



State of Rhode Island and Providence Plantations  
**Department of State | Office of the Secretary of State**  
 Nellie M. Gorbea, *Secretary of State*

**Rules and Regulations Filing Form**

**1. Agency Name and Address**

Education, Board of Regents for Elementary and Secondary  
 255 Westminster Street

**2. Title of Rule**

Board of Regents Regulation - Secondary School Regulations

**3. Statutory Source of Authority**

R.I.G.L. 16-60-4, 16-67-6, 16-7.1-2

**4. Concise Explanatory Statement - §42-35-2.6**

The amended regulations were adopted to modify the process and timeline for RIDE approval of local school districts' diploma systems, clarify the elements of the Rhode Island graduation requirements and the relationship between those elements, and clarify and strengthen the student-support system required under the regulations. The adopted regulations differ from the proposed regulations by changing the date for implementation of the graduation requirements from the class of 2012 to the class of 2014. The tiered diploma structure was replaced with a Regents' commendation to recognize students achieving beyond minimum expectations. The system of student supports was modified by moving the requirement for an early warning system from Grade 8 to Grade 6, clarifying the supports and sequence of activities for students not meeting Regents-specified levels of academic readiness on the state assessments, requiring a progress plan for such students, and adding more specific language to provide support for English-language learners. A section on waivers from the state assessment requirement, along with criteria and the process of granting and receiving waivers, was added. Increased detail and specificity was added to the provision concerning the level of proficiency on state assessments and the definition and application of the term 'progress toward proficiency'. The term 'common planning time' was further clarified in the Definitions section. All material revisions of the proposed regulations were the direct result of comments received during the rulemaking process and are germane to the concerns of the public. Those concerns focused on the fairness of the timing of the implementation of the graduation requirements, the role of the state assessment in the graduation requirements, and the potential unintended consequences of the proposed tiered diploma system.

**5. Type of Filing**

**Emergency Rules**

A1. Emergency 120-day initial - §42-35-2.10

- Adoption  
 Amendment of ERLID:  
 Repeal of ERLID:

A2. Emergency 60-day renewal - §42-35-2.10

- Adoption  
 Amendment  
 Repeal

Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:

**Final Rules**

B1. Amendment - §42-35-3(a)

B2. Adoption - §42-35-3(a)

B3. Repeal - §42-35-3(a)

C. Technical Revision

D. Direct Final Rule - §42-35-2.11

If B1 or C, please indicate new, amended, deleted, or revised sections:

**6. Notice and Hearing Information**

Date of Public Notice - §42-35-2.8:01/14/2011

Date of Public Hearing - §42-35-2.8:01/18/2011

End of Comment Period - §42-35-2.8 :01/26/2011

**7. Agency Additional Information - Web Page**

<http://www.ride.ri.gov>

**8. Certification**

*I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attest,*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Notary Public

Subscribed and sworn before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

ERLID#: 6433