

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))  
14 DE Admin. Code 505

### PROPOSED

### PUBLIC NOTICE

#### Education Impact Analysis Pursuant to 14 Del.C. Section 122(d)

#### 505 High School Graduation Requirements and Diplomas

##### A. Type of Regulatory Action Required

Amendment to Existing Regulation

##### B. Synopsis of Subject Matter of the Regulation

The Secretary of Education seeks the consent of the State Board of Education to amend 14 DE Admin. Code 505 High School Graduation Requirements and Diplomas. This regulation is being amended to include language which specifically allows a district or charter school to award credit based on demonstration of mastery of a particular course. This language was proposed based on the Competency Based Learning Guiding Coalition that was facilitated by the Department of Education and that included educators in Delaware. In addition, an amendment was made in section 10.0 that expands the scope of students covered in this section. This section allows a student under DSCFY custody during their high school years to graduate from high school based on the State's graduation requirements if the district or charter school exceeds what is required by the State. With the amendment those students in DSCYF within Youth Rehabilitations Services are included.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before September 8, 2015 to Tina Shockley, Education Associate, Department of Education, Regulatory Review, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed or obtained at the Department of Education, Finance Office located at the address listed above.

##### C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation is intended to help improve student achievement as measured against state achievement standards.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation is intended to continue to ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendment does not address students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation continues to ensure that all students' legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amendments do not change decision making at the local or school levels.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does not place any unnecessary reporting or administrative requirements on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision making authority and accountability for high school diplomas and graduation requirements do not change because of the amendments.

8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The amendments are consistent with and not an impediment to the implementation of other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method for addressing this subject matter.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is not an expected cost to implementing this regulation with the amendments.

#### 505 High School Graduation Requirements and Diplomas

## 1.0 Definitions:

**"Advisement"** means a documented process that engages students in ongoing discussion and planning with school staff to identify their personal talents and interests and plan their career goals accordingly.

**"Career Pathway"** means the three (3) credits of pre planned and sequential courses required for graduation designed to develop knowledge and skills in a particular career or academic area. The Career Pathway shall be included in the Student Success Plan.

**"Core Course Credit"** means a credit in an English Language Arts, Mathematics, Science or Social Studies course.

**"Credit"** means the acquisition of skills and knowledge at a satisfactory level as determined by the district and charter school boards through 135 hours (a Carnegie Unit) of actual classroom instruction, which may include various methods of delivery or through locally approved options contained in Section 8.0.

**"Department"** means the Delaware Department of Education.

**"English Language Arts"** means those four components of reading, writing, language, and speaking and listening that are included in the State Content Standards for high school English Language Arts as required in 14 DE Admin. Code 501.

**"Health Education"** means those components that are included in the State Content Standards for high school health education as required in 14 DE Admin. Code 501.

**"High School"** means grades 9 through 12.

**"Mathematics"** means those conceptual categories of number and quantity, algebra, functions, geometry, statistics and probability combined with problem solving, modeling, reasoning, communicating, and making connections that are included in the State Content Standards for high school mathematics as required in 14 DE Admin. Code 501 either through integrated courses or in courses titles such as Algebra I, Algebra II, Geometry, Trigonometry, Pre-Calculus, Calculus, Discrete Mathematics, Statistics, and Probability.

**"Novice-high proficiency level"** means the novice-high level of proficiency of certain skills and knowledge as defined by the American Council for the Teaching of Foreign Languages (ACTFL).

**"Physical Education"** means those components that are included in the State Content Standards for high school physical education as required in 14 DE Admin. Code 501.

**"Program of Study"** means an academic and career plan based on post-secondary goals and comprised of academic, career, and technical content that prepares students to make successful transitions to post-secondary education and the workplace.

**"Science"** means those components of the nature of science which include science and engineering practices, matter and its interactions, motion and stability, energy and its effects, waves and their applications, Earth's place in the universe, Earth's systems, Earth and human activity, life structure and processes, ecosystems, heredity, diversity and continuity of living thing, engineering design, and the links among engineering, technology, science, and society that are included in the State Content Standards for high school science as required in 14 DE Admin. Code 501 either through integrated courses or in course titles such as Earth Science, Biology, Chemistry and Physics.

**"Social Studies"** means those components of civics, economics, geography, and history that are included in the State Content Standards for high school social studies as required in 14 DE Admin. Code 501 either through integrated courses or in course titles such as United States History, World History, Geography, Economics, and Civics.

