

November 20, 2007

Dear Chairman Kennedy and Ranking Member Enzi:

Thank you for sharing with the National Women's Law Center select components of the Senate HELP Committee's draft language reflecting your bipartisan work on reauthorization of the No Child Left Behind Act ("NCLB"). We write to offer you comments based on the draft language you circulated. Although we fully understand that what you released was not complete or final and did not include provisions related to graduation rate accountability, we share our suggestions now with the hope that you will keep them in mind as you move forward with those provisions. We appreciate the opportunity to offer input on this important legislation as the Committee works to modify its draft and finalize the remaining sections of the reauthorization bill.

Many of our recommendations are based on the National Women's Law Center's recently-released report on the dropout crisis, *When Girls Don't Graduate, We All Fail: A Call to Improve High School Graduation Rates for Girls*, a copy of which is enclosed. The high school dropout crisis has received significant recent attention, but almost exclusively as a problem for boys. Our report highlights that girls too are dropping out of school at alarmingly high rates, and that female dropouts are especially likely to suffer economic consequences that significantly affect not only individual students and their families, but also our national economy as a whole. For example, as compared to male dropouts, girls who fail to graduate from high school have higher rates of unemployment, make significantly lower wages, and are more likely to need to rely on public support programs.

We hope that the findings of our report highlighted in this letter will inform your work on the reauthorization of NCLB. As you know, the reauthorization of NCLB offers a valuable opportunity to address the dropout crisis for both boys and girls. What our report demonstrates is that in order to meaningfully address the nationwide crisis and adopt the most efficacious interventions to keep students in school, educators and policy makers must have and work from a greater understanding of the different dropout rates, educational experiences, risk factors and barriers faced by male and female students of different races and ethnicities. As a result, we recommend that NCLB be amended as follows:

- **Fund Gender-Based Research.**

Our report illustrates that there is a dropout crisis for girls as well as for boys, and that girls who drop out of school face particularly severe economic consequences. As the report also points out, many of the existing studies on the dropout crisis either ignore gender as a variable or fail to explore the reasons for any gender-based differences that emerge. The research that *has* been done, however, demonstrates that gender does matter in evaluating the reasons that students drop out and the programs that will be helpful in keeping them in school. As a result, further

research on gender-based differentials is necessary to more extensively evaluate the risk factors that affect male and female students differently and to determine how schools can tailor their intervention strategies to be as effective as possible for different groups of students.

The Committee's NCLB discussion draft calls for funding and other support for programs designed to improve educational opportunities, many of which may help to reduce high school dropout rates. One of the many things that should be funded by Congress is research to identify gender-based differentials, to promote better understanding of what causes different groups of students to drop out, and to better assess what might be done to prevent them from doing so.

- **Improve Data Collection on Educational Performance and Graduation Rates.**

As our report emphasizes, the limitations of existing research are based in part on the inadequacies of current data collection. Therefore, along with gender-based research, NCLB should require and fund enhanced data collection to promote better understanding of the distinct barriers faced by different groups of students and the best ways to target interventions for those groups. With regard to data collection, we have three primary recommendations:

- **Promote a System of Uniform Graduation Rates.**

Currently, states are not required to track graduation rates through a consistent and transparent system that enables interstate comparisons, leading to wide variances in estimates of dropout rates. Even among independent researchers, there is disagreement over the most accurate method for calculating graduation rates. Fortunately, educators and policymakers have recognized that a reliable and consistent system is necessary; at the state level, the National Governors' Association (NGA) has made progress in getting all 50 states to agree to a common definition for calculating graduation rates.

To address these limitations, states and the federal government should adopt a common definition of "dropouts" for all data collection, analysis and reporting requirements. NCLB should provide incentives for states to build on their current data systems to allow for systematic, reliable collection and publication of uniform information on graduation and dropout rates. NCLB also should provide incentives for and fund the development of longitudinal data systems that can track individual students over time, whether they drop out of high school and re-enter at a later date, enroll in GED programs, enter alternative schools or are placed in juvenile detention centers. These systems would benefit all students, but especially students such as pregnant and parenting teens, who are likely to fall through the cracks.

