

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, October 17, 2013, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Teri Quinn Gray, President; Jorge L. Melendez, Vice President; G. Patrick Heffernan; Barbara B. Rutt; Terry M. Whittaker; and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education; David Blowman, Deputy Secretary of Education; Karen Field Rogers, Associate Secretary, Financial Reform and Resource Management; Michael Watson, Chief Academic Officer, Teaching and Learning; and Susan Haberstroh, Associate Secretary, Education Supports & Innovative Practices Branch.

Attending portions of the meeting in conjunction with agenda items: Dale Kevin Brown I, Booker T. Washington Elementary; Amanda Bodine, Booker T. Washington Elementary; Latisha Robinson, Booker T. Washington Elementary; Angela Darling, Booker T. Washington Elementary; Cathy Schreiber, Booker T. Washington Elementary; Duncan Smith, Mary Kate McLaughlin, Shana Payne and John Carwell.

Also attending: Catherine Hickey, Deputy Attorney General; Amber Cooper, Budget Office; Donna Mitchell, Professional Standards Board; Kendall Massett, Delaware Charter School Network; Matt Albright, News Journal; Kristin Cosden, Governor's Advisory Council for Exceptional Citizens; G. Scott Reihm, Delaware Association of School Administrators; Kristin Dwyer, Delaware State Education Association; Catie McColley, University of Delaware, Alison May, Jennifer Nagourney.

Call to Order

President Gray presided over the monthly meeting and called the meeting to order at 1:03 p.m. She welcomed all guests to the State Board's monthly public meeting.

Approval of Agenda

The first order of business was approval of the agenda. There were no changes to the agenda. A motion was made by Dr. Whittaker to approve the agenda as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

Approval of Minutes

Work Session – September 19, 2013

The Board received a copy of the minutes of the September 19, 2013 work session prior to the meeting. Dr. Gray asked if there were any changes or additions to the minutes. A motion was made by Dr. Whittaker to approve the minutes of the State Board work session held on September 19, 2013 as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

Regular Meeting – September 19, 2013

The Board received a copy of the regular meeting minutes prior to the meeting. Dr. Gray asked if there were any changes or additions to the minutes. A motion was made by Dr. Whittaker to approve the minutes of the State Board regular meeting held on September 19, 2013 as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. President Gray announced that no one had signed up to address the Board.

State Board Business

Committee Reports from State Board Members

Mrs. Rutt attended the October meeting of the Delaware Schools Boards Association Board of Directors and the workshop on DPAS II. She commented that the presentation by Mr. Ruszkowski was done very well and was very informative. She also participated in the Gifted and Talented Task Force meeting. The Task Force will report back to the General Assembly with proposed changes to Delaware Code. Its next meeting will address identification issues.

Mr. Heffernan attended the workshop on DPAS II sponsored by DSBA. He commented that a lot of work is needed to make sure local board members and the public are up to speed on DPAS II. Mr. Heffernan commented that there was not a clear understanding by all in attendance at the workshop. There was discussion on each local board receiving this training as a Board.

Mr. Heffernan attended the Common Core Standards Back-to-School evening. He said that it was obvious that the New Castle County Vo-Tech Schools are very comfortable with these standards and teaching them.

Dr. Whittaker participated as one of the judge evaluators for the Teacher of the Year. He stated all the candidates were outstanding.

Mr. Melendez attended the Common Core Standards Back to School night in Millsboro. He stated the community must be engaged on the Common Core Standards and their importance as well as knowing that it is not just another change being implemented. Mr. Melendez also attended the Financial Literacy Skills event in Christina with representatives from the NFL, Visa, and the State Treasurer.

Ms. Johnson pointed out that her monthly update was posted on eBoards and contained many items pertaining to college and career readiness. She stated that Mr. Coverdale also attended the Financial Literacy Skills event as well as Mr. Melendez and she provided a synopsis of the computer football game demonstrated that focuses on financial literacy. The State Treasurer had a team of students that played against students assigned to Baltimore Ravens, WR, Brandon Stockley's team.

