

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 1725 (14 Del.C. §1725)  
14 DE Admin. Code 775

### PROPOSED

### PUBLIC NOTICE

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

#### 775 New Teacher Hiring Date Reporting

##### A. Type of Regulatory Action Required

Amendment to Existing Regulation

##### B. Synopsis of Subject Matter of the Regulation

Pursuant to 14 Del.C. §1725, the Secretary of Education intends to amend 14 DE Admin. Code 775 New Teacher Hiring Date Reporting. The Department has reviewed the regulation in order to comply with 29 Del.C. §10407 which requires regulations to be reviewed on a recurring basis every four years and notes that the regulation content is current and that only changes were made to comply with the *Delaware Administrative Code Drafting and Style Manual*.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before April 3, 2020 to 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](mailto: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](http://regulations.delaware.gov/services/current_issue.shtml), or obtained at the Department of Education, located at the address listed above.

##### C. Impact Criteria

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

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation will help ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation will help ensure all students' health and safety are adequately protected.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation continues to help ensure that all students' legal rights are respected.

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

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended 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 amended regulation does not change the decision making authority and accountability for addressing the subject to be regulated.

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 amended regulation is consistent with and not an impediment to the implementation of other state educational policies.

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 amended 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 amended regulation.

#### 775 New Teacher Hiring Date Reporting

##### 1.0 Purpose

The purpose of this regulation is to outline the criteria and process related to new teacher hiring data collection and reporting by school districts as required by 14 **Del.C.** §1725 and align such with annual reporting done within the ~~Teacher and Leader Effectiveness Branch~~ Educator Support Team of the Department of Education.

**19 DE Reg. 919 (04/01/16)**

## **2.0 Definitions**

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly states otherwise:

**"Contract Offer Date offer date"** ~~shall mean~~ means the date an authorized agent or representative of the district notifies the successful candidate of the intent to hire.

**"District"** ~~shall mean~~ means a reorganized school district or vocational technical school district established pursuant to Chapter 10 of Title 14 of the Delaware Code.

**"Department"** means the Delaware Department of Education.

**"Hard to Staff Position staff position"** means a position for which school districts have the fewest qualified applicants.

**"New Teacher Hiring Date"** ~~shall mean, for purposes of this regulation, the Contract Offer Date as defined herein.~~

**"Position Availability Date availability date"** ~~shall mean~~ means the date the district Human Resources Office knows the available position is released for a new full-time teacher hire.

**"Position Type type"** ~~shall mean~~ means the appropriate instructional level of the teacher or whether the teacher is in a Hard to Staff Position.

**19 DE Reg. 919 (04/01/16)**

## **3.0 New Teacher Hiring Data Report**

3.1 On or before December 1st of each year, each District shall annually submit an Educator Hiring Practices and Needs Report to the Department in a format approved by the Department that includes, but is not limited to, Contract Offer Date, Position Availability Date, Position Type, number of positions available and filled, information on Hard To Staff Positions, information on recruitment and selection processes, and information on staffing practices during the most recent hiring ~~season(s)~~ season.

3.2 The Department may also require each District to enter such information on an ongoing basis into an electronic statewide information system. The Department shall review and provide information on educator hiring practices and needs, including hiring activity related to the ~~"estimated unit count"~~ estimated unit count as that term is defined pursuant to 14 **Del.C.** §1704, in the annual Delaware Talent Practices Report ~~(Report)~~.

3.3 The Delaware Talent Practices Report is to be provided no later than March 31<sup>st</sup> of the following year.

**15 DE Reg. 337 (09/01/11)**

**19 DE Reg. 919 (04/01/16)**

**23 DE Reg. 711 (03/01/20) (Prop.)**