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Commissioner

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Enclosure 6a
October 11, 2016

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TO: Members of the Council on Elementary and Secondary Education

FROM: Ken Wagner, Ph.D., Commissioner 

RE: **Approval of the Amended Regulations of the Council on Elementary and Secondary Education - Middle and High School Learning Environments and the Rhode Island Diploma System**

On May 17, 2016, the Council on Elementary and Secondary Education approved the draft revisions to the Middle and High School Learning Environment and the Rhode Island Diploma System Regulations for the purpose of public review and comment. The public comment period was held between July 1, 2016 and September 15, 2016 and included four hearings (August 22, August 29, September 6, and September 12).

The proposed amended regulations represent extensive input from the public, including comments from the formal public comment period and public conversations about this topic over the past 11 months. They set the framework by which all school districts develop and implement a comprehensive secondary school system for middle and high schools that includes: student and teacher supports, local aligned policies, multiple learning opportunities for all students, and multiple measures for determining graduation readiness. They also reflect key learning principles that have been identified since the 2003 Secondary School Regulations that are seen as imperative for ensuring college and career ready graduates including: proficiency-based graduation requirements; comprehensive supports to students; personalized learning experiences; common planning time and professional development support for teachers. Additional revisions include increased flexibility for schools and students in meeting state graduation requirements. The proposed amended regulations extend the previous regulatory expectations for literacy skill acquisition to support numeracy acquisition for all students; clarify that all coursework requirements must demonstrate proficiency at a level aligned to high school content standards; a shift in state assessment from a student-based requirement to a school-system based incentive; expand allowable personalization strategy options; and clarify sufficient notification of graduation requirements for students and their families.

RECOMMENDATION: THAT, the Council on Elementary and Secondary Education approves the amended Regulations of the Council on Elementary and Secondary Education - Middle and High School Learning Environments and the Rhode Island Diploma System, as presented.

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Regulations of the Council on Elementary and Secondary Education

Middle and High School Learning Environments and the Rhode Island Diploma System



Adopted: October 11, 2016
Effective: July 1, 2017

1 **REGULATIONS**
2 **of the**
3 **COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION**

4
5 **Middle and High School Learning Environments and the Rhode Island Diploma System**
6

7 **TITLE L – SECONDARY DESIGN**
8 **CHAPTER 6**
9

10 **TOPIC**

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12 L-6-2.0. Ensuring grade level literacy and numeracy for all secondary Rhode Island students.
13 L-6-2.1. Assessing literacy and numeracy proficiency levels of secondary students.
14 L-6-2.2 Improving literacy and numeracy for secondary students performing below grade
15 level.
16 L-6-3.0. Rhode Island diploma system.
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18 L-6-3.2. Performance-based diploma assessments.
19 L-6-3.3. Appeals process for graduation decisions.
20 L-6-3.4. Council designations
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28 L-6-4.3. Individual Learning Plan.
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31
32 **L-6-1.0. DEFINITIONS**
33

34 As used in these regulations, the following words and terms have the following meaning, unless
35 the context indicates another or different meaning or intent:
36

37 (a) Applied Learning Skills - The cross-curricular, skill-based standards students are expected to
38 learn and acquire over the course of their K–12 education, including communication, problem-
39 solving, critical thinking, research, reflection and evaluation, and collaboration.
40

41 (b) Advisory Structure - A structure or structures for stable groups of students to meet regularly
42 throughout the academic year with at least one assigned adult in an environment with sufficient
43 time and opportunity to support student achievement in the academic, career, personal/social
44 domains

