

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(d) (14 **Del.C.** §122(d))

FINAL

REGULATORY IMPLEMENTING ORDER

775 New Teacher Hiring Date Reporting

I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to amend 14 **DE Admin. Code** by adding a new regulation, 775 New Teacher Hiring Date Reporting. This regulation is a result of Senate Bill No. 16 as amended by Senate Amendment No. 1 and House Amendment No. 1 passed by the 146th General Assembly and signed by the Governor. The legislation requires the Department to promulgate a regulation to ensure that hiring information collected and reported by the school districts uses uniform terminology.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on July 5, 2011, in the form hereto attached as *Exhibit "A"*. Comments were received from Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities endorsing the regulation.

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** by adding a new regulation, 775 New Teacher Hiring Date Reporting in order to ensure that hiring information collected and reported by the school districts uses uniform terminology as noted in the summary above.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** by adding a new regulation, 775 New Teacher Hiring Date Reporting. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** by adding a new regulation, 775 New Teacher Hiring Date Reporting attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** by adding a new regulation, 775 New Teacher Hiring Date Reporting hereby amended 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** by adding a new regulation, 775 New Teacher Hiring Date Reporting amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** by adding a new regulation, 775 New Teacher Hiring Date Reporting 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 August 18, 2011. 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 18th day of August 2011.

Department of Education

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

Approved this 18th day of August 2011

775 New Teacher Hiring Date Reporting

1.0 Purpose

The purpose of this regulation is to outline the criteria and process related to new teacher hiring data collection and reporting by school districts as required by 14 **Del.C.** §1725.

2.0 Definitions

"Contract Offer Date" shall mean the date an authorized agent or representative of the district notifies the successful candidate of the intent to hire.

"Critical Curricular Area" shall mean an area identified as a critical area by the Department of Education and approved by the State Board of Education.

"District" shall mean a reorganized school district or vocational technical school district established pursuant to Chapter 10 of Title 14 of the Delaware Code.

"Department" means the Delaware Department of Education.

"New Teacher Hiring Date" shall mean, for purposes of this regulation, the Contract Offer Date as defined herein.

"Position Availability Date" shall mean the date the district Human Resources Office knows the available position is released for a new full-time teacher hire.

"Position Title" shall mean the appropriate teaching position as offered to the teacher from the list of teacher position titles as provided in the Delaware Educator Data System (DEEDs).

"Position Type" shall mean the appropriate instructional level of the teacher or whether the teacher is in a critical curricular area.

3.0 New Teacher Hiring Data Report

On or before December 1st of each year, each District shall annually submit a New Teacher Hiring Date Report to the Department on a format approved by the Department that includes, but is not limited to, Contract Offer Date, Position Availability Date, and Position Title. The report shall reflect the district new teacher hiring activity from the "estimated unit count" as that term is defined pursuant to 14 Del.C. §1704 until November 15th of that same calendar year.

15 DE Reg. 337 (09/01/11) (Final)