

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))
14 DE Admin. Code 706

PROPOSED

Education Impact Analysis Pursuant To 14 Del.C. Section 122(D)

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

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 Active Duty Service in the Armed Forces of the United States to revise the formatting. There are no substantive changes to this regulation. This regulation was reviewed pursuant to the five year review cycle.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before October 2, 2009 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 amended regulation addresses credit for experience for full time active duty service in the Armed Forces and does not specifically address student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation addresses credit for experience for full time active duty service in the Armed Forces and does not specifically address equitable education for all students.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation addresses credit for experience for full time active duty service in the Armed Forces and does not specifically address health and safety of students.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses leave of absences for training camp or special duty in the National Guard or military and does not specifically address student legal rights, but rather educator 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 addresses credit for experience for full time active duty service in the Armed Forces and 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 amended regulation addresses credit for experience for full time active duty service in the Armed Forces and does not place unnecessary reporting or administrative requirements upon decision makers at the local board or school levels.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The amended regulation does not change where the decision making authority or accountability is located.

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 addresses credit for experience for full time active duty service in the Armed Forces and does not specifically address the core academic areas.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method of 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 are no addition costs because of the amendment to this regulation.

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

1.0 Credit for Experience

1.1 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:

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

1.1.2 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 Instruction

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 Calculation of Service Time

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

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

3.1.2 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.

3.1.3 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).

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

8 DE Reg. 701 (11/1/04)

13 DE Reg. 349 (09/01/09) (Prop.)