

LAWS OF DELAWARE  
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CHAPTER 56  
153rd GENERAL ASSEMBLY  
FORMERLY  
SENATE BILL NO. 187

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR AND SCHOOL-BASED MENTAL HEALTH PRACTITIONERS SUPPORT PROGRAMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3434, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3434. ~~Financial assistance programs for speech-language pathologists.~~ Speech-Language Pathologist Scholarship.

(a) ~~Speech-Language Pathologist Scholarship.~~ — (1) It is the intent and purpose of the General Assembly through this section to enable and encourage Delawareans to pursue careers as speech-language pathologists in Delaware public schools and in the Birth to Three Program under Part C of the Individuals with Disabilities Education Act [20 USC § 1431 et seq.].

(2) To be eligible for the Speech-Language Pathologist Scholarship, an applicant must be enrolled as full-time student in a master's degree program in a Delaware postsecondary institution that is accredited, or is a candidate for accreditation, by the Council on Academic Accreditation in Audiology and Speech-Language Pathology (CAA) of the American Speech-Language-Hearing Association and that will lead to licensure as a speech-language pathologist in Delaware.

(3) ~~Application requirements will be established by the Office.~~ The Office shall establish application requirements.

(4) Scholarships ~~will be~~ are awarded contingent upon funding from the General Assembly and based on the size of the applicant pool.

(5) ~~Awards~~ Scholarships may be renewed for a total of 2 years of graduate study, ~~provided if~~ the recipient meets the renewal requirements established by the Office.

(b) ~~Speech-Language Pathologist Student Loan Repayment Program.~~ — (1) ~~The Speech-Language Pathologist Student Loan Repayment Program allows qualified applicants to apply for a loan payment from the Office to the applicant's lending agency to pay a portion of the applicant's student loan debt. The purpose of the Program is~~

~~to improve educational outcomes for students in Delaware public schools by working to retain speech-language pathologists who provide professional support services that are of critical importance to students.~~

(2) ~~To be eligible for the Speech-Language Pathologist Student Loan Payment Program, all of the following must apply:~~

a. ~~The applicant must be employed full-time as a speech-language pathologist in a Delaware public school for a minimum of 1 school year.~~

b. ~~The applicant must have secured a qualified educational loan prior to submitting the application. For the purpose of this section, a “qualified educational loan” means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational expenses related to the applicant’s undergraduate or graduate degree program.~~

(3) ~~In addition to the eligibility requirements in paragraph (b)(2) of this section, the Office is authorized to adopt regulations that refine or narrow the eligibility requirements.~~

(4) ~~The application to participate in the Speech-Language Pathologist Student Loan Payment Program must require the applicant to certify that the applicant meets the eligibility requirements of paragraph (b)(2) and any other requirements as provided in the Program’s regulations. The application will otherwise be in the form prescribed by the Office. Applicants must submit a new, completed application each year and any additional information the Office may require as provided in the Program’s regulations.~~

(5) ~~The Office’s ability to make a loan payment on an applicant’s behalf is contingent upon the availability of funds. If possible, the Office will make a loan payment on behalf of every applicant who satisfies the eligibility requirements of paragraph (b)(2) of this section and as provided in the Program’s regulations, consistent with the limitations established in paragraph (b)(8) of this section. If there are insufficient funds to make a loan payment on behalf of every applicant who satisfies the eligibility requirements of paragraph (b)(2) of this section and as provided in the Program’s regulations, the Office must give priority to applicants who have the greatest financial need as determined by the Office. In determining an applicant’s financial need, the Office must request from the applicant the applicant’s income and the total amount of the applicant’s qualified educational loans.~~

(6) ~~The Office has sole discretion to prioritize applications and determine loan payments consistent with the requirements of paragraph (b)(5) of this section.~~

~~(7) If the Office decides to make a loan payment on behalf of an applicant, the Office must make the loan payment directly to the applicant's lending agency.~~

~~(8) A loan payment under this Program may not exceed \$5,000 per year. An applicant may receive only 1 loan payment on the applicant's behalf per year. An applicant may not receive more than 3 loan payments on the applicant's behalf in the applicant's lifetime.~~

~~(9) If an applicant knowingly submits false information or commits fraud in connection with the application process, the Office may reevaluate the applicant's eligibility for a loan payment and may withdraw its decision to make a loan payment on the applicant's behalf. Any loan payment made as a result of deliberate fraud may be recovered by the Department of Justice through an action at law. [Repealed.]~~

Section 2. Amend § 3437, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 3437. ~~High Needs Educator Student Loan Payment Program.~~ Public School Employee Support Program for High Need Areas.

