CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section § 42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement:

AGENCY: Department of Elementary and Secondary Education

DIVISION: *(If any)*

RULE IDENTIFIER: *200-RICR-20-10-2*

RULE TITLE: Secondary Regulations

REASON FOR RULEMAKING: The purpose of these regulations is to update the requirements and expectations for middle and high school learning environments and the R.I. Diploma System. Changes throughout include aligning high school graduation requirements to college admissions requirements, ensuring students develop proficiency in content areas that will prepare them for success upon graduation, and increasing the supports for students and families.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: *(if any)*

TESTIMONY AND COMMENTS: See attached public feedback.

CHANGE TO TEXT OF THE RULE: Please see attached summary of public feedback and RIDE's rationale for changes.

REGULATORY ANALYSIS: Provide the text of the regulatory analysis prepared under § 42-35-2.9.

Secondary Regulations
Benefit-Cost Analysis
Rhode Island Department of Education

Introduction

The Rhode Island Department of Education (RIDE) has undertaken an update of its secondary regulations. These regulations govern the diploma requirements for R.I. high school students. RIDE has attempted to co-develop the updates to the regulations with public education stakeholders and through utilizing education policy best practices.

Scope/Summary

This analysis considers regulatory provisions where RIDE exercised discretion and does not analyze any provision mandated by state or federal law. Regulatory changes were not quantified because of a de minimis impact. This analysis looks at relevant regulatory amendments, although there are not substantial cost impacts. These provisions are:

1. Increased definition of the credits R.I. high school students are required to complete,
2. Increased definition of the math sequence students are required to complete,
3. Increased definition of the science coursework students are required to complete,
4. Defined world language requirement,
5. FAFSA and State Financial Aid Support for Students,
6. Increased recognition and value of the Diploma Plus Credentials,
7. Enhanced district reporting requirements,
8. Computer Science proficiency requirement,
9. Language shift from "course" to "credit",
10. Removal of "standardized assessment" language,
11. Alternative readiness pathway,
12. Alternative CTE/advanced pathway flexibility, and
13. Expansion of Performance-Based Diploma Assessments.

Alternatives

Following the discussion of amendments analyzed, there is a discussion of additional regulatory changes as well as regulatory alternatives that were considered for several of the provisions.

Conclusion

This analysis shows a de minimis impact of the amended regulatory revisions.

Determination

This analysis was drafted pursuant to R.I. Gen. Laws § 42-35-2.9. As required by this statute, RIDE has determined that the benefits of the proposed rule justify the costs and that the proposed rule will achieve the objectives of the authorizing statute in a more cost-effective manner, or with greater net benefits, than other regulatory alternatives.

High School Coursework Requirements (Increased Definition)

Proposed Change

This revised regulation would define the 20 credits that students are required to take in order for the default expectation to graduate students college and career ready when they receive a high school diploma. This amendment does not increase the number of credits that students are required to take. Students, with the informed consent of their parent/guardian, can enroll in an alternative Readiness Pathway to prepare them for success after graduation. We anticipate the option to be used for students with disabilities, and students enrolling in career and technical education. -

Regulatory Citation

2.3.1.(C)

Costs

This requirement takes effect in 2028. The practical effect of this revision is that students will be expected to take the coursework required by our state's public 4-year higher education institutions, the University of Rhode Island and Rhode Island College, to graduate from high school and receive a diploma. This amendment more clearly defines the courses our students have to take but does **not**

increase the number of credits students are expected to take to graduate and receive a diploma therefore will have a de minimis cost impact.

Defined Math and Science Coursework Requirement

Proposed Change

Within the 4 Math credits that students are already required to complete, students will be expected to complete the math sequence that is required by R.I. 4-Year state college and universities. The sequence students will be expected to complete within the already specified 4 Math credits must include Algebra I, Geometry, and Algebra II.

Regulatory Citation

2.3.1(C)(2)

Costs

RIDE does not anticipate there to be significant time nor hiring necessities presented for the increased definition of the Math coursework requirement. Schools are already required to meet the standards set forth in the Basic Education Plan. Schools will need to be strategically purposeful about their local math strategy in order to ensure all students are meeting the proposed requirement, but we anticipate no net change to stem from this increased definition/alignment.

Defined Lab Science Requirement

Proposed Change

Within the 3 science credits that students are already required to complete, students will be expected to complete at least 2 lab sciences, which is required by R.I. 4-Year state college and universities.

