



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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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 DOE Regulation on 14 DE Admin. Code 1204 [High Needs Educator Student Loan Payment Program, 26 Del. Reg. of Regulations 524 (January 1, 2023)]

The State Council for Persons with Disabilities (SCPD) has reviewed the proposed Delaware Department of Education's (DDOE's) through the Delaware Higher Education Office (DHEO), proposal for amending 14 DE Admin. Code 1204 High Needs Educator Student Loan Payment Program. This is a student financial assistance program administered by DHEO. The changes were made pursuant to HB 480. The regulation details the application process, eligibility criteria, and the award process for the High Needs Educator Student Loan Payment Program. The proposed amendments clarify changes throughout the regulation and revise the requirements for the program in Section 3.0. The proposed regulation was published as 26 DE Reg. 524 in the January 1, 2023, issue of the Register of Regulations.

The SCPD has the following observations:

- The proposed amendment clarifies the definitions in Section 2.0, removes the definition of "English Learner," and adds language to the definition of "High Needs Area," where high needs means: (1) percentage of low-income students or students within the statewide metric determined by the Department utilizing direct certification for Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program (SNAP); (2) percentage of English Learners or students with limited English proficiency and who meet the definition of English Learner as defined by the Department's regulations; (3) percentage of Students with Disabilities or students who are determined to eligible for one or more of the educational classifications under the Department's regulations; or (4) percentage of Minority Students.

- The proposed amendment for Section 2.0 also removes the definitions for “Low-Income Students,” “Minority Students,” and “Students with Disabilities.”
- The proposed amendment for Section 3.0 removes language that the applicant must have received a rating of at least “effective” on the Delaware Performance Appraisal System, and instead states that “the applicant has not had an ineffective evaluation on the State’s current evaluation system or the equivalent thereof on a State-approved alternative educator evaluation system.
- The amendment eliminates the requirement in Section 3.0 that the applicant shall not be in default of any federal or state education loan.

**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. 524 DDOE High Need Educator Student Loan Payment 02-01-23