



State Board of Education Resolution
To Promulgate Emergency and Proposed Rulemaking on Credit Recovery
SR18-6

WHEREAS, in November 2017 media widely reported on the District of Columbia Public Schools' (DCPS) abuse and disregard of its credit recovery regulations;

WHEREAS, the Office of the State Superintendent of Education (OSSE) oversaw an investigation in January 2018 to examine graduation and attendance in District of Columbia high schools, which included examination of the District's credit recovery policies;

WHEREAS, in January 2018, the State Board of Education initiated requests that OSSE engage with the State Board to work cooperatively to enact robust and rigorous credit recovery regulations through regular order;

WHEREAS, OSSE began engagement with the State Board on implementing credit recovery regulations in April 2018, necessitating an emergency rulemaking for the rule to take effect for the 2018-2019 School Year;

WHEREAS, emergency rulemaking limits public input and creates uncertainty for local education agencies (LEAs) that must comply with an emergency rule and with a final rule which may undergo significant changes based on public comment;

WHEREAS, at the State Board's June 20 Public Meeting, witnesses on behalf of both the Public Charter School Board (PCSB) and the District of Columbia Public Schools (DCPS) testified that they will have improved policies in place regarding credit recovery courses for the 2018-2019 School Year;

WHEREAS, the State Board believes students benefit from a tailored approach to education that ensures a student demonstrates mastery of a subject through earned grade, final exam, or other rigorous assessment;

WHEREAS, the State Board is concerned that credit recovery courses may lack rigor and may not provide a student with the opportunity to pursue learning opportunities that match his/her learning style and pace and with the knowledge necessary to master a subject;

WHEREAS, and it is critical that students for whom traditional courses have not enabled the student to master the course material be provided with opportunities that are equally rigorous but differentiated in the learning approach and pace to master course content through credit recovery;

WHEREAS, credit recovery regulations should provide enrollment and coursework data that policymakers and the public can use to analyze the veracity and rigor of coursework and ensure students master state standards that allow them to successfully pursue post-graduation opportunities;





WHEREAS, in 2016 the District enacted DCMR 2203.7, which established a clear path for students to earn credit through a mechanism other than the traditional Carnegie Unit;

WHEREAS, DCMR 2203.7 was enacted after thorough community engagement, the convening of a task force, rigorous research, and a thoughtful regulatory process conducted through regular order; and,

WHEREAS, the State Board believes emergency regulations should only be promulgated when there is insufficient time for robust research and public engagement, and that regular order is preferable to students, policymakers, and LEAs who must follow regulations and to the public who experiences the impact of the public education policy.

NOW THEREFORE BE IT RESOLVED, that the State Board does not approve the publication of emergency rulemaking on credit recovery with the regulatory proposal affixed to this resolution in the District of Columbia Register;

BE IT FURTHER RESOLVED, that the State Board does not approve the publication of proposed rulemaking on credit recovery with the regulatory proposal affixed to this resolution in the DC Register;

BE IT FURTHER RESOLVED, that the State Board urges OSSE to issue guidance to LEAs on the need for and system to report data on the use of credit recovery in the 2018-2019 School Year to OSSE and that OSSE make the data collected public;

BE IT FURTHER RESOLVED, that the State Board requests that OSSE continue to work collaboratively with the State Board to promulgate revised credit recovery regulations through regular order on a timeline that ensures that students benefit from promulgated and approved statewide credit recovery regulations in the 2019-2020 School Year;

BE IT FURTHER RESOLVED, that credit recovery regulations should follow the rule established for alternatives to the Carnegie Unit established in DCMR 2203.7 to ensure rigor and oversight of credit recovery courses and to align the District's alternatives to the Carnegie Unit;

BE IT FURTHER RESOLVED, that the regulations include amendments to DCMR 2203.7 that incorporate the recently-passed recommendations of the High School Graduation Task Force related to (1) providing students with opportunities to earn credit through assessments that demonstrate mastery of state standards in math and world language, and (2) reduction of required community service hours to fifty (50) hours;

BE IT FURTHER RESOLVED, that the regulations include a mechanism for publicly reporting credit recovery unit data, including student attendance at, and enrollment in, a credit recovery

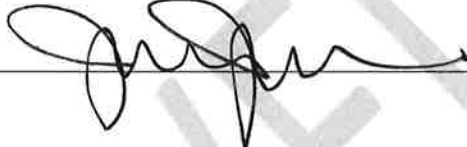




course; a list of credit recovery course offerings; the timing and method for delivery of the course; and vendors providing credit recovery courses;

BE IT FURTHER RESOLVED, that the regulations include a monitoring and enforcement mechanism to ensure fidelity; and,

BE IT FINALLY RESOLVED, that the regulations sunset after three school years, necessitating that OSSE, the State Board, LEAs, and the public may examine credit recovery data and to ensure that credit recovery regulations meet the needs of the District's students.

Date Adopted: July 18, 2018 Signed: 

APPROVED



