

DEPARTMENT OF EDUCATION
Statutory Authority: Section 122(e) (14 Del.C. §122(e)) 14 DE Admin. Code 727

REGULATORY IMPLEMENTING ORDER

727 Credit for Experience for Administrators, Teachers and Specialists

I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to amend 14 **DE Admin Code 727** Credit for Experience for Administrators, Teachers and Specialists. The amended regulation has been renamed as Credit for Experience for Educators and for Secretarial Staff. As amended it includes the experience credit of one year granted to a graduate of a five year pre-service program or a graduate of a four year pre-service program who graduates with a GPA of 3.75 or higher on a 4.0 scale pursuant to 14 **Del. C.**§1312(a).

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on February 18, 2005, in the form hereto attached as *Exhibit "A"*. Comments were received from Governor's Advisory Council for Exceptional Children concerning the cost to the school districts and state for implementing this regulation. The requirement to give credit in these circumstances is in the **Delaware Code** and hence must be implemented but the law only requires that the State share be paid. The statement in the Impact Analysis was in error, there will be some cost to the state and also to the local school districts if the local school districts choose to provide payment on the local scale for the additional year of experience as described in 14 **Del.C.**§1312(a).

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code 727** in order to implement 14 **Del.C.** §1312(a).

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code 727**. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code 727** attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code 727** 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 727** amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code 727** 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 April 8, 2005. 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 8th day of April 2005.

DEPARTMENT OF EDUCATION

Valerie A. Woodruff, Secretary of Education

727 Credit for Experience for ~~Administrators, Teachers and Specialists~~ Educators and for Secretarial Staff

1.0 Administrators: No credit shall be given for part time employment in Administrative and Supervisory positions.

~~2.0 Teachers: Days taught as a substitute or as a teacher's aide 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.~~

~~2.1 As used in this instance, 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 a period of 12 consecutive months.~~

~~3.0 Secretaries: Secretaries may be granted one (1) year's experience for each creditable year of experience as a secretary in private business, public school, or other governmental agency.~~

~~4.0 Creditable experience includes experience obtained while working outside of Delaware.4.1 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)~~

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:

"**Four Year Preservice Program**" means a regionally accredited college or university four year preservice undergraduate bachelor degree program.

"**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.

"**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 Eligible employees for the one year credit of experience shall include any employee paid in accordance with 14 Del.C. §1305, who meets the requirements in 1.2 and was hired after July 1, 2001. Eligible employees include, but are not limited to, teachers, nurses, librarians, psychologists, therapists, counselors, and school and district level administrators.

2.0 Administrators

2.1 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

4.1 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 includes experience obtained while working outside of Delaware.

6.0 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)