

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

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

PROPOSED

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

932 Military-Connected Youth

A. TYPE OF REGULATORY ACTION REQUIRED

New Regulation

B. SYNOPSIS OF SUBJECT MATTER OF THE REGULATION

The Secretary of Education seeks the consent of the State Board of Education to create 14 **DE Admin. Code** 932 Military-Connected Youth. This regulation is being created to align with 14 **Del.C** §122(b)(28) which requires the development of a process for districts and charter schools to annually identify enrolled students who are "military-connected youth". This is necessary to ensure school officials are aware of their military connection should they require any special services or supports.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before January 7, 2016 to Tina Shockley, Education Associate, Department of Education, Regulatory Review, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed on-line at the *Register of Regulation's* website, http://regulations.delaware.gov/services/current_issue.shtml, or obtained at the Department of Education, Finance Office located at the address listed above.

C. IMPACT CRITERIA

1. Will the regulation help improve student achievement as measured against state achievement standards? The regulation is intended to improve student achievement as measured against state achievement standards by helping to ensure students can be identified as connected with the military should they require any special services or supports.

2. Will the regulation help ensure that all students receive an equitable education? The regulation is intended to help ensure all students receive an equitable education.

3. Will the regulation help to ensure that all students' health and safety are adequately protected? The regulation does not specifically address students' health and safety.

4. Will the regulation help to ensure that all students' legal rights are respected? The regulation helps to ensure that all student's legal rights are respected.

5. Will the regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The regulation does not change the decision making at the local board and school level.

6. Will the regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The regulation does not place any unnecessary reporting or administrative requirements on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision making authority and accountability for addressing the subject to be regulated does not change because of the regulation.

8. Will the regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The regulation is consistent with and not an impediment to the implementation of other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method for addressing the purpose of the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is no expected cost to implementing this regulation.

932 Military-Connected Youth

1.0 Purpose

This regulation outlines the process for districts and charter schools to annually identify enrolled students who are "military-connected youth." This regulation is established pursuant to 14 Del.C. Chapter 1, §122(b)(28).

2.0 **Definitions**

"Military-Connected Youth" means any student having an immediate family member, including a parent, step-parent, sibling or any other person residing in the same household, who is on active duty, serving in the reserve component, or recently retired from a branch of the United States armed forces. Such branches consist of United States Army, United States Air Force, United States Marine Corps, United States Navy, National Guard, United States Coast Guard, National Oceanic and Atmospheric Administration or the United States Public Health Service.

"Recently Retired" for the purposes of this regulation, means within 18 months prior to September 30 of the current school year.

3.0 **Data Collection and Access**

3.1 Each district and charter school shall include a military-connected identifier as part of its annual enrollment process and student information update.

3.2 Each district and charter school shall identify which school personnel have access to the military-connected identifier.

4.0 **Use Exemptions**

4.1 The identification of a military-connected youth shall not be used for purposes of determining school achievement, growth or performance.

4.2 The identification of a military-connected youth is not a public record under Delaware's Freedom of Information Act or any other law, and shall not be made public by any person, except as permitted under the provisions of the Family Educational Rights and Privacy Act of 1974.

19 DE Reg. 459 (12/01/15) (Prop.)