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**DIVISION 3  
UNIVERSITY OF GUAM**

- Chapter 15. Student Financial Assistance Programs.
- Chapter 16. Administration.
- Chapter 17. The University of Guam Revenue Bond Act of 1966.
- Chapter 18. Teacher Training.
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**CHAPTER 15  
STUDENT FINANCIAL ASSISTANCE PROGRAMS**

**2009 NOTE:** P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education. References to Guam Public School System have been changed to Department of Education pursuant to P.L. 30-050:3.

- Article 1. Administration.
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**ARTICLE 1**  
**ADMINISTRATION**

- § 15101. Definitions.
- § 15102. Administration.
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- § 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:

(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

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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.

**§ 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, 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.**

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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. 16-28. Repealed and reenacted by P.L. 24-59:III:1. Amended by P.L. 25-03:III:2(b).

**§ 15108. Prohibition.**

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

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repayment of such assistance and a judgment has issued. Such garnishment shall not exceed the judgment amount.

SOURCE: Added by P.L. 27-51:1.

**§ 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 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).

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**ARTICLE 2  
STUDENT LOANS**

SOURCE: Sections 15201-15204 amended by P.L. 25-85:1.

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- § 15201. Students Entitled to Loans.
- § 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 completion of graduation requirements, inclusive of a 2.5 grade point average.

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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:** Amended by P.L. 25-145:2. Amended by P.L. 26-4:2.

**§ 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.

**§ 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:

(i) 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) 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.

**§ 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 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, as R/R by P.L. 11-138, Subsections (c) and (d) added by 19-37:2. Subsection (b) amended by P.L. 21-136:19(b). ENTIRE ARTICLE repealed/reenacted by P.L. 25-85:1.

**§ 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.

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**ARTICLE 3**  
**MERIT AWARDS TO THE UNIVERSITY OF GUAM**

- § 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 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 :

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(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.

(a.1) 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.

(b) 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.

(c) 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.

(d) 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

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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, as amended by P.L. 16-28; R/R by P.L. 18-07:13, and R/R by P.L. 19-37:4. First paragraph amended by P.L. 21-136:34. Entire section amended by P.L. 24-230:2.

**§ 15302. 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;

(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. 16-28, Subsection (b) amended by P.L. 17-25; further amended by P.L. 18-07:13, Subsection (d) added by P.L. 18-10:14.

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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. 25-86:3.

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

**SOURCE:** This Article 3A was enacted by P.L. 25-86:1.

- § 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

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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 § 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:

(i) 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.

(ii) 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 offered, such student cannot accept such an award after it has been

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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:** Amended by P.L. 25-145:3. Subsection (a)(1) amended by P.L. 26-42:3. 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).

**§ 15A302. Benefits.**

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

(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 § 15A101(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: (i) First-Year and Second-Year Students: Three

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Hundred Dollars (\$300.00) per month; (ii) 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 exceed the amount of assistance for a student attending school at the University of Guam.

**SOURCE:** Amended by P.L. 26-42:1.

**§ 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.

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(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 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.

**§ 15A304. Rules and Regulations.**

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

**§ 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.

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**SOURCE:** Amended by P.L. 25-145:4.

**NOTE:** P.L. 25-145:5 stated:

Authority to Extend Application Date. Notwithstanding any other provision of law or Administrative Rules and Regulations, the Board of Regents of the University of Guam may and is hereby authorized to extend the application date of financial assistance applications beyond April 30, 2000 for Awards to be made during the calendar year 2000.

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**ARTICLE 4**  
**PROFESSIONAL AND TECHNICAL AWARDS**

- § 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 must have achieved an overall grade point average of 3.0 or its equivalent in such

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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. 19-37:5.

**§ 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 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:

(i) 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 (b) is repealed by P.L. 19-37:6. Subsection (b) amended by P.L. 21-136:19(c).

**§ 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 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.

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**§ 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. 25-86:4.

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**ARTICLE 4A  
PROFESSIONAL AND TECHNICAL AWARDS  
(FOR SCHOOL YEARS 2000 - 2001 AND THEREAFTER)**

SOURCE: This Article was added by P.L. 25-86:2.

- § 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

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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 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.

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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:** Amended by P.L. 26-42:4.

**§ 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.

**§ 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

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

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(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.

**§ 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 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.

**§ 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:

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- (1) conditions for continuance of an Award;
- (2) construction of applicable promissory notes;
- (3) time frames for the completion of program studies; *and*
- (4) 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.

**§ 15A406. Applicability of this Article.**

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

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

- § 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. 16-28, further amended by P.L. 17-64:9.

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**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. 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. 16-28.

**§ 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. 16-28.

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

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

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§ 15605. Promotion of Scholarship.

**§ 15601. Declaration of Public Policy.**

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. 19-37:8.

**§ 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. 19-37:8.

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

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(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, geothermal 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. 19-37:8. Subsection (c) amended by P.L. 24-187:2. Amended by P.L. 26-53:1.

**§ 15604. Benefits.**

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

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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. 19-37:8. Subsection (a) amended by P.L. 24-187:3. Amended by P.L. 26-53:2.

