

# **PROPOSED**

## **REGULATIONS of the BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION**

### **K-12 LITERACY, RESTRUCTURING OF THE LEARNING ENVIRONMENT AT THE MIDDLE AND HIGH SCHOOL LEVELS, AND PROFICIENCY BASED GRADUATION REQUIREMENTS (PBGR) AT HIGH SCHOOLS**

Edited March 6, 2008

#### **PREAMBLE**

The Board of Regents for Elementary and Secondary Education (“Board” or “Regents”), in concert with the Rhode Island Department of Elementary and Secondary Education (“RIDE”) and state-level partners, convened two High School Summits (2000, 2002) representing a broad array of stakeholders to consider the current state of affairs and future directions for the state's high schools. A Middle Level Summit was convened in May 2004 with similar objectives. These summits resulted in a number of agency findings:

1. There is substantial underachievement in Rhode Island middle level schools and high schools as measured by the challenging academic standards that the state has adopted.
2. A lack of adequate academic skills in reading, writing, and mathematics, with many students achieving below grade level, makes access to and success in middle level and high school curricula aligned to Rhode Island’s challenging academic standards extremely difficult for many students.
3. There is a decline in state assessment results for students as they progress from elementary through high school, and in particular, during the middle level period. This decline in performance over time is of great concern.
4. Many high schools, and to a lesser extent middle level schools, have inequitable opportunities to learn for students of varying proficiency levels, resulting in considerable differences in what students know and are able to do by the time they graduate.
5. There is a wide disparity among Rhode Island high schools in terms of the preparation that students receive for further learning, the world of work, and service to their local community and state.
6. Far too many students pass through Rhode Island middle level and high schools without being known well by at least one adult within each school, resulting in a lack of awareness and understanding on the part of the school staff about the specific challenges and needs of individual students.

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49  
50 7. Middle level and high schools in general have not changed sufficiently to enable  
51 ALL students to meet the demands of the modern world.

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53 8. Comprehensive leadership and collaboration among all stakeholders is required  
54 in order to move all Rhode Island schools to high levels of both student  
55 achievement and personal growth.

56  
57 In response to the findings set forth above, the Board of Regents created the  
58 Committee for Academic and Student Programs to address these pressing issues. The  
59 Committee held well-attended forums with high school and middle level principals,  
60 superintendents, teachers, and other stakeholders to collect ideas and obtain reactions  
61 to its deliberations. The Board of Regents also established a State Literacy Policy  
62 relating to curriculum and literacy standards. After considering feedback obtained from  
63 various sources, the Board of Regents does now hereby promulgate these regulations  
64 pursuant to their authority under R.I.G.L. 16-60-4 on behalf of students in Rhode Island  
65 schools.

66  
67 It is the express intent of the Board of Regents that the Regulations set forth below will  
68 result in substantive redesign of educational offerings in Rhode Island's public schools  
69 at the middle and high school levels. Specifically, it is the intent of the Board that each  
70 Rhode Island secondary school offer every one of its students a meaningful opportunity  
71 to achieve proficiency in six (6) core academic areas, and that sufficient student  
72 supports and personalization of instruction be offered to ensure that said opportunity to  
73 achieve proficiency is meaningful and realizable. Should a school or district fail to fully  
74 implement these regulations, the Commissioner shall use the full extent of authorities  
75 available to that office as set forth in Title 16 of the General Laws to ensure that  
76 students in Rhode Island schools realize the full benefits of these regulations.

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79 **1.0. DEFINITIONS.**

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

82  
83 (a) Certificate of Initial Mastery© (CIM) – A CIM represents demonstrated knowledge  
84 and skills agreed upon by educators, families, business, community, and higher  
85 education representatives. Attaining CIM involves a combination of traditional tests,  
86 performance measures, collections of student work over time, and projects or  
87 exhibitions.

88  
89 (b) Commissioner – the commissioner of elementary and secondary education.

