

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 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

### 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, developed amendments to 14 **DE Admin. Code** 506 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. The proposed amendments are to Section 4.0, which concerns quality assurance and granting of postsecondary credit, and are consistent with HB 116 of the 152<sup>nd</sup> General Assembly. HB 116 was signed into law on February 28, 2024 and is effective August 1, 2024.

Notice of the proposed regulation was published in the *Delaware Register of Regulations* on April 1, 2024. The Department did not receive any written comments concerning the proposed amendments.

#### II. ASSESSMENT OF THE IMPACT ON ACHIEVEMENT OF THE STATE'S GREENHOUSE GAS EMISSION REDUCTION TARGETS AND RESILIENCY TO CLIMATE CHANGE

The Secretary of Education has reviewed the proposed regulation as required by 29 **Del.C.** §10118(b)(3) and has determined that any assessment of the impact of the proposed regulation is not practical.

#### III. FINDINGS OF FACTS

The Department finds that it is appropriate to amend 14 **DE Admin. Code** 506 Dual Enrollment and Awarding Dual Credit. In addition, the Department finds that Chapter 90E of Title 14 was added to the Delaware Code and the proposed regulation is consistent with the statute that will go into effect on August 1, 2024.

#### IV. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 506 Dual Enrollment and Awarding Dual Credit, subject to the State Board of Education's approval. On May 16, 2024, the State Board of Education approved amending 14 **DE Admin. Code** 506 Dual Enrollment and Awarding Dual Credit. Therefore, pursuant to 14 **Del.C.** §§122(b)(3), 122(b)(8), 181, and 183, 14 **DE Admin. Code** 506 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 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 unless it is amended or repealed sooner.

#### V. TEXT AND CITATION

The text of 14 **DE Admin. Code** 506 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 Dual Enrollment and Awarding Dual Credit in the *Administrative Code of Regulations* for the Department of Education.

#### VI. EFFECTIVE DATE OF ORDER

The effective date of this Order shall be ten days from the date this Order is published in the *Delaware Register of Regulations*.

**IT IS SO ORDERED** the 16<sup>th</sup> day of May 2024.

## Department of Education

Mark A. Holodick, Ed.D., Secretary of Education  
Approved this 16th day of May 2024

### State Board of Education

/s/ Shawn Brittingham, President	/s/ Harvey Kenton, Jr.
/s/ Deborah Stevens, Vice President	/s/ Provey Powell, Jr.
(Absent) Candice Fifer	/s/ Wali W. Rushdan, II
/s/ Meredith L. Griffin, Jr.	

**\*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

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

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

### 2.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning:

**“Accredited Postsecondary Institution”** means 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 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. Further provided, student eligibility and participation requirements shall be based on multiple indicators of readiness 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 or "AP", International Baccalaureate or "IB".

**“Dual Enrollment”** means simultaneous enrollment in both a high school and an 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.

**“Principal”** or **“Principal's Designee”** means the person at the high school 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.

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

### 3.0 District Policy Requirement

- 3.1 School districts and secondary charter schools shall develop policies for dual enrollment and the awarding of 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 with an 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 All eligible students, as determined in the articulation agreement, shall have access to dual credit and dual enrollment courses;
- 3.1.5 Funding sources such as 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 Students shall have multiple points of access for dual credit and dual enrollment courses including, but not limited to, courses offered on the high school campus, courses offered on the postsecondary institution campus, 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;
- 3.1.9 All courses for which dual credit is awarded through an accredited postsecondary institution shall be taught by an approved dual credit instructor;
- 3.1.10 Any course that offers dual credit shall have the prior approval for the awarding of dual credit by the principal or the principal's designee of the high school in which the credit is to be awarded; and
- 3.1.11 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.

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

#### **4.0 Quality Assurance and Granting of Postsecondary Credit**

- ~~4.1 All AP and IB courses used for purposes of dual credit shall meet the requirements of their respective program authorizers.~~
  - ~~4.1.1 Postsecondary credit for AP or IB courses shall be at the discretion of the credit granting accredited postsecondary institution.~~
- 4.1 All AP courses used for purposes of dual credit shall meet the requirements of their respective program authorizers. Postsecondary credit for AP courses shall meet the requirements of 14 **Del.C.** §§9001E - 9002E.
- 4.2 All IB courses used for purposes of dual credit shall meet the requirements of their respective program authorizers. Postsecondary credit for IB courses shall be at the discretion of the credit granting accredited postsecondary institution.
- ~~4.2~~ 4.3 All courses for which dual credit is granted shall meet the requirements of the sponsoring accredited postsecondary institution as outlined in the articulation agreement.
- 4.4 The effective date of Section 4.0 is August 1, 2024.

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

#### **5.0 Reporting of Dual Enrollment and awarding of Dual Credit**

Each school district and secondary charter school shall indicate on a student's high school transcript any dual enrollment courses or dual credit courses taken and any courses for which dual credit has been granted by the student. In addition, any dual credit that has been awarded to the student shall be indicated on the student's high school transcript.

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

#### **6.0 Policy Reporting Requirements**

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

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

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

**28 DE Reg. 44 (07/01/24) (Final)**