

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 181(15), 183, 3402(c), and 3421 (14 Del.C. §§181(15), 183, 3402(c), & 3421)  
14 DE Admin. Code 1207

### PROPOSED

### PUBLIC NOTICE

#### 1207 Delaware Nursing Incentive Program

#### A. TYPE OF REGULATORY ACTION REQUIRED

Repeal of Existing Regulation

#### B. SYNOPSIS OF SUBJECT MATTER OF THE REGULATION

Pursuant to 14 Del.C. §§ 181(15), 183, 3402(c), and 3421, the Delaware Department of Education ("Department"), through the Delaware Higher Education Office, proposes to repeal 14 DE Admin. Code 1207 Delaware Nursing Incentive Program. In accordance with House Bill 480 of the 151st General Assembly, which was signed into law on August 25, 2022, Delaware nursing incentive program loans are no longer awarded. Repayment and forgiveness of loans that were awarded prior to July 1, 2022 are addressed in statute (14 Del.C. §3421(c)).

In accordance with 14 Del.C. §122(d), the Department is required to perform and issue a written educational impact analysis of any new proposed regulation and of any regulation that is proposed to be continued. Because this regulation is proposed to be repealed, the Department is not required to perform and issue a written educational impact analysis.

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 January 3, 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.

#### 1207 Delaware Nursing Incentive Program

##### 1.0 Purpose

~~The purpose of this regulation is to provide eligibility criteria and application procedures for the Delaware Nursing Incentive Program pursuant to 14 Del.C. §3421.~~

##### 2.0 Definitions

~~The following words and terms, when used in this regulation, shall have the following meaning unless the context in which they are used clearly indicates otherwise:~~

~~“Academic Record” means the applicant’s unofficial transcript from high school, college, or graduate school for the most recent academic year.~~

~~“Award” means a loan under the Delaware Nursing Award Program, the repayment of which is forgiven when the borrower is employed as a licensed practical nurse or registered nurse at a State-owned hospital or clinic or a nonprofit hospital located in Delaware for the period of time specified in 14 Del.C. §3421(c)(2).~~

~~“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, scholarship and loan programs.~~

~~“Full-Time Student” means an Undergraduate Student enrolled in twelve (12) or more college credit hours or a graduate student enrolled in nine (9) or more credit hours.~~

~~“Grade Point Average” or “GPA” means the number representing the average value of the accumulated final grades earned in courses over time.~~

~~“Institution” means a post-secondary college, university, or institution of higher education that is accredited by a nationally recognized regional accrediting agency.~~

~~“Part-Time Student” means a student enrolled in an Undergraduate program that is more than six (6) and less than eleven (11) college credit hours per term or a student enrolled in a graduate program that is at least five (5) and less than nine (9) credit hours per term.~~

~~“Resident of the State” means an applicant who meets the definition of residency as defined in 14 Del.C. §3402(f).~~

~~“Semester” means a half-year term in a school or college, typically lasting fifteen (15) to eighteen (18) weeks.~~

~~“Student Account Access Site” means the webpage on the DHEO’s website where students can access scholarship and loan forgiveness opportunities.~~

~~“Undergraduate Student” means a Full-Time or Part-Time Student at a regionally accredited college or university or accredited hospital school of nursing who has not yet earned a bachelor’s or equivalent degree.~~

### **3.0 Application Acceptance and Submission Period**

- 3.1 The application acceptance and submission period for the Delaware Nursing Incentive Program shall be posted on the DHEO’s website by April 1 each calendar year.
- 3.2 In order for an application to be considered complete, an applicant must:
  - 3.2.1 Submit the applicant’s Academic Record to DHEO by mail, fax, or email by the last date of the application acceptance period.
  - 3.2.2 Complete an application through the Student Account Access Site by the last date of the application acceptance period.
    - 3.2.2.1 An application must include:
      - 3.2.2.1.1 The applicant’s major, name of the applicant’s Institution, and the school year in which the applicant was most recently enrolled.
      - 3.2.2.1.2 Applicants may update their enrollment information on the Student Account Access Site through the last date of the application acceptance period.
      - 3.2.2.1.3 A first time applicant must establish an account and provide his or her valid email address and permanent mailing address before being permitted to submit the information as required in subsection 3.2.2.1 of this regulation.
- 3.3 Applications shall not be accepted outside of the posted application acceptance period under any circumstances.
- 3.4 Incomplete applications shall not be accepted or processed.

### **4.0 Eligibility for Awards**

- 4.1 Applicants must meet the following requirements to be eligible for the Delaware Nursing Incentive Program:
  - 4.1.1 Be a Resident of the State; and
  - 4.1.2 Be enrolled as a Full-Time Undergraduate Student at a regionally accredited Institution or an accredited hospital school of nursing in a course of study leading to either:
    - 4.1.2.1 A Bachelor of Science in Nursing degree if the applicant is a registered nurse with an aggregate of five (5) years or more employment with the State or with a non-profit hospital in Delaware regardless of residency; or
    - 4.1.2.2 Certification as a registered nurse or practical nurse; and
  - 4.1.3 Have at least a 2.5 unweighted cumulative GPA.
- 4.2 Notwithstanding subsection 4.1.1, an applicant who is a current State employee with five (5) or more years of State service and who is enrolled as a Part-Time Student may submit an application regardless of whether the applicant is a Delaware resident.

### **5.0 Awards**

- 5.1 DHEO determines the number and amount of Awards to be given annually.
- 5.2 The number and amount of Awards each year will vary and is based on and subject to the General Assembly appropriating funds for the Delaware Nursing Incentive Program.
- 5.3 An Award shall be used for, and not in excess of, Direct Educational Expenses.
- 5.4 An Award may be renewed annually for up to three (3) years.
  - 5.4.1 To be eligible to renew an Award, students are required to submit an Academic Record and updated enrollment information by the date required by the DHEO.
  - 5.4.2 An Award may be renewed annually as long as students maintain a cumulative GPA of 2.5 as defined by the Institution.

### **6.0 Award Payment**

- 6.1 ~~DHEO shall contact the Institution where the recipient is enrolled to verify the recipient's enrollment each Semester, fall and spring, before dispersing funds.~~
- 6.2 ~~A signed promissory note, which includes the terms of repayment and loan forgiveness, must be executed before disbursement of funds.~~
- 6.3 ~~All payments shall be disbursed directly to the eligible recipient's Institution only.~~
- 6.4 ~~An Award may be pro-rated for Part-Time Students.~~

**7.0 ~~Repayment and Forgiveness~~**

- 7.1 ~~For purposes of this program, qualifying employment shall be employment as a nurse in a state-operated hospital or clinic or non-profit hospital located in Delaware.~~
- 7.2 ~~Loans will be forgiven at the rate of one year of employment for one year of loan.~~

**23 DE Reg. 863 (04/01/20)**

**26 DE Reg. 452 (12/01/22) (Prop.)**