



March 18, 2005

**ENGROSSED
HOUSE BILL No. 1794**

DIGEST OF HB 1794 (Updated March 16, 2005 3:27 pm - DI 71)

Citations Affected: IC 20-8.1; IC 20-26.

Synopsis: Graduation rate determination. Includes certain additional groups of students in the determination of a school's graduation rate. Establishes certain procedures concerning a student who has left school and whose location is unknown to the school. Makes technical corrections to conform with the Title 20 recodification.

Effective: July 1, 2005.

Behning, Porter

(SENATE SPONSOR — LUBBERS)

January 19, 2005, read first time and referred to Committee on Education.
February 1, 2005, reported — Do Pass.
February 7, 2005, read second time, ordered engrossed. Engrossed.
February 8, 2005, read third time, passed. Yeas 91, nays 0.

SENATE ACTION

February 14, 2005, read first time and referred to Committee on Education and Career Development.
March 17, 2005, amended, reported favorably — Do Pass.

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EH 1794—LS 7956/DI 84+



March 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1794

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-8.1-15-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. The graduation rate
3 for a cohort in a high school is the percentage determined under STEP
4 SEVEN of the following formula:
- 5 STEP ONE: Determine the grade 9 enrollment at the beginning of
6 the reporting year three (3) years before the reporting year for
7 which the graduation rate is being determined.
- 8 STEP TWO: Add:
- 9 (A) the number determined under STEP ONE; and
10 (B) the number of students who:
- 11 (i) have enrolled in the high school after the date on which
12 the number determined under STEP ONE was determined;
13 and
14 (ii) have the same expected graduation year as the cohort.
- 15 STEP THREE: Add:
- 16 (A) the sum determined under STEP TWO; and
17 (B) the number of retained students from earlier cohorts who

EH 1794—LS 7956/DI 84+



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1 became members of the cohort for whom the graduation rate
 2 is being determined.
 3 STEP FOUR: Add:
 4 (A) the sum determined under STEP THREE; and
 5 (B) the number of students who:
 6 (i) began the reporting year in a cohort that expects to
 7 graduate during a future reporting year; and
 8 (ii) graduate during the current reporting year.
 9 STEP FIVE: Subtract from the sum determined under STEP
 10 FOUR the number of students who have left the cohort for any of
 11 the following reasons:
 12 (A) Transfer to another public or nonpublic school.
 13 (B) Removal by the student's parents under IC 20-8.1-3-34 to
 14 provide instruction equivalent to that given in the public
 15 schools.
 16 (C) Withdrawal because of a long term medical condition or
 17 death.
 18 (D) Detention by a law enforcement agency or the department
 19 of correction.
 20 (E) Placement by a court order or the division of family and
 21 children.
 22 (F) Enrollment in a virtual school.
 23 (G) Graduation before the beginning of the reporting year.
 24 (H) Students who ~~have left school and whose location cannot~~
 25 ~~be determined:~~ **attended school in Indiana for less than one**
 26 **(1) school year and who cannot be located.**
 27 **(I) Students who cannot be located and have been reported**
 28 **to the Indiana clearinghouse for information on missing**
 29 **children.**
 30 **(J) High ability students (as defined in IC 20-10.1-5.1-2)**
 31 **who have withdrawn from school before graduation and**
 32 **are full-time students in an accredited institution of higher**
 33 **education during the semester in which the cohort**
 34 **graduates.**
 35 STEP SIX: Determine the total number of students who have
 36 graduated during the current reporting year.
 37 STEP SEVEN: Divide:
 38 (A) the number determined under STEP SIX; by
 39 (B) the remainder determined under STEP FIVE.
 40 SECTION 2. IC 20-8.1-15-11 IS ADDED TO THE INDIANA
 41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2005]: **Sec. 11. (a) If a student has left the**

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1 school, the student is not included in clauses (A) through (J) of
 2 STEP FIVE of the formula established in section 10 of this chapter.
 3 If the location of the student is unknown to the school, the principal
 4 shall send a certified letter to the last known address of the student,
 5 inquiring about the student's whereabouts and status. If the
 6 student is not located after the certified letter is delivered or if no
 7 response is received, the principal may submit the student's
 8 information, including last known address, parent or guardian
 9 name, student testing number, and other pertinent data to the state
 10 attendance officer. The state attendance officer, using all available
 11 state data and any other means available, shall attempt to locate
 12 the student and report the student's location and school enrollment
 13 status to the principal so that the principal can appropriately send
 14 student records to the new school or otherwise document the
 15 student's status.

