

Indiana’s Waiver Request Regarding Inclusion of All Indiana High School Diplomas in Graduation Rate Calculations

I. INTRODUCTION

As the Indiana Department of Education (IDOE) began formal efforts to develop its Every Student Succeeds Act (ESSA) State Plan in early 2017, the new federal definition for “regular high school diploma” raised concerns due to ramifications and unjust accountability implications for Indiana districts and schools. Under this definition, roughly 8,000 students’ achievement in earning an Indiana high school diploma would not be counted in the State’s graduation rate.

During spring 2017, stakeholder meetings and work group sessions were convened statewide, by State Superintendent, Dr. Jennifer McCormick, to gather input to inform our plan. At these sessions, the field echoed the concerns of the Department and other Indiana policy makers regarding the impending negative consequences to the accountability rankings of Indiana schools stemming from a short phrase in the new federal definition of “regular high school diploma.” The phrase *preponderance of students*, Indiana had been told, would prevent 12 percent of students earning an Indiana diploma from being included in its graduation rate simply because it was not the diploma earned by most students. Indiana’s superintendents’ and principals’ associations reiterated those sentiments to the IDOE and sent representatives to further convey their apprehension through public testimony at State Board of Education meetings. Teachers, parents, principals, superintendents, and local school board members collectively expressed their dismay at the federal government’s interference in local decisions regarding diplomas.

Understanding the basis and legitimacy of alarmed stakeholders, IDOE leaders and officials within the Governor’s office reached out directly to the U.S. Secretary of Education’s office on several occasions urging federal policymakers to acknowledge the dilemma that the “preponderance of students” phrase caused, relevant to Indiana’s general diploma. Equally concerned, all eleven members of Indiana’s congressional delegation submitted a bipartisan, signed letter in September 2017 to the Secretary urging relief on this provision.

These collective – and unsuccessful – attempts to mitigate our concerns led to State Superintendent McCormick’s decision to prepare a formal waiver request to the U.S. Secretary of Education. On October 18, 2017, members of Indiana’s legislative summer committee recommended the IDOE submit a waiver to the Secretary, underscoring Dr. McCormick’s decision to seek this reprieve.

Therefore, this letter is submitted as Indiana’s request of a wavier pursuant to Section 8401(b) of the Elementary and Secondary Education Act of 1965, as amended, permitting a State educational agency to request the U.S. Secretary of Education to waive a statutory or regulatory requirement of this Act. Approval of this waiver will advance student academic achievement by recognizing *all* eligible Indiana students who have met Indiana high school graduation requirements and will avoid plummeting accountability scores for Indiana schools and districts.

II. FEDERAL STATUTORY REQUIREMENT TO BE WAIVED

Indiana seeks a waiver from **ESEA section 8101(43)** which defines the term “regular high school diploma” as: (A) the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E); and (B) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance or similar lesser credential.

Indiana offers four [diploma types](#):

1. General;
2. Core 40;
3. Core 40 with Academic honors; and
4. Core 40 with Technical Honors

Based on 2016 cohort data, 49.9 percent of Indiana graduates obtain the Core 40 diploma or higher (37.9 percent), with more than 12 percent of graduates earning the General diploma. All four of the diploma types are aligned with rigorous State academic standards and none are aligned to the alternate academic achievement standards described in section 111(b)(1)(E). Our general high school diploma does not include a GED, certificate of completion, certificate of attendance or any similar or lesser credential.

Moreover, **Indiana’s general diploma is of equal or greater rigor than the single diploma option offered in other states**. Even so, these states will still be allowed to count all graduating students in their graduation rates because the minimum diploma is the only diploma offered. Since the new federal definition only allows states to count in their graduation rates the diploma that most students earn (i.e., the “preponderance of students”), along with more rigorous diplomas, Indiana’s general diploma earners cannot be counted as graduates. This interpretation unjustly penalizes Indiana for proactively establishing the Core 40 diploma as the recommended path for Indiana students and for clearly-defining alternatives available (General, Core 40 with Academic Honors, and Core 40 with Technical Honors).

We assert, unequivocally, Indiana’s waiver request is not an attempt to lessen expectations or rigor for Hoosier students, but rather to ensure that our districts and schools—and more specifically our students – are not victim to unintended consequences resulting from Indiana State policymakers’ actions to further strengthen college and career readiness through its provision of multiple high school diploma options. Indiana has a proven track record of establishing rigorous academic standards, adopting high graduation expectations, and ensuring all students leave our schools fully equipped to successfully enter institutions of higher education or high-quality career opportunities. This waiver request is simply part of Indiana’s track record of doing what is best for students.