- 45 (c) Certificates – documentation that can be earned by a student and certify his or her mastery
46 of specific skills or sets of skills; completion of training requirements set forth by a certifying
47 body; and/or demonstrated readiness to enter an industry, educational setting, independent
48 living, or the workplace.
49
- 50 (d) Commissioner – the commissioner of elementary and secondary education.
51
- 52 (e) Common Planning Time – regular scheduled opportunities provided to teachers to work in
53 disciplinary and/or interdisciplinary teams for the purpose of improving student achievement.
54
- 55 (f) Concurrent Enrollment – enrollment of a student in a dual enrollment course that is offered at
56 the secondary school and taught by a secondary school teacher who is approved by the
57 postsecondary institutions.
58
- 59 (g) Conjunctive Diploma Requirements – the non-compensatory relationship between Rhode
60 Island’s diploma requirements, commencing in 2021. The required elements of a diploma
61 include:
62 1. Successful completion of state and local course requirements; and
63 2. Successful completion of a performance-based diploma assessment.
64
- 65 (h) Content Standards - the knowledge and skills associated with a particular subject area that
66 defines what students need to know and be able to do.
67
- 68 (i) Core Content Areas – English language arts, mathematics, science, social studies, the arts,
69 and technology.
70
- 71 (j) Course – a connected series of lessons and learning experiences that:
72 1. Establish expectations defined by recognized content standards,
73 2. Provide students with opportunities to learn and practice skills, and
74 3. Include assessments of student knowledge and skills adequate to determine
75 proficiency at the level of academic rigor required by relevant content standards.
76
- 77 (k) Course Catalog – A list of courses offered to students during a given timeframe, typically
78 including course name, description, pre-requisites, and instructor.
79
- 80 (l) Council Designation – a notation on a diploma designating achievement consistent with a
81 standard set for this purpose by the Council on Elementary and Secondary Education.
82 Designations approved by the Council on Elementary and Secondary Education shall include
83 but not be limited to documentation of student achievement of statewide literacy and numeracy
84 standards and documentation of student completion of a defined course of study consistent with
85 a personal learning goal.
86
- 87 (m) Diploma System – the comprehensive set of structures, processes, and policies required in
88 all secondary schools to ensure access to rigorous programming and appropriate supports that
89 prepare all students for success in college, careers, and life.

90 (n) Dual Enrollment – enrollment of a student in a secondary school while simultaneously
91 enrolled part-time or full-time as a non-matriculating student at a postsecondary institution, such
92 as a community college, college or university
93

94 (o) Guaranteed and Viable Curriculum – curriculum that provides both the opportunity and time
95 for students to learn. It ensures that the curriculum is implemented consistently by all teachers
96 to all students. It is based on a commitment from the districts and its schools that the written,
97 taught, and learned curriculum is aligned so that all students learn agreed upon standards. See
98 Basic Educational Program (G-13-1.1).
99

100 (p) Individual Learning Plan (ILP) – a planning and monitoring tool that customizes and directs
101 students' goals and development in three domains: academic, career, and personal/social.
102

103 (q) Literacy – the ability to read, write, speak, and listen in order to communicate with others
104 effectively, as well as the ability to think and respond critically and to process complex
105 information across content areas.
106

107 (r) Local Education Agency (LEA) – a public board of education/school committee or other
108 public authority legally constituted within the State for either administrative control or direction of
109 one or more Rhode Island public elementary schools or secondary schools.
110

111 (s) Numeracy – the ability to use and communicate about numbers and measures with a range
112 of mathematical techniques in order to solve quantitative or spatial problems in a range of real-
113 world contexts.
114

115 (t) Performance-Based Diploma Assessment – multifaceted assignments that serve as a
116 culminating demonstration of a student's applied learning skills and knowledge of one or more
117 content areas.
118

119 (u) Personalization – a diverse variety of educational programs, learning experiences,
120 instructional approaches and academic support strategies that are intended to address the
121 distinct learning needs, interests, aspirations or cultural backgrounds of individual students
122

123 (v) Proficiency –A defined level of knowledge and skills that are expected to be learned
124 signaling that a student is well prepared to progress to the next lesson, course, grade level, or to
125 receive a diploma.
126

127 **L-6-2.0 ENSURING GRADE LEVEL LITERACY AND NUMERACY FOR ALL SECONDARY**
128 **RHODE ISLAND STUDENTS.**

129 Each local education agency (LEA) shall ensure that all of its secondary students are proficient
130 in literacy and numeracy. LEAs shall ensure student proficiency by providing access to a
131 guaranteed and viable curriculum, monitoring each student's progress toward proficiency in
132 literacy and numeracy, and providing sufficient academic, career, and personal/social supports
133 to ensure that all secondary students become proficient.
134

135 **L-6-2.1 Assessing literacy and numeracy proficiency levels of secondary students.**

136 (a) Each LEA in Rhode Island shall evaluate the literacy and numeracy levels of all secondary
137 students. All LEAs shall develop a screening/review process that utilizes state and local
138 assessments to identify students in need of additional diagnostic assessments and instructional
139 support.

140
141 (b) LEAs shall diagnostically assess all secondary students who have been identified through
142 the screening process described herein as performing below grade level to determine and
143 assign appropriate instructional strategies and interventions. The LEAs shall be responsible for
144 costs associated with test procurement, administration, and interpretation. The Commissioner
145 may authorize the use of suitable state or federal funds for such purposes.