(a) *Establishment; statement of purpose.* —

(1) There is hereby established a ~~High Needs Educator Student Loan Payment Program.~~ Public School Employee Support Program for High Need Areas. The Program allows qualified applicants to apply for a ~~payment stipend~~ from the State to the applicant's lending agency, to pay a portion of the applicant's student loan debt. State.

(2) The purpose of the Program is to improve educational outcomes for struggling student populations by working to retain educators all of the following:

a. Educators who are of critical importance to those populations, including educators working in certification areas in which Delaware has a shortage and educators working in Delaware's hardest-to-staff schools.

b. Speech-language pathologists, school counselors, school psychologists, and school social workers who provide professional support services that are of critical importance to students.

(3) The application ~~prescribed~~ required and policies adopted pursuant to under this section ~~shall~~ must be available on the Office's website.

(b) As used in this section:

(1) “Award” means ~~the Office’s decision to make a loan stipend payment on an applicant’s behalf.~~ made under the Program.

(5) “Loan payment” means a payment by the Office to a successful applicant’s lending agency to retire ~~a portion of the applicant’s qualified educational loan.~~

(7) The “Office” means the Delaware Higher Education Office.

(8) “Program” means ~~the High Needs Educator Student Loan Payment Program~~ Public School Employee Support Program for High Need Areas established in this section.

(9) “Public school employee” means all of the following:

- a. An educator.
- b. A speech-language pathologist.
- c. A school counselor.
- d. A school psychologist.
- e. A school social worker.

~~(9) “Qualified~~ (10) “Qualified educational loan” means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational expenses related to ~~an educator’s~~ a public school employee’s undergraduate or graduate degree program.

~~(10) (11)~~ “School” means a Delaware public school, including a vocational-technical school and a charter school established ~~pursuant to~~ under Chapter 5 of this title.

~~(11) (12)~~ “Students with disabilities” means students ~~who~~ who, because of mental, physical, emotional, developmental, ~~speech~~ speech, or learning disability problems, as defined by the Department of Education rules and regulations, require special education and related services in order to develop their own capabilities.

(c) *Funding.* —

Appropriations for the Program ~~will be~~ are made to the Department through the Budget Appropriations Bill in a separate line item appropriation.

(d) *Eligibility for Program.* —

In order to ~~qualify to participate in~~ for an individual to be eligible for the Program, all of the following must apply:

(1) The individual is ~~an educator.~~ a full-time public school employee at a school in a high-needs area.

~~(2) The individual has secured a qualified educational loan prior to submitting an application.~~

~~(3) The~~ (2) For an individual who is applying to the Program as an educator, meets all of the following requirements:

a. The individual has a valid, current license and certificate through the Delaware Department of Education.

~~(4) b.~~ The individual has not had an ineffective evaluation on the State's current evaluation system, or the equivalent thereof on a state-approved alternative educator evaluation system.

~~(5) c.~~ The individual instructs or provides educational support in an identified high needs area for at least 1 school year.

(3) For an individual who is applying to the Program as a speech-language pathologist, the individual must be employed full-time as a speech-language pathologist in a school for a minimum of 1 school year.

(4) For an individual who is applying to the Program as a school counselor, school psychologist, or school social worker, meets all of the following requirements:

a. The individual has obtained a license and certificate through the Delaware Department of Education.

b. The individual must be employed full-time as a school counselor, school psychologist, or school social worker in a school for at least 1 school year.

*(e) Application. —*

(1) The application to participate in the Program shall must require the each applicant to certify that they meet the applicant meets the eligibility requirements of subsection (d) of this section. The application shall is otherwise be in the form prescribed by the Office.