Ms. Johnson also attended the Driving Science, STEM event at Dover International Speedway and she is scheduled to be a panel participant for the National Association of State Boards of Education conference on Next Generation Science Standards. Ms. Johnson is also in the preliminary planning stages for the State Board's next meeting with local board members. The Board was reminded that last April the State Board's workshop

focused on Common Core and this year the focus will be on assessments based on Common Core. Ms. Johnson explained that a listing of all local board meetings is posted under her report each month if any Board member would like to attend a local or charter board meeting in their community.

Dr. Gray noted she was a featured speaker for the Inspiring Women in Science & Technology Conference. She spoke about the State Board and about the STEM Council. Dr. Gray stated that she was scheduled to attend, along with Ms. Johnson, the National Association of Charter School Authorizers Conference where she will be speaking on a panel on charter revocations and Delaware's performance framework.

Secretary's Report, Review and Discussion

Secretary Murphy commented that by listening to the Board's update and reports it is evident that the State Board is very supportive of Delaware schools. He stated the Department is committed to providing resources to local boards to insure a better understanding on DPAS II. He spoke of the new recruitment portal that will be launched on October 3rd. Ten school districts and fourteen charter schools have signed up to use JoinDelawareSchools.org. Secretary Murphy highlighted the recent events to celebrate schools receiving Academic Achievement Awards. Each school was awarded \$50,000 based on their academic results from last year and closing the achievement gap.

Secretary Murphy commented that the Common Core work has gained momentum and the Common Ground Team is continuing its work. He thanked Ms. Johnson for sharing the op ed with the Board by State Teachers of the Year and he announced that the second cohort of the Delaware Talent Cooperative is at 160 enrollees. This is a considerable increase from the 28 participants last year. Lastly, Secretary Murphy introduced Jennifer Nagourney the Department's new Charter School Director who was attending the meeting and starts in the Charter Office in November.

Showcase of Innovative – Booker T. Washington Elementary School

Booker T. Washington Principal Dale Brown was joined by fellow staff members Amanda Bodine, Latisha Robinson, Angela Darling and Cathy Schreiber and shared with the State Board their data and trend results that showed a tremendous increase in student achievement. The data was also presented by subgroup and shows how the school is closing the achievement gap. Booker T. Washington is a Focus School and Mr. Brown shared how they utilize their data with a benchmark assessment and how it drives their instruction. The school noted that the PLCs are a key component to its success as it allows for deep analysis and discussion of student data, best practices and a cohesive implementation of instruction. The school also utilizes specialists and professional development and highlighted some of the technology it uses and computer programs. Mr. Brown spoke of the how the school has used its Focus School funding. He and the staff also highlighted the extended day program that is held four days a week; two days for math and two days for reading. The program is open to all students and focuses on

remediation, maintenance or enrichment. Students also receive a daily meal in the program provided by the Food Bank of Delaware. The average daily attendance in this program has increased from 30 students to its current number of 177 a day. The school staff spoke of the family atmosphere at the school and the common planning period which allows teachers to collaborate.

The Board recessed at 2:43 p.m. and reconvened at 2:54 p.m.

SAT Report

Duncan Smith, Education Associate, Accountability Resources, presented to the State Board the State's 2013 SAT results. The first results highlighted were the results for the Class of 2013. Delaware's participation is among the highest in the nation with 98% of Delaware's public school 2013 graduates taking the SAT. This is a total of 8,029 public school test takers and includes students who took the SAT at any point in high school including the SAT day in their junior year. The results also showed that there was an increase in SAT participation by underrepresented racial/ethnic groups. Mr. Smith noted that there was a 19.8% increase in Hispanic students taking the test and a slight increase for African American students. Average scale scores nationally were 480 in writing, 503 in critical math and 491 in critical reading. Delaware's average scale scores were 424 in writing, 440 in critical math and 432 in critical reading. Mr. Smith also presented a comparison of this class to the Class of 2012 and a five year trend of the scores from the Class of 2009 to the Class of 2013. Through research, the College Board has determined that a student with a combined SAT score of 1550 is deemed academic prepared and has the likelihood of college success. For the Class of 2013 in the nation, 43% of all SAT test takers achieved that score. In Delaware, 21% of the Class of 2013 Delaware public school test takers achieved that score.

