

January 28, 2017

Ms. Julie Fedele, Analyst  
Joint Legislative Oversight and Sunset Committee  
Legislative Hall  
411 Legislative Avenue  
Dover, DE 19901

Dear Ms. Fedele,

I'm Lea Wainwright and I served as the 2014 Delaware Teacher of the Year. I'm writing this letter of support for the efforts of the Delaware State Board of Education. A few years ago, I had the opportunity to address this group and it continues to stand out as a highlight in my career. I count myself as lucky to work in a small state where all of the stakeholders that can positively impact our education system can come together in one room.

When I looked at the State Board's vision statement, I realized that we are kindred spirits. Their vision reads "All Delaware students are prepared to lead full and productive lives and be successful in the 21<sup>st</sup> century global society." This is what we should all want for our children. An internationally-focused education.

I first went to France when I was 16 and you would think that I would be the first person to grasp the notion that we need to reach out of the classroom for something bigger. It wasn't until I started to hear about the partnership for 21<sup>st</sup> century skills that my personal philosophy of education took on a new focus.

If you aren't completely familiar with them, some of the big tenants are: global awareness, environmental and health literacy, creativity, communication and collaboration, flexibility, social skills, and LEADERSHIP. When I talk about this, I tell kids these are the things you have to be good at to be ready to take on the world as you enter a career, as you become those responsible for the world.

I'd like to tell a story about how our little state has changed and the awareness that the State Board of Education brings. After one Thanksgiving break, with my level 4 students, we always started with discussion. You can assume this was in French. So what did you do for break? See any movies? Travel? One student said yes I traveled. I went to Africa. Turns out this young man's father does environmental research and development in Africa. Development like physically building systems to try to get clean water for those people that either don't have it or who are refugees and have lost it. They were there about 4 hours. The area is dangerous with unrest so they didn't want to risk staying too long. His father is there and mom is here with 5 sons.... Talk about global and 21<sup>st</sup> century skills in practice. A perfect example of why what the State Board of Education is doing is the right thing to do. We, as a state, need to focus on the important work that the State Board is doing – to prepare children for these amazing opportunities.

Beyond these endeavors, the State Board has been an advocate for education across the state, having worked to help make salaries fair for our educators and offer meaningful teacher leadership positions, available from the classroom.

I would be happy to continue the discussion of the many positive contributions the Delaware State Board of Education has made. Please feel free to contact me at any time.

Best regards,

Lea S. Wainwright  
2014 Delaware Teacher of the Year  
109 Bohemian Drive  
Middletown, Delaware 19709  
gbwain@verizon.net  
(302) 218-8777

Mrs. Wendy Turner  
2017 Delaware Teacher of the Year  
Brandywine School District  
[wendy.turner@bsd.k12.de.us](mailto:wendy.turner@bsd.k12.de.us)  
302-222-4636  
January 31, 2017

Senator John Walsh  
Representative Stephanie Bolden  
Committee Analyst Julie Fedele  
Joint Legislative Oversight and Sunset Committee  
Legislative Hall  
411 Legislative Ave.  
Dover, DE 19901

Dear Chairman Walsh, Representative Bolden and Ms. Fedele,

I hope this letter finds you well. I am writing on behalf of our State Board of Education. The Board's vision, mission and guiding principles represent the excellence they strive for as well as the excellence they envision for our students as they work to ensure they are prepared to lead full and productive lives in a 21st century global society. I recently spent several hours with the Board and wanted to share my perspective on that experience as well as the Board's importance in the landscape of education in Delaware.

In October of 2016, I was named the 2017 Delaware Teacher of the Year. In light of this recognition, I was invited to have lunch with the Board at their January meeting on the 19th of this month. Prior to the start of the meeting, I enjoyed conversation with board members and shared with them my background, experiences and beliefs. They were interested in my perspective as a career changer and as someone who came to teaching after many years of life and experience in the business world. They asked about my experiences in teaching preparation, how I was accepted into the educator community at the onset of my career, and how I was able to bring my passions to life through teaching. Throughout this time, they were highly engaged and interested in what I had to say as someone with a unique perspective. It was clear they were gathering information about what it was like to come to teaching as a second career. They wanted to know if I remained in contact with people I encountered and worked with in the business world. They were listening.

The meeting was called to order at 1pm. Through the use of digital tools, video recording and twitter messages, the public was able to easily access the meeting. I spoke as part of the "Educators as Catalysts" portion of the meeting. During this time I formally presented my background and experience as well as my platform regarding whole child education and trauma-informed learning. Again, the Board was highly engaged in my presentation, asking

detailed questions and providing meaningful recommendations for my platform. For example, Executive Director Johnson recommended that I include the idea of educating teaching students about trauma informed learning as part of teacher preparation in our state. Her point was salient; teaching students need to be prepared to meet the needs of students living with and learning while enduring trauma. Her thoughtful comment aligns with a key Board priority, to strengthen teacher and leader preparation, induction, professional development, and evaluation. This showed that the Board was interested in supporting the thoughts and opinions of a teacher leader; embodiment of their Educators as Catalysts program, one of their key priorities and areas of focus for 2016-2017. Another indicator of the Board's willingness to keep teacher opinions and perspective at the forefront of their work is the Board's recommendation to add the former TOY to the Board as a non-voting member.

Board member work on the Committee to Advance Educator Compensation & Careers resulted in a unique opportunity for teacher leaders to receive additional pay for leadership responsibilities. The group developed and implemented the Teacher Leader Pilot Program in 2016. The first of its kind in the nation to be implemented at the state level, it allows teacher leaders many opportunities to effect positive change at the school level. Focus is on improving instructional strategies and practices, culture, community relationships, and digital learning tools. Teachers in Delaware can accomplish these goals without having to leave the classroom and receive compensation for doing so.

By adopting and monitoring implementation of rigorous state standards, the Board ensures that Delaware is preparing students for college and career success. I have delivered curriculum and content aligned with both Common Core State Standards and Next Generation Science Standards. As a member of the state's Next Generation Science Standards implementation team for two years, I worked to increase my understanding of the standards, collaborate with others to develop and pilot curricular units. As a teacher leader, I was able to train others.

The Board also works tirelessly to keep the citizen's voice in the education conversation in Delaware. By holding multiple meetings for stakeholder input on the Every Student Succeeds Act in the past year, the Board ensures that different viewpoints and perspectives are considered in developing our state's version of ESSA.

