

2202 GRADUATION: GENERAL POLICY

- 2202.1 Each student who meets the following requirements shall be eligible to receive a high school diploma:
- (a) Achievement of course content standards as required for the diploma, as set forth in § 2203.1; 2203.2; 2203.3 and 2203.4; and
 - (b) Enrollment and regular attendance in the DC Public Schools for a minimum of eight (8) consecutive months prior to graduation.
- 2202.2 Each student who meets the requirements set forth in this section shall be certified as eligible to receive the high school diploma by the principal or other person in charge of the school or program in which the student is enrolled.
- 2202.3 The high school diploma shall be conferred upon the student by the Superintendent of Schools or the Superintendent's designee in the name of the Board of Education, upon certification.
- 2202.4 Each diploma shall bear the signature of the Superintendent of Schools and the seal of the Board of Education.
- 2202.5 No student shall receive a high school diploma unless the student has first completed all requirements for the diploma.
- 2202.6 If a student does not meet the requirements set forth in § 2202.1, 2203.2, 2203.3 or 2203.4, the procedures in § 2202.7 through § 2202.9 shall apply.
- 2202.7 If the prior academic record of a transfer student and the course work and skill level achievement of the student during enrollment in the D.C. Public Schools are satisfactory, the student may be granted an exemption from the requirement of § 2201.1(b) by the Regional Superintendent whose jurisdiction encompasses the school which the student attends, the principal or other person in charge of the school or program in which the student is enrolled.
- 2202.8 The course work credits received by the student prior to transfer into D.C. Public Schools may be used to meet the D.C. Public Schools graduation requirements of that school system upon verification of successful completion of this comparable course work.
- 2202.9 If the D.C. Public School student is receiving a diploma from another school system but is unable to attend graduation exercises held by the school system, the student may be allowed to participate in the graduation exercises of the D.C. Public School being attended upon the approval of the Superintendent of Schools.

SOURCE: Final Rulemaking published at 24 DCR 1005, 1025 (July 29, 1977); as amended by Final Rulemaking published at 31 DCR 1979 (April 27, 1984); by Final Rulemaking published at 36 DCR 180, 184 (January 6, 1989); and by Final Rulemaking published at 45 DCR 5222, 5223 (August 7, 1998); and by Final Rulemaking published at 54 DCR 4388 (May 11, 2007).

Web link: <http://dcregs.dc.gov/Notice/Download.aspx?VersionID=304306>

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FINAL RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Sections 3(b)(7) and (11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(7) and (11) (2012 Repl. & 2015 Supp.)); Section 403 of the Public Education Reform Amendment Act of 2007 (PERAA), effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2652(a)(3) (2012 Repl. & 2015 Supp.)); and with the advice and approval to be requested of the State Board of Education (SBOE) pursuant to Section 403(a)(3) of PERAA (D.C. Official Code § 38-2652(a)(3) (2012 Repl. & 2015 Supp.)), hereby gives notice of the adoption of a new Section 2203 (Academic Requirements) of Chapter 22 (Graduation) in Title 5 (Education), Subtitle A (Office of the State Superintendent of Education), of the District of Columbia Municipal Regulations (DCMR), and the deletion of Section 2203 (Graduation: Academic Requirements) of Chapter 22 (Grades, Promotion, and Graduation) in Subtitle E (Original Title 5), Title 5 DCMR (Education).

The Office of the State Superintendent of Education (OSSE), pursuant to Sections 3(b)(7) of the State Education Office Establishment Act of 2000 (D.C. Official Code § 38-2602(b)(7) (2012 Repl. & 2015 Supp.)), is responsible for establishing the minimum credits that must be achieved in order to graduate, with the advice and approval of the SBOE, pursuant to Section 403(a)(3) of PERAA (D.C. Official Code §§ 38-2652(a)(3) (2012 Repl. & 2015 Supp.)). From August 2015 to December 2015, the SBOE convened a cross-city task force of 25 representatives from the education and workforce sectors to consider whether and how to supplement the Carnegie Unit with additional means for students in the District to earn units toward graduation. The purpose of this final rulemaking is to update the graduation requirements based on the recommendations of the task force to create flexible opportunities for students to obtain Carnegie Units toward graduation. The final rules maintain the Carnegie Unit as the default means for earning units towards graduation and create a waiver process for schools desiring to pursue competency-based learning.

A Notice of Proposed Rulemaking was published in the *D.C. Register* for a thirty (30) day public comment period on January 22, 2016, at 63 DCR 893. In addition, the SBOE held working sessions on January 6, 2016, February 3, 2016, and March 2, 2016, and public hearings on December 16, 2015, January 20, 2016, and February 17, 2016, to discuss the proposed rulemaking and receive public testimony. The comment period officially closed on February 22, 2016, with OSSE having received numerous comments from advocates and members of the regulated community.

