

Proposed Legislative Bill Template¹
For Use By States in Developing Legislation Relating to:
THE COLLECTION OF ACCURATE DATA ABOUT
STATE HIGH SCHOOL GRADUATION RATES

[SPONSORS SECTION]

By: *[Insert legislative sponsor's name followed by co-sponsors]*

[TITLE PROVISIONS SECTION]

A BILL

AN ACT concerning

High School Outcomes Improvement Act

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

[PURPOSE SECTION] *This section provides a synopsis of what the Act prescribes, usually written after bill is drafted. Sample language such as:*

FOR the purpose of requiring the [State Education System] to adopt and implement a certain formula for use in calculating certain information about “on time” graduation rates from the State’s public high schools; requiring the [State Education System] to undertake certain activities with respect to graduation rates from the State’s public high schools; and relating generally to the collection, maintenance, public reporting and analysis of data relating to graduation rates from the public high schools of the State.

[REFERENCE SECTION] *This section is used to identify any existing state code, articles, ,or sections to be amended.*

By adding to

Article - Education

Section ____

Annotated Code of _____

(2004 Replacement Volume and 2005 Supplement)

[PREAMBLE SECTION] *This is an optional section if a legislative purpose section is used below. However, both a preamble and a legislative purpose section may both be used. A Preamble usually includes a listing of “whereas” statements, rationale. For a Preamble section, sample language might be something along the lines of:*

(1) **Whereas**, The high schools of the State of _____ play an integral role in preparing students for college and work in the 21st Century. The High School Outcomes Improvement Act recognizes that high school success is more important than ever for the health of our economy, for civic life, and to ensure equal opportunity, it is of critical importance to the success of our public high schools to prepare all students for college and work in the 21st century;

¹ *Template is based largely on the standard organization for legislative bill drafts considered by the Maryland General Assembly. For information on the bill filed in Maryland, contact Del. Ana Sol Gutierrez at 301-718-0707.*

(2) **Whereas**, without accurate data on graduation rates it is extremely difficult to evaluate the efficacy of the state’s system of public education. Better information can lead to better policies and program implementation;

(3) **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;

(4) **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;

(5) **Whereas**, in the State of _____ existing data from independent researchers indicates that when graduation rates are broken down by racial and ethnic group, by students with disabilities compared to their non-disabled peers, by English language learners and by socio-economically disadvantaged students compared to non-disadvantaged peers, that many of these sub-groups are experiencing particularly low rates of high school graduation;

(6) **Whereas**, ultimately the State of _____ is committed to develop and implement a student – unit-record data system, with unique student identifiers that can track students through the _____’s education system from kindergarten through post-secondary education.

(7) **Whereas**, this state hereby commits to developing and 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.

[ENACTING CLAUSE SECTIONS] *This section introduces the Text of Body of the draft bill.*

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

Article - Education

[STARTS BODY OF BILL] - *Use Sub-Section designation examples as follows and as appropriate.*

(A) DEFINITIONS.

(1) **“HIGH SCHOOL GRADUATION RATE”**: is defined as the percentage of the “four year adjusted cohort” who attended high school in the school district, and earned a regular high school diploma “on time” as calculated using the graduation rate “formula.”

(2) **“GRADUATION RATE FORMULA”**: defines the formula for calculating the graduation rate as the number of students who earned an “on time” diploma divided by the number of students who formed the four year adjusted cohort for that graduation class. It may be expressed as follows: Graduation rate = (On-time graduates in year x) divided by [(the number of students who entered grade 9 together in year x-4) + (transfers in) – (transfers out and deceased)]

(3) **“ON TIME”** : means that students who earned a regular high school diploma from the district at the conclusion of their fourth year or before. This may include graduates who earned their diploma during a senior summer session in those districts offering summer sessions for seniors.

(4) **“FOUR-YEAR ADJUSTED COHORT”**: is defined as the students who entered grade 9 together; and, any students that transferred into the district in grade 10 through 12. Students that the district can confirm have either transferred out of the district, as defined in paragraph (6), or are deceased, are removed from the cohort. All other students, including those retained in grade, those who enroll in a GED program, or take leave of school for any other reason, are not counted as transfers and remain in the “four-year adjusted cohort.” Students who are retained in grade, or take leave of school and return are counted only once as part of their initial “four-year adjusted cohort.”

(5) **“TRANSFERS IN”**: are students who entered any high school after the beginning of the entering cohort’s first year in high school in the district up to and including grade 12.

(6) **“TRANSFERS OUT”**: are students the district can confirm with supporting documentation as having transferred out of the district to enroll in another high school outside the district, or other educational program for which they are expected to receive a regular high school diploma. Confirmation of transfer to another school/program shall be in the form of formal, written documentation that the student enrolled in the receiving school. “Transfers Out” does not include students enrolled in a GED or other alternative educational program that does not issue or provide credits toward the issuance of a regular high school diploma. .

(B) LEGISLATIVE PURPOSE

This is an optional section if a preamble is used above. However, both a preamble and a legislative purpose section may both be used. For a legislative purpose section, sample language might be something along the lines of:

(1) The [state legislature] finds that it is of critical importance to the success of our public high schools in preparing students for college and work in the 21st century that accurate data with respect to high school student graduation rates are collected, maintained, analyzed and publicly reported at the school, district and state level state’s education system.

(2) The purpose of this statute is to initiate a process by which the state may achieve the goal of collecting, maintaining, analyzing and reporting of data relating to the graduation rates of the students in our public high school as an essential step in addressing gaps in educational achievement among our diverse student population.