My thoughts above outline just some of the reasons the State Board of Education is so incredibly valuable in Delaware. Their continued hard work to prepare students for a productive and fulfilling life in a 21st century global society is critical. Their efforts to develop teacher leaders and to provide roles and opportunities for educator leadership are very apparent. The work to provide public access to board initiatives, meetings and education plan development is open and effective. I believe the Board is necessary for moving Delaware forward.

Respectfully yours,

Wendy Turner, 2017 Delaware Teacher of the Year



Delaware School Boards Association  
*Serving Delaware School Boards Since 1946*

TO: Joint Legislative Oversight and Sunset Committee Co-Chairs:  
Senator John Walsh  
Representative Stephanie Bolden

FROM: Dr. John W. Marinucci, Executive Director,  
Delaware School Boards Association

DATE: January 31, 2017

SUBJECT: State Board of Education Review in Accordance with 29 Del. C.  
Chapter 102

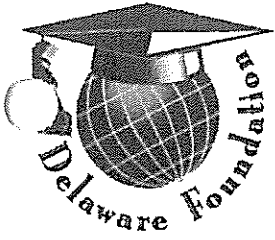
---

The purpose of this correspondence is to advocate on behalf of and in favor of the continuation of the Delaware State Board of Education. I apologize for not being able to attend the public hearing and speak personally, but I have a prior professional commitment.

Pursuant to 14 Delaware Code § 104 et al, the State Board of Education provides high-level advice and guidance to the Department of Education, Delaware School Districts as well as Charter Schools on a wide range of educational issues. The State Board of Education is also charged with the responsibility of reviewing decisions of the Secretary of Education, as authorized by Delaware Code, which provides an invaluable system of checks and balances. The State Board of Education is statutorily responsible to establish school district boundaries as well as address district boundary disputes and changes.

The State Board of Education assigns members to serve as representatives on the Delaware School Boards Association, Board of Directors and Legislative Committee. The State Board of Education members who serve on our Board of Directors and Legislative Committee are considered valuable contributors to our work supporting Local school boards and the districts they serve.

In summary, The State Board of Education serves an integral role in the delivery of education in Delaware, with all its members being strong advocates for children and their education. If I can be of any further service or answer any questions about the DSBA's unconditional support for the State Board of Education, please do not hesitate to contact me.



FOR SCIENCE AND MATHEMATICS EDUCATION  
"Encouraging excellence in science and math education"

January 31, 2017

To the Joint Legislative Oversight and Sunset Committee:

Since its inception in 1995, Delaware Foundation for Science and Mathematics Education (DFSME) has been essential in the orchestration of effective systemic reform in science and math education in Delaware's public school grades K through 10.

DFSME began and still exists to bring together K-12 education, higher education, state and local government and businesses. The State Board of Education (SBE) has been represented on DFSME's board of directors from the onset. We share with SBE a common focus on ensuring educational success for every student in Delaware, and we work with the State Board in bringing together the many working parts needed to have a measurable impact on improving science and math education in Delaware. Our partnership facilitated the success of the Smithsonian LASER program to the extent that Delaware saw the largest increase in student performance in science of all states from 1995 to 2005.

DFSME advocates adoption of world-class standards; enables the piloting, evaluation, adaptation and implementation of innovative and effective STEM programs in Delaware schools, and works to improve the performance of all Delaware students so that they all graduate from high school ready for careers, college, and success in the global economy. Our interaction with SBE provides crucial input in determining which programs will have maximum impact. In addition, the partnership between DFSME, SBE and the Delaware STEM Council saw the introduction of a state-centralized information source of STEM programs, activities, legislation and opinions. As well, the collaboration produced the recognition of excellence in STEM teaching through the founding of the annual STEM Education Awards and Symposium.

DFSME is known for advocating a broad definition of STEM that is understood by students, parents, teachers, and businesses. Through our partnerships with agencies such as SBE as well as other organizations and business, we ensure that teachers have the training and skills to present STEM in a knowledgeable, engaging and inspiring way and that their professional development is both coordinated and ongoing. We communicate the many excellent programs that currently exist in Delaware and encourage the coordination between those who run such programs and those who seek such programs so that systemic change becomes possible, and to improve and better define the sustainable impact of high-quality STEM education.

Randolph J. Guschl  
Executive Director

Donald Baker  
FAME

Virginia Balke  
DE Technical & Community College

Michael Buoni  
DE Technical & Community College

Phyllis Buchanan (*Treasurer*)  
DuPont (ret)

David Cadogan  
ILC Dover

Robert Dayton  
DE Bioscience Assoc.

Nancy Doorey  
Education Consultant

Robert Eppes  
Junior Achievement

Christopher Findlay (*Vice President*)  
Agilent Technologies

Ben Godowsky  
Delaware Dept. of Education

Teri Quinn Gray  
DE Board of Education

Mark Holodick  
Brandywine School District

Marsha Horton (*Past President Pro Tem*)  
Delaware State University

Karen Hutchison  
National FFA

William Kroen  
Wesley College

Joseph Kurian  
RPM Group

Michael Maksymow  
Beebe Healthcare

Jon Manon (*President*)  
University of Delaware (ret)

Milton Muldrow  
Wilmington University

Catherine Salvato  
Bayhealth Medical Center

Stephen Schwartz (*Secretary*)  
Education Consultant

David Sokola  
Senator, State of DE

Paul Suchenski  
Delaware STEM Council

Randolph J. Guschl  
Executive Director

**Wilmington Education  
Improvement Commission**  
*Solutions for Delaware Schools*

February 1, 2017

The Honorable John Walsh  
The Honorable Stephanie Bolden  
Co-Chairs, Joint Legislative Oversight and Sunset Committee (JLOSC)  
149th Delaware General Assembly  
Dover, DE 19901

Chairman Walsh and Chairwoman Bolden:

I am writing to offer my support of the Delaware State Board of Education as the Joint Legislative Oversight and Sunset Committee (JLOSC) conducts its review of the DSBE work and value in the broader landscape of public education in Delaware. As I understand your objectives, the JLOSC is required to pursue the following:

“JLOSC performs periodic legislative review of agencies, commissions or boards. The purpose of the review is to determine whether or not there is a genuine public need for the agency and, if so, determine if the agency is effectively performing to meet that need. The purpose of this chapter is not to terminate agencies which are sufficiently meeting a recognized State need and which are accountable to and responsive to the public interests. Rather, the purpose is to use the review mechanism to strengthen and support these agencies.”<sup>1</sup>

Given this mandate, I thought it would be useful to detail my experience with the DSBE since Governor Markell appointed me Chairman of Wilmington Education Advisory Committee (WEAC) in the fall of 2014 and the Delaware General Assembly passed House Bill 148 in the Spring of 2015, which created the Wilmington Education Improvement Commission (hereinafter referred to as “The Commission”). I was also appointed by Governor Markell to chair the Commission.