(2) The Annually, each applicant must submit a new, completed application each year, along with and any additional information the Office may request in accordance with program Program regulations.

*(f) Decision and disbursement. —*

(1) The ability to make awards each year is contingent upon the availability of funds.

(2) If possible, the Office shall make an award to every applicant who satisfies the requirements of this section, consistent with the limitations established in subsection (g) of this section.

(3) ~~Where~~ If there are insufficient funds to make an award to every applicant who satisfies the requirements of this section, the Office shall give priority to applicants who meet ~~either 1 or more~~ of the following criteria:

a. Applicants employed in both a certification area and a school that the Office ~~has identified~~ identifies as a “high needs area” area, as defined in this section.

b. Applicants having the greatest financial need.

(4) The applicants having the greatest financial need ~~shall be~~ is determined in the sole discretion of the Office. ~~The~~ To determine financial need the Office shall request at least the ~~following information, but applicant’s~~ income and total amount of qualified educational loans. The Office shall determine, in its sole discretion, the weight ~~to be~~ given to the information ~~shall be determined in the sole discretion of the Office:~~

~~a. The applicant’s income.~~

~~b. The applicant’s spousal income.~~

~~c. The number of the applicant’s dependents.~~

~~d. The total amount of the applicant’s qualified educational loans. requested under this paragraph~~

~~(f)(4).~~

(5) The Office ~~has the~~ sole discretion to prioritize applications and determine awards consistent with the requirements of paragraphs (f)(2) and (f)(3) of this section.

(6) The Office shall ~~make a loan payment directly to the applicant’s lending agency on behalf of the applicant.~~ an award through the State’s central payroll operation.

(7) An applicant may receive only 1 award per ~~year, year~~ year and may receive no more than 5 awards in the applicant’s lifetime.

(g) *Amount of award.* —

An award ~~under this section shall~~ must be a minimum of \$1,000 and shall not exceed \$2,000. ~~In order to receive the award, an educator in a school defined as high needs under subsection (b) of this section, must be employed in the same school for which they are applying for the award.~~ at least \$1,000.

(h) The Department of ~~Education~~ Education, through the ~~Delaware Higher Education Office~~ Office, is authorized to adopt rules and regulations to implement this section, subject to the State Board of Education’s approval. The Office may adopt rules and regulations that refine or narrow eligibility requirements or high needs areas, but ~~in~~

~~no event shall~~ the Office may not expand the pool of ~~educators~~ public school employees who ~~may~~ are eligible to receive an award beyond the limits set forth in this section.

(j) *Annual reporting.* —

(1) Each fiscal year, the Office shall report to the chairs of the House and Senate Education Committees of the General Assembly all of the following summary data, which ~~shall~~ must be de-identified to the greatest extent possible:

- a. The aggregate number of ~~educators~~ public school employees who applied for an award.
- b. The aggregate number of ~~educators~~ public school employees who received an award.
- c. The races or ethnicities represented by ~~educators~~ public school employees who applied for an award.
- d. The races or ethnicities represented by ~~educators~~ public school employees who received an award.
- e. The certification areas of ~~educators~~ public school employees who applied for an award.
- f. The certification areas of ~~educators~~ public school employees who received an award.
- g. The average amount of an award to ~~an educator pursuant to the Program.~~ a public school employee.
- h. The names of the schools that employed ~~educators~~ public school employees who applied for an award, and for each ~~such~~ school, its percentage of low-income students, English learners, students with disabilities, and minority students.
- i. The names of the schools that employed ~~educators~~ public school employees who received an award, and for each ~~such~~ school, its percentage of low-income students, English learners, students with disabilities, and minority students.
- j. Other summary data ~~identified by the Office~~ identifies as outcome indicators.

(2) The summary data ~~required to be provided~~ reported under paragraph (j)(1) of this section ~~shall~~ must be included with the annual report provided to the General Assembly ~~pursuant to~~ under § 3402 of this title.

