

**DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY**

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

FINAL

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 to be consistent with the mandatory reporting requirements of 14 **Del.C.** §4112(b). Subsequently, the Department of Education realized 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, the Department issued an Emergency Order withdrawing the Final Order dated June 15, 2018, 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. Pursuant to 29 **Del.C.** §10119, the Department now issues a non-Emergency Final Order withdrawing its June 15, 2018 Final Order purporting to amend 14 **DE Admin. Code** 601.

ORDER

It is hereby ordered, the 13th 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 Code** 601 Schools and Law Enforcement Agencies is hereby withdrawn.

Susan S. Bunting, Ed.D., Secretary of Education

***Please Note:** The current 601 Schools and Law Enforcement Agencies regulation is available at: <http://regulations.delaware.gov/AdminCode/title14/600/601.shtml>

22 DE Reg. 161 (08/01/18) (Final)