As you know, the Commission was created to advise the Governor and the General Assembly on issues related to equitable education for disadvantaged children in Wilmington and throughout the State of Delaware. In 2015, we identified three specific populations of students with whom to focus our work:

- Low-income Delaware students as defined by their eligibility for free or reduced lunch (50 percent of the Delaware student population);
- English Language learners, the state’s fastest growing student population; and
- Special needs students in kindergarten through the third grade, the only population of special needs students who receive no state-sponsored student support to help them and their teachers during these substantively critical years.

[www.solutionsfordelawareschools.com](http://www.solutionsfordelawareschools.com)  
email: [solutionsfordelawareschools@gmail.com](mailto:solutionsfordelawareschools@gmail.com) voice/text: 302.385.6206

**Wilmington Education  
Improvement Commission**  
*Solutions for Delaware Schools*

Joint Legislative Oversight and Sunset Committee (JLOSC)  
February 1, 2017  
Page Two

In each case, our primary objective is to improve student outcomes by ensuring that they have the proper resources in and outside of schools to be successful, all of which we have delineated in two seminal reports, *Solutions for Delaware Schools (2015)*, and *Strengthening Wilmington Education: An Action Agenda (2014)*. As such I will not detail those recommendations here.

We have also pursued a strategy to streamline school governance in Wilmington. In Spring of 2015, the 148th General Assembly approved Senate Bill 122, a bill to develop a transition, implementation and resource plan to reconfigure the governance of Wilmington Schools as outlined in *Strengthening Wilmington Education: An Action Agenda*. Once the plans were developed, the Commission was to present to the DSBE, who would determine the efficacy of those plans and ultimately vote as to their adequacy for final approval by the General Assembly. In context, this was an enormous role for DSBE as their action would represent the first time that any state-sponsored body, including the General Assembly or the Office of the Governor, would affirmatively act to better serve Wilmington students since the historic U.S. Supreme Court ruling in *Brown v. Board (1954)*.

To their credit, DSBE took that responsibility seriously, putting the Commission through a series of unprecedented steps to ensure that they were comprehensively aware of our plans and their value to the students and parents of the Wilmington community. That included not only a thorough review of the 1,000 pages of analysis that shaped the Commission's plans, but also a call by the DSBE for the Commission to answer more than 50 additional questions in writing, which resulted in a public forum between me and the DSBE members that lasted more than four hours. It was unmistakably clear that the DSBE would be notably dogged in their deliberations to ensure that both the Commission and they were safeguarding the most marginal student population in Delaware.

To be clear, many members of the Commission including me grew weary of what became a long-suffering process to a final, narrow 4-3 vote to support our plan, but it was one example – and in some ways the best example -- of how seriously the DSBE and its chair Dr. Teri Gray took their role. As I have now said in public many times and put in writing to Dr. Gray and the DSBE members on January 21, 2016:

“You [Delaware State Board of Education] have taken great care in exercising due diligence in considering the importance and limited power of the State Board of Education to redraw the lines for the first time in 40 years. You have asked hard, thoughtful questions, pressed us on impact on student achievement that will result from this initial step, affirmed your commitment to Delaware children, and grounded your inquiry and deliberations in fact-finding and evidence.”



**Wilmington Education  
Improvement Commission**  
*Solutions for Delaware Schools*

Joint Legislative Oversight and Sunset Committee (JLOSC)

February 1, 2017

Page Three

Their decision ultimately compelled the General Assembly to act, and I believe has kept clear pressure on the legislature, the Governor, the Department of Education and the public school system itself to make equitable education for all Delaware children a strategic priority for our state. My sense is that this is in many ways what the DSBE is designed to do. And that function continues to have significant merit in our educational landscape.

This is not to suggest that the DSBE cannot be tweaked to better serve the system and the students and families who consume these services, but rather to note that in its purest sense, it has unique accountability. In my view and in my direct experience with the DSBE, they have executed with caution and great care. As you review their ongoing utility and offer recommendations to strengthen their role and supports, I would be happy to add additional comments along those lines. Thank you.

Sincerely,



Tony Allen, Ph.D.  
Chairman

cc: Joint Legislative Oversight and Sunset Committee Members

The Honorable David Sokola

The Honorable Bryan Townsend

The Honorable Brian Pettyjohn

The Honorable Bryant Richardson

The Honorable Gerald Brady

The Honorable Andria Bennett

The Honorable Timothy Dukes

The Honorable Jeff Spiegelman

The Honorable John Carney, Governor

The Honorable Susan Bunting, Secretary, Department of Education

Dr. Teri Gray and members of the Delaware State Board of Education

Wilmington Education Improvement Commission Members

Dr. Dan Rich, Commission Policy Director

[www.solutionsfordelawareschools.com](http://www.solutionsfordelawareschools.com)

*email:* [solutionsfordelawareschools@gmail.com](mailto:solutionsfordelawareschools@gmail.com) *voice/text:* 302.385.6206

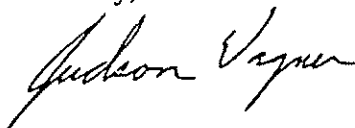
Dear members of the Joint Legislative Oversight and Sunset Committee:

My name is Jud Wagner and I have been a Delaware educator for 21 years. Currently, I teach Physics and Engineering at Brandywine High School and believe strongly in public education. From 2010 to 2016, I took a leave from the classroom to join Brandywine School District's Race to the Top team where I was charged to build out a new K-12 STEM education program. Among other duties assigned, I was to revitalize the district's Career and Technical Education (CTE) programs and restructure our Instructional Technology plan to support blended and personalized learning. These initiatives drew me into a statewide network of educational leaders including the State Board of Education. Like me, these leaders believed in educational reforms focused on today's students to better prepare them for an increasingly technical and globally connected world. As I worked to implement these programs in my district, the State Board of Education lent an ear to bold ideas and helped hash out common visions. Let me take a moment to mention a few initiatives that I was fortunate to be a part of that the SBE is fully aware of.

