

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122 (14 Del.C. §122)
14 DE Admin. Code 731

PROPOSED

731 School Food Service Employees

Education Impact Analysis Pursuant To 14 Del.C. Section 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 731 School Food Service Employees. The regulation was reviewed pursuant to the five-year review cycle. The amendments were limited to formatting only.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before May 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 amendments were limited to formatting only.

2. Will the amended regulation help ensure that all students receive an equitable education? The amendments were limited to formatting only.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendments were limited to formatting only.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amendments were limited to formatting only.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amendments were limited to formatting only.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amendments were limited to formatting only.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The amendments were limited to formatting only.

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 amendments were limited to formatting only.

9. Is there a less burdensome method for addressing the purpose of the regulation? The amendments were limited to formatting only.

10. What is the cost to the State and to the local school boards of compliance with the regulation? The amendments were limited to formatting only.

731 School Food Service Employees

1.0 Experience

School food service employees may be granted one (1) year's experience for each creditable year of experience in similar employment.

2.0 Determination of Employee Staffing and Formula

2.1 School districts shall determine the salaries paid to cafeteria workers as follows:

- 2.1.1 Of the total number of full time workers assigned to a food preparing cafeteria, a maximum of two may be paid as a cook baker. Satellite schools are eligible for state funded positions as set forth in 14 **Del.C.** §1322(c).

8 DE Reg. 1608 (5/1/05)

3.0 Salary Formula

3.1 The salaries prescribed in 14 **Del.C.** §1322(e) for general workers, cooks and bakers shall be paid by the State from funds not derived from local food service operations as determined by the formula:

3.1.1 Seven (7) hours of labor per 100 meals determined as follows:

3.1.1.1 Total number of reimbursable lunches served in the base month; plus

3.1.1.2 Total number of reimbursable breakfasts served in the base month; plus

3.1.1.3 Total of all other meals served in the base month determined by aggregating all income.

3.1.1.3.1 The number of meals prepared and served shall be based on the average reported for the month of October on the monthly reimbursement claim.

3.2 Each school district ~~will~~ shall submit to the Department of Education a computation sheet for cafeteria workers with data showing hourly rate and hours worked not to exceed the maximum allowed under state formula.

3.3 Each school district shall submit a roster of cafeteria managers to the Department of Education showing names of managers and the salaries prescribed in 14 **Del.C.** §1322(a). Each district shall also submit a computation sheet as prescribed by the Department to determine the number of meals served according to the state formula.

3 DE Reg. 1542 (5/1/00)

8 DE Reg. 1608 (5/1/05)

13 DE Reg. 1257 (04/01/10)