

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(a) and 4112 and 29 Delaware Code, Section 10119 (14 **Del.C.** §§122(a) & 4112; 29 **Del.C.** §10119)
14 **DE Admin. Code** 601

EMERGENCY

Secretary's Order

601 Schools and Law Enforcement Agencies

Pursuant to 29 **Del.C.** §10113(b)(5), and 14 **Del.C.** §122(a), the State of Delaware Department of Education issued on June 15, 2018 a Final Order amending 14 **DE Admin. Code** 601. 6.1 to be consistent with the mandatory reporting requirements of 14 **Del.C.** §4112(b). Subsequently, the Department of Education discovered that the regulation had already been amended in 2013 to bring it into compliance with 14 **Del.C.** §4112(b) and that the June 15, 2018 Order was not in compliance with 14 **Del.C.** §4112(b).

14 **Del.C.** §122(a) authorizes the Department to adopt regulations which are consistent with the laws of this State. 14 **Del.C.** §122(a) prohibits the publishing of regulations which conflict with any law of the State. Pursuant to 29 **Del.C.** §10119, this Emergency Order is necessary to avoid the risk of harm to the health, safety and welfare of the citizens of Delaware that would result in the Regulation being adopted contrary to the statutory authority of the Department. Therefore, the Department hereby withdraws its Final Order, dated June 15, 2018, purporting to amend 14 **DE Admin. Code** 601 Schools and Law Enforcement Agencies.

EFFECTIVE DATE OF ORDER

This Emergency Order shall take effect immediately upon issuance, and shall remain in effect for 120 days. The Department intends to submit a non-emergency Order of Withdrawal for publication in the August 1, 2018 *Register of Regulations*.

PETITION FOR RECOMMENDATIONS

The Department will receive, consider and respond to petitions by any interested person for recommendations or revisions to this Order. Petitions should be presented to Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or email to DOEregulations.comment@doe.k12.de.us

ORDER

It is hereby ordered, the 10th day of July, 2018, that the June 15, 2018 Final Order amending 14 **DE Admin. Code** 601 Schools and Law Enforcement Agencies is hereby withdrawn.

Department of Education

Susan S. Bunting, Ed.D., Secretary of Education
(by Emily W. Cunningham)

22 DE Reg. 100 (08/01/18) (Emer.)