OSSE received several comments regarding Subsection 2203.7(b), which would allow students to receive a unit equivalent to a Carnegie Unit for attaining a minimum score on an OSSE approved assessment. Given the range of the comments received, this final rulemaking does not adopt Subsection 2203.7(b) as included in the Notice of Proposed Rulemaking but rather reserves the subsection to allow for further examination of this issue. Accordingly, the final rulemaking also strikes “and (b)” from Subsection 2203.7(c), as it referenced Subsection 2203.7(b). The State Superintendent will reconsider this issue through a separate rulemaking action in the future.

In addition, the State Superintendent received several comments requesting the proposed rules to increase the Physical and Health Education graduation requirements to 2.0 Carnegie Units. The State Superintendent recognizes the importance of physical and health education, however, the State Superintendent did not intend to address the actual course requirements through the current rulemaking. The State Superintendent will be working with the State Board of Education to conduct a broader review of the courses required for graduation. The State Superintendent will then reconsider this issue through a separate rulemaking action.

Based on the comments received in response to the Notice of Proposed Rulemaking, OSSE made certain clarifying technical amendments to the proposed regulations, which were non-substantive in nature and therefore did not necessitate a revised notice of proposed rulemaking. These amendments include (1) striking “through 2203.9” from Subsection 2203.1 as it was inadvertently included; (2) adding “and annually thereafter” in Subsection 2203.7(c) as it was inadvertently omitted; (3) striking “or one hundred and fifty (150) hours of laboratory instruction” from the definition of “Carnegie Unit” in Subsection 2299.1 to mirror current practice, and (4) striking “a public or public charter school in the District of Columbia” and inserting “a school within the District of Columbia Public School system or a public charter school in the District of Columbia” from the definition of “school” in Subsection 2299.1 to clarify the definition. These changes do not substantially alter or change the intent, meaning, or application of the proposed rules or exceed the scope of the rules as published with the Notice of Proposed Rulemaking.

The State Board of Education adopted this rule as final on March 16, 2016, pursuant to Section 403(a)(3) of PERAA (D.C. Official Code §§ 38-2652(a)(3) (2012 Repl. ^ 2015 Supp.)). The rule will become effective upon publication in the *D.C. Register*.

A new Chapter 22 is added to Title 5-A DCMR, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, as follows:

CHAPTER 22 GRADUATION

2203 ACADEMIC REQUIREMENTS

2203.1 The course work set forth in Subsections 2203.3 shall be required of students who enrolled in ninth (9th) grade in school year 2007-2008 and thereafter in order to be certified as eligible to receive a high school diploma.

2203.2 At the beginning of the ninth (9th) grade, students shall develop a graduation plan pacing the courses they will take to complete high school. This shall be done with the assistance of the school counselor or other school official designated by the local education agency (LEA).

2203.3 (a) A total of twenty-four (24) Carnegie Units in corresponding subjects and required volunteer community service hours shall have been satisfactorily completed for graduation.

(b) The following Carnegie Units in the following subjects shall be required:

COURSES	UNIT(S)
English	4.0
Mathematics; must include Algebra 1, Geometry, and Algebra II at a minimum	4.0
Science; must include three (3) lab sciences	4.0
Social Studies; must include World History 1 and 2, United States History; United States Government, and District of Columbia History	4.0
World Language	2.0
Art	0.5
Music	0.5

Physical Education/Health	1.5
Electives	3.5
Total	24.0

- (c) At least two (2) of the twenty four (24) Carnegie Units for graduation must include a College Level or Career Preparatory (CLCP) course approved by the LEA and successfully completed by the student. The course may fulfill subject matter or elective unit requirements as deemed appropriate by the LEA. CLCP courses approved by the LEA may include courses at other institutions.
- (d) All students must enroll in Algebra I no later than tenth (10th) grade commencing with the 2016-2017 school year, unless the school is approved for a waiver pursuant to Subsection 2203.7.
- (e) For all students entering the ninth (9th) grade beginning school year 2009-2010, one (1) of the three (3) lab science units, required by paragraph (a) of this subsection, shall be a course in Biology.
- (f) In addition to the twenty-four (24) Carnegie Units, one hundred (100) hours of volunteer community service shall be satisfactorily completed. The specific volunteer community service projects shall be established by the LEA.
- (g) One and one half (1.5) Carnegie Units in health and physical education shall not be required for the evening program high school diploma.