90 (c) Core Academic Areas – English Language Arts, mathematics, science, social  
91 studies, the arts, and technology.

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92 (d) Course – A set of learning experiences that provides students with opportunities to  
93 learn and be assessed in the skills and knowledge defined by rigorous content and  
94 applied learning standards, and demonstrate these proficiencies.

95 (e) Individual Learning Plan (ILP) – A planning and monitoring tool that helps to  
96 customize and direct students’ goals and development in three domains: academic,  
97 career, and personal/social.  
98

99 (f) Literacy – The ability to read, write, speak, and listen in order to communicate with  
100 others effectively, as well as the ability to think and respond critically and to process  
101 complex information across content areas.  
102

103 (g) Numeracy – The ability to use and communicate about numbers and measures with  
104 a range of mathematical techniques in order to solve quantitative or spatial problems in  
105 a range of real-world contexts.  
106

107 (h) Opportunities to learn – Experiences that schools and teachers must provide in  
108 programs, resources, materials, and instruction that enable all students to learn and  
109 demonstrate the knowledge and skills set out in the GSEs, applied learning standards  
110 and other content area standards.  
111

112 (i) Performance-based diploma assessments – Comprehensive Course Assessments,  
113 Exhibitions, and Graduation Portfolios are rigorous assessment structures that schools  
114 are required to use as part of their proficiency based graduation requirements.  
115

116 (1) Comprehensive course assessment - Summative assessments designed to  
117 ascertain what students know and are able to do relative to a course of study. At  
118 least 50 percent of this assessment must be performance-based and evaluate a  
119 student’s application of the knowledge and skills learned in the course.  
120

121 (2) Exhibition - Demonstration of learning that is evidenced in both products and  
122 oral presentations. An exhibition is an independent, in-depth, extended project  
123 derived from student’s choice and requiring the simultaneous demonstration of  
124 the deep content knowledge and applied learning skills expected of a proficient  
125 high school graduate.  
126

127 (3) Graduation Portfolio – Collection of work that documents a student’s  
128 educational performance over time. A portfolio typically includes a range of  
129 performance based entries selected by the student and includes reflections and  
130 summary statements describing how the portfolio was assembled and what was  
131 learned in the compilation process.  
132

133 (j) Personalization – Every middle and high school student is assigned a responsible  
134 adult, in addition to a school counselor. This adult is knowledgeable about that  
135 student’s social/emotional, academic, and career goals and supports his or her progress  
136 towards graduation.  
137

138 (k) Personal literacy plan (PLP) – A plan of action used to accelerate a student’s  
139 learning in order to move toward grade level reading proficiency.

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140  
141 (l) Proficiency – A measure of a student’s knowledge and skill demonstrated in a  
142 consistent manner across multiple disciplines in various settings over time. The specific  
143 knowledge and skills of the demonstrated proficiencies are determined by the skills and  
144 knowledge benchmarked against specific expectations such as GSEs, other content  
145 standards, and applied learning skills.  
146

147 (m) Regents’ Approved Diploma – A diploma issued by a local educational agency that  
148 has an approved diploma system pursuant to section 3.4 of these regulations.  
149

150 (n) Rigor – level of cognitive complexity as described by Webb’s Depth of Knowledge  
151 (DOK) or the revised Bloom’s Taxonomy.  
152

153 (o) Scaffolded literacy program – As set forth in the Rhode Island PK-12 Literacy Policy,  
154 there are three levels, or “scaffolds,” of support for improving all students' reading. The  
155 levels are a school-wide program for all students, targeted literacy intervention for  
156 students reading up to two years below grade level, and intensive literacy support for  
157 students reading three or more years below grade level.

158 (p) Student Advisory – A supportive and stable student peer group that meets regularly  
159 with an adult advisor who is responsible for creating and nurturing a caring environment  
160 for academic guidance and support.

