

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**

Statutory Authority: 14 Delaware Code, Sections 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3443 (14 **Del.C.** §§122(b)(8), 181(15), 183, 3402(c), 3440, 3441, & 3443)

**FINAL**

**ORDER**

**1220 Herman M. Holloway Memorial Scholarship**

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

Pursuant to 14 **Del.C.** §§ 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3443, the Delaware Department of Education ("Department"), through the Delaware Higher Education Office ("DHEO"), proposes the adoption of 14 **DE Admin. Code** 1220 Herman M. Holloway Memorial Scholarship. The Herman M. Holloway, Sr. Memorial 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 Herman M. Holloway, Sr. Memorial Scholarship. It 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 February 1, 2023. The Department did not receive any written submittals concerning the proposed regulation.

**II. FINDINGS OF FACTS**

The Department made a change that was not the result of any written submittals, i.e., adding "Sr." after "Holloway" throughout the proposed regulation. The change was made to be consistent with the title of the program in the statute (14 **Del.C.** §3443). The Department finds that the change is not substantive and, therefore, the Department is not required to repropose the regulation in accordance with 29 **Del.C.** §10118(c).

In addition, the Department finds that the proposed regulation is necessary to implement 14 **Del.C.** Ch. 34 and the Herman M. Holloway, Sr. Memorial Scholarship, which is a student financial assistance program that DHEO administers. The Department further finds that House Bill 480 of the 151st General Assembly amended 14 **Del.C.** Ch. 34 and that the proposed regulation, with the additional change, 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** 1220 Herman M. Holloway, Sr. Memorial Scholarship subject to the State Board of Education's approval. On March 16, 2023, the State Board of Education approved the adoption of 14 **DE Admin. Code** 1220 Herman M. Holloway, Sr. Memorial Scholarship. Therefore, pursuant to 14 **Del.C.** §§ 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3443, 14 **DE Admin. Code** 1220 Herman M. Holloway, Sr. Memorial Scholarship, attached hereto as Exhibit A, is hereby adopted.

**IV. TEXT AND CITATION**

The text of 14 **DE Admin. Code** 1220 Herman M. Holloway, Sr. Memorial Scholarship adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1220 Herman M. Holloway, Sr. Memorial Scholarship 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 16th day of March, 2023.

**Department of Education**

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

Approved this 16th day of March, 2023.

**State Board of Education**

/s/ Shawn Brittingham, President

/s/ Rev. Provey Powell, Jr.

/s/ Vincent Lofink, Vice President

/s/ Wali W. Rushdan, II

/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).

## 1220 Herman M. [Holloway Holloway, Sr.] Memorial Scholarship

### **1.0 Purpose**

The purpose of this regulation is to provide the eligibility criteria, application requirements, and award process for the Herman M. [Holloway Holloway, Sr.] Memorial Scholarship pursuant to 14 Del.C. §3443.

### **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 Herman M. [Holloway Holloway, Sr.] Memorial 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.

"Free Application for Federal Student Aid" or "FAFSA" means the data supplied in connection with the federal government's application for federal financial aid which DHEO uses to determine an applicant's eligibility for an Award.

"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 Herman M. [Holloway Holloway, Sr.] Memorial 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 who received an offer of admission from the Delaware State University.

3.1.2 The applicant will enroll as a first-time, Full-Time undergraduate student in the Delaware State University 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 Herman M. [Holloway Holloway, Sr.] Memorial 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 fulfill all of the requirements in subsections 4.2.1 and 4.2.2.

4.2.1 The applicant shall complete an online application through the Student Account Access Site by the last date of the application acceptance period.

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

4.2.1.2 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.

4.2.2 The applicant shall complete the FAFSA for the school year in which the scholarship is sought by the application deadline.

### **5.0 Awards**

5.1 One scholarship will be awarded each year to an applicant who meets 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. If several applicants are determined to be equally qualified for an Award, DHEO will consider their financial need.

- 5.2 To determine an applicant's financial need for the purpose of the Herman M. ~~Holloway~~ Holloway, Sr.] Memorial Scholarship, DHEO will consider the applicant's EFC; the expense of attending the Delaware State University; and the applicant's eligibility for Pell grants and other federal, state, or private grant assistance. For the purpose of this regulation, EFC means the Expected Family Contribution, which is the number that is calculated using the financial information an applicant provides on the applicant's Free Application for Federal Student Aid (FAFSA) to determine the applicant's eligibility for federal student aid.
- 5.3 An Award shall be used for, and not in excess of, tuition, required fees, room, board, and books at the Delaware State University.
- 5.4 An Award is renewable within the limits of the appropriations for the Herman M. ~~Holloway~~ Holloway, Sr.] Memorial Scholarship Program.
- 5.5 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 Delaware State University, successfully completing coursework according to the standards of the Delaware State University, and eligible to continue to receive financial aid.
- 5.6 A student shall not receive more than 4 annual Awards.

## **6.0 Award Payment**

- 6.1 Award payments shall be disbursed directly to the Delaware State University 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. 944 (05/01/23) (Final)**