

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 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

FINAL

REGULATORY IMPLEMENTING ORDER

506 Policies for Dual Enrollment and Awarding Dual Credit

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

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, subject to State Board of Education approval, intends to amend 14 **DE Admin. Code** 506 Policies for 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. This regulation was reviewed pursuant to 29 **Del.C.** §10407, which requires regulations to be reviewed on a recurring basis every four years. The proposed amendments include changes that align with existing practice, updating definitions and terminology, and removing references to Tech Prep courses which no longer exist. Other proposed changes are grammatical in nature and are made to ensure compliance with the *Delaware Administrative Code Drafting and Style Manual*.

Notice of the proposed regulation was published in the *Delaware Register of Regulations* on December 1, 2022. The Department of Education did not receive any written comments concerning the proposed amendments.

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 506 Policies for Dual Enrollment and Awarding Dual Credit in order to require public schools to develop policies concerning dual enrollment in a high school and postsecondary institution and awarding dual credit, to include changes that align with existing practice, updating definitions and terminology, and to remove references to Tech Prep courses which no longer exist. Other proposed changes are grammatical in nature and are made to ensure compliance with the *Delaware Administrative Code Drafting and Style Manual*.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 506 Policies for Dual Enrollment and Awarding Dual Credit. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 506 Policies for Dual Enrollment and Awarding Dual Credit attached hereto as *Exhibit "A"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 506 Policies for Dual Enrollment and Awarding Dual Credit hereby amended 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** 506 Policies for Dual Enrollment and Awarding Dual Credit amended hereby shall be in the form attached hereto as *Exhibit "A"*, and said regulation shall be cited as 14 **DE Admin. Code** 506 Policies for Dual Enrollment and Awarding Dual Credit 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 January 19, 2023. 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 16th day of February 2023.

Department of Education

Approved this 16th day of February 2023

State Board of Education:

/s/ Shawn Brittingham, President

Vincent Lofink, Vice President (Absent)

/s/ Candice Fifer

/s/ Audrey J. Noble, Ph.D.

/s/ Rev. Provey Powell, Jr.

/s/ Wali W. Rushdan, II

/s/ Deborah Stevens

***Please note: Electronic signatures ("/s/") were accepted pursuant to 6 Del.C. §12A-107(d).**

506 Policies for Dual Enrollment and Awarding Dual Credit

1.0 Purpose

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

2.0 Definitions:

~~For purposes of this regulation the definitions in 14 DE Admin. Code 505 apply. Additional definitions for purposes of this regulation include the following: The following words and terms, when used in this regulation, shall have the following meaning:~~

"Accredited Postsecondary Institution" means ~~a regionally 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~~ 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~~ dual credit. Further provided, student eligibility and participation requirements shall be based on multiple indicators of readiness ~~such as, but not limited, to 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 (AP) or "AP", International Baccalaureate (IB) ~~and Tech Prep courses or "IB".~~

"Dual Enrollment" means simultaneous enrollment in both a high school and an ~~Accredited Postsecondary Institution~~ 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~~ accredited postsecondary institution.

"Dual Enrollment Instructor" or "Instructor" means an individual teaching a Dual Enrollment Course who ~~meets the requirements of a faculty member or adjunct faculty member at the credit granting Accredited Postsecondary Institution.~~

"Principal or principal's designee" or "Principal's Designee" means the person at the high school ~~the local school district board of education or superintendent, or charter school board, if applicable, assigns 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.

3.0 District Policy Requirement

- 3.1 ~~Local school~~ School districts ~~and secondary charter schools~~ shall develop policies for ~~Dual Enrollment~~ dual enrollment and the awarding of ~~Dual Credit~~ 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~~ articulation agreement with an ~~Accredited Postsecondary Institution~~ 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 ~~Those students~~ All eligible students, as determined in the ~~Articulation Agreement~~ articulation agreement, shall have access to dual credit and dual enrollment courses;
- 3.1.5 Funding sources such as ~~Tech Prep~~, 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~~ 3.1.7 Students shall have multiple points of access for dual credit and dual enrollment ~~course(s)~~ courses including, but not limited to, ~~course(s)~~ courses offered on the high school campus, ~~course(s)~~ courses offered on the postsecondary institution campus, ~~course(s)~~ 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;
- ~~3.1.7~~ 3.1.9 All courses for which ~~Dual Credit~~ dual credit is awarded through an ~~Accredited Postsecondary Institution~~ accredited postsecondary institution shall be taught by an approved ~~Dual Credit Instructor~~ dual credit instructor;
- ~~3.1.8~~ 3.1.10 Any course that offers ~~Dual Credit~~ dual credit shall have the prior approval for the awarding of ~~Dual Credit~~ dual credit by the principal or the principal's designee of the high school in which the credit is to be awarded; and
- ~~3.1.9~~ 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.

4.0 Quality Assurance and Granting of Postsecondary Credit

- 4.1 All ~~Advanced Placement (AP)~~ AP and ~~International Baccalaureate (IB)~~ IB courses used for purposes of ~~Dual Credit~~ dual credit shall meet the requirements of their respective program authorizers.
 - 4.1.1 Postsecondary credit for ~~Advanced Placement AP~~ or IB courses shall be at the discretion of the credit granting ~~Accredited Postsecondary Institution~~ accredited postsecondary institution.
- 4.2 ~~For Tech Prep courses, the Accredited Postsecondary Institution shall ensure the student's attainment of competencies as outlined in the Articulation Agreement between the high school and Accredited Postsecondary Institution.~~
- ~~4.3~~ 4.2 All courses for which ~~Dual Credit~~ dual credit is granted shall meet the requirements of the sponsoring ~~Accredited Postsecondary Institution~~ accredited postsecondary institution as outlined in the ~~Articulation Agreement~~ articulation agreement.

5.0 Reporting of Dual Enrollment and awarding of Dual Credit

- ~~5.1~~ The ~~Each school district and secondary charter school~~ shall indicate on a student's high school transcript any ~~Dual Enrollment Courses~~ dual enrollment courses taken and any courses for which ~~Dual Credit~~ dual credit has been granted.

6.0 Policy Reporting Requirements

- 6.1 Each ~~public 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 ~~public school district~~ and secondary charter school shall provide an electronic copy of any dual enrollment and dual credit policy within ~~ninety (90)~~ 90 days of such ~~revision(s)~~ revision including ~~revisions~~ any revisions made as a result of changes to Federal, state or local law, regulations, guidance or policies.

7.0 Secondary Charter School Policy

- ~~7.1~~ A secondary charter school that chooses to offer Dual Enrollment or Dual Credit opportunities shall be subject to the provisions of this regulation.

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

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