

**DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY**
**Statutory Authority: 14 Delaware Code, Section 1220(a) (14 Del.C. §1220(a)) 14 DE Admin.
Code 710**

FINAL

ORDER

710 Public School Employees Work Day

I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to reauthorize 14 **DE Admin. Code** 710 Public School Employees Work Day. As part of the five year cycle of review for all of the Administrative Code for education this regulation has been reviewed and requires reauthorization.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on December 2, 2005, in the form hereto attached as *Exhibit "A"*. No Comments were received.

II. Findings of Facts

The Secretary finds that it is appropriate to reauthorize 14 **DE Admin. Code** 712. As part of the five year cycle of review for all of the Administrative Code for education this regulation has been reviewed and requires reauthorization.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to reauthorize 14 **DE Admin. Code** 712. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 712 attached hereto as *Exhibit "B"* is hereby reauthorized. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 712 hereby reauthorized 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** reauthorized hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 712 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 January 5, 2006. 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 5th day of January 2006.

DEPARTMENT OF EDUCATION
Valerie A. Woodruff, Secretary of Education

1.0 Required Work Hours

Absent an existing collective bargaining agreement to the contrary, district employees who work less than the specified time shall have their annual salary adjusted accordingly. Upon ratification of a new or extension of an existing collective bargaining agreement, the local district shall establish hours and days worked that are consistent with those specified below. Otherwise, effective July 1, 2001 a workday for public school employees shall be defined as follows:

1.1 Teacher - minimum of 7 1/2 hours, inclusive of 1/2 hour for lunch, plus the amount of time required for the discharge of such duties and services as may be reasonably expected and required of a member of the professional staff of a public school. (14 **Del.C.** §1305 defines the number of teacher workdays per year and 14 **Del.C.** §1328 defines the duty free period.)

1.2 Aide/Paraprofessional - minimum of 7 1/2 hours inclusive of 1/2 hour for lunch.

1.3 Custodian - minimum of 8 hours inclusive of 1/2 hour for lunch.

1.4 Administrator - minimum of 7 1/2 hours exclusive of lunch plus the amount of time required for the discharge of such duties and services as may be reasonably expected and required of a member of the professional staff of a public school.

1.5 Food Service Manager - minimum of 7 hours exclusive of lunch.

1.6 Secretary - minimum of 7 1/2 hours exclusive of lunch.

3 DE Reg. 1077 (2/1/00)

4 DE Reg. 1254 (2/1/01)

9 DE Reg. 1183 (02/01/06) (Final)