

**17 GCA EDUCATION
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**CHAPTER 15
STUDENT FINANCIAL ASSISTANCE PROGRAMS**

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards would no longer be granted under Chapter 15, except as provided by Chapter 28 of Title 17 GCA. Chapter 15 was not repealed and was to remain in effect for financial assistance awards granted in Award Year 2012-2013 and prior years; however, after Award Year 2012-2013, no other awards shall be granted except as provided for in Chapter 28 of Title 17 GCA.

NOTES: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. The passage of P.L. 30-050:2 (July 14, 2009) reverted the name to the Department of Education.

P.L. 31-237:3 (Dec. 6, 2012) provides that after Award Year 2012-2013, the only awards granted would be pursuant to Chapter 28 of this Title; however, the provisions of Chapter 15 would remain in effect for all awards granted before Award Year 2012-2013.

- Article 1. Administration.
- Article 2. Student Loans.
- Article 3. Merit Awards to the University of Guam.
- Article 3A. Merit Awards to the University of Guam. (For Academic Years 2000-2001 and Thereafter).
- Article 4. Professional and Technical Awards.
- Article 4A. Professional and Technical Awards. (For School Years 2000 - 2001 and Thereafter)
- Article 5. Awards for Citizens of the Trust Territory and Residents Within the Jurisdiction of the South Pacific Commission.
- Article 6. John F. Quan Memorial Scholarship for Ocean Resource Science and Research.
- Article 7. Doctoral Scholarships.
- Article 8. Nursing Loans.
- Article 9. Doc Sanchez Scholarships. [Recodified as Art. 5, Ch. 28, Title 17].
- Article 10. Nursing Training. [Recodified as Art. 6, Ch. 28, Title 17].
- Article 11. Graduate Degree in Social Work Program.
- Article 12. Hero Scholarship Program.

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- Article 13. The Dr. Antonio C. Yamashita Teacher Corps.
[Recodified as Art. 7, Ch. 28, Title 17].
- Article 14. Every Child is Entitled to a Higher Education
Scholarship Program. [Recodified as Art. 8, Ch. 28,
Title 17].

ARTICLE 1
ADMINISTRATION

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards would no longer be granted under Chapter 15, except as provided by Chapter 28 of Title 17 GCA. Chapter 15 was not repealed and was to remain in effect for financial assistance awards granted in Award Year 2012-2013 and prior years; however, after Award Year 2012-2013, no other awards shall be granted except as provided for in Chapter 28 of Title 17 GCA.

- § 15101. Definitions.
- § 15102. Administration.
- § 15103. Fund.
- § 15104. Prohibition.
- § 15105. Regulations.
- § 15106. Submission of Names.
- § 15107. Application Forms and Notices.
- § 15108. Prohibition.
- § 15109. Limitation on Awards.
- § 15110. Discharge of Award Obligations Upon Death or Disability.
- § 15111. Garnishment of Income Tax Refunds in the Event of Default.
- § 15112. Interest Computation on Financial Assistance Awarded After September 30, 2006 For Cash (Non-Service Credit) Repayments.
- § 15113. Funding Priority.

§ 15101. Definitions.

The following terms whenever used in this Chapter shall have the following meanings, except when the context otherwise requires:

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(a) Awards shall mean all awards for grants and loans provided by this Chapter.

(b) Board shall mean the Board of Regents of the University of Guam.

(c) Fund shall mean the Student Financial Assistance Fund.

SOURCE: GC § 11800, as R/R by P.L. 11-138.

§ 15102. Administration.

The provisions of this Chapter shall be administered by the Board of Regents of the University of Guam, and all awards provided by this Chapter shall be granted by the Board. The Board of Regents may delegate to the management of the University, its authority to administer the provisions of this Chapter, inclusive of authority granted under any Administrative Rules and Regulations, however, any exceptions or waivers as allowed by such Administrative Rules and Regulations must be approved by the Board of Regents and may not be delegated.

SOURCE: GC § 11801, as R/R by P.L. 11-138. Amended by P.L. 25-145:6 (June 2, 2000).

§ 15103. Fund.

There is hereby established a Student Financial Assistance Fund hereinafter referred to as the “Fund” from which awards granted pursuant to this Chapter shall be financed. The Board is authorized to accept for the Fund gifts, devices, bequests, donations and all other kinds of contributions for the purposes of the Fund. The Fund may be supplemented by annual appropriations to the extent made necessary by awards granted pursuant to this Chapter. The Fund shall be administered by the Board and all moneys appropriated for awards pursuant to this Chapter and all repayment of such awards, made under this Chapter, shall be paid directly to the Fund and dispensed by the Board. Within sixty (60) days after the closing of each fiscal year the Board shall transmit to the Governor and Legislature an annual report of the expenditures of the Fund, including, but not limited to, a balance sheet, statement of receipts and expenses,

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and a general description of the income sources of the Fund and the expenses thereof.

SOURCE: GC § 11802, as R/R by P.L. 11-138.

§ 15104. Prohibition.

No awards shall be granted under this Chapter for the purposes of pursuing theological studies.

SOURCE: GC § 11803, as R/R by P.L. 11-138.

§ 15105. Regulations.

The Board, subject to the provisions of the Administrative Adjudication Law, shall make regulations pursuant to and not inconsistent with the provisions of this Chapter.

SOURCE: GC § 11804, as R/R by P.L. 11-138.

§ 15106. Submission of Names.

The names of all students granted awards under this Chapter shall be submitted to the Governor and the Legislature no later than December 31 of each calendar year.

SOURCE: GC § 11805, as R/R by P.L. 11-138.

§ 15107. Application Forms and Notices.

The Board shall prescribe by regulation necessary application forms and procedures for all awards granted pursuant to this Chapter. The Board shall give notice in all Guam public and private high schools, the Guam Community College, the University of Guam, in a newspaper of general circulation and the electronic media at least once before the acceptance period is to commence, and other appropriate places on the availability of all awards. Such notice shall be posted and sent by the Board annually in a timely manner to permit interested students, who shall be residents of Guam and citizens of the United States of America, or a permanent resident alien, an opportunity to apply for the awards granted by this Chapter.

SOURCE: GC § 11806, as R/R by P.L. 11-138; amended by P.L. 16-028. Repealed and reenacted by P.L. 24-059:III:1. Amended by P.L. 25-003:III:2(b).

§ 15108. Prohibition.

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No money may be expended for awards under this Chapter unless such awards are authorized by the Board by resolution. Any officer who disburses or certifies any expenditure from the Fund without such authorization shall be personally liable for the restitution of such expenditure to the Fund.

SOURCE: GC § 11807, as R/R by P.L. 11-138.

§ 15109. Limitation on Awards.

No person receiving benefits under one article of this Chapter shall be entitled to benefits under any other article of this Chapter, and no person receiving benefits under any teacher training program, in-service training program or other government of Guam education program shall be entitled to benefits under the provisions of this Chapter.

SOURCE: GC § 11808, as R/R by P.L. 11-138.

§ 15110. Discharge of Award Obligations Upon Death or Disability.

The Board may, upon the death or disability of a student who is receiving or has received an award under the provisions of this Chapter, discharge in full or in part all obligations for the repayment of said award.

SOURCE: GC §§ 11808.1, as added by P.L. 11-138.

§ 15111. Garnishment of Income Tax Refunds in the Event of Default.

The University of Guam may, subject to the terms and conditions of a Memorandum of Understanding with the Department of Revenue and Taxation, garnish the tax refunds due to any recipient of assistance pursuant to this Chapter and/or the recipient's co-signer(s) who has defaulted on the repayment of such assistance and a judgment has issued. Such garnishment shall not exceed the judgment amount.

SOURCE: Added by P.L. 27-051:1.

§ 15112. Interest Computation on Financial Assistance Awarded After September 30, 2006 For Cash (Non-Service Credit) Repayments.

Interest on all awards of assistance made after September

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30, 2006 pursuant to this Article shall be computed on the outstanding balance on a simple interest basis beginning on the date of disbursement at an annual percentage rate of ten percent (10%). Repayment shall be made in either a lump sum by which the principal and accrued interest up to the date of repayment is satisfied or through a periodic payment plan under the following conditions:

(a) the awardee can amortize the combined balance of principal and accrued interest balances over a specified term at an annual percentage rate of ten percent (10%);

(b) the period for repayment shall not exceed ten (10) years; and

(c) all awardees choosing to repay assistance in cash in lieu of service credit must pay all accrued interest before any payments are applied to the principal of the debt.

Repayment of awards made prior to September 30, 2006 shall be made pursuant to the other provisions of this Chapter.

SOURCE: Added by P.L. 28-149:II:VI:6 (Sept. 30, 2006).

§ 15113. Funding Priority.

The President of the University of Guam shall allocate any and all appropriations made to the Student Scholarships, Financial Assistance Programs to those mandated by law in this Chapter prior to funding any other student scholarships or financial assistance programs that may have been created by the Board of Regents of the University of Guam.

