

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(b)(8), 181(15), 183, 3402(c), 3402(h), and 3438
(14 **Del.C.** §§ 122(b)(8), 181(15), 183, 3402(c), 3402(h), & 3438)

14 **DE Admin. Code** 1216

FINAL

ORDER

1216 Educator Support Scholarship Program

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §122(b)(8), the Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 1216 Educator Support Scholarship Program. This regulation is being amended to reinstate the definition of Free Application for Federal Student Aid ("FAFSA") in Section 2.0, reinstate the requirement that applicants complete the FAFSA for the school year in which the scholarship is sought by the application deadline in subsection 4.2.2, and reinstate the information that Delaware Higher Education Office will consider to determine an applicant's financial need for the scholarship's purpose in subsection 5.2. The proposed changes are a result of the U.S. Department of Education's release of the 2025-2026 FAFSA application which is fully operational, and students can successfully submit their FAFSA. Other grammatical changes were made to comply with the *Delaware Administrative Code Drafting and Style Manual*.

This regulation was originally published on March 1, 2025. It was also presented to the State Board of Education at its March meeting for information. No comments were received.

II. FINDINGS OF FACTS

The Secretary of Education finds that it is appropriate to amend 14 **DE Admin. Code** 1216 Educator Support Scholarship Program. This regulation is being amended to reinstate the definition of Free Application for Federal Student Aid ("FAFSA") in Section 2.0, reinstate the requirement that applicants complete the FAFSA for the school year in which the scholarship is sought by the application deadline in subsection 4.2.2, and reinstate the information that Delaware Higher Education Office will consider to determine an applicant's financial need for the scholarship's purpose in subsection 5.2. The proposed changes are a result of the U.S. Department of Education's release of the 2025-2026 FAFSA application which is fully operational, and students can successfully submit their FAFSA. Other grammatical changes were made to comply with the *Delaware Administrative Code Drafting and Style Manual*.

III. ASSESSMENT OF THE IMPACT ON ACHIEVEMENT OF THE STATE'S GREENHOUSE GAS EMISSIONS REDUCTION TARGETS AND RESILIENCY TO CLIMATE CHANGE

The Secretary of Education has reviewed the proposed regulation as required by 29 **Del.C.** §10118(b)(3) and has determined that any assessment of the impact of the proposed regulation is not practical

IV. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 1216 Educator Support Scholarship Program. Therefore, pursuant to 14 **Del.C.** §§ 122(b)(8), 181(15), 183, 3402(c), 3402(h) and 3438, 14 **DE Admin. Code** 1216 Educator Support Scholarship Program attached hereto as *Exhibit "A"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 1216 Educator Support Scholarship Program as amended will be in effect for a period of five years from the effective date of this order as set forth in Section VI. below.

V. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1216 Educator Support Scholarship Program amended hereby shall be in the form attached hereto as *Exhibit "A"*, and said regulation shall be cited as 14 **DE Admin. Code** 1216 Educator Support Scholarship Program in the *Administrative Code of Regulations* for the Department of Education.

VI. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §§ 122(b)(8), 181(15), 183,

3402(c), 3402(h) and 3438, on May 15, 2025. The effective date of this Order shall be ten days from the date this Order is published in the Register of Regulations.

IT IS SO ORDERED the 15th day of May 2025.

Department of Education
Cynthia Marten, Secretary of Education

Approved this 15th day of May 2025

State Board of Education

/s/ Shawn Brittingham, President	/s/ Rajalakshmi Lodhavia
/s/ Deborah Stevens, Vice President	/s/ Rev. Provey Powell, Jr.
/s/ Meredith L. Griffin, Jr.	/s/ James L. Simmons III

***Please note: Electronic signatures ("/s/") were accepted pursuant to 6 Del.C. §12A-107(d).**

1216 Educator Support Scholarship Program

1.0 Purpose

The purpose of this regulation is to provide the eligibility criteria, application requirements, and award process for the Educator Support Scholarship Program pursuant to 14 **Del.C.** §3438.

2.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning:

"Area of need" means 1 of the specific areas of need in which there is a shortage of teachers or specialists in Delaware as determined by the DHEO pursuant to 14 **Del.C.** §3438(b).

"Award" means a scholarship awarded under the Educator Support Scholarship Program.

"Delaware Higher Education Office" or **"DHEO"** means the Department of Education's office which administers specific programs related to higher education, including student financial assistance programs.

"Free Application for Federal Student Aid" or **"FAFSA"** means the data supplied in connection with the federal government's application for federal financial aid.