## 161 **2.0 ENSURING GRADE LEVEL LITERACY FOR ALL RHODE ISLAND STUDENTS.**

### 162 **2.1. Assessing reading proficiency levels of students at all levels.**

163 (a) Each school district in Rhode Island shall report to RIDE on an annual basis, at a  
164 time and in a manner set by the Commissioner, the reading and mathematics levels of  
165 all of its students who fail to attain proficiency on Commissioner-designated subtests of  
166 state assessments. Such reporting will build on the requirements of R.I.G.L. 16-7.1-2  
167 that require schools and districts to report the reading and mathematics levels of all  
168 students in Grades K-5. All Rhode Island School districts, in compliance with the Rhode  
169 Island PreK-12 Literacy Policy, shall annually identify all students who did not attain  
170 proficiency in accordance with a screening/review process acceptable to the  
171 commissioner in order to determine if these students are succeeding with regular  
172 instruction or will need additional assistance.  
173

174 (b) Districts shall diagnostically assess all students who have not attained proficiency in  
175 reading and mathematics and shall report the number of students reading below  
176 proficiency each year at a time and in a manner established by the Commissioner. This  
177 requirement applies to all public schools at every grade level. The district shall be  
178 responsible for costs associated with test procurement, administration, and  
179 interpretation. The Commissioner may authorize the use of suitable state or federal  
180 funds for such purposes. Based on the results of reading and mathematics  
181 assessments at all levels, the Commissioner may exercise the authorities provided  
182 under Title 16 to intervene in a school or district to ensure that the literacy and  
183 numeracy needs of all students, as indicated by these assessments, are effectively  
184 addressed.  
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186 **2.2. Improving literacy for students reading below grade level.**

187 (a) Districts shall have the obligation to initiate reading interventions for each student  
188 who has not attained grade level proficiency based on the assessments required under  
189 section 2.1 of these regulations. Any student who continues to fall below grade level in  
190 reading and/or fails to attain proficiency in subsequent years on the state assessments  
191 designated by the Commissioner shall continue to receive specialized assistance until  
192 s/he attains the requisite level(s) of proficiency.  
193

194 (b) Ensuring grade level literacy is the responsibility of all schools K-12. At the  
195 elementary school level, all students reading below grade level will receive literacy  
196 support in accordance with R.I.G.L. 16-7.1-2. At the middle and high school levels,  
197 literacy instruction shall include a scaffolded approach of school-wide, targeted and  
198 intensive literacy supports, including Personal Literacy Plans (PLPs).  
199

200 (c) In a manner, format, and schedule to be prescribed by the Commissioner, but no  
201 less than biannually, all public middle level and high schools shall provide evidence of  
202 the effectiveness of the specific strategies and literacy programs they have in place to  
203 ensure that all students who are reading below grade level will attain, and maintain, at  
204 least grade-level abilities in reading. All Rhode Island school districts must have on file  
205 with the Commissioner a plan that describes the mechanisms they have in place: 1) to  
206 identify and support students below proficiency in literacy; 2) to support the  
207 implementation of necessary literacy programming at all levels to address the student  
208 needs identified in section 2.1 of these regulations; and 3) to ensure that schools at all  
209 levels work collaboratively to successfully transition those students into new schools  
210 within and across districts.  
211

212 **2.3. State Panel for Instruction.**

213 The Commissioner will maintain and periodically revise the Rhode Island PreK-12  
214 Literacy Policy, subject to the approval of the Board of Regents. The State Panel for  
215 Instruction shall provide advice to the Board of Regents regarding this Policy, including  
216 the creation, dissemination, and regular updating of pertinent resource materials for  
217 Rhode Island public schools in the area of literacy. For purposes of implementing these  
218 regulations, the composition of the State Panel for Instruction shall reflect the  
219 involvement and collaboration of pre-K, elementary, middle level, high school and  
220 higher education in order to benefit both pre-service and practicing teachers.  
221  
222