SOURCE: Added by P.L. 29-047:1 (Jan. 2, 2008).

ARTICLE 2
STUDENT LOANS

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning Award Year 2013-2014, financial assistance awards would be granted only as provided for in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

§ 15201. Students Entitled to Loans.

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- § 15202. Maximum Limits on Loan.
- § 15203. Repayment of Loan.
- § 15204. Allocation of a Portion of Student Loan Money for Students Attending the Guam Community College.
- § 15205. Student loans For Specialized Training at the Guam Community College.

§ 15201. Students Entitled to Loans.

The Board is authorized to approve loans for graduate and undergraduate studies or training to qualified applicants who are admitted to the University of Guam, the Guam Community College pursuant to the provisions of § 15204 of this Article or to a United States accredited off-Guam college or university as full-time students on regular status, or by Distance Learning, that may include classes by means of the Internet, through a United States accredited college or university or one (1) recognized by the Council on Postsecondary Accreditation ('COPA'), or its successors. The loans provided in this Article are subject to the following limitations:

(a) The applicant must be a bona fide resident of Guam and a United States citizen, or a permanent resident alien:

(1) applicants who are high school students at the time of application must have achieved an overall grade point average of at least 2.0, or its equivalent, in the applicant's high school studies; and

(2) applicants who are current or returning college students with prior college credits at the time of application must have achieved an overall grade point average of at least 2.5, or its equivalent, in the applicant's undergraduate studies.

(3) (A) If the applicant is pursuing an academic graduate or post-graduate degree, the applicant must have achieved a grade point average of not less than 2.5 in undergraduate studies.

(B) If the applicant is a graduating senior, final approval of awards will be based upon successful

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completion of graduation requirements, inclusive of a 2.5 grade point average.

All awards for graduate studies shall be based upon acceptance into a graduate program. No awards shall be made for off-Guam studies, unless such course of studies are listed on the University's Career Priority listing. For loans made after January 1, 2000, the applicant must be a five (5) year resident of Guam for the period immediately preceding the starting date of the academic year the student will use such assistance and meet all other requirements herein.

(b) The applicant must agree to the provisions of § 15203 of this Article.

(c) The applicant must be in financial need, which shall be determined by regulations authorized by § 15105 of Article 1 of this Chapter. In addition, the applicant must complete 'A Free Application for Federal Student Aid' ('FAFSA') form as documentary evidence of need.

(d) The applicant must present to the Board, prior to the granting of the loan, satisfactory proof that the applicant has been admitted to an accredited college or university as a full-time student to pursue a program of study in the area for which the loan was applied. No loan shall be continued beyond the number of years normally required to complete studies in the specific academic degree program for which the loan was granted, except under exceptional circumstances as determined by the Board.

(e) The off-Guam colleges and universities must be United States accredited, or recognized by the Council on Postsecondary Accreditation ('COPA'), or its successors, and must be on the University's Career Priority Listing and approved by the Board; provided, however, that no loans shall be granted for studies at an off-Guam institution in an academic program that is available at the University of Guam.

SOURCE: GC § 11809. Amended by 17-070:38 (Sept. 21, 1984). Subsection (a) and (c) amended by P.L. 19-037:1 (Dec. 30, 1988).

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Amended by P.L. 25-085:1 (Nov. 23, 1999), P.L. 25-145:2 (June 2, 2000). Amended by P.L. 26-042:2 (Oct. 5, 2001).

2013 NOTE: Pursuant to the authority granted by 1 GCA § 1606, numbers and/or letters in subsection (a)(3) were altered to adhere to the Compiler's alpha-numeric scheme.

§ 15202. Maximum Limits on Loan.

Loans granted pursuant to this Article to students attending school on Guam shall not exceed Six Thousand Dollars (\$6,000.00) per year, and loans granted to students attending off-Island colleges or universities, including Distance Learning, shall not exceed Ten Thousand Dollars (\$10,000.00) per year.

SOURCE: GC §11810. Repealed and reenacted by P.L. 11-138 (May 16, 1972). Subsections (c) and (d) added by P.L. 19-037:2 (Dec. 30, 1988). Last paragraph in subsection (b) repealed by P.L. 19-037:2 (Dec. 30, 1988). Subsection (b) amended by 21-0135:VI:19 (Sept. 24, 1992). Amended by P.L. 25-085:1 (Nov. 23, 1999).

§ 15203. Repayment of Loan.

(a) Every student awarded a loan pursuant to this Article shall execute a promissory note agreeing to repay said loan over a period to be determined by the Board, but not in excess of ten (10) years from the contemplated date of the termination or the completion of the course of studies for which the loan was approved. Said promissory note shall be non-interest bearing, except as to unpaid delinquent amounts due and payable under the note, which shall be subject to interest at the annual rate of ten percent (10%).

(b) Any student granted a loan pursuant to this Article shall receive service credit against amounts due under the promissory note as follows:

(1) at the rate of Five Hundred Dollars (\$500.00) for each month during which the student is employed on Guam, or in the office of Guam's Delegate to Congress. No amounts under the promissory note executed pursuant to this Section shall be considered due and payable during the period that any such person is so employed.

(c) Any student granted a loan pursuant to the provision of this Article who fails to return to Guam for work within six (6)

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months after the completion of studies must repay the full amount of the loan. The Board shall establish such policies prescribing the length and terms of repayment, the interest rate to be charged, the collection of delinquent accounts or in the event of a default.

(d) If a student is recruited to serve in active duty in a branch of the U.S. Armed Services while in attendance or upon completion of studies, the service credit shall be postponed until such student begins work on Guam, but in no case longer than six (6) years; provided, however, that the student applies for the postponement within ninety (90) days of entering the Armed Services and continues to maintain Guam as such student's place of residence.

(e) Death or total and permanent disability of the student shall terminate any obligations herein. Total and permanent disability for purposes of this Section is defined as any physiological or psychological condition that will prevent the student from obtaining or maintaining any form of gainful employment. The Board may defer repayment for temporary disability. Total and permanent disability requires the certification by two (2) physicians licensed to practice in the United States.

SOURCE: GC §11811. Repealed and reenacted by P.L. 11-138 (May 16, 1972). Subsections (c) and (d) added by P.L. 19-037:2 (Dec. 30, 1988). Last paragraph in subsection (b) repealed by P.L. 19-037:3 (Dec. 30, 1988). Subsection (b) amended by 21-0135:VI:19 (Sept. 24, 1992). Amended by P.L. 25-085:1 (Nov. 23, 1999).

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with "Lowercase Roman Numerals" to "Numbers" in subsection (b).

§ 15204. Allocation of a Portion of Student Loan Money for Students Attending the Guam Community College.

Students attending, or intending to attend, the Guam Community College shall be eligible for student loans as authorized by this Article. The amount allocated for such student loans for students attending the Guam Community College shall be at least twenty-five percent (25%) of all Student Financial Assistance Program funds allocated to on-Island Student Loans

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as funded by the University of Guam's Student Financial Assistance Program Fund. In the event that the entire twenty-five percent (25%) is not used by students of the Guam Community College, the remainder may be used for student loans at the University of Guam. The Student Loan Program shall be administered by the University of Guam for all recipients.

SOURCE: GC § 11811, repealed and reenacted by P.L. 11-138 (May 16, 1972), Subsections (c) and (d) added by 19-037:2 (Dec. 30, 1988). Subsection (b) amended by P.L. 21-136:19(b). Amended by P.L. 25-85:1 (Nov. 23, 1999).

§ 15205. Student loans For Specialized Training at the Guam Community College.

(a) Notwithstanding the provisions of § 15201 of this Article, student loans authorized under this Article may be used for following training programs conducted at or approved by the Guam Community College:

- (1) Courses required for the academic portion of U.S. Department Of Labor approved apprenticeship programs.
- (2) Courses required for the passage of exams and attainment of the Microsoft Certified Software Engineer (MCSE) designation.
- (3) Courses required for the passage of exams and attainment of the Certified Cisco Network Associate (CCNA) designation.
- (4) Any other training program leading to the passage of external or industry certification in computer, networking or telecommunications that are determined to be priority career needs on Guam by the Guam Community College Board of Trustees.

(b) The maximum loan amount shall be the lower of

- (1) the actual cost of tuition, fees, books and other course related items or
- (2) the limits set forth in § 15202 of this Article subject to a two (2) year maximum completion time.

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(c) Repayment terms shall be consistent with the terms of § 15203 of this Article and shall begin upon completion of the apprenticeship program or passage of certification exams whichever applies, however, in the event a loan recipient fails to pass all certification exams within one (1) year following the completion of training, the amount of the loan shall be repaid in cash plus interest at the rate determined by § 15203(a) of this Article.

SOURCE: Added by P.L. 26-158:1 (Dec. 15, 2002).

ARTICLE 3
MERIT AWARDS TO THE UNIVERSITY OF GUAM

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), starting with Award Year 2013-2014, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA, which provides that Merit Awards to the University of Guam are granted pursuant to Article 2.

