

**DEPARTMENT OF EDUCATION  
OFFICE OF THE SECRETARY**

Statutory Authority: 14 Delaware Code, Sections 122(b)(8), 181(15), 183, 3402(c), and 3436 (14  
**Del.C. §§122(b)(8), 181(15), 183, 3402(c), & 3436)**)

**FINAL**

**ORDER**

**1214 Critical Need Reimbursement Program**

**I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED**

Pursuant to 14 **Del.C. §§ 122(b)(8), 181(15), 183, 3402(c), and 3436**, the Delaware Department of Education ("Department"), through the Delaware Higher Education Office ("DHEO"), proposes the adoption of 14 **DE Admin. Code 1214 Critical Need Reimbursement Program**. The Critical Need Reimbursement Program 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 program. The proposed regulation is consistent with House Bill 480 of the 151st General Assembly, which was signed into law on August 25, 2022.

Notice of the proposed regulation was published in the *Register of Regulations* on March 1, 2023. The Department did not receive any written submittals concerning the proposed regulation.

**II. FINDINGS OF FACTS**

The Department finds that the proposed regulation is necessary to implement 14 **Del.C. Ch. 34** and the Critical Need Reimbursement Program, which is a student financial assistance program that DHEO administers. In addition, the Department finds that House Bill 480 of the 151st General Assembly amended 14 **Del.C. Ch. 34** and that the proposed regulation is consistent with the statute that went into effect on August 25, 2022.

**III. DECISION TO ADOPT THE REGULATION**

For the foregoing reasons, the Department concludes that it is appropriate to adopt 14 **DE Admin. Code 1214 Critical Need Reimbursement Program** subject to the State Board of Education's approval. On April 20, 2023, the State Board of Education approved the adoption of 14 **DE Admin. Code 1214 Critical Need Reimbursement Program**. Therefore, pursuant to 14 **Del.C. §§ 122(b)(8), 181(15), 183, 3402(c), and 3436**, 14 **DE Admin. Code 1214 Critical Need Reimbursement Program**, attached hereto as Exhibit A, is hereby adopted.

**IV. TEXT AND CITATION**

The text of 14 **DE Admin. Code 1214 Critical Need Reimbursement Program** adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code 1214 Critical Need Reimbursement Program** in the *Administrative Code of Regulations* for the Department.

**V. EFFECTIVE DATE OF ORDER**

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 20th day of April, 2023.

**Department of Education**

Mark A. Holodick, Ed.D., Secretary of Education

Approved this 20th day of April, 2023.

**State Board of Education**

/s/ Shawn Brittingham, President

/s/ Rev. Provey Powell, Jr.

/s/ Vincent Lofink, Vice President

Wali W. Rushdan, II (Absent)

/s/ Candice Fifer

/s/ Deborah Stevens

/s/ Audrey J. Noble, Ph.D.

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

**1214 Critical Need Reimbursement Program**

## **1.0 Purpose**

The purpose of this regulation is to provide the eligibility criteria, application requirements, and award process for the Critical Need Reimbursement Program pursuant to 14 Del.C. §3436.

## **2.0 Definitions**

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

"Award" means a reimbursement awarded under the Critical Need Reimbursement Program.

"Critical Need Area" means one of the specific certification areas of critical need in Delaware as determined by the Delaware Department of Education pursuant to 14 Del.C. §3436(c).

"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.

## **3.0 Eligibility**

3.1 In order to be eligible for an Award under the Critical Need Reimbursement Program, an applicant shall meet the requirements of subsections 3.1.1 through 3.1.6.

3.1.1 The applicant shall be a full-time employee of a Delaware public school district or charter school.

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 hold an Emergency Certificate or Certificate of Eligibility in a Critical Need Area.

3.1.4 The applicant shall be teaching in a Critical Need Area.

3.1.5 The applicant shall have completed coursework or a seminar or workshop at a college or university that is accredited by an accrediting agency recognized by the U.S. Secretary of Education or through an Alternative Routes for Teacher Licensure or Certification program approved by the Department.

3.1.6 The applicant shall have earned a 2.0 or higher on a 4.0 scale for credit-bearing courses or an equivalent passing grade in non-credit bearing seminars and workshops.

## **4.0 Application Requirements**

4.1 The application acceptance and submission period for the Critical Need Reimbursement 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 The applicant shall complete an application by the last date of the application acceptance period.

## **5.0 Awards**

5.1 An applicant who meets the eligibility criteria in Section 3.0 may be awarded up to 1 of the following per academic year:

5.1.1 Up to 6 credits; or

5.1.2 Two noncredit-bearing seminars or workshops required for certification; or

5.1.3 One noncredit-bearing seminar or workshop required for certification up to 1 3-credit course.

5.2 Award payments shall be disbursed directly to the applicant's college or university only upon the applicant's completion of the course, seminar, or workshop and after the college or university verifies the applicant's enrollment and grades.

5.3 An Award shall be used for, and not in excess of, tuition and mandatory fees.

**26 DE Reg. 1055 (06/01/23) (Final)**