16 (b) If a school corporation cannot provide written proof that a
 17 student should be included in clauses (A) through (J) of STEP
 18 FIVE of section 10 of this chapter, the student is considered a
 19 dropout.

20 SECTION 3. IC 20-8.1-15-12 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2005]: **Sec. 12.** For each high school, the
 23 department shall calculate an estimated graduation rate that is
 24 determined by the total number of graduates for the reporting year
 25 divided by the total number of students enrolled in grade 9 at the
 26 school three (3) years before the reporting year. For any school
 27 where the difference between the estimated graduation rate and
 28 the number determined under STEP SEVEN of section 10 of this
 29 chapter is more than five percent (5%), the department shall
 30 request the data used in determining that the missing students are
 31 classified under one (1) or more of clauses (A) through (J) of STEP
 32 FIVE of section 10 of this chapter.

33 SECTION 4. IC 20-8.1-15-13 IS ADDED TO THE INDIANA
 34 CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2005]: **Sec. 13.** For any school that cannot
 36 provide written proof supporting the school's determinations to
 37 include a student under clauses (A) through (J) of STEP FIVE of
 38 section 10 of this chapter, the department shall require the
 39 publication of the corrected graduation rate in the next school
 40 year's report required under IC 20-1-21-4.

41 SECTION 5. IC 20-26-13-10, AS ADDED BY HEA 1288-2005,
 42 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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- 1 JULY 1, 2005]: Sec. 10. **Except as provided in section 11 of this**
 2 **chapter**, the graduation rate for a cohort in a high school is the
 3 percentage determined under STEP SEVEN of the following formula:
 4 STEP ONE: Determine the grade 9 enrollment at the beginning of
 5 the reporting year three (3) years before the reporting year for
 6 which the graduation rate is being determined.
 7 STEP TWO: Add:
 8 (A) the number determined under STEP ONE; and
 9 (B) the number of students who:
 10 (i) have enrolled in the high school after the date on which
 11 the number determined under STEP ONE was determined;
 12 and
 13 (ii) have the same expected graduation year as the cohort.
 14 STEP THREE: Add:
 15 (A) the sum determined under STEP TWO; and
 16 (B) the number of retained students from earlier cohorts who
 17 became members of the cohort for whom the graduation rate
 18 is being determined.
 19 STEP FOUR: Add:
 20 (A) the sum determined under STEP THREE; and
 21 (B) the number of students who:
 22 (i) began the reporting year in a cohort that expects to
 23 graduate during a future reporting year; and
 24 (ii) graduate during the current reporting year.
 25 STEP FIVE: Subtract from the sum determined under STEP
 26 FOUR the number of students who have left the cohort for any of
 27 the following reasons:
 28 (A) Transfer to another public or nonpublic school.
 29 (B) Removal by the student's parents under IC 20-33-2-28 to
 30 provide instruction equivalent to that given in the public
 31 schools.
 32 (C) Withdrawal because of a long term medical condition or
 33 death.
 34 (D) Detention by a law enforcement agency or the department
 35 of correction.
 36 (E) Placement by a court order or the division of family and
 37 children.
 38 (F) Enrollment in a virtual school.
 39 (G) Graduation before the beginning of the reporting year.
 40 (H) Leaving school, if the **student attended school in Indiana**
 41 **for less than one (1) school year and the** location of the
 42 student cannot be determined.

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(I) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children.
(J) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

STEP SIX: Determine the total number of students who have graduated during the current reporting year.

STEP SEVEN: Divide:

- (A) the number determined under STEP SIX; by
- (B) the remainder determined under STEP FIVE.

SECTION 6. IC 20-26-13-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 11. (a) A student who has left school is not included in clauses (A) through (J) of STEP FIVE of the formula established in section 10 of this chapter unless the school corporation can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through (J) of STEP FIVE of section 10 of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.**

(b) If a school corporation cannot provide written proof that a student should be included in clauses (A) through (J) of STEP FIVE of section 10 of this chapter, the student is considered a dropout.