§ 15301. Students Entitled to Merit Awards.

§ 15302. Benefits.

§ 15301. Students Entitled to Merit Awards.

There are established annual merit awards for high school students in the graduating classes of the several public and private high schools on Guam now or hereafter established. The students entitled to these awards shall be the two (2) students having the highest scholastic standing in the graduating classes of each public and non-public high school on Guam that are generally open to all students. In addition to the scholarships for the two (2) students having the highest scholastic standing, one (1) additional scholarship shall be awarded on the basis of academic ranking for every fifty (50) graduates or fraction thereof by which the graduating class exceeds the number of fifty (50) graduates. If as a result of the equal scholastic standing of two (2) or more graduates, there is a tie for the awards granted pursuant to this Chapter and there is an insufficient number of awards available for the tying graduates, additional awards shall

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be provided for such graduates. Recipients are to attend the University of Guam. However, if the recipient is a valedictorian or salutatorian whose declared major is unavailable at the University of Guam, the valedictorian or salutatorian may attend any accredited college or university in the United States where such declared major is available.

Awards shall be subject to the following limitations:

(a) a recipient must be, for recipients prior to the school year 1998 - 1999, a bona fide resident of Guam. In addition, a recipient must be either :

(1) a United States citizen, or

(2) permanent resident alien who has completed four (4) academic quarters in a public or private high school on Guam.

(b) A recipient, for awards during and after the School Year 1998 - 1999, must be:

(1) United States citizen or a permanent resident alien who has completed four (4) academic years in a public or private high school on Guam; and

(2) a resident of Guam for a continuous period of not less than five (5) years immediately preceding the awarding of the scholarship awards.

(c) If any student is ineligible for a scholarship solely because of failure to meet the requirements contained in Subsection (a) of this Section; or if any eligible student chooses not to accept an award when first offered such award, the award shall be granted to the eligible student with the highest scholastic rank. If an eligible student declines to accept an award when first offered, such students cannot accept such an award after it has been granted to another student.

The recipient of a merit award must notify the Board within thirty (30) days that the award is accepted. If such recipient fails to do so, the award is thereby forfeited and the same shall be offered to the next alternate.

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(d) A recipient who attends a college or university outside of Guam during the term of the award must agree that such recipient will return to work on Guam for a period of one (1) year for each year of off-Island studies subsequent to the completion or termination of the course of studies for which the award was granted; provided, that if the recipient continues as a full-time student at a graduate or professional school, such recipient may defer return to Guam until such additional studies are completed.

(e) Awards granted on or subsequent to the effective date of this Section shall be canceled if a recipient:

(1) fails to maintain a cumulative grade point average of 2.5 or its equivalent, except a recipient shall be allowed one (1) academic term in which to regain such average before cancellation of such recipient's award, or

(2) fails to meet the academic and other requirements governing full-time students at the institution attended, or

(3) is no longer a full-time student, except a recipient shall be allowed one (1) academic term in which to regain full-time student status before cancellation of such recipient's award, or

(4) changes Guam residency status.

SOURCE: GC § 11812; amended by P.L. 16-028:10 (Aug. 29, 1981); Codified as 17 GCA § 15301. Repealed and reenacted by P.L. 18-007:13 (July 8, 1985). Repealed by P.L. 19-037:4 (Dec. 30, 1988) and erroneously added as § 15302. Codified as § 15301 by Compiler. Amended by P.L. 20-029:5 (June 13, 1989), P.L. 24-230:2 (Aug. 12, 1998). Subsection (d)(3) amended by P.L. 20-232:1 (Jan. 30, 1991). Subsection (e) added by P.L. 20-232:2 (Jan. 30, 1991). First paragraph amended by P.L. 21-136:34. Entire section amended by P.L. 24-230:2.

2012 NOTE: The Compiler renumbered subsection (a.1) to (b) and each subsection which followed to maintain the general codification scheme of the GCA.

§ 15302. Benefits.

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Students entitled to merit awards pursuant to this Article shall receive the following benefits:

(a) Free tuition and fees to be paid by the Fund for a period of not more than four (4) years;

(b) An annual allowance of Six Thousand Dollars (\$6,000) per year for room and board, textbooks and educational supplies to be disbursed monthly in accordance with regulations adopted by the Board.

(c) If attending a college or university outside of Guam, the cost of transportation for one (1) round trip between Guam and the college or university during the period of the award.

(d) The total benefits under this Section for attending a college or university outside of Guam pursuant to this § 15301 shall not exceed Fifteen Thousand Dollars (\$15,000) per year, including the costs of tuition, fees, annual allowance and transportation.

(e) In the event that pursuant to subitems (1) or (3) of subsection (d) of this section, the recipient regained entitlement to his or her award, such recipient shall not be required to repay the amount awarded for that academic term in which the academic deficiency or failure to maintain full-time status occurred until after graduation, or other termination of studies for any other reason.

SOURCE: GC § 11813. Amended by P.L. 16-028:11 (Aug. 29, 1981), P.L. 18-007:14 (July 8, 1985). Subsection (b) amended by P.L. 17-025:12 (Oct. 6, 1983). Subsection (d) added by P.L. 18-010:14 (Aug. 8, 1985). Subsections (b) and (d) were amended by P.L. 20-199:8. Subsection (e) was added by P.L. 20-232:2.

§ 15303. Applicability of this Article.

Awards granted under the provisions of this Article apply to awards made during and prior to the School Year 1999 - 2000. Awards granted after School Year 1999 - 2000 shall be made pursuant to the provisions of Article 3A of this Chapter.

SOURCE: Added by P.L. 25-086:3 (Nov. 23, 1999).

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ARTICLE 3A
MERIT AWARDS TO THE UNIVERSITY OF GUAM.
(FOR ACADEMIC YEARS 2000-2001 AND THEREAFTER)

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), starting with Award Year 2013-2014, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA, which provides that Merit Awards to the University of Guam are granted pursuant to Article 2.

- § 15A301. Students Entitled to Merit Awards.
- § 15A302. Benefits.
- § 15A303. Service Credit.
- § 15A304. Rules and Regulations.
- § 15A305. Applicability of this Article.

§ 15A301. Students Entitled to Merit Awards.

(a) There are established annual Merit Awards for high school students in the graduating classes of a public and private high school licensed to do business on Guam now or hereafter established. The students entitled to these awards shall be the students having the highest scholastic standing in the graduating classes of each such public and non-public high school on Guam. The awards shall be determined as follows:

(1) One for every fifty (50) graduates or fraction thereof of a school's graduating class. If as a result of the equal scholastic standing of two (2) or more graduates, there is a tie for the awards granted pursuant to this Chapter, the University of Guam shall provide a mechanism to break the tie. Awardees are entitled to four (4) years of education at the University of Guam. However, if the awardee is the top-ranked student academically of that person's graduating class, and such awardee's major is unavailable at the University of Guam, the awardee may attend any accredited college or university in the United States, or one recognized by the Council for Higher Education Accreditation (CHEA), or its successors, where such declared major is available. The benefits are according to the amounts provided in §

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15A302 of this Article, plus the cost of airfare for one-way, economy airline ticket to the school of attendance and one-way ticket to return to Guam upon completion of studies.

(2) Of the students receiving awards in Subsection (1), supra, who attend and graduate from the University of Guam, the top two (2) awardees per graduating class shall be entitled to an additional two (2) years of study for a Master's Degree at the University of Guam after completion of the bachelor's program awarded under the provisions of Subsection (1). In the event that, as a result of graduating class size, only one student is entitled to an award under Subsection (1), supra, then only one student shall be eligible for an award under this Subsection. The benefits are according to the amounts provided in § 15A302 of this Article.

All awards shall be subject to the following limitations:

A recipient must be a:

(A) United States citizens, or a permanent resident alien, who has completed a minimum of three (3) but no more than four (4) academic years and meets all academic credit requirements for graduation during attendance in a public, non-public, or DODEA high school on Guam; and.

(B) a resident of Guam for a continuous period of not less than five (5) years immediately preceding June 15th of the year the award is to be awarded.

(3) To be eligible for a Merit Award, a student must have achieved a cumulative high school Grade Point Average of not less than 3.000 at the time of graduation.

(b) If any student is ineligible for an award because of failure to meet the requirements contained in Subsection (a) of this Section; or if any eligible student chooses not to accept an award when first offered such award, the award shall be granted to the eligible student with the next highest scholastic rank, or in the case of tie, the student that was eliminated by the tie-breaker. If an eligible student declines to accept an award when first

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offered, such student cannot accept such an award after it has been granted to another student. The recipient of a merit award must notify the Board within thirty (30) days, that the award is accepted. If such recipient fails to do so, the award is thereby forfeited and the same shall be offered to the next alternate.

(c) Award recipients must agree that the recipient will work on Guam for a period of one (1) year for each academic year the award was received within six (6) months following the completion or termination of the course of studies for which the award was granted; provided, that if the recipient continues as a full-time student at a graduate or professional school, such recipient may defer work on Guam until such additional studies are completed.

