

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

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

PROPOSED

PUBLIC NOTICE

Education Impact Analysis Pursuant To 14 Del.C. Section 122(d)

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

A. Type of Regulatory Action Required

Amendment to Existing Regulation

B. Synopsis of Subject Matter of the Regulation

The Secretary of Education intends to amend 14 DE Admin. Code 734 District School Board and Charter School Board Member Financial Responsibility Training. The Department of Education reviewed this and other regulations which were four years or older as part of the 2016 Regulation Review as required by 29 Del.C. §10407. This review resulted in the regulation being amended to clarify definitions and align with current practice regarding budget oversight committees in district and charter schools. It also is being amended to include language from Regulation 736 Local School District and Charter School Citizen Budget Oversight Committees. As a result, the title of the regulation is being changed to reflect its content.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before July 7, 2017 to Tina Shockley, Education Associate, Department of Education, Regulatory Review, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed online at the Register of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml, or obtained at the Department of Education, Finance Office located at the address listed above.

C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation does not deal with student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation is intended to continue to ensure all students receive an equitable education by ensuring special schools and programs have appropriate oversight.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendments do not address students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation continues to help ensure that all student's legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation does not change the decision making at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does not place any unnecessary reporting or administrative requirements on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision making authority and accountability for addressing the subject to be regulated does not change because of the amendment.

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? The amendment is consistent with and not an impediment to the implementation of other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method for addressing the purpose of the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is no expected cost to implementing this amended regulation.

734 Financial Responsibility Training for District School Board, and Charter School Board and Citizen Budget Oversight Committee Member Members Financial Responsibility Training

1.0 Purpose

The purpose of this regulation is to outline the criteria and process for the required ~~financial responsibility training~~ 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 and for members of the Citizen Budget Oversight Committee (CBOC) pursuant to 14 ~~Del.C.~~ §1508. ~~The purpose of the training is Financial Responsibility Training provides instruction to instruct members of school boards in and CBOCs as to how to properly discharging their responsibility to insure ensure that public funds, including both state and local funds, are appropriately managed and expended, and shall include as well as to provide training on state and local funding of public education.~~

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

"Charter 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 with the approval of the State Board of Education for the personal physical attendance of all students.

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

"Citizen Budget Oversight Committee (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.

"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**.

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

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

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

3.0 ~~School Board~~ Financial Responsibility Training Components

3.1 The ~~School Board~~ Financial Responsibility Training or ~~Training~~ means the educational programs, shall be developed and coordinated 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 Department's Finance Office. This ~~Training~~ one-time training may be provided in person or online at the discretion of the Department and 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~~ Information regarding the State's financial management system; and
- 3.1.4 Reporting requirements.

4.0 ~~District School Board, and Charter School Board~~ Financial Responsibility Training Requirement and CBOC Member Requirements

- 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 Responsibility Training within ~~one (1) year~~ three (3) months of election, appointment, or voluntary service to a District School Board or Charter School Board. Provided further, additional training may be required from time to time as determined by the Department.
- 4.2 An individual that attends ~~Training~~ and receives a Certificate of Completion shall be considered to meet the requirement of 4.1.

4.2 Each member of a CBOC shall attend and receive a Certificate of Completion for the Financial Responsibility Training within three (3) months of appointment to a CBOC. Provided further, additional training may be required from time to time as determined by the Department.

5.0 ~~Schedule of School Board~~ Financial Responsibility Training Schedule

~~5.1~~ The Department shall ~~annually publish a list of date(s) for Training~~ communicate training opportunities to Local School Districts and Charter Schools as they are scheduled. The Financial Responsibility Training shall be conducted by a Trainer as defined in this regulation, and approved by the Department's Finance Office.

6.0 Notification of Attendance

~~6.1~~ The Department shall periodically, but not less than annually, provide a list of those School Board ~~Members and CBOC members~~ that have not satisfied the requirement of subsections 4.1 and 4.2 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)

20 DE Reg. 944 (06/01/17) (Prop.)