As is demonstrated in the next section, it is our contention tremendous variation among states’ high school graduation requirements and diploma pathways leads to situations whereby students completing equivalent courses of study, or less, would be included in one state’s graduation rate and not another’s. Moreover, evidence presented will show that Indiana has more students completing the college and career readiness course of study than any other state and has the smallest gaps in completion based on race, ethnicity and income.

III. INFORMATION TO SUPPORT INDIANA’S APPEAL

Indiana has a rich history of collaborative work, involving policymakers and practitioners alike, to address important issues impacting students’ educational experiences and, thereby, contributing to their success beyond the walls of the schools where they are educated. Thoughtful and student-centered decision-making has informed our proactive efforts to ensure rigorous and equitable educational opportunities for all student learners through high-quality academic standards, sound educational options, and a demanding accountability system.

Our academic standards have been validated as college and career ready by the Indiana Education Roundtable, the Indiana Commission for Higher Education, the Indiana Department of Education, the Indiana State Board of Education, and the Indiana Center for Education and Career Innovation. Students who successfully master the objectives for what they should know and be able to do in core content disciplines by the time they graduate from high school will be ready to go directly into the workplace or postsecondary educational opportunities without the need of remediation. As evidenced on the department’s [Indiana Academic Standards](#) website, continuous updates occur across all core content coursework standards (e.g., English/Language Arts, 2014; Mathematics, 2014; Science & Computer Science, 2016; Social Studies, 2014).

All four of Indiana’s high school diploma options – including its general diploma – are fully aligned to our rigorous State academic standards. The general diploma serves as the minimum requirement to graduate; other diplomas expand upon the requirements of the general diploma’s baseline. As such, general diploma recipients should not be removed from calculations of a school’s graduation rate.

It is also important to recognize that tremendous variation among our nation’s states exists with respect to high school graduation requirements and diploma pathways. For some states, a single diploma aligned to college and career ready standards is mandated; others, including Indiana, offer multiple diploma/endorsement options; while still other states require only a single minimum diploma. The following table (Table 1) illustrates variations across the United States for the Class of 2015.

Table 1: Diploma Types Offered by States

Number of States	Approach to Diploma Offerings and Preparing Students for College	States
7	College & Career-Ready (CCR) Mandatory Diploma as the only diploma offered	DE, GA, KY, MN, NE, TN, WV ... and DC
27	Multiple Diploma/Endorsement Options	AL, AZ, AR, IN , MI, MS, NM, NC, OH, OK, SD, TX, UT, WA
	<ul style="list-style-type: none"> 14 Default States 13 Opt-in States 	CA, FL, HI, LA, MD, MA, MO, MT, ND, NV, NY, VA, WY
16	Minimum Diploma as the only diploma offered	AK, CO, CT, ID, IL, IA, KS, ME, NH, NJ, OR, PA, RI, SC, VT, WI

The three main variations in diploma requirements across states is further complicated by the fact that the approach to diploma requirements embraced by most states must be split into two groups. In this group of 27 states, there are 14 states, including Indiana, that place all students in diploma tracks with expectations higher than the baseline diploma. Students must intentionally opt out of this track. Thirteen states offer multiple diploma types but students all begin at the baseline level and must opt in to more demanding diploma tracks.

There are states across the country that award only one high school diploma and that have set their graduation requirements at a level comparable to Indiana’s requirement for earning a General High School Diploma as shown in Table 2.

- The graduation requirements in Alaska, Illinois, and Maine are comparable to the General Diploma requirements in Indiana. However, *all* students who meet the requirements in those states are included in the adjusted cohort graduation rate (ACGR). **Under ESEA’s new “regular high school diploma” definition, Hoosier students**

who meet comparable requirements would be prohibited from being included in Indiana’s ACGR.

- It is also noteworthy that at least one of these single-diploma states (Maine) already has received the Secretary of Education’s approval of its state ESSA plan.