Awards granted on or subsequent to the effective date of this Section shall be cancelled if a recipient:

(1) fails to maintain a cumulative grade point average of 2.5 or its equivalent, except a recipient may be allowed one (1) academic term to regain this average without cancellation of the award, or

(2) fails to meet the academic and/or other requirements governing full-time students at the University of Guam, except a recipient shall be allowed one (1) academic term in which to regain full-time student status before cancellation of such recipient's award.

SOURCE: Added by P.L. 25-086:1 (Nov. 23, 1999). Amended by P.L. 25-145:3 (June 2, 2000). Subsection (a)(1) amended by P.L. 26-042:3 (Oct. 5, 2001). Subsection (a) amended by P.L. 28-110:1 (April 14, 2006). Subsection (a)(3) added by P.L. 28-139:1 (July 11, 2006). Subsection (a)(2)(i) amended by P.L. 29-002:VI:21 (May 18, 2007).

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with "Lowercase Roman Numerals" to "Uppercase Letters" in subsection (a)(2).

§ 15A302. Benefits.

Students entitled to merit awards pursuant to this Article shall receive the following benefits:

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(a) Tuition to Attend School. Tuition and fees for each academic year to be paid by the Student Financial Assistance Fund for a period of not more than four (4) years in an undergraduate program at the University of Guam. For awards granted under § 15A301(a)(2) of this Article, students shall receive an additional two (2) years of tuition and fees for a graduate degree upon successful completion of undergraduate studies and admission requirements for graduate school.

(b) Stipend. Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows:

(A) First-Year and Second-Year Students: Three Hundred Dollars (\$300.00) per month;

(B) Third-Year and Fourth-Year Students: Five Hundred Dollars (\$500.00) per month. For graduate students, Six Hundred Dollars (\$600.00) per month to be disbursed in nine (9) monthly installments during the academic year.

(c) Allowance for Textbooks. Each student receiving an award under this Article shall be entitled to an additional Two-hundred Fifty Dollars (\$250.00) per semester for textbooks to be disbursed prior to the first day that classes begin.

(d) Optional Inter-Session Allowed.

(1) Summer. Each student shall be entitled to tuition, fees and textbooks for inter-session courses on a full-time basis.

(2) Between Fall and Spring Semesters. Each student shall be entitled to tuition, fees and textbooks for inter-session courses on a full-time basis. Students attending inter-session between the Fall and Spring Semesters shall not be entitled to an additional stipend.

(e) For those authorized to attend school off-Guam as provided for herein, the amount of assistance shall not

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exceed the amount of assistance for a student attending school at the University of Guam.

SOURCE: Added by P.L. 25-086:1 (Nov. 23, 1999). Amended by P.L. 26-042:1 (Oct. 5, 2001).

2013 NOTE: Pursuant to the authority granted by 1 GCA § 1606, lowercase roman numerals and/or letters in subsection (b) were altered to adhere to the Compiler's alpha-numeric scheme.

§ 15A303. Service Credit.

The financial assistance granted under this Article shall be repaid on a one-to-one basis for each year that assistance was provided through employment on Guam or in the office of Guam's Delegate to Congress. In the event that any portion of the assistance is not repaid through service credit, the amount unpaid in service credit shall become due and payable.

(a) In calculating the amount due and payable for failure to pay through service credit, the amount due shall be the total amount of assistance minus the number of years repaid through service credit. For purposes of this Section, a year of service credit is twelve (12) months. The Board of Regents may also extend payment of cash repayment, via a promissory note, for a term not to exceed ten (10) years at an annual percentage rate of not less than ten percent (10%). No amounts shall be considered due and payable during the time in which the awardee is repaying service credit pursuant to the provisions herein.

(b) The Board of Regents may grant deferrals of repayment through service for the following reasons:

- (1) pursuit of a graduate degree; or
- (2) a family or medical emergency.

(c) Any awardee granted an award pursuant to the provision of this Article must commence work on Guam within six (6) months following the completion of studies, unless as extended by the Board for extenuating circumstances; or will be in default as of the date classes ended. The permanent transfer to an off-island office or branch of a Guam employer shall not count towards service

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credit and shall result in default on the date of transfer and interest shall begin on such date of default. Permanent transfers, for purposes of this Section, are those that are longer than six (6) months. The Board shall establish such policies prescribing the length and terms of repayment, the interest rate to be charged, the collection of delinquent accounts or in the event of default.

(d) If any temporary leave of absence is expected to last longer than forty-five (45) days, the awardee shall inform the University of Guam of the length of time expected to be off-island, the reason for such time off-Island and the address while off-island. As long as the employee remains employed on Guam while off-island temporarily, the employee shall receive service credit for such employment, during the time the employee is off-island for the purposes described herein.

(e) Death or total disability of the student shall terminate any obligations herein. Total disability for purposes of this Section is defined as any physiological or psychological condition that will prevent the awardee from obtaining or maintaining any form of gainful employment for a period of not less than three (3) years. The Board may defer repayment for temporary disability. Total disability requires the certification of two (2) physicians licensed to practice on Guam.

SOURCE: Added by P.L. 25-086:1 (Nov. 23, 1999).

§ 15A304. Rules and Regulations.

The University of Guam shall develop appropriate rules and regulations for the administration of this Article.

SOURCE: Added by P.L. 25-086:1 (Nov. 23, 1999).

§ 15A305. Applicability of This Article.

This Article shall apply only to awards made to high school students graduating during the School Year 2000 - 2001 and thereafter.

SOURCE: Added by P.L. 25-086:1 (Nov. 23, 1999). Amended by P.L. 25-145:4 (June 2, 2000).

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ARTICLE 4
PROFESSIONAL AND TECHNICAL AWARDS

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), starting with Award Year 2013-2014, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA, which provides that the Jesus U. Torres Professional and Technical Awards (For Academic Years 2013-2014 and Thereafter) are granted pursuant to Article 4.

- § 15401. Students Entitled to Awards.
- § 15402. Benefits.
- § 15403. Repayment of Grant Loans.
- § 15404. Repayment of Tuition, Fees and Transportation.
- § 15405. Forfeiture of Awards.

§ 15401. Students Entitled to Awards.

There are established professional and technical annual awards for graduate studies. On or before December 1st of each and every year, the Board shall conduct a public hearing to receive the opinion and recommendation of various professional groups or associations and the Guam Occupational Information Coordinating Committee or its equivalent, to determine those areas in which additional professional and technical skills are needed. From those hearings, the Board shall establish a list of occupational priorities for Guam prior to considering applications for the awards. The number of awards and occupational priorities to be recommended shall be submitted to the Legislature no later than January 1st of each year. The provisions of this section shall also be applicable to students who are to receive loans under § 15201 of this Chapter.

Funds appropriated to provide loans and professional and technical awards and which are not totally expended may be used in succeeding years so as to increase the number of annual awards. The awards provided in this Article are subject to the following limitations:

- (a) The applicant must be a bona fide resident of Guam and a United States citizen or a permanent resident alien and

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must have achieved an overall grade point average of 3.0 or its equivalent in such applicant's undergraduate studies if pursuing an academic graduate degree, or an irrevocable letter of acceptance from an accredited professional school.

(b) The applicant must agree that after completion or termination of the course of studies for which the award was granted, such applicant return to work on Guam for a period of one (1) year for each Three Thousand Dollars (\$3,000) received under the award.

(c) The applicant must present to the Board prior to granting of the award satisfactory proof that such applicant has been admitted to the college or university as a full-time student to pursue a program of study in the field applied for.

(d) The colleges or universities must be properly accredited and must be approved by the Board; provided, however, that no award shall be granted for studies at an off-island institution in a specific academic program that is available at the University of Guam.

(e) The Board shall select the recipients of the awards upon the basis of scholastic ability, financial need, aptitude and health as well as the likelihood of the recipient returning to Guam to fill its professional needs.

In determining financial need, the applicant must complete an application form of Federal Student Aid (AFSA) as documentary evidence of need.

SOURCE: GC § 11814; amended by P.L. 16-28; Subsection (a) amended by P.L. 17-18:6, R/R by P.L. 19-037:5 (Dec. 30, 1988).

§ 15402. Benefits.

Students entitled to merit awards pursuant to this Article shall receive the following benefits:

(a) Payment of tuition and fees for a period of not more than four (4) scholastic years;

(b) An annual grant loan of not more than Two Thousand Five Hundred Dollars (\$2,500) per year to be disbursed in accordance with regulations adopted by the

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Board, such grant loans to be non-interest bearing except as to unpaid delinquent amounts. In no case shall the total amount loaned to a single individual under this Subparagraph exceed the sum of Ten Thousand Dollars (\$10,000).

SOURCE: GC § 11815, as amended by P.L. 16-28.

§ 15403. Repayment of Grant Loans.

