

**DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY**

Statutory Authority: 14 Delaware Code, Section 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3447 (14 Del.C. §122(b)(8), 181(15), 183, 3402(c), 3440, 3441, & 3447)

PROPOSED

PUBLIC NOTICE

Educational Impact Analysis Pursuant to 14 Del.C. §122(d)

1221 Charles L. "Chuck" Hebner Scholarship

A. TYPE OF REGULATORY ACTION REQUESTED

Adoption of a New Regulation

B. SYNOPSIS OF SUBJECT MATTER OF REGULATION

Pursuant to 14 Del.C. §§ 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3447, the Delaware Department of Education ("Department"), through the Delaware Higher Education Office ("DHEO"), proposes the adoption of 14 **DE Admin. Code** 1221 Charles L. "Chuck" Hebner Scholarship. The Charles L. "Chuck" Hebner Scholarship is a student financial assistance for higher education program that is administered by DHEO. The proposed regulation provides the eligibility criteria, application requirements, and award process for the Charles L. "Chuck" Hebner Scholarship. The proposed regulation is consistent with House Bill 480 of the 151st General Assembly, which was signed into law on August 25, 2022.

Persons wishing to present their views regarding this matter may do so in writing by submitting them to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or through the Department's online submission form at <https://education.delaware.gov/community/delaware-education-laws-and-regulations/provide-public-comment/> by the close of business (4:30 p.m. EST) on or before March 6, 2023. Any person who wishes to receive a copy of the proposed regulation may obtain a copy from the Department at the Office of the Secretary on the second floor of the Townsend Building, 401 Federal Street, Dover, Delaware.

C. IMPACT CRITERIA

1. Will the new regulation help improve student achievement as measured against state achievement standards? The new regulation concerns a student financial assistance for higher education program and is not designed to help improve student achievement as measured against state achievement standards.

2. Will the new regulation help ensure that all students receive an equitable education? The new regulation concerns a student financial assistance for higher education program and is not designed to help ensure that all students receive an equitable education.

3. Will the new regulation help to ensure all students' health and safety are adequately protected? The new regulation concerns a student financial assistance for higher education program and is not designed to help to ensure all students' health and safety are adequately protected.

4. Will the new regulation help to ensure that all students' legal rights are respected? The new regulation concerns a student financial assistance for higher education program and is not designed to help to ensure that all students' legal rights are respected.

5. Will the new regulation preserve the necessary authority and flexibility of decision-makers at the local board and school level? The new regulation concerns a student financial assistance for higher education program and does not change authority and flexibility of decision makers at the local board and school level.

6. Will the new regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The new regulation concerns a student financial assistance for higher education program and does not place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.

7. Will decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The Department, through DHEO, implements the regulations promulgated and adopted relating to student financial assistance for higher education programs that are administered by DHEO.

8. Will the new regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies? The new regulation is consistent with, and not an impediment to, the implementation of other state educational policies, and in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies.

9. Is there a less burdensome method for addressing the purpose of the new regulation? There is not a less burdensome method for addressing the purpose of this new regulation.

10. What is the cost to the state and to the local school boards of compliance with the adopted regulation? There is no expected cost to the state of complying with this new regulation. The regulation does not apply to local school boards.

1221 Charles L. "Chuck" Hebner Scholarship

1.0 Purpose

The purpose of this regulation is to provide the eligibility criteria, application requirements, and award process for the Charles L. "Chuck" Hebner Scholarship pursuant to 14 Del.C. §3447.

2.0 Definitions

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

"Award" means a scholarship awarded under the Charles L. "Chuck" Hebner Scholarship Program.

"Delaware Higher Education Office" or "DHEO" means the Department of Education's office which administers specific programs related to higher education, including, but not limited to, student financial assistance programs.

"Full-Time Student" means a student enrolled in a minimum of college credit hours as required by the student's college or university for full-time status. Generally, for an undergraduate program, this is a minimum of 12 credit hours per term.

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

3.0 Eligibility

3.1 In order to be eligible for an Award under the Charles L. "Chuck" Hebner Scholarship Program, an applicant shall meet the requirements of subsections 3.1.1 through 3.1.3.

3.1.1 The applicant shall be a graduating high school senior.

3.1.2 The applicant will enroll as a first-time, Full-Time undergraduate student at a degree-granting college for the following school year.

3.1.3 The applicant must meet the definition of residency as defined in 14 Del.C. §3402(f).

4.0 Application Requirements

4.1 The application acceptance and submission period for the Charles L. "Chuck" Hebner Scholarship 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 complete an online application through the Student Account Access Site by the last date of the application acceptance period.

4.2.1 Applicants may update their enrollment information on the Student Account Access Site through the last date of the application acceptance period.

4.2.2 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.

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 the General Assembly appropriating funds for the Charles L. "Chuck" Hebner Scholarship. Scholarships will be awarded to applicants who meet the requirements of Section 3.0 of this regulation based on the applicant's academic achievement, community service, participation in extracurricular activities, and promise of academic success in college.

5.2 An Award shall be used for, and not in excess of, tuition, mandatory fees, room, board, and other direct and indirect educational expenses at the applicant's college.

5.3 An Award is renewable within the limits of the appropriations for the Charles L. "Chuck" Hebner Scholarship Program.

- 5.4 To be eligible to renew an Award, a student shall update the student's enrollment information on the Student Account Access Site; meet the academic progress standards set by DHEO and communicated in writing to the student at the time the initial Award is granted; and continue to be enrolled full-time at the student's college, successfully completing coursework according to the standards of the student's college, and eligible to continue to receive financial aid.
- 5.5 A student shall not receive more than 4 annual Awards.

6.0 Award Payment

- 6.1 Award payments shall be disbursed directly to the student's college 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. 668 (02/01/23) (Prop.)