223 **3.0. RHODE ISLAND DIPLOMA SYSTEM.**

224 The Rhode Island Diploma System is comprised of a set of required structures that  
225 provide multiple opportunities for students to demonstrate proficiency in six core  
226 academic areas (English Language Arts, mathematics, science, social studies, the arts  
227 and technology) aligned to the 9-10 Grade Span Expectations (GSE's) and standards  
228 for applied learning.  
229

230 **3.1. Coursework graduation requirements.**

231 (a) Districts shall revise and school committees shall approve and submit to the  
232 Commissioner, at a time and in a manner so designated, district graduation  
233 requirements that: (1) include demonstrations of proficiency in all core areas (ELA,

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234 math, science, social studies, the arts and technology) as represented by the standards  
235 and skills approved by the state; (2) apply to all students within the district; and, (3)  
236 include successful completion of at least twenty academic credits (or the equivalent)  
237 with fourteen of the credits represented by four academic credits of English Language  
238 Arts, four academic credits of mathematics, three academic credits of science and  
239 three academic credits of history/social studies. The additional six required academic  
240 credits are presumed to include, but not be limited to, credits in world languages, the  
241 arts, and technology pursuant to local district policies and sufficient to allow students to  
242 demonstrate the range of proficiency required by section 3.0 of these regulations.  
243 Student selection of courses, and scheduling of those courses, beyond the fourteen  
244 required credits set forth herein, shall be made consistent with the student's Individual  
245 Learning Plan (ILP). The twenty required credits represent a minimum, not a maximum,  
246 and it is expected that districts will adopt additional credit requirements as part of their  
247 graduation requirements. District diploma requirements must be developed in light of all  
248 specific statutory curricular requirements otherwise set forth in the General Laws such  
249 as specific requirements for Rhode Island history, health, and physical education.  
250

251 (b) The minimum credit graduation requirements mandated by this section shall apply to  
252 all students graduating in Rhode Island beginning with the class of 2008.

253 Demonstrations of student proficiency in all courses will involve multiple measures of  
254 performance for all students and be consistent with: the state's Common Core of  
255 Learning; Grade Span Expectations in mathematics, English Language Arts, and  
256 science; all other standards adopted by the Board of Regents; locally adopted district  
257 standards; and accepted national standards in all other curricular areas. Districts shall,  
258 at a time and in a manner so designated, provide a regular report to the Commissioner  
259 on the status of district credit requirements for graduation consistent with these  
260 regulations. Said reporting shall include the methods and means by which they will  
261 inform students, families and community as to such minimum credit graduation  
262 requirements and student progress towards meeting said requirements.  
263

264 (c) Credits awarded to students enrolled in state-approved career and technical  
265 programs of study will be predicated on state-approved course alignment with the  
266 appropriate grade span expectations, standards, and competencies. The credit  
267 graduation requirements set forth herein shall include provisions for student selection,  
268 declaration and full participation in sequences of courses commensurate with state-  
269 approved programs of study in career and technical education.  
270

### 271 **3.2. Performance-based diploma assessments.**

272 Each student exiting a Rhode Island high school with a diploma shall exhibit proficiency  
273 in the academic core curriculum described in 3.1. This level of proficiency must be  
274 demonstrated through multiple sources of evidence gathered over time in a valid and  
275 reliable local assessment system through a combination of two of the following  
276 performance-based assessments: graduation portfolios, exhibitions, comprehensive  
277 course assessments, or some combination thereof, such as a Certificate of Initial  
278 Mastery<sup>®</sup>. In a manner to be prescribed by the Commissioner, all public middle level  
279 and high schools shall provide evidence of the manner in which they incorporate applied  
280 learning skills in communication, problem solving, critical thinking, research,

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281 reflection/evaluation across all content areas, as well as in a variety of academic,  
282 community and career-related contexts for all students. Each Rhode Island school  
283 committee shall formally adopt proficiency-based graduation requirements consistent  
284 with this section in district policy and submit evidence of their formal adoption as part of  
285 the Commissioner's review set forth in section 3.4. of these regulations.  
286