2203.4 An LEA may establish specialized or career-focused programs or courses of study, which lead to the high school diploma in accordance with Subsection 2203.3. These courses of study can include academic, performing arts, science and mathematics, and career or vocational education focuses or other areas of concentration. The programs or courses of study may require additional coursework.

2203.5 Electives taken to fulfill the requirements of Subsection 2203.4 shall be required to be taken in courses established by the LEA for each area of concentration in order to receive certification in the area of concentration.

2203.6 Each student who completes the requirements for specialized or career focused courses of study established under Subsection 2203.4 shall receive appropriate recognition on the student's diploma.

2203.7 Beginning with School Year 2016-2017:

- (a) The District of Columbia Public Schools (“DCPS”) or the Public Charter School Board (“PCSB”) may waive the Carnegie Unit requirement set forth in Subsection 2203.3 for a school seeking to award competency-based unit(s), as defined in this chapter, accordingly:
 - (1) A school that seeks a waiver from the Carnegie Unit requirement to award competency-based unit(s) shall submit an application to either the DCPS or PCSB. If a charter school is part of an LEA, the application must be submitted to the PCSB through the LEA;

- (2) Applications for a waiver to award competency-based unit(s) shall be in the format established by the Office of the State Superintendent of Education (“OSSE”) and contain the information required by OSSE; and
- (3) The DCPS or PCSB, respectively, shall review the school’s application in accordance with the standards and requirements established by OSSE. If the school’s application meets the standards and requirements established by OSSE, the DCPS or PCSB, respectively shall approve the school’s application for a waiver to award competency-based unit(s);

(b) [RESERVED]

- (c) OSSE shall make publicly available aggregated evidence of annual implementation of Subsections 2203.7(a) in a summative report no later than three years after initial implementation, and annually thereafter, to share best practices and lessons learned from implementation.

2203.8 A student with special needs who does not achieve a diploma, as set forth in Subsection 2203.3 shall be eligible to receive an Individual Educational Program (IEP) Certificate of Completion. The decision to pursue a program leading to an IEP Certificate of Completion shall be made by the IEP team including the parent(s) and where possible, the student. The decision shall be made no earlier than the ninth (9th) grade and shall be attached in writing to the student’s IEP. An LEA shall comply with the requirements of the Individuals with Disabilities Education Act of 2004 (20 U.S.C. §§ 1400 *et seq.*) (IDEA) and District law with regard to appropriate transition assessments.

2203.9 Graduation Requirements for Previous Years: The following coursework shall be required of students who enrolled in ninth (9th) grade for the first time in 1982-1983 or a prior school year in order to be certified as eligible to receive a high school diploma:

- (a) A total of seventeen and a half (17.5) Carnegie Units;
- (b) The Carnegie Units shall include:
 - (1) Four (4) Units in English;
 - (2) One (1) in United States History;
 - (3) One half (0.5) Unit in United States Government;
 - (4) One (1) Unit in Mathematics;
 - (5) One (1) Unit in Science;
 - (6) One and one half (1.5) Units in Health/Physical Education; and
 - (7) Eight and one half (8.5) electives; and
- (c) One and one half (1.5) Carnegie Units in health and physical education shall not be required for the evening program high school diploma.

2203.10

The following coursework shall be required of students entering ninth (9th) grade for the first time in any of the school years between and including school year 1983-1984 and school year 1992-1993 in order to be certified as eligible to receive a high school diploma.

- (a) A total of twenty and a half (20.5) Carnegie Units;
- (b) The Carnegie Units shall include:
 - (1) Four (4) in English;
 - (2) One (1) in Foreign Language;
 - (3) One half (0.5) in D.C. History-Government;
 - (4) One (1) in U.S. History;
 - (5) One half (0.5) in U.S. Government;
 - (6) Two (2) in Mathematics;
 - (7) Two (2) in Science;
 - (8) One and one half (1.5) in Health/Physical Education;
 - (9) One (1) in Life Skills Seminar and seven (7) Electives; and
- (c) One and one half (1.5) Carnegie Units in health and physical education shall not be required for the evening program high school diploma.

2203.11

The following coursework shall be required of students entering ninth (9th) grade for the first time in any of the school years between and including 1993-1994 and school year 2006-2007 in order to be certified as eligible to receive a high school diploma:

- (a) A total of twenty-three and a half (23.5) Carnegie Units shall have been completed.
- (b) The following Carnegie Units in the corresponding subjects shall be required:

COURSES	UNITS
Art	0.5
Career/Vocational Education	1.0
Electives	4.5
English	4.0
Foreign Languages	2.0
Health & Physical Education	1.5
Mathematics (including elementary Algebra or its equivalent)	3.0
Music	0.5
Science (including one (1) year of lab science)	3.0
Social Studies to include D.C. History, World	3.5

Geography and U.S. Government (each 0.5), U.S. History and World History (each 1)	
Total	23.5

(c)One and one half (1.5) Carnegie Units in health and physical education shall not be required for the evening program high school diploma; and

(d)One hundred (100) hours of community service shall be required for graduation.

