

## **Public Notice:**

### **Rhode Island Board of Education**

#### **Regulations of the Council on Elementary and Secondary Education:**

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

#### **Public Notice of Proposed Rule-Making**

Pursuant to the provisions of Chapters 16-21-34 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 Education hereby gives notice of its intent to adopt the Regulations of the Rhode Island Council on Elementary and Secondary: Middle and High School Learning Environments and the Rhode Island Diploma System.

The amended regulations approved by the Council on Elementary and Secondary Education, for the purpose of public review and comment, are revised for the purpose of establishing the framework for implementing the Rhode Island Diploma System. These regulations require all school districts to develop and implement a comprehensive secondary diploma 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. These regulations 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. This amendment does not substantively change current policy for Rhode Island secondary schools, rather it clarifies existing regulation. The regulations increase flexibility for schools and students in meeting state graduation requirements. The 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; expanding allowable personalization strategy options; and clarify sufficient notification of graduation requirements for students and their families.

The proposed draft regulations are available for public inspection in person at the RI Department of Elementary and Secondary Education, 255 Westminster Street, Providence, RI requested by email at [Sonya.Barbosa@ride.ri.gov](mailto:Sonya.Barbosa@ride.ri.gov) or by calling Sonya Barbosa at 401-222-8463.

In drafting this rule, 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.

Four public hearings on the proposed draft regulations will be held on:

<p><b><u>Monday, August 22, 2016</u></b> Cumberland Public Library Rooms 1 &amp; 2, Hayden Center 1464 Diamond Hill Road Cumberland, RI 02864 5:30 p.m.</p>	<p><b><u>Monday, August 29, 2016</u></b> Newport Public Library Program Room, Lower Level 300 Spring Street Newport, RI 02840 5:30 p.m.</p>
<p><b><u>Tuesday, September 6, 2016</u></b> Warwick Public Library Room 101, Large Meeting Room 600 Sandy Lane Warwick, RI 5:30 p.m.</p>	<p><b><u>Monday, September 12, 2016</u></b> University of Rhode Island Providence Campus, Room 501 80 Washington Street Providence, RI 02903 5:30 p.m.</p>

All interested parties are invited to participate in the public hearings and submit written comments concerning the proposed regulations from July 1, 2016 – September 15, 2016. The hearing locations are accessible to the disabled and interpreter services for the hearing impaired will be provided if requested 48 hours prior to the hearing. Requests for this service can be made in writing or by calling Sonya Barbosa at 401-222-8463 or RI Relay 1-800-745-5555. Written comments may be submitted to Sonya Barbosa at the RI Department of Elementary and Secondary Education, 255 Westminster Street, Providence, RI 02903, or at [Secondary@ride.ri.gov](mailto:Secondary@ride.ri.gov) or by faxing 401-222-6178.

State of Rhode Island and Providence Plantations

RI Council on Elementary and Secondary Education

In accordance with the Administrative Procedures Act, Section 42-35-3(a)(1) of the General Laws of Rhode Island, following is the draft for public hearing of the proposed Regulations of the Council on Elementary and Secondary Education: Middle and High School Learning Environments and the Rhode Island Diploma System.

1 **STATE OF RHODE ISLAND**  
2 **R.I. Department of Elementary and Secondary Education**

3  
4 **Council on Elementary and Secondary Education Secondary School Regulations –**  
5 **Amendment**

6  
7 **Approved: February 23, 2015**

8  
9 **Effective: March 18, 2015**

10  
11 **REGULATIONS**  
12 **of the**  
13 **COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION**

14  
15 ~~**K-12 Literacy, Restructuring of the Learning environment at the Middle and High School**~~  
16 ~~**levels, Learning Environments and proficiency based graduation requirements (PBGR) at**~~  
17 ~~**High School the Rhode Island Diploma System**~~

18  
19 **TITLE L – SECONDARY DESIGN**  
20 **CHAPTER 6**

21  
22 **TOPIC**

23 L-6-1.0. Definitions.

24 L-6-2.0. Ensuring grade level literacy and numeracy for all secondary Rhode Island students.

25 L-6-2.1. Assessing reading literacy and numeracy proficiency levels of secondary  
26 students.

27 L-6-2.2. Improving literacy and numeracy for secondary students reading performing  
28 below grade level.

29 ~~**L-6-2.3. Improving numeracy for all students.**~~

30 L-6-3.0. Rhode Island graduation requirements diploma system.

31 L-6-3.1. Coursework requirements.

32 L-6-3.2. Performance-based diploma assessments.

33 L-6-3.3. ~~**Use of state assessments for high school graduation.**~~

34 ~~**L-6-3.4.**~~ Appeals process for graduation decisions.

35 L-6-3. ~~**5. Diploma commendations and certificates.**~~ 4. Council designations

36 L-6-3.5. Alternate recognition of high school accomplishment

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

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

40 ~~**L-6-3.8 Supports to students.**~~

41 L-6-4.0. Middle level and high school restructuring supports to students.

42 L-6-4.1. Supports for students

43 L-6-4.2. Requirement for personalized learning environments.

44 L-6-4. ~~**2. Middle level advisory.**~~

45 ~~**L-6-4.3.**~~ Individual Learning Plan ~~**(ILP).**~~

46 L-6-4.4. Professional development.

47 L-6-4.5 Common planning time.

48  
49 **L-6-1.0. DEFINITIONS**

50  
51 As used in these regulations, the following words and terms have the following meaning, unless  
52 the context indicates another or different meaning or intent:

53  
54 (a) Applied Learning Skills - The cross-curricular, skill-based standards students are expected to  
55 learn and acquire over the course of their K–12 education, including communication, problem-  
56 solving, critical thinking, research, reflection and evaluation, and collaboration.

