

Document No. \_\_\_\_\_  
**STATE BOARD OF EDUCATION**  
**CHAPTER 43**

Statutory Authority: 1976 Code Sections 59-5-60, 59-5-65, and 59-59-10, et seq.

R.43-274.1 At-Risk Students

**Preamble:**

The State Board of Education proposes to amend R.43-274.1, At-Risk Students, to remove references to the Palmetto Assessment of State Standards (PASS) and the High School Assessment Program (HSAP).

Notice of Drafting for the proposed amendments to the regulation was published in the State Register on June 24, 2016.

Section-by-Section Discussion

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| Section II(A)(1)   | Changes “Palmetto Assessment of State Standards (PASS) test results” to “results of statewide assessments used for accountability purposes and other state-funded (e.g., formative) assessments ” |
| Section II(A)(2)   | Deletes the “High School Assessment Program (HSAP) test results” due to the above changes to Section II(A)(1).  |
| Section II(A)(3–7) | Renumbers remaining items in this Section due to the above listed changes to (A)(1) and (A)(2)  |

**Notice of Public Hearing and Opportunity for Public Comment:**

A public hearing will be held on October 11, 2016, at 1:00 p.m. in the Rutledge Conference Center, 1429 Senate Street, Columbia, SC 29201. The proposed amendments to the regulation will be posted on the State Board of Education Web site for review and comment. To review the regulation click on the attached link <http://ed.sc.gov/scdoe/assets/File/policy/state-board/Regulations/RegReviewedbySBE16-17.pdf>.

Written comments should be submitted to Jamaal Perry, Education Associate, Office of Student Intervention Services, Division of Federal, State, and Community Resources, 1429 Senate Street, Suite 802, Columbia, SC 29201 or by e-mail to [jperry@ed.sc.gov](mailto:jperry@ed.sc.gov) on or before 5:00 pm on September 26, 2016.

**Preliminary Fiscal Impact Statement:**

No additional state funding is requested. The South Carolina Department of Education estimates that no additional costs will be incurred in complying with the proposed revisions to R.43-274.1.

**Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION: At-Risk Students

Purpose: Changes to R.43-274.1 are proposed to remove references to the Palmetto Assessment of State Standards (PASS) and the High School Assessment Program (HSAP).

Legal Authority: 1976 Code Sections 59-5-60, 59-5-65, and 59-59-10 et seq.

Plan for Implementation: The proposed amendments would be incorporated within R.43-274.1 upon publication in the State Register as a final regulation.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The changes reflect references to statewide assessments used for accountability purposes.

**DETERMINATION OF COSTS AND BENEFITS:**

There will be no increased cost to the state or its political subdivisions, nor will the proposed amendments result in any increased cost to the school districts. The proposed amendments will benefit students, schools, districts, and the state.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates relative to the cost to the State or its political subdivisions.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

The proposed regulation has no effect on the environment or on public health.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment or public health if the regulation is not implemented.

**Statement of Rationale:**

School districts are encouraged to carefully review a variety of assessments in diagnosing students' academic difficulties; therefore, it is important that the statewide assessments used for accountability purposes be identified in the regulation, but a specific assessment not be named.

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Indicates New Matter

**Text:**

R.43-274.1. At-Risk Students.

**I. At-Risk Student Definition**

A. A student at risk of dropping out of school is any student who, because of his or her individual needs, requires temporary or ongoing intervention in order to achieve in school and to graduate with meaningful options for his or her future.

B. Students--depending on their degree of resiliency and connectedness to caring adults in the home, in the community, and/or at school--may respond differently to those things frequently cited as barriers, predictors, or indicators of being "at risk." Therefore, educators and other responsible adults working with students should consider the whole child, who might have both short-term and long-term needs requiring intervention.

## II. At-Risk Student Indicators, Predictors, and Barriers

The South Carolina Education and Economic Development Act mandates the promulgation of State Board of Education regulations outlining specific objective criteria for districts to use in identifying students who may be poorly prepared for the next level of study or who are at risk of dropping out of school. The Act calls for these criteria to include diagnostic assessments for districts to use in order to identify the strengths and weaknesses of individual students in the core academic areas.

A. Poor academic performance--generally, a grade point average of 2.0 or lower on a 4.0 scale--in the core content areas is a significant predictor that districts must consider in identifying at-risk students. Careful consideration should be given to students demonstrating declining academic performance. School districts are encouraged to carefully review a variety of assessments, including the following, in diagnosing students' academic difficulties and selecting appropriate short-term and long-term interventions:

1. ~~Palmetto Assessment of State Standards (PASS) test results of statewide assessments used for accountability purposes and other state-funded (e.g., formative) assessments~~

~~2. High School Assessment Program (HSAP) test results,~~

~~3. Preliminary Scholastic Assessment Test (PSAT) or PLAN test results,~~

~~4. district- or school-adopted CAI (computer-aided instruction) assessments,~~

~~5. end-of-course examination results,~~

~~6. classroom-level assessments related to the state's academic standards, and~~