146
147 **L-6-2.2 Improving literacy and numeracy for secondary students performing below grade**
148 **level.**

149 (a) Each LEA shall initiate interventions for every student functioning below levels of expected
150 performance for their grade based on the assessments required under section L-6-2.1 of these
151 regulations. Any student who continues to fall below grade level and/or fails to attain proficiency
152 in literacy or numeracy in subsequent years shall continue to receive specialized intervention
153 and supports.

154
155 (b) Ensuring grade level literacy and numeracy is the responsibility of each LEA, and shall
156 include instruction and the provision of school-wide, targeted and intensive supports.
157 Intervention and support for students performing one or more years below grade level shall be
158 documented within the student's Individualized Learning Plan (ILP).

159
160 (c) Each LEA shall ensure that all students who are not demonstrating proficiency as measured
161 by state-adopted math and literacy standards will attain and maintain performance that allows
162 them to engage in grade appropriate curriculum. LEAs shall have mechanisms in place that: (1)
163 identify and support students who are not making progress in literacy and mathematics as
164 measured by local and state assessment data; and, (2) provide universal student access to a
165 guaranteed and viable curriculum aligned to state adopted standards. LEAs shall have
166 mechanisms in place that ensure that all grade levels work collaboratively to transition students
167 between schools within and across LEAs.

168
169 (d) All LEAs shall maintain documentation of the effectiveness of specific literacy and
170 mathematics strategies and programs that have been implemented.

171 **L-6-3.0 RHODE ISLAND DIPLOMA SYSTEM.**

172 Diploma eligibility shall be derived from a conjunctive review of two sources of evidence: (1)
173 successful course completion in conformance with Section L-6-3.1; and (2) successful
174 completion of at least one performance-based diploma assessment as described in section L-6-
175 3.2. In order to be eligible for a diploma, students must meet state and local requirements in
176 these two areas.

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178 No earlier than the class of 2017, LEAs may choose to include the state assessment or other
179 standardized assessment as a graduation requirement in addition to (1) and (2) above.

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LEAs shall provide students with multiple opportunities and appropriate supports to meet local graduation requirements adopted in compliance with these regulations and to prepare for post-secondary academic and career goals.

Each Rhode Island school committee shall adopt graduation requirements consistent with L-6-3.1, L-6-3.2, L-6-3.3, L-6-3.4 and L-6-3.5 of these regulations in LEA policy and shall maintain documentation of these policies.

L-6-3.1. Coursework requirements.

(a) LEAs shall formally adopt coursework graduation requirements that: (1) apply to all students within the LEA; and, (2) require successful completion of at least twenty courses. The twenty courses must include demonstration of proficiency, as defined by the LEA and aligned with appropriate high school content standards, in the six core content areas: English language arts, math, science, social studies, the arts, and technology. All courses shall be aligned to state adopted high school standards, or locally adopted national standards in those content areas for which there are no state standards. All courses must be of scope and rigor sufficient to allow students to achieve high school level proficiency, as determined by the LEA. Successful completion of a course shall include demonstration of the knowledge, skill and competencies outlined in the course learning objectives.

Students who achieve modified proficiency standards applied to coursework requirements for students determined to be eligible for the alternate assessment under federal law, state rules and regulations, and as noted in the student’s IEP, may, at LEA discretion, be awarded a diploma for graduation purposes.

(b) The twenty courses must include the following content-area courses: four courses of English Language Arts, four courses of mathematics, three courses of science, and three courses of history/social studies. The additional six required courses are presumed to include, but not limited to, world languages, the arts, technology, physical education and health, pursuant to LEA policies and applicable state law. Designation as a content-area course, e.g. “mathematics” or “science,” shall be an LEA decision based upon alignment to relevant state adopted standards or, in those content areas not defined by state-adopted standards, other recognized content standards.

LEAs may integrate multiple core or other content areas and associated learning standards into a single course for the purpose of meeting coursework requirements.

(c) The selection and scheduling of courses shall be consistent with the needs of the individual student and, to the maximum degree possible, the student’s individual learning plan (ILP). LEA graduation requirements must satisfy all curricular requirements set forth in General Laws and applicable Council on Elementary and Secondary Education regulations.

(d) Students can meet the requirements set forth in this section, inclusive of the fourteen content-area course requirements, through courses within state-approved career and technical programs, expanded learning opportunities, dual enrollment, concurrent enrollment, on-line

225 learning, experiential learning opportunities, and other non-traditional academic and career-
226 readiness learning experiences. Recognition of these learning opportunities as fulfilling the
227 coursework graduation requirements in this section is a local decision and shall be predicated
228 on alignment to state adopted content-area standards and/or other relevant national and/or
229 industry standards. Course catalogs should clearly indicate courses that can fulfill content-area
230 course requirements.