57  
58 (b) Certificates – documentation or credentials that can be earned by a student and certify his or  
59 her mastery of specific skills or sets of skills; completion of training requirements set forth by a  
60 certifying body; and/or demonstrated readiness to enter an industry, educational setting,  
61 independent living, or the workplace.

62  
63 ~~(b) Certificate of Initial Mastery© (CIM) – a CIM represents demonstrated knowledge and skills~~  
64 ~~agreed upon by educators, families, business, community, and higher education~~  
65 ~~representatives. Attaining CIM involves a combination of standardized tests, performance~~  
66 ~~measures, collections of student work over time, and projects or exhibitions.~~

67  
68 (c) Commissioner – the commissioner of elementary and secondary education.

69  
70 ~~(d) Common Core Standards – standards adopted by a majority of states, including Rhode~~  
71 ~~Island, that are robust and relevant to the real world, reflect the knowledge and skills that young~~  
72 ~~people need for success in college and careers, and provide a consistent, clear understanding~~  
73 ~~of what students are expected to learn.~~

74  
75 ~~(e) Common Planning Time – regular weekly~~ (d) Common Planning Time – regular scheduled  
76 opportunities provided to teachers to work in disciplinary and/or interdisciplinary teams for the  
77 purpose of improving student achievement.

78  
79 (e) Concurrent Enrollment – enrollment of a student in a dual enrollment course that is offered at  
80 the secondary school and taught by a secondary school teacher who is approved by the  
81 postsecondary institutions.

82  
83 (f) Conjunctive Diploma Requirements – ~~this is~~ the non-compensatory relationship ~~among the~~  
84 ~~three-between Rhode Island's diploma requirements, commencing in 2021. The~~ required  
85 elements, ~~commencing in 2020, of Rhode Island's graduation requirements. The three required~~  
86 ~~elements of a diploma~~ include:

- 87 1. ~~Individual student performance on the state assessment or assessments; and~~  
88 2. Successful completion of state and local course requirements; and  
89 3. ~~2.~~ Successful completion of a performance-based diploma assessment.

- 91 | (g) Content Standards - the knowledge and skills associated with a particular subject area that  
92 | defines what students need to know and be able to do.  
93 |
- 94 | (h) Core Academic Content Areas – English language arts, mathematics, science, social studies,  
95 | the arts, and technology.  
96 |
- 97 | (hi) Course – a connected series of lessons and learning experiences that:  
98 |     1. Establish expectations defined by recognized content standards,  
99 |     2. Provide students with opportunities to learn and practice skills, and  
100 |     3. Include assessments of student knowledge and skills adequate to determine  
101 |         proficiency at the level of academic rigor required by relevant content standards.  
102 |
- 103 | (ij) Course Catalog – A list of courses offered to students during a given timeframe, typically  
104 | including course name, description, pre-requisites, and instructor.  
105 |
- 106 | (k) Council Designation – a notation on a diploma designating achievement consistent with a  
107 | standard set for this purpose by the Council on Elementary and Secondary Education.  
108 | Designations approved by the Council on Elementary and Secondary Education shall include  
109 | but not be limited to documentation of student achievement of statewide literacy and numeracy  
110 | standards and documentation of student completion of a defined course of study consistent with  
111 | a personal learning goal.  
112 |
- 113 | (l) Diploma System – the comprehensive set of structures, processes, and policies required in  
114 | all secondary schools to ensure access to rigorous programming and appropriate supports that  
115 | prepare all students for success in college, careers, and life.  
116 |
- 117 | (jm) Dual Enrollment – ~~the concurrent earning enrollment of college credits~~ a student in a  
118 | secondary school while simultaneously enrolled in high school, part-time or full-time as a non-  
119 | matriculating student at a postsecondary institution, such as a community college, college or  
120 | university  
121 |
- 122 | (kn) Guaranteed and Viable Curriculum – curriculum that provides both the opportunity and time  
123 | for students to learn. It ensures that the curriculum is implemented consistently by all teachers  
124 | to all students. It is based on a commitment from the districts and its schools that the written,  
125 | taught, and learned curriculum is aligned so that all students learn agreed upon standards. See  
126 | Basic Educational Program (G-13-1.1).  
127 |
- 128 | (lo) Individual Learning Plan (ILP) – a planning and monitoring tool that customizes and directs  
129 | students' goals and development in three domains: academic, career, and personal/social.  
130 |
- 131 | (mp) Literacy – the ability to read, write, speak, and listen in order to communicate with others  
132 | effectively, as well as the ability to think and respond critically and to process complex  
133 | information across content areas.  
134 |

135 | ~~(nq)~~ Local Education Agency (LEA) – a public board of education/school committee or other  
136 public authority legally constituted within the State for either administrative control or direction of  
137 one or more Rhode Island public elementary schools or secondary schools.

138  
139 | ~~(er)~~ Numeracy – the ability to use and communicate about numbers and measures with a range  
140 of mathematical techniques in order to solve quantitative or spatial problems in a range of real-  
141 world contexts.

142  
143 | ~~(p)~~ Opportunities to Learn – programs, resources, materials, and instruction that schools and  
144 teachers must provide in a quantity and of a quality sufficient to enable all students to learn and  
145 demonstrate the knowledge and skills set out in state-adopted standards and other relevant  
146 content or skill-based standards.

