

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b)(28) (14 Del.C. §122(b)(28))
14 DE Admin. Code 932

PROPOSED

PUBLIC NOTICE

Education Impact Analysis Pursuant To 14 Del.C. Section 122(d)

932 Military-Connected Youth

A. TYPE OF REGULATORY ACTION REQUIRED

Reauthorization of Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF THE REGULATION

Pursuant to 14 Del.C. §122(b)(28), the Secretary of Education seeks the consent of the State Board of Education to reauthorize 14 DE Admin. Code 932 Military-Connected Youth. This regulation is being reauthorized in keeping with 29 Del.C. §10407 which requires regulations to be reviewed on a recurring basis every four years. No changes are warranted at this time, therefore it is being reauthorized.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before November 1, 2021 to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or email to DOEregulations.comment@doe.k12.de.us. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml or obtained at the Department of Education's Office of the Secretary, located at the address above.

C. IMPACT CRITERIA

1. Will the proposed regulation help improve student achievement as measured against state achievement standards? The proposed regulation does not specifically address the improvement of student achievement as measured against state achievement standards.

2. Will the reauthorized regulation help ensure that all students receive an equitable education? The proposed regulation impacts a limited number of students and will help ensure those students receive an equitable education.

3. Will the proposed regulation help to ensure that all students' health and safety are adequately protected? The proposed regulation impacts a limited number of students and will help ensure those students' health and safety are adequately protected.

4. Will the proposed regulation help to ensure that all students' legal rights are respected? The proposed regulation impacts a limited number of students and continues to help ensure that those students' legal rights are respected.

5. Will the proposed regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The proposed regulation does not change the decision making at the local board and school level.

6. Will the proposed regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The proposed regulation does not place any unnecessary reporting or administrative requirements or mandates on decision makers.

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

8. Will the proposed 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 proposed regulation is consistent with and not an impediment to the implementation of other state educational policies. The proposed regulation simply involves data gathering.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is no less burdensome method for addressing the purpose of the proposed regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There are no material costs to implementing this proposed regulation.

932 Military-Connected Youth

1.0 Purpose

This regulation outlines the process for districts and charter schools to annually identify enrolled students who are "military-connected youth." This regulation is established pursuant to 14 Del.C. §122(b)(28).

20 DE Reg. 892 (05/01/17)

2.0 Definitions

"Military-Connected Youth" means any student having an immediate family member, including a parent, step-parent, sibling or any other person residing in the same household, who is on active duty, serving in the reserve component, or recently retired from a branch of the United States armed forces. Such branches consist of United States Army, United States Air Force, United States Marine Corps, United States Navy, National Guard, United States Coast Guard, National Oceanic and Atmospheric Administration or the United States Public Health Service.

"Recently Retired" for the purposes of this regulation, means having left military service within 18 months prior to September 30 of the current school year; identified as a disabled veteran; or killed in action.

20 DE Reg. 892 (05/01/17)

3.0 Data Collection and Access

- 3.1 Each district and charter school shall include a military-connected identifier as part of its annual enrollment process and student information update.
- 3.2 Each district and charter school shall identify which school personnel have access to the military-connected identifier.

4.0 Use Exemptions

- 4.1 The identification of a military-connected youth shall not be used for purposes of determining school achievement, growth or performance.
- 4.2 The identification of a military-connected youth is not a public record under Delaware's Freedom of Information Act or any other law, and shall not be made public by any person, except as permitted under the provisions of the Family Educational Rights and Privacy Act of 1974.

19 DE Reg. 742 (02/01/16)

20 DE Reg. 892 (05/01/17)

25 DE Reg. 367 (10/01/21) (Prop.)