"~~Student Account Access Site~~ account access site" means the webpage on the DHEO's website where students can access scholarship opportunities.

27 DE Reg. 165 (09/01/23)

28 DE Reg. 130 (08/01/24)

3.0 Eligibility

3.1 In order to be eligible for an award under the Educator Support Scholarship Program, an applicant shall meet the requirements of subsections 3.1.1 through 3.1.3.

3.1.1 The applicant shall be enrolled in an undergraduate or graduate program of study leading to a career as a teacher or specialist in an area of need.

3.1.1.1 Applicants who are enrolled in an undergraduate program of study shall be enrolled full-time. For the purpose of subsection 3.1.1.1, full-time means the minimum college credit hours for full-time status as an undergraduate student as required by the applicant's college or university. Generally, this is a minimum of 12 credit hours per term.

3.1.1.2 Applicants who are enrolled in a graduate program of study shall be enrolled full-time or part-time.

3.1.1.2.1 For the purpose of subsection 3.1.1.2, full-time means the minimum college credit hours for full-time status as a graduate student as required by the applicant's college or university. Generally, this is a minimum of 9 credit hours.

3.1.1.2.2 For the purpose of subsection 3.1.1.2, part-time means the minimum college credit hours for part-time status as a graduate student as required by the applicant's college or university. Generally, this is less than 9 credit hours.

3.1.2 The applicant shall meet the definition of residency as defined in 14 **Del.C.** §3402(f).

3.1.3 The applicant shall be enrolled at a college or university that is located in Delaware and is accredited by an accrediting agency recognized by the U.S. Secretary of Education.

27 DE Reg. 165 (09/01/23)

4.0 Application Requirements

- 4.1 The application acceptance and submission period for the Educator Support Scholarship Program shall be posted on the DHEO's website by December 1 of each calendar year.
 - 4.1.1 Applications shall not be accepted outside of the posted application acceptance period under any circumstances.
 - 4.1.2 Incomplete applications shall not be accepted or processed.
- 4.2 In order for an application to be considered complete, an applicant shall fulfill ~~the requirement in subsection 4.2.4~~ all of the requirements in subsections 4.2.1 and 4.2.2.
 - 4.2.1 The applicant shall complete an online application through the ~~Student Account Access Site~~ student account access site by the last date of the application acceptance period.
 - 4.2.1.1 Applicants may update their enrollment information on the ~~Student Account Access Site~~ student account access site through the last date of the application acceptance period.
 - 4.2.1.2 A first time applicant must establish an account and provide the applicant's valid email address and permanent mailing address before being permitted to submit the information required in subsection 4.2 of this regulation.
 - 4.2.2 ~~Reserved. The applicant shall complete the FAFSA for the school year in which the scholarship is sought by the application deadline.~~

28 DE Reg. 130 (08/01/24)

5.0 Awards

- 5.1 DHEO determines the amount of scholarships to be awarded annually. Contingent upon funding appropriated for the Educator Support Scholarship Program and based on the size of the applicant pool, at least 1 applicant in each area of need will be awarded a scholarship annually.
- 5.2 To determine an applicant's financial need for the purpose of the Educator Support Scholarship, DHEO will ~~consider the expense of attending the applicant's college or university and the applicant's eligibility for state or private grant assistance.~~ consider:
 - 5.2.1 The applicant's student aid index, which is the number that is calculated using the financial information an applicant provides on the applicant's FAFSA to determine the applicant's eligibility for federal student aid;
 - 5.2.2 The expense of attending the applicant's college or university; and
 - 5.2.3 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, tuition, mandatory fees, room, board, books, and other direct and indirect educational expenses.
- 5.4 An award is renewable for up to 3 additional years.
- 5.5 To be eligible to renew an award, a student shall update the student's enrollment information on the ~~Student Account Access Site~~ student account access site; continue to be enrolled in a program of study leading to a career as a teacher or specialist in an area of need; maintain satisfactory academic progress by successfully completing coursework according to the standards of the college or university in which the student is enrolled; and continue to be eligible to receive financial aid.
- 5.6 A student shall not receive more than 4 annual awards.

28 DE Reg. 130 (08/01/24)

6.0 Award Payment

- 6.1 Award payments shall be disbursed directly to the student's college or university only.
- 6.2 If a student 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 policies set forth in 14 **Del.C.** §3402(k). For the purpose of this regulation, semester means a half-year term in a school or college, typically lasting 15 to 18 weeks.

26 DE Reg. 1057 (06/01/23)

27 DE Reg. 165 (09/01/23)

28 DE Reg. 130 (08/01/24)

28 DE Reg. 877 (06/01/25) (Final)