Mr. Smith provided results of the students in the SAT School Day which is the Class of 2014. There were 7,937 test takers which equals 96%. Average scores were 422 in writing, 427 in critical math and 429 in critical reading. Three year trend data was also presented. Mr. Smith showed a graph of all school districts in the state reflecting the percent of their 11th test takers that exceeded the state average (19%) of achieving the SAT college readiness benchmark. Red Clay, Brandywine, Sussex Tech, Cape Henlopen, Appoquinimink and Caesar Rodney all exceeded the statewide percentage.

There was discussion by the Board on the vast range of numbers from the districts in the state. They also discussed the alignment of the SAT test to Common Core Standards and if the SAT School Day would continue. The initiative has been funded through Race to the Top funds. Secretary Murphy commented that Delaware may be the only state to offer the SAT free to its 11th graders.

College and Career Readiness – State Initiatives

Michael Watson began the presentation by introducing Ms. Shana Payne, the Department's new Director of the Higher Education Office to the State Board. The Department has begun several initiatives on college access. Mr. Watson provided the harsh statistics including that 59% of all the jobs in Delaware will require post-secondary training by 2018. The Strategic Data Harvard Study showed that only 37% of our students are on track to graduate with a postsecondary degree. The breakdown is 41% in New Castle County, 31% in Kent County and 31% in Sussex County. Another interesting fact noted was that only 30% of Delaware high school freshmen make it to their sophomore year of college. Mr. Watson noted that the Department is not pleased with these results and has developed some short term initiatives. Statistics show that only 48% of Delaware students send their SAT scores to higher education institutions. Mr. Watson noted the percentage quoted in the SAT presentation that only 21% of Delaware students have attained the SAT college readiness benchmark. He followed with statistics of the percentage of students that only apply to one or two schools. Statistics show that students who apply to four or more colleges have a higher percentage of being admitted. Mr. Watson stated the Department is focused on improving these numbers. The Department is also addressing the group of students that would be successful in continuing with a postsecondary education but do not even apply. The Board received highlights of a program called Summer Nudge where students with high SAT scores receive information on schools that would be interested in having them apply. Many of these schools offer scholarships and financial assistance. The Department partnered with College Board, Hartford, and Dartmouth and these packets were sent out last summer to students that the Department knew did not apply for college. Mr. Watson spoke of a student so moved that he could actually attend college, be successful and have financial assistance that the student came to visit Secretary Murphy. Once there is data on how many students did apply to college after receiving the Summer Nudge letter Mr. Watson will provide that information to the State Board.

Ms. Payne stated that when she began she was asked to develop strategies to address the number of students that are college ready that do not apply. Many of these students just need assistance with college applications and financial forms. The Summer Nudge initiative reached out to approximately 1700 students and encouraged them to apply to college. The Board also learned of the expansion in College Application Week which this year will run for an entire month. Twenty schools will be participating and volunteers will assist the students in filling out applications. Each volunteer will receive training and school counselors are also receiving professional development and support to assist their students. The Board was informed of the "Getting to Zero" website and a monthly newsletter from the Delaware Higher Education Office which also provides ongoing support.

Department of Education Regulations

Dr. Susan Haberstroh presented the Department's regulations. John Carwell from the Charter School Office was also present to respond to questions from the Board.

Regulation 275 Charter Schools (For Action)

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 275 Charter Schools. The amendments reflect revisions in the process for Performance Reviews, renewal and new application process, annual reports as well as other amendments to align with specific Delaware Code revised during the 147th General Assembly.

Dr. Haberstroh noted that there were comments from the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities. She highlighted the amendments to the regulation and the revisions made based on the comments received. Changes were made to several definitions; language was clarified on the charter contract and performance agreement as well as a change to minor modifications no longer requiring the assent of the State Board.

Mr. Heffernan commented that the Board had a work session prior to the meeting to review the proposed regulation and to continue its discussion from last month. Ms. Johnson noted that the Board did receive answers to the questions raised at the September meeting including that the Board is not a party to the contract. The contract is an agreement between two parties, the authorizer, in this case the Department, and the charter school. The Board also received clarification on its role and responsibilities and the difference between the charter contract and performance agreement. The performance agreement is part of the charter contract. Ms. Johnson noted that if the performance agreement is modified it would go through the major modification process and would require the assent of the State Board.