**"Student Success Plan (SSP)"** means a plan encompassing a minimum of five years including one year beyond high school, which sets post-secondary goals for a student based on academic and career interests. The student's plan includes a program of study based on the academic courses, electives, and extracurricular opportunities needed in preparation for immediate entry into the work force and post-secondary education. The plan also includes the support services necessary for the student to graduate from high school.

**"Support Services"** means those educational interventions such as tutoring; extra time before school, in school, or after school; summer school, an extra year(s) of high school or any other strategy to provide student educational assistance.

**"Student in DSCYF custody"** means a student, who is or was in the custody of the Department of Services for Children, Youth & Their Families ("DSCYF"), pursuant to ~~Chapter 25 of Title 13 of the Delaware Code~~ 10 Del.C., Chapter 9, §1009, for any length of time, during his or her enrollment in high school.

**"World Languages"** means any language other than English that is used by peoples around the world for communicating information and ideas and transmitting its culture(s), including American Sign Language (ASL), Latin and Ancient Greek.

10 DE Reg. 1802 (06/01/07)  
12 DE Reg. 934 (01/01/09)  
14 DE Reg. 555 (12/01/10)  
18 DE Reg. 127 (08/01/14)

**2.0 Credit Requirements for the Graduation Class of 2011 (Freshman Class of 2007-2008) through the Graduation Class of 2014 (Freshman Class of 2010-2011)**

- 2.1 For the graduating class of 2011, a public school student shall be granted a State of Delaware Diploma when such student has successfully completed a minimum of twenty two (22) credits in order to graduate including: four (4) credits in English Language Arts, four (4) credits in Mathematics; three (3) credits in Science, three (3) credits in Social Studies, one (1) credit in physical education, one half (1/2) credit in health education, three (3) credits in a Career Pathway, and three and one half (3 ½) credits in elective courses.
  - 2.1.1 Students shall complete mathematics course work that includes no less than the equivalent of the traditional requirements of Geometry, Algebra I and Algebra II courses.
  - 2.1.2 Scientific investigations related to the State Science Standards shall be included in all three science course requirements.
  - 2.1.3 During the senior year students shall maintain a credit load each semester that earns them at least a majority of credits that could be taken that semester. A credit in Mathematics shall be earned during the senior year.
    - 2.1.3.1 Senior year credits shall include regular high school course offerings, the options available in 8.0, or a combination of both.

10 DE Reg. 1802 (06/01/07)  
15 DE Reg. 62 (07/01/11)

**3.0 Credit Requirements Beginning with the Graduation Class of 2015 (Freshman Class of 2011-2012)**

- 3.1 For the graduating class of 2015, a public school student shall be granted a State of Delaware Diploma when such student has successfully completed a minimum of twenty four (24) credits in order to graduate including: four (4) credits in English Language Arts, four (4) credits in Mathematics, three (3) credits in Science, three (3) credits in Social Studies, two (2) credits in a World Language, one (1) credit in physical education, one half (1/2) credit in health education, three (3) credits in a Career Pathway, and three and one half (3 ½) credits in elective courses.
  - 3.1.1 The student shall complete mathematics course work that includes no less than the equivalent of the traditional requirements of Geometry, Algebra I and Algebra II courses.
  - 3.1.2 Scientific investigations related to the State Science Standards shall be included in all three science course requirements.
  - 3.1.3 During the senior year the student shall maintain a credit load each semester that earns the student at least a majority of credits that could be taken that semester. A credit in Mathematics shall be earned during the senior year.
    - 3.1.3.1 Senior year credits shall include regular high school course offerings, the options available in 8.0, or a combination of both.
- 3.2 World Language:
  - 3.2.1 Students may fulfill the two (2) credit World language requirement by either:
    - 3.2.1.1 Earning a minimum of two (2) World Language credits in the same language or,
    - 3.2.1.2 Demonstrating Novice-high or higher proficiency level on a nationally recognized assessment of language proficiency, except English, in the skill areas of oral or signed expressive and receptive communication, reading and writing, that uses the levels of proficiency as identified by the American Council for the Teaching of Foreign Language, or as approved for use by the Delaware Department of Education.
  - 3.2.2 Any student enrolling in a Delaware public high school from an out-of-state school or nonpublic Delaware high school between and including October 1<sup>st</sup> of the 11<sup>th</sup> grade year and September 30<sup>th</sup> of the 12<sup>th</sup> grade year with one (1) World Language credit from a previous school shall be required to earn the second credit in that language unless the language is not offered at the enrolling school. In such case, the student shall earn one (1) credit in an additional language for a total of two (2) credits or pursue available options in 8.0 to earn the second credit of the original language.
  - 3.2.3 Any student enrolling in a Delaware public high school from an out-of-state school or nonpublic Delaware high school between and including October 1<sup>st</sup> of the 11<sup>th</sup> grade year and September 30<sup>th</sup> of the 12<sup>th</sup> grade

year with no World Language credits, shall be required to earn at least one (1) World Language credit prior to graduation. Provided further, the minimum twenty-four (24) total credits outlined in this section shall still be met, or any other credit requirements pursuant to 7.1.