231

232 **L-6-3.2. Performance-based diploma assessments.**

233 Students shall successfully complete at least one performance-based diploma assessment.
234 Successful completion of performance-based diploma assessments shall include
235 demonstrations of both applied learning skills and proficiency in one or more content areas. All
236 performance-based diploma assessments shall be evaluated utilizing an LEA-defined scoring
237 criteria aligned with high school level state-adopted content standards and applied learning
238 standards and/or other relevant nationally-recognized content standards.

239

240 **L-6-3.3. Appeals process for graduation decisions.**

241 Students and families shall have the right to appeal graduation decisions through locally
242 managed appeals policies and processes. Locally managed appeals processes shall consider
243 all valid sources of evidence that demonstrate and document student proficiency at a level
244 commensurate with the requirements set forth in these regulations. LEAs shall maintain
245 documentation on locally managed appeals criteria, processes, and outcomes.

246

247 **L-6-3.4. Council designations**

248 Commencing with the graduating class of 2021, LEAs shall include a designation notation on
249 permanent high school transcripts and on the diplomas of all students who meet Council-
250 defined criteria. The Council shall (1) determine designations available statewide, and (2)
251 determine the level of achievement necessary for a Council Designation. Designations
252 approved by the Council shall include, but not be limited to documentation of student
253 achievement of a statewide literacy and numeracy standard and documentation of student
254 completion of a course of study consistent with a personal learning goal. LEAs shall provide
255 students with multiple opportunities and appropriate supports to meet designation requirements.
256 LEAs are authorized to award additional locally-developed designations.

257

258

259 **L-6-3.5. Alternate recognition of high school accomplishment.**

260 LEAs are authorized to recognize any student who has satisfactorily completed specific courses
261 or other standards-based activities within the high school course of study, as defined by the
262 LEA. Alternate recognition certificates shall not be considered a diploma. Alternate recognition
263 certificates shall document academic achievement, technical skills, work readiness and life skills
264 of the student and may be included as part of a student's transition plan to post-secondary
265 academic or work training programs.

266

267 **L-6-3.6. Council on Elementary and Secondary Education approved diploma system.**

268 The Commissioner reserves the right to establish protocols and criteria for reviewing LEA
269 diploma systems to ensure that they are in compliance with all elements of these regulations.

270 The LEA is responsible for maintaining all records that demonstrate compliance with these
271 regulations. The Commissioner shall develop a progressive system of monitoring and
272 accountability to ensure LEA implementation and compliance with these regulations.

273

274 **L-6-3.7. Local educational agency notification to students, families, and community**
275 **members of the requirements for graduation.**

276 (a) LEAs shall provide full and effective notice of the state and local graduation requirements to
277 administrators, teachers, students, families, and members of the community. Full and effective
278 notice of the requirements for graduation and Council designations must be provided to
279 students and their families no later than October 1 in the year in which said students enter the
280 ninth grade (or at the time of enrollment into the LEA), after which the local and state diploma
281 system requirements shall not be altered for the affected class. LEAs shall provide notice of the
282 requirements to students enrolled by the LEA in non-public schools or programs and to students
283 attending school in juvenile correction programs.

284

285 (b) LEAs shall provide notification annually of the process by which parents/guardians can
286 access their child's individual learning plan, including information regarding their child's progress
287 toward graduation and Council designation requirements.

288

289 (c) In the event that a student is in jeopardy of not earning a diploma, the LEA must maintain a
290 record of multiple and timely individual notices to the student and his/her family that include: (1)
291 clear notification of the student's academic status; and (2) the opportunity to meet and discuss
292 the student's academic program, support, and planned interventions; and (3) regular updates of
293 student performance and progress. All such communications must be provided in a format
294 accessible to families and students. LEA failure to provide student and family notifications in the
295 manner set forth in these regulations may be addressed through locally managed appeals
296 processes but shall not be presumed to result in the awarding of a diploma.

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298

299 **L-6-4.0. MIDDLE LEVEL AND HIGH SCHOOL SUPPORTS TO STUDENTS**

300 **L-6-4.1 Supports for students**

301 Every student enrolled in Rhode Island public schools has the right to an appropriate and
302 individualized opportunity to achieve proficiency as defined the LEA and in accordance with
303 these regulations. For many students, that opportunity will require additional research-based
304 supports from the LEA.

