

ESEA FLEXIBILITY AND GRADUATION RATES

The U.S. Department of Education (Department) has now approved flexibility under the Elementary and Secondary Education Act of 1965 (ESEA flexibility) for 34 States and the District of Columbia, granting flexibility from certain provisions of the ESEA in exchange for rigorous and comprehensive State-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. A key component of each State-developed plan is the use of the four-year adjusted cohort graduation rate, as defined in 34 C.F.R. § 200.19 (73 FR 64508 (Oct. 29, 2008)), to hold schools accountable for improving educational achievement and outcomes for all students, including all ESEA subgroups of students. To assist and guide States that have requested ESEA flexibility, and to support continuous improvement in States that have received ESEA flexibility, the Department is providing highlights of how some States have included graduation rates and other related indicators within their approved systems of differentiated recognition, accountability, and support, with the goal of having all students graduate from high school college- and career-ready.

ESEA flexibility enables each State to replace the overly prescriptive, one-size-fits-all system under the No Child Left Behind Act of 2001 (NCLB) with a more comprehensive system of accountability that leads to meaningful, targeted interventions. States approved for ESEA flexibility have incorporated, to a significant degree, the four-year adjusted cohort graduation rate into their systems of differentiated recognition, accountability and support. In addition, States that have received ESEA flexibility have identified all Title I schools with graduation rates below 60 percent over a number of years, have implemented rigorous interventions in those schools, and have also used graduation rate targets, including for subgroups, to drive incentives and supports in all other Title I schools. At the same time, States have included other measures of student achievement and other educational outcomes in their new State-developed systems of differentiated recognition, accountability and support.

As a result, we believe that the State-designed accountability systems implemented under ESEA flexibility will result in more effective and meaningful accountability for all schools and students, including all subgroups of students, and will lead to more effective interventions in schools with low graduation rates. In particular, ESEA flexibility puts a spotlight on high schools with persistently low graduation rates and places them on an accelerated track for meaningful interventions. Under NCLB, a school could miss its graduation rate goal or target for five years before it would be required to implement rigorous interventions. Moreover, the supplemental educational services (SES) and public school choice interventions that would have been triggered earlier in the improvement timeline did not necessarily address the specific needs of the subgroups not graduating. Under ESEA flexibility, however, the Department required States to identify every Title I high school with a graduation rate less than 60 percent over a number of years as a priority or focus school, thus ensuring that high schools most in need of support would begin to implement more rigorous, targeted interventions sooner. In addition, States have integrated into their systems

comprehensive reform mechanisms that will specifically target interventions toward schools that demonstrate the most need.

Finally, each State approved for ESEA flexibility and its districts must continue to calculate graduation rates using the four-year adjusted cohort rate as required by the 2008 Title I regulations. Each State must set a single graduation rate goal that represents the rate the State expects all high schools in the State to meet as well as annual graduation rate targets ensuring continuous and substantial progress toward that goal. Significantly, a number of States increased their graduation rate goal under ESEA flexibility. Each State and its districts must report on State and local report cards, respectively, the four-year adjusted cohort rate, in the aggregate and disaggregated by ESEA subgroups, as well as for any “combined subgroup” that a State has included in its ESEA flexibility request. Each State and its districts must also report how all students and all subgroups are performing against the State’s graduation rate goal and annual targets.

The following examples provide a cross-section of some of the various ways States have incorporated graduation rate and related college- and career-ready indicators in their flexibility requests.

ARKANSAS

All schools that do not meet graduation rate annual targets for either the “all students” group or the “targeted achievement gap” combined subgroup (including low-income students, English Learners, and students with disabilities) are identified as “Needs Improvement Schools.” In addition, schools that do not meet graduation rate annual targets for any subgroup identified in ESEA section 1111(b)(2)(C)(v)(II) (ESEA subgroup) for two consecutive years must include interventions to address the need in their annual school improvement plans. These schools must conduct a deep analysis of subgroup performance data, must identify and implement appropriate interventions, and must support interventions with the resources necessary to ensure successful implementation. Schools that demonstrate a lack of progress in improving graduation rates will be subject to increased State oversight.

In addition to identifying all Title I-participating high schools with graduation rates below 60 percent over a number of years as priority or focus schools and ensuring rigorous interventions in these schools, Arkansas identifies schools with the largest graduation rate gaps between the combined subgroup and students not in the combined subgroup as focus schools and requires these schools to implement immediate targeted interventions.