- The establishment of the Delaware STEM Council by Executive Order 15 of former Governor Jack Markel which helped define STEM for thousands of Delawareans and ultimately established a sustainable network small and large businesses owners and educators found in K-12 school, institutions of higher education, and informal out-of-school settings; all of whom believe in a strong Science, Technology, Engineering, and Mathematics education for all Delaware students.
- The adoption of the Next Generation Science Standards and the strategic planning involved in implementing a K-12 content and practice rich curriculum that is internationally benchmarked.
- The establishment of the Office of STEM and CTE within the Department of Education which continually develops state model programs of study which now make it easy for districts to adopt CTE programs that have value added opportunities for students that include work based learning, industry recognized certifications, and college recognized credit.
- The creation of BRINC which is a multi-district consortium that is greater than the sum of its parts when it comes to establishing a common vision for personalized and blended learning and increasing student access to technology in the classroom.

These are just a few examples of how education in Delaware has improved with the Delaware State Board of Education.

Sincerely,

A handwritten signature in cursive script that reads "Judson Wagner".

Judson Wagner, Ed.D



## College of Education & Human Development

PROFESSIONAL DEVELOPMENT  
CENTER FOR EDUCATORS

February 1, 2017

To the Joint Legislative Oversight and Sunset Committee:

I am a mathematics educator at the University of Delaware and have been designing and implementing professional development for K-12 teachers for more than twenty years. Thank you for this opportunity to testify about the guidance and support that the Delaware State Board of Education has provided with regard to research-based data-driven educational innovations during those years.

I would like to cite a recent example of the impact of the SBE's support. As Director of UD's Math & Science Education Resource Center, I collaborated with Prof. John Jungck, the Director of UD's Interdisciplinary Science & Engineering (ISE) Lab, to write a Math & Science Partnership grant. That project, funded by the Delaware Department of Education, is now beginning its fourth year with more participating schools, teachers and energy than ever before. When we first received the grant, I sent an email to the State Board of Education to share our vision for increasing and diversifying the STEM workforce in Delaware. The President of the State Board wrote back immediately and has been a supporter of our work ever since!

Here is a quick overview of our project: Monday & Tuesday of this week, 60 math, science, engineering, technology and communications teachers from 12 Delaware schools, public, private and charter, came to the ISE Lab and together dug into challenging interdisciplinary STEM investigations. This spring, these school-based STEM teams will pilot interdisciplinary STEM lessons in their own classrooms. In June, they will come together again in the ISE Lab to teach their lessons to students from the partnership schools, students who previously might not have considered a career in STEM.

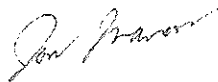
Responses from students who have attended our Student STEM Summer Academy have been quite gratifying: 86% said that attending the STEM Academy increased their "interest in pursuing a career in science." One student said, quite dramatically, "Now, I see my future." Followup studies have shown that these students have opted to take more, and more challenging STEM courses after attending our Summer Academy.

Teachers too have testified to the power of this project. Their cross-curricular content knowledge has increased, as has their use of STEM teaching practices. As

our evaluator wrote, "teachers highlighted how proud they felt working as a school team to create a lesson that incorporated aspects from each . . . content area." They say this models for students the kind of collaborative effort needed to succeed in the workplace.

Last June, the President of the State Board of Education made a point to drop in on our Summer Academy. Dr. Teri Quinn-Gray spent the morning observing lessons and talking to students about their experiences. Then she extended her visit and engaged in a town hall style meeting with participating teachers. Having a member of the State Board of Education interact with teachers on the ground makes them feel as if the system is working with and for them and insures that our state's educational policy is "grounded" in the best possible sense.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jon Manon".

Jon Manon, Associate Director for Mathematics  
Professional Development Center for Educators

## Sunset Committee Members

Comments on the sunset review of the State Board of Education.

While the State Board of Education should have great value, its current structure and practices leave it, through a chair who serves at the pleasure of the Governor, essentially a political entity furthering the goals and mandates of an administration rather than what their mission/vision/principal statement purports.

**"Vision Statement** All Delaware students are prepared to lead full and productive lives and be successful in the 21st century global society.

**Mission Statement** In collaboration with community and stakeholders, the Delaware State Board of Education serves as the primary voice for Delaware citizens on education policy to create a world class education system for every student.

### Guiding Principles

1. Further our thriving democratic society with opportunities for an excellent and equitable education for all students.
2. Enrich education policymaking with the inclusion of diverse perspectives that represent the breadth and depth of Delaware's citizens.
3. Utilize research-based viewpoints to inform decisions in the best interest of all students.
4. Advocate for the development of the whole child through learning, teaching, and community engagement"

The State Board in recent history has never collaborated with a broad array of stakeholders, rather has chosen to work with special interest on a predetermined agenda. While valuable as an element of an education system, their myopic focus on academic achievement, has led to a gross failure to address the needs of whole child, to address the needs of our at risk students or help determine the best practice requirements and plot a path to equitable needs based funding for all student in Delaware, This is made all the worse since they have been asked and at times begged to engage in this critical work, but instead engage in an outside agenda has little to do with what the majority of stakeholders believe is needed to dramatically improve the outcomes for children.

Despite endless opportunities to engage and collaborate with stakeholders on various workgroups, councils and initiatives, in the vast majority of cases simply send their Executive Director, who rather than truly collaborating, simply tries to reinforce a predetermined agenda and set of priorities. This leaves the members ill prepared to make the decisions for which they are charged, which is evident to the public as they discuss an deliberate issues, often armed only with one side of an issue, which supports a predetermined outcome. It is also concerning that the Executive Director functions like a government paid lobbyist, rather than a fact finder for the board.

This is all the more striking, since I know a couple of the members who outside the board have historically and naturally pursued the mission vision and principles above, yet as members of the board do not, which gives a strong indication that the State Board system is greatly at fault.

For myself and most of the stakeholders I work with it is clear the State Board of Education system is severely broken and if it cannot be fixed should be eliminated. It could fill an important road if it truly collaborated and represented the stakeholders of Delaware including our children. As first step I have been working with stakeholders on language to make the board more representative and have attached a number of possibilities.

In conclusion the State Board of Education is held in such low regard by so many stakeholders and has failed to follow its own Mission, Vision and Principles and is so out of touch with the reality and /or fails to address needs of our at risk student, that they have no position or moral authority to move Delaware's education system forward on path to success for all children

Thank you for your consideration

Bill

Bill Doolittle

Volunteer Advocate for Children at Risk

§ 104 State Board of Education; composition; term; powers and duties; qualifications; vacancies; ~~staggered elections and~~ appointments; office location; compensation.

