

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))
14 **DE Admin. Code** 505

FINAL

ORDER

505 High School Graduation Requirements and Diplomas

I. Summary of the Evidence and Information Submitted

The Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 505 High School Graduation Requirements and Diplomas to provide additional information related to the World Languages credit requirement that goes into effect for the Class of 2015 (freshmen 2011-2012). The regulation requiring the 2 credits in World languages was originally scheduled to go into effect for the Class of 2013. This was revised in January 2009 making the requirement effective for the Class of 2015. The recommendations of the Task Force on World Languages were taken into consideration in the proposed amendments. The definition of World Language includes American Sign Language. This was a recommendation of the Task Force and is also required by legislation, pursuant to HB 345 of the 145th General Assembly.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on Monday, October 4, 2010, in the form hereto attached as *Exhibit "A"*. The Department received comments from both the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities. The comments were similar. One comment was in regard to a *News Journal* article from 2006 referencing state teachers' union concerns that students with disabilities or those not college-bound "might benefit more from an extra year of science, social studies, or career preparation." The Department did not receive comments from other entities related to this issue during this amendment period. Additionally, the Department would like to provide research that suggests that students with disabilities do gain valuable work-place and life skills from world language instruction; for example, *Students With Disabilities: Yes, Foreign Language Instruction Is Important!* (Kleinart, Harold L, et al, *Teaching Exceptional Children*, 39 no 3, 24-9, Jan/Feb 2007).

Another comment related to the definition of "World Languages" and specifically substituting the word "people" for "peoples". The definition proposed was established by members of the World Languages Task Force. Members included K-12 world language teachers, university professors, district and state administrators who represented all levels of education, elementary to post-secondary. The term "peoples" was used to be inclusive as a single world language may be spoken by more than one single community, tribe, nation or race. The Task Force also partially based its definition on Jensen and Sandrock's (2007) work about the importance of using the term "world languages" instead of "foreign languages" as it reflects an understanding of "a world where *peoples* and cultures are in a constant state of movement and interaction ..."

The last comment related to students who are deaf and the proficiency standards. Currently, the regulation provides options for fulfilling the world language graduation requirement. Students may complete a minimum of two world language credits in the same language or demonstrate a novice-high or higher level of proficiency. Proficiency may be demonstrated in the areas of speaking, reading and writing using the levels of proficiency as identified by ACTFL **OR** as approved for use by the Delaware Department of Education. Since ASL is not a spoken language, a test demonstrating approximate skills such as receptive skills, interactive and expressive skills would be considered by the Department as an appropriate ASL equivalent. For classical languages such as Greek or Latin, the skills of listening and speaking may not be as appropriate and the Department could consider equivalent skills of reading and translation. Proficiency in modern alphabetic and logographic languages, classical languages or visual languages can still be measured using the levels of the ACTFL Proficiency Guidelines.

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 505 High School Graduation Requirements and Diplomas in order to provide additional information related to the World Languages credit requirement that goes into effect for the Class of 2015 (freshmen 2011-2012).

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 505 High School Graduation Requirements and Diplomas. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 505 High School Graduation Requirements and Diplomas attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 505 High School Graduation Requirements and Diplomas 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** 505 High School Graduation Requirements and Diplomas amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 505 High School Graduation Requirements and Diplomas 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 November 18, 2010. 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 18th day of November 2010.

Department of Education

Lillian M. Lowery, Ed.D., Secretary of Education

Approved this 18th day of November 2010

State Board of Education

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505 High School Graduation Requirements and Diplomas

1.0 Definitions:

"Career Pathway" means the three (3) credits of pre planned and sequential courses required for graduation designed to develop knowledge and skills in a particular career or academic area. The Career Pathway shall be included in the Student Success Plan.

"Core Course Credit" means a credit in an English Language Arts, Mathematics, Science or Social Studies course.

"Credit" means the acquisition of skills and knowledge at a satisfactory level as determined by the district and charter school boards through 135 hours (a Carnegie Unit) of actual classroom instruction or through locally approved options contained in Section 8.0.