(k) If ~~any~~ a provision of this section or the application ~~thereof~~ of this section to ~~any~~ a person or circumstance is held invalid, ~~unenforceable~~ unenforceable, or unconstitutional, the remainder of ~~such~~ the provisions, and the application of ~~such~~ the provisions to any person or ~~circumstance other than those as to which it is held invalid, shall~~ circumstance, are not be affected.

Section 3. Amend § 3439, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3439. ~~Financial assistance programs for school counselors, school psychologists, and school social workers.~~  
Mental Health Services Scholarship.

~~(a) Mental Health Services Scholarship. —~~

~~(a)~~(1) To be eligible for the Mental Health Services Scholarship, an applicant must be enrolled as a full-time student in a master's degree program in a Delaware postsecondary institution that will lead to certification as a school counselor, school psychologist, or school social worker in a Delaware public school.

(2) ~~Application requirements will be established by the Office.~~ The Office shall establish application requirements.

(3) Scholarships ~~will be~~ are awarded contingent upon funding from the General Assembly and based on the size of the applicant pool.

(4) ~~Awards~~ Scholarships may be renewed for a total of 2 years of graduate study, ~~provided if~~ the recipient meets the renewal requirements established by the Office.

~~(b) Mental Health Services Student Loan Repayment Program. —(1) The Mental Health Services Student Loan Repayment Program allows qualified applicants to apply for a loan payment from the Office to the applicant's lending agency to pay a portion of the applicant's student loan debt. The purpose of the Program is to improve educational outcomes for students in Delaware public schools by working to retain school counselors, school psychologists, and school social workers who provide professional support services that are of critical importance to students.~~

~~(2) To be eligible for the Mental Health Services Student Loan Repayment Program, all of the following must apply:~~

~~a. The applicant must be employed full-time as a school counselor, school psychologist, or school social worker in a Delaware public school for a minimum of 1 school year.~~

~~b. The applicant must have secured a qualified educational loan prior to submitting the application. For the purpose of this section, a "qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational expenses related to the applicant's undergraduate or graduate degree program.~~



~~e. The applicant must hold an educator's license and certificate issued by the Department.~~

~~(3) In addition to the eligibility requirements in paragraph (b)(2) of this section, the Office is authorized to adopt regulations that refine or narrow the eligibility requirements.~~

~~(4) The application to participate in the Mental Health Services Student Loan Payment Program must require the applicant to certify that the applicant meets the eligibility requirements of paragraph (b)(2) of this section and as provided in the Program's regulations. The application will otherwise be in the form prescribed by the Office. Applicants must submit a new, completed application each year and any additional information the Office may require as provided in the Program's regulations.~~

~~(5) The Office's ability to make a loan payment on an applicant's behalf is contingent upon the availability of funds. If possible, the Office will make a loan payment on behalf of every applicant who satisfies the eligibility requirements of paragraph (b)(2) of this section and as provided in the Program's regulations, consistent with the limitations established in paragraph (b)(8) of this section. If there are insufficient funds to make a loan payment on behalf of every applicant who satisfies the eligibility requirements of paragraph (b)(2) of this section and as provided in the Program's regulations, the Office must give priority to applicants who have the greatest financial need as determined by the Office. In determining an applicant's financial need, the Office must request from the applicant the applicant's income and the total amount of the applicant's qualified educational loans.~~

~~(6) The Office has the sole discretion to prioritize applications and determine loan payments consistent with the requirements of paragraph (b)(5) of this section.~~

~~(7) If the Office decides to make a loan payment on behalf of an applicant, the Office must make the loan payment directly to the applicant's lending agency.~~

~~(8) A loan payment under this Program may not exceed \$5,000 per year. An applicant may receive only 1 loan payment on the applicant's behalf per year. An applicant may not receive more than 3 loan payments on the applicant's behalf in the applicant's lifetime.~~

~~(9) If an applicant knowingly submits false information or commits fraud in connection with the application process, the Office may reevaluate the applicant's eligibility for a loan payment and may withdraw its decision to make a loan payment on the applicant's behalf. Any loan payment made as a result of deliberate fraud may be recovered by the Department of Justice through an action at law. [Repealed.]~~

Approved June 30, 2025