(a) Every student awarded a grant loan pursuant to this Article shall execute a promissory note agreeing to repay said loan over a period to be determined by the Board, but not to exceed ten (10) years from the contemplated date of completion of the course of studies for which the award was granted. Said promissory note shall be non-interest bearing except that it shall provide for interest in the amount of six percent (6%) on unpaid delinquent amounts which are due and payable under the terms of the note.

(b) Every student awarded a grant loan pursuant to this Article shall receive credit against amounts due under the promissory note:

(1) At the rate of Three Thousand Dollars (\$3,000) for each year during which he or she is employed on Guam, in the office of Guam's Delegate to Congress, or in any United States Congressional or Senatorial Office.

No amounts under the promissory note executed pursuant to this Section shall be considered due and payable during the period that any such person is so employed.

SOURCE: GC § 11816, as R/R by P.L. 11-138. Last paragraph of subsection (b) repealed by P.L. 19-037:6 (Dec. 30, 1988). Subsection (b) amended by P.L. 21-136:19(c).

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with "Lowercase Roman Numerals" to "Numbers" in subsection (b).

§ 15404. Repayment of Tuition, Fees and Transportation.

(a) Every student awarded tuition, fees and transportation pursuant to Paragraphs (a) and (b) of § 15402 of this Article shall execute a promissory note agreeing to repay said tuition fees and

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transportation costs over a period not to exceed ten (10) years in the event that he does not return to Guam within three (3) months following completion of his course of studies and become employed on Guam for a period of not less than one (1) year.

(b) In the case of the failure of a student to return to Guam within three (3) months following completion of his course of studies or to be so employed on Guam for a period of not less than one (1) year, the Board shall declare in effect the repayment provisions as provided in Subsection (a) foregoing; provided, however, that the Board may extend the time of return for a period of not to exceed two (2) years upon written request of the student and upon a showing to the satisfaction of the Board of good cause for such extension.

SOURCE: GC § 11817, as R/R by P.L. 11-138.

§ 15405. Forfeiture of Awards.

Expulsion from a school or institution attended, or suspension for a period of the same or greater than one academic semester or its equivalent in such school or institution, or failure to complete the program for which the award was granted, or failure to comply with the regulations of the Board shall result in a forfeiture of the award provided by this Article. For purposes of this Article a person shall be considered to have completed his course of studies upon the event or events of forfeiture as provided in this Section.

SOURCE: GC § 11818, as R/R by P.L. 11-138.

§ 15407. Applicability of this Article.

Awards granted under the provisions of this Article apply to awards made during and prior to the School Year 1999 - 2000. Awards granted after School Year 1999 - 2000 shall be made pursuant to the provisions of Article 4A of this Chapter.

SOURCE: Added by P.L. 25-086:4 (Nov. 23, 1999).

ARTICLE 4A

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**PROFESSIONAL AND TECHNICAL AWARDS
(FOR SCHOOL YEARS 2000 - 2001 AND THEREAFTER)**

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), starting with Award Year 2013-2014, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA, which provides that the Jesus U. Torres Professional and Technical Awards (For Academic Years 2013-2014 and Thereafter) are granted pursuant to Article 4.

- § 15A401. Students Entitled to Awards.
- § 15A402. Benefits.
- § 15A403. Repayment of Benefits and Service Credit.
- § 15A404. Forfeiture of Awards.
- § 15A405. Rules and Regulations.
- § 15A406. Applicability of this Article.

§ 15A401. Students Entitled to Awards.

There are established professional and technical annual awards for graduate studies. On or before December 1st of each year, the Board shall conduct a public hearing to receive the opinion and recommendation of the community, and the Guam Occupational Information Coordinating Committee, or its equivalent, and may use findings of any other survey or study to determine those areas in which additional professional and technical skills are needed. From those hearings the Board shall establish a list of occupational priorities for Guam prior to considering applications for the awards. The number of awards and occupational priorities to be recommended shall be submitted to I Liheslaturan Guåhan no later than January 1st of each year.

Funds appropriated to provide professional and technical awards, and which are not totally expended, may be used in succeeding years so as to increase the number of annual awards. The awards provided in this Article are subject to the following limitations:

- (a) the applicant must be a bona fide resident of Guam for a continuous period of not less than ten (10) years prior to application, and a United States citizen, or a permanent resident alien, and must have achieved an overall grade

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point average of 3.00 in undergraduate studies if pursuing a master's degree, or 3.33 in a master's degree program if pursuing a doctoral degree, or an irrevocable letter of acceptance from an U.S. accredited professional school, as recognized by the Council on Post Secondary Accreditation ('COPA'), or its successors;

(b) the applicant must agree to the repayment terms as specified in §§ 15A403 and 15A404;

(c) the applicant must present to the Board, prior to granting of the award, satisfactory proof that such applicant has been accepted by an U.S. accredited college or university, as recognized by COPA, or its successors, as a full-time student to pursue a program of study in the field applied for; and

(d) the colleges or universities must be properly accredited as recognized by COPA, or its successors, and must be approved by the Board; provided, however, that no award shall be granted for studies at an off-Guam institution in a program that is available at the University of Guam.

The Board shall select the recipients of the awards upon the basis of scholastic ability, financial need and aptitude. The Board may also use work or life-time experience and achievement criteria in place of the aptitude criteria, if because of such experience, it can be reasonably determined that the applicant will succeed in a course of study funded by an award herein.

In determining financial need, the applicant must submit a Student Aid Report ('SAR'), which results from the completion of a Free Application for Federal Student Aid ('FAFSA') as documentary evidence of need.

No benefits as specified in § 15A402 shall be continued beyond the number of years normally required to complete studies in the specific academic degree program for which the award was granted, except under exceptional circumstances, as determined by the Board..

SOURCE: Added by P.L. 25-086:2 (Nov. 23, 1999). Amended by P.L. 26-042:4 (Oct. 5, 2001).

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§ 15A402. Benefits.

Students entitled to awards pursuant to this Article shall receive the following benefits:

(a) payment of tuition and fees;

(b) an annual grant loan of not more than Ten Thousand Dollars (\$10,000.00) per year to be used for room and board, books and educational supplies, to be disbursed in accordance with regulations adopted by the Board, such grant loans to be non-interest bearing, except as to unpaid delinquent amounts; and

(c) cost of airfare for economy airline tickets; one (1) ticket to the school of attendance and one (1) ticket to return to Guam upon completion of studies.

Total for items (a) and (b) of this Section shall not exceed Twenty Thousand Dollars (\$20,000.00) per year, unless the course of study is in the area of medicine or dentistry. If the course of study is in medicine or dentistry, the total for items (a) and (b) of this Section shall not exceed Twenty-five Thousand Dollars (\$25,000.00) per year.

SOURCE: Added by P.L. 25-086:2 (Nov. 23, 1999).

§ 15A403. Repayment of Benefits and Service Credit.

The financial assistance granted under this Article shall be repaid on a two-to-one (2:1) basis for each year that assistance was provided through employment on Guam or in the office of Guam's Delegate to Congress. In the event that any portion of the assistance is not repaid through service credit, the amount unpaid in service credit shall become due and payable.

(a) Every student granted an award pursuant to this Article shall execute a promissory note agreeing to repay said loan over a period to be determined by the Board, but not in excess of ten (10) years from the contemplated date of the termination or the completion of the course of studies for which the award was approved. The amount of the note shall be left blank until the completion of studies, in which the amount of the note will be the total monetary amount of

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assistance provided by the award. Said promissory note shall be non-interest bearing, except as to amounts unpaid by service credit that are due and payable under the note, which shall be subject to interest at the annual rate of ten percent (10%). No amounts shall be considered due and payable during the time in which the awardee is repaying service credit pursuant to the provisions herein.

(b) Any student granted an award pursuant to this Article shall receive service credit against amounts due under the promissory note as follows:

(1) The amount of the note shall be the total amount of assistance provided. Service credit shall be applied in against the note in monthly installments.

(2) The number of monthly installments to be paid shall be based on the number of months for which assistance was provided times two (2).

(3) In the event of default, the balance due in monetary terms shall be the amount of assistance provided less the amount repaid through service credit. The amount repaid through service credit shall be the total amount of assistance provided divided by the number of installments of service credit due as calculated in Item (2) of this Paragraph times the number of installments paid through service credit.

(c) Any awardee granted an award pursuant to the provision of this Article must commence work on Guam within six (6) months following the completion of studies, unless as extended by the Board for extenuating circumstances, or will be in default as of the date classes ended. The permanent transfer to an off-Island office or branch of a Guam employer shall not count towards service credit and shall result in default on the date of transfer and interest shall begin on such date of default. Permanent transfers, for purposes of this Section, are those that are longer than six (6) months. The Board shall establish such policies prescribing the length and terms of repayment, the

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interest rate to be charged, the collection of delinquent accounts or in the event of default.

(d) If any temporary leave of absence is expected to last longer than forty-five (45) days, the awardee shall inform the University of Guam of the length of time expected to be off-Island, the reason for such time off-Island and the address while off-Island. As long as the employee remains employed on Guam while off-Island temporarily, the employee shall receive service credit for such employment, during the time the employee is off-Island for the purposes described herein.