### 287 **3.3. Use of state assessment results for high school graduation.**

288 Public schools shall use individual student results on state assessments as one of the  
289 components of their total assessment of students' proficiency for graduation, along with  
290 successful course completion and at least two additional diploma assessments as  
291 measures of proficiency. State assessment results shall also be included on each  
292 student's permanent transcript. While state assessments shall not be the sole grounds  
293 to prohibit graduation from high school, public schools shall use individual student  
294 results on statewide assessments as one third (33<sup>1/3</sup>%) of the components of their total  
295 assessment of student proficiency for graduation.  
296

### 297 **3.4. Regents' approved diploma system.**

298 (a) The Commissioner shall review all district high school diploma systems to ensure  
299 that they are in compliance with these regulations. The Commissioner shall set the  
300 schedule and protocols for accountability to ensure that Districts' High School diploma  
301 systems continue to be in compliance with applicable Regents' Regulations beginning in  
302 January 2008. In order to be fully approved to grant the Regents' approved diploma, a  
303 school district must demonstrate through the Commissioner's review and approval  
304 process that all students in the school district have been provided appropriate supports  
305 and opportunities to learn in a district-approved core academic curriculum which is  
306 aligned, at a minimum, with the grade 9-10 GSE's and other appropriate standards and  
307 is otherwise compliant with these regulations.  
308

309 (b) Between June of 2008 and June of 2012, preliminarily approved school districts and  
310 school districts in an approval-withheld status will continue to be authorized to grant  
311 district/school diplomas based on local criteria. Districts must continue to comply with  
312 these regulations to the fullest extent possible, regardless of the approval status of their  
313 diploma system. Districts with full Board of Regents' approval pursuant to this section  
314 may begin awarding a Regents' approved diploma commencing with the graduating  
315 class of 2010. Commencing with the graduating class of 2012, school districts without  
316 full approval will no longer be authorized to grant diplomas; all diplomas granted within  
317 the State of Rhode Island's public schools must then be Regents' approved diplomas.  
318 Regents' approved diplomas will certify that the student receiving the diploma has  
319 presented evidence of successful completion of the proficiency-based graduation  
320 requirements as adopted by the school district in adherence to the requirements set  
321 forth in sections 3.1.1, 3.1.2, and 3.1.3 of these regulations.  
322

323 (c) Students and families shall have the right to appeal graduation decisions as  
324 described in district policies, which must recognize avenues for alternate methods for  
325 measuring the student's overall proficiency in the requisite six core academic areas as  
326 required to demonstrate eligibility to graduate.  
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## 3.5. District notification to community members of requirements for graduation.

In order to be authorized to grant a Regents' diploma, school districts must demonstrate through the Commissioner's review and approval process set forth in Section 3.4 of these Regulations that full and effective notice of the proficiency-based graduation requirements adopted by the district has been provided to administrators, teachers, students, families and members of the community. Furthermore, this information must be provided to every member of each class upon their entry to middle school and again upon their entry to high school (or at the time of enrollment into the district for students who transfer into the district during middle or high school). Pursuant to these regulations, the district also shall provide evidence of the notification that the parents/guardians have been provided access to their child's individual learning plan(s) and/or personal literacy plan(s). In addition, evidence of timely individual notices to a student and his/her family in regard to a demonstrated lack of proficiency sufficient to endanger the award of a diploma must be documented in the educational record of any student to whom the district is subsequently denying a diploma.

## 3.6. Supports and accommodations to students.

(a) Students who have not successfully met the proficiency-based graduation requirements established by sections 3.1.1, 3.1.2, and 3.1.3 of these regulations, as adopted by the school district and approved by the Commissioner, at the completion of four years of high school will, consistent with their Individual Learning Plans, be provided with a variety of alternatives to pursue to complete the proficiency requirements for the diploma within a reasonable span of time. Districts shall develop alternative educational and training programs and/or partnerships appropriate to these students' needs, life goals, and abilities for purposes of compliance with this section.