305

306 The range of necessary support mechanisms must include:

307

308 (a) Beginning no later than entry into sixth grade, each student shall have an individual learning
309 plan (ILP) as described in section L-6-4.3 of these regulations. The ILP shall coordinate with the
310 following documents, programs, and plans as appropriate: Individual Educational Program,
311 Section 504 Plan, Personal Literacy Plan, Response to Intervention, transition plans, and
312 English learner services.

313

314 (b) LEAs shall utilize a research-based early warning system to identify students at risk for
315 academic failure and dropout. Identification of students at risk shall occur no later than the sixth
316 grade year (or at the time of enrollment for students enrolling into the LEA after the sixth grade
317 year). LEAs shall communicate regularly with the families of students identified through the early
318 warning system, including providing them with information about the support provided to and
319 progress being made by the student, as described in section L-6-3.7(c) of these regulations.

320
321 (c) LEAs shall be responsible for providing additional academic and instructional support and
322 research-based interventions for all students not on track to meet the diploma requirements
323 established by section L-6-3.1 and L-6-3.2 of these regulations. Students failing to reach the
324 required level of proficiency as established locally and in accordance with these regulations
325 shall be provided a support plan, including the types and duration of academic and educational
326 supports and academic performance targets necessary for earning a diploma. Support plans
327 shall be documented in the ILP and may address academic weaknesses in course performance
328 and/or performance-based diploma assessments. Other academic and instructional supports
329 shall also be documented in the student's ILP.

330
331 (d) All students are expected to present evidence of successful completion of the applicable
332 graduation requirements set forth in L-6-3.1, L-6-3.2, and L-6-3.4 of these regulations to be
333 eligible for a diploma or Council designation, respectively. Students with disabilities have the
334 right under federal law to remain in school until the age of 21.

335
336 (e) LEA failure to provide the supports set forth in this section may be addressed through locally
337 managed appeals processes but shall not be presumed to result in the awarding of a diploma.

338
339 **L-6-4.2. Requirement for personalized learning environments.**
340 All middle level schools and high schools shall implement strategies for creating personalized
341 learning environments, including the provision of a structure by which every student is assigned
342 a responsible adult, in addition to a school counselor, who is knowledgeable about that
343 student's academic, career, and social/personal goals. These personalization strategies must
344 ensure a collective responsibility for individual students. Structures for personalization at the
345 middle level shall be an integral component of the student program in each LEA, inclusive of but
346 not limited to advisory structures. LEAs shall maintain documentation of the effectiveness of
347 such personalization strategies.

348
349 **L-6-4.3 Individual Learning Plan.**
350 (a) LEAs are responsible for developing a student ILP process beginning no later than the sixth
351 grade to help students identify and meet their academic, career, and personal/social goals. The
352 ILP shall document the student's academic and applied learning interests and learning supports
353 that culminate in graduation, Council designation and preparation for post-secondary success.
354 The ILP shall document additional educational opportunities to help students reach their goals.

355
356 (b) The ILP process shall provide regular and ongoing opportunities for students to review and
357 revisit their goals with the guidance of responsible adults, including parents or legal guardians.
358 In order to ensure the use of the ILP in coordinating appropriate supports, access to courses,

359 and additional learning opportunities necessary to support students in meeting their goals, ILP
360 reviews must occur not less than twice in each school year and during key transition periods
361 including middle to high school and high school to post-secondary placement. LEAs shall
362 maintain documentation of the effectiveness of their ILP process.

363

364 **L-6-4.4. Professional development.**

365 All certified educators in middle level and high schools shall participate in at least fifteen (15)
366 hours of ongoing professional development annually, focused on the priority areas of literacy
367 and numeracy throughout the curriculum, graduation by proficiency, and personalization.
368 Professional development shall be informed by student achievement data and guided by best
369 practice in curriculum, instruction and assessment.

370

371 **L-6-4.5. Common planning time.**

372 Common planning time shall be used by teams of teachers, administrators, and other educators
373 for the substantive planning of instruction, looking at student achievement data, addressing
374 student needs, and group or embedded professional development. Common planning time must
375 provide for at least one hour per week at the high school level and at least two hours per week
376 at the middle level, focused on the priority areas of vertical articulation, literacy, numeracy,
377 graduation by proficiency, and personalization.

378

379 This common planning time must be in addition to individual faculty planning time and locally
380 determined professional development requirements. As established in Section G-4-11 of the
381 Council on Elementary and Secondary Education Regulations Governing the School Calendar
382 and School Day, common planning time does not qualify as “instructional time” for the purposes
383 of compliance with the required length of the school day.