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DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 12

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ACADEMIC PROGRESSION, DURATION OF ELIGIBILITY, ADULT STUDENTS AND WORKFORCE DEVELOPMENT PROGRAMS UNDER THE DELAWARE STUDENT EXCELLENCE EQUALS DEGREE ACT.

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

1 Section 1. Amend Subchapter XIV, Chapter 34, Title 14 of the Delaware Code by making deletions as shown by
2 strike through and insertions as shown by underline as follows:

3 Subchapter XIV. The Delaware Student Excellence Equals Degree Act

4 § 3401A. Purpose.

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

14 § 3402A. Definitions.

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

17 (1) "Academic year" shall mean the 3 consecutive academic semesters beginning with the fall semester.

18 (2) "Family" for a dependent applicant shall mean the applicant, the applicant's parents or legal guardian, relative
19 caregiver, and other children under the age of 21 of the applicant's parents, legal guardian or relative caregiver. The
20 term "family" for an independent applicant shall mean the applicant, an applicant's spouse and any dependent
21 children.

22 (3) "Full-time" shall mean a minimum of 24 credit hours in each academic year.

23 (4) "Institution" shall mean Delaware Technical and Community College or the University of Delaware, Associate
24 in Arts Program.

25 (5) "School activity" shall mean open house, school curriculum night, parent and teacher conference night, holiday
26 program, or other school-related events conducted by a public middle school or high school where parents,
27 community members, and students are encouraged to attend and participate.

28 (6) "Adult student" shall mean an individual 25 years of age or older at the time of enrollment.

29 (7) "Violent felony" shall mean any felony listed in § 4201(c) of Title 11, except for drug-related offenses set forth
30 in Title 16.

31 (8) "Recognized academic credential" shall mean a diploma or certificate of completion for a credit or non-credit
32 training program consisting of 100 hours of instruction or more, or that requires a student to pass a licensure or
33 certification examination approved by a federal, state or local government, regulatory body, or industry/trade group.

34 § 3403A. Administration.

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

36 (b) Each institution shall adopt such rules and regulations as it deems necessary and proper to the administration of this
37 subchapter. Such rules and regulations may include an appeals process to grant exceptions to the eligibility
38 requirements set forth in § 3406A(a)(1) and (2) 3404A(a)(6) of this title for applicants who are unable to make steady
39 academic progress toward the completion of an associate's degree or other recognized academic credential attend
40 classes in the fall semester immediately after graduation from high school due to military service, participation in a full-
41 time volunteer service program, personal or family hardship, or a documented medical condition. Admission deferrals
42 of up to 1 calendar year in duration may be offered to those students who defer admission due to military service,
43 participation in a full-time volunteer service program, or a documented medical condition. Upon passage of 1 year,
44 students may appeal for an admission deferral for 1 additional consecutive year. Applicants who are granted an
45 exception pursuant to this subsection will remain subject to the limitation on eligibility set forth in § 3406A(c).

46 (c) Each institution shall annually report to the General Assembly of the State the names of its own students enrolled in
47 the SEED program and the total amount of expenditures made under this subchapter. The report must identify which of
48 those students enrolled in the program pursue a bachelor's degree after completion of an associate degree.

49 § 3404A. Eligibility.

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

53 (1) Except as provided in paragraph (a)(6) of this subsection, a student who satisfies the state residency
54 requirements set forth in the Institution's residency policy shall be eligible for such grant if that student is enrolled
55 on a full time, degree seeking basis, ~~or~~ is a student with a disability seeking a degree through the institution's
56 academic accommodation policy, or is enrolled in a credit or non-credit program leading to the award of a
57 recognized academic credential at Delaware Technical and Community College.

58 (2) The student shall not have been convicted of any violent felony and the student's parent, legal guardian, or
59 relative caregiver shall certify such fact.

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

65 (4) A student shall have graduated from a Delaware public or nonpublic high school or have earned the Delaware
66 State Board of Education Endorsement Secondary Credential. In addition, a student who enrolls in an associate's
67 degree program shall have graduated from a Delaware public or non-public high school with a minimum cumulative
68 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
69 as indicated on the student's official high school transcript. A student who enrolls in an associate's degree program
70 as the holder of a Delaware State Board of Education Endorsement Secondary Credential shall have earned a
71 cumulative score on the GED examination that is equivalent to a 2.5 G.P.A. on a 4.0 scale based on the standard
72 formula for converting GED to GPA. For purposes of this subchapter, a student who does not meet the qualifying
73 criteria may request the institution recalculate the point percentage or G.P.A. based on the student's official high
74 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

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

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

81 ~~(6) A student shall be admitted and attend classes at the institution no later than the fall semester immediately after~~
 82 ~~the student's graduation from high school.~~

83 (6) An adult student shall have been a Delaware resident as defined by the Institution's residency policy for not less
 84 than 5 consecutive years prior to the date of enrollment in addition to meeting the other requirements set forth in
 85 paragraph (a)(1) of this subsection.

86 (7) Each institution shall create and implement its own equivalency standards for paragraphs (a)(4) ~~and (6)~~ of this
 87 section in establishing eligibility of Delaware home schooled students for grants under the SEED program.

