

(PRE-FILED)

By: ~~Senator Britt~~ **Senators Britt, Jones, and McFadden**

Requested: November 15, 2005

Introduced and read first time: January 11, 2006

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2006

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
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)

Preamble

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

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

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

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

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

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

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

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

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

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

Article - Education

30 7-203.2.

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

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

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

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

3 1. A GED PROGRAM; OR

4 2. AN ALTERNATIVE EDUCATION PROGRAM THAT DOES NOT
5 ISSUE OR PROVIDE CREDITS TOWARD A REGULAR HIGH SCHOOL DIPLOMA.

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

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

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

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

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

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

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

25 2. THE DEPARTMENT.

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

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

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

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

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

7 (E) THE DEPARTMENT SHALL:

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

12 (2) IMPLEMENT A SYSTEM FOR VERIFYING THE ACCURACY OF DATA
13 INCLUDING:

14 (I) STATISTICAL CHECKS AND ANALYSES; AND

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

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

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

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

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

29 (I) THE IMPLEMENTATION OF THIS SECTION;

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

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

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

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

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

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

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

12 (ii) the State Department of Education.

13 SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1,
14 2006, October 1, 2007, October 1, 2008, and October 1, 2009, the State Department of
15 Education shall:

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

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

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

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

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

36 SECTION 5. AND BE IT FURTHER ENACTED, That on or before August 1,
37 2006, the State Department of Education shall report to the Governor and, subject to
38 § 2-1246 of the State Government Article, to the General Assembly, regarding
39 measures being taken to implement Sections 2 and 3 of this Act and shall include the

1 categories and codes being used for identifying, tracking, calculating, and publicly
2 reporting transfers out of a four-year cohort, as defined by § 7-203.2 of the Education
3 Article. This report shall be posted on the Department's website.

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