**§ 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 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. 19-37:8.

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**ARTICLE 7  
DOCTORAL SCHOLARSHIPS**

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**SOURCE:** Article 7 was enacted by P.L. 21-15 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.

**§ 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;

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(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;

(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;

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(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.**

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. 25-86:5.

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**ARTICLE 8  
NURSING LOANS**

SOURCE: This entire Article was enacted by P.L. 20-29:2 as Article 6. Articles 6 and 7 are already occupied, so the Compiler placed this Article as Article 8.

- § 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

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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, 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.

**§ 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).

**§ 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

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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:

(i) 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.

**§ 15804. Repayment of Tuition, Fees and Transportation.**

(a) Every student awarded tuition, fees and transportation pursuant to paragraphs (a) and (b) of 15603 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 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 15604; 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.

**§ 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

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such student's course of studies upon the event or events of forfeiture as provided in this § 15805.

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**ARTICLE 9**  
**“DOC SANCHEZ” SCHOLARSHIPS**

**NOTE:** This Article was added by P.L. 19-45 as an uncodified law. Amended by P.L. 21-110:20, P.L. 21-136:IV:16, and P.L. 22-112:4. P.L. 23-111:1 repeals and reenacts P.L. 19-045 as a new Chapter 15, Title 4, Guam Code Annotated. Recodified as Article 9, Chapter 15 of this title to coincide with other educational scholarships by Compiler.

- § 15901. Legislative Intent.
- § 15902. Scope of the Program.
- § 15903. Number of Scholarships.
- § 15904. Selection of Scholarship Recipients.
- § 15905. Responsibility of the Agency.
- § 15906. Responsibility of the Scholarship Recipient.
- § 15907. Funding for the Scholarship Program.
- § 15908. Availability of Scholarship Program.
- § 15909. Responsibility.
- § 15910. Support and Budgeting.
- § 15911. No Disruption of Government Service.
- § 15912. University of Guam Clearance Required Upon Separation.

**§ 15901. Legislative Intent.**

The Organic Act of Guam and local law provides that the government of Guam shall establish a career service based on merit and adopt measures to promote morale, efficiency and integrity in the government service. The development and retention of a competent workforce in the supervisory and managerial ranks of the public service is a primary concern of the government. To attain this objective, it is necessary that career government personnel be provided with opportunities for professional academic growth and development. The purpose of this Act is to establish a government-wide scholarship program in public administration and in other undergraduate degree programs offered at the College of Business and Public Administration, University of Guam, and the graduate M.P.A. and M.B.A. Programs offered at the College of Business and Public Administration, University of Guam. It shall be the aim of this program to support qualified

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career employees of all departments, agencies, offices, autonomous or semi-autonomous instrumentalities of the Government of Guam and the Judiciary who desire to take up undergraduate studies in public administration or in other undergraduate degree programs offered at the College of Business and Public Administration, University of Guam and the graduate M.P.A. and M.B.A. Programs offered at the College of Business and Public Administration, University of Guam.

No one person contributed more to the advancement of education on our island than the late Honorable Pedro "Doc" Sanchez. Senator Sanchez had a distinguished career as an educator and as a public administrator along with his other achievements in the private sector. The legislature finds it a fitting memorial to him to name this scholarship program in his honor as a continuing tribute to his numerous, noteworthy contributions on this Territory.

**§ 15902. Scope of the Program.**

The Pedro "Doc" Sanchez Professional Scholarship for Career Employees of the Government of Guam shall be available to all classified government employees who belong to the career service of the Government of Guam, including the Judiciary, who desire undergraduate studies in public administration, or in other undergraduate degree programs offered at the College of Business and Public Administration, University of Guam, or who wish to enroll in the graduate M.P.A. or M.B.A. Program offered at the College of Business and Public Administration, University of Guam, subject to the conditions established in §§ 15103 through 15105 of this Chapter.

**§ 15903. Numbers of Scholarships.**

Each department, agency, office and autonomous or semi-autonomous instrumentality of the Government of Guam and the Judicial Branch may be granted one scholarship for every fifteen career employees in the agency at one time for each academic year at the University of Guam. Those agencies with less than fifteen career employees may grant one scholarship.

**§ 15904. Selection of Scholarship Recipients.**

(a) The Chair and faculty of the Department of Public Administration and Legal Studies shall conduct interviews each semester (Fall, Spring, Summer) for the purpose of selecting scholarships recipients under this program. The passing of such interviews and a careful evaluation of the government service reward and application packets of the candidates shall

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be considered in the selection of the scholarship recipients. The Chair and faculty of the Department of Public Administration and Legal Studies, shall prescribe qualifications for admission to the scholarship program.

(b) Applicants from the departments, agencies, offices and autonomous or semi-autonomous instrumentalities of the Government of Guam and the Judiciary shall be interviewed at a time and place designated by the Chair of the Department of Public Administration and Legal Studies.

