

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(a) (14 **Del.C.** §122(a))
14 **DE Admin. Code** 545

FINAL

REGULATORY IMPLEMENTING ORDER

545 K to 12 School Counseling Programs

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §122(a), the Secretary of Education seeks the consent of the State Board of Education to reauthorize 14 **DE Admin. Code** 545 K to 12 School Counseling Programs. The Department has reviewed the regulation in order to comply with 29 **Del.C.** §10407 which requires regulations to be reviewed on a recurring basis every four years.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on June 1, 2019, in the form hereto attached as *Exhibit "A"*. No comments were received. However, the Department of Education made changes to the names of the components to align with the recently released 4th edition of the American School Counselor Association National Model. The Secretary deems these changes to be non-substantive and therefore the regulation does not require republication based on 29 **Del.C.** §10118(c).

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to reauthorize 14 **DE Admin. Code** 545 K to 12 School Counseling Programs in order to comply with 29 **Del.C.** §10407 which requires regulations to be reviewed on a recurring basis every four years and notes that changes were made to the names of the components to align with the recently released 4th edition of the American School Counselor Association National Model. The Secretary deems these changes to be non-substantive and therefore the regulation does not require republication based on 29 **Del.C.** §10118(c).

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to reauthorize 14 **DE Admin. Code** 545 K to 12 School Counseling Programs. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 545 K to 12 School Counseling Programs attached hereto as *Exhibit "B"* is hereby reauthorized. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 545 K to 12 School Counseling Programs hereby reauthorized 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** 545 K to 12 School Counseling Programs reauthorized hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 545 K to 12 School Counseling Programs 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 September 19, 2019. 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 19th day of September 2019.

Department of Education

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

Approved this 19th day of September 2019

State Board of Education

Whitney Townsend Sweeney, President (absent)

Nina Lou Bunting (absent)

545 K to 12 School Counseling Programs

1.0 Definitions

"**American School Counselor Association [(ASCA)]**" [or "**ASCA**"] means the national organization that supports school counselors' efforts to help students focus on academic, career and social/emotional development so they achieve success in school and are prepared to lead fulfilling lives as responsible members of society.

"**ASCA National Model**" means a framework for implementing a comprehensive, data driven school counseling program. The model identifies K-12 College- and Career- Readiness Standards for every student in the domains of academic, career and social/emotional development. The model is made up of four components: [~~Foundation, Delivery, Management and Accountability~~ **Define, Manage, Deliver and Assess**].

19 DE Reg. 305 (10/01/15)

2.0 School District Counseling Programs and Written Plans

- 2.1 Every school in each district shall implement a comprehensive school counseling program aligned with the American School Counselor Association's (ASCA) National Model.
- 2.2 Every school in each district shall have a written plan, using the model templates provided by the Department, for the school counseling program that:
 - 2.2.1 Is implemented by a school counselor certified in accordance with the applicable Professional Standards Board regulations.
 - 2.2.2 Utilizes nationally recognized student standards as defined by the ASCA National Model.
 - 2.2.3 Aligns vertically K-12 within the district.
 - 2.2.4 Contains all four components of the ASCA National Model:
 - 2.2.4.1 The [~~Foundation Define~~] component, which consists of [~~vision and mission statements, program goals and student and professional competencies~~ the ASCA Mindsets and Behavior Standards for Student Success, ASCA Ethical Standards for School Counselors and the ASCA School Counselor Professional Standards and Competencies].
 - 2.2.4.2 The [~~Management Manage~~] component, which [~~utilizes assessments and tools to develop, implement and evaluate the school counseling program~~ provides organizational tools and assessments designed to guide, target, structure and construct a school counseling program to get results].
 - 2.2.4.3 The [~~Delivery Deliver~~] component, which [~~focuses on the implementation of the school counseling program through direct and indirect student services~~ defines the methods school counselors use to provide activities and services to students and for students through the two broad categories of direct and indirect services].
 - 2.2.4.4 The [~~Accountability Assess~~] component, which ensures regular analysis of data to determine program effectiveness in measureable terms and inform program decisions.
 - 2.2.5 Is on file at the district office and in the school.
 - 2.2.6 Is reviewed annually and updated as needed by the school counselor in collaboration with the building administrator and district supervisor.

3 DE Reg. 1546 (05/01/00)

8 DE Reg. 1606 (05/01/05)

14 DE Reg. 29 (07/01/10)

19 DE Reg. 305 (10/01/15)

3.0 Reporting Requirements and Timelines

- 3.1 Annually, by August 15, every district shall electronically submit their schools' plans to the Department. The plans shall reflect any updates pursuant to 2.2.6 above.
- 3.2 The Department may periodically monitor for alignment to the requirements in 2.0.

14 DE Reg. 29 (07/01/10)

19 DE Reg. 305 (10/01/15)

