

DEPARTMENT OF EDUCATION

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

FINAL

REGULATORY IMPLEMENTING ORDER

851 K-12 Comprehensive Health Education Program

I. Summary Of The Evidence And Information Submitted

The Secretary of Education seeks the consent of the State Board of Education to re-authorize 14 **DE Admin. Code 851** K-12 Comprehensive Health Education Program. The regulation is due for review under the five year cycle prescribed by statute. Some amendments to the regulation may need to be made in the future due to possible changes in the National Health Education Standards as well as the work of the Secretary of Education's Healthy Lifestyles Task Force, but these projects are not yet completed.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on October 22, 2004, in the form hereto attached as *Exhibit "A"*. Comments were received from the Governor's Advisory Council for Exceptional Children and the State Council for Persons with Disabilities. In response to concerns expressed about the inclusion of content on tobacco use, depression and obesity, the Department notes that tobacco is addressed in the regulation in section 1.3 as a core concept as is depression (under emotional health) and obesity (under nutrition and physical health). In the future changes may be made to this regulation as a result of pending changes in the National Health Education Standards and/or recommendations from Secretary Woodruff's Task Force on Healthy Lifestyles. A draft of the recommendations of the Healthy Lifestyles Task Force will be made available to the Councils.

II. Findings of Facts

The Secretary finds that it is appropriate to re-authorize 14 **DE Admin. Code 851** in order to keep the regulation in place pending any future changes in the National Health Education Standards and/or recommendations from Secretary Woodruff's Task Force on Healthy Lifestyles.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to re-authorize 14 **DE Admin. Code 851**. Therefore, pursuant to 14 **Del.C. §122**, 14 **DE Admin. Code 851** attached hereto as *Exhibit "B"* is hereby re-authorized. Pursuant to the provision of 14 **Del.C. §122(e)**, 14 **DE Admin. Code 851** is hereby re-authorized and 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 851** re-authorized hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code 851** 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 December 16, 2004. 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 December 2004.

DEPARTMENT OF EDUCATION

Valarie A. Woodruff, Secretary of Education

Approved this 16th day of December 2004

STATE BOARD OF EDUCATION

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851 K-12 Comprehensive Health Education Program

1.0 Each school district shall have a sequential, skill-based K-12 Comprehensive Health Education Program that establishes a foundation of understanding the relationship between personal behavior and health and shall include at a minimum the following:

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.

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 District Consolidated Application Planning Committee.

1.3 The use of the state content standards for health education for grades K-12 inclusive of the core concepts: alcohol and other drugs, injury prevention, nutrition, physical activity, family life and sexuality, tobacco, emotional health, personal and consumer health and community and environmental health with minimum hours of instruction as follows:

1.3.1 In grades K-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/alcohol education.

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/alcohol education.

1.3.3 In grades 7 and 8, separate from other subject areas, a minimum of sixty (60) hours of comprehensive health education of which fifteen (15) hours, in each grade, must address drug/alcohol education. If all of the 60 hours are provided in one year at grade 7 or 8, an additional fifteen hours of drug/alcohol education must be provided in the other grade.

1.3.4 In grades 9-12, 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/alcohol education. 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/alcohol education must be provided for all students.

1.4 Inclusion of a comprehensive sexuality education and an HIV prevention program that stresses the benefits of abstinence from high-risk behaviors.

1.5 Inclusion of the core concepts of nutrition and family life and sexuality implemented through family and consumer science/home economics courses.

1.6 An annual staff development plan that describes 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.

1.7 A description of the method(s) used to implement and evaluate the effectiveness of the program which shall be reported every three years as part of the Quality Review for Ensuring School and Student Success.

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

8 DE Reg. 1012 /01/01/05)