

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 1508 and 1803 (14 Del.C. §§1508 & 1803)
14 DE Admin. Code 734

PROPOSED

PUBLIC NOTICE

734 Financial Responsibility Training

A. TYPE OF REGULATORY ACTION REQUIRED

Amendment to Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF THE REGULATION

Pursuant to 14 Del.C. §§1508 and 1803, the Delaware Department of Education (“Department”) developed amendments to 14 DE Admin. Code 734 Financial Responsibility Training. The Department reviewed this regulation in compliance with 29 Del.C. §10407 which requires regulations to be reviewed on a recurring basis every four years. The Department made minor changes to the regulation as well as amended to comply with the Delaware Administrative Code Drafting and Style Manual.

Persons wishing to present their views regarding this matter may do so in writing by submitting them to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or through the Department's online submission form at <https://education.delaware.gov/community/delaware-education-laws-and-regulations/provide-public-comment/> by the close of business (4:30 p.m. EST) on or before September 2, 2025. Any person who wishes to receive a copy of the proposed regulation may obtain a copy from the Department at the Office of the Secretary on the second floor of the Townsend Building, 401 Federal Street, Dover, Delaware.

C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? No.
2. Will the amended regulation help ensure that all students receive an equitable education? Yes.
3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? No.
4. Will the amended regulation help to ensure that all students' legal rights are respected? No.
5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? Yes.
6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? No.
7. Will the decision-making authority and accountability for addressing the subject to be regulated be placed in the same entity? No.
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? Yes.
9. Is there a less burdensome method for addressing the purpose of the regulation? No.
10. What is the cost to the State and to the local school boards of compliance with the regulation? Not applicable.

734 Financial Responsibility Training

1.0 Purpose

The purpose of this regulation is to outline the criteria and process for the required one-time ~~Financial Responsibility Training~~ financial responsibility training for members of School District boards, including vocational technical school boards, boards of charter schools pursuant to 14 Del.C. §1803, members of ~~Citizen Budget Oversight Committees~~ citizen budget oversight committees (CBOC) pursuant to 14 Del.C. §1508, and ~~School District and Charter School Leaders~~ school district and charter school leaders. ~~Financial Responsibility Training~~ responsibility training provides instruction to members of school boards, CBOCs and ~~School District and Charter School Leaders~~ school district and charter school leaders as to how to properly ensure that public funds are appropriately managed and expended, as well as to provide training on state and local funding of public education.

[21 DE Reg. 210 \(09/01/17\)](#)

[23 DE Reg. 648 \(02/01/20\)](#)

2.0 Definitions

The following words and terms, for the purposes of this regulation, shall have the following meaning unless the context clearly indicates otherwise:

"Certificate of Completion completion" means the document provided by the Department of Education indicating the individual has attended and completed the ~~Financial Responsibility Training~~ financial responsibility training.

"Charter School school" means a non-home based full-time public school that is operated in an approved physical plant under a charter granted by, or transferred to, the Department or other authorizing body for the personal physical attendance of all students.

"Charter School Board school board" means the board of directors of a charter school that shall be a public body subject to the requirements of 29 Del.C. Ch. 100 and shall have the same standing and authority as a Reorganized School District Board of Education, except the power to tax.

"Charter School Leader school leader" means the head of school or chief financial officer of a charter school.

"Citizen Budget Oversight Committee (CBOC) budget oversight committee" or CBOC means a group of parents, educators, and taxpayers that oversee the financial position of a Local School District or Charter School pursuant to 14 Del.C. §1508.

"Department" means the Delaware Department of Education.

"School Board Member board member" means a ~~School District Board~~ school district board or ~~Charter School Board~~ charter school board member whether that person is elected, appointed, or is a volunteer.

"School District district" means a reorganized school district or vocational technical school district established pursuant to 14 Del.C. Ch. 10.

"School District Board district board" means reorganized School District Board or vocational technical school district boards duly appointed or elected pursuant to 14 Del.C. Ch. 10.

"School District Leader district leader" means the superintendent of a ~~School District~~ school district or the chief financial officer.