**A new Section 2299, DEFINITIONS, is added to read as follows:
2299 DEFINITIONS**

2299.1 When used in this chapter, the following terms shall have the ascribed meanings:

“Carnegie Unit” - one hundred and twenty (120) hours of classroom instruction over the course of an academic year.

“Competency-based Unit” - a unit equivalent to a Carnegie Unit that is earned toward graduation for successful completion of an approved competency-based learning course or course series per Subsection 2203.7.

“Local Education Agency” - pursuant to Section 9101 of the No Child Left Behind Act of 2001, approved January 8, 2002 (115 Stat. 1956; 20 U.S.C. § 7801(26)(A)), a public board of education or other public authority legally constituted within a state for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a state, or of or for a combination of school districts or counties that is recognized in a state as an administrative agency for its public elementary schools or secondary schools.

“Office of the State Superintendent of Education” or “OSSE” - the District of Columbia state level education agency established by Section 302(a) of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2601 (2012 Repl.)).

“School” - means a school within the District of Columbia Public School system or a public charter school in the District of Columbia.

Chapter 22, GRADES, PROMOTION, AND GRADUATION, of Title 5-E DCMR, ORIGINAL TITLE 5, is amended as follows:

Section 2203, GRADUATION: ACADEMIC REQUIREMENTS is deleted in its entirety.

Web link: <http://dcregs.dc.gov/Gateway/RuleHome.aspx?RuleNumber=5-A2203>

DC State Board of Education Authority

The Code of the District of Columbia defines the scope of the DC State Board of Education's authority over educational matters in the District. The DC State Board of Education (SBOE) has authority over the following:

- The Board advises the State Superintendent of Education (OSSE) on:
 - State standards
 - State policies, including those governing special, academic, vocational, charter, and other schools
 - State objectives
 - State regulations proposed by the Mayor or State Superintendent
- The Board oversees the Office of Ombudsman for Public Education and Office of the Student Advocate
- The Board approves state academic standards as recommended by OSSE. In this approval process, the Board is responsible for ensuring that any suggested standards:
 - Specify what children are expected to know and be able to do
 - Contain coherent and rigorous content
 - Encourage the teaching of advanced skills
 - Are updated on a regular basis
- The Board approves high school graduation requirements and standards for high school equivalence credentials
- The Board approves standards for teacher preparation programs' accreditation and certification
- The Board approves state accountability plans prepared to satisfy Federal requirements, ensuring that any submitted plans:
 - Include a single statewide accountability system that establishes ambitious long-term student achievement goals, including a means of measuring interim progress toward those goals
 - Are based on, at a minimum, challenging academic standards, academic assessments, and a standardized accountability system across all LEAs (DCPS and all charter management organizations)
- The Board approves policies governing parental involvement
- The Board approves policies around supplemental service providers operating in the District, ensuring that these providers have demonstrated effectiveness and advance student achievement
- The Board approves policies for residency verification

- The Board approves the list of charter school accreditation organizations
- The Board approves that categories that will be included on the state report card, as well as the report card's format
- The Board approves the District's private placement accreditation organizations
- The Board approves the policies schools may use to enforce attendance requirements
- The Board approves home schooling standards

The Board also has the authority to consider any policy matters submitted by OSSE.

For the legal language that confers this authority, see below. This section of the Code of the District of Columbia can also be found here:

<https://beta.code.dccouncil.us/dc/council/code/titles/38/chapters/26A/>

§ 38–2652. Functions of the Board.

