

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(d) (14 **Del.C.** §122(d))
14 **DE Admin. Code** 734

FINAL

Regulatory Implementing Order

734 District School Board and Charter School Board Member Financial Responsibility Training

I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to amend 14 **DE Admin. Code** by adding a new regulation 734 District School Board and Charter School Board Member Financial Responsibility Training. This regulation is required by passage of Senate Bill 308 from the 143rd General Assembly. This regulation outlines the financial responsibility training required for district and charter school board members.

Notice of the proposed regulation was published in the News Journal and the Delaware State News on October 17, 2007, in the form hereto attached as *Exhibit "A"*. No comments were received on this regulation.

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** by adding a new regulation 734 District School Board and Charter School Board Member Financial Responsibility Training because of a change to Delaware State Law.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 734 District School Board and Charter School Board Member Financial Responsibility Training. Therefore, pursuant to 14 **Del.C.** §1803, 14 **DE Admin. Code** 734 District School Board and Charter School Board Member Financial Responsibility Training attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 734 District School Board and Charter School Board Member Financial Responsibility Training hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. Text and Citation

The text of 14 **DE Admin. Code** 734 District School Board and Charter School Board Member Financial Responsibility Training amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 734 District School Board and Charter School Board Member Financial Responsibility Training in the *Administrative Code of Regulations* for the Department of Education.

V. Effective Date of Order

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §1803 on November 16, 2007. The effective date of this Order shall be ten (10) days from the date this Order is published in the *Delaware Register of Regulations*.

IT IS SO ORDERED the 16th day of November 2007.

DEPARTMENT OF EDUCATION

Valerie A. Woodruff, Secretary of Education

Approved this 16th day of November 2007.

State Board of Education

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734 District School Board and Charter School Board Member Financial Responsibility Training

1.0 Purpose

The purpose of this regulation is to outline the criteria and process for the required financial responsibility training for members of district school boards including vocational technical school boards and the boards of charter schools pursuant to 14 Del.C. §1803. The purpose of the training is to instruct members of school boards in properly discharging their responsibility to insure that public funds, including both state and local funds, are appropriately managed and expended, and shall include training on state and local funding of public education.

2.0 Definitions

"Certificate of Completion" means the document provided by the Department of Education indicating the individual has attended and completed the School Board Financial Training.

"Charter School Board" shall mean the charter school board of directors pursuant to 14 Del.C. §§503, 504.

"District School Board" shall mean reorganized school district boards and vocational technical school district boards duly appointed or elected pursuant to Chapter 10 of Title 14 of the Delaware Code.

"School Board Member" shall mean a District School Board or Charter School Board member whether that person is elected, appointed, or is a volunteer.

"Trainer" means an individual approved by the Secretary of Education to provide the School Board Financial Training.

3.0 School Board Financial Training

3.1 The School Board Financial Training or Training means the educational programs, developed by the Department of Education, approved by the Office of Management and Budget and Controller General's Office for District School Board and Charter School Board members. This Training shall, at a minimum, consist of two (2) hours and cover the following topics:

3.1.1 Overview of education budget process and timelines;

3.1.2 Instruction in the basic rules of budgeting, including State of Delaware funds, local funds, and federal funds;

3.1.3 State Financial Management System; and

3.1.4 Reporting requirements.

4.0 District School Board and Charter School Board Financial Responsibility Training Requirement

4.1 Each member of a District School Board or Charter School Board shall attend and receive a Certificate of Completion for the School Board Financial Training within one (1) year of election, appointment, or voluntary service to a District School Board or Charter School Board.

4.2 An individual that attends Training and receives a Certificate of Completion shall be considered to meet the requirement of 4.1.

5.0 Schedule of School Board Financial Training

5.1 The Department shall annually publish a list of date(s) for Training. The Training shall be conducted by a Trainer as defined in this regulation.

6.0 Notification of Attendance

6.1 The Department shall periodically, but not less than annually, provide a list of those School Board Members that have not satisfied the requirement of 4.1 to their respective District School Board or Charter School Board President, the Office of Management and Budget, and Controller General's Office.

11 DE Reg. 744 (12/01/07) (Final)