

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))  
14 DE Admin. Code 545

### PROPOSED

### PUBLIC NOTICE

#### Education Impact Analysis Pursuant to 14 Del.C. Section 122(d)

#### 545 K to 12 School Counseling Programs

##### A. Type of Regulatory Action Required

Amendment to Existing Regulation

##### B. Synopsis of Subject Matter of the Regulation

The Secretary of Education seeks the consent of the State Board of Education to amend Title 14 **DE Admin. Code 545** K to 12 School Counseling Programs. This regulation is being amended to update the language to align with the new edition of the American School Counselor Association (ASCA) National Model. The original model was written in 2003. In 2012, ASCA released a new version of the model that was updated to reflect current educational practices. Over the past three months, a group of counselors have been meeting to review and understand the new model, as well as develop user-friendly templates that will assist counselors in streamlining this process. This group will also be responsible for providing technical assistance to other counselors around the state.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before September 8, 2015 to Tina Shockley, Education Associate, Department of Education, Regulatory Review, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed or obtained at the Department of Education, Finance Office located at the address listed above.

##### C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation is intended to help improve student achievement as measured against state achievement standards by providing a framework for the school counselor to support the school's academic mission. Comprehensive school counseling programs, driven by student data and based on standards in academic, career and social/emotional development, promote and enhance the learning process for all students. Programs implemented by state certified school counselors and delivered systematically from Kindergarten through grade 12 ensure equitable access to opportunities and rigorous curriculum for all students to participate fully in the educational process.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation is intended to continue help ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendments do not address students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation is intended to continue help ensure that all student's legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation does not change the decision making at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does not place any unnecessary reporting or administrative requirements on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision making authority and accountability for addressing the subject to be regulated does not change because of the amendment.

8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The amendment is consistent with and not an impediment to the implementation of other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method for addressing the purpose of the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is no expected additional cost to implementing this amended regulation.

## 545 K to 12 School Counseling Programs

### 1.0 Definitions

"American School Counselor Association (ASCA)" means the national organization that supports school counselors' efforts to help students focus on academic, career and social/emotional development so they achieve success in school and are prepared to lead fulfilling lives as responsible members of society.

"ASCA National Model" means a framework for implementing a comprehensive, data driven school counseling program. The model identifies K-12 College- and Career- Readiness Standards for every student in the domains of academic, career and social/emotional development. The model is made up of four components: Foundation, Delivery, Management and Accountability.

### 42.0 Local School District Written Counseling Programs and Written Plans

- 42.1 Every school in each district shall have a written school counseling plan implement a comprehensive school counseling program aligned with the American School Counselor Association's (ASCA) National Model. The plan shall consist of the following components:
- 1.1.1 Include the American School Counselors Association's (ASCA) National Standards for School Counseling Programs in the areas of Academic Development, Career Development and Personal and Social Development;
  - 1.1.2 Include vertical K-12 articulation of the American School Counselors Association's National Standards for School Counseling Programs;
  - 1.1.3 Contain all elements of the ASCA National Model, as those are described by the American School Counselors Association, including:
    - 1.1.3.1 Foundation, which provides what the program entails, such as describing what every student will know and be able to do. This element contains the mission statement, domains, and national standards as those terms are used in the ASCA National Model.
    - 1.1.3.2 Delivery Systems, which address how the program will be implemented. This element contains the guidance curriculum, individual student planning, responsive services, and systems support as those terms are used in the ASCA National Model.
    - 1.1.3.3 Management Systems, which addresses when certain elements of the counseling plan are implemented, why certain data are used, and the authority making entity at the local level.
    - 1.1.3.4 Accountability, which address the outcomes of students based on the counseling plan.
  - 1.1.4 Be on file in the district office and in each school.
  - 1.1.5 Be reviewed and updated by the school and by the local school district annually using available data and school and district goals.
  - 1.1.6 Be incorporated in the School Success Plan and implemented by a State certified school counselor. The School Success Plan is defined in 14 DE Admin. Code 220.
- 2.2 Every school in each district shall have a written plan, using the model templates provided by the Department, for the school counseling program that:
- 2.2.1 Is implemented by a school counselor certified in accordance with the applicable Professional Standards Board regulations.
  - 2.2.2 Utilizes nationally recognized student standards as defined by the ASCA National Model.
  - 2.2.3 Aligns vertically K-12 within the district.
  - 2.2.4 Contains all four components of the ASCA National Model:
    - 2.2.4.1 The Foundation component, which consists of vision and mission statements, program goals and student and professional competencies.
    - 2.2.4.2 The Management component, which utilizes assessments and tools to develop, implement and evaluate the school counseling program.
    - 2.2.4.3 The Delivery component, which focuses on the implementation of the school counseling program through direct and indirect student services.
    - 2.2.4.4 The Accountability component, which ensures regular analysis of data to determine program effectiveness in measureable terms and inform program decisions.
  - 2.2.5 Is on file at the district office and in the school.
  - 2.2.6 Is reviewed annually and updated as needed by the school counselor in collaboration with the building administrator and district supervisor.

3 DE Reg. 1546 (5/1/00)  
8 DE Reg. 1606 (5/1/05)  
14 DE Reg. 29 (07/01/10)

**23.0 Reporting Requirements and Timelines**

- 2.1 ~~Each school shall have an electronic copy of its written school counseling plan on file with the Department of Education.~~
- 2.2 ~~Each school shall provide an electronic copy of the annual update by August 15 based on the previous year's data.~~
- 2.3 ~~For monitoring purposes, the Department may periodically review the written school counseling plan for alignment to the requirements in 1.0.~~
- 3.1 Annually, by August 15, every district shall electronically submit their schools' plans to the Department. The plans shall reflect any updates pursuant to 2.2.6 above.
- 3.2 The Department may periodically monitor for alignment to the requirements in 2.0.

14 DE Reg. 29 (07/01/10)

19 DE Reg. 102 (08/01/15) (Prop.)