Table 2: Single-Diploma States with Course Requirements like Indiana’s Least Rigorous Diploma (Class of 2015)

State	Graduation Credit Requirements	Comparison to Indiana
<i>Credits shown below reflect a semester’s worth of work. For example, eight credits in English should be interpreted as four year of credits; four credits in Math equate to two years of credits, etc.</i>		
Indiana General High School Diploma	English: 8 credits Math: 4 credits Social Studies: 4 credits Science: 4 credits PE: 2 credits Health: 1 credit Flex Credit Electives: 5 credits Electives: 6 credits	
Alaska High School Diploma¹	English: 8 credits Math: 6 credits Social Studies: 6 credits Science: 4 credits PE: 2 credits Health: 1 credit Electives: 14 credits	2 more credits in math 2 more credits in social studies
Illinois High School Diploma²	English: 8 credits Math: 6 credits Science: 4 credits Social Studies: 4 credits	2 more credits in math
Maine High School Diploma³	English: 8 credits Math: 4 credits Social Studies: 4 credits Science: 4 credits Fine Arts: 2 credits	Same core requirements for ELA, math, social studies and science

¹ https://education.alaska.gov/regs/filed/4AAC_06.075.pdf

² https://www.isbe.net/Documents/grad_require.pdf

³ https://www.isbe.net/Documents/grad_require.pdf

Indiana’s diploma approach, including the use of the general diploma has resulted in broad participation in CCR courses with rates holding up across demographic groups. Table 3 below shows how this participation compares to states similar to Indiana and to states not requiring participation in CCR courses. States that require students to **opt-in** (as opposed to Indiana’s default/opt-out strategy) to the CCR course of study, whether they offer one diploma or multiple diplomas, on average have far fewer graduates who complete the CCR course of study, and far larger gaps based on race, ethnicity and income, than does Indiana.

Table 3: Evidence that Graduation Requirements Matter

State	Diploma/Course of Study Name	% of graduates completing CCR Diploma/Endorsement/Pathway/Courses of Study (2014-15)					
		All Students	Black	Hispanic	White	Low Income	Average (All Students)
CCR Default States							
Indiana	Indiana Core 40, Core 40 with Honors Diploma	87%	84%	85%	87%	80%	86.5%
Texas	Texas Distinguished Achievement and Recommended High School Program	86%	79%	86%	85%	82%	
CCR Opt-in States with One Diploma and CCR endorsements/Pathways/Courses of Study							
California	California Readiness Curriculum A-G	43%	33%	35%	50%	34%	58%
Maryland	University of Maryland Course Requirements	59%	Not Reported			48%	
Massachusetts	MassCore	72%	50%	52%	79%	57%	

CCR Opt-in states with More than One Diploma							
Hawaii	Hawaii Board of Education Recognition Diploma	14%	Not Reported				32%
Nevada	Nevada Advanced Diploma	31%	Not Reported				
New York	New York Advanced Regents Diploma	40%	16%	21%	50%	25%	
Ohio	Ohio Honors Diploma	18%	4%	10%	20%	7%	
Virginia	Virginia Advanced Studies Diploma	59%	42%	50%	65%	39%	

IV. Implications of the Waiver on Indiana’s ESSA Plan and its State Accountability System

The outcome of Indiana’s waiver request is inextricably linked to expectations and performance outcomes established within our ESSA state plan and Indiana’s accountability system. It has been suggested the federal exclusion of general diploma recipients from Indiana’s graduation rate calculation is *simply a communication issue*. There would be a communication problem if this issue is not resolved, but the insistence on interpreting the preponderance clause as disallowing Indiana’s general diploma is far more than a matter of messaging. This “communication” issue significantly impacts the clarity and transparency of Indiana’s reporting obligations to its constituents. The difference between the federal and State’s definition of a regular high school diploma will negatively impact Indiana’s published graduation rates, misidentify schools as needing comprehensive support, and create unnecessary confusion and mistrust of our accountability systems among Hoosier constituents.

- Students obtaining a general diploma are justifiably included in Indiana’s graduation rate and, thereby, considered in high-stakes school A-F letter grade determinations under the State’s accountability system.
- Under the federal system, Indiana general diploma students would be excluded, thus reducing a school’s graduation rate and potentially placing it in the comprehensive improvement category if its graduation rate falls below 67 percent. By employing the new

federal definition, as many as 69 schools could see their graduation rates drop below 67 percent, based on 2016 cohort data. Beyond that, schools with a four-year adjusted cohort graduation rate between 67.1 and 70 percent also will be identified as “at risk” and publically identified. [See page 50, Indiana ESSA Plan] Using 2016 data, this equates to an additional 34 schools labeled at “at risk.” In both instances, there will be schools that maintain – or even increase overall graduation rates from the prior year – that will be identified as in high need, once general diploma students are extracted from graduation rates.

