

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(d) (14 **Del.C.** §122(d))  
14 **DE Admin. Code** 201, 205 and 210

### FINAL

#### Regulatory Implementing Order

**201 School Shared Decision Making Transition Planning Grants**  
**205 District Shared Decision Making Transition Planning Grants**  
**210 Approval of School Improvement Grants**  
**201 District and School Shared Decision Making**

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

The Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 201 School Shared Decision Making Transition Planning Grants, 205 District Shared Decision Making Transition Planning Grants, and 210 Approval of School Improvement Grants as per 14 **Del.C.** Ch. 8 by combining them into a single regulation, 14 **DE Admin. Code** 201 District and School Shared Decision Making.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on October 19, 2006, in the form hereto attached as *Exhibit "A"*. Comments were received from Governor's Advisory Council for Exceptional Children and the State Council for Persons with Disabilities recommending some changes to add clarity to the regulation. At this time the Department declines to make any changes other than combining the three regulations into a single regulation. At some point in the future it may be necessary to make substantive changes to these regulations.

The Councils also expressed concerns with how the Department's regulations are advertised in the monthly publication of the *Register of Regulations*. The Department will add the cut off date for comments as well as the name and address of the person that should receive the comments as part of the "Synopsis of Subject Matter of the Regulation" section of the Impact Analysis.

#### II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 201, 205 and 210 in order to combine them into a single regulation, 14 **DE Admin. Code** 201 District and School Shared Decision Making.

#### III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 201, 205 and 210. Therefore, pursuant to 14 **Del.C.** Ch.8, 14 **DE Admin. Code** 201, 205 and 210 attached hereto as *Exhibit "B"* are hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 201, 215 and 210 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** 201, 205 and 210 amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulations shall be cited as 14 **DE Admin. Code** 201 District and School Shared Decision Making 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.** Ch.8 on December

21, 2006. 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 21<sup>st</sup> day of December 2006.

**DEPARTMENT OF EDUCATION**

Valerie A. Woodruff, Secretary of Education

Approved this 21<sup>st</sup> day of December 2006

**STATE BOARD OF EDUCATION**

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~~**201 School Shared Decision Making Transition Planning Grants**~~

~~**1.0 Requests for Planning Grants**~~

~~Requests for a school shared decision making transition planning grant shall be submitted via the local board of education to the Office of the Secretary of Education, Delaware Department of Education, 401 Federal Street, Suite 2, Dover, DE 19901 3639. Grant requests shall include the following information:~~

~~**2.0 Report and Recommendations of the School Advisory Committee.**~~

~~A copy of the *Report* must be signed by a representative of each stakeholder group that participated in the process and should include the following information, indicating that the requirements of 14 **Del.C.** §804. have been met.~~

- ~~2.1 School Advisory Committee (list names and groups represented)~~
- ~~2.2 Listing of the structured conversations and a brief description of the activities~~
- ~~2.3 Brief description of how stakeholders made a good faith effort to communicate with their constituent groups~~
- ~~2.4 Recommendation to develop a school transition plan to implement shared decision making~~
- ~~2.5 Process for establishing a school transition plan~~
- ~~2.6 Process for determining the composition and roles and responsibilities delegated to the School Transition Team~~

~~**3.0 The School Transition Team (List Names and Groups Represented)**~~

~~3.1 A description of the process for the School Transition Team to reach decisions and resolve conflicts.~~

~~**4.0 Development of the School Improvement Plan**~~

~~Assurance that the school has committed to develop a school improvement plan including comprehensive school improvement goals tied to state and local academic performance standards and strategies to achieve these goals and including staff development for building the necessary capacities and skills to successfully implement shared decision making and improve parental involvement.~~

~~**5.0 Description of the Plan for Communication**~~

~~A description of the plan for communicating the results of the school improvement plan to the broader school community for information and critical review.~~

## **6.0 Stakeholder Involvement**

A description of how the various stakeholder groups will formally express their opinion regarding the school transition plan prior to its adoption by the local board of education.

## **7.0 Stakeholders Signatures**

Signatures of each stakeholder group representative indicating the stakeholder's belief that the grant should be awarded to the school. Any stakeholder refusing to sign should explain why as part of the grant request.

## **8.0 Posting of the Plan**

Assurance that a copy of the *Report and Recommendations* is posted within the school for public review.

## **9.0 Signed Copy of the Report**

Assurance that each stakeholder signing the *Report and Recommendations* has received a copy of the signed report, as well as a copy of the grant request.

## **10.0 Procedure to be Used by Interested Parties to Obtain a Copy of the School Grant Request 5-DE-Reg. 1615 (2/1/02)**

### **205-District Shared Decision Making Transition Planning Grants**

#### **1.0 District Planning Grant Process**

Requests for a district shared decision making transition planning grant shall be submitted to the Office of the Secretary of Education, Delaware Department of Education, 401 Federal Street, Suite 2, Dover, DE 19901-3639. Grant requests shall include the following information:

1.1 The Board Resolution endorsing both the concept of shared decision making and the *Report and Recommendations* of the District Advisory Committee.