"Credit for Computer Literacy" means credit granted toward graduation at any point when the student can demonstrate competency in the required skill areas either through an integrated approach, a specific course, or a demonstration of accumulated knowledge over the student's educational career.

"Department" means the Delaware Department of Education.

"English Language Arts" means those components of reading, writing and oral communication that are included in the State Content Standards for high school English Language Arts as required in 14 **DE Admin. Code 501**.

"Health Education" means those components that are included in the State Content Standards for high school health education as required in 14 **DE Admin. Code 501**.

"High School" means grades 9 through 12.

"Mathematics" means those components of number sense, algebra, geometry, statistics and probability combined with problem solving, reasoning, communicating, and making connections that are included in the State Content Standards for high school mathematics as required in 14 **DE Admin. Code 501** either through integrated courses or in courses titles such as Algebra I, Algebra II, Geometry, Trigonometry, Pre-Calculus, Calculus, Discrete Mathematics, Statistics, and Probability.

"Novice-high proficiency level" means the novice-high level of proficiency of certain skills and knowledge as defined by the American Council for the Teaching of Foreign Languages (ACTFL).

"Physical Education" means those components that are included in the State Content Standards for high school physical education as required in 14 **DE Admin. Code 501**.

"Science" means those components of the nature of science which include inquiry, materials and their properties, energy and its effects, Earth in space, Earth's dynamic systems, life processes, diversity and continuity of living things, and ecology that are included in the State Content Standards for high school science as required in 14 **DE Admin. Code 501** either through integrated courses or in course titles such as Earth Science, Biology, Chemistry and Physics.

"Social Studies" means those components of civics, economics, geography, and history that are included the State Content Standards for high school social studies as required in 14 **DE Admin. Code 501** either through integrated courses or in course titles such as United States History, World History, Geography, Economics, and Civics.

"Student Success Plan (SSP)" means a plan encompassing a minimum of five years including one year beyond high school developed and updated at least annually by the student, the student's advisor, at least one other staff member and the student's parent(s) guardian(s) or relative caregiver. The student's plan includes courses needed in preparation for immediate entry into the work force or opportunities in post secondary education. The plan also includes the support services necessary for the student to graduate from high school. An additional year of high school may be an option for inclusion in the Student Success Plan.

"Support Services" means those educational interventions such as tutoring; extra time before school, in school, or after school; summer school, an extra year(s) of high school or any other strategy to provide student educational assistance.

"World Languages" ~~RESERVED~~ means any language other than English that is used by peoples around the world for communicating information and ideas and transmitting its culture(s), including American Sign Language (ASL), Latin and Ancient Greek.

10 DE Reg. 1802 (06/01/07)

12 DE Reg. 934 (01/01/09)

2.0 Current Graduation Requirements

- 2.1 A public school student shall be granted a State of Delaware Diploma when such student has successfully completed a minimum of twenty two credits in order to graduate including: 4 credits in English Language Arts, 3 credits in mathematics, 3 credits in science, 3 credits in social studies, 1 credit in physical education, 1/2 credit in health, 1 credit in computer literacy, 3 credits in a Career Pathway, and 3 1/2 credits in elective courses.