147  
148 | ~~(q)~~ ~~(s)~~ Performance-Based Diploma Assessments – elements of a required system of  
149 assessments from which LEAs must choose two Assessment – multifaceted assignments that  
150 serve as graduation requirements:

151 | 1. ~~Comprehensive course assessments – Summative assessments designed to measure~~  
152 ~~student skill and ability within a content area. At least fifty percent of this assessment~~  
153 ~~must be performance-based and evaluate a student’s application of the knowledge and~~  
154 ~~skills learned in the course.~~

155 | ~~Exhibition – Demonstration of learning that includes both academic products and oral~~  
156 ~~presentations. An exhibition is an independent, in-depth, extended project derived from student~~  
157 ~~choice and requiring the simultaneous culminating demonstration of deep content knowledge~~  
158 ~~and a student’s applied learning skills. and knowledge of one or more content areas.~~

159 | 2. ~~Graduation Portfolio – Collection of work that documents a student’s academic~~  
160 ~~performance over time and demonstrates deep content knowledge and applied learning~~  
161 ~~skills. A portfolio typically includes a range of performance-based entries required by the~~  
162 ~~local education agency (LEA) and selected by the student, reflections, summary~~  
163 ~~statements, and a final student presentation.~~

164  
165 | ~~(r)~~  
166 | ~~(t)~~ Personalization – environment in which a responsible educator, in addition to a school  
167 counselor, meets regularly with and is knowledgeable about the social/emotional, academic,  
168 and career goals of each student to whom he or she is assigned. Meetings between the adult  
169 and the students may take place in either formal or informal structures.

170  
171 | ~~(s)~~ Personal Literacy Plan (PLP) – an individualized record of action describing a diverse variety  
172 of educational programs, learning experiences, instructional strategies and supports used to  
173 accelerate student learning and move toward grade-level proficiency in literacy.

174  
175 | ~~(t)~~ Proficiency – a measure of a student’s knowledge and skill in each of the core content areas  
176 that are demonstrated in various settings over time. The specific knowledge and skills are  
177 defined by state-adopted standards, other content standards, and/or career readiness and life  
178 skills.

179  
180 | ~~(u)~~ Progress Plan – a documented approaches and academic support program required for  
181 students who do not meet the Council on Elementary and Secondary Education-defined  
182 minimum level of achievement on the state assessment. Progress Plans must include the types

183 ~~and duration of academic and educational supports and academic performance targets~~  
184 ~~necessary for graduation. Progress plans may be incorporated into the ILP and may strategies~~  
185 ~~that are intended to address academic weakness in the areas of course performance and/or~~  
186 ~~performance-based diploma assessments. the distinct learning needs, interests, aspirations or~~  
187 ~~cultural backgrounds of individual students~~

188  
189 ~~(v) Progress Toward Proficiency—meaningful, quantifiable improvement of academic skills in~~  
190 ~~those areas in which a student has academic gaps as evidenced through state assessments.~~  
191 ~~The Council on Elementary and Secondary Education establishes the calculation and~~  
192 ~~expression of the amount of student-level progress necessary for students to meet state~~  
193 ~~graduation requirements on the state assessment.~~

194  
195 ~~(w) Council on Elementary and Secondary Education Commendation—an emblem affixed to~~  
196 ~~student diplomas designating academic achievement at or above levels set by the Council on~~  
197 ~~Elementary and Secondary Education for this purpose.~~

198  
199 ~~(x) Scaffolded Literacy System—three levels of support for improving all students’ reading that~~  
200 ~~include:~~

- 201 ~~1.—A school-wide discipline-specific program for all students,~~
- 202 ~~2.—Targeted literacy supports for students reading more than one and up to two years~~  
203 ~~below grade level, and~~
- 204 ~~3.—Intensive literacy intervention for students reading more than two years below grade~~  
205 ~~level.~~

206  
207 ~~(y)(u) Proficiency—A defined level of knowledge and skills that are expected to be learned~~  
208 ~~signaling that a student is well prepared to progress to the next lesson, course, grade level, or to~~  
209 ~~receive a diploma.~~

210  
211 ~~(v) Student Advisory—a structure or structures for stableconsistent groups of students to meet~~  
212 ~~regularly throughout the academic year with at least one assigned adult, in an environment with~~  
213 ~~sufficient time and opportunity to support personalization through student goal setting and~~  
214 ~~achievement in the academic, career, and personal/social domains.~~

215  
216  
217 **L-6-2.0 ENSURING GRADE LEVEL LITERACY AND NUMERACY FOR ALL SECONDARY**  
218 **RHODE ISLAND STUDENTS.**

219 Each local education agency (LEA) shall ensure that all of its secondary students are proficient  
220 in literacy and numeracy. LEAs shall ensure student proficiency by providing access to a  
221 guaranteed and viable curriculum, monitoring each student’s progress toward proficiency in  
222 literacy and numeracy, and providing sufficient academic, career, and personal/social supports  
223 to ensure that all secondary students become proficient. ~~The Commissioner shall ensure that~~  
224 ~~each LEA has adequate mechanisms in place to develop and monitor student proficiency in~~  
225 ~~reading and mathematics. All programs, services, supports, and accommodations in these~~  
226 ~~regulations shall be construed as affirmative obligations of the LEA and can be enforced via~~  
227 ~~Chapter 16-39 of Rhode Island General Laws.~~

228

229 | **L-6-2.1 Assessing reading literacy and numeracy proficiency levels of secondary**  
230 | **students.**

231 | (a) Each LEA in Rhode Island shall evaluate the reading literacy and numeracy levels of all  
232 | secondary students. All LEAs, ~~in compliance with the Rhode Island PreK-12 Literacy Policy,~~  
233 | shall develop a screening/review process that utilizes state and local assessments to identify  
234 | students in need of additional diagnostic assessments and instructional support.

