

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

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

### PROPOSED

#### 545 K to 12 School Counseling Programs

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

##### A. Type of Regulatory Action Required

Amendment to Existing Regulation

##### B. Synopsis of Subject Matter of the Regulation

The Secretary of Education seeks the consent of the State Board of Education 14 DE Admin. Code 545 K to 12 School Counseling Programs. The amendments include the following: 1) requirement that each school have a written counseling plan rather than a district plan; 2) specificity of the American School Counselors Association's (ASCA) National Standards for School Counseling Programs; 3) the specific elements of the ASCA's national model; 4) the plans are to be updated annually rather than every 3 years; 4) requirement that the written plan be on file at the Department; and 5) clarification that the Department may periodically review the written school plans. In addition, a charter school is not required to follow this regulation for purposes of how the school is addressing the accepted models of student development (14 DE Admin. Code 275 Charter Schools).

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before June 2, 2010 to Susan Haberstroh, Education Associate, Regulation Review, Department of Education, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation is available from the above address or may be viewed at the Department of Education business office.

##### C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation is related to K to 12 School Counseling programs. The national model provides best practice guidelines for academic development, career development, and personal and social development that should lead to improved student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation is related to K to 12 School Counseling programs. The national model provides best practice guidelines for academic development, career development, and personal and social development that should help ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation is related to K to 12 School Counseling programs. The national model provides best practice guidelines for academic development, career development, and personal and social development that should help ensure all students' health and safety are adequately protected.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation is related to K to 12 School Counseling programs. The national model provides best practice guidelines for academic development, career development, and personal and social development that should help ensure all students' 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 is related to K to 12 School Counseling programs. The amended regulation is intended to preserve the necessary authority and flexibility of decision making at the local board and school levels.

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 is not intended to place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The amended regulation requires schools to be more involved in the decision making and accountability.

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 amended regulation 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 of 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? The State recognizes there may be some resource costs related to the implementation of the school counseling program by a State certified school counselor.

## **545 K to 12 School Counseling Programs**

### **1.0 ~~Each Local School District Shall Have a Written K to 12 Plan for the District's School Counseling Program~~ Local School District Written Plan**

- 1.1 Every school in each district shall have a written school counseling plan. The plan shall consist of the following components:
  - 1.1.1 The plan shall include the American School Counselors Association's (ASCA) National Standards for School Counseling Programs in the areas of Academic Development, Career Development and Personal and Social Development and shall:
  - 1.1.2 Include vertical K-12 articulation of the American School Counselors Association's National Standards for School Counseling Programs;
  - 1.1.3 Contain all elements of the ASCA National Model, as those are described by the American School Counselors Association, including:
    - 1.1.3.1 Foundation, which provides what the program entails, such as describing what every student will know and be able to do. This element contains the mission statement, domains, and national standards as those terms are used in the ASCA National Model.
    - 1.1.3.2 Delivery Systems, which address how the program will be implemented. This element contains the guidance curriculum, individual student planning, responsive services, and systems support as those terms are used in the ASCA National Model.
    - 1.1.3.3 Management Systems, which addresses when certain elements of the counseling plan are implemented, why certain data are used, and the authority making entity at the local level.
    - 1.1.3.4 Accountability, which address the outcomes of students based on the counseling plan.
- 1.21.4 Be on file in the district office and in each school.
- 1.31.5 Be reviewed and updated by the school and by the local school district every three (3) years annually using available data and school and district goals.
- 1.41.6 Be incorporated in the individual school improvement plans that are reviewed as part of the Quality Review process School Success Plan and be implemented by a State certified school counselor. The School Success Plan is defined in 14 DE Admin. Code 220.

**3 DE Reg. 1546 (5/1/00)**

**8 DE Reg. 1606 (5/1/05)**

### **2.0 Reporting Requirements and Timelines**

- 2.1 Each school shall have an electronic copy of its written school counseling plan on file with the Department of Education.
- 2.2 Each school shall provide an electronic copy of the annual update by August 15 based on the previous year's data.

2.3 For monitoring purposes, the Department may periodically review the written school counseling plan for alignment to the requirements in 1.0.

**13 DE Reg. 1382 (05/01/10) (Proposed)**