A motion was made by Mr. Heffernan to amend Regulation 275 Charter Schools of Title 14 of the Delaware Administrative Code. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes: Nays:

Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

It was announced that Regulation 614 Uniform Definitions for Student Conduct was listed for the Board's information as it requires only the approval and signature of the Secretary of Education.

Charter Schools

John Carwell, from the Charter Schools Office, presented the charter school items.

Approval of Performance Agreements

It was explained that charter schools are required to develop new Performance Agreements that are aligned with the requirements in 14 DE Admin. Code 275 and to submit those Performance Agreements for approval to the Secretary and State Board of Education. Six schools have submitted performance agreements for the agenda but Mr. Carwell noted that the performance agreement for East Side was being withdrawn as their performance agreement has a mission specific goal and it needs further review. He anticipates that the performance agreement will be submitted in November. Coming before the Board today will be Family Foundations Academy, Las Americas Aspira Academy, The New Moyer Academy, Odyssey Charter School and Providence Creek Academy.

Dr. Gray stated that the Board would address each performance agreement individually.

The Family Foundations Academy, a renewing charter school, has submitted its new performance agreement dated October 4, 2013. Dr. Gray noted that the school's 2011-12 overall academic rating was "does not meet;" the financial rating was "does not meet;" and the organizational overall rating was "does not meet."

Family Foundations has submitted an agreement that states that they will be rated Meets or Exceeds Standard in all areas: Academic, Organizational, and Financial by their next renewal, which is Fall 2014, and show sufficient growth to meet that goal each year.

A motion was made by Mr. Heffernan to approve Family Foundation's performance agreement. The motion was seconded by Mr. Melendez.

Mr. Heffernan noted that a generic template was used for the performance agreements and a section indicates that they make satisfactory annual progress on the three sections of the performance framework. He asked what are the expectations for satisfactory annual progress. Mr. Heffernan stated that there needs to be agreement on what is or isn't good enough before any type of intervention. Mr. Carwell replied that the language would be reviewed. Dr. Gray agreed that there needs to be some clarity on "satisfactory". Ms. Johnson provided an overview of the discussion from the work session and stated that the Board agreed there was a need for discretion on determining "satisfactory progress" but the Board was more interested in how the Department would carry out that discussion each year on what would determine satisfactory progress. Ms. Johnson stated that the Board did not discuss changing the language but how the Board would operationalize holding the schools accountability for their goals. Mary Kate McLaughlin joined Mr. Carwell at the table to respond to the Board's questions. Dr. Gray stated that she felt that the conversation from the work session asked for both issues.

The motion for the performance agreement for Family Foundations carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray Mr. Melendez Mr. Heffernan Mrs. Rutt Dr. Whittaker	None.

Mr. Carwell stated that Las Americas Aspira Academy is the first charter school to provide a performance agreement with a mission specific goal. The mission of the school is to provide a world class education that prepares students through a dual language curriculum. Mr. Carwell gave the Board the Department's requirements for mission specific goals and the targets. The school set the goal of 75% of their students at each grade level within the dual immersion program would reach growth targets based on the AMES assessment. Ms. Johnson noted that the school will be working with the Charter Office on extending their goals and the mission specific goal is part of the annual performance report. Dr. Gray acknowledged that the Board does have a learning curve on mission specific goals. Secretary Murphy stated that the school's mission specific goal will become a model for other schools.

Las Americas Aspira, a renewing charter school, has submitted its new performance agreement dated October 17, 2013. Dr. Gray noted that the school's 2011-12 overall academic rating was "does not meet;" the financial rating was "meets;" and the organizational overall rating was "meets."

Aspira Academy has submitted an agreement that states that they will be rated Meets or Exceeds Standard in all areas: Academic, Organizational, and Financial by their next renewal, which is Fall 2014, and show sufficient growth to meet that goal each year.

A motion was made by Mr. Melendez to approve Aspira's performance agreement. The motion was seconded by Mr. Heffernan and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray Mr. Melendez Mr. Heffernan Mrs. Rutt Dr. Whittaker	None.

The New Moyer Academy, a new charter school, has submitted a performance agreement. Dr. Gray noted that the school's 2011-12 overall academic rating was "does not meet;" the financial rating was "does not meet;" and the organizational overall rating was "does not meet."