(a) The State Board of Education shall be composed of ~~7~~<sup>13</sup> members who shall be citizens of the State ~~and 7 shall be appointed and 6 shall be elected through a statewide appointed by the Governor and confirmed by the Senate. The election. Governor shall name the President of the Board who shall serve at the Governor's pleasure. Each of the remaining The elected~~ members of the Board shall ~~be appointed to serve for 6 2 years. years and until that member's successor qualifies.~~

(b) The State Board of Education shall have powers, duties and responsibilities as specified in this title. Included among the powers, duties and responsibilities are those specified in this subsection. The State Board of Education shall:

(1) Provide the Secretary of Education with advice and guidance with respect to the development of policy in those areas of education policy where rule- and regulation-making authority is entrusted jointly to the Secretary and the State Board. The State Board shall also provide guidance on new initiatives which may from time to time be proposed by the Secretary. The Secretary shall consult with the State Board regularly on such issues to ensure that policy development benefits from the breadth of viewpoint and the stability which a citizens' board can offer and to ensure that rules and regulations presented to the State Board for its approval are developed with input from the State Board. Consistent with its role in shaping critical educational policies, the State Board of Education may also recommend that the Secretary undertake certain initiatives which the State Board believes would improve public education in Delaware;

(2) Provide the Secretary of Education with advice and guidance on the Department's annual operating budget and capital budget requests;

(3) Provide the Secretary of Education with guidance in the preparation of the annual report specified in § 124 of this title, including recommendations for additional legislation and for changes to existing legislation;

(4) Provide the Secretary of Education with guidance concerning the implementation of the student achievement and statewide assessment program specified in § 122(b)(4) of this title;

(5) Decide, without expense to the parties concerned, certain types of controversies and disputes involving the administration of the public school system. The specific types of controversies and disputes appropriate for State Board resolution and the procedures for conducting hearings shall be established by rules and regulations pursuant to § 121(12) of this title;

(6) Fix and establish the boundaries of school districts which may be doubtful or in dispute, or change district boundaries as provided in §§ 1025, 1026, and 1027 of this title;

(7) Decide on all controversies involving rules and regulations of local boards of education pursuant to § 1058 of this title;

(8) Subpoena witnesses and documents, administer and examine persons under oath, and appoint hearing officers as the State Board finds appropriate to conduct investigations and hearings pursuant to paragraphs (b)(5), (6), and (7) of this section;

(9) Review decisions of the Secretary of Education, upon application for review, where specific provisions of this title provide for such review. The State Board may reverse the decision of the Secretary only if it decides, after consulting with legal counsel to the Department, that the Secretary's decision was contrary to a specific state or federal law or regulation, was not supported by substantial evidence, or was arbitrary and capricious. In such cases, the State Board shall set forth in writing the legal basis for its conclusion;

(10) Approve such Department rules and regulations as require State Board approval, pursuant to specific provisions of this title, before such regulations are implemented;

(11) Approve rules and regulations governing institutions of postsecondary education that offer courses, programs of courses, or degrees within the State or by correspondence to residents of the State pursuant to § 121(16) and/or § 122(b)(8) of this title;

(12) Any provision of Chapter 5 of this title to the contrary notwithstanding, decide appeals of decisions by the board of directors of a charter school to suspend or expel a student for disciplinary reasons. In deciding such cases, the State Board shall employ the same standard of review as is set forth in § 1058 of this title; and

(13) Digitally record all regular monthly public board meetings of the State Board of Education and make the recordings available to the public on the Department of Education's website within 7 business days of each meeting. These recordings are not official board minutes, but are a means to enhance communication to the public and state legislators. The requirements of this section do not apply to meetings where recording equipment is not available, to executive sessions, or to other meetings of the Board, such as workshops, retreats, and committee meetings. A written transcript of the regular monthly public board meetings that are digitally recorded pursuant to this paragraph, or other reasonable accommodation, will be provided by the Department of Education within 7 business days upon request of a person with a hearing impairment.

(14) Pursuant to Chapter 33 of this title, serve as the State Board for Vocational-Technical Education (Career and Technical Education) and is the "eligible agency" and sole agency responsible for the supervision of administration of career and technical education for purposes of the federal Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) [20 U.S.C. § 2301 et seq.], and any subsequent reauthorization thereof, and subject to its requirements and any implementing regulations. As used in this title, "career and technical education" shall have the same meaning as "vocational-technical education."

(c) The Department, through the Secretary, shall provide reasonable staff support to assist the State Board in performing its duties pursuant to this title and shall, upon



request through the Secretary, provide the State Board with reports and data necessary to enable the State Board to perform its duties pursuant to this title. The Secretary of Education, in addition to the Secretary's other duties of office, shall serve as Executive Secretary of the State Board.

(d) ~~The~~ It is the intent that he members of the Board shall be elected or appointed based on thier knowledge and commitment to the best interest of the children of Delaware appointed solely because of their character and fitness subject to the following qualifications: at least 2 members of the Board shall have had prior experience on a local board of education; no more than 4 members of the Board shall belong to the same political party; ~~N~~no person shall be eligible to ~~appointment~~ appointment or election who has not been for at least 5 years immediately preceding ~~appointment~~ appointment or election a resident of this State; and no person shall be appointed to the Board who is in any way subject to its authority.

A. State School board elections shall be conducted consistent with district school board elections including:

i. The elections shall be conducted at the same time as district school board elections.

ii. The voter eligibility rules shall be constant with district school board elections.

B. Eligibility to the State board of education shall be consistent with section 104 (d) of this chapter and shall be form a statewide pool of eligible individuals registering as candidates.

C. Elected Candidates shall be:

i. One candidate from each of the 3 counties receiving the highest statewide vote totals

ii. The 3 candidates receiving the highest statewide vote totals after the 3 candidates in (d) C (i)

D. Elected State School Board members terms shall begin on July 1, of the year they are elected, except that those elected to fill unexpired terms shall server once their election has been certified.