(c) In instances where the number of nominees of the Judicial Branch or a department, agency, office, autonomous or semi-autonomous instrumentality of the Government of Guam who are eligible for scholarship awards exceeds the scholarship slots which are available pursuant to § 15103 of this Chapter, candidates of that agency who obtained the higher overall ratings shall be preferred over those with lower ratings. Eligible applicants who were not selected for an award due to slot limitations or limited scholarship funds may reapply during the next scholarship application period to reactivate their application.

**§ 15905. Responsibility of the Agency.**

(a) Employees enrolled in this program shall be allowed administrative leave with pay to attend classes during working hours. In the case of graduate M.P.A. and M.B.A. students, the agency shall allow full-time administrative leave with pay during the last semester in which the scholarship recipient performs required research toward his or her special project or thesis. Actual class time shall not be used for the accumulation of overtime, nor compensatory time.

**§ 15906. Responsibility of the Scholarship Recipient.**

(a) The scholarship grantee shall enroll for an undergraduate degree in Public Administration or in any other undergraduate degree program offered at the College of Business and Public Administration, University of Guam, or shall enroll in the graduate M.P.A. degree or M.B.A. degree program at the College of Business and Public Administration, University of Guam, immediately after being awarded the scholarship. Undergraduate scholarship recipients who choose to enroll in a degree program other than Public Administration at the College of Business and Public Administration, in keeping with the intent of the scholarship program, shall be required to minor in Public Administration in order to ensure that all scholarship recipients are professionally trained in modern Public

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Management techniques. Failure to do so shall result in the automatic forfeiture of the scholarship.

Upon selection for participation in the Sanchez Scholarship Program, continuation of recipients in the program shall be based upon meeting the academic standards of the University of Guam as specified in policies published in the official Undergraduate and Graduate Bulletins (Catalogues) of the University of Guam. Based upon meeting the academic standards of the University of Guam as published in the Undergraduate and Graduate Bulletins, Sanchez recipients may enroll in required degree courses during the Fall, Spring, Summer and Intercession Semesters.

(b) Each scholarship grantee shall enroll for not less than six (6) academic units and not more than eighteen (18) academic units per regular fall and spring semesters at the University of Guam during the period of his or her study grant. Scholarship recipients may also enroll in a minimum of three (3) credit hours during the summer and Intercession Semesters to meet degree requirements. In no case, however, shall a scholarship grantee be allowed more than seven (7) consecutive years, from the date of original enrollment, to finish the undergraduate degree at the College of Business and Public Administration or more than four (4) consecutive years, from the date of original enrollment, to finish the graduate degree in Public Administration or Business Administration (M.P.A. and M.B.A.).

(c) Each scholarship grantee shall be required to submit semestral progress reports on his or her studies accompanied by a certified grade report to the head of the agency in which he or she is employed. This report shall contain information on: (1) the subjects enrolled in which satisfy undergraduate College of Business and Public Administration or graduate M.P.A. degree or M.B.A. degree requirements at the University of Guam; (2) subjects completed with the corresponding grades and weights in academic units at the end of every semester; and (3) other matters pertinent of the scholarship which shall be required from time to time by the agency head.

(d) Upon completion or termination of the scholarship, the recipient shall be required to render service in a department, agency, office, autonomous or semi-autonomous instrumentality of the government of Guam, or in the judicial branch of government of Guam. The required length of service to be rendered shall be for a period of two (2) years for every academic year of scholarship received by the recipient. The recipient, however, may opt to monetarily reimburse the government of Guam for all

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the expenses paid by the government of Guam, or the autonomous agency that incurred the cost for the recipient, in connection with such study grant.

(e) Upon the effective date of this Act, the grantee will be eligible for a mandatory pay merit increase upon graduation. The grantees entered into the program, as evidenced with the awarding of an undergraduate *or* graduate degree in Public Administration *or* Business Administration by the University of Guam, *or* in any other undergraduate degree program offered at the School of Business and Public Administration and who minor in Public Administration, *shall* be entitled to receive a one (1)-step merit pay raise from the department, agency, office, autonomous *or* semi-autonomous instrumentality of the government of Guam *or* the Judiciary in which he *or* she is employed effective FY2008 following official certification by the University of Guam that the grantee has completed all degree requirements.

Government Employees who were enrolled in the Pedro “Doc” Sanchez Scholarship Program and graduated with a degree between the enactment of Public Law 23-111 and the enactment of this Section who would otherwise have received the one (1)-step merit pay raise, *shall* be entitled to the same incentive benefit, provided that the employee is an active employee at the time of enactment of this Section and the merit pay increase *shall not* be retroactive. Awarding of the one (1)-step merit pay raise *shall* be subject to the availability of funds.

(f) Scholarship recipients shall maintain an overall grade point average of 2.5 for undergraduate students and 3.0 for graduate students.

(g) The provisions of subsection (e) of this Section *shall not* apply to any new enrollees of the Pedro “Doc” Sanchez Program after December 31, 2008.

**SOURCE:** Subsection (d) amended by P.L. 27-135:1. Subsection (f) added by P.L. 23-128:IV:6. Subsection (e) amended P.L. 29-137:2 (Jan. 30, 2009). Subsection (g) added by P.L. 29-137:3 (Jan. 30, 2009). Subsection (e) amended by P.L. 30-067:2 (Nov. 27, 2009).

