

**DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY**

Statutory Authority: 14 Delaware Code, Sections 103(b) and 122(a) (14 **Del.C.** §§103(b) and 122(a))

FINAL

REGULATORY IMPLEMENTING ORDER

507 Student Success Planning

I. Summary of the Evidence and Information Submitted

Pursuant to 14 **Del.C.** §§103(b) and 122(a), the Secretary of Education intends to create 14 **DE Admin. Code** 507 Student Success Planning. This new regulation is needed to provide guidance for districts and charters in their role to support students in establishing goals that lead to post-secondary plans for the student's desired career.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on January 1, 2019, in the form hereto attached as *Exhibit "A"*. Comments were received from the Governor's Advisory Council for Exceptional Citizens, the State Council for Persons with Disabilities, and Freire Charter School Wilmington. The two Councils were in support of the regulation as written but did request further clarification on Student Success Plans. Freire Charter School had one comment noted below. The Councils requested that:

(1) The Department include clarification that school districts will still assist students with developing a program of study of plan to clearly identify what steps a student must follow to achieve career goals, even if it is no longer placed in the Student Success Plan. The Department notes that the regulation requires school district's post-secondary advisement plans to list the specific activities and supports they are providing to help students explore potential career interests, establish and refine goals to prepare them to pursue the goals after high school;

(2) The Department include a requirement that school districts identify and provide supports necessary to help a student achieve their career goals. The Department believes this is outlined in 4.1.1.2 of the regulation that notes district plans must include the activities, supports and resources to enable students to fulfill the opportunities identified in the regulation, as well as requires the plan to be district-wide to enable a comprehensive approach to support students from 8th to 12th grade. Incorporating this into their plans will enable districts to identify areas where students need additional supports and continue those supports between middle and high school;

(3) The Department include an annual transcript review requirement. The Department notes that school counselors will continue to conduct course transcripts as part of the requirement to increase graduation rates under the Every Student Succeeds Act. DSSF additionally monitors on track to graduation and will be reported annually. This aspect was not required to be outlined in regulation;

(4) The Department include a section that requires Student Success Plans to incorporate the IEP transition plan requirements in 14 **DE Admin Code** 925. The Department believes it is the expectation that a transition plan can meet the requirements of the Student Success Plan if it includes each of the aspects identified in the regulation. Two separate documents would be unnecessary; (4) we remove the definition of "Core Course Credit" as it is not used in the regulation. We agree with this change and the definition has been removed to correct a technical error; and

(5) The Department include a requirement for some data measures for students with IEPs related to equal access to ESSA measures and Career Pathways programming. The Department notes that district plans are required to identify how they will measure student impact in meeting their post-secondary goals and progress reports will show their progression towards these goals, including measurable outcomes as outlined in the regulation. This includes all students, including those with IEPs.

Additionally, Freire Charter School noted the regulation could place an undue burden on school staff, finances or technological resources, and asked the Department to evaluate post-secondary advising plans to ensure they are not burdensome. The Department notes that the SSP template consists of two simple excel spreadsheets that do not require any additional software or technology. Charter Schools and Districts are not required to list every individual activity they offer to students or to track those individual activities. The plan looks at broader categories to ensure students meet the opportunities required in the regulation. Therefore, the Department does not believe the regulation places any unnecessary work or burden on districts or charter schools, and that the Student Success Plan provides for significant flexibility for district and charter school tracking while ensuring that the Department can adequately review the post-secondary advisement process statewide for students.

II. Findings of Facts

The Secretary finds that it is appropriate to create 14 **DE Admin. Code** 507 Student Success Planning in order to

provide guidance for districts and charters in their role to support students in establishing goals that lead to post-secondary plans for the student's desired career.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to create 14 **DE Admin. Code** 507 Student Success Planning. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 507 Student Success Planning attached hereto as *Exhibit "B"* is hereby created. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 507 Student Success Planning hereby created shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. Text and Citation

The text of 14 **DE Admin. Code** 507 Student Success Planning created hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 507 Student Success Planning in the *Administrative Code of Regulations* for the Department of Education.

