Study: NCLB Waiver Weaken Grad Rate Accountability
By CHRISTINE ARMARIO

Study: Graduation rate accountability weakened under No Child Left Behind waivers
The Associated Press

Many states granted waivers from the No Child Left Behind law are relaxing or ignoring federal regulations designed to hold schools accountable for the number of students who graduate from high school on time, according to a new study released Tuesday.

When No Child Left Behind was signed into law in 2002, states used so many different ways to calculate graduation rates it was almost impossible to know how many students in the U.S. finished high school with a regular diploma in four years.

The U.S. Department of Education tried to fix that in 2008 when it established federal requirements for reporting and holding schools accountable for how many students graduate. But now, with 34 states and the District of Columbia granted waivers from No Child Left Behind, some are relaxing or ignoring some of those requirements, potentially allowing low-performing students to fall through the cracks once again.

The Alliance for Excellent Education, a D.C.-based policy organization started by former West Virginia Gov. Bob Wise, studied the waivers granted to each state and concluded that only a few states are fully complying with the federal graduation accountability requirements.

"These regulations are not the end-all, be-all of things but they are an important element of the equation," said Phillip Lovell, vice president of federal advocacy at the alliance and a lead researcher on the report.

The Education Department declined comment on the study's findings.

The findings were provided to The Associated Press in advance of the report's publication. They come after U.S. Rep. George Miller, D-Calif., raised similar concerns in a letter to Education Secretary Arne Duncan. In the letter, Miller said some states granted waivers were including GED diplomas in their graduation rate calculations and others were not holding schools accountable for the performance of subgroups like disabled and minority students — both violations of the federal requirements.

"Now is not the time to go back to policies where some students were not expected to get a diploma or that did not take into account whether historically underserved populations graduate at the same rate as their classmates," Miller wrote.

Nationwide, graduation rates have improved but are still considered far too low; just 78 percent of students are finishing high school on time, according to the most recent data released by the Education Department.

Democrats and Republicans have been working on a reauthorization of No Child Left Behind for the last three years. Both parties agree the Bush-era law is broken but have been unable to agree on how to fix it.

Graduation rates were one of the areas No Child Left Behind was considered weak on; under the law, states could have as low as a 50 percent graduation rate and almost no annual improvement and still not face any intervention from the district or state. States also weren't held accountable for the graduation rates of different groups of students and calculated how many were finishing with a range of formulas — meaning there was no consistent way to compare performance across states.

In 2008, the Education Department established regulations that created a uniform way of calculating the graduation
rate — measuring the number of students who enter as freshmen and finish four years later with a regular diploma, not a GED — as well as creating a system of accountability and intervention for the performance of all student groups.

Those calculation and reporting requirements weren't lifted when the Obama administration, faced with the gridlock in Congress, announced in 2011 that it would exempt states from some of the NCLB law's strictest requirements if they developed their own accountability standards that focus on turning around struggling schools, closing the achievement gap, improving teacher quality and ensuring that all students graduate college and career ready.

The report notes that not all states have weakened accountability for graduation rates; some in fact, have strengthened it. Delaware and New York, for example, have enacted policies that are comparable or stronger than the Education Department requirements. However, "the majority of states that were granted waivers are implementing policies that depart from the 2008 regulations," the report concludes.

"While waivers can provide needed flexibility in many areas, unfortunately a number of waiver plans appear to turn back the clock on graduation rate accountability," Wise said.

In 11 states, for example, accountability for subgroup performance is "weak or nonexistent," according to the study. In some states, there is also no intervention requirement at schools where students consistently miss their graduation rate goals. In 11 states, the waivers allow them to use a graduation measure inconsistent with the 2008 regulations, the study said.

In Indiana, for example, the state is allowed to count students who receive a "waiver diploma" in the graduation figures used for accountability. The waiver diploma is given to students who fulfill alternative graduation requirements defined by the state; more than a quarter of students graduating from Indianapolis Public Schools — most of them poor and minority student students — receive a waiver diploma.

"Legitimate equality questions arise as to whether all students in the state are being held to the same high standard," the report states.

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