235 |  
236 | (b) LEAs shall diagnostically assess all secondary students who have been identified through  
237 | the screening process described herein as performing below grade level to determine and  
238 | assign appropriate instructional strategies and interventions. ~~LEAs shall report the number of~~  
239 | ~~secondary students reading below grade level at a time and in a manner established by the~~  
240 | ~~Commissioner.~~ The LEAs shall be responsible for costs associated with test procurement,  
241 | administration, and interpretation. The Commissioner may authorize the use of suitable state or  
242 | federal funds for such purposes. ~~Based on the results of reading assessments at all grade~~  
243 | ~~levels, the Commissioner may exercise the authority provided under Title 16 to intervene in a~~  
244 | ~~school or LEA to ensure that the literacy needs of all students, as indicated by these~~  
245 | ~~assessments, are effectively addressed.~~

246 |  
247 | **L-6-2.2 Improving literacy and numeracy for secondary students reading performing**  
248 | **below grade level.**

249 | (a) ~~LEAs~~ Each LEA shall initiate reading interventions for every student ~~reading one or more~~  
250 | ~~years functioning~~ below levels of expected performance for their grade ~~level~~ based on the  
251 | assessments required under section L-6-2.1 of these regulations. Any student who continues to  
252 | fall below grade level in reading and/or fails to attain proficiency in literacy or numeracy in  
253 | subsequent years ~~on assessments designated by the Commissioner~~ shall continue to receive  
254 | specialized ~~reading~~ intervention and supports.

255 |  
256 | (b) Ensuring grade level literacy and numeracy is the responsibility of ~~all LEAs.~~ ~~At the secondary~~  
257 | ~~level, reading instruction each LEA, and~~ shall include scaffolded literacy instruction, ~~providing~~  
258 | ~~and the provision of~~ school-wide, targeted and intensive supports ~~including Personal Literacy~~  
259 | ~~Plans (PLPs) that document.~~ Intervention and support for students reading performing one or  
260 | more years below grade level.

261 |  
262 | (c) ~~In a manner, format, and schedule to be prescribed by the Commissioner, all LEAs shall~~  
263 | ~~provide evidence of the effectiveness of the specific reading strategies and programs that are in~~  
264 | ~~place in middle level schools and high schools to ensure that all students reading below grade~~  
265 | ~~level will attain and maintain grade level literacy skills. All Rhode Island LEAs shall have~~  
266 | ~~mechanisms in place that (1) identify and support students reading below grade level and (2)~~  
267 | ~~support the implementation of literacy programming at all levels to address the student needs~~  
268 | ~~identified through the screening requirements set forth in section L-6-2.1 of these regulations.~~  
269 | ~~LEAs shall have mechanisms in place that ensure that all levels work collaboratively to~~  
270 | ~~transition students between schools and across LEAs.~~ be documented within the student's  
271 | Individualized Learning Plan (ILP).

272 |  
273 | **~~L-6-2.3 Improving numeracy for all students.~~**

274 ~~(a) LEAs~~(c) Each LEA shall ensure grade level numeracy for all students. LEAs shall initiate  
275 numeracy interventions for every student functioning below expected performance for their  
276 grade. Any student failing to attain proficiency shall receive specialized supports that.

277  
278 ~~(b) In a manner, format, and schedule to be prescribed by the Commissioner, all LEAs shall~~  
279 ~~provide evidence of the effectiveness of specific mathematics strategies and programs that they~~  
280 ~~have implemented to ensure~~ all students who are not demonstrating proficiency against as  
281 measured by state-adopted math and literacy standards will attain and maintain performance  
282 that allows them to engage in grade appropriate curriculum. ~~All Rhode Island~~ LEAs shall have  
283 mechanisms in place that: (1) identify and support students who are not making progress in  
284 literacy and mathematics as measured by local and state assessment data; and, (2) provide  
285 universal student access to a guaranteed and viable curriculum aligned to state adopted  
286 ~~mathematics~~ standards. LEAs shall have mechanisms in place that ensure that all grade levels  
287 work collaboratively to transition students between schools within and across LEAs.  
288

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

291 **L-6-3.0 RHODE ISLAND GRADUATION REQUIREMENTS DIPLMA SYSTEM.**

292 ~~Commencing with the graduating class of 2020, each LEA shall create a composite measure of~~  
293 ~~each student's overall proficiency in the six core academic areas: English language arts, math,~~  
294 ~~science, social studies, the arts, and technology. These six core content areas shall be aligned~~  
295 ~~to state adopted standards and locally adopted national standards in those content areas for~~  
296 ~~which there are no state standards. This composite measure Diploma eligibility shall be derived~~  
297 ~~from a conjunctive review of three sources of evidence: (1) individual student results on the~~  
298 ~~state assessment in content areas designated by the Council on Elementary and Secondary~~  
299 ~~Education; and (2) successful course completion in conformance with Section L-6-~~  
300 ~~3.1; and (3) successful completion of at least one performance-based diploma~~  
301 ~~assessments. These requirements are set forth in sections L-6-3.1, assessment as described in~~  
302 ~~section L-6-3.2 and L-6-3.3 of these regulations.~~ In order to be eligible for a diploma, students  
303 must meet state and local requirements in all three these two areas.  
304

305 ~~Prior to 2020 but~~ No earlier than the class of 2017, LEAs may choose to include the state  
306 assessment or other standardized assessment as a graduation requirement in addition to (1)  
307 and (2) and (3) above.  
308

309 LEAs shall provide students with multiple opportunities and appropriate supports to meet  
310 ~~these~~ local graduation requirements ~~and~~ adopted in compliance with these regulations and to  
311 prepare for post-secondary academic and career goals.  
312