- 3.2.4 Any student enrolling in a Delaware public high school from an out-of-state school or nonpublic Delaware high school on or after October 1<sup>st</sup> of the 12<sup>th</sup> grade year, the World Language requirement shall be waived. Provided further, the minimum twenty-four (24) total credits outlined in this section shall still be met, or any other credit requirements pursuant to 7.1.
- 3.2.5 Any student transferring between Delaware public schools with one (1) World Language credit from a previous school shall be required to earn the second credit in that language unless the language is not offered at the enrolling school. In such case, the student shall pursue available options in 8.0 to earn the second credit of the original language students or earn one (1) credit in an additional language for a total of two (2) credits.

**10 DE Reg. 1802 (06/01/07)**

**12 DE Reg. 934 (01/01/09)**

**15 DE Reg. 62 (07/01/11)**

**18 DE Reg. 127 (08/01/14)**

#### **4.0 Credit Requirements Beginning with the Graduation Class of 2016 (Freshman Class of 2012-2013)**

- 4.1 Beginning with the graduating class of 2016, a public school student shall be granted a State of Delaware Diploma when such student has successfully completed a minimum of twenty four (24) credits in order to graduate including: four (4) credits in English Language Arts, four (4) credits in Mathematics, three (3) credits in Science, three (3) credits in Social Studies, two (2) credits in a World Language, one (1) credit in physical education, one half (1/2) credit in health education, three (3) credits in a Career Pathway, and three and one half (3 ½) credits in elective courses.
  - 4.1.1 The student shall earn credit upon completion of mathematics course work that includes no less than the equivalent of the traditional requirements of Geometry, Algebra I and Algebra II courses. The student shall complete an Algebra II or Integrated Mathematics III course as one of the Mathematics credits.
  - 4.1.2 Scientific investigations related to the State Science Standards shall be included in all three science course requirements. The student shall complete a Biology course as one of the Science credits.
  - 4.1.3 The student shall complete a U. S. History course as one of the Social Studies credits.
  - 4.1.4 During the senior year the student shall maintain a credit load each semester that earns the student at least a majority of credits that could be taken that semester. A credit in Mathematics shall be earned during the senior year. Further provided, a student participating in a dual enrollment course or dual credit course, as defined in 14 **DE Admin. Code** 506 Policies for Dual Enrollment and Awarding Dual Credit, shall be considered to be meeting the majority of credits, as long as a credit in Mathematics is earned during the senior year.
    - 4.1.4.1 Senior year credits shall include regular high school course offerings, the options available in 8.0, or a combination of both.
- 4.2 World Language:
  - 4.2.1 Students may fulfill the two (2) credit World language requirement by either:
    - 4.2.1.1 Earning a minimum of two (2) World Language credits in the same language or,
    - 4.2.1.2 Demonstrating Novice-high or higher proficiency level on a nationally recognized assessment of language proficiency, except English, in the skill areas of oral or signed expressive and receptive communication, reading and writing, that uses the levels of proficiency as identified by the American Council for the Teaching of Foreign Language, or as approved for use by the Delaware Department of Education.
  - 4.2.2 Any student enrolling in a Delaware public high school from an out-of-state school or nonpublic Delaware high school between and including October 1<sup>st</sup> of the 11<sup>th</sup> grade year and September 30<sup>th</sup> of the 12<sup>th</sup> grade year with one (1) World Language credit from a previous school shall be required to earn the second credit in that language unless the language is not offered at the enrolling school. In such case, the student shall earn one (1) credit in an additional language for a total of two (2) credits or pursue available options in 8.0 to earn the second credit of the original language.
  - 4.2.3 Any student enrolling in a Delaware public high school from an out-of-state school or nonpublic Delaware high school between and including October 1<sup>st</sup> of the 11<sup>th</sup> grade year and September 30<sup>th</sup> of the 12<sup>th</sup> grade year with no World Language credits, shall be required to earn at least one (1) World Language credit prior

to graduation. Provided further, the minimum twenty-four (24) total credits outlined in this section shall still be met, or any other credit requirements pursuant to 7.1.

