

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(b)(3), 122(b)(8), 181, and 183 (14 Del.C. §§122(b)(3), 122(b)(8), 181 & 183)
14 DE Admin. Code 506

PROPOSED

PUBLIC NOTICE

Educational Impact Analysis Pursuant to 14 Del.C. §122(d)

506 Policies for Dual Enrollment and Awarding Dual Credit

A. TYPE OF REGULATORY ACTION REQUIRED

Amendment to Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF THE REGULATION

Pursuant to 14 Del.C. §§122(b)(3), 122(b)(8), 181, and 183, the Delaware Department of Education ("Department"), including the Delaware Higher Education Office, developed amendments to 14 DE Admin. Code 506 Dual Enrollment and Awarding Dual Credit. The regulation requires public schools to develop policies concerning dual enrollment in a high school and postsecondary institution and awarding dual credit. The proposed amendments are to Section 4.0, which concerns quality assurance and granting of postsecondary credit, and are consistent with HB 116 of the 152nd General Assembly. HB 116 was signed into law on February 28, 2024 and is effective August 1, 2024.

Persons wishing to present their views regarding this matter may do so in writing by submitting them to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or through the Department's online submission form at <https://education.delaware.gov/community/delaware-education-laws-and-regulations/provide-public-comment/> by the close of business (4:30 p.m. EST) on or before May 2, 2024. Any person who wishes to receive a copy of the proposed regulation may obtain a copy from the Department at the Office of the Secretary on the second floor of the Townsend Building, 401 Federal Street, Dover, Delaware.

C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation concerns dual enrollment and dual credit and is not designed 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 will help to ensure that all students receive an equitable education by requiring public schools to develop policies concerning dual enrollment in a high school and postsecondary institution and awarding dual credit.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation concerns dual enrollment and dual credit and is not designed to help ensure that all students' health and safety are adequately protected.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation concerns dual enrollment and dual credit and is not designed to help 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 amended regulation does not change the necessary authority and flexibility of decision making at the local board and school level.

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 or mandates on decision makers at the local board and school levels. The proposed changes are based on HB 116, which was signed into law on February 28, 2024 and is effective August 1, 2024.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The amended regulation does not change the decision making authority and accountability for addressing the subject to be regulated.

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 amended regulation is 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 the purpose of the amended regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There are no material costs to comply with this amended regulation.

506 Policies for Dual Enrollment and Awarding Dual Credit

1.0 Purpose

Pursuant to 14 **Del.C.** §§122(b)(3), 122(b)(8), 181, and 183, the purpose of this regulation is to ensure all school districts and charter schools have policies regarding dual enrollment and the awarding of dual credit to promote consistency and equity across the state.

26 DE Reg. 835 (04/01/23)

2.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning:

“Accredited Postsecondary Institution” means an accredited higher education institution, including any in-state and out-of-state college or university, alternative routes for teacher licensure and certification programs approved by the Delaware Secretary of Education and authorized to operate in Delaware, and adult education career training/registered apprenticeship programs.

“Articulation Agreement” means the agreement between the accredited postsecondary institution and school district, school or charter school that specifies, at a minimum, student eligibility and participation requirements, the course syllabus, the expected course competencies, grading policy, attendance policy, and conditions for awarding dual credit. Further provided, student eligibility and participation requirements shall be based on multiple indicators of readiness that may include a combination of tests, course grades, teacher recommendations or portfolios.

“Dual Credit” means the credit awarded at both the high school and postsecondary levels.

“Dual Credit Course” means a course for which a student may receive both high school credit towards graduation and postsecondary credit. The course may be taken in a variety of settings such as in a high school, on a postsecondary institution campus, or electronically. Examples of a dual credit course include Advanced Placement or "AP", International Baccalaureate or "IB".

“Dual Enrollment” means simultaneous enrollment in both a high school and an accredited postsecondary institution.

“Dual Enrollment Course” means a course for which a student may receive both high school credit towards graduation and postsecondary credit while simultaneously registered at both the high school and the accredited postsecondary institution.

