

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 869 Session of
2007

INTRODUCED BY BROWNE, ERICKSON, BOSCOLA, KASUNIC, COSTA,
TOMLINSON AND O'PAKE, MAY 18, 2007

REFERRED TO EDUCATION, MAY 18, 2007

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for a graduation rate
6 formula.

7 The General Assembly hereby finds and declares as follows:

8 (1) High schools play an integral role in preparing
9 students for college and work in the 21st century. It is of
10 critical importance to the success of our economy, civic life
11 and assurance of equal opportunity that public high schools
12 provide this preparation.

13 (2) Without accurate data regarding graduation rates it
14 is extremely difficult to evaluate the efficacy of the
15 Commonwealth's system of public education. Better information
16 can lead to better policies and program implementation.

17 (3) Parents and community members who are critical to
18 ensuring strong educational accountability are hampered in
19 their efforts to improve our schools if they do not have

1 accurate data. It is of critical importance that accurate
2 data be collected, maintained, analyzed and publicly reported
3 by the Commonwealth's education system with respect to high
4 school graduation rates.

5 (4) Existing data from independent researchers indicates
6 that when graduation rates are disaggregated by racial and
7 ethnic groups, students with disabilities and students with
8 limited English proficiency, socioeconomically disadvantaged
9 students are experiencing particularly low rates of high
10 school graduation.

11 (5) The Commonwealth should be committed to developing
12 and implementing a data system with unique student
13 identifiers that can track students from kindergarten through
14 postsecondary education and should also be committed to
15 maintaining a data and public reporting system that
16 accurately accounts for all students when calculating high
17 school graduation rates and informs the public of progress
18 toward the goal of universal high school graduation.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
22 as the Public School Code of 1949, is amended by adding an
23 article to read:

24 ARTICLE XIII-B

25 GRADUATION RATE FORMULA

26 Section 1301-B. Definitions.

27 The following words and phrases when used in this article
28 shall have the meanings given to them in this section unless the
29 context clearly indicates otherwise:

30 "Board." The State Board of Education of the Commonwealth.

"Department." The Department of Education of the
Commonwealth.

"Four-year cohort."

(1) A group of students who enter ninth grade together.
The term includes a student who meets one of the following:

(i) Transfers into the group during one of the
following consistent with criteria developed by the
department:

(A) The ninth grade of the group's first year in
high school.

(B) The tenth grade of the group's second year
in high school.

(C) The eleventh grade of the group's third year
in high school.

(D) The twelfth grade of the group's fourth year
in high school.

(ii) Is retained in a grade. Students retained in a
grade shall only be counted once as members of their
original cohort.

(iii) Is enrolled in a general educational
development (GED) program.

(2) The term does not include a student who meets one of
the following:

(i) Dies before graduation.

(ii) Transfers out.

"Graduation rate." The percentage obtained from applying the
graduation rate formula.

"Graduation rate formula." The number of students in a given
year who graduate on time with a Pennsylvania high school
diploma divided by the number of first time entering ninth

graders four years earlier, with adjustments to the denominator to account for transfers in and out of the system. The term does not include students who graduate on time with a general educational development (GED) or other certificate not consistent with Commonwealth standards.

"On time." On or before the conclusion of a four-year cohort's fourth year of high school. The term includes a senior summer session in a school district that offers senior summer sessions.

"Transfer out." A student who the school district confirms, has enrolled in another high school or other educational program from which that student is expected to graduate, consistent with criteria developed by the department. The term does not include a student enrolled in any of the following:

(1) A general educational development (GED) program.

(2) An alternative education program that does not issue or provide credits toward a Pennsylvania high school diploma.

Section 1302-B. Purpose.

The purpose of this article shall be to do all of the following:

(1) Initiate a process by which the Commonwealth may achieve the goal of collecting, maintaining, analyzing and publicly reporting data relating to the graduation rates of students in public high schools as an essential step in addressing gaps in educational achievement among a diverse student population.

(2) Explicitly delineate the duties and responsibilities of the department and of school districts in regard to paragraph (1).

Section 1303-B. Data collection.

1 (a) Collection and reporting.--Beginning on or before
2 September 1, 2010, and each year thereafter, a school district
3 shall do all of the following:

4 (1) Collect, maintain and analyze graduation rates for
5 school districts and each school with a graduating class, as
6 provided in department guidelines in the aggregate and
7 disaggregated by the subgroup categories listed under section
8 1111(b)(2)(C)(v)(II) of the No Child Left Behind Act of 2001
9 (Public Law 107-110, 115 Stat. 1425).

10 (2) Report the information required under paragraph (1)
11 to all of the following:

12 (i) The public.

13 (ii) The department.

14 (b) Compilation.--Beginning on or before January 1, 2012,
15 and each year thereafter, the department shall do all of the
16 following:

17 (1) Compile the information received under subsection
18 (a)(1) and calculate a graduation rate for this Commonwealth.

19 (2) Post the information obtained under this section for
20 each county on its publicly accessible Internet website in
21 the aggregate and disaggregated by the subgroup categories
22 listed under subsection (a)(2)(i).

23 Section 1304-B. Additional indicators.

24 (a) Development.--A school district and the department may
25 develop and implement additional indicators to collect,
26 maintain, analyze and publicly report data regarding alternative
27 high school completions.

28 (b) Comparability.--The department shall ensure that the
29 information collected under subsection (a) is comparable for
30 school districts in this Commonwealth.

1 Section 1305-B. Powers and duties of department.

2 The department shall have the power and duty to do all of the
3 following:

4 (1) Implement training for administrators and other
5 personnel responsible for collecting, maintaining, analyzing
6 and publicly reporting data regarding four-year cohorts and
7 graduation rates.

8 (2) Implement a standard process for verifying the
9 accuracy of data.

10 (3) Implement a public awareness campaign, including
11 outreach to civic associations, community-based groups and
12 parent organizations, and the solicitation of suggestions and
13 community support regarding the need for collecting,
14 maintaining, analyzing and publicly reporting accurate data
15 regarding four-year cohorts and graduation rates.

16 (4) Provide technical support to the school districts
17 with collecting, maintaining, analyzing and publicly
18 reporting graduation data.

19 (5) On or before January 1 of each year, report to the
20 Governor and the General Assembly regarding all of the
21 following:

22 (i) The implementation of this article.

23 (ii) Statistical analyses and data verification
24 processes developed under this article.

25 (iii) Discrepancies discovered while collecting,
26 maintaining, analyzing and publicly reporting information
27 required under this article.

28 (6) Post the report required under this section on the
29 department's publicly accessible Internet website.

30 Section 1307-B. Use of graduation rate for special populations.

1 The department shall, upon completion of report under section
2 1303-B(b), use as the additional high school indicator the
3 graduation rate, including permissible adjustments as determined
4 by the department and consistent with the No Child Left Behind
5 Act of 2001, that allows additional time for students with
6 disabilities, students with limited English proficiency and
7 other students when educationally appropriate based on an
8 individualized review of a student's pathway to graduation.

9 Section 2. This act shall take effect immediately.