Regulatory Citation

2.3.1(C)(3)

Costs

RIDE does not anticipate there to be significant time nor hiring necessities presented for the increased definition of the science coursework requirement. Schools are already required to meet the standards set forth in the Basic Education Plan. Schools will need to be strategically purposeful about their local science strategy in order to ensure all students are meeting the proposed requirement, but we anticipate no net change to stem from this increased definition/alignment.

Defined World Language Requirement

Proposed Change

Students will be expected to complete at least 2 credits in the same world language, which is required by R.I. 4-Year state college and universities.

Regulatory Citation

2.3.1(C)(5)

Costs

RIDE does not anticipate there to be a significant cost impact for the increased definition for world language coursework as there is no increase to the overall number of credits students must earn in order to graduate. In the current requirements, students are required to complete 6 "additional units" which include but are not limited to World Language. RIDE's proposal to call out the specific requirement for world language into a more clearly defined expectation that students must complete two units of the same world language is in an effort to align the high school coursework to the college admissions requirements. Schools will need to be strategically purposeful about their local staffing strategy in order to ensure all students are meeting the proposed requirement, but we anticipate no net change to stem from this increased definition/alignment.

FAFSA and State Financial Aid Support for Students

Proposed Change

This regulatory change would measure the Free Application for Federal State Aid (FAFSA), the R.I. State Aid Form, a parental opt out form, for students statewide. This information will be included in school accountability for the Class of 2028. Per legislation passed in June 2022, schools are required to provide information and supports to students and families on FAFSA. FAFSA will no longer be a high school graduation requirement as was initially proposed.

Regulatory Citation

2.3.3.(A)

Costs

There is no additional cost projected as a part of the regulation.

Diploma Plus Credential

Proposed Change

This is not a significant change. This is a change to an optional diploma endorsement that R.I. students are able to earn. Students are not required to earn a diploma plus credential, nor is RIDE proposing that students be required to earn a diploma plus credential. Currently, students have the option to earn a Diploma Plus Credential (an optional diploma endorsement). These credentials are not currently valued or recognized by R.I. postsecondary education institutions and employers. Commencing with Class of 2028, students who earn the optional Diploma Plus Credential will be required to earn a diploma plus credential that is recognized and valued by Rhode Island's postsecondary education institutions, and employers.

Regulatory Citation

Section 2.3.6(E)

Costs

This is not a significant change. This is a change to an *optional* diploma endorsement that R.I. students are able to earn. Students are not required to earn a diploma plus credential, nor is RIDE proposing that students be required to earn a diploma plus credential. Commencing with the Class of 2028, students

who do earn the optional diploma plus credential will be required to earn a diploma plus credential that *is* recognized and valued by Rhode Island's postsecondary education institutions, and employers. Right now, the Diploma Plus Credentials in R.I. are not recognized and valued by postsecondary education institutions and employers, and the proposed change would add to the value of the endorsements by requiring that the Diploma Plus Credentials be recognized by these groups.
The endorsements have tremendous value, and similar systems of recognition have been implemented in other places like in New York where they have Implemented the regents diploma. This change in regulation will support students in indicating their readiness to employers and postsecondary education institutions and therefore may improve student outcomes and increase future earnings.

Enhanced District Reporting Requirements

Proposed Change

All LEAs will be required to annually report to their school committee, or equivalent, in a public meeting to document the effectiveness of specific ELA and Math strategies, interventions, and programs that have been implemented. This information shall be provided to RIDE annually. Parents shall also be provided an annual update on the progress of their children towards academic performance targets necessary for earning a diploma and graduating ready for college and career success.

Regulatory Citation

2.2.2(D), 2.4.1(B)(4) and 2.4.1(D))

Costs

All LEAs will be required to annually report to their school committee, or equivalent, in a public meeting to document the effectiveness of specific ELA and Math strategies, interventions, and programs that have been implemented. This information shall be provided to RIDE annually. Parents shall also be provided an annual update on the progress of their children towards academic performance targets necessary for earning a diploma and graduating ready for college and career success. LEAs are *already* required to have identified college and career readiness targets and to have interventions to support students who are academically behind. Since LEAs are *already* required to have identified college and career readiness targets and to have interventions to support students who are academically behind, we do not expect any additional costs would be created in order for schools to provide this information publicly and directly to parents.