E. Appointed State Board Members:

i. 1 member of the Delaware PTA elected at the annual convention, meeting the qualification of 104 (d)

ii. 1 member of the Delaware School Boards association elected by that body.

iii 1 Parent member of the GACEC elected during the election of officers, meeting the qualification of 104 (d)

iv. 1 member appointed by the Governor



- v. The chair of the Senate Education Committee or their designee
- vi. The chair of the House Education Committee or their designee
- vii. A representative of the DSEA elected at their annual meeting
- viii. Vacancies in appointed members may be filled by the president/chair of the respective organization or appointing authority.
- ix. Appointed members of the State Board of Education shall serve for a term of 1 year, Terms shall begin upon their election or appointment

~~Any member of the Board shall be eligible for reappointment unless otherwise disqualified by this title. In constituting the Board, the President shall be appointed from the State at large, but the appointments of the remaining 6 members shall be made so that there shall be on the Board at least 1 resident of the City of Wilmington, 2 residents from New Castle County outside the City of Wilmington, 1 from Kent County, 1 from Sussex County, and 1 member at large.~~

~~(e) Vacancies of unexpired elected terms on the Board for any cause shall be filled at the next regular district school board elections if more than 1 year of the term remains. by the Governor for the unexpired term and until a successor shall qualify.~~

~~(f) The Governor may appoint members for confirmation by the Senate for terms shorter than 6 years where that is necessary to ensure that Board members' terms expire on a rotating annual basis.~~

~~(gf) The Board shall meet in Dover in meeting space provided by the Department.~~

~~(hg) The members of the Board shall receive \$100 for each day's attendance at the meetings of the Board not to exceed 24 days' attendance in any 1 calendar year; and they shall be reimbursed for their actual travel and other necessary expenses incurred in attending meetings and transacting the business of the Board.~~

21 Del. Laws, c. 67, § 1; 26 Del. Laws, c. 94, §§ 1, 2; Code 1915, § 2273; 32 Del. Laws, c. 160, § 2; 37 Del. Laws, c. 193, § 1; Code 1935, § 2623; 14 Del. C. 1953, § 101; 59 Del. Laws, c. 173, §§ 1, 2; 69 Del. Laws, c. 16, § 1; 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 180, § 3; 73 Del. Laws, c. 164, § 4; 73 Del. Laws, c. 188, § 7; 77 Del. Laws, c. 51, § 1; 77 Del. Laws, c. 431, §§ 13-15; 78 Del. Laws, c. 45, § 1; 79 Del. Laws, c. 83, § 1.;

§ 105 State Board procedures.

(a) The Board shall hold an annual meeting each year, in Dover, during the month of July. At this meeting the Board shall each year elect 1 of its members to serve as President and one of its members to serve as Vice-President. The president and Vice President serve at the pleasure of the board. Other meetings shall be held at such times and places as the duties and business of the Board require. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

(b) Whenever this Code requires that the State Board approve a regulation or other action proposed by the Department, the State Board shall approve such regulation or action at a meeting held in conformity with Chapter 100 of Title 29. Provided that the Department has complied with Chapter 101 of Title 29 in proposing a regulation or other regulatory action to the extent such action is governed by said Chapter 101, the State Board shall not be subject to said Chapter 101 in approving or refusing to approve such Departmental proposal.

;

§ 104 State Board of Education; composition; term; powers and duties; qualifications; vacancies; ~~staggered appointments~~elections; office location; compensation.

(a) The State Board of Education shall be composed of 7 members who shall be citizens of the State and shall be ~~elected though a statewide~~ appointed by the Governor and confirmed by the Senate. The election. ~~Governor shall name the President of the Board who shall serve at the Governor's pleasure. Each of the remaining~~ The members of the Board shall be appointed elected to serve for ~~6-2~~ years. ~~years and until that member's successor qualifies.~~

(b) The State Board of Education shall have powers, duties and responsibilities as specified in this title. Included among the powers, duties and responsibilities are those specified in this subsection. The State Board of Education shall:

(1) Provide the Secretary of Education with advice and guidance with respect to the development of policy in those areas of education policy where rule- and regulation-making authority is entrusted jointly to the Secretary and the State Board. The State Board shall also provide guidance on new initiatives which may from time to time be proposed by the Secretary. The Secretary shall consult with the State Board regularly on such issues to ensure that policy development benefits from the breadth of viewpoint and the stability which a citizens' board can offer and to ensure that rules and regulations presented to the State Board for its approval are developed with input from the State Board. Consistent with its role in shaping critical educational policies, the State Board of Education may also recommend that the Secretary undertake certain initiatives which the State Board believes would improve public education in Delaware;

(2) Provide the Secretary of Education with advice and guidance on the Department's annual operating budget and capital budget requests;

(3) Provide the Secretary of Education with guidance in the preparation of the annual report specified in § 124 of this title, including recommendations for additional legislation and for changes to existing legislation;

(4) Provide the Secretary of Education with guidance concerning the implementation of the student achievement and statewide assessment program specified in § 122(b)(4) of this title;

(5) Decide, without expense to the parties concerned, certain types of controversies and disputes involving the administration of the public school system. The specific types of controversies and disputes appropriate for State Board resolution and the procedures for conducting hearings shall be established by rules and regulations pursuant to § 121(12) of this title;

(6) Fix and establish the boundaries of school districts which may be doubtful or in dispute, or change district boundaries as provided in §§ 1025, 1026, and 1027 of this title;

(7) Decide on all controversies involving rules and regulations of local boards of education pursuant to § 1058 of this title;

(8) Subpoena witnesses and documents, administer and examine persons under oath, and appoint hearing officers as the State Board finds appropriate to conduct investigations and hearings pursuant to paragraphs (b)(5), (6), and (7) of this section;

(9) Review decisions of the Secretary of Education, upon application for review, where specific provisions of this title provide for such review. The State Board may reverse the decision of the Secretary only if it decides, after consulting with legal counsel to the Department, that the Secretary's decision was contrary to a specific state or federal law or regulation, was not supported by substantial evidence, or was arbitrary and capricious. In such cases, the State Board shall set forth in writing the legal basis for its conclusion;

(10) Approve such Department rules and regulations as require State Board approval, pursuant to specific provisions of this title, before such regulations are implemented;

(11) Approve rules and regulations governing institutions of postsecondary education that offer courses, programs of courses, or degrees within the State or by correspondence to residents of the State pursuant to § 121(16) and/or § 122(b)(8) of this title;

(12) Any provision of Chapter 5 of this title to the contrary notwithstanding, decide appeals of decisions by the board of directors of a charter school to suspend or expel a student for disciplinary reasons. In deciding such cases, the State Board shall employ the same standard of review as is set forth in § 1058 of this title; and

(13) Digitally record all regular monthly public board meetings of the State Board of Education and make the recordings available to the public on the Department of Education's website within 7 business days of each meeting. These recordings are not official board minutes, but are a means to enhance communication to the public and state legislators. The requirements of this section do not apply to meetings where recording equipment is not available, to executive sessions, or to other meetings of the Board, such as workshops, retreats, and committee meetings. A written transcript of the regular monthly public board meetings that are digitally recorded pursuant to this paragraph, or other reasonable accommodation, will be provided by the Department of Education within 7 business days upon request of a person with a hearing impairment.

