

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

PROPOSED

727 Credit for Experience for Educators and for Secretarial Staff

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

A. Type of Regulatory Action Required

Reauthorization of Existing Regulation

B. Synopsis of Subject Matter of the Regulation

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.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before October 4, 2010 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 regulation addresses credit for experience as it relates to salaries for educators and secretarial staff.

2. Will the amended regulation help ensure that all students receive an equitable education? The regulation addresses credit for experience as it relates to salaries for educators and secretarial staff.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The regulation addresses credit for experience as it relates to salaries for educators and secretarial staff.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The regulation addresses credit for experience as it relates to salaries for educators and secretarial staff.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? There are no proposed changes to the regulation.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? There are no proposed changes to the regulation.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? There are no proposed changes to the regulation.

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? There are no proposed changes to the regulation.

9. Is there a less burdensome method for addressing the purpose of the regulation? There are no proposed changes to the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There are no proposed changes to the regulation.

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. 138 (09/01/10) (Prop.)