



Nancy S. Grasmick  
State Superintendent of Schools

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TO: Members of the State Board of Education  
FROM: Nancy S. Grasmick, State Superintendent of Schools  
DATE: February 23, 2010  
SUBJECT: COMAR 13A.03.02.05 (AMEND)  
*Graduation Requirements for Public High Schools in Maryland*  
**PERMISSION TO PUBLISH**

**PURPOSE:**

To authorize the publication of proposed changes to COMAR 13A.03.02.05 Graduation Requirements for Public High Schools in Maryland – Other Provisions for Earning Credit.

The proposed change would allow students who have met all graduation requirements except for earning a credit in either Algebra II or English 12 (not both) to earn the credit for the course by taking a state-approved examination and achieving a passing score as defined by the Maryland State Department of Education (MSDE).

See Attachment I for proposed COMAR change.

**BACKGROUND:**

COMAR 13A.03.02.05I(1) now allows high school students to earn credit by examination by passing an examination that assesses student demonstration of local school system curricular objectives. The proposed change would be an addition to allow certain students to earn credit for either Algebra II or English 12 by taking a state-approved examination and earning a passing score determined by MSDE. This change will make it easier for local school systems to offer this alternative to students who meet the criteria because local systems will not have to determine the specific exams and passing scores in order to award the credit. In addition, Maryland is positioned to take advantage of already recognized national tests, including the American Diploma Project’s Algebra II and the SAT II Literature exam.

The proposed change also responds to SB 689 High Schools and High School Students – Options for Accelerated Graduation passed by the Maryland General Assembly in 2009. SB 689 required MSDE to identify exams that allow students to earn substitute credits in English 12 and Algebra II to accelerate a student’s graduation from high school and to implement a credit-by-exam process for state-approved courses in English 12 and Algebra II on or before the 2010-2011 school year.

**ACTION:**

Permission to publish the proposed changes to COMAR 13A.03.02.05 in accordance with the following timeline:

Maryland Register Issue Date	April 9, 2010
30-Day Open Comment Period Ends	May 10, 2010
Adoption	June 22-23, 2010

Attachment



### 13A.03.02.05

#### **.05 Other Provisions for Earning Credit.**

A. In addition to earning credits during the regular school day and year, credits may be earned, at the discretion of the local school system, through the means specified in §§B—J of this regulation.

#### B. Summer School.

(1) Each local school system may provide summer school programs for original and review credit as determined by the needs of students.

(2) Credit instruction shall meet the aggregate time requirements specified by the local school system.

(3) Consistent with local school system policy and procedure, credit may be given for acceptable summer study offered by approved public and nonpublic institutions in or outside of Maryland.

C. Evening School. A local school system may provide evening school programs for credit as an extension of the regular school day as determined by the needs of students.

#### D. Correspondence and Online Courses.

(1) Consistent with local school system policy and procedure, credit may be given for correspondence courses and for Department-approved online courses.

(2) If credit is to be applied toward minimum graduation requirements, the correspondence course or the Department-approved online course shall be provided by the local school system.

#### E. Tutoring.

(1) Tutoring may be considered only after all the resources of the school system have been used fully and when it is determined that the best interests of the students are being served.

(2) If tutoring is recommended by the school and approved by the local school system for credit to be applied toward minimum graduation requirements, then the tutor, the program of study, and examination shall be provided by the local school system.

F. Work Study Programs, Job Entry Training Programs, or Experience Outside the School.

(1) Consistent with local school system policy and procedure, actual time spent in work study, job entry training, or other experience may be counted for credit when identified as an integrated part of a planned study program.

(2) For work or experience outside the school which is approved and supervised by the local school system, not more than nine elective credits toward meeting graduation requirements may be granted to a student.

#### G. College Courses.

(1) Consistent with local school system policies and procedures and with prior approval of the local superintendent of schools or the superintendent's designee, credit toward high school graduation may be given for courses offered by accredited colleges.

(2) The cost of these courses shall be borne by the student.