**NOTE:** Pursuant to P.L. 30-067:3, the provisions of subsection (e) *shall* retroactively apply to enrollees *prior* to December 31, 2009.

**§ 15907. Funding for the Scholarship Program.**

(a) The University of Guam shall extend full support and complete assistance for the Pedro ‘Doc’ Sanchez Professional Scholarship for Career Employees of the government of Guam as mandated by this Act by budgeting for scholarship funds to support scholarship grantees.

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(b) Beginning with the academic year 2004-2005, all awards for participants of the scholarship program herein who are employed by autonomous agencies shall be paid for by their respective autonomous agencies as defined by Title 12 of the Guam Code Annotated, except for employees of the Guam Educational Telecommunications Corporation who shall continue to have their awards paid for through appropriation by I Liheslaturan Guåhan [the Guam Legislature].

**SOURCE:** Amended by P.L. 27-53:1.

**§ 15908. Availability of Scholarship Program.**

(a) The Chair of the Department of Public Administration and Legal Studies of the College of Business and Public Administration of the University of Guam, shall be responsible for disseminating scholarship information on a regular basis throughout the government of Guam.

(b) The Chair of the Department of Public Administration and Legal Studies of the College of Business and Public Administration, at the University of Guam, and his or her co-faculty members shall conduct interviews prior to the start of each Fall, Spring and Summer semesters for the purpose of selecting scholarship recipients under this program. The Chair shall invite representatives from each of the academic departments of the College of Business and Public Administration, University of Guam, to serve as a member of the interview board. The passing of the oral interviews, the meeting of established University of Guam entrance and academic requirements, and a demonstrated long-term commitment to excellence in the public service of the government of Guam shall constitute the primary criteria for selection of scholarship recipients. The Chair and faculty of the Department of Public Administration and Legal Studies shall prescribe qualifications for the admission and continuation of recipients in the scholarship program based upon the academic standards of the University of Guam as specified in policies published in the official Undergraduate and Graduate Bulletins (Catalogues) of the University of Guam.

Applicants from the departments, agencies, offices, or units of the Executive and Judicial branches of the government of Guam shall meet University of Guam academic requirements and shall be interviewed at a time and place designated by the Chair and faculty of the Department of Public Administration and Legal Studies.

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(c) All funds appropriated by the Legislature for the Pedro "Doc" Sanchez Professional Scholarship for Career Employees of the Government of Guam, previously allocated to fund the scholarship program for the current fiscal year shall be immediately transferred by the Department of Administration and the Bureau of Budget and Management Research to the University of Guam within (15) days of the effective date of this Section. The University of Guam shall henceforth keep all financial records and all official administrative and academic records dealing with the current and former participants of the scholarship program through the Department of Public Administration and Legal Studies at the College of Business and Public Administration, University of Guam (for program and academic administration of the scholarship program) and through the Office of Financial Affairs (for the business activities of the scholarship program).

**§ 15909. Administration.**

The Program shall be administered by the Chair of the Department of Public Administration and Legal Studies to include program budgeting, compensation, staffing implementation of policies and procedures and other duties and responsibilities of program management.

**SOURCE:** Repealed and reenacted by P.L. 23-128:IV:7.

**§ 15910. Support and Budgeting.**

(1) The College of Business and Public Administration, University of Guam, shall provide the logistics, office space and other needed support to assist the Chair of the Department of Public Administration and Legal Studies in the administration of the Pedro "Doc" Sanchez Scholarship Program for Career Employees of the government of Guam ("the Program"). The Chair of the Department of Public Administration and Legal Studies shall reflect the financial and other material needs to cover these costs and the costs of the scholarships to be awarded in the yearly Departmental budget request of the College of Business and Public Administration, University of Guam and shall submit the same to the Legislature via the University of Guam. The budget request shall also include the projected monies needed for tuition, fees and textbooks of the scholarship recipients, and the personnel costs for the administrative daily oversight of the Program.

In order to keep the administrative costs to a minimum, the Chair of the Department of Public Administration and Legal Studies shall select a person knowledgeable about this program to appoint to the position of

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program coordinator in the classified service of the government of Guam. The program coordinator shall manage the daily oversight of the Program. The general responsibilities of the program coordinator, under the direct supervision of the Chair of the Department of Public Administration and Legal Studies, shall be to plan, develop, implement and manage the Pedro “Doc” Sanchez Professional Scholarship for Career Employees of the government of Guam.

There is hereby created the position of Program Coordinator in the classified service of the government of Guam.

(2) Based on the established criteria of the various academic undergraduate degree programs at the College of Business and Public Administration, College of Agriculture and Life Sciences and the College of Arts and Science at the University of Guam, the Chair and faculty of the Department of Public Administration and Legal Studies shall interview, select and award scholarships to eligible applicants of the Pedro ‘Doc’ Sanchez Professional Scholarship for Career Employees of the government of Guam. Successful scholarship applicants may major in any undergraduate degree program in the College of Business and Public Administration, the College of Agriculture and Life Science and the College of Arts and Science at the University of Guam. Successful scholarship applicants, other than Public Administration majors, must pursue a minor in Public Administration.

