

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))
14 DE Admin. Code 503

PROPOSED

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

503 Instructional Program Requirements

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 503 Instructional Program Requirements. This regulation is being amended to: (1) remove specific references to previous school years as to when implementation of physical fitness assessments would occur, (2) include instructional requirements for World Languages, and (3) clarify instructional requirements for Career and Technical Education.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before January 7, 2016 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 online at the *Register of Regulation's* website, http://regulations.delaware.gov/services/current_issue.shtml, 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 by ensuring this regulation correctly notes the grades in which physical fitness assessments occur and the instructional requirements for world languages and career and technical education.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation is intended to help 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 specifically address students' health and safety, but does help ensure that a physical fitness assessment will be done in specific grades, ultimately contributing to the health of students.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation helps to ensure that all student's 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 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 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 addressing the subject to be regulated does not change because of the amendment.

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 amendment 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 regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is no expected cost to implementing this amended regulation.

503 Instructional Program Requirements

1.0 English Language Arts

- 1.1 Local school districts and each charter schools shall provide instructional programs in English Language Arts for each grade K to 12.

- 1.2 All public school students in each grade K to 8 shall be enrolled in an English language arts program.
- 1.3 All public school students in grades 9 to 12 shall complete the credits in English language arts necessary to graduate from high school.

2.0 Mathematics

- 2.1 Local school districts and ~~each~~ charter schools shall provide instructional programs in mathematics for each grade K to 12.
- 2.2 All public school students in each grade K to 8 shall be enrolled in a mathematics program.
- 2.3 All public school students in grades 9 to 12 shall complete the credits in mathematics necessary to graduate from high school.

3.0 Science

- 3.1 Local school districts and ~~each~~ charter schools shall provide instructional programs in science for each grade K to 12.
- 3.2 All public school students in each grade K to 8 shall be enrolled in a science program.
- 3.3 All public school students in grades 9 to 12 shall complete the credits in science necessary to graduate from high school.

4.0 Social Studies

- 4.1 Local school districts and ~~each~~ charter schools shall provide instructional programs in social studies for each grade K to 12.
- 4.2 All public school students in each grade K to 8 shall be enrolled in a social studies program.
- 4.3 All public school students in grades 9 to 12 shall complete the credits in social studies necessary to graduate from high school.

5.0 Physical Education

- 5.1 Local school districts and ~~each~~ charter schools shall provide instructional programs in physical education for each grade K to 12 with the exception of the James H. Groves High School program.
- 5.2 All public school students in each grade 1 to 8 shall be enrolled in a physical education program.
- 5.3 All public school students in grades 9 to 12 shall complete the credit in physical education necessary to graduate from high school.
 - 5.3.1 In addition to the one credit required for high school graduation, only one additional elective credit in physical education may be used to fulfill the graduation requirements.
- 5.4 The physical education requirements may be waived only for students who have an excuse from a qualified ~~physician licensed medical provider~~ or objections based on religious beliefs. The local school district or charter school shall have the authority to grant such waivers. The local school district or charter school shall maintain records of the waivers granted and upon request, make them available for review consistent with Federal and state confidentiality laws.
- 5.5 Local school districts and charter schools shall annually assess the physical fitness of each student in grades 4 and 7, and in grade 9 or 10. ~~Beginning in the 2006-2007 school year and annually thereafter, all students in grade 4 will be assessed. Beginning in the 2007-2008 school year and annually thereafter all students in grade 7 and in grade 9 or 10 will be assessed.~~ The physical fitness assessment tool used by the districts and charter schools shall be one designated by the Delaware Department of Education.
 - 5.5.1 The local school districts and charter schools shall provide the results of the physical fitness assessment to the parent(s) guardian(s) or Relative Caregiver of each student. The districts and charter schools shall also report this information to the Delaware Department of Education in a format determined by the Department.
 - 5.5.1.1 The Delaware Department of Education shall annually report the statewide grade level results of the physical fitness assessment to the public.

10 DE Reg. 985 (12/01/06)

6.0 Visual and Performing Arts

- 6.1 Local school districts and ~~each~~ charter schools shall provide instructional programs in the visual and performing arts for each grade K to 12 with the exception of the James H. Groves High School program.
- 6.2 All public school students in each grade 1 to 6 shall be enrolled in a visual and performing arts program.

7.0 Career and Technical Education

- 7.1 Local school districts and charter schools, when consistent with the charter school's approved program, shall provide instructional program(s) in two or more vocational technical education areas in grades 7 and 8 that demonstrate alignment to career and technical education programs of study within the high school feeder pattern(s).
- 7.1.1 No later than the 2017-2018 school year, career and technical instructional program(s) in grades 7 and 8 shall be aligned to career and technical education programs of study at the high school level.
- 7.2 All public school students in grades 9 through 12 in local school districts, and charter schools when consistent with the charter school's approved program, shall be provided with the opportunity to enroll in and complete a career and technical education program of study.

8.0 World Language

- 8.1 Local school districts and charter schools with any of grades 9 through 12 shall provide instructional programs in world languages for grades 9 through 12.
- 8.2 All public school students in grades 9 through 12 shall complete the credits in world languages required to graduate from high school.

5 DE Reg. 865 (10/1/01)

8 DE Reg. 1709 (6/1/05)

10 DE Reg. 985 (12/01/06)

19 DE Reg. 455 (12/01/15) (Prop.)