

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 3423 and 122(a) (14 **Del.C.** §§3423 & 122(a))

FINAL

REGULATORY IMPLEMENTING ORDER

1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§3423 and 122(a), the Secretary of Education intends to create 14 **DE Admin. Code** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program. The regulation is being created to provide eligibility criteria per House Bill 34 of the 149th General Assembly and to delineate the process for applying for the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program.

Notice of the proposed regulation was published in the *News Journal* and *Delaware State News* on November 1, 2018, in the form hereto attached as *Exhibit "A"*. In addition, the proposed regulation was published in the *Register of Regulations* on November 1, 2018 in the form attached hereto as *Exhibit "B."* The Department did not receive any written submittals.

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to create 14 **DE Admin. Code** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program in order to provide eligibility criteria and to delineate the process for applying for the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to create 14 **DE Admin. Code** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program attached hereto as *Exhibit "B"* is hereby created. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program hereby created 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** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program created hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program 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 December 17, 2018. 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 17th day of December 2018.

Department of Education

Susan S. Bunting, Ed.D., Secretary of Education

Approved this 17th day of December 2018

1205 Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program

1.0 Purpose

- 1.1 Pursuant to 14 **Del.C.** §3423, the purpose of this regulation is to provide eligibility criteria and to delineate the process for applying for the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program.
- 1.2 The Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program encourages and enables academically talented Delawareans to pursue careers as Librarians and Archivists in Delaware.

2.0 Definitions

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

"Academic Record" means the applicant's unofficial transcript from high school, college, or graduate school for the most recent academic year.

"Archivist" means a person employed by a Delaware archive facility in a position deemed eligible by the State Librarian or their designee.

"Delaware Higher Education Office" or **"DHEO"** is the Department of Education's office which administers specific programs related to higher education, including, but not limited to, scholarship and loan programs.

"Direct Educational Expenses" means tuition, mandatory fees, room, board, books, and supplies.

"Expected Family Contribution" or **"EFC"** means a number that is calculated using the financial information an applicant provides on his or her Free Application for Federal Student Aid (FAFSA) to determine an applicant's eligibility for federal student aid.

"Free Application for Federal Student Aid (FAFSA)" or **"FAFSA"** means the data supplied in connection with the federal government's application for federal financial aid which DHEO uses to determine an applicant's eligibility for a scholarship or loan forgiveness program.

"Full-Time Student" means an undergraduate student enrolled in 12 or more college credit hours or a graduate student enrolled in 9 or more credit hours.

"Grade Point Average" or **"GPA"** means the number representing the average value of the accumulated final grades earned in courses over time.

"Graduate Student" means a full-time student enrolled in a post-baccalaureate program.

"Institution" means a post-secondary institution or institution of higher education that is accredited by a nationally recognized accrediting agency.

"Librarian" means a person employed by a Delaware public library, county department library, public school library, state agency library, a member library of the Delaware Library Consortium, or archive in a position deemed eligible by the State Librarian or their designee.

"Nationally Recognized Accrediting Agency" means a nationally recognized accrediting agency or association that appears on the list published by the U.S. Secretary of Education.

"Part-Time Student" means a student enrolled in an undergraduate program that is more than six and less than eleven college credit hours per term or a student enrolled in a graduate program that is at least five and less than nine credit hours per term.

"Resident of the State" means an applicant who meets the definition of residency as defined in 14 **Del.C.** §3402(f).

"Semester" means a half-year term in a school or college, typically lasting 15 to 18 weeks.

"Student Account Access Site" means the webpage on the DHEO's website where students can access scholarship and loan forgiveness opportunities.

"Undergraduate Student" means a full-time student at a regionally accredited college or university who has not yet earned a bachelor's or equivalent degree.

3.0 Application Acceptance and Submission Period

- 3.1 The application acceptance and submission period for the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program shall be posted on the DHEO's website by April 1 each calendar year.
 - 3.1.1 Applications shall not be accepted outside of the posted application acceptance period under any circumstances.
 - 3.1.2 Incomplete applications shall not be accepted or processed.
- 3.2 In order for an application to be considered complete, an applicant must:
 - 3.2.1 Complete the FAFSA for the school year in which the scholarship or loan forgiveness award is sought by the state deadline for Delaware that is posted online at [FAFSA.ed.gov](https://fafsa.ed.gov).
 - 3.2.2 Submit the applicant's Academic Record to DHEO by mail, fax, or email by the last date of the application acceptance period.

3.2.3 Complete an application through the Student Account Access Site by the last date of the application acceptance period. Application must include:

- 3.2.3.1 The applicant's major and the name of the institution in which the applicant will be enrolled for the school year in which the loan forgiveness award will be awarded.
- 3.2.3.2 Applicants may update their enrollment information on the Student Account Access Site through the last date of the application acceptance period.
- 3.2.3.3 A first time applicant must establish an account and provide his or her valid email address and permanent mailing address before being permitted to submit the information required in subsection 3.2.3 of this regulation.

4.0 Eligibility for Awards

- 4.1 Applicants must meet the following requirements to be eligible for the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program:
 - 4.1.1 Be a Resident of the State; and
 - 4.1.2 Be a Full-Time or Part-Time Student enrolled in either:
 - 4.1.2.1 A bachelors or doctoral degree program at an institution that is accredited by a Nationally Recognized Accrediting Agency; and
 - 4.1.2.1.1 Be a current employee or worked for at least two years before the date of application at a Delaware library as described in subsection 4.2 below; or
 - 4.1.2.2 A master's degree program in a library science or similar program approved by the American Library Association.
- 4.2 Preference will be given to persons currently employed by a Delaware public library, county department library, public school library, state agency library, a member library of the Delaware Library Consortium, or archive.

5.0 Awards

- 5.1 DHEO determines the number and amount of awards to be given annually. The number and amount of awards each year will vary and is based on and subject to DHEO receiving funds appropriated for the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program.
- 5.2 DHEO shall grant awards on the basis of financial need, community service, GPA, current employment, and academic merit.
 - 5.2.1 To determine an applicant's financial need, DHEO will consider:
 - 5.2.1.1 The applicant's EFC;
 - 5.2.1.2 The expense of attending the college or university in which the applicant is enrolled; and
 - 5.2.1.3 The applicant's eligibility for Pell grants and other federal, state, or private grant assistance.
- 5.3 An award shall be used for, and not in excess of, Direct Educational Expenses.
- 5.4 An award may be renewable. Students must submit an annual Academic Record and updated enrollment information in order to be eligible for renewal.
 - 5.4.1 Students in bachelors and doctoral programs shall continue to be employed in an eligible library in order to be eligible for renewal of the Ada Leigh Soles Memorial Professional Librarian and Archivist Incentive Program.

6.0 Award Payment

- 6.1 DHEO shall contact a recipient's college or university to verify the recipient's academic, financial, and enrollment status each Semester prior to the awarded funds being disbursed.
 - 6.1.1 A signed promissory note must be executed before disbursement of funds.
- 6.2 All payments shall be disbursed directly to the eligible recipient's college or university only.
- 6.3 If a recipient withdraws from school or otherwise does not qualify for full payment at the end of the add/drop period for a Semester, DHEO will apply the refund policy set forth in 14 Del.C. §3402(k).