(3) The Chair and faculty of the Department of Public Administration and Legal Studies at the College of Business and Public Administration, University of Guam, with the assistance of other academic unit Chairs of the College of Business and Public Administration, shall periodically make an assessment of the professional staffing needs of the Government of Guam and the Judiciary and assess the adequacy and up to dateness of the professional undergraduate degree programs of the College of Business and Public Administration, University of Guam, to the President of the University of Guam and to the Board of Regents of the University of Guam.

(4) The Chair and faculty of the Department Public Administration and Legal Studies, with the support of the College of business and Public Administration, University of Guam, shall do any and all necessary to properly carry out the intent and purposes of the Pedro “Doc” Sanchez Professional Scholarship of Career Employees of the Government of Guam.

**SOURCE:** Repealed and reenacted by P.L. 23-128:IV:8. Subsection (2) repealed and reenacted by P.L. 24-59:IV:13.

**§ 15911. No Disruption of Government Service.**

The Director of the agency or department whose employee has been awarded a scholarship under this law shall balance the need to support the scholarship recipients in the minimum number of six (6) credit hours as required by the program per semester to enable the recipient to graduate within seven (7) years for an undergraduate degree or four (4) years for a graduate degree and the need to ensure that the agency's or department's operations are not hindered and that government service to the public is not impaired due to the recipient's absence from work because of class schedules.

In balancing these needs, the Director shall have the discretion to approve or disapprove the employee's class schedule, or to limit the number of credit hours enrolled per semester, provided that a written justification is made by the Director concerning the critical need of services by the employee and that government service to the public will be hindered or substantially impaired if the employee's proposed class schedule be approved. The Director shall exercise his or her discretion in good faith and not unreasonably disapprove or limit employees proposed class schedule unless good cause is shown.

**SOURCE:** Repealed and reenacted by P.L. 23-128:IV:9.

**§ 15912. University of Guam Clearance Required Upon Separation.**

The heads of all government of Guam agencies and instrumentalities shall require that all employees of their respective agencies who have received scholarship assistance pursuant to this Article obtain a clearance from the University of Guam prior to the employee's separation from employment in the government of Guam. UOG shall grant the clearance if the recipient has:

- (a) repaid the assistance provided through service credit; or
- (b) repaid the assistance provided; or
- (c) arranged to repay the assistance through a periodic payment plan that complies with Title 17 GCA § 15112.

The head of the agency or instrumentality shall not authorize the payment of any accrued and payable leave or release of retirement fund contributions to the employee until he obtains the clearance.

**SOURCE:** Added by P.L. 28-149:II:VI:7 (Sept. 30, 2006).

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**ARTICLE 10**  
**NURSING TRAINING**

**NOTE:** This was formerly Chapter 19 of this Title and recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

- § 151001. Findings and Purpose.
- § 151002. Stipends.
- § 151003. Selection of Trainees.
- § 151004. Employment of Trainees: Reimbursement.
- § 151005. In-service Training for Resident Nurses.
- § 151007. Graduate Nurses Corps established.
- § 151008. Annual report and budget request.
- § 151009. Garnishment of Income Tax Refunds in the event of default.
  
- § 151010. Garnishment of Income Tax Refunds in the Event of Default.

**§ 151001. Findings and Purpose.**

The Legislature finds, that there is a critical need for employment of additional nurses each year resulting in an ever-increasing financial burden upon the government of Guam in meeting its obligation to maintain a modern system of health care, that the problem is made more acute by an increasing shortage of adequately trained local nurses, and that the Government has thus failed in its efforts to induce adequate numbers of local students to seek a career in nursing.

**SOURCE:** § 11885 GC, as added by P.L. 11-161. Formerly, § 19101, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151002. Stipends.**

There are hereby established the following stipends for nursing students at the University of Guam:

- (1) A monthly allowance shall be paid to a nursing student recipient at the following rates: Freshmen, Two Hundred Fifty Dollars (\$250.00) per month; Sophomore, Three Hundred Seventy-five Dollars (\$375.00) per month; Junior, Five Hundred Dollars (\$500.00) per month; Senior and Graduate Standing, Six Hundred Twenty-five Dollars (\$625.00) per month.

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(2) As a condition for continuing full entitlement to the benefits provided in this Chapter, recipients must maintain a full-time enrollment, as defined by regulation of the University of Guam, and be of good academic standing. No recipient may receive benefits beyond the number of calendar years normally required to complete such nursing student's program.

