

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))  
14 DE Admin. Code 851

### PROPOSED

#### 851 K to 12 Comprehensive Health Education Program

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

##### 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 851 K to 12 Comprehensive Health Education Program to require cardiopulmonary resuscitation (CPR) awareness and use of an automated external defibrillator (AED) and awareness of organ/tissue donating in high school. It would be at the discretion of the district or charter school the high school grade level each would be provided and the curricular materials to be used. The addition of these curricular areas would commence in schools no later than the 2014-2015 school year. The Department will work with the districts and schools to identify potential curricular resources that may be used.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before **September 5, 2013** to Susan Haberstroh, Department of Education at 401 Federal Street, Suite 2, Dover, Delaware 19904. A copy of this regulation is available from the above address or may be viewed at the Department of Education business office.

##### C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amendments add to the program material to be covered during the high school health program.

2. Will the amended regulation help ensure that all students receive an equitable education? The amendments do not change whether all students have an equitable education. The expectation is that all students will have access to these new program requirements.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendments do not affect all students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amendments do not affect the legal rights of students.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amendments preserve the necessary authority and flexibility of decision making at the local board and 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 amendments do not place any unnecessary reporting or administrative requirements upon the decision makers. The amendments do require additional program material to be covered in the high school.

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 does not change with 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 other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? The Department is cognizant of the program change and is providing time for the integration into the health program.

10. What is the cost to the State and to the local school boards of compliance with the regulation? The Department does not anticipate additional costs to the State or to the local school boards for compliance.

#### 851 K to 12 Comprehensive Health Education Program

##### 1.0 Program Requirements

- 1.1 Each school district and charter school shall have a sequential, skill-based K to 12 Comprehensive Health Education Program based on the Delaware Health Education Standards that establishes a foundation of understanding the relationship between personal behavior and health and shall include at a minimum the following:
  - 1.1.1 Identification of a district level person to coordinate the district program and a coordinator in each building to assure compliance at the building level. Each charter school shall identify a person to coordinate the program for the charter school.
  - 1.1.2 Appointment of persons such as teachers, parents, school nurses, community leaders, guidance counselors, law enforcement officers and others with expertise in the areas of health, family life and safe and drug free schools and communities to serve as members of the Consolidated Application Planning Committee.
  - 1.1.3 The use of the state content standards for health education for grades K to 12 to address the core concepts: tobacco, alcohol and other drugs, injury prevention and safety, nutrition and, physical activity, family life and sexuality, personal health and wellness, mental health and community and environmental health with minimum hours of instruction as follows:
    - 1.1.3.1 In grades K to 4, a minimum of thirty (30) hours in each grade of comprehensive health education and family life education of which ten (10) hours, in each grade, must address drug and alcohol education.
    - 1.1.3.2 In grades 5 and 6, a minimum of thirty five (35) hours in each grade of comprehensive health education and family life education of which fifteen (15) hours, in each grade, must address drug and alcohol education.
    - 1.1.3.3 In grades 7 and 8, separate from other subject areas, a minimum of sixty (60) hours of comprehensive health education and family life education of which fifteen (15) hours, in each grade, must address drug and alcohol education. If all of the 60 hours are provided in one year at grade 7 or 8, an additional fifteen hours of drug and alcohol education must be provided in the other grade.
    - 1.1.3.4 In grades 9 to 12, one half (1/2) credit of comprehensive health education is required for graduation of which fifteen (15) hours of this 1/2 credit course must address drug and alcohol education. In addition, no less than two (2) hours of this 1/2 credit course shall cover cardiopulmonary resuscitation (CPR) awareness, use of an Automated External Defibrillator (AED) as well as a component on the life saving and life enhancing effects of organ and tissue donation. This 1/2 credit course may be provided in the 9th, 10th, 11th or 12th grade. In each of the remaining three grades, fifteen (15) hours of drug and alcohol education must be provided for all students. CPR awareness, use of an AED and organ/tissue donation awareness shall be integrated into each high school Health Education Program no later than the 2014-2015 school year.
  - 1.1.4 Inclusion of a comprehensive sexuality education and an HIV prevention program that stresses the benefits of abstinence from high risk behaviors.
  - 1.1.5 Inclusion of the core concepts of nutrition and family life and sexuality implemented through Family and Consumer Science courses.
  - 1.1.6 Inclusion of research-based fire safety education in grades kindergarten through grade 6.
  - 1.1.7 Inclusion of an evidence-based tobacco, alcohol, drug and interpersonal violence prevention program.
  - 1.1.8 The use of effective instructional methods as demonstrated in sound research in the core concepts and skills inclusive of accessing information, self management, analyzing internal and external influences, interpersonal communication, decision making and goal setting and advocacy.
  - 1.1.9 A description of the method(s) used to implement and evaluate the effectiveness of the program ~~which shall be reported in the District/School Success Plan~~ upon request of the Department.

**3 DE Reg. 1073 (2/1/00)**

**8 DE Reg. 1012 (1/1/05)**

**13 DE Reg. 935 (01/01/10)**

**17 DE Reg. 150 (08/01/13)(Prop.)**