(b) In order to receive a Regents' diploma, students with disabilities and students who are English language learners are also expected to present evidence of successful completion of proficiency-based graduation requirements adopted by the school district and approved by the Commissioner. Students with disabilities have the right under federal law to continue working toward successful completion of the proficiency-based graduation requirements until the age of 21. Students with disabilities and identified English language learners (who have been served by Rhode Island public schools for less than three full years) may participate in an age-appropriate commencement ceremony, based upon district policy, whether or not they are receiving a diploma at that time.

## 4.0. MIDDLE LEVEL AND HIGH SCHOOL RESTRUCTURING.

### 4.1. Requirement for personalized learning environments.

All middle level and high schools shall implement strategies for creating more personalized learning environments, including the provision of a structure by which every student is assigned a responsible adult, in addition to a school counselor, who is knowledgeable about that student's academic, career, and social/personal goals. These personalization strategies must ensure a collective responsibility for individual students, resulting in more students achieving the Regents' standards for academic proficiency. They shall include approaches such as student advisories, schools within schools, academies, and or interdisciplinary grade level teams organized around a common

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376 group of students etc. Evidence of the effectiveness of such strategies, in a manner,  
377 format and schedule to be determined by the Commissioner shall address the means by  
378 which these personalization approaches and structures will be implemented, how they  
379 will be evaluated, and how they will be continuously improved in light of information  
380 obtained. Additionally, all school improvement plans and district strategic plans shall  
381 address strategies for responding to, planning for, and recording every student's  
382 academic, career, and personal/social goals beginning no later than grade five.  
383

## 384 **4.2. Middle level advisory.**

385 Student advisory structures at the middle level shall be an integral component of the  
386 middle level program in each Rhode Island school district regardless of what additional  
387 personalization structures are employed. For purposes of these regulations, advisories  
388 shall be defined as structures for students to meet throughout the academic year with at  
389 least a single assigned adult in an environment with sufficient time and opportunity to  
390 support student achievement in the academic, career, personal/social domains.  
391

## 392 **4.3. Individual Learning Plan (ILP).**

393 Districts shall establish and maintain an individual learning plan (ILP) for each student  
394 beginning no later than grade five. Implementation of each ILP shall provide sufficient  
395 supports to address the specific needs of the individual students in meeting the  
396 proficiency-based graduation requirements and in attaining their academic, career, and  
397 personal/social goals. Provision of services described by a student's ILP shall be in  
398 addition to those services necessitated by a personal literacy plan (PLP). The  
399 requirements for ILP's set forth in this section apply equally to students enrolled in state-  
400 approved career and technical coursework.  
401

## 402 **4.4. Professional Development.**

403 All certified educators in middle level and high schools shall participate in at least fifteen  
404 (15) hours of ongoing professional development annually, focused on the priority areas  
405 of literacy, numeracy, graduation by proficiency, and personalization – as informed by  
406 each school's student achievement data and guided by best practice in curriculum,  
407 instruction and assessment.  
408

## 409 **4.5. Common Planning Time.**

410 Effective immediately, all Rhode Island middle and high schools shall require weekly  
411 common planning time of a minimum of 30 minutes per session. However, districts shall  
412 not reduce the number of sessions or amount of time allotted to common planning time  
413 currently practiced. By the year 2012, common planning time must increase to at least  
414 two weekly sessions at the high school level and at least four weekly sessions at the  
415 middle level. Pursuant to the requirements of this section, districts shall provide  
416 evidence of the manner in which these requirements shall be implemented, as well as  
417 the means by which administrators and teachers will receive professional development  
418 in the effective use of common planning time. This common planning time must be in  
419 addition to individual faculty planning time and the fifteen (15) hours of professional  
420 development as set forth in these regulations. Common planning time shall be used by  
421 interdisciplinary teams of teachers, administrators, and other education professionals for  
422 substantive planning of instruction, looking at student work, addressing student needs

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423 especially those with the highest needs, and providing opportunities for group  
424 professional development.