(3) Registration, tuition and other related fees normally assessed by the University of Guam, and an allowance in the amount of Two Hundred Fifty Dollars (\$250.00), shall be allowed each recipient for each regular semester, and One Hundred Dollars (\$100.00) per summer session in which a nursing student is enrolled to cover costs of textbooks and supplies

**SOURCE:** § 11886 GC, as added by P.L. 11-161. Amended by P.L. 22-161:4(d); P.L. 25-137:1. Formerly, § 19102, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151003. Selection of Trainees.**

The program shall be open to any student who has completed high school, or is otherwise declared by the University of Guam as eligible for admission to the program; who is a United States citizen or permanent resident alien; *and* who has been a resident of Guam for *at least* one (1) year *prior to* the beginning of the academic semester or term the student is admitted, registered and enrolled in the program. The number of trainees who may enroll in the program annually shall be limited *only* by the capacity of the University of Guam and by funds made available to it by annual appropriation. In the event of limited space and/or funds, priority shall be given to students at the highest level of training and closest to the completion of their program. No student may receive stipends beyond the number of calendar years normally required to complete a training program.

Notwithstanding any other provision of law or administrative rules and regulations, students who hold a Bachelor's Degree in a subject other than nursing shall be eligible for the program, provided that such students meet all other requirements herein.

**SOURCE:** § 11887 GC, as added by P.L. 11-161. Amended by P.L. 26-09:1; P.L. 28-97:1 (Feb. 7, 2006). Formerly, § 19103, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151004. Employment of Trainees: Reimbursement.**

(a) As a condition of selection and enrollment in the program, each trainee shall agree to accept employment as a nurse, either professional or

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practical, in the public health system of Guam, including the Guam Memorial Hospital Authority, the Department of Public Health and Social Services, and the Department of Mental Health and Substance Abuse, as school health counselors in the Department of Education or the Guam Community College, or in private clinics licensed to do business on Guam, and to continue in such employment for a period of time equal to the period of training under the program.

(b) The recipient shall further agree that in the event of the recipient's failure or refusal to fulfill the obligation set forth in Subsection (a), the recipient shall then repay the government of Guam an amount equal to the total monthly allowances paid to the recipient pursuant to § 151002, including actual costs to the government for textbooks and supplies.

**SOURCE:** § 11888 GC, as added by P.L. 11-161. Amended by P.L. 26-22:1. Formerly, § 19104, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151005. In-service Training for Resident Nurses.**

Any non-contract professional or practical nurse employed by the government of Guam in a permanent position, who is a U.S. citizen and a *bona fide* resident of Guam, who lacks *not more than* two (2) years or their equivalent in requirements for a degree in nursing shall be entitled to enroll at the University of Guam for the purpose of completing work toward such degree as an in-service training program, whereby the recipient continues to receive the recipient's regular salary from the government of Guam, including all scheduled pay increases, so long as the recipient maintains passing work at the University of Guam, and so long as the program leading to the issuance of the degree in nursing is pursued; provided, however, that no person shall participate in such in-service program in excess of two (2) years or their equivalent.

In addition, every person who participates in such program shall be obligated to work for the government of Guam for a period of two (2) years for each year of training received, failing which the recipient shall be liable to repay the cost of the recipient's training to the government.

**SOURCE:** § 11889 GC, as added by P.L. 11-161. Amended by P.L. 26-22:3. Formerly, § 19105, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151006. [Vacant].**

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**SOURCE:** Formerly, § 19106, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151007. Graduate Nurses Corps Established.**

The University of Guam shall develop and establish a Graduate Nurses Corps that would meet academic and accreditation standards for a Masters in Nursing Degree. The Graduate Nurses Corps shall be established after the School of Nursing at the University of Guam has achieved accreditation from the National League for Nursing.

**SOURCE:** Added as § 19170 by P.L. 22-161:4(b) (12/30/94). Renumbered by Compiler. Formerly, § 19107, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151008. Annual Report and Budget Request.**

The University shall submit to the Governor and the Speaker of the Legislature an annual report and budgetary request to fund the programs established in this Chapter.

**SOURCE:** Added by P.L. 22-161:4(c) (12/30/94). Formerly, § 19108, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151009. Minimum Grade-Point-Average.**

For students entering the Nursing Training Program after the enactment of this Section, the *minimum* cumulative grade-point-average to remain in the program in good standing is ‘2.5.’ In the event such a student participating in the Nursing Training Program drops below the minimum cumulative grade-point-average herein, the student shall be placed on probation for a period to be determined by the Board of Regents, but such probationary period shall *not* exceed three (3) semesters *exclusive* of summers or inter-sessions.

**SOURCE:** Added by P.L. 26-22:2. Formerly, § 19109, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

**§ 151010. 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.

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**SOURCE:** Added by P.L. 27-51:3 as section 19109. Renumbered by Compiler because section 19109 already occupied. Formerly, § 19110, Chapter 19 of this Title, recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006).

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**ARTICLE 11**  
**GRADUATE DEGREE IN SOCIAL WORK PROGRAM**

**SOURCE:** This Chapter was repealed and reenacted by P.L. 24-112:2.

**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.

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**ARTICLE 12**  
**HERO SCHOLARSHIP PROGRAM**

**SOURCE:** This Chapter, except for § 151206 (formerly § 25106), was added by P.L. 26-101:2. Section 151206 was added by P.L. 26-101:3 as an uncodified, but permanent law and codified by the Compiler.

**NOTE:** This was formerly Chapter 25 of this title and recodified to Chapter 15 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').

