

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

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

PROPOSED

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

775 New Teacher Hiring Date Reporting

A. Type of Regulatory Action Required

New Regulation

B. Synopsis of Subject Matter of the Regulation

The Secretary of Education intends to amend 14 DE Admin. Code by adding a new regulation 775 New Teacher Hiring Date Reporting. This regulation is a result of Senate Bill No. 16 as amended by Senate Amendment No. 1 and House Amendment No. 1 passed by the 146th General Assembly and signed by the Governor. The legislation requires the Department to promulgate a regulation to ensure that hiring information collected and reported by the school districts uses uniform terminology.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before August 5, 2011 to Susan Haberstroh, Education Associate, Regulation Review, Department of Education, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation is available from the above address or may be viewed at the Department of Education business office.

C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The new regulation is intended to provide for uniform terminology and consistency in the collection of teacher hiring data, and not to specifically improve student achievement as measured against state achievement standards.

2. Will the amended regulation help ensure that all students receive an equitable education? The new regulation is intended to provide for uniform terminology and consistency in the collection of teacher hiring data, and not to specifically ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The new regulation is intended to provide for uniform terminology and consistency in the collection of teacher hiring data, and not to specifically ensure all students' health and safety are adequately protected.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The new regulation is intended to provide for uniform terminology and consistency in the collection of teacher hiring data, and not to specifically ensure all students' legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The new regulation preserves the necessary authority and flexibility of decision making at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The provisions are required pursuant to the legislation. The regulation is intended to be as non burdensome as possible.

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 new teacher hiring does not change.

8. Will the amended 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 new regulation is 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 this regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There are no anticipated additional costs to the collection of these data.

775 New Teacher Hiring Date 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.

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.

"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.

3.0 New Teacher Hiring Data Report

- 3.1 On or before December 1st of each year, each District shall annually submit a New Teacher Hiring Date Report to the Department on a format approved by the Department that includes, but is not limited to, Contract Offer Date, Position Availability Date, and Position Title. The report 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.

15 DE Reg. 43 (07/01/11) (Prop.)