313 Each Rhode Island school committee shall adopt graduation requirements consistent with L-6-  
314 3.1, L-6-3.2, L-6-3.3, L-6-3.4 and L-6-3.45 of these regulations in LEA policy and submit  
315 evidence of their adoption as part of the Commissioner's review set forth in section L-6-3.6 shall  
316 maintain documentation of these ~~regulations~~ policies.  
317

318 **L-6-3.1. Coursework requirements.**

319 (a) LEAs shall formally adopt coursework graduation requirements that: (1) apply to all students  
320 within the LEA; and (2) require successful completion of at least twenty ~~academic courses or~~  
321 ~~the equivalent that.~~ The twenty courses must include demonstration of  
322 proficiency, as defined by the LEA and aligned with appropriate high school content standards,  
323 in the six core content areas: English language arts, math, science, social studies, the arts, and  
324 technology. All courses shall be aligned to state adopted high school standards, or locally  
325 adopted national standards in those content areas for which there are no state standards. All  
326 courses must be of scope and rigor sufficient to allow students to achieve high school level  
327 proficiency, as determined by the LEA. Successful completion of a course shall include  
328 demonstration of the knowledge, skill and competencies outlined in the course learning  
329 objectives. Modified proficiency standards may be applied to coursework requirements for  
330 students determined to be eligible for the alternate assessment under federal law, state rules  
331 and regulations, and as noted in the student's IEP.

332  
333 (b) The twenty courses must include the following content-area courses: four courses of  
334 English Language Arts, four courses of mathematics ~~(three mathematics courses and one math-~~  
335 ~~related course)~~, three courses of science, and three courses of history/social studies. The  
336 additional six required courses are presumed to include, but not limited to, world languages, the  
337 arts, technology, physical education and health, ~~and technology~~ pursuant to LEA policies and  
338 applicable state law. Designation as a content-area course, e.g. "mathematics" or "science,"  
339 shall be an LEA decision based upon alignment to relevant state adopted standards ~~and/or~~, in  
340 those content areas not defined by state-adopted standards, other recognized content  
341 standards. ~~All courses must be of scope and rigor sufficient to allow students to achieve the~~  
342 ~~minimum level of proficiency required by section L-6-3.0 of these regulations.~~

343  
344 LEAs may integrate multiple core or other content areas and associated learning standards into  
345 a single course for the purpose of meeting coursework requirements.

346 (c) The selection and scheduling of courses shall be consistent with the needs of the individual  
347 students ~~student~~ and, to the maximum degree possible, students' individual learning plans  
348 ~~(ILPs). LEAs shall provide students with additional opportunities beyond the minimum required~~  
349 ~~in accordance with students'~~ the student's individual learning plans (ILPs) ~~(ILP)~~. LEA  
350 graduation requirements must satisfy all curricular requirements set forth in General Laws and  
351 applicable Council on Elementary and Secondary Education regulations.

352  
353 (d) Students can meet the requirements set forth in this section, inclusive of the fourteen  
354 content-area course requirements, through enrollment in courses within state-approved career  
355 and technical program ~~programs~~, expanded learning opportunities, dual enrollment, concurrent  
356 enrollment, on-line learning, experiential learning opportunities, and other non-traditional  
357 academic and career-readiness programs ~~learning experiences~~. Recognition of these learning  
358 opportunities as fulfilling the coursework graduation requirements in this section is a local  
359 decision and shall be predicated on alignment to state adopted content-area standards and/or  
360 other relevant national and/or industry standards. Course catalogs should clearly indicate  
361 courses that can fulfill content-area course requirements.

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

Students shall successfully complete at least ~~two of the following one~~ performance-based diploma ~~assessments: graduation portfolios, exhibitions, comprehensive course assessments, or Certificate of Initial Mastery~~. Each student exiting a Rhode Island high school with a diploma shall exhibit proficiency in a comprehensive set of applied learning skills including ~~communication, problem-solving, critical thinking, research, reflection and evaluation, and collaboration~~ assessment. Successful completion of performance-based diploma assessments shall include demonstrations of both applied learning skills and ~~core content proficiency~~. ~~Students shall be required to present their portfolio or exhibition work to a review panel that will evaluate the student's presentation using a state-approved rubric~~ proficiency in one or more content areas. All performance-based diploma assessments shall be evaluated utilizing an LEA-defined scoring criteria aligned with high school level state-adopted content standards and applied learning standards and/or other relevant nationally-recognized content standards.

~~Districts shall develop performance-based diploma assessments and associated processes in accordance with these regulations. The diploma assessment process, including oral presentations, must be scheduled in a manner and time so as to allow students adequate opportunities to acquire the skills and content mastery required for graduation.~~

**~~L-6-3.3. Use of state assessments for high school graduation.~~**

~~(a) Commencing with the class of 2020, students shall be required to reach a minimum achievement level on the state assessment or assessments in content areas designated by the Council on Elementary and Secondary Education. The Council shall (1) designate the content areas in which the state assessment serves as a graduation requirement and (2) establish the minimum student achievement levels on the state assessment necessary for graduation. The Council will determine the minimum level of required achievement; however, LEAs may set higher levels of student achievement as a requirement to receive a diploma. LEAs may choose to use the state assessment or other standardized assessment as one of the local graduation requirements prior to the 2020 date set forth above but no earlier than for the class of 2017.~~

~~In content areas in which the Council on Elementary and Secondary Education has not approved a state assessment for the purpose of determining student eligibility for graduation, the LEA shall use successful course completion and student performance on performance-based diploma assessments and other local evidence to satisfy state graduation requirements.~~

~~Commencing with the graduating class of 2014, state assessment results shall be included on each student's permanent high school transcript.~~

~~(b) Students who do not meet the Council on Elementary and Secondary Education-established minimum level of achievement on the state high school assessment(s) shall be provided additional opportunities to demonstrate their proficiency and meet graduation expectations through the processes as determined by the Commissioner related to:~~

~~*Retaking the state assessment:* If a student does not meet the level of minimum achievement on a state assessment designated by the Council on Elementary and Secondary Education, the student shall be required to retake the relevant portion of the state assessment. Through an additional administration or administrations of the state assessment, students can meet the~~

410 requirements set forth in this section by either reaching the Council-defined minimum level of  
411 achievement or by demonstrating progress toward proficiency. The Council shall establish the  
412 means of calculation and expression of the minimum requirements for student-level  
413 improvement necessary to achieve progress toward proficiency.

