



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
Margaret M. O'Neill Bldg., Third Floor, Suite 1
410 Federal Street
Dover, Delaware 19901
302-739-3621


The Honorable John Carney,
Governor

John McNeal, Director
SCPD

MEMORANDUM

DATE: February 1, 2023

TO: Delaware Department of Education
Office of the Secretary/Attn: Regulation Review

FROM: Benjamin Shrader, Chairperson 
State Council for Persons with Disabilities

RE: Proposed DDOE Regulations on 14 DE Admin. Code 1203 [Scholarship Incentive Program (ScIP), 26 Del. Reg. of Regulations 521 (January 1, 2023)]

The State Council for Persons with Disabilities (SCPD) has reviewed the proposed Delaware Department of Education's (DDOE's) proposed regulation to amend 14 DE Admin. Code 1203 Scholarship Incentive Program (ScIP). The regulation details the application process, the eligibility criteria, and the award process for the ScIP. The proposed regulation was published as 26 DE Reg. 521 in the January 1, 2023, issue of the Register of Regulations.

The SCPD has the following recommendation and observations:

- The proposed amendments include revisions to Section 2.0, addressing the eligibility requirements for the program as well as other clarifying changes in the regulation. The changes were made pursuant to HB 480.¹

¹ HB 480 amended the Delaware Code "relating to financial assistance for education in order to promote and support the state's high demand career fields and reduce student debt for Delaware residents. The Act clarifies the Delaware Higher Education Office's role in administering programs. Professional incentive scholarship loan programs will generally be replaced with the career-based scholarship program and the educator support scholarship and mental health services scholarship programs will be established. In addition, a loan repayment program is created for speech-language pathology and mental health professions to attract and retain these professionals in Delaware schools. Career-based and educator support scholarships will be made to Delaware students who intend to pursue careers in specific fields identified as areas of need in Delaware. Academic scholarships will be awarded to Delaware students in memory of elected officials and other distinguished citizens. Need-based scholarships will be awarded to Delaware students so that they will not be denied the opportunity of an education because of financial need." (HB synopsis)

- The proposed amendment removes “scholarship and loan” language, replacing it with “student financial assistance” programs.
- The amendment eliminates “direct educational expenses,” “expected family contribution,” “graduate student,” and “resident of the state,” from Section 2.0.
- The amendment changes the eligibility criteria; rather than requiring that an applicant be a resident of the state, the applicant must meet the definition of residency as defined in 14 Del. C. §3402(f).²
- The amended Section 4.0 also removes “regional” from its requirements, as well as language stipulating that a graduate student must “[be] in pursuit of a degree that is deemed in the best interest of the State,” as well as “[...]making Satisfactory Academic Progress.”
- The proposed amendment adds that an applicant’s Expected Family Contribution will be considered in determining an applicant’s financial needs.
- The amendment clarifies that a financial award will be used for “tuition, mandatory fees, room, board, books, and other direct and indirect educational expenses.”
- The amendment states that students must “maintain Satisfactory Academic Progress at their educational institution, and continue to meet the other eligibility requirements set forth in Section 4.0.”

SCPD supports this bill as it adds clarity to those seeking financial assistance in education.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations or recommendations on the proposed regulation.

cc: Ms. Laura Waterland, Esq., DLP
 Governor’s Advisory Council for Exceptional Citizens
 Developmental Disabilities Council

26 DE. Reg. 521 DDOE Scholarship Incentive 02-01-23

² (f) Unless otherwise provided, no student is eligible for student assistance programs authorized in this chapter who has not been a resident of the State for at least 12 consecutive months immediately prior to the program application deadline.No student is deemed to satisfy for the first time the residence requirement of these programs while the student’s principal occupation is that of student in a postsecondary program. Evidence of legal residence in Delaware that is deemed satisfactory to the Office must be provided. Such evidence may include prior year Delaware income tax return, a valid Delaware driver’s license, a valid Delaware vehicle registration card or other evidence of bona fide residence in Delaware. Delaware residence is considered terminated 12 months after a move from the State.