1.2 A copy of the *Report and Recommendations* of the District Advisory Committee. The *Report* must be signed by a representative of each stakeholder group that participated in the process and should include the following information, indicating that the requirements of 14 **Del.C.** §802 have been met.

1.2.1 District Advisory Committee (list names and groups represented)

1.2.2 Listing of the structured conversations and a brief description of the activities

1.2.3 Brief description of how stakeholders made a good faith effort to communicate with their constituent groups

1.2.4 Recommendation to develop a district transition plan to implement shared decision-making

1.2.5 Process for establishing a district transition plan

1.2.6 Process for determining the composition and roles and responsibilities delegated to the District Transition Team

1.3 The District Transition Team (list names and groups represented).

1.4 A description of the process for the District Transition Team to reach decisions and resolve conflicts.

1.5 A description of the plan for communicating the results of the district transition plan to the broader school community for information and critical review.

1.6 Acknowledgment that within the district transition plan there must be a policy for supporting shared decision making activities from the local budget, including the school improvement planning process set forth in 14 **Del.C.** §806, and acknowledgment that funds must be specifically identified and made available for use by school committees.

1.7 A description of how the various stakeholder groups will formally express their opinion regarding the district transition plan prior to its adoption by the local board of education.

1.8 Signatures of each stakeholder group representative indicating the stakeholder's belief that the grant should be awarded to the district. Any stakeholder refusing to sign should explain why as part of the grant request.

1.9 Assurance that a copy of the *Report and Recommendations* is posted within the district for public

review.

- 1.10 Assurance that each stakeholder signing the Report and Recommendations has received a copy of the signed report, as well as a copy of the grant request.
- 1.11 Procedure to be used by interested parties to obtain a copy of the district grant request.

## **210 Approval of School Improvement Grants**

### **1.0 School Improvement Grant Process**

A school that has an approved shared decision making transition plan as specified in 14 ~~Del.C.~~ §806, may apply for a school improvement implementation grant. To apply for a grant, the principal of the eligible school should submit a letter of request to the Office of the Secretary of Education, Delaware Department of Education, 401 Federal Street, Suite 2, Dover, DE 19901-3639. Requests shall include the following information:

- 1.1 Evidence that the local board of education has adopted the school's transition plan; and
- 1.2 The school improvement plan containing the following components:
  - 1.2.1 Comprehensive school improvement goals tied to state and local academic performance standards and strategies to achieve these and other goals identified by the school, including staff development and parental involvement;
  - 1.2.2 A description of the rationale for the proposed governance structure, stating how and why the governance process should improve decision making and support continuous improvement in teaching and student learning;
  - 1.2.3 Evidence of review by the broader school community with agreement that the school improvement plan is consistent with the school district plan and evidence that the local board of education has formally adopted the school's improvement plan;
  - 1.2.4 A proposed budget that explains the use of resources allocated to the school to support strategies for achieving the school improvement goals;
  - 1.2.5 The structural changes or procedures for providing the necessary time and skill building to support shared decision making and continuous improvement in teaching and student learning;
  - 1.2.6 The assessment and evaluation process that the school will use to measure its progress toward achieving its stated goals;
  - 1.2.7 A proposed timeline for phasing in the school improvement plan; and
  - 1.2.8 A proposed budget for the use of the school improvement grant.

### **2.0 Continuing Applications**

A school with an approved application shall be eligible for a school improvement grant for the following (3) years as provided in the annual appropriations act. Subsequent applications may be made only after the review and evaluation of the school improvement plan required by 14 ~~Del.C.~~ §808 is completed and the results of such are included in the school's application.

~~1 DE Reg. 1400 (3/1/98)~~

~~5 DE Reg. 1615 (2/1/02)~~

## **201 District and School Shared Decision Making**

### **1.0 District Shared Decision Making Transition Planning Grant Process**

1.1 Requests for a district shared decision making transition planning grant shall be submitted to the Office of the Secretary of Education, Delaware Department of Education, 401 Federal Street, Suite 2, Dover, DE 19901-3639. Grant requests shall include the following information:

1.1.1 The local board of education Resolution endorsing both the concept of shared decision making and the Report and Recommendations of the District Advisory Committee. See 14 ~~Del.C.~~ §802(b)(c).

1.2 A copy of the Report and Recommendations of the District Advisory Committee. The Report must be signed by a representative of each stakeholder group that participated in the process and should include the following information, indicating that the requirements of 14 ~~Del.C.~~ §802 have been met.