- (a) The Board shall:
- (1) Advise the State Superintendent of Education on educational matters, including:
 - (A) State standards;
 - (B) State policies, including those governing special, academic, vocational, charter, and other schools;
 - (C) State objectives; and
 - (D) State regulations proposed by the Mayor or the State Superintendent of Education;
 - (1A) Oversee the Office of Ombudsman for Public Education and the Office of the Student Advocate in accordance with subsection (d) of this section and [Chapter 3A of this title](#) and [Chapter 3B of this title](#), respectively.
 - (2) Approve state academic standards, following a recommendation by the State Superintendent of Education, ensuring that the standards recommended by the State Superintendent of Education:
 - (A) Specify what children are expected to know and be able to do;
 - (B) Contain coherent and rigorous content;
 - (C) Encourage the teaching of advanced skills; and
 - (D) Are updated on a regular basis;
 - (3) Approve high school graduation requirements;
 - (4) Approve standards for high school equivalence credentials;
 - (5) Repealed.
 - (6) Approve standards for accreditation and certification of teacher preparation programs of colleges and universities or teacher preparation academies;
 - (7) Approve the state accountability plan for the District of Columbia developed by the Office of the State Superintendent of Education pursuant to section 1111 of the Elementary and Secondary Education Act of 1965, approved January 8, 2002 (115 Stat. 1444; 20 U.S.C. § 6311), ensuring that:
 - (A) The plan includes a single statewide accountability system that establishes ambitious long-term student achievement goals, which include measurements of interim progress toward meeting those goals; and
 - (B) The statewide accountability system included in the plan is based on ,but is not limited to, challenging state academic standards, academic assessments, and a standardized system of accountability across all local education agencies that will be used to hold local education agencies accountable for student achievement;
 - (8) Approve state policies for parental involvement;
 - (9) Approve state policies for supplemental education service providers operating in the District to ensure that providers have a demonstrated record of effectiveness and offer services that promote challenging academic achievement standards and that improve student achievement;
 - (10) Approve the rules for residency verification;
 - (11) Approve the list of charter school accreditation organizations;
 - (12) Approve the categories and format of the annual report card, pursuant to section 1111(h) of the Elementary and Secondary Education Act of 1965, approved January 8, 2002 (115 Stat. 1444; 20 U.S.C. § 6311(h));
 - (13) Approve the list of private placement accreditation organizations, pursuant to Chapter 29 of this title [[§ 38-2901 et seq.](#)];
 - (14) Approve state rules for enforcing school attendance requirements; and
 - (15) Approve state standards for home schooling.
- (b) The Board shall conduct monthly meetings to receive citizen input with respect to issues properly before it at a location in the District designated by the Board.
- (c)(1) The Board shall consider matters for policy approval upon submission of a request for policy action by the State Superintendent of Education within a review period requested by the Office of the State Superintendent of Education.
- (2) The Board shall have access to the public comments submitted during the public comment period on matters that the Office of the State Superintendent of Education submits to the Board for policy approval.
- (3)(A) Beginning in fiscal year 2013, the Board shall prepare and submit to the Mayor, for inclusion in the annual budget prepared and submitted to the Council pursuant to part D of subchapter IV of Chapter 2 of Title 1 [[§ 204.41 et seq.](#)], annual estimates of the expenditures and appropriations necessary for the operation of the Board for the year. All the estimates shall be forwarded by the Mayor to the Council for, in addition to the Mayor's recommendations, action by the Council pursuant to §§ [1-204.46](#) and [1-206.03\(c\)](#).

(5) All assets, staff, and unexpended appropriations of the Office of the State Superintendent of Education or of any other agency that are associated with the Board shall be transferred to the Board by April 1, 2013.

(e) For the purposes of this section, the term “state” means District-wide and similar to functions, policies, and rules performed by states on a state-wide basis.

Student Promotion Between Grade Levels

Pre-K-8 Promotion in the District

District policy on promotion from pre-kindergarten through 8th grade:¹

Promotion of students in pre-kindergarten through eighth (8th) grade to the next level shall include consideration of the following criteria. Students shall receive:

- Proficient or advanced marks in the core subjects of:
 - Reading/language arts;
 - Mathematics;
 - Science; and
 - Social studies.
- Achievement of the goals of the intervention learning plan where applicable;
- Meet the requirements of the system's attendance policy;
- If a student in pre-kindergarten or kindergarten has met the proficiency requirements in the core subject areas but is not functioning at a skill level deemed ready for promotion to kindergarten or first grade by a teacher or a parent in the areas of physical, social or emotional development, an option of repeating a pre-kindergarten or kindergarten may be considered without being regarded as a retention.

High School Promotion

District policy on middle/high school promotion:²

- A student cannot be retained more than once during his enrollment in the District of Columbia Public Schools unless there is a comprehensive review by multiple school personnel and approval from the Regional Superintendent whose jurisdiction encompasses the school the student attends; and
- If a student does not meet all requirements for promotion, but moves on to middle or high school because s/he has been previously retained, the principal must submit a report to the receiving school detailing all unmet requirements. This report must be received by June 30 and updated at the close of summer school. For students who move prior to the end of the school year, the report must be provided to the receiving school within thirty (30) calendar days of the student's enrollment in the school. Students in this situation will be enrolled in support services in the receiving school.

¹ Reference: dcregs.dc.gov/Notice/Download.aspx?VersionID=4233388

² Reference: Ibid.