**§ 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;

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(4) all uniformed Correction Officers and Parole Officers of the Department of Corrections;

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

**§ 151202. Entitlement to Scholarship.**

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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.

**§ 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:** Amended as § 25103 of this Title by P.L. 29-113:VI:84 (Sept. 30, 2008). However, Chapter 25 of this title was recodified to Chapter 15 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 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.

**§ 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.

**§ 151206. Fund Established.**

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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.

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**ARTICLE 13**  
**THE DR. ANTONIO C. YAMASHITA TEACHER CORPS**

**SOURCE:** Article added by P.L. 30-073:2 (Nov. 27, 2009).

- § 151301. The Dr. Antonio C. Yamashita Teacher Corps: Creation.
- § 151302. Administration of Teacher Corps.
- § 151303. Rules and Regulations.
- § 151304. Selection Committee.
- § 151305. Academic Advisor and Program Contract.
- § 151306. Teacher Corps Scholarships.
- § 151307. Same: Benefits.
- § 151308. Same: Those with *Prior* Baccalaureate Degree.
- § 151309. Same: For Specialist Teachers.
- § 151310. Same: For Non-education Majors.
- § 151311. Same: Prioritization of Scholarships According to Teaching Needs.
- § 151312. Reporting Requirements

**§ 151301. The Dr. Antonio C. Yamashita Teacher Corps: Creation.**

There is hereby created *The Dr. Antonio C. Yamashita Teacher Corps* (*Teacher Corps*). Awards granted under this Article *shall* be granted for AY2010-2011 and thereafter.

**§ 151302. Administration of Teacher Corps.**

The University of Guam Board of Regents *shall* administer this program pursuant to § 15102 of this Chapter.

**§ 151303. Rules and Regulations.**

All rules and regulations adopted by the Educator Corps Council *prior* to the enactment of this Article *shall* remain effective *unless* they are

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*amended or repealed* by the Board in a manner consistent with § 15105 of this Chapter.

**§ 151304. Selection Committee.**

(a) There *shall* be annually established a Yamashita Teacher Corps Evaluation and Selection Committee (the Committee) composed of the following:

(1) the Executive Director of the Guam Commission for Educator Certification;

(2) the Deputy Superintendent for Curriculum and Instructional Improvement of the Guam Department of Education, or its successor in interest;

(3) a high school teacher from the Guam Department of Education who has been a master teacher for at least one (1) semester, appointed by the Superintendent of Education;

(4) a middle school teacher from the Guam Department of Education who has been a master teacher for at least one (1) semester, appointed by the Superintendent of Education;

(5) an elementary school teacher from the Guam Department of Education who has been a master teacher for at least one (1) semester, appointed by the Superintendent of Education.

The Committee *shall* conduct interviews for the purpose of selecting scholarship recipients under the programs listed within this Article. The passing of the oral interviews and the meeting of established University of Guam entrance and academic requirements *shall* constitute the primary criteria for selection of scholarship recipients. The Board may prescribe additional qualifications for admission to the scholarship programs.

(b) Applications for the Yamashita Teacher Corps scholarship programs *shall* be received by April 30 of every year and applicants *shall* be interviewed at a time and place designated by the Committee *prior* to June 30. Awards *shall* be granted *prior* to July 30 in a written notice to the selected applicant, and the applicant's school administrator, if applicable.

**§ 151305. Academic Advisor and Program Contract.**

Each Yamashita Teacher Corps program scholarship recipient *shall* have an academic advisor who, with the student, *shall* develop a complete

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academic plan that would result in the granting of the applicable degree within the prescribed period of time. This plan *shall* be examined by the appropriate University official, as determined by the Board, and upon approval, *shall* constitute a contract between the student and the University.

**§ 151306. Teacher Corps Scholarships.**

The Yamashita Teacher Corps *shall* consist of students who have declared their intention to become educators and who are enrolled in the teacher educational programs at the University of Guam and who have been duly accepted into the Yamashita Teacher Corps Scholarship Program. Scholarship and financial assistance may be awarded to eligible students who meet the following criteria:

- (a) are *bona fide* residents of Guam;
- (b) are citizens *or* permanent resident aliens of the United States;
- (c) are seniors *or* graduates of an accredited high school with a cumulative grade point average of *not less than 2.5* on a 4.0 scale, *or* its equivalent;
- (d) have been admitted to the University of Guam in accordance with its admissions policies;
- (e) maintain a cumulative grade point average of 3.0 *or* better during the term of assistance under this program;
- (f) agree to practice education in a public school funded by the government of Guam in areas of need upon graduation and certification to practice on Guam. *If* no vacant teaching positions exist in such public schools in his *or* her area(s) of certification, a Teacher Corps graduate may teach in a private school on Guam towards meeting their Teacher Corps scholarship repayment obligations. The Guam Department of Education and the Guam Community College *shall* certify that *no* vacancies in the Teacher Corps graduates area(s) of certification exist *prior* to allowing private school employment. The required length of service to be rendered *shall* be for a period of one (1) year for every academic year of scholarship received by the recipient. For purposes of this Section, a year of service is equal to twelve (12) months. Only teaching service in public schools funded by the government of Guam and/or Guam private schools licensed by the government of Guam *shall* be credited for repayment of the Teacher Corps scholarship. Those Teacher Corps graduates who were allowed

