



Governor's Advisory Council for Exceptional Citizens (GACEC)
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September 30, 2025

Office of Child Advocate
400 Court Street
Dover, DE 19901

RE: 29 DE Reg. 208 Office of Child Advocate (OCA) Proposed Fostering Independence Through Education Tuition Waiver Program regulation (September 1, 2025)

Greetings:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Office of Child Advocate (OCA) proposal to enact regulations regarding the administration of the Fostering Independence Through Education Tuition Waiver Program. This program pays for higher education for certain individuals who were in the custody of the Department of Children Youth and Families and meet certain criteria. Overall, this appears to be a beneficial program; however, Council notes that there are provisions that may be problematic for applicants/recipients with disabilities. See the following:

3.2 A student continuously enrolled full time is eligible for a waiver for up to 5 years, until the student earns a bachelor's degree, or until the student reaches the age of 26, whichever occurs first.

3.3 A student at any time enrolled part time is eligible for a waiver until the student earns a bachelor's degree or until the student reaches the age of 26, whichever occurs first.

Because Delaware provides special education services until as late as the end of the school year in which an individual turns 22, conceivably a student could graduate at 22. That same student may need five years to complete a college degree, but would run out of time to complete his/her degree due to aging out at 26. Another potential issue is that a student with a disability may need more than five years to complete the student's degree.

Council would therefore like to recommend that OCA add exceptions or flexibility to make exceptions for such circumstances. Council would also like to inquire how this regulation will apply to Delaware Technical and Community College (DTCC) trade programs given the proposed regulation's language only around bachelor's degrees. Council would encourage OCA to explore future legislative changes to provide similar assistance for other types of education including trade schools.

Thank you for allowing us the opportunity to share our observations with you. Please contact Pam Weir or me at the GACEC office if you have any questions on our comments.

Sincerely,

William H. Doolittle

William H. Doolittle
Chairperson

WHD: kpc