

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))
14 **DE Admin. Code** 775

FINAL

REGULATORY IMPLEMENTING ORDER

775 New Teacher Hiring Date Reporting

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

The Secretary of Education intends to amend 14 **DE Admin. Code** 775 New Teacher Hiring Date Reporting. This regulation is being amended to align teacher hiring date collection with annual reporting done within the Teacher and Leader Effectiveness Unit of the Department of Education, and as required by 14 **Del.C.** §1725. This regulation was published in the November *Register of Regulations* and due to comments received was republished.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on February 1, 2016, in the form hereto attached as Exhibit "A". Comments were received from the State Council for Persons with Disabilities (SCPD) and the Governor's Advisory Council for Exceptional Citizens (GACEC) and a staff member suggesting a revised title for the regulation to "New Educator Hiring Data Report" instead of "New Teacher Hiring Date Report," and likewise, the definition of educator be broadened to include specialists, such as school nurses. The Department notes the intent of this regulation is specifically for teachers, and not inclusive of all types of educators. Therefore it will not change the word "teacher" within the regulation. Likewise, the Department believes that specialists, such as school nurses, would be captured by this report under the "Hard to Staff Position," and therefore no further change is needed to this regulation. The Department does agree that the word "date" should be changed to "data" to clearly identify that more than just the teacher hiring date is being reported.

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 775 New Teacher Hiring Date Reporting in order to align teacher hiring date collection with annual reporting done within the Teacher and Leader Effectiveness Unit of the Department of Education, and as required by 14 **Del.C.** §1725.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 775 New Teacher Hiring Date Reporting. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 775 New Teacher Hiring Date Reporting attached hereto as Exhibit "B" is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 775 New Teacher Hiring Date Reporting hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 775 New Teacher Hiring Date Reporting amended hereby shall be in the form attached hereto as Exhibit "B", and said regulation shall be cited as 14 **DE Admin. Code** 775 New Teacher Hiring Data Reporting in the *Administrative Code of Regulations* for the Department of Education.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on March 17, 2016. The effective date of this Order shall be ten (10) days from the date this Order is published in the Delaware *Register of Regulations*.

IT IS SO ORDERED the 17th day of March 2016.
Steven H. Godowsky, Secretary of Education

775 New Teacher Hiring [~~Date~~ Data] Reporting

1.0 Purpose

The purpose of this regulation is to outline the criteria and process related to new teacher hiring data collection and reporting by school districts as required by 14 **Del.C.** §1725 and align such with annual reporting done within the Teacher and Leader Effectiveness Branch of the Department of Education.

2.0 Definitions

"Contract Offer Date" shall mean the date an authorized agent or representative of the district notifies the successful candidate of the intent to hire.

~~**"Critical Curricular Area"** shall mean an area identified as a critical area by the Department of Education and approved by the State Board of Education.~~

"District" shall mean a reorganized school district or vocational technical school district established pursuant to Chapter 10 of Title 14 of the Delaware Code.

"Department" means the Delaware Department of Education.

"Hard to Staff Position" means a position for which school districts have the fewest qualified applicants.

"New Teacher Hiring Date" shall mean, for purposes of this regulation, the Contract Offer Date as defined herein.

"Position Availability Date" shall mean the date the district Human Resources Office knows the available position is released for a new full-time teacher hire.

~~**"Position Title"** shall mean the appropriate teaching position as offered to the teacher from the list of teacher position titles as provided in the Delaware Educator Data System (DEEDs).~~

"Position Type" shall mean the appropriate instructional level of the teacher or whether the teacher is in a ~~critical curricular area~~ Hard to Staff Position.

3.0 New Teacher Hiring Data Report

On or before December 1st of each year, each District shall annually submit ~~a New Teacher Hiring Date Report~~ an Educator Hiring Practices and Needs Report to the Department ~~on~~ in a format approved by the Department that includes, but is not limited to, Contract Offer Date, Position Availability Date, ~~and Position Title~~ Position Type, number of positions available and filled, information on Hard To Staff Positions, information on recruitment and selection processes, and information on staffing practices during the most recent hiring season(s). The Department may also require each District to enter such information on an ongoing basis into an electronic statewide information system. ~~The report Department shall reflect the district new teacher hiring activity from the "estimated unit count" as that term is defined pursuant to 14 Del.C. §1704 until November 15th of that same calendar year~~ review and provide information on educator hiring practices and needs, including hiring activity related to the "estimated unit count" as that term is defined pursuant to 14 Del.C. §1704, in the annual Delaware Talent Practices Report (Report). The Report is to be provided no later than March 31st of the following year.

15 DE Reg. 337 (09/01/11)

19 DE Reg. 919 (04/01/16) (Final)