- Paradoxically, given conflicting federal and State definitions, an individual school could receive a letter grade in which they celebrate under Indiana’s accountability system while simultaneously being identified as a Comprehensive Support and Improvement school under the federal definition. [See Indiana ESSA Plan, page 50]

Ultimately, with the new federal definition eliminating the inclusion of general diploma students, Indiana as a whole, as well as many of its schools, will –in fact -- see double digit graduation rate drops. This will hurt schools, confuse parents and community members – and just as importantly – fracture constituent confidence in the credibility of our accountability systems. Worse still, this should not be an issue for Indiana. The four Indiana diplomas offered are *all* aligned to our academic standards and students’ attainment of any of the four diploma types allow high school graduates to pursue careers or to access higher education opportunities.

Indiana takes immense pride in an accountability system that has been developed through reflective, collaborative efforts among key stakeholders. Failure to employ a single definition of “regular high school diploma” will result in a confusing and frustrating federal-versus-State dual reporting system, as explained above. This is both undesired and viewed as an unfair consequence of a federal law presumably seeking to ensure the very thing that Indiana already values and has in place through its multiple diploma options aligned to rigorous State academic standards.

V. EVALUATION/MONITORING OF IMPACT

Waiving the “preponderance of students” phrase from the federal “regular high school diploma” definition will not alter Indiana’s commitment to advance students’ academic achievement and preparedness for life beyond high school. It will allow Indiana’s continued recognition of roughly 8,000 high school diploma earners to count within its graduation rate—and enable valid comparisons of trend data to ensure that our districts and schools adequately prepare Hoosier students for college and careers beyond high school.

IDOE's Methods to Monitor and Regularly Evaluate Effectiveness of Waivered Element

Graduation rate accountability expectations are embedded within Indiana's ESSA Plan.

- Indiana's student-centered accountability system is based on five indicators: academic achievement, academic progress, graduation rate, school quality/student success, and English learner proficiency. The graduation rate indicator recognizes that the capstone of the K-12 education is preparedness for postsecondary education or workforce entrance, as demonstrated through the attainment of a high school diploma. [Page 31, Indiana ESSA Plan]
- In an effort to establish a transparent and comprehensible system, Indiana utilizes an A-F letter grade system, with points awarded for each indicator. The individual indicator scores culminate into the overall rating (grade) for the school. The graduation rate indicator is based on the same measures as the statewide long-term goal for improving graduation rates and is aligned to the long-term goal of increasing graduation rates for all students and all subgroups. This indicator measures the performance of all students. Graduation rate results of individual subgroups are reported out annually. Indiana's long-term goal is to attain a four-year adjusted cohort graduation rate of 87.85 percent by the 2023 cohort. In an effort to align the graduation rate indicator to Indiana's long-term goal, and apply the guiding principle that the accountability system should set targets that incentivize high performance; the graduation rate indicator establishes a 90.0 percent goal. [Page 37, Indiana ESSA Plan]
- Schools will be identified for comprehensive support and improvement based on whether the average four-year adjusted cohort graduation rate over the past three years is 67 percent or less. Any public school that serves Grade 12, has a three-year average four-year adjusted cohort graduation rate of 67 percent or less and has not already been identified for comprehensive support due to performing in the bottom 5 percent of schools will be identified for comprehensive support. Schools will be identified for comprehensive support under this criterion annually in the fall, beginning with the 2018-2019 school year using the 2017 cohort. Indiana will also publish an annual list of "at-risk" schools to provide notice of the need to drive urgency for improvement. The "at-risk" schools will be those public high schools with a four-year adjusted cohort graduation rate between 68 percent and 70 percent. [Page 50, Indiana ESSA Plan]

Indiana also will continue to report graduation rates disaggregated by diploma type for all students through its IDOE Compass website (i.e., make results publicly available), district and school report cards, and within its school and district accountability systems. This reporting, combined with Indiana's school grading system emphasizing graduation rates, will provide the IDOE's framework for monitoring and evaluating how the waiver affects students.

With approval of this waiver, the department will be able to maintain historical data to track trends and monitor any anomalies requiring further study. As is our standard practice, all data will be disaggregated by subgroups to monitor for instances of disproportionality among student subgroups.

VI. PUBLIC INPUT AND COMMENTS

In addition to input and related comments obtained during 2017 winter/spring stakeholder and advisory group meetings, as well as hours of testimony provided to the Indiana State Board of Education by concerned educational leaders and constituents, Superintendent McCormick solicited direct constituent input prior to the submission of this formal waiver request. On November 2nd, a notice to a wide range of stakeholders including all school districts, education associations, and other education stakeholders was posted on the IDOE website seeking input on Indiana's draft waiver request, prior to its submission to Secretary DeVos.