10 DE Reg. 1802 (06/01/07)

3.0 Graduation Requirements Beginning with the Class of 2011 (Freshman Class of 2007-2008)

- 3.1 Beginning with the graduating class of 2011, a public school student shall be granted a State of Delaware Diploma when such student has successfully completed a minimum of twenty two (22) credits in order to graduate including: four (4) credits in English Language Arts, four (4) credits in Mathematics; three (3) credits in Science, three (3) credits in Social Studies, one (1) credit in physical education, one half (1/2) credit in health education, three (3) credits in a Career Pathway, and three and one half (3 ½) credits in elective courses.
 - 3.1.1 Students shall complete mathematics course work that includes no less than the equivalent of the traditional requirements of Geometry, Algebra I and Algebra II courses.
 - 3.1.2 Scientific investigations related to the State Science Standards shall be included in all three science course requirements.
 - 3.1.3 During the senior year students shall maintain a credit load each semester that earns them at least a majority of credits that could be taken that semester including one (1) of the four credits required in Mathematics.
 - 3.1.3.1 Senior year credits shall include regular high school course offerings, the options available in 8.0 or a combination of both.
 - 3.1.3.1.1 Options for the senior year in 3.1.3.1 that the districts and charter schools provide shall be submitted to the Department with a copy to the office of the State Board of Education for review.

4.0 Monitoring Student Progress (Personalizing the High School Experience)

- 4.1 Beginning with the 2007-2008 school year, every eighth and ninth grade student shall have a Student Success Plan (SSP) developed by the student, the student's advisor, at least one other school staff member and the student's parent(s), guardian(s) or relative caregiver. Each school year thereafter a grade shall be added so that by the 2011-2012 school year, every student in grades 8 through 12 shall have a Student Success Plan. [For a student with an Individualized Education Program (IEP) the Student Success Plan (SSP) shall also incorporate the other aspects of the transition plan required by 14 DE Admin. Code 925.]
- 4.2 Each local school district and charter school shall establish a process for developing Student Success Plans that includes:
 - 4.2.1 Actively monitoring student progress, on an ongoing basis and, at a minimum, by the end of each marking period in those courses required for graduation,
 - 4.2.2 Providing support services if a student is failing or in danger of failing courses required for graduation, and
 - 4.2.3 Annual updating of the Student Success plans by the student, the student's advisor, at least one other staff member and the student's parent(s) guardian(s) or relative caregiver] and others as appropriate.
 - 4.2.4 Following the guidelines for Career and Technical Education (CTE) programs of study outlined in the CTE State Plan.
 - 4.2.5 Reviewing each student's transcript at the end of the first and second year of high school to determine if the student is on track to graduate based on the following criteria:
 - 4.2.5.1 At the end of the first year of high school the student has earned at least three (3) core course credits and two (2) other course credits for a total of five (5) course credits; and
 - 4.2.5.2 At the end of the second year of high school the student has earned at least six (6) core course credits and four (4) other course credits for a total of ten (10) course credits.
 - 4.2.5.3 For a student with an Individualized Education Program (IEP), on track to graduate shall be consistent with 4.2.5.1 and 4.2.5.2 unless otherwise determined by the student's IEP Team.

10 DE Reg. 1802 (06/01/07)

12 DE Reg. 934 (01/01/09)

5.0 Credit Requirements Beginning with the Graduation Class of 2015 (Freshman Class of 2011-2012)

5.1 Beginning with the graduating class of 2015, a public school student shall be granted a State of Delaware Diploma when such student has successfully completed a minimum of twenty four (24) credits in order to graduate including: four (4) credits in English Language Arts, four (4) credits in Mathematics, three (3) credits in Science, three (3) credits in Social Studies, two (2) credits in a World Language, one (1) credit in physical education, one half (1/2) credit in health education, three (3) credits in a Career Pathway, and three and one half (3 ½) credits in elective courses.

5.2 ~~World Language (RESERVED)~~ Students may fulfill the two (2) credit World language requirement by either:

5.2.1 Earning a minimum of two (2) World Language credits in the same language or,

5.2.2 Demonstrating Novice-high or higher proficiency level on a nationally recognized assessment of language proficiency, except English, in the skill areas of speaking, reading and writing, that uses the levels of proficiency as identified by the American Council for the Teaching of Foreign Language, or as approved for use by the Delaware Department of Education.

10 DE Reg. 1802 (06/01/07)

12 DE Reg. 934 (01/01/09)

6.0 Career Pathway

6.1 Local school districts and charter school boards shall establish policies concerning the purpose, content, development, and approval of Career Pathways.

