

State of Rhode Island and Providence Plantations

RI Board of Regents for Elementary and Secondary Education

Public Notice of Proposed Rule-Making

Regulations of the Board of Regents

Governing the Rhode Island High School Equivalency Program

Pursuant to the provisions of Title 16-60-4 of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the RI Board of Regents for Elementary and Secondary Education, hereby gives notice of its intent to adopt the Board of Regents Regulations Governing the Rhode Island High School Equivalency Program.

The Rhode Island High School Equivalency Program enables Rhode Island adults and out-of-school youth to gain personal satisfaction, career opportunities, and increased academic possibilities by earning a high-school equivalency diploma from the State of Rhode Island. The General Educational Development (GED) test is currently the national standard for high-school equivalency credentialing.

In order to ensure that a viable alternative pathway to a high-school equivalent is available for the tens of thousands of Rhode Islanders and for the hundreds of out-of-school youth without a high-school diploma and in anticipation of imminent changes to the GED testing protocol, it is important that Rhode Island adopt up-to-date regulations on high-school equivalency programs.

These regulations establish policies on criteria for applying for high-school equivalency programs, eligibility and protocols for high-school equivalency testing, fee schedules for testing, eligibility for retesting, and procedures for issuance of equivalency diplomas.

The proposed regulation is available for public inspection in person at the RI Department of Elementary and Secondary Education, 255 Westminster Street, Providence, RI and can be requested by email at Angela.Teixeira@ride.ri.gov or by calling Angela Teixeira at 401-222-8435.

In the development of the proposed regulation consideration was given to:

(1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written comments concerning the proposed regulation by November 18, 2012, to Angela Teixeira at RI Department of Elementary and Secondary Education, 255 Westminster Street, Providence, RI 02903, or at Angela.Teixeira@ride.ri.gov or by calling Angela Teixeira at 401-222-8435 or by faxing 401-222-6178.

STATE OF RHODE ISLAND

R.I. Department of Elementary and Secondary Education

Regulations of the Board of Regents Governing

THE RHODE ISLAND HIGH SCHOOL

EQUIVALENCY PROGRAM



Draft October 19, 2012

RHODE ISLAND HIGH SCHOOL EQUIVALENCY PROGRAM

Draft October 2012
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RHODE ISLAND HIGH SCHOOL EQUIVALENCY PROGRAM

REGULATIONS

The Rhode Island High School Equivalency Program is composed of the General Educational Development (GED®) tests, which are administered throughout the state by testing centers authorized by the Board of Regents for Elementary and Secondary Education. The Rhode Island High School Equivalency Diploma is issued to those eligible individuals who successfully complete the GED® test.

The GED testing program is a joint effort of the GED Testing Service of the American Council on Education and the Rhode Island Department of Elementary and Secondary Education through a contractual relationship. The testing program operates in accordance with the policies and procedures of the GED Testing Service, as presented in the GED® Testing Policies and Procedures Manual, and the Department of Education's requirements.

The Commissioner of Education designates a State GED Administrator who has the responsibilities of providing leadership for the Rhode Island High School Equivalency Program, maintaining the program's integrity and ensuring conformity to both the GED Testing Service policies and procedures and the Rhode Island requirements. The validity of the Rhode Island High School Equivalency Diploma is based upon the proper administration and supervision of the GED testing program.

1. **POLICY**

- 1.1 The Rhode Island High School Equivalency Program enables Rhode Island adults and out-of-school youth to gain personal satisfaction, career opportunities and increased academic possibilities by earning a high school equivalency diploma from the State of Rhode Island.
- 1.2 The Board of Regents for Elementary and Secondary Education regards the Rhode Island High School Equivalency Diploma as being of the same status as a regular high school diploma.

2. **APPLICATIONS**

- 2.1 Application for the Rhode Island High School Equivalency Program must be made on the official state application at any of the GED test centers in the state. Applications are available at any of the test centers. Applications for computer-based testing must be made online at the GED Testing Service website: www.gedtestingservice.com.
- 2.2 Individuals who have been tested at any authorized GED testing center or by the GED Testing Service and who meet the eligibility requirements may apply for the Rhode Island High School Equivalency Diploma. Application must be made to the State GED Administrator. An official GED transcript must be forwarded to State GED Administrator.

3. **ELIGIBILITY FOR TESTING**

To be eligible for high school equivalency testing, a person must be a Rhode Island resident or a member of the Armed forces stationed in Rhode Island when application is made and pass the Official Practice Test of the GED® with the minimum standard passing score required to pass the GED® Test.

