

After-School All-Stars ♦ Alliance for Excellent Education ♦ America's Promise Alliance ♦ Big Brothers Big Sisters of America
Center for Education Reform ♦ Civic Enterprises ♦ Corporate Voices for Working Families ♦ Democrats for Education Reform
Easter Seals ♦ Jobs for the Future ♦ League of United Latin American Citizens ♦ Learning Disabilities Association of America
Legal Aid Justice Center, Just Children Program ♦ Middle School Matters, George W. Bush Institute
National Association of Secondary School Principals ♦ National Center for Learning Disabilities ♦ National Collaboration for Youth
NCLR (National Council of La Raza) ♦ National Council on Independent Living ♦ National Disability Rights Network
National Down Syndrome Congress ♦ National Down Syndrome Society ♦ National Indian Education Association ♦ National PTA
National Urban League ♦ Public Education Network ♦ Southeast Asia Resource Action Center ♦ State Farm® Insurance
The Advocacy Institute ♦ The Arc ♦ The First Tee ♦ The National Association of Latino Elected and Appointed Officials (NALEO)
Education Fund ♦ The National School Boards Association ♦ U.S. Chamber of Commerce ♦ United Way Worldwide

September 21, 2012

The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

RE: Elementary and Secondary Education Act State Flexibility Applications

Dear Mr. Secretary:

As organizations committed to the education and well-being of the nation's young people, we embrace President Obama's goals of having a 90 percent high school graduation rate and the highest proportion of college graduates in the world by 2020. We applaud the outstanding work led by the President, you, and your team at the U.S. Department of Education (ED) to focus attention on and generate important initiatives that support increasing the quality of education for all children. Because of your leadership and our shared work, we have made great gains. We have worked together, with successive administrations, to increase the high school graduation rate to over 75 percent. In the last year, half of our nation's states made progress in increasing their high school graduation rates. But we must accelerate our work. To reach the 90 percent goal, an approximately 1.3 percentage point increase per year is needed through 2020.

In this spirit of partnership and commitment to increasing educational outcomes for all children, we want to provide you our concrete concerns on maintaining graduation rate accountability. As you know, high school graduation rate accountability is a critical area of federal education policy, and we are extremely concerned that a significant number of states have received waivers under ED's flexibility policy that are inconsistent with, or in violation of, several provisions of the regulations issued in 2008 linking strong accountability and improvement in high school graduation rates.

We recognize and appreciate that, within the flexibility policy, ED is maintaining the requirements for reporting the four-year adjusted cohort high school graduation rate for all students and subgroups. However, reporting is not the same as accountability. Prior to the 2008 regulations, inaccurate calculations of the high school graduation rate masked low performance. Additionally, high school graduation rates of student subgroups were not required to be included in state accountability systems. Unfortunately, a number of states have been approved to implement accountability policies that bear a striking resemblance to the harmful approaches of the past.

For example, several states have received approval to adopt policies that mask their actual high school graduation rates by using a calculation that includes both the four-year adjusted cohort graduation rate and another measure that includes General Education Diploma (GED) recipients. One state even offers an alternative diploma, separate from its traditional diploma, and includes it in the calculation of the high school graduation rate, directly violating the 2008 regulations.

Other states have minimal, if any, accountability for subgroup graduation rates. Further, in some of the states utilizing indexes in their accountability systems, graduation rates and subgroup graduation rates comprise such a minor portion of the index that schools and districts may have an incentive to “push out” low-performing students in order to increase performance on other indicators within the accountability system -- the very concern strong graduation rate accountability was designed to address.

ED’s flexibility policy affords states the opportunity to implement innovative education systems that will prepare students for the twenty-first-century economy and improve upon current accountability systems, not roll them back. An erosion of the bipartisan progress made in the area of high school graduation rate accountability is an unacceptable byproduct of this policy. We urge you to work with states to bring them into full compliance with the letter and spirit of the 2008 regulations. We are committed to working with you to ensure that all students have the opportunity to graduate from high school ready for college and a career to meet the compelling goals the President has set for our nation.

Sincerely,

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