

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))  
14 **DE Admin. Code** 220

### FINAL

#### 220 Diversity

### REGULATORY IMPLEMENTING ORDER

#### I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to amend 14 **DE Admin. Code** 220 Diversity to add a definition and to clarify districts reflect practices that ensure diversity in the school community.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on January 12, 2009, in the form hereto attached as *Exhibit "A"*. The Department received comments from both the State Council for Persons with Disabilities and the Governors Advisory Council for Exceptional Citizens. The Department has adopted the recommended changes which include a grammatical correction and reinstatement of a statement that was to be deleted in the proposed amended version.

#### II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 220 Diversity in order to add a definition and to clarify district diversity practices are adopted and represented in the Success Plans.

#### III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 220 Diversity. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 220 Diversity attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 220 Diversity 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** 220 Diversity amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 220 Diversity 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.** §122 on February 13, 2009. 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 13th day of February 2009.

## DEPARTMENT OF EDUCATION

Lillian M. Lowery, Secretary of Education

Approved this 13<sup>th</sup> day of February 2009

### 220 Diversity

#### 1.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

"Diversity" in a school community means it ~~A school community that values diversity is one which embraces and builds on the strengths of individual and group differences, and by so doing enriches the educational program for all students. A~~ The curriculum that is inclusive of many racial, ethnic, regional, religious, linguistic, and socioeconomic groups, [and] which gives visibility to both women and men, to people of all ages, and to persons with disabilities, [and] affirms the richness of our pluralistic society. [The Secretary of Education believes that students achieve their best in classrooms where diversity is commonplace. The Secretary of Education believes that students achieve their best in classrooms where diversity is commonplace.]

"Success Plan" means the web-based document submitted to the Department of Education as part of the request for state and federal funds that provides the mission, goals, objectives, measures, and strategies of the district or school.

#### 2.0 Each School District Shall

- 2.1 Infuse information on diverse cultural groups throughout the K to 12 curriculum in order to equip students with the knowledge and skills necessary to participate productively in a culturally diverse society.
- 2.2 Provide professional development to equip all teachers with various instructional techniques and best practices.
- 2.3 Describe in district ~~strategie~~ success plans and school success plans how disparities and gaps in student achievement associated with the student's gender, race, ethnicity, socioeconomic status, limited English proficiency, or disability will be identified and eliminated.
- 2.4 Provide student counseling, assessment, discipline and placement that is sensitive to the needs of diverse populations.
- 2.5 Provide appropriate instruction to limited English proficient students so that they will have success in a mainstream classroom where the medium of instruction is English.
- 2.6 Describe in the district ~~strategie~~ success plan a strategy to attract and retain a highly skilled and committed faculty and staff reflective of the diversity in the school community.
- 2.7 Enact measures to avoid and address inequitable and prejudicial behaviors among employees and students.
- 2.8 Describe in the school success plans specific ways principals and building staff create an atmosphere which recognizes, accepts and values diversity as a positive, integral resource of a democratic society.

**2 DE Reg. 1244 (1/1/99)**

**7 DE Reg. 1177 (3/1/04)**

**12 DE Reg. 1203 (03/01/09) (Final)**