- 4.2.4 Any student enrolling in a Delaware public high school from an out-of-state school or nonpublic Delaware high school on or after October 1st of the 12<sup>th</sup> grade year, the World Language requirement shall be waived. Provided further, the minimum twenty-four (24) total credits outlined in this section shall still be met, or any other credit requirements pursuant to 7.1.
- 4.2.5 Any student transferring between Delaware public schools with one (1) World Language credit from a previous school shall be required to earn the second credit in that language unless the language is not offered at the enrolling school. In such case, the student shall pursue available options in 8.0 to earn the second credit of the original language or earn one (1) credit in an additional language for a total of two (2) credits.

**15 DE Reg. 62 (07/01/11)**

**18 DE Reg. 127 (08/01/14)**

## **5.0 Student Success Planning (Personalizing the School Experience Through Advisement)**

- 5.1 Every eighth through twelfth grade student shall have a Student Success Plan (SSP) developed by the student, the student's advisor, and the student's parent(s), guardian(s) or relative caregiver. For a student with an Individualized Education Program (IEP) the Student Success Plan (SSP) shall also incorporate the other aspects of the transition plan required by 14 **DE Admin. Code** 925.
- 5.2 Each local school district and charter school shall establish an advisement process for developing Student Success Plans which includes the student, the student's advisor, and the student's parent(s), guardian(s) or relative caregiver. The advisement process shall include:
  - 5.2.1 Setting learning goals for the student based on academic and career interests and identifying required skills needed, as well as the student's program of study aligned to the student's secondary and post-secondary goals;
  - 5.2.2 Actively monitoring student progress in the Student Success Plan through conferences held with the student and student's advisor to discuss educational progress and career planning toward life goals on an ongoing basis and, at a minimum, at least once in each marking period;
  - 5.2.3 Annual review and update of the Student Success Plan by the student, the student's advisor, the student's parent(s) guardian(s) or relative caregiver and others as appropriate to assure alignment of educational progress and career planning toward life goals by the end of each school year;
  - 5.2.4 Providing support services if a student is in danger of failing a course or is not on track toward completing the entry requirements for his or her post-secondary goals as stated in the SSP; and
  - 5.2.5 Following the guidelines for Career and Technical Education (CTE) programs of study outlined in the State Plan for Career and Technical Education;
  - 5.2.6 Reviewing each student's transcript at the end of the first and second year, and beginning in the 2014-15 school year, at the end of the first, second and third year of high school to determine if the student is on track to graduate based on the following criteria:
    - 5.2.6.1 At the end of the first year of high school the student has earned at least four (4) core course credits and two (2) other course credits for a total of six (6) course credits;
    - 5.2.6.2 At the end of the second year of high school the student has earned at least eight (8) core course credits and four (4) other course credits for a total of twelve (12) course credits; and
    - 5.2.6.3 At the end of the third year of high school the student has earned at least eleven (11) core course credits and seven (7) other course credits for a total of eighteen (18) course credits.
    - 5.2.6.4 For a student with an Individualized Education Program (IEP), on track to graduate shall be consistent with 5.2.6.1, 5.2.6.2 and 5.2.6.3 unless otherwise determined by the student's IEP Team.

**10 DE Reg. 1802 (06/01/07)**

**12 DE Reg. 934 (01/01/09)**

**15 DE Reg. 62 (07/01/11)**

**18 DE Reg. 127 (08/01/14)**

## **6.0 Career Pathway**

Local school districts and charter school boards shall establish policies concerning the purpose, content, development, and approval of Career Pathways.

**10 DE Reg. 1802 (06/01/07)**

## **7.0 Additional Credit Requirements**

District and charter school boards may establish additional credit requirements for graduation above the minimum number of credits required by the Department.

