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DELAWARE STATE SENATE

143rd GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1 FOR  
SENATE BILL NO. 30  
AS AMENDED BY  
SENATE AMENDMENT NO. 1  
AND  
HOUSE AMENDMENT NO. 2

AN ACT ESTABLISHING THE SEED SCHOLARSHIP PROGRAM AT DELAWARE TECHNICAL AND COMMUNITY COLLEGE.

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

WHEREAS, the General Assembly finds that providing the opportunity to achieve a college degree can serve as an incentive for high school students to stay in school, achieve good grades and graduate; and

WHEREAS, the General Assembly finds that providing the opportunity for Delaware students to achieve a college degree will result in demonstrable economic development benefits to the State in the form of a larger, more diverse, highly skilled workforce; and

WHEREAS, many Delaware students who have the opportunity to pursue a college degree will be the first in their families to go to college; and

WHEREAS, Delaware Technical and Community College provides a quality curriculum for Delaware students in all three counties of Delaware;

NOW THEREFORE:

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

Section 1. Amend Chapter 34, Title 14 of the Delaware Code by adding thereto a new subchapter, designated as Subchapter XIV, which new subchapter shall read as follows:

“SUBCHAPTER XIV. THE DELAWARE STUDENT EXCELLENCE EQUALS DEGREE ACT

§3401A. Purpose.

There is hereby created the Delaware Student Excellence Equals Degree, hereafter referred to as “SEED”, Program. Under this subchapter, qualified, college-bound state resident students are relieved of the burden of paying undergraduate tuition at Delaware Technical and Community College, or the University of Delaware, Associate in Arts Program provided that these students meet the criteria set forth in this Act and are pursuing studies leading to an associate degree at Delaware Technical and Community College. Students who qualify under this Act shall not have to repay the State of Delaware because it is the intent and purpose of the Delaware General Assembly, through this subchapter, to help ensure that Delaware students stay in high school, excel academically, and have better access to higher education regardless of a family’s financial circumstances and therefore payments under this Program shall be grants, not loans.

§3402A. Definitions.

The following words, terms and phrases, when used in this Act, shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

(a) ‘Family’ for a dependent applicant shall mean the applicant, the applicant’s parents or legal guardian, relative caregiver, and other children under the age of twenty-one of the applicant’s parents, legal guardian or relative caregiver. The term ‘family’ for an independent applicant shall mean the applicant, an applicant’s spouse and any dependent children.

(b) “Institution” shall mean Delaware Technical and Community College or the University of Delaware, Associate in Arts Program.

(c) “Full time” shall mean a minimum of 24 credit hours in each academic year.

(d) “Academic Year” shall mean the three consecutive academic semesters beginning with the fall semester.

§3403A. Administration.

(a) This subchapter shall be administered by the Institution where the student is enrolled or has sought admission.

(b) Each Institution shall adopt such rules and regulations as it deems necessary and proper to the administration of this subchapter.

(c) Each Institution shall annually report to the General Assembly of the State the names of its own those students enrolled in the SEED Program and the total amount of expenditures made under this subchapter.

§3404A. Eligibility.

To be eligible to participate in the Delaware SEED Program and to qualify for a grant to pay tuition by the State of Delaware pursuant to this subchapter for the first semester or other academic unit of post-secondary enrollment at Delaware Technical and Community College or the University of Delaware, Associate in Arts Program, a student shall meet all of the following:

(a) A student who satisfies the Delaware residency requirements set forth in the Institution's residency policy shall be eligible for such grant if that student is enrolled on a full time, degree seeking basis or is a student with a disability seeking a degree through the Institution's academic accommodation policy.

(b) The student shall not have been convicted of any felony and his or her parent, legal guardian, or relative caregiver shall certify such fact.

(c) A student shall have applied for all appropriate forms of financial aid for which the student is eligible including, but not limited to, the Federal Pell Grant, financial aid programs administered by the Delaware Higher Education Commission, and financial aid programs administered by Delaware Technical and Community College, and/or the University of Delaware, and shall have accepted all such financial assistance offered or awarded to the student, except for loans.

