
TITLE 14 EDUCATION
DELAWARE ADMINISTRATIVE CODE

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY
700 Finance and Personnel

742 Compensation of School District and Charter School Personnel Under Federal Projects

1.0 Use of Federal Funds

- 1.1 A school district or charter school may use federal funds, if allowable per grant guidance or regulation to:
 - 1.1.1 Employ additional administrative, supervisory and teaching personnel, or other necessary personnel beyond those allocated in Title 14 of the Delaware Code, in order to implement a federally supported project.
 - 1.1.2 Extend the employment of a ten or eleven month employee through the eleventh and twelfth month for purposes of conducting a federally supported program. Part time assignments shall be paid a pro rata share.
 - 1.1.3 Employ teachers of the school district or charter school during the school year for additional hours each week to support such federally supported programs.
 - 1.1.4 Employ full time instructional personnel who are qualified for administrative or supervisory positions to carry on administrative or supervisory activities of a federally supported program beyond the regular school day or school week.
 - 1.1.5 Pay a salary equal to the combined state and local salary of other persons in similar assignments at the same rank.
 - 1.1.6 Pay an hourly rate for a part time assignment as an amount pro-rated against the annual salary for the same rank and assignment and in accordance with the qualifications of the individual so assigned and in accordance with previous sections of this statement.

8 DE Reg. 884 (12/01/04)

13 DE Reg. 842 (12/01/09)

23 DE Reg. 565 (01/01/20)

2.0 A School District or Charter School Shall Not

- 2.1 Supplant funds for a local or state position by substituting federal funds for payment of that position.
- 2.2 Pay a salary to cover paid vacation days during intended federal employment when that federal employment is an extension of a ten or eleven month school year as assigned and paid by the state.

3 DE Reg. 755 (12/01/99)

8 DE Reg. 884 (12/01/04)

3.0 For Federal Project Proposals that Require the Approval of the Department of Education, the Applicant Shall

- 3.1 Describe any new or additional position, align it with a recognized rank as described in Title 14 of the Delaware Code or in the case of a nonpublic school institution describe the position in terms of a rank already existing in the institution and assigned to comparable work.
- 3.2 Include in the benefits of the employee all of those benefits that accrue to an employee of the state or the local school district or charter school except that the benefit of the provisions of 14 **Del.C.** Ch. 14 shall not apply to any person whose salary is paid from federal funds in whole or in part.
- 3.3 Seek and obtain approval of the project through the Department of Education prior to the assignment of personnel for the assumption of duties and payment of wages or salary.

8 DE Reg. 884 (12/01/04)

23 DE Reg. 565 (01/01/20)

4.0 Local School Districts Shall Comply with the Maximum Hourly Compensation Rates as Published by the Department of Education.

8 DE Reg. 884 (12/01/04)

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5.0 Additional Requirement

All local school districts and charter schools shall be required to follow the U.S. Office of Management and Budget's 2 CFR Parts 220 and 225, or any subsequent change thereto.

13 DE Reg. 842 (12/01/09)

23 DE Reg. 565 (01/01/20)