The school has submitted a performance agreement dated September 24, 2013 that states that they will be rated Meets or Exceeds Standard in all areas: Academic, Organizational, and Financial by their next renewal, which is Fall 2015, and show sufficient growth to meet that goal each year

A motion was made by Mr. Heffernan to approve New Moyer Academy's performance agreement. The motion was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes: Nays:

Dr. Gray None.
Mr. Melendez
Mr. Heffernan
Mrs. Rutt
Dr. Whittaker

The Odyssey Charter School, a renewing charter school, had their performance agreement approved last month. An error was detected in the renewal year and the school is resubmitting its performance agreement. Dr. Gray noted that the school's 2011-12 overall academic rating was "meets;" the financial rating was "meets;" and the organizational overall rating was "meets."

Odyssey Charter School has submitted its new performance agreement dated September 11, 2013 that states that they will be rated Meets or Exceeds Standard in all areas: Academic, Organizational, and Financial by their next renewal, which is Fall 2014, and show sufficient growth to meet that goal each year.

A motion was made by Dr. Whittaker to approve Odyssey Charter School's performance agreement. The motion was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes: Nays:

Dr. Gray None.
Mr. Melendez
Mr. Heffernan
Mrs. Rutt
Dr. Whittaker

Mr. Heffernan noted that the schools all state that they will be rated meets or exceeds in their rating. He raised the issue if this would mean meets or exceeds in all categories and Ms. Johnson clarified that the Meets or Exceeds rating is the overall rating of each prong of the framework: Academic, Organizational, and Financial. It did not mean that a school would achieve Meets or Exceeds on each measure with the framework, just the overall rating for each framework..

Providence Creek Charter School, a renewing charter school, has submitted its new performance agreement. Dr. Gray noted that the school's 2011-12 overall academic rating was "meets;" the financial rating was "meets;" and the organizational overall rating was "meets."

The school has submitted its performance agreement dated September 24, 2013 that states that they will be rated Meets or Exceeds Standard in all areas: Academic, Organizational, and Financial by their next renewal, which is Fall of 2015, and show sufficient growth to meet that goal each year.

A motion was made by Dr. Whittaker to approve Providence Creek Charter School's performance agreement. The motion was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

Update on Charter Schools Seeking Renewal

Mr. Carwell provided an update on the process for the schools up for renewal. The Charter School Advisory Committee has met with the schools and the initial reports were submitted on October 7th. The renewals will be on the Board's agenda for action at its November meeting.

Ms. Johnson reminded the members of the State Board that part of the renewal process and included as part of the charter process is a second public hearing will be held in the county where the school is located. She provided the Board members with the schedule of the two upcoming public hearings reminding them that they are joint public hearings sponsored by the State Board and the Department. The additional public hearing in the county of the school's location will provide the opportunity for additional input from the school's community.

Minor Modifications

Mr. Carwell noted that Secretary Murphy has approved the minor modification requested from MOT charter school to add modular classrooms to the site.

Charter Schools Update

Mr. Carwell noted that all 267 students that were enrolled and displaced from Pencader last year have been accounted for. The majority of the students now attend schools in the Christina, Red Clay and Colonial School Districts. A few attend charter schools or

private schools and a few have moved out of state. Of the 134 seniors at Pencader last year, all but six graduated on time. Of those six, three are hoping to finish their graduation requirements in January and three are deemed as having dropped out of school. Mr. Carwell also stated the school still needed to complete its final audit for FY 2013.

Ms. McLaughlin provided the State Board with an update on the New Moyer Academy. The school has been placed on a correction action plan based on its enrollment and curriculum. The Department will also be monitoring other areas including the purchase of the building, curriculum, attendance and discipline through October and report to the Board in November with the full results of its monitoring.

There was discussion on information posted on educational blogs about items being stolen from the school and if the Department had received any of this information. Ms. McLaughlin stated that the Department is following up on the correction action plan and making sure the students of the school are being served. She stated that the Department follows up on any issues that come up at any charter school.