V. Effective Date of Order

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on February 15, 2019. The effective date of this Order shall be ten (10) days from the date this Order is published in the Delaware *Register of Regulations*.

IT IS SO ORDERED the 15th day of February 2019.

Department of Education

Susan S. Bunting, Ed.D., Secretary of Education

Approved this 15th day of February 2019

507 Student Success Planning

1.0 Purpose

The purpose of this regulation is to: (1) provide guidance to district and charter schools in establishing their Post-Secondary Advisement Plans (PSAP); and (2) to provide guidance as they support students in establishing goals that lead to the creation and revision of the student's Student Success Plan.

2.0 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.

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

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

"**Post-secondary**" means education, training and career experiences that occur after high school graduation.

"**Post-secondary Advisement Plan**" or "**PSAP**" means a written comprehensive document that identifies the activities, supports and resources to enable a student to create and revise a Student Success Plan.

"**Progress Report**" means a written document provided annually by districts and charters to the Department to update their current status in meeting their established benchmarks included in the Post-Secondary Advisement Plan.

"**Student Success Plan**" or "**SSP**" means a written plan which sets post-secondary goals based on a student's career interest.

3.0 Student Success Plans (SSP)

3.1 Every Delaware student in grades 8-12 shall have a SSP based on exposure to the following:

- 3.1.1 Opportunities to learn about career and industry trends and earning potential, such as career speakers, work-based learning opportunities, career and technical student organization activities and career compass activities.
- 3.1.2 Opportunities to identify their strengths and interests connected to careers, such as Armed Services Vocational Attitude Battery and career interest surveys, as well as meetings with counselors, teachers, parents, guardians, care-givers at regular intervals to discuss student interests regarding careers.
- 3.1.3 Opportunities to identify educational and financial requirements related to potential career interests, such as college representative presentations, college visits, financial aid presentations and financial literacy classes.
- 3.2 SSPs shall be created in 8th grade or upon entry to a Delaware district or charter school in grades 8-12 and revised annually as necessary.
- 3.3 By the student's final year of high school, the SSP shall identify the necessary steps to transition to the next phase of the student's career plan.

4.0 Post-Secondary Advisement Plans (PSAP)

- 4.1 Every district and charter school shall create and implement a PSAP to enable students to have the opportunities as identified in Section 3.0.
 - 4.1.1 The PSAP shall use the template provided by the Department.
 - 4.1.2 Every PSAP shall include a process for all of the following:
 - 4.1.2.1 Opportunities for students to establish secondary and Post-secondary goals aligned to their career interests.
 - 4.1.2.2 Activities, supports and resources to enable students to fulfill the opportunities as identified in Section 3.0, such as but not limited to: small and large group activities, in-school and out-of-school supports, and one-on-one Advisement.
 - 4.1.2.3 Alignment of PSAPs to enable students to identify the necessary steps to transition to the next phase of the student's career plan.
 - 4.1.2.4 Opportunities to engage parent(s), guardian(s) or relative caregiver(s) in the creation and revision of SSPs.
 - 4.1.2.5 Measurable outcomes to demonstrate the impact of the PSAP in identifying the necessary steps to transition to the next phase of their career plan.
- 4.2 Every district and charter school shall align activities, supports and resources across grades 8-12 as applicable.

5.0 Reporting Requirements and Timelines

- 5.1 Annually, by June 30th, every district and charter school shall electronically submit a Progress Report to the Department.
 - 5.1.1 The Progress Report shall include annual progress towards meeting the established benchmarks included in the PSAP, any measures being taken to address benchmarks that will not be met, and any new measures that will be measured to demonstrate the impact of the PSAP.
- 5.2 Plans shall be updated annually to reflect necessary improvements as informed by national best practices, review of Post-secondary data and feedback provided by the Department.
- 5.3 Newly authorized charter schools with any grade 8-12 shall create and implement a PSAP to enable students to have the opportunities as identified in Section 3.0.