(e) Death or total disability of the student shall terminate any obligations on the note. Total disability for purposes of this Section is defined as any physiological or psychological condition that will prevent the student from obtaining or maintaining any form of gainful employment for a period of not less than three (3) years. The Board may defer repayment for temporary disability. Total disability requires the certification of two (2) physicians licensed to practice in the United States.

(f) In the event a student forfeits an award as defined in § 15A404, no service credit shall be granted and repaid according to the provisions herein for those years in which assistance was provided and all awards plus interest shall be repaid according to the provisions herein.

The Board of Regents may grant deferrals of repayment through service in cases where family or medical emergency arises.

SOURCE: Added by P.L. 25-086:2 (Nov. 23, 1999).

§ 15A404. Forfeiture of Awards.

Expulsion from a school or institution attended, or suspension for a period of the same or greater than one (1) academic semester, or its equivalent, in such school or institution, or failure to complete the program for which the award was granted, or failure to comply with the regulations of the Board, shall result in a forfeiture of the award provided by

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this Article. For purposes of this Article, a person shall be considered to have completed the course of studies upon the event or events of forfeiture as provided in this Section.

SOURCE: Added by P.L. 25-086:2 (Nov. 23, 1999).

§ 15A405. Rules and Regulations.

The Board of Regents shall develop rules and regulations pursuant to the Administrative Adjudication Law for the administration of the program enacted by this Article. In addition to the administration of the program, such Rules and Regulations shall include provisions for:

- (a) conditions for continuance of an Award;
 - (b) construction of applicable promissory notes;
 - (c) time frames for the completion of program studies;
- and
- (d) provisions for the temporary suspension of completion of a degree program or repayment of awards for cases beyond the control of the scholarship recipient such as personal illness or death or illness of a family member.

SOURCE: Added by P.L. 25-086:2 (Nov. 23, 1999).

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with “Numbers” to “Lowercase Letters” in this section.

§ 15A406. Applicability of this Article.

This Article shall apply only to awards made during the academic year 2000 - 2001 and thereafter.

SOURCE: Added by P.L. 25-086:2 (Nov. 23, 1999).

ARTICLE 5
AWARDS FOR CITIZENS OF THE REGION AND RESIDENTS
WITHIN THE JURISDICTION OF THE SOUTH PACIFIC
COMMISSION

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning

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Award Year 2013-2014, financial assistance awards would be granted only as specified in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

- § 15501. Awards for Citizens of the Region.
- § 15502. Awards for the Commonwealth of the Northern Mariana Islands.
- § 15503. Benefits.

§ 15501. Awards for Citizens of the Region.

There are established six (6) annual merit awards to the University of Guam for high school students in the graduated classes of the several public and private high schools in the region. Two awards shall be granted to citizens of the Republic of Palau, two awards shall be granted to citizens of the Republic of the Marshall Islands and two awards shall be granted to citizens of the Federated States of Micronesia. Applicants for such awards shall have completed four (4) years of high school of which at least the last full academic year shall have been in his home country. The students given this award must attain an overall grade point average of 3.0. The Board shall select annually the recipients of the awards, such selection to be based on scholastic ability, aptitude, health, ambition and other criteria to be determined by the Board by regulation.

SOURCE: GC § 11819; amended by P.L. 16-028:14, further amended by P.L. 17-064:9.

NOTE: The amendment made in § 9 of this Act shall be effective for the academic year 1985-86. Any student granted an award pursuant to previous law shall be entitled to complete his studies under the award granted him or her. (P.L. 17-64:10)

§ 15502. Awards for the Commonwealth of the Northern Mariana Islands.

There are established two (2) merit awards at the University of Guam for high school students in the graduating classes of the several public and private high schools within the jurisdiction of the Commonwealth of the Northern Mariana Islands. Applicants shall have completed four (4) years of high school, of which at least the last full academic year shall have been in one of the schools of the Commonwealth of the Northern Mariana Islands.

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To be entitled to this award, students shall have attained an overall grade point average of 3.0. The Board shall select recipients on the basis of scholastic ability, aptitude, health and other criteria to be determined by the Board.

SOURCE: GC § 11820, as R/R by P.L. 16-028:15.

§ 15503. Benefits.

Students entitled to merit awards pursuant to this Article shall receive the following benefits:

(a) Free tuition and fees to be paid by the Fund for a period of not more than four (4) years at the University of Guam;

(b) An annual allowance of One Thousand Five Hundred Dollars (\$1,500) per year for room and board, textbooks and educational supplies to be disbursed monthly in accordance with regulations adopted by the Board. Room and board shall, whenever possible, be at dormitories at the University of Guam.

SOURCE: GC § 11821, as amended by P.L. 16-028:16.

**ARTICLE 6
JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR
OCEAN RESOURCE SCIENCE AND RESEARCH**

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning Award Year 2013-2014, financial assistance awards would be granted only as specified in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

- § 15601. Declaration of Public Policy.
- § 15602. Purpose.
- § 15603. Scholarship.
- § 15604. Benefits.
- § 15605. Promotion of Scholarship.

§ 15601. Declaration of Public Policy.

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It is and shall be the policy of the government to advance the understanding of the vast ocean resources surrounding Guam through support for the education of deserving Guam students in the scientific field of ocean resource studies.

SOURCE: Added by P.L. 19-037:8.

§ 15602. Purpose.

The Legislature establishes the John F. Quan Memorial Scholarship for Ocean Resource Science and Research to commemorate the leadership of the Honorable John F. Quan as an advocate of Guam's ownership rights to the ocean resources surrounding the island --both in Guam and as a member of the Council of State Governments Western Legislative Conference.

The John F. Quan Memorial Scholarship for Ocean Resource Science and Research shall be given to deserving undergraduate and graduate students of Guam who are accepted into programs which will help to advance Guam's scientific understanding of its ocean resources, living and non-living, on and below the sea floor, and to protect Guam's Exclusive Economic Zone from external impediments which potentially threaten resources within Guam's waters. Preference for University of Guam programs should be considered, as appropriate.

SOURCE: Added by P.L. 19-037:8.

§ 15603. Scholarship.

The Board is authorized to approve one (1) scholarship per year for undergraduate studies or training, to qualified applicants who have been accepted or admitted into programs leading to a degree in the field of ocean resources scientific studies. The scholarships provided in this Article are subject to the following limitations:

- (a) The applicant must be a bona fide resident of Guam and an U.S. citizen or permanent resident alien who has achieved at least a grade point average of 3.0 in high school or undergraduate studies, or an irrevocable letter of acceptance from an accredited U.S. university, college or

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professional institute recognized in the fields of ocean resource science, or oceanography.

(b) The applicant must agree that after completion of the course of studies for which the scholarship was granted, such applicant will remain on or return to Guam to work on Guam for one (1) year, for each year the scholarship is received.

(c) The applicant must present to the Board, prior to the granting of the award, satisfactory proof of admission to an accredited U.S. university, college or professional or technical institute, as a full-time student to pursue a program of study in ocean resource science, or fisheries, maritime industries or maritime law, including studies in:

- (1) living resources;
- (2) non-living resources, such as hard seabed materials, geo-thermal venting, precious minerals, submarine currents and other non-living resources;
- (3) ocean resource technology;
- (4) pollutant mitigation technology;
- (5) fishing and maritime industries; and
- (6) maritime law.

(d) No scholarship shall be granted under this Article unless the Board has made a written finding that the proposed award, in the specific area of study to be pursued by the applicant, is needed for the development of Guam's ocean resources in the future. The Board shall annually review the fields of study in which ocean resource science scholarships have been awarded, and shall establish a list of priorities for the respective fields of study prior to considering new scholarship applicants.

SOURCE: Added by P.L. 19-037:8. Subsection (c) amended by P.L. 24-187:2. Amended by P.L. 26-053:1.

§ 15604. Benefits.

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Students entitled to the receipt of the John F. Quan Memorial Scholarship for Ocean Resource Science and Research pursuant to this Article shall receive the following benefits:

(a) payment of tuition, fees and related field research costs shall be as follows:

(1) Undergraduate Scholarship Award: Associate Degree, for a period not to exceed two (2) scholastic years. Technical training certificate, for a period not to exceed two (2) scholastic years. Bachelor's Degree, for a period not to exceed four (4) scholastic years.

(2) Graduate Scholarship Award: Master's Degree, for a period not to exceed two (2) scholastic years. Doctoral Degree, for a period not to exceed four (4) scholastic years. Juris Doctor Degree, for a period not to exceed four (4) scholastic years.

(b) An annual grant of not more than Two Thousand Five Hundred Dollars (\$2,500.00) per year to be disbursed in accordance with regulations adopted by the Board. In no case shall the total amount awarded under this Paragraph, to a single individual, exceed the sum of Ten Thousand Dollars (\$10,000.00).