Computer Science Proficiency Requirement

Proposed Change

Students shall successfully demonstrate proficiency in Computer Science, to provide them real-world relevant skills that will develop skills and support their success in thriving in the 21st century economy, beginning with the Class of 2028. This requirement is replacing the already existing technology credit and therefore is not *adding* to the existing requirements.

Regulatory Citation

2.3.2(B)

Costs

Students shall successfully demonstrate proficiency in Computer Science, to provide them real-world relevant skills that will develop skills and support their success in thriving in the 21st century economy, beginning with the Class of 2028. This requirement is replacing the already existing technology credit and therefore is not *adding* to the existing requirements. We do not anticipate that schools will need to dedicate significant time nor a need for schools to hire additional staff as there is already time and staff dedicated to the implementation of the existing technology credit. CS4RI initiative has brought foundational computer science coursework to 100% of R.I. comprehensive high schools and there will be federal funding available to support the professional development of educators in this subject area. We anticipate no net change in costs.

Language Shift from "Course" to "Credit"

Proposed Change

The term "Course" has been replaced with "credit" throughout the regulatory document. This will not necessitate any changes at the district or school level.

Regulatory Citation

2.1(A)(12)

Costs

The term "Course" has been replaced with "credit" throughout the regulatory document. This will not necessitate any changes at the district or school level. This proposed change gives schools and districts more flexibility/opportunities to allow for students to demonstrate mastery and completion of content standards. Again, this will not necessitate any changes at the district or school level and therefore will have no cost impact.

Removal of "Standardized Assessment" Language

Proposed Change

Removal of the following language "No earlier than the class of 2017, LEAs may choose to include the state assessment or other standardized assessment as a graduation requirement in addition to the requirements in §§ 2.3(A)(1) and (2) of this Part.". Districts are still able to utilize a standardized assessment as a graduation requirement. RIDE did not feel it was necessary to list the possible tools districts are allowed to utilize for local graduation requirements in the secondary regulations.

Regulatory Citation

2.3(C)

Costs

This is not a significant change. Districts are still able to utilize a standardized assessment as a graduation requirement. RIDE did not feel it was necessary to list the possible tools districts are allowed to utilize for local graduation requirements in the secondary regulations. Therefore, we anticipate no cost impact stemming from this proposed regulatory change.

Alternative Readiness Pathway

Proposed Change

Every student shall be required to attempt the credit sequence stated in 2.3.1(C) and proficiency requirements stated in 2.3.2. If a student with an IEP has failed or it at risk of failing one of the required credits, the student's IEP team may review the student's IEP to determine and if the student's struggles are a manifestation of their disability. If such a determination is made, the school may place the student on a RIDE-approved readiness pathway, which will substitute for the credits identified in 2.3.1(C) and proficiency requirements identified in 2.3.2, with the approval of the student's parent/guardian. Readiness pathways will focus on developing the skills needed for a successful transition to postsecondary education and employment.

Regulatory Citation

2.3.1(C)(8)

Costs

The alternative readiness pathways are not new courses. The alternative readiness pathway courses would be learning opportunities available only to students once they have attempted the credit sequence stated in 2.3.1(C), and their struggles in that subject area have been determined to be a manifestation of that students' disability identified in an already existing Individualized Education Plan (IEP). Overtime, it is expected that roughly 3-5% of the student population would utilize this pathway. We anticipate that this proposed change will positively impact the educational outcomes of all of our students, and especially our students who have IEPs and are regularly marginalized from opportunities available to students without IEPs.

Alternative CTE/Advanced Pathway Flexibilities

Proposed Change

Students who are enrolled in and are on-track to complete a high-skill, high-growth CTE program, and/or full-time dual enrollment may receive flexibility on how to meet the twenty credits required for graduation to support a student's participation and progress in an advanced learning experience. As such, students may meet their twenty credits by meeting the following credit requirements:

1. Four credits of English language arts;
2. Three credits of math including Algebra I, Algebra II, and Geometry;
3. Three credits of science including two lab sciences; and,
4. Three credits of history/social studies.
5. Two credits of world languages in the same world language;
6. Two additional credits of college preparatory coursework; and
7. Pursuant to LEA policies and applicable state law, the additional three required credits are presumed to include, but not limited to the arts, computer science, physical education, and health.

Regulatory Citation

2.3.1(D)

Costs

This proposed change Is intended to provide students enrolled in and on-track to complete a high-skill, high-growth CTE program, and/or full-time dual enrollment flexibility on how to meet the twenty credits

required for graduation to support a student's participation and progress in an advanced learning experience. We anticipate this to have no cost impact.