10 DE Reg. 1802 (06/01/07)

7.0 Additional Credit Requirements

7.1 District and charter school boards may establish additional credit requirements for graduation above the minimum number of credits required by the Department.

10 DE Reg. 1802 (06/01/07)

8.0 Options for Awarding Credit Toward High School Graduation

8.1 District and charter school boards are authorized to award credit toward high school graduation for the following activities, on the condition that the activities incorporate any applicable state content standards. Before awarding credit for any of the following activities, the districts and charter school boards shall have adopted a policy approving the activity for credit and establishing any specific conditions for the award of credit for the activity. Such policy shall be applicable to each school within the district or each charter high school.

8.1.1 Courses taken at or through an accredited community college, two or four year college.

8.1.2 Voluntary community service as defined in 14 **Del.C.** §§8901A and 8902A.

8.1.3 Supervised work experience in the school and the community which meets the educational objectives or special career interest of the individual student.

8.1.4 Independent study.

8.1.5 Correspondence Courses.

8.1.6 Distance learning courses. These courses may be delivered by the teacher to the learner in real time, online or by video.

8.1.7 High school courses taken while in the middle school in conjunction with an articulated agreement between the district middle school and the district high school(s). Such credit shall also transfer to a high school in another district or to a charter school.

8.1.8 Course credit transferred from another high school.

8.1.9 Course credit earned through summer or evening school classes, as a member of the military service or as part of the James H. Groves Adult High School.

8.1.10 Tutoring programs taught by a teacher certified in the subject being taught.

8.1.11 Course credit awarded by agencies or instrumentalities of the state other than public schools which provide educational services to students. A description of the program provided to the

student, grades given, and the number of clock hours of instruction or a demonstration of competency must be provided to the school district or charter school prior to receipt of credit.

9.0 High School Diplomas and the Certificate of Performance

- 9.1 A State sanctioned diploma shall be granted to students who meet the state and local district or charter school requirements for graduation pursuant to 14 **Del.C.** §152.
- 9.2 A State sanctioned Certificate of Performance shall be granted to students who meet the requirements of 14 **Del.C.** §152.
- 9.3 Diplomas from one school year shall not be issued after December 31 of the next school year.
- 9.4 Duplicate diplomas or certificates of performance will not be issued, but legitimate requests for validation of the diploma or the certificate of performance will be satisfied through a letter of certification. Requests for diploma information from graduates of Delaware high schools should be directed to the high school the student was attending at the time of graduation. If the school does not have the records then the student should contact the Department in Dover for a notarized letter of certification that contains the name of the applicant, the name of the school, the date of graduation, and the diploma registry number (if available).
- 9.5 State High School Diploma for World War II Veterans Pursuant to 14 **Del.C.** §159
 - 9.5.1 "World War II Veteran" means any veteran who performed wartime service between December 7, 1941 and December 31, 1946. If the veteran was in the service on December 31, 1946, continuous service before July 16, 1947 is considered World War II.
 - 9.5.2 The Department shall provide a high school diploma to any World War II veteran who:
 - 9.5.2.1 Left a Delaware high school prior to graduation in order to serve in the armed forces of the United States.
 - 9.5.2.2 Did not receive a high school diploma, or received a G.E.D., as a consequence of such service and,
 - 9.5.2.3 Was discharged from the armed forces under honorable circumstances.
 - 9.5.3 The diploma may also be awarded posthumously if the deceased veteran meets the qualifications in 9.5.2.1 through 9.5.2.3.
 - 9.5.4 Applications for this high school diploma shall be made on forms designated by the Department and the Delaware Commission of Veterans Affairs and shall have a copy of the candidate's honorable discharge papers attached to the application.

4 DE Reg. 995 (12/01/00)

5 DE Reg. 625 (09/01/01)

7 DE Reg. 1344 (04/01/04)

10 DE Reg. 547 (09/01/06)

12 DE Reg. 934 (01/01/09)

14 DE Reg. 555 (12/01/10) (Final)