- **Require that Data Be Fully Disaggregated and Cross-tabulated by Subgroup, Including by Gender, Race, Disability, English Language Learner, Economically Disadvantaged Status and Pregnant/Parenting Status.**

In reauthorizing NCLB, the Committee should maintain and strengthen requirements that graduation and Adequate Yearly Progress ("AYP") data be fully disaggregated by gender, race, and disability and by whether the student is an English language learner or an economically

disadvantaged student. It is critical, moreover, that all disaggregated data be maintained and reported in a format that may be fully cross-tabulated. Cross-tabulation enables schools to report and analyze disparities by smaller, more revealing subgroups, which offers valuable insight into whether educational systems are adequately serving subgroups of students and how their situations may be improved.

A study of North Carolina dropouts discussed in our report demonstrates the value in such cross-tabulation. High rates of discipline are correlated with high dropout rates for both boys and girls, and the study found that more boys than girls overall in North Carolina dropped out for disciplinary reasons. The study also revealed, however, that more twelfth grade Hispanic females left school for disciplinary reasons than any other group of students.<sup>1</sup> Similarly, the study found that although more boys than girls drop out for academic reasons overall, more Black and Hispanic girls than boys dropped out for academic reasons in the later grades.<sup>2</sup> Maintaining data in ways that will enable this type of analysis is crucial if educators are to be fully armed to conduct further investigation into the different ways in which particular school practices may affect boys and girls of various racial and ethnic groups differently and respond in the most effective ways.

➤ **Require Collection of Data Tracking Pregnant and Parenting Students.**

One critical subgroup of students that is wholly overlooked under the current legislative scheme is pregnant and parenting students. There are inadequate data on the number of pregnant and parenting students in schools, the number who graduate, and the type of education they are receiving, and NCLB does not require tracking of these data. Yet in a Gates Foundation survey, one-third of female dropouts reported that becoming a parent played a major role in their decision to leave school. And more than any other group of dropouts, these students were “most likely to say they would have worked harder if their schools had demanded more of them and provided the necessary support.”<sup>3</sup> To enable educators to address the barriers facing this vulnerable population, NCLB should require separate tracking of the graduation rates of pregnant and parenting students (again, in a format that can be fully cross-tabulated), to determine the extent of the problem in specific communities. This small step, while not overly burdensome for schools, will help schools to identify the scope of the problem and craft effective dropout prevention strategies. Pregnancy and parenting responsibilities should not stand as barriers to student achievement, just as concentrated poverty, race, gender, disability, and English language learner status should not.

• **Increase Graduation Rate Accountability**

To avoid creating incentives for school districts and schools to meet their AYP targets by forcing low-performing students out of high school early, NCLB requires high schools to meet graduation rate goals as a part of AYP. However, NCLB does not set a standard goal for graduation rates and does not require states to make meaningful and measurable progress. If this problem is not addressed in the reauthorization, it stands to undermine the entire intent of the law

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<sup>1</sup> *When Girls Don't Graduate, We All Fail: A Call to Improve High School Graduation Rates for Girls*, at 16.

<sup>2</sup> *When Girls Don't Graduate*, at 15.

<sup>3</sup> *When Girls Don't Graduate*, at 14.

and could have the unintended effect of giving schools incentives to “push out” low-performing students whose test scores threaten to lower school averages. Accordingly, as our report suggests, NCLB should be modified to ensure that it fulfills the promise of graduation rate accountability by including a reasonable graduation rate floor, with a rigorous standard for exceptions.

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Thank you for considering these recommendations, which are summarized in the enclosed fact sheet. Thank you also for the work the Committee has done on NCLB thus far. In particular, we appreciate that Section 422 of your discussion draft both provides clear definitions of bullying and harassment and enumerates the classes of students to be protected. We also appreciate your inclusion of language specifically identifying pregnant and parenting teens as an at-risk student population deserving of special services or resources (section 1853(f)(1)(A)(ii)(III) of Title I and section 4112(a)(2)(B) of Title IV). These are good first steps in addressing some of the needs identified in the Center’s report.

We look forward to working with you on the NCLB reauthorization and its implementation. For additional information, please contact Jocelyn Samuels, Vice President for Education and Employment, Lara S. Kaufmann, Senior Advisor, or Fatima Goss Graves, Senior Counsel at 202-588-5180.

Sincerely,



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Enclosures