~~"Trainer" means an individual or organization approved by the Department of Education to provide Financial Responsibility Training.~~

21 DE Reg. 210 (09/01/17)

23 DE Reg. 648 (02/01/20)

3.0 Financial Responsibility Training Components

3.1 The ~~Financial Responsibility Training~~ financial responsibility training shall be developed and coordinated by the Department's Finance Office. This training ~~may~~ will be provided ~~in person or online at the discretion of the Department~~ and shall 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 Information regarding the State's financial management system; and

3.1.4 Reporting requirements.

21 DE Reg. 210 (09/01/17)

23 DE Reg. 648 (02/01/20)

4.0 Requirements

4.1 Each member of a ~~School District Board or Charter School Board~~ school district board or charter school board shall attend and receive a ~~Certificate of Completion for Financial Responsibility Training~~ certificate of completion for financial responsibility training within ~~three (3)~~ 3 months of election, appointment, or voluntary service to a ~~School District Board or Charter School Board~~ school district or charter school. Provided further, additional training may be required from time to time as determined by the Department. Notification of any additional training shall be provided to the district or charter school.

4.2 Each member of a CBOC shall attend and receive a ~~Certificate of Completion for the Financial Responsibility Training~~ certificate of completion for the financial responsibility training within ~~three (3)~~ 3 months of appointment to a CBOC. Provided further, additional training may be required from time to time as determined by the Department. Notification of any additional training shall be provided to the district or charter school.

4.3 Each ~~School District Leader~~ school district leader shall attend and receive a ~~Certificate of Completion for the Financial Responsibility Training~~ certificate of completion for the financial responsibility training within ~~three (3)~~ 3 months of appointment to their position. Provided further, additional training may be required from time to time as determined by the Department. Notification of any additional training shall be provided to the district.

4.4 Each ~~Charter School Leader~~ charter school leader shall attend and receive a ~~Certificate of Completion for the Financial Responsibility Training~~ certificate of completion for the financial responsibility training within ~~three (3)~~ 3 months of appointment to their position. Provided further, additional training may be required from time

to time as determined by the Department. Notification of any additional training shall be provided to the charter school.

[21 DE Reg. 210 \(09/01/17\)](#)

[23 DE Reg. 648 \(02/01/20\)](#)

5.0 School District and Charter School Leaders

5.1 ~~Effective June 30, 2020, each~~Every School District and Charter School Leader school district and charter school leader is required to complete ~~Financial Responsibility Training~~ financial responsibility training.

5.1.4 In the event that an individual has a dual capacity such as serving as both the school leader and chief financial officer, the ~~School District or Charter School~~ school district or charter school shall designate a designee, so that ~~two (2)~~ 2 individuals at all times have completed ~~Financial Responsibility Training~~ financial responsibility training.

5.2 Any individual employed in a ~~School District or Charter School Leader~~ school district or charter school leader position prior to July 1, 2020 is not required to complete ~~Financial Responsibility Training~~ financial responsibility training.

[21 DE Reg. 210 \(09/01/17\)](#)

[23 DE Reg. 648 \(02/01/20\)](#)

6.0 Financial Responsibility Training Availability

6.1 The Department shall provide the required training opportunity in a self-paced, online format as approved by the Department's ~~Finance Office~~ finance office.

6.2 ~~Financial Responsibility Training~~ responsibility training shall be available to any additional employees, volunteers or stakeholders as requested by any ~~School District or Charter School~~ school district or charter school.

[11 DE Reg. 744 \(12/01/07\)](#)

[21 DE Reg. 210 \(09/01/17\)](#)

[23 DE Reg. 648 \(02/01/20\)](#)

7.0 Notification of Attendance

7.1 The Department shall periodically, but not less than annually, provide a list of those ~~School Board~~ school board members, CBOC members and ~~School District and Charter School Leaders~~ school district and charter school leaders that have not satisfied the requirement of subsections 4.1 and 4.2 to their respective ~~School District or Charter School~~ school district or charter school.

7.2 The Department shall notify the ~~School District or Charter School~~ school district or charter school upon successful completion of the ~~Financial Responsibility Training~~ financial responsibility training by any ~~School District or Charter School Leader~~ school district or charter school.

7.3 Under 14 ~~Del.C. §1803~~, the board president of a district or charter shall inform new members of their obligation to complete training and by January 15 annually shall send a letter to members who have not completed the training.

[23 DE Reg. 648 \(02/01/20\)](#)

[11 DE Reg. 744 \(12/01/07\)](#)

[21 DE Reg. 210 \(09/01/17\)](#)

[23 DE Reg. 648 \(02/01/20\)](#)