414  
415 ~~Testing alternatives: If, after retaking the state assessment, a student does not meet the~~  
416 ~~required level of achievement or make progress toward proficiency, the student may~~  
417 ~~demonstrate graduation readiness through successful completion of a Council-approved~~  
418 ~~alternative assessment.~~

419  
420 ~~Waivers: If a student is unable to demonstrate graduation readiness through the state~~  
421 ~~assessment or a Council-approved testing alternative, the student may apply to his or her LEA~~  
422 ~~for a waiver of the state assessment portion of the graduation requirements. LEAs are~~  
423 ~~authorized to grant waivers from the state assessment requirement set forth in this section only~~  
424 ~~in those rare cases in which the state assessment is not a valid means of determining the~~  
425 ~~proficiency of individual students. Waiver eligibility will be considered only for those students for~~  
426 ~~whom: (1) there is a preponderance of evidence of academic content mastery consistent with L-~~  
427 ~~6-3.0 of these regulations and (2) the student has completed the sequence of testing~~  
428 ~~requirements set forth in this section.~~

429  
430 ~~Local management of the waiver processes set forth herein, as well as the results of said waiver~~  
431 ~~process, shall be monitored through the Commissioner's review set forth in section L-6-3.6 of~~  
432 ~~these regulations.~~

433  
434 **L-6-3.3 ~~L-6-3.4~~ Appeals process for graduation decisions.**

435 Students and families shall have the right to appeal graduation decisions through locally  
436 managed appeals policies and processes. Locally managed appeals processes shall consider  
437 all valid sources of evidence that demonstrate and document student proficiency at a level  
438 commensurate with the requirements set forth in ~~section L-6-3.0 of these regulations.~~ LEAs  
439 shall maintain documentation on locally managed appeals criteria, processes, and outcomes.

440  
441 ~~L-6-3.4 Locally managed appeals criteria, processes, and outcomes shall be monitored through~~  
442 ~~the Commissioner's review set forth in section L-6-3.6 of these regulations.~~

443  
444 **~~L-6-3.5. Diploma commendations and certificates.~~**

445 **~~(a) Council designations~~**

446 Commencing with the graduating class of ~~2020~~2021, LEAs ~~are authorized to recognize~~ shall  
447 include a designation notation on the diplomas of all students who ~~achieve above the minimum~~  
448 ~~achievement level required for graduation with a Council on Elementary and Secondary~~  
449 ~~Education commendation.~~ meet Council-defined criteria. The Council shall ~~establish the~~  
450 ~~minimum criteria~~ (1) determine designations available statewide, and (2) determine the level of  
451 achievement necessary ~~to earn a Council's commendation and shall provide LEAs with a~~  
452 ~~means of appending the commendation to eligible students' diplomas. Student eligibility for a~~  
453 ~~Council's commendation will be contingent upon successful completion of local graduation~~  
454 ~~requirements. LEAs may set additional or higher academic requirements for students to earn a~~  
455 ~~Council's commendation. LEAs may establish local guidelines that govern for a Council~~  
456 Designation. Designations approved by the Council shall include, but not be limited to  
457 documentation of student opportunities to retake the state assessment for the purposes of  
458 earning a Council's commendation.

459 ~~(b) achievement of a statewide literacy and numeracy standard and documentation of student~~  
460 ~~completion of a course of study consistent with a personal learning goal. LEAs shall provide~~  
461 ~~students with multiple opportunities and appropriate supports to meet designation requirements.~~  
462 LEAs are authorized to award ~~certificates of academic and technical skill achievement and work~~  
463 ~~readiness and life skills to additional locally-developed designations.~~

464  
465  
466 **L-6-3.5. Alternate recognition of high school accomplishment.**

467 ~~LEAs are authorized to recognize any student who does not meet the diploma requirement but~~  
468 ~~has otherwise satisfactorily completed specific course-work courses or other standards-based~~  
469 ~~activities that indicate a recognized level of knowledge and/or skills. Certificates within the high~~  
470 ~~school course of study, as defined by the LEA. Students earning an alternate recognition~~  
471 ~~certificates shall not be considered graduates. Alternate recognition certificates shall document~~  
472 ~~academic achievement, technical skills, work readiness and life skills of the student and~~ may be  
473 included as part of a student's transition plan to post-secondary academic or work training  
474 programs.