(c) Cap Upon Benefits. The total annual benefits for Item (a)(1) of this Section shall not exceed Twelve Thousand Five Hundred Dollars (\$12,500.00). The total annual benefits for Item (a)(2) of this Section shall not exceed Seventeen Thousand Five Hundred Dollars (\$17,500.00).

SOURCE: Added by P.L. 19-037:8. Subsection (a) amended by P.L. 24-187:3. Amended by P.L. 26-053:2.

§ 15605. Promotion of Scholarship.

The University of Guam shall make available as requested by the Department of Education, human and technical resources as is appropriate to promote the interest of Guam students in the field of Ocean Resource Science and Research, and to promote a better understanding of the resources indigenous to Guam's Exclusive Economic Zone. The Board may submit an annual

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budget, and promotional proposal to the Legislature under scholarship funding requests, to enhance student awareness of Guam's ocean resources, and the availability of scholarship funding for Ocean Resource Science Research.

SOURCE: Added by P.L. 19-037:8.

ARTICLE 7
DOCTORAL SCHOLARSHIPS

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning Award Year 2013-2014, financial assistance awards would be granted only as specified in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

SOURCE: Article 7 was enacted by P.L. 21-015 as Article 6, §§ 15606-15611; however because Article 6 is already occupied the Compiler renumbered it to Article 7, §§ 15701-15706.

- § 15701. Establishment.
- § 15702. Eligibility: Initial Selection.
- § 15703. Same: Degree Program.
- § 15704. Benefits.
- § 15705. Fellow Responsibilities.
- § 15706. Application Forms and Notices.
- § 15707. Sunset for Fellowships under this Article.

§ 15701. Establishment.

There is established as the University of Guam (the "University") a Doctoral Fellowship Program, in which fellowships shall be awarded to meet the following purposes:

- (a) To meet the needs for professors in all program areas of the University;
- (b) To enhance opportunities for minorities and women, especially those under represented on the University's faculty in terms of Guam's population; and
- (c) To develop a faculty more attuned to local needs and with instructional and research interests in the region.

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§ 15702. Eligibility: Initial Selection.

(a) No award shall be made under this Article unless the Board has made a written finding that the proposed candidate for fellowship has demonstrated financial need and is seeking training in an area where priority is given to fair representation of women and minorities.

(b) An applicant must be a bona fide resident of Guam for at least ten (10) years. The applicant must also have had domicile on Guam for a period of ten (10) years immediately prior to entering the program unless the applicant was a member of the United States Armed Services or was attending school elsewhere on a full-time basis during this period;

(c) An applicant must be a citizen of the United States or a permanent resident alien;

(d) An applicant must have a master's degree in an appropriate field from an institution of higher education accredited in the United States;

(e) No person who holds a government employment contract for a non-academic position is eligible for the program established in this Article.

SOURCE: Subsection (a) amended by P.L. 21-111:2 as § 15607(a).

§ 15703. Same: Degree Program.

An applicant must provide proof of acceptance into a doctoral program at an accredited institution of higher education in the United States.

§ 15704. Benefits.

(a) Recipients of awards under this Article ("Fellows"), who are not receiving a government salary during their fellowship, shall receive a monthly stipend of Two Thousand Dollars (\$2,000) for the fellowship, not to exceed four (4) years;

(b) Fellows shall have all costs for their tuition, fees and books covered, less any other awards which cover tuition, fees or book charges;

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(c) Fellows will receive round-trip transportation from Guam to the institution where the Fellow will seek his or her degree;

(d) [Repealed.]

SOURCE: Subsection (d) repealed by P.L. 21-111:3 as § 15609(d).

§ 15705. Fellow Responsibilities.

(a) Fellows will provide two (2) years of service to the University, the Guam Community College, or to the Department of Education for each year of fellowship. Former Fellows may be terminated from employment at the University under the rules which apply to all faculty members'.

(b) Fellows who do not complete the service requirements must pay back all monies expended on their behalf with interest computed at the Guam prime rate plus two percent (2%). Such amount will be proportionally reduced for service completed;

(c) Fellows who do not complete their degree program within four (4) years may continue for one (1) additional year at their own expense. If not completed within five (5) years of entry, such Fellows are liable for all monies expended on their behalf on the same terms as are set out in paragraph (b) of this section;

(d) Fellows may be assigned one (1) full time equivalent position work load for one (1) year prior to entering a doctoral program. Fellows may be given special assignments while completing their dissertations.

§ 15706. Application Forms and Notices.

The Board of Regents of the University shall prescribe by regulation the necessary application forms, eligibility requirements and procedures for award of the fellowships. No more than five (5) fellowships shall be awarded per year and at no time will there be more than a total of ten (10) Fellows in the program.

SOURCE: Added by P.L. 21-15:3.

§ 15707. Sunset Provision of Fellowships Under This Article.

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No new Fellowships shall be awarded under the provisions of this Article after the School Year 1999 - 2000. Doctoral scholarships shall be awarded pursuant to the Professional and Technical Awards provisions under Article 4A of this Chapter.

SOURCE: Added by P.L. 25-086:5 (Nov. 23, 1999).

ARTICLE 8
NURSING LOANS

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning Award Year 2013-2014, financial assistance awards would be granted only as specified in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

NOTE: P.L. 20-029:2 (June 13, 1989) added Article 6 to this chapter. Renumbered as Article 8 by the Compiler since Articles 6 and 7 already exist. Sections in this article reflect the change.

- § 15801. Students Entitled to Loans.
- § 15802. Benefits.
- § 15803. Repayment of Loans.
- § 15804. Repayment of Tuition, Fees and Transportation.
- § 15805. Forfeiture of Awards.

§ 15801. Students Entitled to Loans.

There are established three (3) annual loan awards for graduate studies in nursing, including 'summer-long' programs. Funds appropriated for the purpose of providing annual nurse loan awards, and which are not totally expended may be used in succeeding years so as to increase the number of annual awards or loans. Annual awards shall be given to those applicants who have been accepted or who have been admitted to a graduate program in nursing, including a 'summer-long' program. The awards provided in this Article are subject to the following limitations:

- (a) A recipient must be a bona fide resident of Guam and a United States citizen or a permanent resident alien and must have achieved an overall grade point average of 3.0,

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based on a 4.0 maximum grade point system, in such applicant's undergraduate studies or an irrevocable letter of acceptance from an accredited professional school.

(b) The applicant must agree that after completion of the course of studies for which the award was granted, such applicant will return to work on Guam in the nursing profession for a period of one (1) year for each Three Thousand Dollars (\$3,000) received under the award.

(c) The applicant must present to the Board of Regents of the University of Guam (the "Board") prior to the granting of the award satisfactory proof that such applicant has been admitted as a full-time student to a U.S. accredited college or university offering graduate nursing programs and/or a 'summer-long' program to pursue a graduate degree in nursing.

(d) The Board shall select recipients of the awards upon the basis of scholastic ability, financial need, aptitude and health as well as the likelihood of the recipient returning for employment in the nursing profession on Guam.

SOURCE: Added by P.L. 20-029:2 (June 13, 1989).

§ 15802. Benefits.

Students eligible for loans pursuant to this Article shall receive the following benefits:

(a) Payment of tuition and fees for a period of not more than four (4) scholastic years.

(b) An annual grant loan of not more than Five Thousand Dollars (\$5,000) per year to be disbursed in accordance with regulations adopted by the Board, such loans to be non-interest bearing except as to unpaid delinquent amounts. In no case shall the total amount loaned to a single individual under this subparagraph exceed the sum of Twenty Thousand Dollars (\$20,000).

SOURCE: Added by P.L. 20-029:2 (June 13, 1989).

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§ 15803. Repayment of Loans.

(a) Every student awarded a loan pursuant to this Article shall execute a promissory note, guaranteed by such other person(s) as the Board requires, agreeing to repay said loan over a period to be determined by the Board, but not to exceed ten (10) years from the contemplated date of completion of the course of studies for which the award was approved. Said promissory note shall be non-interest bearing except that it shall provide for interest in the amount of six percent (6%) on unpaid delinquent amounts which are due and payable under the terms of the note.

(b) Every student awarded a loan pursuant to this Article shall receive credit against amounts due under the promissory note as follows:

(1) At the rate of Three Thousand Dollars (\$3,000) for each year during which such borrower is employed in the nursing profession on Guam. No amounts under a promissory note executed pursuant to this 15603 shall be considered due and payable during the period that any such person is so employed.

SOURCE: Added by P.L. 20-029:2 (June 13, 1989).

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with “Lowercase Roman Numerals” to “Numbers” in subsection (b).

§ 15804. Repayment of Tuition, Fees and Transportation.

(a) Every student awarded tuition, fees and transportation pursuant to paragraphs (a) and (b) of [§]15803 of this Article shall execute a promissory note agreeing to repay said tuition fees and transportation costs over a period not to exceed ten (10) years in the event that such borrower does not return to Guam within three (3) months following completion of such student’s course of studies and become employed in the nursing profession on Guam for a period of not less than five (5) years.