In addition, one of the following conditions must be met:

- a) Is at least eighteen (18) years of age and not enrolled in secondary school; or,
- b) Is seventeen (17) years of age, not enrolled in secondary school, and has received special permission from the Chief Examiner of the test center to which application is made. Such permission must be based upon appropriate documentation for example, an official letter of withdrawal from the last school attended, which is to be made part of the candidate's permanent file; or,

- c) Is sixteen (16) years of age, not enrolled in secondary school and has received permission to test from the Commissioner of Education or designee upon a showing of good cause supported by appropriate documentation, for example, an official letter of withdrawal from the last school attended, which is to be made part of the candidate's permanent file. In addition, a letter from the parent or guardian giving permission to test must be obtained prior to testing, and, if deemed appropriate, the Commissioner of Education or designee will inform the principal of the secondary school last attended that the sixteen year old has applied to take the high school equivalency examination; or,
- d) Is sixteen (16) or seventeen (17) years of age and has an approved Alternative Learning Plan on file pursuant to RIGL 16-19-1 and which provides that the student is pursuing a high school equivalency diploma; or,
- e) Is sixteen (16) or seventeen (17) years of age and has been home schooled. A home schooled candidate must provide: (1) a letter from the local school district that he/she had been in an approved home school program and that the home schooling has been discontinued; and (2) a letter from the parent or guardian giving permission to test.

4. VERIFICATION OF ELIGIBILITY FOR TESTING

All candidates must present sufficient documentation to verify eligibility for testing. Such documentation will verify age, personal identification and Rhode Island residency. Minimal documentation must include:

- a) A certified copy of his/her birth certificate or other appropriate document (e.g. passport, valid Rhode Island driver's license) that clearly establishes age, **AND**;
- b) Positive valid identification which includes the applicant's signature and a photograph, (e.g. valid Rhode Island driver's license, Alien Registration Receipt Card), **AND**;
- c) Appropriate verification of Rhode Island residency, preferably with a photograph, or, in the absence of photo identification, at least two items verifying residency e.g. utility bill, voter registration card, tax bill.

5. TESTING

- 5.1 The GED tests will be administered at the authorized Rhode Island test centers or at other sites in accordance with the test center's contract with GED Testing Service.
- 5.2 The Chief Examiner at the respective test center will schedule testing.
- 5.3 The test centers will maintain an appropriate number of English and Spanish editions of the GED test. The Department of Education will also maintain appropriate numbers of the Braille, Large Print and Audio Cassette editions of the GED test.
- 5.4 The GED tests shall be administered only in accordance with instructions and procedures promulgated by the GED Testing Service.

6. FEE SCHEDULE

- 6.1 A fee schedule shall be established with the approval of the Board of Regents upon the recommendation of the Commissioner of Education for services related to the high school equivalency program.
- 6.2 GED Testing Service will establish the cost for computer-based tests.

7. RETESTING

A candidate must retest any test in which a minimum standard passing score was not attained, regardless of total score.

- 7.1 Retesting is allowed at any time on condition that different forms of the tests within the battery administered are used in retesting.
- 7.2 Individuals who have earned a high school equivalency credential or earned scores sufficient to qualify for such a credential but who need to earn higher test scores to meet an admission requirement for postsecondary education or training, or to meet employment requirements, may retest.
- 7.3 Such individuals must meet the eligibility requirements of 3.0 and 4.0 of these regulations, must submit an application and pay the regular fee.
- 7.4 Retesting shall be conducted only in accordance with instructions and procedures promulgated by the GED Testing Service.
- 7.5 The Chief Examiner at the respective test center will schedule retesting.

8. STATUTE OF LIMITATIONS

- 8.1 Effective January 1, 2004, all candidates must successfully complete all tests within **three years** from the date that the applicant completed the first test on the battery. After **three years**, all incomplete or failed scores and fees become invalid. Candidate must then begin the process again.
- 8.2 Effective January 1, 2014, the 2002 GED test series scores will be invalidated. The new GED 2014 test scores will be valid during the period that the test series is in use.

9. ISSUANCE OF DIPLOMA

The Rhode Island High School Equivalency Diploma will be issued by the Rhode Island Department of Elementary and Secondary Education when the eligible high school equivalency testing candidate attains the minimum standard passing score, according to GED Testing Service. For the 2002 Test Series, an average standard score of 450 or above on the five tests within the GED test battery and no standard score below 410, and a total standard score of 2250 or higher; AND, the State GED Administrator reviews and approves the applications.

10. REVOCATION OF CREDENTIALS

10.1 The State GED Administrator shall have the authority to revoke an Equivalency Diploma when reliable evidence exists that the candidate misrepresented or provided false information on the application; or otherwise fraudulently verified his/her eligibility to test. A holder of an Equivalency Diploma may appeal its revocation by the State GED Administrator to the Commissioner of Education who, after providing notice to the interested parties of the time and place of hearing, shall examine the evidence and decide whether good cause exists for the revocation of the Equivalency Diploma. Any decision of the revocation by the Commissioner shall be subject to an appeal to and review by the Board of Regents for Elementary and Secondary Education, in accordance with Title 16, Chapter 39 of the General Law.

10.2 During the revocation process and any appeal, no credentials shall be re-issued to the individual.