~~7. other district-approved diagnostic assessments.~~

B. The following are among the specific behaviors and characteristics that school districts must consider as indicators, predictors, and barriers in identifying at-risk students:

1. being overage for their grade level due to retention attributable to risk factors such as a high rate of absences and truancy;

2. showing a lack of effort or interest in their academic work;

3. working an excessive number of hours per day or week;

4. having a history of discipline problems leading to suspension, expulsion, and/or probation;

5. showing or expressing feelings of being disconnected from the school environment;

6. showing evidence of physical and/or emotional abuse;

7. coming from and/or living in a disadvantaged socioeconomic environment;
8. living in a home situation that does not include at least one parent;
9. being a single parent; and
10. having limited proficiency in the English language.

### III. At-Risk Student Model, Initiative, and Program Selection

By the 2007-08 school year each high school of the state must implement one or more model programs approved by the South Carolina Department of Education (SCDE).

Schools must select at-risk student models, initiatives, and programs that meet the needs of the at-risk populations to be served and must ensure that models, initiatives, and programs selected provide students with the opportunity to graduate with a high school diploma. The SCDE will provide an implementation document that will include a tiered matrix of approved evidence-based models, initiatives, and programs to facilitate the selection process in accordance with the Education and Economic Development Act requirements for implementing evidence-based models, initiatives, and programs. The document will also contain a more extensive list of indicators, predictors, and barriers as well as one-page descriptions for each evidence-based model, initiative, and program included in the matrix.

### IV. Population and Model, Initiative, and Program Identification Parameters

Each high school either must implement a model, initiative, or program that is chosen from a list provided by the SCDE or must submit to the SCDE for approval a specific dropout prevention model, comprehensive initiative, or multifaceted program that it wants to use. High schools may explore and implement newly developed models with approval from the SCDE. One criterion for SCDE approval of any newly developed model will be evidence presented by the district and/or school that the model is centered in research-based dropout-prevention strategies.

A. Implementation efforts related to any model, initiative, or program (or combination of models, initiatives, and programs) must ensure that students are properly identified and provided timely, appropriate guidance and assistance and must ensure that no group is disproportionately represented.

B. When subpopulations are identified, high schools must ensure that these groups reflect the demographics of populations identified as at risk of dropping out of school.

C. When no subpopulations are identified, high schools implementing comprehensive initiatives will not have to address the disproportionate representation of any one group of students. In such cases, methods of determining the effectiveness of the at-risk initiative must be given careful consideration with regard to collecting data and preparing necessary reports.

D. Parental involvement must be part of final placement decisions in any model, initiative, or program where small groups of students are identified for services in a particular school or district.

E. The target population must reflect the demographics of the population identified in Section II, above, as being at risk of dropping out of school.

F. High schools must provide relevant data related to identifying the at-risk student population and to addressing the needs of these at-risk students as required for SCDE reports.

## V. Building-Level Program Evaluation

### A. Evaluation Criteria

All high schools must annually evaluate their dropout-prevention models, initiatives, and/or programs using, at a minimum, the following criteria:

1. an identification process, including (where appropriate and based on the particular model, initiative, or program) the number of at-risk students identified and the specific risk factors identified;
2. the extent of parental involvement in the school's dropout-prevention efforts;
3. the number of students served;
4. a formative assessment of strengths and weaknesses of the model, initiative, and/or program; and
5. a qualitative assessment of desired outcomes (see item B, immediately below).

### B. Desired Outcomes

Schools should establish desired outcomes or performance criteria based on the specific needs of the at-risk population identified and on the nature and structure of the particular model, initiative, and/or program they are implementing. Examples of desired outcomes among the target population include, but are not limited to, the following:

1. decreased percentages of truancy, absenteeism, discipline problems, and retentions;
2. increases in students' grade point averages; and
3. increased percentages of students who are on grade level and students who graduate on time.

Model-, initiative-, and/or program-specific data and PowerSchool™ data elements should be used to assess desired outcomes on the basis of specific evaluation criteria. The state's PowerSchool™ data management system can be used to collect, sort, and report data related to each student's attendance record; age and grade level; gender; ethnicity; grade point average; and retention, truancy, and dropout status.

C. Teacher and/or counselor assessments may be used to provide supplemental anecdotal documentation and insights related to the effectiveness of the model, initiative, and/or program implemented. A district or school checklist may be beneficial in the evaluation process.

## VI. Model, Initiative, and/or Program Evaluation and Assessment Reporting

All high schools must annually provide reports requested by the SCDE that relate to the implementation and effectiveness of models, initiatives, and/or programs addressing the needs of students at risk of dropping out of school. District and school report card contents must contain information on the disciplinary climate, promotion and retention ratios, dropout ratios, dropout reduction data, and

attendance data. Districts and schools must be prepared to provide accurate and relevant data to the SCDE.