

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 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)

FINAL

ORDER

1221 Charles L. "Chuck" Hebner 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 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.

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 finds that the proposed regulation is necessary to implement 14 **Del.C.** Ch. 34 and the Charles L. "Chuck" Hebner Scholarship, 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** 1221 Charles L. "Chuck" Hebner 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** 1221 Charles L. "Chuck" Hebner Scholarship. Therefore, pursuant to 14 **Del.C.** §§ 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3447, 14 DE Admin. Code 1221 Charles L. "Chuck" Hebner Scholarship, attached hereto as Exhibit A, is hereby adopted.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1221 Charles L. "Chuck" Hebner Scholarship adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1221 Charles L. "Chuck" Hebner 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).**

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. 947 (05/01/23) (Final)