

DEPARTMENT OF EDUCATION
14 DE Admin. Code 220
Statutory Authority: 14 Delaware Code,
Section 220 (14 Del.C. §220)

Education Impact Analysis
Pursuant To
14 DEL.C. §122(d)

PROPOSED

501 State Content Standards

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** 501 State Content Standards by removing the reference to the Standards for Functional Life Skills Curriculum in 1.1 because federal regulations no longer allow the use of separate functional standards that are aligned to academic content standards. For the past five years, the Standards for Functional Life Skills Curriculum served as the foundation of the Delaware Alternative Portfolio Assessment (DAPA), an assessment system designed for students with the most significant cognitive disabilities. The No Child Left behind Act (NCLB) requires that all students be assessed on the same academic content standards. In addition, the 1997 re-authorization of IDEA mandates that students with disabilities have access to and make progress in the general curriculum.

The No Child Left behind Act (NCLB) allows students in the alternate assessment to have different access points to the academic content standards. Existing performance indicators within the Delaware content standards do not adequately address the educational issues of all students who participate in the alternate assessment. Therefore, it was necessary to develop Extended Performance Indicators (ExPIs), which are embedded functional skills within the academic content standards. Unlike the DSTP, the DAPA-II may use off-grade PIs or ExPIs. The Individual Education Plan (IEP) team will select which standards and corresponding performance indicators (PIs or ExPIs) may be used in the student's IEP. The IEP does not have to link to all standards. The Extended Performance Indicators will not become part of the regulations but State Board of Education approval will be requested as was done in the case of the indicators in other content areas.

C. Impact Criteria

1. Will the regulation help improve student achievement as measured against state achievement standards? The amendment to the regulation places the focus on the standards for English language arts, mathematics, science and social studies as the standards to use for all students to improve their achievement.

2. Will the regulation help ensure that all students receive an equitable education? The regulation mandates the alignment of all curriculum with the state content standards and the amendment removes the reference to the Functional Skills Curriculum Standards as an alternative for certain students. As per No Child Left Behind all children shall meet the same standards.

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

4. Will the regulation help to ensure that all students' legal rights are respected? The amendments to the regulation ensure that all students meet the same standards which is their legal right under No Child Left Behind.

5. Will the regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation will preserve the necessary authority and flexibility of decision making at the local board and school level.

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

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 will remain in the same entity.

8. Will the 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 regulation will 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.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is no 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 additional cost to the state and to the local school boards of compliance with the regulation.

501 State Content Standards

1.0 Instructional Programs

1.1 Instructional programs offered in the public schools of Delaware shall be in alignment with the appropriate content standards documents. These documents are: English Language Arts Curriculum Framework, Mathematics Curriculum Framework, Science Curriculum Framework, Social Studies Curriculum Framework, Health Education Curriculum Framework and Assessment, Physical Education Content Standards, Visual and Performing Arts Content Standards, Agriscience Curriculum Framework Content Standards, Business Finance and Marketing Education Curriculum Framework Content Standards, Foreign Language Curriculum Framework Content Standards, Technology Education Curriculum Framework Content Standards, and the Family and Consumer Sciences Content Standards ~~and the Standards for Functional Life Skills Curriculum.~~

1.1.1 The content standards documents may from time to time hereafter be amended with the approval of the Secretary and the State Board of Education.

1.1.2 Integration of the content standards shall be provided for within and across the curricula.

1.1.3 Instructional materials and curricula content shall be kept current and consistent with the Guidelines for the Selection of Instructional Materials.

1 DE Reg. 153 (8/1/97)

1 DE Reg. 729 (12/1/97)

4 DE Reg. 343 (8/1/00)

4 DE Reg. 850 (10/1/00)

4 DE Reg. 853 (11/1/00)

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

8 DE Reg. 36 (7/1/04)