There was also discussion about an email the Board members received from a State legislator bringing some issues to light on enrollment concerns at Moyer and other items listed on the school website. Mr. Heffernan stated that the Board has lots of concerns about Moyer. Dr. Gray stated that the Board looked forward to the next update noting that there are concerns about these other issues that have been raised. Ms. Johnson explained that the thefts that have been brought to light would need to be addressed in the report even though they are outside the scope of the corrective action plan as the Board has received notifications of the thefts and has inquired of its impact on the finances of the school. Also discussed were the enrollment counts of all charter schools and to make sure there is no impact on financial viability. Mr. Carwell noted that the monthly update next month would include the new enrollment numbers from the September 30, 2013 report.

Professional Standards Board

Dr. Donna Mitchell, Executive Director of the Professional Standards Board presented the PSB agenda items.

1503 Educator Mentoring (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1503 Educator Mentoring. The regulation applies to the Comprehensive Induction Program for novice educators, pursuant to 14 Del.C. §1212. It is necessary to amend this regulation to revise definitions and include the newly designed Comprehensive Induction Program providing mentoring and establishing accountability and monitoring for implementation with fidelity.

Dr. Mitchell noted that the induction program did not change. The primary change is to conduct an annual improvement process for mentors and site coordinators.

A motion was made by Mrs. Rutt to approve the publication of Regulation 1503 of Title 14 of the Delaware Administrative Code which will amend the current regulation relating to the Comprehensive Induction Program for novice educators. The motion was seconded by Mr. Heffernan and carried unanimously with the following vote recorded;

Ayes: Nays:

Dr. Gray None.
Mr. Melendez
Mr. Heffernan
Mrs. Rutt
Dr. Whittaker

1510 Issuance of Initial License (For Discussion)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1510 Issuance of Initial License. The regulation applies to the issuance of an Initial License for educators, pursuant to 14 Del.C. §1210. It is necessary to amend this regulation in order to update and clarify some of the requirements and to adopt a new examination of general knowledge (Praxis CORE).

Dr. Mitchell stated that the comment period for this regulation is open but no comments have been received.

The Board took a brief recess from 5:10 p.m. to 5:18 p.m.

Appeals and Reviews

Iлона Kirshon, Deputy Attorney General and legal counsel for the State Board of Education highlighted the agenda items noting the hearing officer has yet to make a decision in the H.W. v. Indian River appeal.

Executive Session

Since school disciplinary matters are confidential the Board entered into Executive Session pursuant to 29 *Del. C.* § 10004(b)(7). The motion was made by Mr. Heffernan, seconded by Mrs. Rutt and carried unanimously with the following vote recorded:

Ayes: Nays:

Dr. Gray None.
Mr. Melendez
Mr. Heffernan

Mrs. Rutt
Dr. Whittaker

The Board went into Executive Session at 5:19 p.m. The Board returned to open session at 5:39 p.m. on Dr. Whittaker's motion which was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

A.N. v. Delmar School District Board of Education (2013-08)

A motion was made by Mr. Heffernan that having read and considered the record of the proceedings below, including the hearing transcript, any submissions to the hearing officer and exceptions filed, the Proposed Order of the Hearing Officer be adopted and accepted as the decision of the district as the Decision and Order of the State Board of Education. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

A.C. v. Delmar School District Board of Education (2013-09)

A motion was made by Mr. Heffernan that having read and considered the record of the proceedings below, including the hearing transcript, any submissions to the hearing officer and exceptions filed, the Proposed Order of the Hearing Officer be adopted and accepted as the decision of the district as the Decision and Order of the State Board of Education. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

Information Items

The Board was reminded of the change in the date for the November meeting. The meeting is scheduled for November 12th.

Adjournment

There being no further business, a motion was made by Mr. Heffernan to adjourn the meeting. The motion was seconded by Mrs. Rutt and carried unanimously. The meeting adjourned at 5:48 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at:
<http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>

Executive Session

Appeals and Reviews

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education highlighted the appeal items.

Since school disciplinary matters are confidential the Board entered into Executive Session pursuant to 29 *Del. C.* § 10004(b)(7). The motion was made by Mr. Heffernan, seconded by Mrs. Rutt and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	

The Board went into Executive Session at 5:19 p.m.

The Board discussed the appeals with Ilona Kirshon, Deputy Attorney General and State Board of Education legal counsel.

The Board returned to open session at 5:39 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education