

MEMORANDUM

To: School Superintendents and Principals

From: Maggie Paino, Director of School Accountability

Date: May 26, 2017

Re: Public Law 251-2017 – Various education matters (IC 20-26-13-11; IC 20-26-13-11.3; IC 20-32-4-13)

Background:

The Indiana General Assembly recently passed HEA 1384, and the Governor signed this legislation into law on April 28, 2017. Specifically, sections 5, 6 and 7 of Public Law 251-2017 address changes to graduation rate policies and procedures for Indiana high schools. These sections are effective July 1, 2017.

The amendments and additions regarding graduation in Public Law 251-2017 require a review of each school's graduation cohort by the Department prior to official publication; provide further information on required documentation for students who exit a high school cohort prior to the expected graduation date; and establish a process for issuing high school diplomas to deceased students.

Guidance:

I. GRADUATION RATE REVIEW PROCESS

Section 5 of Public Law 251-2017 amended Indiana Code § 20-26-13-11 to require the Department to conduct a review of each high school's graduation cohort on a schedule determined by the Department. Pursuant to Indiana Code § 20-26-13-11(c), if a school cannot provide written proof of a student's status in the cohort then the student must be considered a dropout for purposes of calculating the high school's graduation rate. Department reviews under this statute will begin this fall with the 2017 graduation cohort.

All public high schools and state-accredited nonpublic high schools will be subject to Department review under this section. This includes charter schools and freeway-accredited schools. High schools will be audited once every four years, and will be notified during the fall after the cohort's expected graduation date of required participation in the Department's graduation cohort review.

The Department's review will require schools to submit sufficient documentation to confirm the following:

- The “Mobility Reason” for any student listed on the school’s cohort report as “Reported to Mobility, no longer in cohort”.
- Satisfaction of diploma requirements for any student listed on the school’s cohort report listed as a “Graduate”.

High schools may still submit a voluntary request for review of its graduation cohort information to the Department. More exhaustive guidance on the review process, including schools that will be reviewed by the state this fall, will be provided to schools in August.

II. REQUIREMENTS FOR EXITING A STUDENT FROM THE COHORT TO HOMESCHOOL

Section 6 of Public Law 251-2017 added Indiana Code § 20-26-13-11.3 to expand documentation requirements when a student is removed from a high school cohort to attend homeschool. Specifically, Indiana Code § 20-26-13-11.3 states that a high school may not list a student as *Reported to Mobility, no longer in cohort* with a mobility reason of *removed by parent to homeschool* unless the school has “substantial evidence” that the parent or guardian of the student initiated the student’s removal and transition to homeschool instruction.

Indiana Code § 20-33-2-28.6 establishes requirements for students who transfer to a non-accredited nonpublic school, including homeschool. Specifically, the principal must provide the student and parent with information that explains the legal requirements of attending a non-accredited nonpublic school; and the principal and parent of the student must both sign a form to acknowledge that the parent understands these legal requirements. If a parent/guardian or student refuses to sign the form, the principal must report the student to the Bureau of Motor Vehicles for action under Indiana Code § 20-33-2-28.5(g), and the student will count as a dropout for purposes of calculating the school’s graduation rate. The Department considers compliance with these requirements to be “substantial evidence” that the parent or guardian of the student initiated the student’s removal and transition to homeschool instruction as required by the new terms of Indiana Code § 20-26-13-11.3.

This requirement applies to all public high schools and state-accredited nonpublic schools. This includes charter schools and freeway-accredited schools. These requirements will go into effect beginning with the 2017-18 school year. Therefore, the Department recommends that high schools review their current policies regarding students that leave the school to attend a homeschool program, and update these policies to align with these requirements beginning with the 2017-18 school year. The required form may be found here: <http://www.doe.in.gov/student-services/attendance/memos-and-forms>.

III. DIPLOMAS FOR DECEASED STUDENTS

Section 14 of Public Law 251-2017 added Indiana Code § 20-32-4-13 to require school boards to issue a diploma to a deceased student. A diploma must be issued if:

- The parent of the deceased student has requested that a diploma be issued;
- The student passed away during his or her 12th grade year at a school within the school corporation; and
- The deceased student was academically eligible or on track to meeting requirements to earn a high school diploma at the time of the student's death.

Students that are awarded a diploma under Indiana Code § 20-32-4-13 will not be considered graduates for purposes of calculating the school's graduation rate.

If you have any questions, please contact the School Accountability office at schoolaccountability@doe.in.gov.