(14) Pursuant to Chapter 33 of this title, serve as the State Board for Vocational-Technical Education (Career and Technical Education) and is the "eligible agency" and sole agency responsible for the supervision of administration of career and technical education for purposes of the federal Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) [20 U.S.C. § 2301 et seq.], and any subsequent reauthorization thereof, and subject to its requirements and any implementing regulations. As used in this title, "career and technical education" shall have the same meaning as "vocational-technical education."

(c) The Department, through the Secretary, shall provide reasonable staff support to assist the State Board in performing its duties pursuant to this title and shall, upon

request through the Secretary, provide the State Board with reports and data necessary to enable the State Board to perform its duties pursuant to this title. The Secretary of Education, in addition to the Secretary's other duties of office, shall serve as Executive Secretary of the State Board.

(d) ~~The~~ It is the intent that the members of the Board shall be elected based on their knowledge and commitment to the best interest of the children of Delaware appointed solely because of their character and fitness subject to the following qualifications: at least 2 members of the Board shall have had prior experience on a local board of education; no more than 4 members of the Board shall belong to the same political party; No person shall be eligible to appointment election who has not been for at least 5 years immediately preceding appointment election a resident of this State; and no person shall be appointed to the Board who is in any way subject to its authority.

A. State School board elections shall be conducted consistent with district school board elections including:

i. The elections shall be conducted at the same time as district school board elections.

ii. The voter eligibility rules shall be constant with district school board elections.

B. Eligibility to the State board of education shall be consistent with section 104 (d) of this chapter and shall be form a statewide pool of eligible individuals registering as candidates.

C. Elected Candidates shall be:

i. One candidate from each of the 3 counties receiving the highest statewide vote totals

ii. The 4 candidates receiving the highest statewide vote totals after the 3 candidates in (d) C (i)

D. State school board members terms shall begin on July 1, of the year they are elected, except that those elected to fill unexpired terms shall server once thier election has been certified.

Any member of the Board shall be eligible for reappointment unless otherwise disqualified by this title. In constituting the Board, the President shall be appointed from the State at large, but the appointments of the remaining 6 members shall be made so that there shall be on the Board at least 1 resident of the City of Wilmington, 2 residents from New Castle County outside the City of Wilmington, 1 from Kent County, 1 from Sussex County, and 1 member at large.



~~(e) Vacancies of unexpired terms on the Board for any cause shall be filled at the next regular district school board elections if more than 1 year of the term remains. by the Governor for the unexpired term and until a successor shall qualify.~~

~~(f) The Governor may appoint members for confirmation by the Senate for terms shorter than 6 years where that is necessary to ensure that Board members' terms expire on a rotating annual basis.~~

~~(gf) The Board shall meet in Dover in meeting space provided by the Department.~~

~~(hg) The members of the Board shall receive \$100 for each day's attendance at the meetings of the Board not to exceed 24 days' attendance in any 1 calendar year; and they shall be reimbursed for their actual travel and other necessary expenses incurred in attending meetings and transacting the business of the Board.~~

21 Del. Laws, c. 67, § 1; 26 Del. Laws, c. 94, §§ 1, 2; Code 1915, § 2273; 32 Del. Laws, c. 160, § 2; 37 Del. Laws, c. 193, § 1; Code 1935, § 2623; 14 Del. C. 1953, § 101; 59 Del. Laws, c. 173, §§ 1, 2; 69 Del. Laws, c. 16, § 1; 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 180, § 3; 73 Del. Laws, c. 164, § 4; 73 Del. Laws, c. 188, § 7; 77 Del. Laws, c. 51, § 1; 77 Del. Laws, c. 431, §§ 13-15; 78 Del. Laws, c. 45, § 1; 79 Del. Laws, c. 83, § 1.;

§ 105 State Board procedures.

(a) The Board shall hold an annual meeting each year, in Dover, during the month of July. At this meeting the Board shall each year elect 1 of its members to serve as President and one of its members to serve as Vice-President. The president and Vice President serve at the pleasure of the board. Other meetings shall be held at such times and places as the duties and business of the Board require. No motion or resolution shall be declared adopted without the concurrence of a majority of the whole Board.

(b) Whenever this Code requires that the State Board approve a regulation or other action proposed by the Department, the State Board shall approve such regulation or action at a meeting held in conformity with Chapter 100 of Title 29. Provided that the Department has complied with Chapter 101 of Title 29 in proposing a regulation or other regulatory action to the extent such action is governed by said Chapter 101, the State Board shall not be subject to said Chapter 101 in approving or refusing to approve such Departmental proposal.

;

## Fedele, Julie (LegHall)

---

**To:** Walsh, John (LegHall)  
**Subject:** RE: Sunset SBOE

**From:** Robert Overmiller <[rdo1979@aol.com](mailto:rdo1979@aol.com)>

**Sent:** Sunday, February 26, 2017 10:55 AM

**To:** Bennett, Andria (LegHall); Walsh, John (LegHall); Bolden, StephanieT (LegHall); Sokola, David (LegHall); Richardson, Bryant L (LegHall); Townsend, Bryan (LegHall); Pettyjohn, Brian (LegHall); Brady, Gerald (LegHall); Dukes, Timothy (LegHall); Spiegelman, Jeff (LegHall)

**Cc:** McBride, David (LegHall); [gsimpson@udel.edu](mailto:gsimpson@udel.edu); Short, Daniel (LegHall); Schwartzkopf, Peter (LegHall); Strauss, Wendy (K12); Maichle, Pat (DSHS)

**Subject:** Sunset SBOE

It is time to eliminate the State Board of Education after 142 years of existence. With the creation of the Department of Education and the increasing complexity of Delaware Code Title 14, the State Board of Education's powers, effectiveness and relevance has greatly diminished into irrelevance. They have for over a decade rubber stamped approvals from Secretary of Education. It is time to eliminate the State Board of Education in Delaware.

### A history:

The first reference to an officially titled state board of education was made in 1875, with the order for the governor to appoint a state superintendent of free schools. The superintendent, the secretary of state, the president of Delaware College and the state auditor subsequently constituted the State Board of Education.

In 1887 the legislature abolished the office of state superintendent (and assistant state superintendent) and designated a gubernatorially-appointed superintendent for each county. The three superintendents, in conjunction with the secretary of state and the president of Delaware College, now constituted the State Board of Education.

In 1898, a major reorganization of educational administration incorporated characteristics of all previous versions of the board of education. A county school commission, consisting of a gubernatorially-appointed clerk and two commissioners, was established for each county. One senior member of each county commission, in addition to the governor, the secretary of state, the president of Delaware College and the auditor (serving as secretary), comprised the State Board of Education.