1.2.1 District Advisory Committee (list names and groups represented);

1.2.2 Listing of the structured conversations and a brief description of the activities;

- 1.2.3 Brief description of how stakeholders made a good faith effort to communicate with their constituent groups;
- 1.2.4 Recommendation to develop a district transition plan to implement shared decision-making;
- 1.2.5 Process for establishing a district transition plan; and
- 1.2.6 Process for determining the composition and roles and responsibilities delegated to the District Transition Team.
- 1.3 The District Transition Team (list names and groups represented).
- 1.4 A description of the process for the District Transition Team to reach decisions and resolve conflicts.
- 1.5 A description of the plan for communicating the results of the district transition plan to the broader school community for information and critical review.
- 1.6 Acknowledgment that within the district transition plan there must be a policy for supporting shared decision making activities from the local budget, including the school improvement planning process set forth in 14 Del.C. §806, and acknowledgment that funds must be specifically identified and made available for use by school committees.
- 1.7 A description of how the various stakeholder groups will formally express their opinion regarding the district transition plan prior to its adoption by the local board of education.
- 1.8 Signatures of each stakeholder group representative indicating the stakeholder's belief that the grant should be awarded to the district. Any stakeholder refusing to sign should explain why as part of the grant request.
- 1.9 Assurance that a copy of the Report and Recommendations is posted within the district for public review.
- 1.10 Assurance that each stakeholder signing the Report and Recommendations has received a copy of the signed report, as well as a copy of the grant request.
- 1.11 Procedure to be used by interested parties to obtain a copy of the district grant request.

**2.0 School Shared Decision Making Transition Planning Grant Process**

- 2.1 Requests for a school shared decision making transition planning grant shall be submitted via the local board of education to the Office of the Secretary of Education, Delaware Department of Education, 401 Federal Street, Suite 2, Dover, DE 19901-3639. Grant requests shall include the following information:
  - 2.1.1 Report and Recommendations of the School Advisory Committee:
    - 2.1.1.1 School Advisory Committee (list names and groups represented);
    - 2.1.1.2 Listing of the structured conversations and a brief description of the activities;
    - 2.1.1.3 Brief description of how stakeholders made a good faith effort to communicate with their constituent groups;
    - 2.1.1.4 Recommendation to develop a school transition plan to implement shared decision-making;
    - 2.1.1.5 Process for establishing a school transition plan; and
    - 2.1.1.6 Process for determining the composition and roles and responsibilities delegated to the School Transition Team
- 2.2 The School Transition Team (List Names and Groups Represented)
- 2.3 A description of the process for the School Transition Team to reach decisions and resolve conflicts.
- 2.4 Assurance that the school has committed to develop a school improvement plan including comprehensive school improvement goals tied to state and local academic performance standards and strategies to achieve these goals and including staff development for building the necessary capacities and skills to successfully implement shared decision-making and improve parental involvement.
- 2.5 A description of the plan for communicating the results of the school improvement plan to the broader school community for information and critical review.

2.6 A description of how the various stakeholder groups will formally express their opinion regarding the school transition plan prior to its adoption by the local board of education.

2.7 Signatures of each stakeholder group representative indicating the stakeholder's belief that the grant should be awarded to the school. Any stakeholder refusing to sign should explain why as part of the grant request.

2.8 Assurance that a copy of the Report and Recommendations is posted within the school for public review.

2.9 Assurance that each stakeholder signing the Report and Recommendations has received a copy of the signed report, as well as a copy of the grant request.

2.10 Procedure to be used by interested parties to obtain a copy of the school grant request

### **3.0 Approval of School Improvement Grants**

3.1 A school that has an approved shared decision making transition plan as specified in 14 Del.C. §806, may apply for a school improvement implementation grant. To apply for a grant, the principal of the eligible school should submit a letter of request to the Office of the Secretary of Education, Delaware Department of Education, 401 Federal Street, Suite 2, Dover, DE 19901-3639. Requests shall include the following information:

3.1.1 Evidence that the local board of education has adopted the school's transition plan; and

3.1.2 The school improvement plan containing the following components:

3.1.2.1 Comprehensive school improvement goals tied to state and local academic performance standards and strategies to achieve these and other goals identified by the school, including staff development and parental involvement;

3.1.2.2 A description of the rationale for the proposed governance structure, stating how and why the governance process should improve decision making and support continuous improvement in teaching and student learning;

3.1.2.3 Evidence of review by the broader school community with agreement that the school improvement plan is consistent with the school district plan and evidence that the local board of education has formally adopted the school's improvement plan;

3.1.2.4 A proposed budget that explains the use of resources allocated to the school to support strategies for achieving the school improvement goals;

3.1.2.5 The structural changes or procedures for providing the necessary time and skill-building to support shared decision making and continuous improvement in teaching and student learning;

3.1.2.6 The assessment and evaluation process that the school will use to measure its progress toward achieving its stated goals;

3.1.2.7 A proposed timeline for phasing in the school improvement plan; and

3.1.2.8 A proposed budget for the use of the school improvement grant.

3.2 A school with an approved application shall be eligible for a school improvement grant for the following (3) years as provided in the annual appropriations act. Subsequent applications may be made only after the review and evaluation of the school improvement plan required by 14 Del.C. §808 is completed and the results of such are included in the school's application.

**1 DE Reg. 1400 (3/1/98)**

**5 DE Reg. 1615 (2/1/02)**

**10 DE Reg. 1140 (01/01/07) (Final)**