88 (8) Subject to the limitations set forth in § 3406A(c), a student who enrolls in a credit or non-credit program leading
 89 to the award of a recognized academic credential with a cumulative high school G.P.A less than 2.5 shall
 90 nevertheless be eligible for a SEED grant to pursue an associate's degree if the program in which the student is
 91 enrolled is part of a pathway to an associate's degree established by Delaware Technical and Community College
 92 and the student successfully completes each step thereof.

93 (b) Notwithstanding other provisions in this subchapter, for those individuals who have lived in foster care under the
 94 jurisdiction of the Department of Services for Children and Their Families at any point in time between the ages of 16

95 and 18, whether placed within Delaware or outside Delaware, the provisions of paragraphs (a)(4) and (a)(6) of this
96 section, § 3406A(a)(1), and (c) of this title do not apply. Any individual qualifying under this subsection shall make
97 steady academic progress toward an associate's degree and shall not be eligible to receive grants if:

98 ~~(1) The individual does not begin the individual's higher education before age 25, or~~

99 ~~(2) That individual takes longer than 5 years to attain an associate's degree.~~

100 § 3405A. Grant awards/operations.

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

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

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

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

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

120 § 3406A. Maintaining eligibility.

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

123 (1) Make steady academic progress toward an associate degree or completion of a recognized academic credential;
124 ~~earning not less than the minimum number of hours of credit required for full-time standing in each academic year.~~

125 (2) Maintain continuous enrollment for not less than 2 semesters in each successive academic year for students in an
126 associate's degree program, unless granted an exception for cause by the institution. Notwithstanding the foregoing,
127 students who are enrolled in an associate's degree program may take a leave of absence for one academic year
128 without affecting their eligibility for continued funding. Students who take a leave of absence under this subsection
129 will remain subject to the limitations set forth in subsection (c).

130 (3) For students enrolled in an associate's degree program, Hhave a cumulative grade point average of at least 2.5
131 calculated on a 4.0 scale at the end of the first academic year and thereafter maintain such a cumulative grade point
132 average. The institution may grant exceptions upon appeal.

133 (4) ~~The student and family~~ shall certify that ~~the student~~ he or she has not been convicted of any violent felony. The
134 parent or guardian of a student 17 years of age or under shall also certify that the student has not been convicted of
135 any violent felony.

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

140 (c) Students are eligible to participate in this program for a period not to exceed ~~6~~ 10 continuous semesters, not
141 including the summer semester.

142 (d) Subject to the limitations set forth in subsection (c), aA student who completes an associate degree pursuant to this
143 section, maintains the applicable criteria set forth above, and ~~immediately~~ thereafter pursues a bachelor's degree at
144 either the University of Delaware and/or Delaware Technical and Community College shall be eligible for SEED grant
145 moneys toward ~~their junior year and/or pursuing an equivalent number of credits equal to what is otherwise their junior~~
146 year of higher education the completion of their bachelor's degree.

147 (e) Subject to the limitations set forth in subsection (c), a student who successfully completes a credit or non-credit
148 program leading to the award of a recognized academic credential at Delaware Technical and Community College,
149 maintains the applicable criteria set forth above, and thereafter pursues additional recognized academic credentials
150 and/or an associate's degree at either the University of Delaware, Associate in Arts Program and/or Delaware Technical
151 and Community College shall be eligible for SEED grant moneys toward the completion of their training or degree.

152 § 3407A. Disbursement.

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

155 (b) No disbursement on behalf of an individual student, pursuant to this subchapter, who is enrolled in an associate's
156 degree seeking program shall be greater than the tuition charged by the Institution.

157 (c) No disbursement on behalf of an individual student, pursuant to this subchapter, who is enrolled in a credit or non-
158 credit program leading to a recognized academic credential shall exceed the amount of full-time tuition charged by the
159 Institution during the corresponding academic year.

160 § 3408A. Additional responsibilities.

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

163 (b) The Department of Education shall ensure that every school district, and each charter and nonpublic high school,
164 designates at least 1 SEED program contact person, who shall be either a counselor or teacher, at each high school site
165 in this State. The Department of Education shall also ensure that all printed or electronic communications relating to a
166 school activity include information about the SEED Scholarship Program. Printed and electronic communications shall
167 include, but is not limited to, middle school, high school, or district-wide school activity announcements found in or on
168 printed programs, newsletters, e-newsletters, community newspapers, and websites. For school activities where general
169 announcements are made by any school official, information relating to the SEED Scholarship Program shall also be
170 included in those communications.

SYNOPSIS

In 2020, due in large measure to the COVID-19 pandemic, about 125,0000 Delawareans filed for unemployment benefits and are facing an uncertain future for themselves and their families. Many of these jobs will be gone forever. The purpose of this act is to jump start Delaware's economy by opening The Delaware Student Excellence Equals Degree Act (SEED) to adult Delaware residents, who are not recent high school graduates, and to include short-term workforce development programs that put Delawareans to work in high demand fields where jobs presently exist. Currently, about 56% of Delawareans age 25-64 lack a post-secondary degree. This expansion of the SEED grant program will encourage adult learners to return to school to enhance their knowledge and skills and increase their job opportunities. Adult individuals with a high school diploma or less education were significantly impacted by COVID-19-related job loss. This legislation can help to mitigate the effects of the pandemic on those adults. Tennessee has instituted a similar program called the Tennessee Reconnect Act.

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