475  
476 ~~Students who achieve modified proficiency standards applied to coursework requirements for~~  
477 ~~students determined to be eligible for the alternate assessment under federal law, state rules~~  
478 ~~and regulations, and as noted in the student's IEP, may, at LEA discretion, be awarded a~~  
479 ~~diploma for graduation purposes.~~

480  
481 **L-6-3.6. Council on Elementary and Secondary Education approved diploma system.**

482 The Commissioner ~~shall review all LEA high school reserves the right to establish protocols and~~  
483 ~~criteria for reviewing LEA diploma systems to ensure that they are in compliance with all~~  
484 ~~elements of these regulations. The Commissioner shall establish the protocols and the criteria~~  
485 ~~for diploma system review and accountability. The LEA is responsible for maintaining all~~  
486 ~~records that demonstrate compliance with these regulations.~~ The Commissioner shall ~~maintain~~  
487 ~~a detailed record of LEA implementation status and report that status regularly to the Council on~~  
488 ~~Elementary and Secondary Education. LEAs must demonstrate, through the Commissioner's~~  
489 ~~review and approval process, that all of the elements of these regulations are fully implemented.~~  
490 ~~Districts will be subject to develop a progressive system of incentives monitoring and~~  
491 ~~interventions according accountability to their respective levels of ensure LEA implementation~~  
492 and compliance with these regulations. ~~Should the Commissioner find, through the review~~  
493 ~~process, that an LEA has failed to comply fully with these regulations, the Commissioner shall~~  
494 ~~utilize the full authority granted to the office, up to and including rescinding the diploma-granting~~  
495 ~~authority of LEAs.~~

496  
497 **L-6-3.7. Local educational agency notification to students, families, and community**  
498 **members of the requirements for graduation.**

499 (a) LEAs shall provide full and effective notice of the state and local graduation requirements to  
500 administrators, teachers, students, families, and members of the community. ~~This information~~  
501 ~~must be provided to all members of each class upon their entry to sixth grade and again upon~~  
502 ~~their entry to ninth grade (or at the time of enrollment into the LEA). Full and effective notice of~~

503 | ~~the minimum achievement level on designated statewide assessments for graduation purposes,~~  
504 | ~~as described in section L-6-3.3 of these Regulations,~~ Full and effective notice of the  
505 | requirements for graduation and Council designations must be provided to students and their  
506 | families no later than October 1 in the year in which said students enter the ninth grade (or at  
507 | the time of enrollment into the LEA), ~~after which the local and state diploma system~~  
508 | requirements shall not be altered for the affected class. LEAs shall provide notice of the  
509 | requirements to students enrolled by the LEA in non-public schools or programs and to students  
510 | attending school in juvenile correction programs.

511 |  
512 | (b) ~~LEAs shall provide~~ notification ~~processes and evidence that~~ annually of the process by  
513 | which parents/guardians ~~have been provided~~ can access ~~to~~ their child's individual learning plans  
514 | ~~and/or personal literacy plan(s) shall be monitored through the Commissioner's review set forth~~  
515 | ~~in section L-6-3.6 of these regulations, including information regarding their child's progress~~  
516 | toward graduation and Council designation requirements.

517 |  
518 | (c) In the event that a student is in jeopardy of not earning a diploma, the LEA must maintain a  
519 | record of multiple and timely individual notices to the student and his/her family that include: (1)  
520 | clear notification of the student's academic status; and (2) the opportunity to meet and discuss  
521 | the student's academic program, support, and planned interventions; and (3) regular updates of  
522 | student performance and progress. All such communications must be provided in a format  
523 | accessible to families and students. LEA failure to provide student and family notifications in the  
524 | manner set forth in these regulations may be addressed through locally managed appeals  
525 | processes but shall not be presumed to result in the awarding of a diploma.

526 |

## 527 | **L-6-3.8.4.0. MIDDLE LEVEL AND HIGH SCHOOL SUPPORTS TO STUDENTS**

### 528 | **L-6-4.1 Supports ~~to~~for students.**

529 | Every student enrolled in Rhode Island public schools has the right to an appropriate and  
530 | individualized opportunity to achieve proficiency as ~~measured~~ defined the LEA and in  
531 | accordance with ~~section L-6-3.0 of~~ these regulations. For many students, that opportunity will  
532 | require additional research-based supports from the LEA.

533 |

534 | The range of necessary support mechanisms must include:

535 |

536 | (a) Beginning no later than entry into sixth grade, each student shall have an individual learning  
537 | plan (ILP) as described in section L-6-4.3 of these regulations. The ILP shall coordinate with the  
538 | following documents, programs, and plans as appropriate: Individual Educational Program  
539 | ~~(IEP)~~<sub>7.1</sub> Section 504 Plan, Personal Literacy Plan ~~(PLP)~~<sub>7.1</sub> Response to Intervention ~~(RtI)~~<sub>7.1</sub>  
540 | transition plans, and English ~~language~~ learner services.

541 |

542 | (b) LEAs shall utilize a ~~state-developed~~ research-based early warning system to identify students  
543 | at risk for academic failure and dropout. Identification of students at risk shall occur no later than  
544 | the sixth grade year (or at the time of enrollment for students enrolling into the LEA after the  
545 | sixth grade year). LEAs shall communicate regularly with the families of students identified  
546 | through the early warning system, including providing them with information about the support

547 | provided to and progress being made by the student, as described in section L-6-3.7(c) of  
548 | these regulations.

549 |  
550 | (c) LEAs shall be responsible for providing additional academic and instructional support and  
551 | research-based interventions for all students not on track to meet the graduation diploma  
552 | requirements established by section L-6-3.1, ~~L-6-3.2,~~ and L-6-3.32 of these regulations.  
553 | Students failing to reach the required level of ~~achievement on the state assessment proficiency~~  
554 | as established ~~by section L-6-3.3 of locally and in accordance with~~ these regulations shall be  
555 | provided a progress support plan. ~~Progress plans must include, including~~ the types and duration  
556 | of academic and educational supports and academic performance targets necessary for  
557 | ~~graduation. Progress earning a diploma. Support~~ plans ~~may~~ shall be ~~incorporated~~  
558 | integrated in the ILP and may address academic weaknesses in course performance  
559 | and/or performance-based diploma ~~9~~ assessments. Other academic and instructional supports  
560 | shall also be documented in the student's ~~individual learning plan (ILP).~~

561 |  
562 | (d) ~~Students with disabilities~~ All students are expected to present evidence of successful  
563 | completion of the applicable graduation requirements set forth in L-6-3.1, L-6-3.2, and L-6-3.34  
564 | of these regulations. ~~to be eligible for a diploma or Council designation, respectively.~~ Students  
565 | with disabilities have the right under federal law to remain in school until the age of 21.

