

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY
Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))
14 **DE Admin. Code** 910

FINAL

REGULATORY IMPLEMENTING ORDER

910 Delaware Requirements for Issuance of the GED® Test Credential

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** 910 Delaware Requirements for Issuance of the GED® Test Credential. The regulation name has been changed to 14 **DE Admin. Code** 910 Delaware Requirements for Issuance of the Secondary Credential. This regulation is being reviewed in order to provide greater access to a secondary credential assessment in Delaware.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on **November 2, 2013**, in the form hereto attached as *Exhibit "A"*. Comments were received from Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities. The title of the regulation was changed in the proposed published version to expand the regulation beyond the GED® credential. The Department has reviewed the various Delaware Code sections related to the various references to "GED," "General Equivalency Diploma" or other language that infers a different secondary credential other than a high school diploma, and plans to address as appropriate.

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 910 Delaware Requirements for Issuance of the GED® Test Credential to 14 **DE Admin. Code** 910 Delaware Requirements for Issuance of the Secondary Credential in order to provide greater access to a secondary credential assessment in Delaware.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 910 Delaware Requirements for Issuance of the GED® Test Credential. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** Delaware Requirements for Issuance of the Secondary Credential attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 910 Delaware Requirements for Issuance of the Secondary Credential 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** Delaware Requirements for Issuance of the Secondary Credential amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** Delaware Requirements for Issuance of the Secondary Credential 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 19, 2013**. 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 19th day of December 2013.

Department of Education
Mark T. Murphy, Secretary of Education

Approved this 19th day of December 2013

State Board of Education

Teri Quinn Gray, Ph.D., President
Jorge L. Melendez, Vice President
G. Patrick Heffernan
Barbara B. Rutt

Gregory B. Coverdale, Jr.
Terry M. Whittaker, Ed.D.
Randall L. Hughes II

910 Delaware Requirements for issuance of the ~~GED[®] Test~~ Secondary Credential

~~The A Delaware GED[®] test credential secondary credential~~ is given to persons who satisfactorily pass ~~the GED[®] Test~~ a recognized secondary credential assessment approved by the Delaware Department of Education.

1.0 Eligibility to take ~~the GED[®] test~~ a secondary credential assessment

- 1.1 For persons 18 years of age or older, an applicant shall:
 - 1.1.2 Be a resident of Delaware or, if a resident of another state, be currently employed in Delaware and have been so employed for a minimum of six months prior to taking the test; and
 - 1.1.2 Certify under his or her signature on the GED[®] secondary credential assessment application form that he or she is not enrolled in a public or non public school program; ~~and,~~
 - 1.1.3 ~~Provide a verified copy of the Official GED Practice Test[™] indicating the applicant has passed the Official GED Practice Test[™] with a score of 2450 or better and not less than 470 on each of the 5 sub test areas.~~
- 1.2 For a person 16 or 17 years of age an applicant shall:
 - 1.2.1 Seek a waiver of the 18 years of age requirement by completing a written application to the Delaware Department of Education that includes showing good cause for taking the test early and designating where the test will be taken; and
 - 1.2.2 Be a resident of the State of Delaware; and
 - 1.2.3 Verify that they are at least 16 years of age at the time of the application for the waiver of the age requirement using a birth certificate, ~~drivers~~ driver's license, a State of Delaware Identification Card or other comparable and reliable documentation of age; and
 - 1.2.4 Provide verification of withdrawal from the applicant's public or non public school program; and
 - 1.2.5 Provide a transcript from the applicant's public or non public school program; ~~and,~~
 - 1.2.6 ~~Provide a verified copy of the Official GED Practice Test[™] indicating the applicant has passed the Official GED Practice Test[™] with a score of 2450 or better and not less than 470 on each of the 5 sub test areas.~~

2.0 Scores Required for ~~the Delaware GED[®] test~~ a Delaware secondary Credential

~~An individual shall have a standard score of not less than 410 on each of the five tests with an average standard score of not less than 450 for all five tests and a total standard score of not less than 2250 in order to be issued a GED[®] test credential~~ attain the minimum passing standard as approved by the Delaware Department of Education.

3.0 ~~Retesting~~ Assessment Approval Process

~~Forty five days shall lapse prior to retesting and instruction is recommended before retesting.~~

- 3.1 The assessment provider must complete a DOE approved application. The application must include at minimum the following:
 - 3.1.1 provider's qualification and experience;
 - 3.1.2 assessment content and form;
 - 3.1.3 validation and norming processes;
 - 3.1.4 assessment delivery;
 - 3.1.5 technology processes;
 - 3.1.6 security provisions;
 - 3.1.7 accommodations processes;
 - 3.1.8 assessment scoring and reporting processes;

3.1.9 assessment data access requirements;

3.1.10 practice test and supplementary instructional materials;

3.1.11 staff training;

3.1.12 alignment with college and career readiness standards and Delaware accountability system; and

3.1.13 cost and timeframe for implementation.

4.0 Currently Recognized Assessments and Publication

4.1 The GED® Test has been previously approved and is a Department of Education recognized secondary credential assessment.

4.2 DOE will publish annually a list of approved assessments.

2 DE Reg. 375 (09/01/98

5 DE Reg. 1285 (12/01/01)

10 DE Reg. 862 (11/01/06)

15 DE Reg. 1008 (01/01/12)

17 DE Reg. 724 (01/01/14) (Final)