

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))  
14 **DE Admin. Code** 710

**PROPOSED**

**PUBLIC NOTICE**

**710 Public School Employees Workday**

**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 seeks to reauthorize 14 **DE Admin. Code** 710 Public School Employees Workday as part of 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 **January 6, 2011** 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 is readopted as part of the 5 year review cycle.

2. Will the amended regulation help ensure that all students receive an equitable education? The regulation is readopted as part of the 5 year review cycle.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The regulation is readopted as part of the 5 year review cycle.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The regulation is readopted as part of the 5 year review cycle.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The regulation is readopted as part of the 5 year review cycle.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The regulation is readopted as part of the 5 year review cycle.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The entity for decision making and accountability will not change.

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 regulation is readopted as part of the 5 year review cycle.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method for addressing the purpose of this regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is no cost to the State or local school boards for compliance with the regulation.

**710 Public School Employees Workday**

**1.0 Required Work Hours**

Absent an existing collective bargaining agreement to the contrary, district employees who work less than the specified time shall have their annual salary adjusted accordingly. Upon ratification of a new or extension of an existing collective bargaining agreement, the local district shall establish hours and days worked that are consistent with those specified below. Otherwise, effective July 1, 2001 a workday for public school employees shall be defined as follows:

1.1 Teacher, a minimum of 7 1/2 hours, inclusive of 1/2 hour for lunch, plus the amount of time required for the discharge of such duties and services as may be reasonably expected and required of a member of the

professional staff of a public school. (14 **Del.C.** §1305 defines the number of teacher workdays per year and 14 **Del.C.** §1328 defines the duty free period.)

- 1.2 Aide and Paraprofessional, a minimum of 7 1/2 hours inclusive of 1/2 hour for lunch.
- 1.3 Custodian, a minimum of 8 hours inclusive of 1/2 hour for lunch.
- 1.4 Administrator, a minimum of 7 1/2 hours exclusive of lunch plus the amount of time required for the discharge of such duties and services as may be reasonably expected and required of a member of the professional staff of a public school.
- 1.5 Food Service Manager, a minimum of 7 hours exclusive of lunch.
- 1.6 Secretary, a minimum of 7 1/2 hours exclusive of lunch.

**3 DE Reg. 1077 (2/1/00)**

**4 DE Reg. 1254 (2/1/01)**

**9 DE Reg. 1183 (2/1/06)**

**14 DE Reg. 512 (12/01/10) (Prop.)**