Schools that do not meet graduation rate annual targets for any ESEA subgroup are excluded from “Exemplary School” consideration. Arkansas also measures and reports dropout rates, participation and performance in advanced coursework, and ACT scores, and uses this information to inform interventions and supports.

COLORADO

Graduation rate comprises 17.5 percent of Colorado’s school rating system for high schools, including separate, equally weighted measures for the graduation rate of the “all students” group and the graduation rate of low-income students, English Learners, students with disabilities, and minority students.

High school ratings are used to identify need and target interventions and supports. Graduation rate data are included in “Unified Improvement Plans” and districts and schools that do not meet expectations by reaching at least an 80 percent graduation rate for disaggregated subgroups must include targets and action plans to improve graduation rates.

Colorado will identify as priority or focus schools all Title I-participating high schools with graduation rates below 60 percent over a number of years, and ensure these schools implement rigorous interventions. Colorado will identify as high-performing reward schools only those schools that have a graduation rate of 90 percent or above for all students as well as low-income students, English Learners, students with disabilities, and minority students. In order to be identified as a high-progress reward school, a school must improve graduation rates from not meeting targets to meeting or exceeding targets within three years for each of these subgroups.

Colorado also measures and reports dropout rates and ACT performance as additional indicators of college- and career-readiness, and uses these measures to inform interventions and supports.

DELAWARE

Delaware is maintaining the requirement for adequate yearly progress (AYP) determinations as defined in current law, under which schools that do not meet the graduation rate goal or target for the “all students” group or any ESEA subgroup do not make AYP. This information will be used to classify districts into different tiers, with districts that have more schools missing AYP receiving more intensive supports from the State.

In addition to identifying all Title I-participating high schools with graduation rates below 60 percent as either priority or focus schools, Delaware also will provide support specifically targeted toward increasing graduation rate to all districts with high schools that have low graduation rates but are not Title I high schools or do not have a graduation rate below 60 percent. Further, a school must meet its graduation rate targets for the “all students” group and all ESEA subgroups in order to be classified as a reward school.

In addition, all districts in Delaware participate in the State’s Race to the Top program. As part of this program, districts must complete detailed plans for increasing student achievement and, at the high school level, graduation rates. Delaware monitors districts’ progress at increasing graduation rates and holds districts accountable for reviewing progress towards their improvement

goals and adjusting intervention strategies as necessary. Delaware has aligned the work of its Race to the Top plan with the work in its approved flexibility request to maximize the impact of both programs.

KANSAS

Kansas is continuing to make AYP determinations for schools and districts as defined in current law, meaning that schools that do not meet the graduation rate goal or target for the “all students” group or any applicable ESEA subgroup do not make AYP. Kansas’s graduation rate targets require schools with lower graduation to make greater rates of improvement for all students and all subgroups.

In addition to identifying all Title I-participating high schools with graduation rates below 60 percent as either priority or focus schools, Kansas is identifying all Title I-participating schools that are not priority or focus schools but that miss graduation rate targets for the “all students” group or for any ESEA subgroup as “Not Making Progress” schools. These schools and the districts in which they reside will be required to conduct a comprehensive needs analysis and develop and implement plans to address school needs through research-based interventions and strategies. Districts in which schools continue to not make progress will be subject to additional monitoring by the State.

KENTUCKY

In addition to including graduation rate as part of the performance index for high schools, Kentucky requires a high school to meet both its overall index target and its graduation rate target to be identified as a “Progressing” school. Beginning in 2013, schools that do not meet both targets will not be eligible for recognition or rewards.

All Title I-participating high schools with graduation rates below 60 percent are identified as priority schools. Kentucky also identifies non-Title I high schools with graduation rates below 60 percent as priority or focus schools, and identifies priority and focus districts based on similar criteria as those for priority and focus schools. The comprehensive school and district improvement plans for these schools and districts must include dropout prevention strategies.

MINNESOTA

Graduation rates count for 25 percent of Minnesota’s high school rating index, and the graduation rates of all ESEA subgroups are included separately in the index. All subgroups are held to the same standard, they get no points if they fail to meet the four-year adjusted cohort graduation rate target of 85 percent, and smaller groups are over-weighted.