“Principal” or **“Principal's Designee”** means the person at the high school who is assigned to approve the courses that may result in credit for that high school.

“Student Success Plan” means a written plan which sets postsecondary goals based on a student's career interest.

26 DE Reg. 835 (04/01/23)

3.0 District Policy Requirement

3.1 School districts and secondary charter schools shall develop policies for dual enrollment and the awarding of dual credit that at a minimum meet the following criteria:

- 3.1.1 All courses for which dual credit is awarded shall incorporate any applicable state content standards;
- 3.1.2 All courses for which dual credit is awarded shall be taken at or through an articulation agreement with an accredited postsecondary institution except for AP or IB courses;
- 3.1.3 All students shall be provided information regarding dual enrollment and the awarding of dual credit opportunities;
- 3.1.4 All eligible students, as determined in the articulation agreement, shall have access to dual credit and dual enrollment courses;
- 3.1.5 Funding sources such as College Board waivers or other grants shall be identified as well as the procedures for applying and the procedures for the awarding of such funds or waivers. No student shall be denied access to dual credit or dual enrollment courses because of the student's or family's inability to pay;
- 3.1.6 All students shall be notified of any resources to help pay for dual enrollment courses;

- 3.1.7 Students shall have multiple points of access for dual credit and dual enrollment courses including, but not limited to, courses offered on the high school campus, courses offered on the postsecondary institution campus, courses offered online, or a combination of any of the above;
- 3.1.8 Any school district seeking to contract with an out-of-state institution to offer dual credit courses shall seek an institutional review by the Delaware Higher Education Office prior to executing the contract;
- 3.1.9 All courses for which dual credit is awarded through an accredited postsecondary institution shall be taught by an approved dual credit instructor;
- 3.1.10 Any course that offers dual credit shall have the prior approval for the awarding of dual credit by the principal or the principal's designee of the high school in which the credit is to be awarded; and
- 3.1.11 Dual enrollment and dual credit shall be included in the Student Success Plan (SSP), as required in 14 **DE Admin. Code** 505, for students electing to participate.

26 DE Reg. 835 (04/01/23)

4.0 Quality Assurance and Granting of Postsecondary Credit

- 4.1 ~~All AP and IB courses used for purposes of dual credit shall meet the requirements of their respective program authorizers.~~
 - 4.1.1 ~~Postsecondary credit for AP or IB courses shall be at the discretion of the credit granting accredited postsecondary institution.~~
- 4.1 All AP courses used for purposes of dual credit shall meet the requirements of their respective program authorizers. Postsecondary credit for AP courses shall meet the requirements of 14 **Del.C.** §§9001E - 9002E.
- 4.2 All IB courses used for purposes of dual credit shall meet the requirements of their respective program authorizers. Postsecondary credit for IB courses shall be at the discretion of the credit granting accredited postsecondary institution.
- 4.2 4.3 All courses for which dual credit is granted shall meet the requirements of the sponsoring accredited postsecondary institution as outlined in the articulation agreement.
- 4.4 The effective date of Section 4.0 is August 1, 2024.

26 DE Reg. 835 (04/01/23)

5.0 Reporting of Dual Enrollment and awarding of Dual Credit

Each school district and secondary charter school shall indicate on a student's high school transcript any dual enrollment courses or dual credit courses taken ~~and any courses for which dual credit has been granted by the student.~~ In addition, any dual credit that has been awarded to the student shall be indicated on the student's high school transcript.

26 DE Reg. 835 (04/01/23)

6.0 Policy Reporting Requirements

- 6.1 Each school district and secondary charter school shall have an electronic copy of its current policy for dual enrollment and awarding dual credit on file with the Department of Education.
- 6.2 Each school district and secondary charter school shall provide an electronic copy of any dual enrollment and dual credit policy within 90 days of such revision including any revisions made as a result of changes to Federal, state or local law, regulations, guidance or policies.

12 DE Reg. 437 (10/01/08)

26 DE Reg. 835 (04/01/23)

27 DE Reg. 727 (04/01/24) (Prop.)