**10 DE Reg. 1802 (06/01/07)**

## **8.0 Options for Awarding Credit Toward High School Graduation**

- 8.1 District and charter school boards are authorized to award credit toward high school graduation for the following activities, on the condition that the activities incorporate any applicable state content standards. Before awarding credit for any of the following activities, the districts and charter school boards shall have adopted a policy approving the activity for credit and establishing any specific conditions for the award of credit for the activity. Such policy shall be applicable to each school within the district or each charter high school.
  - 8.1.1 Courses taken at or through an accredited community college, two or four year college.
  - 8.1.2 Voluntary community service as defined in 14 **Del.C.** §§8901A and 8902A.
  - 8.1.3 Supervised work experience in the school and the community which meets the educational objectives or special career interest of the individual student.
  - 8.1.4 Independent study.
  - 8.1.5 Distance learning courses. These courses may be delivered by the teacher to the learner in real time, online or by video.
  - 8.1.6 High school courses taken while in the middle school in conjunction with an articulated agreement between the district middle school and the district high school(s). Such credit shall also transfer to a high school in another district or to a charter school.
  - 8.1.7 Course credit transferred from another high school.
  - 8.1.8 Course credit earned through summer or evening school classes, as a member of the military service or as part of the James H. Groves Adult High School.
  - 8.1.9 Tutoring programs taught by a teacher certified in the subject being taught.
  - 8.1.10 Course credit awarded by agencies or instrumentalities of the state other than public schools which provide educational services to students. A description of the program provided to the student, grades given, and the number of clock hours of instruction or a demonstration of competency must be provided to the school district or charter school prior to receipt of credit.
  - 8.1.11 Courses taught by a teacher certified in the subject being taught and credit earned upon demonstration of mastery of the competencies of the particular course.

**18 DE Reg. 127 (08/01/14)**

## **9.0 High School Diplomas and the Certificate of Performance**

- 9.1 A State sanctioned diploma shall be granted to students who meet the state and local district or charter school requirements for graduation pursuant to 14 **Del.C.** §152.
- 9.2 A State sanctioned Certificate of Performance shall be granted to students who meet the requirements of 14 **Del.C.** §152.
- 9.3 Diplomas from one school year shall not be issued after September 15 of the next school year.
- 9.4 Duplicate diplomas or certificates of performance will not be issued, but legitimate requests for validation of the diploma or the certificate of performance will be satisfied through a letter of certification. Requests for diploma information from graduates of Delaware high schools should be directed to the high school the student was attending at the time of graduation. If the school does not have the records then the student should contact the Department in Dover for a notarized letter of certification that contains the name of the applicant, the name of the school, the date of graduation, and the diploma registry number (if available).
- 9.5 State High School Diploma for World War II Veterans Pursuant to 14 **Del.C.** §159
  - 9.5.1 "World War II Veteran" means any veteran who performed wartime service between December 7, 1941 and December 31, 1946. If the veteran was in the service on December 31, 1946, continuous service before July 16, 1947 is considered World War II.
  - 9.5.2 The Department shall provide a high school diploma to any World War II veteran who:
    - 9.5.2.1 Left a Delaware high school prior to graduation in order to serve in the armed forces of the United States.
    - 9.5.2.2 Did not receive a high school diploma, or received a G.E.D., as a consequence of such service and,

9.5.2.3 Was discharged from the armed forces under honorable circumstances.

9.5.3 The diploma may also be awarded posthumously if the deceased veteran meets the qualifications in 9.5.2.1 through 9.5.2.3.

9.5.4 Applications for this high school diploma shall be made on forms designated by the Department and the Delaware Commission of Veterans Affairs and shall have a copy of the candidate's honorable discharge papers attached to the application.

**4 DE Reg. 995 (12/01/00)**

**5 DE Reg. 625 (09/01/01)**

**7 DE Reg. 1344 (04/01/04)**

**10 DE Reg. 547 (09/01/06)**

**12 DE Reg. 934 (01/01/09)**

**15 DE Reg. 62 (07/01/11)**

**18 DE Reg. 127 (08/01/14)**

## **10.0 Exceptions for Students in DSCYF Custody**

10.1 A student in DSCYF custody pursuant to 10 Del.C., Chapter 9, §1009 who transfers into a district or charter school shall be permitted to graduate based on the successful completion of the Department's graduation requirements as defined in this regulation in lieu of the district's or charter school's specific requirements permitted by 7.1.

10.2 When a student in DSCYF custody pursuant to 10 Del.C., Chapter 9, §1009 transfers into a district or charter school, the district or charter school shall use policies developed pursuant to Section 8.1 to review the student's prior transcript and award values for credit earned through:

10.2.1 Distance learning courses. These courses may be delivered by the teacher to the learner in real time, online or by video;

10.2.2 Courses completed in mental health or rehabilitative facilities;

10.2.3 Courses completed in other districts or charter schools that use a different standard of awarding credits; or

10.2.4 Any other means as approved by the Chief School Officer of the district or charter school in accordance with policy and the law.

**18 DE Reg. 127 (08/01/14)**

**19 DE Reg. 100 (08/01/15) (Prop.)**