

**DEPARTMENT OF EDUCATION**  
**14 DE Admin. Code 705**  
**Statutory Authority: 14 Delaware Code,**  
**Section 220 (14 Del.C. §220)**

**705 Training Camp and Special Duty in the National Guard and/or Reserves**

**PROPOSED**

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

**A. Type Of Regulatory Action Required**

Amendment to Existing Regulation

**B. Synopsis Of Subject Matter Of The Regulation**

The Secretary of Education intends to amend 14 DE Admin. Code 705 Training Camp and Special Duty in the National Guard and/or Reserves in order to improve the language and to better reflect the intent of the statute.

**C. Impact Criteria**

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation addresses time off for school employees for service in the National Guard and Reserves not student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation addresses time off for school employees for service in the National Guard and Reserves not equity issues.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation addresses time off for school employees for service in the National Guard and Reserves not health and safety issues.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses time off for school employees for service in the National Guard and Reserves not students' legal rights.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation will preserve 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 amended regulation will not place any unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.

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 will remain in the same entity.

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 amended regulation will 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.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is no 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 may be the additional cost of hiring a substitute for the person while on duty.

~~**705 Training Camp and Special Duty in the National Guard and/or Reserves**~~

~~**1.0 Leave for Training Camp and Special Duty in the National Guard and/or Reserves**~~

~~1.1 Any permanent and full-time employee who is a member of the National Guard or any reserve component of the Armed Forces of the United States and who is ordered to attend training camp or to perform special duty not in~~

excess of fifteen (15) days in any calendar year shall be allowed leave with pay for attending such training sessions or performing such special duty. Leave for teachers shall apply only if the training is with the individual's unit.

1.2 Such military training or special duty leaves shall not be deducted from vacation leave or in any other way result in loss of privileges or compensation to said employee.

1.3 Employees called to temporary military training or special duty shall file a request for military leave with the secretary of the local board at least two weeks prior to their leave, along with a copy of the official orders summoning them to military service.

(See 29 Del.C. §5105 Leave of Absence for Military Service, Pension Right; Terms of Successor Appointees)

**3 DE Reg. 631 (11/1/99)**

### **705 Leave For Training Camp or Special Duty in the National Guard or the Military Reserves of the United States**

1.0 Any permanent and full time employee shall be excused from work with pay to attend training camp or special duty on orders as a member of the military reserves of the United States or the National Guard, not to exceed fifteen (15) days or the equivalent hours as required by the Delaware Code, on a prorated basis in any calendar year.

1.1 Such training or special duty leave shall not be deducted from their annual leave or in any other way result in loss of privileges or compensation to said employee.

1.2 Any permanent or full time employee shall file a request for military leave with their employer at least two weeks prior to their leave, along with a copy of their official orders.

**3 DE Reg. 631 (11/1/99)**

(Non-regulatory Note: See 29 Del.C. §5105 Leave of Absence for Military Service, Pension Right; Terms of Successor Appointees)

**8 DE Reg. 396 (9/01/04)**