Expansion of Performance-Based Diploma Assessments

Proposed Change

Students are currently expected to successfully complete at least one performance-based diploma assessment. Successful completion of performance-based diploma assessments shall include demonstration of both applied learning skills and proficiency in one or more content areas. The proposed change would allow the existing Performance-Based Diploma Assessment requirement to be satisfied through work-based learning, community service, project-based learning, and other strategies that support applied learning.

Regulatory Citation

2.3.4

Costs

Students are currently expected to successfully complete at least one performance-based diploma assessment. Successful completion of performance-based diploma assessments shall include demonstration of both applied learning skills and proficiency in one or more content areas. This proposed change is intended to provide students additional flexibility in the ways they are able to successfully demonstrate completion of the performance-based diploma requirement. This also would provide schools additional flexibility in the ways they are able to assess whether students have successfully demonstrated completion of the performance-based diploma requirement. We anticipate this to have no cost impact.

Additional Regulatory Changes

The following changes are part of the proposed regulation but were not analyzed because either (1) the provision was mandated by state or federal law (2) the change was considered de minimis.

Resume Completion

This amended regulation is effective for the Class of 2028. Currently resume completion is included in every R.I. high school student's Individualized Learning Plan (ILP). The benefit is for students to be more ready for gainful employment upon graduation.

Civics Education

This proposed regulation is in accordance with R.I.G.L. 16-22-2 which requires all middle and high school students attending public schools, or any other schools managed and controlled by the state, to demonstrate proficiency, as defined by the local school district, in civics education.

Financial Literacy Education

This proposed regulation is in accordance with SB349 which requires LEAs to offer a course that includes instruction in consumer education. All students will be required to demonstrate proficiency in financial literacy to graduate and receive a diploma.

Work Based Learning

This amended regulation will require high schools to develop a policy to support world-based learning as a form of academic credit.

Flex Credits

This amended regulation encourages LEAs to explore the use of flex credits, a mechanism for instruction that is already in use by many schools and LEAs.

Caregiving Youth and Working Students

This amended regulation requires our high schools to develop supports and flexibilities four caregiving youth and students who work.

Alternatives

This following regulatory alternatives were considered when drafting this regulation.

High School Coursework Requirements (Increased Definition)

Alternative 1

The status quo system, where coursework is loosely defined, could be maintained.

Determination

Given that the current system is only preparing 52% of our high school graduates with the coursework needed to be eligible for admission at URI and RIC, it is vital that we set the new default of more clearly defined and aligned coursework. Additionally, according to Achieve's 2018 report "State's Expectations for Graduation Matter – and Differ – More Than You Think", "students who take a rigorous course of study in high school are better prepared for postsecondary success" and "too few [states] require or even encourage students to take a rigorous core academic curriculum that prepares students for postsecondary education and careers". RIDE believes that it is necessary to set the default expectation for all students to be aligned to college and career readiness standards so that the greatest number of students possible are graduating with open doors to pursue college or career.

Alternative 2

R.I. could implement a multi-pathway option for students to obtain a high school diploma.

Determination

Achieve's 2018 report suggests that "at a minimum, states should make a CCR graduation option the "default" option for students entering 9th grade". Additionally, according to Achieve's earlier 2013 report "Graduation Requirements for Students With Disabilities: Ensuring Meaningful Diplomas For All Students", "About 85 to 90 percent of students with disabilities can meet the graduation standards targeted for all other students, as long as they receive specially designed instruction and appropriate access, supports and accommodations." The report also states that "that state standard diploma should be one that prepares all graduates for college and careers. Policies that result in early decisions that place a student on an alternate "track" to a different diploma option should be avoided". RIDE believes that it is necessary to set the default expectation for all students to be aligned to college and career readiness standards so that the greatest number of students possible are graduating with open doors to pursue college or career.

Increased recognition and value of the Diploma Plus Credentials

Alternative 1

The status quo system, where Diploma Plus Credentials are not recognized nor valued by R.I. postsecondary institutions or employers, could be maintained.

Determination

Currently students are putting time, effort and resources into obtaining diploma plus credentials that do not lead to enhanced opportunities or recognition because these credentials are not valued nor recognized by R.I. higher education institutions nor employers. By continuing the status quo system, we are not providing our students with an educational experience that is leading to the greatest number of open doors possible. We are able to revamp these credentials and therefore provide our students with increased educational and professional opportunities.