The legislature in 1911 again abolished the board and promptly reinstated a new board with essentially the same duties. A commissioner of education was appointed in 1913 to be the secretary of the State Board of Education, replacing the auditor.

In 1921 another major reorganization of the State Board of Education took place. Membership was limited to four gubernatorial appointees, who in turn were to appoint a state superintendent of public instruction.

A major restructuring of the state's school districts occurred in 1968 with respect to topography, pupil population, racial equality, community, transportation, facilities, etc. The board was also directed to establish separate schools for the handicapped, maladjusted, hearing or speech impaired, truants, kindergarten, and vocational-technical education. Control of the Educational Television RG 8007 organization was assumed by the State Board of Education in 1969.

January 1, 1999 State Board of Education approved reducing promotional standards to: Students in grades 1 to 8 must pass 50% of their instructional program each year (excluding physical education) to be promoted to the next grade level. One of the subject areas that must be passed is English Language Arts or its equivalent. English Language Arts or its equivalent includes English as a Second Language, and bilingual classes that are designed to develop the English language proficiency of students who have been identified as LEP. Classes in English Language Arts, mathematics, science and social studies include those which employ alternative instructional methodologies designed to meet the needs of LEP students in the content areas.

July 1, 2011 State Board of Education approved current high school promotion standards without any Public Hears discussing Foreign Language additional credit.

July 1, 1973 Delaware Code was adjusted to the following for State School Board. The State Board of Education shall be composed of 7 members who shall be citizens of the State and shall be appointed by the Governor and confirmed by the Senate. The Governor shall name the President of the Board who shall serve at the Governor's pleasure. Each of the remaining members of the Board shall be appointed to serve for 6 years and until that member's successor qualifies.

My back ground.



I have taught middle school classes and high school classes full time in Delaware. I was Supervisor of Buildings and Grounds plus Supervisor of Transportation for a School District. I have over 26 years teaching adults, 14 years within public education schools and 12 years with correctional facilities. I was part of the team to review and set standards for Delaware's student assessment testing over many years.

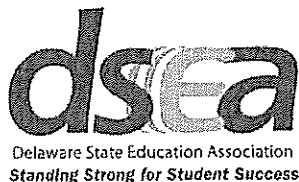
Robert D. Overmiller, MSM

RDO Refrigeration

DE Master Electrical HVACR T7-1015

DE Master HVACR HM 49

Trade and Industry training is our future



March 16, 2017

Dear Members of the Joint Legislative Oversight and Sunset Committee-

The Delaware State Education Association thanks the members of the committee for the opportunity to comment on the current policies and procedures of the State Board of Education. After reading the Performance Review Questionnaire submitted by the State Board of Education, we respectfully submit the following comments and suggestions for your consideration.

**State Board of Education Regular Public Meeting Procedures: Location, Time, and Public Comment**

Currently, the State Board of Education holds its monthly meeting at the Townsend Building in Dover Delaware. Consistently holding the regular monthly meeting in Dover effectively impedes full public participation, requiring many of our state residents extended travel times (for some, 2 hours round trip). Furthermore, the venue (the Board Room on the second floor of the Townsend Building) is too small to accommodate larger audiences. DSEA recommends the State Board of Education rotate meeting locations monthly to locations in each county at venues that can accommodate large audiences.

The State Board of Education's regular meetings are scheduled for 1:00pm. This poses a major problem for anyone with a full time job interested in attending a board meeting. Over the years, DSEA has repeatedly received complaints from educators, who cannot attend board meetings as they do not have the capacity to take time off from their school jobs. (Educators do not have vacation time during the school year; rather per 14 Del.C. § 1318, educators are allotted 10 sick days per school year with the option to use three days as personal days if approved by their administrator). As you can imagine, our educators do not want to take time away from students, and administrators rarely grant time away to attend board meetings. We strongly recommend the Board the change the time of their regular meetings to a time that accommodates working adults, such as starting the meetings at 5:00 p.m.

The State Board of Education frequently hears and takes action on rules and regulations that prompt questions, comments and responses from educators, parents and the community. If a member of the public takes the time and makes the effort to attend a board meeting, they should feel their public comment is relevant and valued. The current procedure for public comment, does not meet this criteria.

The Board contends their policy of prohibiting public comment the day action will be taken on a rule or regulation is compliant with state code. DSEA disagrees. 29 Del.C § 10118 states:

- (a) The opportunity for public comment shall be held open for a minimum of 30 days after the proposal is published in the Register of Regulations. The opportunity for public written comment

**DELAWARE STATE EDUCATION ASSOCIATION**

Headquarters | 136 East Water Street | Dover, Delaware 19901 | P 302.734.5834 | F 302.674.8499 | TF 866.734.5834  
Branch Office | 4135 Ogletown-Stanton Road | Suite 101 | Newark, Delaware 19713 | P 302.366.8440 | F 302.366.0287  
[www.dsea.org](http://www.dsea.org)

Frederika Jenner  
President

Karen Crouse  
Vice President

Dom Zaffora  
Treasurer

Michael Bank  
NEA Director

Jeff Taschner  
Executive Director



March 16, 2017

shall be extended for a minimum of 15 days after the final public hearing when 1 or more public hearings are held on the proposal.

(b) At the conclusion of all hearings and after receipt within the time allowed of all written materials, upon all the testimonial and written evidence and information submitted, together with summaries of the evidence and information by subordinates, the agency shall determine whether a regulation should be adopted, amended or repealed and shall issue its conclusion in an order which shall include:

- (1) A brief summary of the evidence and information submitted;
- (2) A brief summary of its findings of fact with respect to the evidence and information, except where a rule of procedure is being adopted or amended;
- (3) A decision to adopt, amend or repeal a regulation or to take no action and the decision shall be supported by its findings on the evidence and information received;
- (4) The exact text and citation of such regulation adopted, amended or repealed;
- (5) The effective date of the order;
- (6) Any other findings or conclusions required by the law under which the agency has authority to act; and
- (7) The signatures of at least a quorum of the agency members.

The Board's overly restrictive interpretation of 29 Del.C § 10118 whether by design or default, constrains relevant public comment. DSEA contends the Board can hear public comment the day action is taken by simply closing public comment after the final speaker on a particular item. DSEA further believes the practice of requiring public comment at the start of the board meeting should be abolished. Instead, the Board should be required to hear public comment after each agenda item has been discussed by the Board.

Thank you for your consideration.

Sincerely,



Kristin Dwyer  
Director of Legislation and Political Organizing  
Delaware State Education Association