(d) A student shall have graduated from a Delaware public or non-public high school with a minimum cumulative average of either 80% or higher on a 100 point scale or a Grade Point Average (G.P.A.) of 2.5 or higher on a 4.0 scale as indicated on the student's official high school transcript. For purposes of this subchapter, a student who does not meet the qualifying criteria may request the Institution recalculate the point percentage or G.P.A. based on the student's official high school transcript and the following conversion table:

**G.P.A. Conversion Table**

Letter Grade	Numerical Grade	G.P.A.
A	92-100	4.00
B	83-91	3.00
C	75-82	2.00
D	65-74	1.00
F	< 65	0.00

For purposes of this conversion chart, the numerical value assigned to a letter grade shall be the lowest value in the numerical scale.

(e) A student shall have satisfied admission standards as determined by Delaware Technical and Community College or the University of Delaware, Associate in Arts Program for entering students or as determined by the University of Delaware for the Associates in Arts Program; provided, however, that no student participating in the Delaware SEED Program shall be admitted into Delaware Technical and Community College by special admission standards.

(f) A student shall be admitted and attend classes at the Institution no later than the fall semester immediately after the student's graduation from high school.

(g) Each Institution shall create and implement its own equivalency standards for subsections (d) and (f) of this section in establishing eligibility of Delaware home schooled students for grants under the Delaware SEED Program.

#### §3405A. Grant Awards/Operations.

Each Institution shall establish and implement its own procedures to award grants to eligible students subject to appropriations for such purpose, including, but not limited to, a procedure to determine priority among applicants in the event that the amount of grants requested by eligible applicants exceeds the appropriation, which may include consideration of financial need and academic achievement. Grants shall also be available for the Associates in Arts Program courses taught at Delaware Technical and Community College, and administered jointly with the University of Delaware. Grant awards shall not exceed the available appropriation for each fiscal year. Grant awards shall be disbursed as follows:

(a) Beginning with the 2006-2007 academic year, tuition assistance shall be provided to qualifying applicants in an amount equal to the following:

(1) A grant recipient receiving no other financial assistance specifically designated for tuition and/or other regularly assessed fees with the exception of loans shall receive a grant equal to the full amount of tuition charged by the Institution.

(2) A grant recipient receiving other financial assistance specifically designated for tuition and other regularly assessed fees shall receive a grant equal to the difference between the amount of tuition charged by the Institution and the amount of the other financial assistance.

(3) If, as a result of applying for federal and state student financial aid, or through other means, it becomes apparent that deliberate fraud was involved in the application process, the Institution may reevaluate the recipient's eligibility for grant assistance, and may withdraw a grant award. Any grant award made as the result of deliberate fraud may be recovered by the State through an action at law.

#### §3406A. Maintaining Eligibility.

(a) To maintain continued state payment of tuition once enrolled at Delaware Technical and Community College or the University of Delaware, Associate in Arts Program, the student shall meet all of the following:

(1) Make steady academic progress toward an associate degree, earning not less than the minimum number of hours of credit required for full-time standing in each academic year.

(2) Maintain continuous enrollment for not less than two semesters in each successive academic year, unless granted an exception for cause by the institution.

(3) Have a cumulative grade point average of at least 2.5 calculated on a 4.0 scale at the end of the first academic year and thereafter maintain such a cumulative grade point average. The Institution may grant exceptions upon appeal.

(4) The student and family shall certify that the student has no criminal record in any jurisdiction, not including misdemeanor traffic violations, and is not under the probation of any court of law in any jurisdiction.

(b) Grants made by the SEED Program shall not be allowed for courses or other post-secondary units repeated or taken in excess of the requirements for completion of an associate degree with the exception of those courses required by the Institution for program admission and courses taken pursuant to the Associates in Arts Program.

(c) Students are eligible to participate in this program for a period not to exceed six continuous semesters, not including the summer semester.

#### §3407A. Disbursement.

(a) Funds awarded from this program shall be disbursed on a semester by semester basis upon receipt of enrollment verification.

(b) No disbursement on behalf of an individual student, pursuant to this subchapter, shall be greater than the tuition charged by the institution.

#### §3408A. Additional Responsibilities.

(a) Each Institution shall develop, promote, and coordinate a public awareness program to inform students and parents of the Delaware SEED Program.

(b) The Department of Education shall ensure that every school district, and each charter and non-public high school, designates at least one SEED Program contact person, who shall be either a counselor or teacher, at each high school site in this State.”

Section 2. The Delaware SEED Program shall be available beginning with the school year 2005-2006.