



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 1206 [Speech Language Pathologist Incentive Loan Program, 26 DE 528 (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), amendments to 14 DE Admin. Code 1206 Speech Language Pathologist Incentive Loan Program. The Speech Language Pathologist Scholarship Program is a student financial assistance for higher education program administered by DHEO. The changes were made pursuant to HB 480. The regulation provides the eligibility criteria, the application process, and the award process for the Speech Language Pathologist Scholarship Program. The proposed regulation was published as 26 DE Reg. 528 in the January 1, 2023, issue of the Register of Regulations.

The SCPD has the following observations and recommendations:

The proposed amendments include:

- Revising the title of the regulation
- Revising the name of the program in Section 1.0
- Adding and striking definitions in Section 2.0
- Clarifying the application process in Section 3.0
- Revising the eligibility requirements in Section 4.0
- Revising the awards process in Sections 5.0 and 6.0
- Renumbering the regulation from 1203 to 1212

Section 4.0 concerns the eligibility for an award; changes include an addition that the applicant shall meet the definition of residency as provided in 14 Del. C. §3402(f). However, the eligibility section

maintains that the applicant shall be a “Full-Time Student enrolled in a graduate program in Delaware that will satisfy the educational requirements to become licensed by the Delaware Board of Speech Pathologists [...]” This is also true of the ScIP program. These are statutory requirements (see 14 Del Code 3411 and 3435).

The National Council on Disability reported that disability may prevent some students from accessing financial aid for college and graduate school; students with disabilities may have difficulty attending school full-time because of the impact of disability. It may be that the scholarship programs would have to make reasonable modifications under the ADA and Section 504 to allow exceptions to this rule. **SCPD is asking for amendments to the statute to reflect this.**¹

The proposed amendments for Section 5.0 include adding language about renewing an award via completing an application and maintaining the requirements of Section 4.0, as well as maintaining Satisfactory Academic Progress. Section 5.3.2, stating “an award may be renewed annually as long as students maintain satisfactory academic progress as defined by the institution,” is removed, along with Section 5.4, which states “an award may be pro-rated for Part-Time Students.” Again, part-time students should be considered eligible for this award; however, a statutory amendment is required to attain this.

SCPD opposes this amendment however, SCPD would support an amendment that allows part-time students to be considered for eligibility of the Speech Language Pathologist Program.

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. 528 DDOE Speech Language Pathologist 02-01-23

¹ Rebecca Moore, Students with Disabilities Face Financial Aid Barriers, National Council on Disability (Sept. 15, 2003), <https://ncd.gov/publications/2003/09292003-2>.