Enhanced District Reporting Requirements

Alternative 1

The status quo system, where districts are not required to publicly establish criteria for and report on the effectiveness of specific ELA and Math strategies, interventions, and programs that have been implemented, could be maintained. Additionally, the status quo system, where districts are not required to provide annual notification to parents on the progress their children are making towards academic performance targets, could be maintained.

Determination

According to Achieve's 2013 report "Graduation Requirements for Students With Disabilities: Ensuring Meaningful Diplomas For All Students", "it is imperative for the state to collect and report the number and percentage of students seeking modifications to the standard diploma and to ensure that students with disabilities who receive substantial modifications understand that it will impact their level of readiness". In order to ensure both forms of reporting/information sharing are executed, there must be enhanced district reporting requirements. Additionally, according to the statewide XQ+RI Education Opportunity Audit, 64% of parents surveyed reported they do not receive regular updates on the progress their students are making toward college/career goals and 47% of parents surveyed said they are not informed when their students struggle in their classes. It is necessary to include the expectation that districts, and schools must regularly maintain and notify parents/guardians with information on how their student is doing on college and career benchmarks. it

Computer Science Proficiency Requirement

Alternative 1

The status quo, where Computer Science is not included in the content knowledge/skills that students are required to demonstrate proficiency in, could be maintained.

Determination

RIDE believes strongly that students should receive and participate in learning experiences that prepare them to prosper and thrive in the 21st-century economy, in which computer science is omnipresent.

Alternative 2

Computer science could be included as a standalone credit requirement rather than a proficiency requirement.

Determination

The overwhelming majority of feedback heard during the Reimagining High School working group which informed the development of this proposal was to allow computer science proficiency to be met in a flexible variety of ways including through flex credits and performance-based assessments. A number of other states encourage or require high schools to allow students to demonstrate proficiency in

computer science as a flex credit. Additionally, according to the Education Commission of the States Education Trends report from September 2016, "allowing high school students to fulfill a math or science high school graduation requirement via a computer science credit may encourage more students to pursue computer science coursework".

Alternative Readiness Pathway

Alternative 1

There could be no alternative readiness pathway included in the proposed alignment of high school coursework requirement to R.I. state 4-year postsecondary admissions requirements.

Determination

According to the statewide XQ+RI Education Opportunity Audit, 1 in 8 students with IEP's graduates from R.I. public high schools having completed the coursework required for admission at R.I. state public 4-year postsecondary institutions. According to Achieve's 2013 report "Graduation Requirements for Students With Disabilities: Ensuring Meaningful Diplomas For All Students", "Whether states have adopted the Common Core State Standards (CCSS) or developed their own standards aligned with college and career readiness, special consideration needs to be devoted to how students with disabilities will be supported in meeting these standards". In order to increase the number of students with IEPs graduating having taken the courses necessary to be considered eligible at URI and RIC, there will need to be targeted implementation supports and guidance.

Alternative 2

R.I. could implement a tiered diploma system in which students with IEPs are able to opt-into the proposed high school coursework requirements that would be in alignment with R.I. state 4-year postsecondary admissions requirements.

Determination

According to Achieve's 2013 report "Graduation Requirements for Students With Disabilities: Ensuring Meaningful Diplomas For All Students", "About 85 to 90 percent of students with disabilities can meet the graduation standards targeted for all other students, as long as they receive specially designed instruction and appropriate access, supports and accommodations.". RIDE believes that the default expectation for all students should be rigorous learning experiences that lead to the greatest number of educational opportunities and outcomes.

Alternative CTE/advanced pathway flexibility

Alternative 1

There could be no alternative CTE/advanced pathway flexibility included in the proposed alignment of high school coursework requirement to R.I. state 4-year postsecondary admissions requirements.

Determination

Based on feedback from the employer and CTE community, students in CTE and advanced course taking pathways should have additional flexibility to complete the CTE and advanced course pathways they are on. Additionally, the final determination mimics the Massachusetts state policy in which students enrolled in MA CTE pathways receive additional flexibility in the coursework they are required to take as a part of the MassCore framework which is recognized by UMASS schools. The proposed flexibility these students would receive, in taking 3 history/social studies credits and 3 math credits is accepted by R.I. state 4-year postsecondary institutions.