566 |  
567 | ~~(e) Students identified as English language learners are expected to present evidence of the~~  
568 | ~~successful completion of the graduation requirements set forth in L-6-3.1, L-6-3.2, and L-6-3.3~~  
569 | ~~of these regulations. The Commissioner shall identify an alternative assessment or set of~~  
570 | ~~assessments appropriate to determine the academic proficiency of English language learners~~  
571 | ~~that (1) have low levels of English proficiency, (2) have been served by Rhode Island public~~  
572 | ~~schools for fewer than four years, and (3) have had uninterrupted formal schooling prior to~~  
573 | ~~entering Rhode Island public schools. English language learners may continue working toward~~  
574 | ~~successful completion of Rhode Island graduation requirements beyond the equivalent of the~~  
575 | ~~12th grade year.~~

576 |  
577 | ~~(f)~~ (e) LEA failure to provide the supports set forth in this section may be addressed through  
578 | locally managed appeals processes but shall not be presumed to result in the awarding of a  
579 | diploma.

580 |  
581 | **L-6-4.0. MIDDLE LEVEL AND HIGH SCHOOL RESTRUCTURING.**

582 | **L-6-4.1. L-6-4.2. Requirement for personalized learning environments.**

583 | All middle level schools and high schools shall implement strategies for creating personalized  
584 | learning environments, including the provision of a structure by which every student is assigned  
585 | a responsible adult, in addition to a school counselor, who is knowledgeable about that  
586 | student's academic, career, and social/personal goals. These personalization strategies must  
587 | ensure a collective responsibility for individual students ~~and shall include approaches such as~~  
588 | ~~student advisories, schools within schools, academies, and or interdisciplinary grade.~~  
589 | Structures for personalization at the middle level teams organized around a common group shall  
590 | be an integral component of ~~students, etc.~~ the student program in each LEA,  
591 | inclusive of but not limited to advisory structures. LEAs shall maintain documentation of the

592 effectiveness of such personalization strategies ~~shall be conducted in a manner, format, and~~  
593 ~~schedule to be determined by the Commissioner.~~

594

595 **~~L-6-4.2. Middle level advisory.~~**

596 ~~Student advisory structures at the middle level shall be an integral component of the middle~~  
597 ~~level program in each LEA, regardless of the additional personalization structures that are~~  
598 ~~employed. For purposes of these regulations, advisories shall be defined as a structure or~~  
599 ~~structures for stable groups of students to meet regularly throughout the academic year with at~~  
600 ~~least one assigned adult in an environment with sufficient time and opportunity to support~~  
601 ~~student achievement in the academic, career, personal/social domains.~~

602

603 **~~L-6-4.3 Individual Learning Plan (ILP).~~**

604 (a) LEAs are responsible for developing a student ILP process beginning no later than the sixth  
605 grade to help students identify and meet their academic, career, and personal/social goals. The  
606 ILP shall document the student's college academic and career applied learning interests and  
607 learning supports that culminate in graduation, Council designation and preparation for post-  
608 secondary success. The ILP shall document additional educational opportunities ~~such as dual~~  
609 ~~enrollment, alternative pathways, career and technical education, transition placements and/or~~  
610 ~~employment training provided~~ to help students reach their goals.

611

612 (b) The ILP process shall provide regular and ongoing opportunities for students to review and  
613 revisit their goals with the guidance of responsible adults, including parents or legal guardians.  
614 In order to ensure the use of the ILP in coordinating appropriate supports, access to courses,  
615 and additional learning opportunities necessary to support students in meeting their goals, ILP  
616 reviews must occur not less than bi-annually twice in each school year and ~~10~~ during key  
617 transition periods including middle to high school and high school to post-secondary placement.  
618 LEAs shall ~~provide evidence~~ maintain documentation of the effectiveness of their ILP process ~~in~~  
619 ~~a manner and format to be prescribed by the Commissioner.~~

620

621 **~~L-6-4.4. Professional development.~~**

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

627

628 **~~L-6-4.5. Common planning time.~~**

629 Common planning time shall be used by teams of teachers, administrators, and other educators  
630 for the substantive planning of instruction, looking at student work achievement data, addressing  
631 student needs, and group or embedded professional development. ~~By the school year 2011-~~  
632 ~~2012,~~ Common planning time must provide for at least one hour per week at the high school  
633 level and at least two hours per week at the middle level. ~~Pursuant to the requirements of this~~  
634 ~~section, LEAs shall provide evidence of the manner in which these requirements are~~  
635 ~~implemented, as well as the means by which administrators and teachers will receive~~  
636 ~~professional development in the effective use of common planning time. This common planning~~

637 | ~~time must be in addition to individual faculty planning time and the professional development~~  
638 | ~~requirements set forth in these regulations, focused on the priority areas of vertical articulation,~~  
639 | ~~literacy, numeracy, graduation by proficiency, and personalization.~~

640 |  
641 | This common planning time must be in addition to individual faculty planning time and locally  
642 | determined professional development requirements. As established in Section G-4-11 of the  
643 | Board of Regents Council on Elementary and Secondary Education Regulations Governing the  
644 | School Calendar and School Day, common planning time does not qualify as “instructional time”  
645 | for the purposes of compliance with the required length of the school day.

DRAFT