(b) In the case of the failure of a student to return to Guam within three (3) months following completion of such student’s course of studies or to be employed in the nursing profession on

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Guam for a period of not less than five (5) years, the Board shall declare in effect the repayment provisions provided in subsection (a) of this [§] 15804; provided, however, that the Board may extend the time of return for a period of not to exceed two (2) years upon written request of the student and upon a showing to the satisfaction of the Board of good cause for such extension.

SOURCE: Added by P.L. 20-029:2 (June 13, 1989).

§ 15805. Forfeiture of Awards.

Expulsion from a school or institution attended, or suspension for a period of the same or greater than one (1) academic semester or its equivalent in such school or institution, or failure to complete the program for which the loan was approved, or failure to comply with the regulations of the Board shall result in forfeiture of the loan provided by this Article. For purposes of this Article a student shall be considered to have completed such student's course of studies upon the event or events of forfeiture as provided in this § 15805.

SOURCE: Added by P.L. 20-029:2 (June 13, 1989).

ARTICLE 9
“DOC SANCHEZ” SCHOLARSHIPS

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA. Awards under the “Doc Sanchez” program would continue, as mandated by 17 GCA § 28404.

Pursuant to the authority granted by 1 GCA § 1606, the Compiler moved this article from Chapter 15 to Chapter 28 as a new Article 5, and renumbered the provisions accordingly.

ARTICLE 10
NURSING TRAINING

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA. Awards under the Nursing Training program would continue, as mandated by 17 GCA § 28404.

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Pursuant to the authority granted by 1 GCA § 1606, the Compiler moved this article from Chapter 15 to Chapter 28 as a new Article 6, and renumbered the provisions accordingly.

ARTICLE 11
GRADUATE DEGREE IN SOCIAL WORK PROGRAM

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning Award Year 2013-2014, financial assistance awards would be granted only as specified in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

SOURCE: This Chapter was repealed and reenacted by P.L. 24-112:2 (Dec. 4, 1997).

NOTE: This was formerly Chapter 22 of this Title and recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151101. Graduate Degree in Social Work Program:
Establishment.**

The University shall establish a Masters in Social Work ('MSW') Program and seek accreditation by the Council on Social Work Education for both the Bachelors in Social Work ('BSW') and MSW Programs. The curriculum shall be developed by the social work faculty with advice from an advisory committee which is a representative of students, professional organizations and employing agencies in Guam and the region. This committee shall be tasked with providing input to the social work faculty to ensure that the program is responsive to the needs of Guam and Micronesia. This masters degree in social work program shall be established no later than three (3) years following enactment of this Chapter.

ARTICLE 12
HERO SCHOLARSHIP PROGRAM

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), beginning Award Year 2013-2014, financial assistance awards would be granted only as specified in Chapter 28 of Title 17, GCA. Financial assistance will no longer be granted under this program.

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NOTE: This was formerly Chapter 25 of this title. Recodified to this chapter by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

CROSS-REFERENCES: For funding source see 7 GCA § 9509.

- § 151200. Establishment.
- § 151201. Definitions.
- § 151202. Entitlement to Scholarship.
- § 151203. Scholarship Benefits.
- § 151204. Funding of Scholarship Program.
- § 151205. Administration.
- § 151206. Fund Established.

§ 151200. Establishment.

There is hereby established the ‘Hero Scholarship Program’ to commemorate the men and women peace officers killed in the line of duty. The Hero Scholarships shall be given to the children of peace officers killed in the line of duty for undergraduate studies at the University of Guam (‘University’), or the Guam Community College (‘College’).

SOURCE: Added by P.L. 26-101:2 (June 7, 2002) as 17 GCA § 25100. Recodified to this chapter by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

§ 151201. Definitions.

The following definitions shall be used in interpreting this Chapter:

- (a) ‘Peace Officers’ means:
- (1) all officers, including reservists of the Guam Police Department;
 - (2) all fire fighter personnel engaged in the enforcement of the Fire Prevention Code and those whom the Fire Chief specifically designates;
 - (3) all Marshals and Probation Officers of the Superior Court of Guam, and all Marshals of the Supreme Court of Guam;
 - (4) all uniformed Correction Officers and Parole Officers of the Department of Corrections;

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(5) all officers of the Customs and Quarantine Agency;

(6) all employees of the Department of Youth Affairs who are engaged in juvenile detention and rehabilitation work, as designated by the Director of the Department of Youth Affairs;

(7) all Conservation Officers of the Division of Aquatic and Wildlife Resources of the Department of Agriculture;

(8) all Territorial Park Patrol Officers of the Department of Parks and Recreation;

(9) those employed by the Attorney General's Office whom the Attorney General specifically designates, and investigators of the Department of Law;

(10) all officers of the Guam Airport Police;

(11) all uniformed Airport Rescue and Fire Fighting Personnel of the A. B. Won Pat Guam International Airport Authority; and

(12) all officers of the Guam Port Police.

(b) 'Child' means a natural, adopted or stepchild child who is under eighteen (18) years of age at the time of death of the peace officer.

(c) 'Killed' means that the death of the peace officer is the direct and proximate result of a traumatic injury in the line of duty.

(d) 'Traumatic injury' means a condition of the body caused by external force, including, but not limited to, an injury inflicted by bullet, explosive, sharp instrument, blunt object or other physical blow; fire; smoke; chemical; electricity; climatic condition; infectious disease; radiation; or bacteria, but excluding an injury resulting from stress, strain or occupational disease.

(e) 'Line of duty' means an action that a peace officer is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, including, but not limited to, a social, ceremonial or athletic function that the peace officer is

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assigned to or compensated for by the public agency the person serves.

SOURCE: Added by P.L. 26-101:2 (June 7, 2002) as 17 GCA § 25101. Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

§ 151202. Entitlement to Scholarship.

The University or the College is authorized to approve scholarships for undergraduate studies to qualified applicants who have been accepted or admitted to the University or the College. The scholarships provided in this Chapter are subject to the following limitations:

(a) the applicant must be a child of a peace officer killed in the line of duty;

(b) the applicant must apply for the scholarship before the age of twenty-one (21) years;

(c) the applicant must be a bona fide resident of Guam; and

(d) the scholarship recipient shall maintain an overall grade point average of 3.0 or higher during the term of the scholarship.

SOURCE: Added by P.L. 26-101:2 (June 7, 2002) as 17 GCA § 25102. Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

§ 151203. Scholarship Benefits.

Each scholarship recipient shall be entitled to the following benefits from funds appropriated for the Hero Scholarship Program: Payment of tuition and fees. The Judicial Council shall disburse annual scholarship payments for a qualified applicant when the Judicial Council receives certification from the University or College of the qualified applicant's eligibility and enrollment.

SOURCE: Added by P.L. 26-101:2 (June 7, 2002) as 17 GCA § 25103. Amended by P.L. 29-113:VI:84 (Sept. 30, 2008). Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

§ 151204. Funding of Scholarship Program.

Notwithstanding any other provision of law, and upon certification by the University or the College of a qualified

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applicant to the Hero Scholarship Program, the Judicial Council shall transfer the necessary amounts from the Judicial Building Fund, up to a maximum of Twenty Thousand Dollars (\$20,000.00) per year, to the Hero Scholarship Program Fund for the sole express purpose of funding the Hero Scholarship Program.

SOURCE: Added by P.L. 26-101:2 (June 7, 2002) as 17 GCA § 25104. Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

§ 151205. Administration.

The University or the College shall administer the Hero Scholarship Program. The University or the College shall henceforth keep all financial records and all official administrative and academic records dealing with the current and former participants of the Hero Scholarship Program.

SOURCE: Added by P.L. 26-101:2 (June 7, 2002) as 17 GCA § 25105. Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

§ 151206. Fund Established.

There is hereby created, separate and apart from other funds of the government of Guam, a fund to be known as the “Hero Scholarship Program Fund” (“Fund”). The Fund shall not be commingled with the General Fund and shall be kept in a separate bank account, administered by the Judicial Council. The Fund shall be expended pursuant to this Chapter.

SOURCE: Added by P.L. 26-101:3 (June 7, 2002) as uncodified law. Codified as § 17 GCA § 25106. Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

ARTICLE 13

THE DR. ANTONIO C. YAMASHITA TEACHER CORPS

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA. Awards under The Dr. Antonio C. Yamashita Teacher Corps program would continue, as mandated by 17 GCA § 28404.

Pursuant to the authority granted by 1 GCA § 1606, the Compiler moved this article from Chapter 15 to Chapter 28 as a new Article 7, and renumbered the provisions accordingly.

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ARTICLE 14

**EVERY CHILD IS ENTITLED TO
A HIGHER EDUCATION SCHOLARSHIP PROGRAM**

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards would be granted only as provided by Chapter 28 of Title 17, GCA. Awards under the Every Child is Entitled to a Higher Education Scholarship Program would continue, as mandated by 17 GCA § 28404.

Pursuant to the authority granted by 1 GCA § 1606, the Compiler moved this article from Chapter 15 to Chapter 28 as a new Article 8, and renumbered the provisions accordingly.
