

(PRE-FILED)

---

By: **Senator Britt**  
Requested: November 15, 2005  
Introduced and read first time: January 11, 2006  
Assigned to: Education, Health, and Environmental Affairs

---

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 indicates 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" 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 (3) "GRADUATION RATE" MEANS THE PERCENTAGE OBTAINED FROM  
15 APPLYING THE GRADUATION RATE FORMULA.
- 16 (4) "GRADUATION RATE FORMULA" MEANS THE NUMBER OF STUDENTS  
17 WHO GRADUATE ON TIME DIVIDED BY THE NUMBER OF STUDENTS IN THE  
18 FOUR-YEAR COHORT.
- 19 (5) (I) "ON TIME" MEANS ON OR BEFORE THE CONCLUSION OF A  
20 FOUR-YEAR COHORT'S FOURTH YEAR OF HIGH SCHOOL.
- 21 (II) "ON TIME" INCLUDES A SENIOR SUMMER SESSION IN A  
22 JURISDICTION THAT OFFERS SENIOR SUMMER SESSIONS.
- 23 (6) (I) "TRANSFER OUT" MEANS A STUDENT WHO THE COUNTY BOARD  
24 CONFIRMS, VIA WRITTEN DOCUMENTATION, HAS ENROLLED IN ANOTHER HIGH  
25 SCHOOL OR OTHER EDUCATIONAL PROGRAM FROM WHICH THAT STUDENT IS  
26 EXPECTED TO RECEIVE A REGULAR HIGH SCHOOL DIPLOMA.
- 27 (II) "TRANSFER OUT" DOES NOT INCLUDE A STUDENT ENROLLED  
28 IN:
- 29 1. A GED PROGRAM; OR
- 30 2. AN ALTERNATIVE EDUCATION PROGRAM THAT DOES NOT  
31 ISSUE OR PROVIDE CREDITS TOWARD A REGULAR HIGH SCHOOL DIPLOMA.
- 32 (B) THE PURPOSE OF THIS SECTION IS TO:

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

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

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

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

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

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

19                               2.       THE DEPARTMENT.

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

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

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

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

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

35       (E)       THE DEPARTMENT SHALL:

36                   (1)       IMPLEMENT TRAINING FOR ADMINISTRATORS AND OTHER  
37 PERSONNEL RESPONSIBLE FOR COLLECTING, MAINTAINING, ANALYZING, AND

1 PUBLICLY REPORTING DATA REGARDING FOUR-YEAR COHORTS AND GRADUATION  
2 RATES;

3 (2) IMPLEMENT A SYSTEM FOR VERIFYING THE ACCURACY OF DATA  
4 INCLUDING:

5 (I) STATISTICAL CHECKS AND ANALYSES; AND

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

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

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

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

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

20 (I) THE IMPLEMENTATION OF THIS SECTION;

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

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

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

28 SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 1,  
29 2006, September 1, 2007, September 1, 2008, and September 1, 2009, each county  
30 board shall:

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

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

35 (i) the public in the aggregate and disaggregated by American  
36 Indian, African American, Hispanic, White, Asian/Pacific Islander, students who are

1 limited English proficient, students who receive free and reduced priced meals, and  
2 students who receive special education services; and

3 (ii) the State Department of Education.

4 SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1,  
5 2006, October 1, 2007, October 1, 2008, and October 1, 2009, the State Department of  
6 Education shall:

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

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

14 SECTION 4. AND BE IT FURTHER ENACTED, That in 2006, 2007, 2008, and  
15 2009, for the purpose of determining Adequate Yearly Progress under the federal No  
16 Child Left Behind Act, the State Department of Education shall use the interim  
17 graduation rates determined under Sections 2 and 3 of this Act as the additional high  
18 school indicator.

19 SECTION 5. AND BE IT FURTHER ENACTED, That on or before August 1,  
20 2006, the State Department of Education shall report to the Governor and, subject to  
21 § 2-1246 of the State Government Article, to the General Assembly, regarding  
22 measures being taken to implement Sections 2 and 3 of this Act and shall include the  
23 categories and codes being used for identifying, tracking, calculating, and publicly  
24 reporting transfers out of a four-year cohort, as defined by § 7-203.2 of the Education  
25 Article. This report shall be posted on the Department's website.

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