Minnesota is also continuing to determine AYP as defined in current law, under which schools that do not meet the graduation rate goal or target for the “all students” group or any

applicable ESEA subgroup do not make AYP. Schools that do not meet AYP for two consecutive years must develop and implement a school improvement plan, and a sample of these plans will be audited by the State.

Minnesota will identify all Title I-participating high schools with graduation rates below 60 percent as priority or focus schools. Through Minnesota's Early Indicator and Response System (MEIRS), schools can identify students at risk for dropping out and develop student-specific strategies for keeping all students on track to graduate. All focus schools identified based on graduation rates will be expected to utilize MEIRS.

NEW JERSEY

All schools with graduation rates below 75 percent, rather than only those with graduation rates below 60 percent, are identified as either priority or focus schools, receiving the most intensive and immediate interventions. Those high schools with the lowest achievement and graduation rates below 75 percent are identified as priority schools, while those that have higher achievement but still have graduation rates below 75 percent are identified as focus schools.

Any school that does not meet performance targets for the "all students" group or any ESEA subgroup, including for graduation rate, must develop a school improvement plan to address performance gaps between subgroups, which must be reviewed at public meetings. Districts must develop proposed targets for improvement and will receive targeted technical assistance.

New Jersey will issue data-rich school performance reports that include, in addition to the required reporting of performance against graduation rate targets disaggregated by subgroup, performance against other college-readiness indicators such as SAT and AP participation and achievement, remediation rates, and post-secondary enrollment.

NEW YORK

New York will identify all Title I high schools with graduation rates below 60 percent over a number of years as priority schools, and will require these schools will implement the most rigorous interventions. New York identifies as focus districts those districts whose subgroup graduation rate places the district among the lowest five percent of districts in the State for that subgroup of students. Schools in these districts, as well as priority schools and districts, must complete a comprehensive needs assessment and implement targeted interventions to address areas of need. State and local regional centers will provide support to assist in the development and implementation of these plans.

Every school not identified as a focus or priority school that misses graduation rate targets for the "all students" group or for any subgroup will be identified as a "Local Assistance Plan" school and must develop a plan and implement interventions to increase the graduation rates of low-performing subgroups.

OREGON

Oregon is transitioning to a new school performance index under which graduation rates for all students and graduation rates for historically underperforming students are measured separately and combine to contribute 50 percent of the performance rating for high schools.

All Title I-eligible high schools with graduation rates below 60 percent are identified as priority schools, and will receive the highest level of interventions. Title I-participating high schools with the largest within-school graduation rate gaps are identified as focus schools, receiving immediate interventions. In all priority and focus schools, graduation rate data are a key element in the development of comprehensive achievement plans. Specific interventions include the selection of school leaders with a proven record of improving graduation rates and reducing dropouts at other schools with similar student demographics; the use of early warning systems to identify students at risk of dropping out; organizational and structural changes designed to reengage students at risk of dropping out or not completing school on time; and greater personalization for students such as the establishment of smaller learning communities, homerooms, or Ninth Grade Academies within the school.

Oregon has made increasing the graduation rate and postsecondary outcomes the centerpiece of its accountability system. By 2025, every Oregon student should earn a high school diploma or its equivalent and 80 percent of students should enter postsecondary education, with half earning associate's degrees or professional or technical certificates and half achieving a bachelor's degree or beyond.

SOUTH CAROLINA

Graduation rate comprises 30 percent of South Carolina's school accountability index for high schools. Graduation rates in the index are disaggregated by subgroup and schools lose credit for any subgroup that does not meet the graduation rate target.

All Title I-eligible high schools with graduation rates below 60 percent for three consecutive years are identified as priority schools, receiving the most intensive interventions and supports. All Title I-participating high schools with graduation rates below 60 percent for two consecutive years that are not already priority schools are identified as focus schools. Priority and focus schools must develop a "Challenge to Achieve" plan, with research-based strategies to improve student performance.

Schools that receive a C or a D under South Carolina's A-F grading system must conduct a needs assessment to determine the cause of the failure to meet targets, including graduation rate targets for subgroups, and develop a plan to address areas of need. These schools must submit improvement plans to the State for review and demonstrate that they have the capacity and resources to implement targeted improvement strategies.