

**DEPARTMENT OF EDUCATION  
OFFICE OF THE SECRETARY**

Statutory Authority: 14 Delaware Code, Section 122(b)(8), 181(15), 183, 3402(c), 3440, 3441, and 3442 (14 Del.C. §122(b)(8), 181(15), 183, 3402(c), 3440, 3441, & 3442)

**PROPOSED**

**PUBLIC NOTICE**

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

**1219 B. Bradford Barnes Memorial 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 3442, the Delaware Department of Education ("Department"), through the Delaware Higher Education Office ("DHEO"), proposes the adoption of 14 DE Admin. Code 1219 B. Bradford Barnes Memorial Scholarship. The B. Bradford Barnes 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 B. Bradford Barnes Memorial 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.

## **1219 B. Bradford Barnes Memorial Scholarship**

### **1.0 Purpose**

The purpose of this regulation is to provide the eligibility criteria, application requirements, and award process for the B. Bradford Barnes Memorial Scholarship pursuant to 14 Del.C. §3442.

### **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 B. Bradford Barnes 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 B. Bradford Barnes 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 University of Delaware.

3.1.2 The applicant will enroll as a first-time, Full-Time undergraduate student in the University of Delaware 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 B. Bradford Barnes 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 B. Bradford Barnes Memorial Scholarship, DHEO will consider the applicant's EFC; the expense of attending the University of Delaware; 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 University of Delaware.
- 5.4 An Award is renewable within the limits of the appropriations for the B. Bradford Barnes 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 University of Delaware, successfully completing coursework according to the standards of the University of Delaware, 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 University of Delaware 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. 662 (02/01/23) (Prop.)**