

IMPLEMENTING ORDER

STATE BOARD OF EDUCATION PROCEDURES MANUAL

Background and Context of Regulation

The State Board of Education's *Procedures Manual* includes descriptions of the Board's organization and operations, its meeting procedures and its rules of hearing practice, among other items.

After review of its experiences with public comments at Board meetings over the past several months, the State Board concludes it is necessary to amend the *Procedures Manual* to further clarify the rules applicable to Public Participation at its meetings.

This change is exempted from the procedural requirements of the *Administrative Procedures Act* pursuant to 29 *Del. C.* §10113(b) (2). As a result, the State Board may adopt these changes informally.

ORDER ADOPTING REGULATIONS

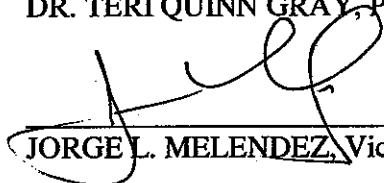
The State Board of Education concludes that it is appropriate to amend the *Procedures Manual* as described above. The amended regulation is attached as Exhibit "A" and is hereby adopted by the State Board of Education as the Public Participation at Board Meetings section of its *Procedures Manual*, effective immediately.

Approved this 18th day of November, 2010.

STATE BOARD OF EDUCATION


NOT PRESENT
DR. TERI QUINN GRAY, President

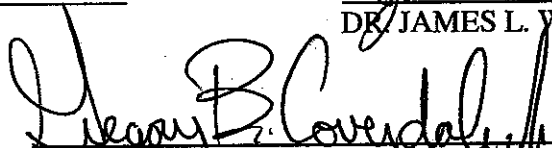

G. PATRICK HEFFERNAN


JORGE L. MELENDEZ, Vice-President


DR. TERRY M. WHITTAKER


BARBARA B. RUTT


DR. JAMES L. WILSON


GREGORY B. COVERDALE, JR.

Public Participation at Board Meetings

Individuals and groups may address the Board at its regular meetings as follows:

- An individual or group may request time on the Board's agenda to make a formal presentation to the Board. Such a request should be in writing, and be submitted to the President of the State Board of Education, John G. Townsend Building, 401 Federal Street, Suite 2, P.O. Box 1402, Dover, DE 19903-1402, at least 20 days prior to the meeting. The decision to include the presentation will be made by the Board President. (Such presentations are included in Section IV.C. of the agenda.)
- Time will be allocated at the beginning of the meeting (Section II) for individuals or groups to address the State Board on general issues. In addition, individual and/or groups may address the State Board on agenda items at the time that they are before the Board for discussion, subject to the limitations below. Persons wishing to make comments should sign up on the appropriate form at least 15 minutes prior to the call to order. Each group should choose one representative to speak and comments should be limited to five minutes. Speakers will be recognized by the Board President in the order their names appear. If a large number of people sign up to speak, the Board President may, at his/her discretion, limit the number of persons allowed to speak as well as designate the appropriate time for comments.

Limitations:

Board Agenda items with formal comment periods or discrete identified records, such as Charter School applications or renewals, Department of Education and Professional Standards Board regulations, and student disciplinary appeals are not open for comment at the Board meeting at which action is to be taken, as that is outside the formal comment period, process or record. Individuals and groups are encouraged to use the procedures in place for providing comment on some of those types of matters, such as the public hearings for Charter School applications and the comment period and procedure identified with the publication of proposed regulations. Some matters, such as student disciplinary appeals, are not subject to public comment due to the private and confidential nature of those matters.

Normally the Board will not respond to questions or comments at the meeting but may respond in writing to each person or group.