

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))
14 DE Admin. Code 727

FINAL

Regulatory Implementing Order

727 Credit for Experience for Educators and for Secretarial Staff

I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to readopt 14 DE Admin. Code 727 Credit for Experience for Educators and for Secretarial Staff. This regulation was reviewed as part of the 5 year review cycle.

Notice of the proposed regulation was published in the News Journal and the Delaware State News on Thursday, September 2, 2010, in the form hereto attached as Exhibit "A". The Department did not receive comments on the proposed amendments.

II. Findings of Facts

The Secretary finds that it is appropriate to readopt 14 DE Admin. Code 727 Credit for Experience for Educators and for Secretarial Staff as part of the 5 year review cycle.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to readopt 14 DE Admin. Code 727 Credit for Experience for Educators and for Secretarial Staff. Therefore, pursuant to 14 Del.C. §122, 14 DE Admin. Code 727 Credit for Experience for Educators and for Secretarial Staff attached hereto as Exhibit "B" is hereby readopted. Pursuant to the provision of 14 Del.C. §122(e), 14 DE Admin. Code 727 Credit for Experience for Educators and for Secretarial Staff hereby readopted 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 727 Credit for Experience for Educators and for Secretarial Staff readopted hereby shall be in the form attached hereto as Exhibit "B", and said regulation shall be cited as 14 DE Admin. Code 727 Credit for Experience for Educators and for Secretarial Staff 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 October 21, 2010. 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 21st day of October, 2010.

DEPARTMENT OF EDUCATION

Lillian M. Lowery, Ed.D., Secretary of Education

727 Credit for Experience for Educators and for Secretarial Staff

1.0 Educators Graduating from a 5 Year or 4 Year Preservice Program

1.1 Definitions

1.1.1 The following words and terms when used in this subsection shall have the following meaning unless the context clearly indicates otherwise:

“**Eligible Employee**” includes, but is not limited to, teachers, nurses, librarians, psychologists, therapists, and counselors paid in accordance with 14 **Del.C.** §1305 that were hired into their first professional position after June 30, 2001 and zero years of experience. The exception to the zero years of experience would be an employee who qualified for military experience credit under 14 **Del.C.** §1312(a) and 14 **DE Admin. Code** 706.

“**Five Year Preservice Program**” means a regionally accredited college or university five year planned degree program which includes an extensive clinical component or internship in the fifth year.

“**Four Year Preservice Program**” means a regionally accredited college or university four year preservice undergraduate bachelor degree program.

“**Grade Point Average (GPA)**” means the grade point average (GPA) stated on the official transcript of the regionally accredited college or university granting the bachelor’s degree in the Four Year Preservice Program.

1.2 Pursuant to 14 **Del.C.** §1312(a), a graduate of a five year preservice program, or a graduate of a four year preservice program who graduates with a GPA of 3.75 or higher on a 4.0 scale or the equivalent, shall be granted one year of experience on the applicable state salary schedule.

1.3 An employee eligible for one year of credited experience shall meet the definition of Eligible Employee in 1.1 and meet the requirements of 1.2.

9 DE Reg. 396 (9/1/05)

2.0 Administrators

No credit for experience shall be given for part time employment in administrative or supervisory positions.

3.0 Teachers

3.1 Days taught as a substitute or as a paraeducator may not be used toward credit for experience; however, employment as a teacher on a regular part time basis may be used toward credit for experience.

3.1.1 A "regular part time" employee is one who is employed in a position which requires at least 50 hours per month for at least 9 months during any 12 consecutive month period.

4.0 Secretarial Staff

Secretaries may be granted one (1) year's experience for each creditable year of experience as a secretary in private business, public or private school, or other governmental agency.

5.0 Creditable Experience

Creditable experience includes experience obtained while working outside of Delaware.

6.0 Applicability

This regulation applies to the determination of creditable experience for salary purposes only, and does not apply to the determination of creditable experience for pension purposes which is specified in 29 **Del.C.** Ch. 55. Laws on employment and salary for administrators, teachers, and secretaries are found in 14 **Del.C.** Ch. 13.

3 DE Reg. 1542 (5/1/00)

8 DE Reg. 1607 (5/1/05)

9 DE Reg. 396 (9/1/05)

14 DE Reg. 457 (11/01/10) (Final)