

**DEPARTMENT OF EDUCATION
14 DE Admin. Code 706**

706 Credit for Experience for Full Time Service in the Armed Forces

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** 706 Credit for Experience for Full Time Service in the Armed Forces in order to clarify 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 credit for military service for school employees not student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation addresses credit for military service for school employees not equity issues.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation addresses credit for military service for school employees not health and safety issues.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses credit for military service for school employees 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 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 amended regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? The cost to the State and to the local school boards of compliance with the amended regulation is the increased salary costs for the increased years of service.

706 Credit for Experience for Full-Time Service in the Armed Forces

~~**706 Credit for Experience for Full Time Service in the Armed Forces**~~

~~1.0 Credit for Experience for service in the armed forces shall count for full time active duty, not in excess of six (6) years in the Armed Services of the United States, provided that the individual became a teacher, principal, superintendent, or other administrative employee in Delaware within five (5) years after completion of a tour of duty or within five (5) years after his completion of a course of professional or vocational training, if such course was begun within five (5) years after completion of a tour of duty. Included in the six (6) years will be any instruction in Military Science given during years of enlistment.~~

1.1 Credit for service in the armed forces shall be calculated as follows: One year of experience shall be allowed for each year of service. For purposes of this section, 183 days in any calendar year shall constitute one year of experience, but not more than 1 year of experience may be credited for any 1 calendar year, except that a combined total of 91 days of service and employment in any of the positions identified above during any one school year will count as a year of experience.

(See 14 Del.C. §§1312(a) and 1327 Leave of Absence for Persons in Military Service).

706 Credit for Experience for Full Time Active Duty Service in the Armed Forces of the United States

1.0 Credit for Experience for full time active duty service, not in excess of six (6) years in the armed services of the United States, shall be granted provided the individual became a teacher, principal, superintendent, or other employee in a Delaware public school:

1.1 Within five (5) years after completion of a tour of duty; or

1.2 Within five (5) years after completion of a course of professional or vocational training, if such course was begun within five (5) years after completion of the individual's tour of duty.

2.0 Any instruction in Military Science given during years of enlistment shall be included in the six (6) years in the armed services of the United States.

3.0 Credit for service in the armed forces of the United States shall be calculated as follows:

3.1 One year of experience shall be allowed for each creditable year of full time active duty service.

3.2 In the case of a teacher, principal, superintendent or other administrative employee a combined total of ninety one (91) days of service and employment in any of these positions during any one school year will count as a year of experience.

3.3 No more than one (1) year of experience may be credited for any one (1) calendar year.

(Non-regulatory Note: See 14 Del.C. §1312(a) and §1327 Leave of Absence for Persons in Military Service).

8 DE Reg. 397 (9/01/04)