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to teach in licensed private schools on Guam *shall* accept employment with the Guam Department of Education should a position in their area(s) of certification become available at the start of each semester until such time that their scholarship is repaid. The Guam Department of Education and the Guam Community College *shall* provide each eligible graduate a notice of available positions at least thirty (30) days *prior* to the required date of employment. The student further agrees that, in the event of refusal to fulfill this obligation, the student *shall* repay the government of Guam an amount equal to the balance of the total monthly allowances paid to the student which have *not* already been satisfied through service or payment, including tuition, stipends and the actual cost to the government of textbooks and supplies. Any deferment of repayment through services *shall* conform to rules adopted by the Board; and

(g) have been recommended to the program by: (1) an educator, including a teacher/instructor, counselor *or* school administrator who worked in an educational institution at the time the applicant was a student in such educational institution; and (2) by any other individual other than a relative who can attest to the character of the applicant.

**§ 151307. Same: Benefits.**

(a) Students entitled to scholarships pursuant to § 151306 of this Article *shall* receive the following benefits:

(1) Payment of tuition and fees.

(2) An allowance of up to Five Hundred Dollars (\$500.00) per regular semester, and up to One Hundred Dollars (\$100.00) per summer semester for textbooks.

(b) As a condition for continuing full entitlement to the benefits provided in this Section, undergraduate recipients must maintain a full-time enrollment of twelve (12) semester credits minimum per semester, six (6) semester credits per summer semester, and good academic standing with a cumulative grade point average of 3.0 *or* better. *No* student may receive benefits beyond the number of calendar years normally required to complete such student's program.

(c) Employees of GDOE. Notwithstanding any other provision of law *or* administrative rules and regulations, school aides, library technicians, and limited-term teachers with a bachelors degree *or* higher who are

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seeking teacher certification, and *Chamorro* language teachers whom do *not* have a bachelors degree, that are employed by the Guam Department of Education may qualify for financial assistance through the Guam Teacher Corps and may:

- (1) continue such employment while enrolled in the Guam Teacher Corps; and
- (2) enroll in the Guam Teacher Corps on a part-time basis.

Other employees within the Guam Department of Education may qualify for assistance as provided by this Section; provided that such employees' actual job duties primarily deal with the instruction or supervision of students. A letter of recommendation from the applicant's supervisor attesting to the applicant's job duties *shall* be required.

**NOTE:** Re-numbered by Compiler to harmoniously fit this chapter.

**§ 151308. Same: Those with *Prior Baccalaureate Degree.***

The Board may award Teacher Corps scholarships to individuals possessing a baccalaureate degree in a course of study other than education for the purpose of meeting teacher certification requirements. Recipients granted awards under this provision shall *not* receive funding towards earning another baccalaureate or graduate degree. The scholarships awarded under this Section *shall* be based on the recruitment needs of the Guam Department of Education/Guam Community College and *shall* be limited to a period of time *not to exceed* two (2) years.

**§ 151309. Same: For Specialist Teachers.**

The Educator Corps Council may award Teacher Corps scholarships beyond the four (4) year limitation of § 151307 for individuals to seek graduate training, that may include a masters degree, for teaching specialties that require training beyond a baccalaureate degree. This Section *shall* apply *only* to specialist areas that require graduate training as a minimum requirement for certification and *shall not* be used for as a means for existing teachers to meet promotional requirements. The scholarships awarded under this Section *shall* be based on the recruitment needs of the Guam Department of Education/Guam Community College and *shall* be limited to a period of time *not to exceed* two (2) years. The Board *may*, based on the needs of the Guam Department of Education *or* the Guam Community College for specialist teachers, authorize part-time scholarships

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*if* the prospective scholarship recipient is a teacher with the Guam Department of Education *or* the Guam Community College.

**§ 151310. Same: For Non-education Majors.**

The Board *may* award Teacher Corps Scholarships to individuals majoring in a course of study other than education; provided, that such course of study meets the requirements for concentration and certification in a subject related to secondary education and that such individuals, in addition to courses required for their major, complete the minimum courses required for teacher certification in secondary education.

**§ 151311. Same: Prioritization of Scholarships According to Teaching Needs.**

The Board *shall* prioritize the granting of Teacher Corps Scholarships according to the teaching needs (subject area) as identified by the Guam Department of Education and the Guam Community College.

**§ 151312. Reporting Requirements.**

A report *shall* be submitted to the Speaker of *I Liheslaturan Guåhan* no later than three (3) weeks after the start of each semester which, at the very least, *shall* contain the following information: the total number of Teacher Corps recipients for that semester, sorted by new and continuing recipients; the total number of Teacher Corps recipients that completed their degree program in the *prior* semester; the total amount expended for the *prior* semester for any activity related to the Teacher Corps program; and any other information that *I Liheslatura* will deem helpful in the review of the program.

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