SECTION 7. IC 20-26-13-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 12. For each high school, the department shall calculate an estimated graduation rate that is**

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1 determined by the total number of graduates for the reporting year
 2 divided by the total number of students enrolled in grade 9 at the
 3 school three (3) years before the reporting year. For any school
 4 where the difference between the estimated graduation rate and
 5 the number determined under STEP SEVEN of section 10 of this
 6 chapter is more than five percent (5%), the department shall
 7 request the data used in determining that the missing students are
 8 classified under one (1) or more of clauses (A) through (J) of STEP
 9 FIVE of section 10 of this chapter.

10 SECTION 8. IC 20-26-13-13 IS ADDED TO THE INDIANA
 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2005]: Sec. 13. For any school that cannot
 13 provide written proof supporting the school's determination to
 14 include a student under any one (1) of clauses (A) through (J) of
 15 STEP FIVE of section 10 of this chapter, the department shall
 16 require the publication of the corrected graduation rate in the next
 17 school year's report required under IC 20-20-8-3.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1794, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

NOE, Chair

Committee Vote: yeas 10, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1794, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 29 and 30, begin a new line double block indented and insert:

"(J) High ability students (as defined in IC 20-10.1-5.1-2) who have withdrawn from school before graduation and are full-time students in an accredited institution of higher education during the semester in which the cohort graduates."

Page 2, line 38, delete "(I)" and insert "(J)".

Page 3, line 12, delete "(I)" and insert "(J)".

Page 3, line 26, delete "(I)" and insert "(J)".

Page 3, line 32, delete "(I)" and insert "(J)".

Page 3, after line 35, begin a new paragraph and insert:

"SECTION 5. IC 20-26-13-10, AS ADDED BY HEA 1288-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. **Except as provided in section 11 of this chapter**, the graduation rate for a cohort in a high school is the percentage determined under STEP SEVEN of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students who:

(i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and

(ii) have the same expected graduation year as the cohort.

STEP THREE: Add:

(A) the sum determined under STEP TWO; and

(B) the number of retained students from earlier cohorts who became members of the cohort for whom the graduation rate is being determined.

STEP FOUR: Add:

(A) the sum determined under STEP THREE; and

(B) the number of students who:

(i) began the reporting year in a cohort that expects to

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graduate during a future reporting year; and

(ii) graduate during the current reporting year.

STEP FIVE: Subtract from the sum determined under STEP FOUR the number of students who have left the cohort for any of the following reasons:

(A) Transfer to another public or nonpublic school.

(B) Removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(C) Withdrawal because of a long term medical condition or death.

(D) Detention by a law enforcement agency or the department of correction.

(E) Placement by a court order or the division of family and children.

(F) Enrollment in a virtual school.

(G) Graduation before the beginning of the reporting year.

(H) Leaving school, if the **student attended school in Indiana for less than one (1) school year and the** location of the student cannot be determined.

(I) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children.

(J) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

STEP SIX: Determine the total number of students who have graduated during the current reporting year.

STEP SEVEN: Divide:

(A) the number determined under STEP SIX; by

(B) the remainder determined under STEP FIVE.

SECTION 6. IC 20-26-13-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 11. (a) A student who has left school is not included in clauses (A) through (J) of STEP FIVE of the formula established in section 10 of this chapter unless the school corporation can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through (J) of STEP FIVE of section 10 of this chapter. If the location of the student is unknown to the school, the principal of**

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the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) If a school corporation cannot provide written proof that a student should be included in clauses (A) through (J) of STEP FIVE of section 10 of this chapter, the student is considered a dropout.

SECTION 7. IC 20-26-13-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 12.** For each high school, the department shall calculate an estimated graduation rate that is determined by the total number of graduates for the reporting year divided by the total number of students enrolled in grade 9 at the school three (3) years before the reporting year. For any school where the difference between the estimated graduation rate and the number determined under STEP SEVEN of section 10 of this chapter is more than five percent (5%), the department shall request the data used in determining that the missing students are classified under one (1) or more of clauses (A) through (J) of STEP FIVE of section 10 of this chapter.

SECTION 8. IC 20-26-13-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 13.** For any school that cannot provide written proof supporting the school's determination to include a student under any one (1) of clauses (A) through (J) of STEP FIVE of section 10 of this chapter, the department shall require the publication of the corrected graduation rate in the next school year's report required under IC 20-20-8-3."

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Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to HB 1794 as printed February 2, 2005.)

LUBBERS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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