories and codes being used for identifying, tracking, calculating, and publicly
19 reporting transfers out of a four-year cohort, as defined by § 7-203.2 of the Education
20 Article. This report shall be posted on the Department's website.

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