(C) SCOPE, CONSTRUCTION, OR APPLICATION OF THE STATUTE

This, too, is an optional provision used to limit the scope or applicability of the Statute. If used, possible language might be:

This section applies only to graduation rate data for students who attend the public high schools of the state.

[SUBSTANTIVE PROVISIONS OF THE STATUTE] *[Examples based on NGA]*
The following text is based on the NGA Report of Task Force on State High School Graduation Data.

(D) DUTIES AND RESPONSIBILITIES IMPOSED BY THE STATUTE WITH RESPECT TO THE STATE’S ADOPTION, PUBLIC REPORTING AND IMPLEMENTATION, WITH RESPECT TO THE PUBLIC HIGH SCHOOLS IN THE STATE, OF A STANDARD FOUR-YEAR ADJUSTED COHORT GRADUATION RATE USING THE DEFINED FORMULA.

(1) Within 90 days of the effective date of this section, the [state education agency], in conjunction with each local school board, district, or agency, shall adopt and implement a standard 4-year adjusted cohort graduation rate definition and data collection protocol using the graduation rate formula as defined in paragraph (A) (4).

(2) Students who enroll in a GED or any other alternative educational program that does not issue or provide credits toward the issuance of a regular high school diploma are not “transfers out,” and remain in the cohort for the purpose of graduation rate calculations described in this Act.

(3) [The state’s education system], in conjunction with each local school board, district, or agency shall develop and retain capacity for collection, analysis, and public reporting of public high school graduation rate data. Graduation rates shall be calculated and publicly reported for each school, school district and for the state. Graduation rates shall be calculated and publicly reported in the aggregate and disaggregated by the major racial and ethnic groups, for students with disabilities, for English language learners, for socio-economically disadvantaged students, and for non-socio-economically disadvantaged students.

(4) The state’s education system, in conjunction with local school districts, is encouraged to develop and implement one or more complementary indicators to enhance the state’s ability to measure and report different forms of high school completion, including: five- and six-year graduation rates; dropout rates; retention rates; completion rates; and college-ready graduation rates. The state education department shall develop consistent definitions to ensure that these measures are reported in comparable ways across schools and districts within the state. These additional indicators will not replace or be presented or treated as an alternative to the graduation rate delineated in this Act.

(5) Nothing in this Act should be construed as limiting the reporting on a variety of other indices of school completion such as dropout rates, 5- and 6-year graduation rates, and other school completion rates recommended for development in paragraph 3 of this Act.

(6)[The state], through the appropriate agencies and officials, shall take the necessary steps to inculcate in the overall mission of the [state’s education system] the importance of collecting, maintaining, analyzing, and publicly reporting at the state and district level, accurate and disaggregated data on the graduation rates of public high schools at the district and school level. These steps include, but are not limited to, mandatory training for all school district administrators, registrars and other school- and district-based personnel with responsibility for collecting and maintaining data on cohorts and graduation rates. In addition, the state department of education shall implement a system for verifying the accuracy of locally reported graduation-rate data that shall include statistical checks and analyses along with on-site audits of record-keeping procedures to ensure that schools and districts adhere to state standards and guidelines.

(7) [The state], through the appropriate agencies and officials, shall take the necessary steps to educate the public as to the need for the state’s education system to be able to collect, maintain, analyze, and report publicly, accurate data on the graduation rates of public high schools and school districts. Such steps shall include, but not be limited to, outreach to civic associations, community based groups, and parents organizations to educate them about the need for accurate graduation rates, to inform them of the reporting and assistance to be implemented by the state, and to solicit suggestions and community support.

(8) [The state’s education system] shall collaborate with local governments in the process of adopting and implementing the public high school graduation rate required by this section. This collaboration

shall include the calculation and public reporting of an interim graduation rate until such time as the state and local governments have all the data required to fully implement the cohort graduation rate definition mandated by section (D)(1) of this statute. This interim graduation rate shall be the ratio of diploma recipients in the given year to 9th grade enrollment four years prior.

(9) The interim graduation rate mandated in section (D)(8) shall be used as the additional high school indicator for the purposes of determining a high school's Adequate Yearly Progress status under the No Child Left Behind Act of 2001 until such time as the cohort graduation rate mandated by section (D)(1) is implemented. Upon implementation of the cohort graduation rate, this rate shall be used as the additional high school indicator for the purposes of determining a high school's Adequate Yearly Progress status under the No Child Left Behind Act of 2001.

(E) REPORTING REQUIREMENT ON IMPLEMENTATION OF STATUTE

- (1) Within (XX or 90) days of the effective date of this statute, [the state's education system] shall submit a report to the governor and the [state legislature] on the implementation of subsection (D) (1) of this section [the adoption and implementation of the standard 4-year cohort graduation rate formula, disaggregated pursuant to paragraph (D)(3)]. The report shall describe the interim measures the state is taking pursuant to section (D)(8). The report shall also detail each category, code and the corresponding definitions that the state has authorized for identifying, tracking, calculating and publicly reporting transfers out in compliance with section (A)(6) of this statute. This report shall be released to the public and posted on the state education department's publicly accessible Web page contemporaneous with submission to the governor and legislature.
- (2) On or before November 1st of each year, [the state's education system] shall submit a report to the governor and the [state legislature] on its efforts to collect, maintain, analyze, and publicly report high school graduation rates, and how the steps taken by that system comply with other appropriate provisions of this section. This report shall describe the statistical analyses and data verification activities undertaken by the state to confirm the accuracy of reported graduation rates, and shall detail any discrepancies identified. This report shall be released to the public and posted on the state education department's publicly accessible Web page contemporaneous with submission to the governor and legislature.

[CLOSING SECTION- *Effective date of statute*]:

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
July 1, 200X.