H. Independent Study/Internship. Consistent with local school system policy and procedure, credit toward high school graduation may be earned for independent study or internships in which a student successfully demonstrates preestablished curricular objectives.

#### I. Credit through Examination.

(1) Credit toward high school graduation may be earned by passing an examination that assesses student demonstration of local school system curricular objectives.

**(2) A STUDENT WHO WOULD BE ELIGIBLE TO GRADUATE BUT FOR ATTAINING CREDIT IN EITHER ENGLISH 12 OR ALGEBRA II MAY OBTAIN THAT CREDIT BY TAKING A STATE-APPROVED EXAMINATION AND ACHIEVING A PASSING SCORE AS DEFINED BY THE MARYLAND STATE DEPARTMENT OF EDUCATION.**

~~(2)~~**(3)** Credit toward high school graduation may be earned by middle school students if the following criteria are met:

(a) The student has taken a high school level course meeting the local school system curricular objectives; and

(b) The student passes an examination that assesses student demonstration of course objectives and the examination is equivalent in content coverage and rigor to examinations given to high school students for the course content area.

~~(3)~~**(4)** The determination to allow high school credit by examination for middle school

students shall be made by the local school system.

J. A student shall take the requisite Maryland High School Assessment during its next regular administration if the student received credit for taking, by the methods identified in §§B—I of this regulation, any of the following courses aligned with the High School Assessment:

- (1) Algebra/data analysis;
- (2) Biology;
- (3) English; or
- (4) Government.

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# IMPACT STATEMENTS

## *Part A*

(check one option)

### Estimate of Economic Impact

The proposed action has no economic impact.

or

The proposed action has an economic impact. Complete the following form in its entirety.

#### I. Summary of Economic Impact.

This proposed action would have minimal economic impact. Only those students who have met all graduation requirements except for earning a credit in Algebra II or a credit in English 12 would be eligible to earn the credit by exam and graduate early. Credit by exam option already exists in COMAR; however, this regulation more clearly defines the use of this option for a very specific group of students.

#### II. Types of Economic Impacts.

Revenue (R+/R-)

Expenditure (E+/E-) Magnitude

A. On issuing agency: None. Implementation can be accomplished with existing staff and resources.

B. On other State agencies: None.

C. On local governments: None.

Benefit (+)

Cost (-) Magnitude

D. On regulated industries or trade groups: None.

E. On other industries or trade groups: None.

F. Direct and indirect effects on public: High school students who only need a credit in Algebra II or English 12 could earn the credit by exam. This would allow them to graduate early and enter college a year earlier instead of remaining in high school for an additional year to earn the credit to graduate.

#### III. Assumptions. (Identified by Impact Letter and Number from Section II.)

**Part B**  
(check one option)

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

or

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows.

**Impact on Individuals with Disabilities**  
(Check one option)

The proposed action has no impact on individuals with disabilities.

or

The proposed action has an impact on individuals with disabilities as follows:

Students with disabilities would also have the opportunity to earn the credit by exam for Algebra II or English 12 and graduate early the same as students without disabilities.

*Part C*

(For legislative use only; not for publication.)

- A. Fiscal Year in which regulations will become effective: **FY 2011**
- B. Does the budget for fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

No

- C. If "yes," state whether general, special (exact name), or federal funds will be used:

NA

- D. If "no," identify the source(s) of funds necessary for implementation of these regulations:

- E. If these regulations have no economic impact under Part A, indicate reason briefly:

- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

## Comparison to Federal Standards

(Check one option)

There is no corresponding federal standard to this proposed regulation.

or

There is a corresponding federal standard to this proposed regulation. Please give corresponding federal standard and if the regulation is not more restrictive or stringent give justification.

or

In compliance with Executive Order 01.01.1996.03, this proposed regulation is more restrictive or stringent than corresponding federal standards as follows:

- (1) Regulation citation and manner in which it is more restrictive than the applicable federal standard:
- (2) Benefit to the public health, safety or welfare, or the environment:
- (3) Analysis of additional burden or cost on the regulated person:
- (4) Justification for the need for more restrictive standards: