

**17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION**

**CHAPTER 28
STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION**

2019 NOTE: P.L. 31-237:2 (Dec. 6, 2012) mandated that the University of Guam Board of Regents “shall continue to award programs identified in 17 GCA Chapter 15, specifically, Article 9 (Doc Sanchez Scholarships), Article 10 (Nursing Training), Article 13 (the Doctor Antonio C. Yamashita Teacher Corps), and Article 14 (the Every Child is Entitled to a Higher Education Scholarship Program), consistent with rules and regulations promulgated by the Board as authorized by this Chapter.” Pursuant to the authority granted by 1 GCA § 1606, these four articles have been moved from Chapter 15 and recodified to this chapter as new Articles 5-9, and renumbered accordingly.

2012 NOTE: P.L. 31-237:2 (Dec. 6, 2012) added Chapter 15A to Division 3 of Title 17, which was codified by the Compiler as Chapter 28 of this title to avoid confusion that would arise from the identical numbering scheme in Articles 3A and 4A, Chapter 15, of this title.

- Article 1. Administration.
- Article 2. Merit Awards to the University of Guam (For Academic Years 2013-2014 and Thereafter).
- Article 3. Jesus U. Torres Professional and Technical Awards (For Academic Years 2013-2014 and Thereafter).
- Article 4. Access to Higher Education Financial Assistance Program.
- Article 5. Pedro “Doc” Sanchez Professional Scholarship for Career Employees of the Government of Guam.
- Article 6. Nursing Training.
- Article 7. The Dr. Antonio C. Yamashita Teacher Corps.
- Article 8. The Every Child is Entitled to a Higher Education Scholarship Program.

**ARTICLE 1
ADMINISTRATION**

2012 NOTE: P.L. 31-237:2 (Dec. 6, 2012) added Chapter 15A to Division 3 of Title 17, codified by the Compiler as Chapter 28 of this title to avoid confusion that would arise from the identical numbering scheme in Articles 3A and 4A, Chapter 15, of this title. Article 1 of this new Chapter 28 governs the administration of

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

awards after Award Year 2012-2013. Provisions in Chapter 15 remain in effect for awards granted in Award Year 2012-2013 and prior.

- § 28101. Definitions.
- § 28102. Administration.
- § 28103. Fund.
- § 28104. Regulations.
- § 28105. Application Forms and Notices.
- § 28106. Limitation on Awards.
- § 28107. Discharge of Award Obligations Upon Death or Disability.
- § 28108. Garnishment of Income Tax Refunds in the Event of Default.
- § 28109. Interest Computation on Financial Assistance Awarded On or After Award Year 2013-2014 for Non-Cash (Non-Service Credit) Repayments.
- § 28110. Prohibition.
- § 28111. Prioritization of Awards.
- § 28112. Reporting Requirements.

§ 28101. Definitions.

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

- (a) Awards shall mean 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.

§ 28102. 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 granted under any administrative rules

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

and regulations.

§ 28103. 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 Funds 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 *I Liheslatura* (the Legislature) an annual report consistent with § 28112 of this Article.

§ 28104. Regulations.

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

§ 28105. Application Forms and Notices.

The Board *shall* prescribe by regulation necessary application forms and procedures for all awards pursuant to this Chapter. The Board *shall* give notice to the community 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, and other appropriate places, at least once before the acceptance period is to commence, 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, a permanent resident alien, or a non-immigrant alien admitted into Guam under the Compacts of Free Association between the United States and the Federated States of Micronesia, the Republic of the Marshall

**17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION**

Islands, and the Republic of Palau, an opportunity to apply for the awards granted by this Chapter.

SOURCE: Added as 17 GCA § 15A105 by P.L. 31-237:2 (Dec. 6, 2012). Codified to this section pursuant to 1 GCA § 1606. Amended by P.L. 33-038:2 (June 10, 2015).

§ 28106. 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 programs shall be entitled to benefits under the provision of this Chapter.

§ 28107. 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.

§ 28108. Garnishment of Income Tax Refunds in the Event of Default.

The Board 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 recipients of assistance pursuant to this Chapter and/or recipients co-signer(s) who has defaulted on the repayment of such assistance and a judgment has been issued. Such garnishment shall not exceed the judgment amount.

§ 28109. Interest Computation on Financial Assistance Awarded On or After Award Year 2013-2014 for Non-Cash (Non-Service Credit) Repayments.

Interest on all awards of assistance made on or after Award Year 2013-2014, pursuant to this Chapter, 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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 10 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 Award Year 2013-2014 shall be made pursuant to the provisions of Chapter 15 of this Title.

§ 28110. Prohibition.

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

(b) 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.

§ 28111. Prioritization of Awards.

Beginning in the 2013-2014 award year, the Board shall adopt, by resolution, a listing of awarding priorities prior to awarding students under Article 3 of this Chapter. Awarding priorities shall be established every three (3) years or sooner if requested by the President of the University.

§ 28112. Reporting Requirements.

The Board shall submit a report of the Student Financial Assistance Programs for Higher Education to *I Maga'lahaen Guåhan* (the Governor of Guam) and to the Speaker of *I*

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

Liheslaturan Guåhan no later than one (1) month from the end of the Academic Year which, at the very least, shall contain the following information: the total number of recipients under this Chapter, sorted by new and continuing recipients; the total number of students that have completed their degrees under Article 3, sorted by program; the total amount expended for the academic year; and any other information that *I Liheslatura* will deem helpful in the review of the programs in this Chapter.

ARTICLE 2

MERIT AWARDS TO THE UNIVERSITY OF GUAM
(For Academic Years 2013-2014 and Thereafter)

2017 NOTE: Notwithstanding the title of this article, P.L. 34-066:1 (Nov. 9, 2017) permits the use of Merit Awards at the Guam Community College.

2012 NOTE: P.L. 31-237:2 (Dec. 6, 2012) added Chapter 15A to Division 3 of Title 17, codified by the Compiler as new Chapter 28 of this title to avoid confusion that would arise from the identical numbering scheme in Articles 3A and 4A, Chapter 15, of this title. Article 2 of this new Chapter 28 governs the administration of Merit Awards after Award Year 2012-2013. Provisions in Chapter 15 remain in effect for Merit Awards granted in Award Year 2012-2013 and prior.

- § 28201. Students Entitled to Merit Awards.
- § 28202. Benefits.
- § 28203. Service Credit.
- § 28204. Rules and Regulations.
- § 28205. Use of Merit Award Benefits at the Guam Community College.

§ 28201. Students Entitled to Merit Awards.

(a) There are established annual merit awards for high school students in the graduating classes of public and private high schools 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

classes of each such public and non-public high school on Guam. The awards shall be determined as follows:

(1) One (1) for every fifty (50) graduates or a 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 graduates' respective school shall provide a mechanism to break the tie. Awardees are entitled to four (4) years of education at the University of Guam.

(2) All awards *shall* be subject to the following limitations:

A recipient must be:

(A) a United States citizen, a permanent resident alien, or a non-immigrant alien admitted into Guam under the Compacts of Free Association between the United States and the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, who has completed a minimum of three (3) but no more than four (4) academic years, and meets all academic credit requirements for graduation during attendance in a public, non-public, or DODEA high school on Guam; and

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

(3) To be eligible for a merit award, a student must have achieved a cumulative high school grade point average of not less than 3.0 or its equivalent 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 a tie, the student that was eliminated by the tie-

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

breaker. If an eligible student declines to accept an award when first offered, the student may not accept the 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. Failure to notify the Board within thirty (30) days will forfeit the award, and it 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 study 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.

(d) 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 3.0 or its equivalent, except that a recipient may be allowed one (1) academic term to regain the required grade point 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 that a recipient shall be allowed one (1) academic term to regain full-time status before cancellation of recipient's award.

SOURCE: Added as § 15A201 by P.L. 31-237:2 (Dec. 6, 2012).
Codified to this section pursuant to 1 GCA § 1606. Subsection (a)(2)(A) amended by P.L. 33-038:3 (June 10, 2015).

§ 28202. Benefits.

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

(a) Tuition and Fees at the University of Guam and the Guam Community College. Tuition and fees for each academic year will be paid by the Student Financial Assistance Fund for a period of not more than four (4) years in an undergraduate program at either the University of

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

Guam, or the Guam Community College, or both. Merit award recipients, including recipients that sign the University of Guam Merit Award Promissory Note and Merit Award Rules and Regulations contract effective as of the *Fanuchånan* Semester of 2020, who are eligible for and receive the Federal Pell Grant under 20 U.S.C. § 1070a of the Higher Education Act of 1965, as amended, shall have their merit award applied to their tuition and fees first for each academic year.

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

(1) First Year and Second Year Students: Three Hundred Dollars (\$300.00) per month.

(2) Third Year and Fourth Year Students: Five Hundred Dollars (\$500.00) per month.

(c) Allowance for Textbooks and School Supplies. Each student receiving an award under this Article beginning with students who sign the contract beginning in the *Fanuchånan* Semester of 2020 at the University of Guam or the Guam Community College shall be entitled to an additional Three Hundred Fifty Dollars (\$350.00) per semester for textbooks and school supplies.

(d) Optional Inter-Session Allowed.

(1) Summer Semester. Each student shall be entitled to tuition for full time enrollment, fees, and textbooks.

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

SOURCE: Added as 17 GCA § 15A202 by P.L. 31-237:2 (Dec. 6, 2012). Codified to this section pursuant to 1 GCA § 1606. Subsections (a) and (c) amended by P.L. 34-151:1 and 2 (Dec. 28, 2018). Amended by P.L. 35-120:2 (Dec. 11, 2020).

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

2017 NOTE: P.L. 34-066:1 (Nov. 9, 2017) enacted § 28205, which permits the use of Merit Awards at the Guam Community College.

§ 28203. 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. 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 may also extend payments of cash repayment by executing 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 which the awardee is repaying service credit pursuant to the provisions in this Article.

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

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

(c) Any awardee granted an award pursuant to the provisions of this Article must commence work on Guam within six (6) months following the completion of studies, unless extended by the Board for extenuating circumstances, or will be considered in default of their obligation as of the date classes ended. The permanent transfer to an off-Guam 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 accruing on such a date of default. Permanent

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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 rates to be charged, and the collection of delinquent accounts.

(d) 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 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 and permanent disability requires the certification by two (2) physicians licensed to practice in the United States.

§ 28204. Rules and Regulations.

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

§ 28205. Use of Merit Award Benefits at the Guam Community College.

Notwithstanding any other provision of law, Merit Award recipients are permitted to use their Merit Award benefits for attendance at the Guam Community College for their freshman and sophomore years. The University of Guam *shall* collaborate with the Guam Community College to ensure Merit Award recipients are fully aware of the timeline for graduation, the courses that are approved for transfer as cited in the various articulation agreements, and any procedures that need to be put in place for the use of Merit Award benefits at the Guam Community College.

SOURCE: Added by P.L. 34-066:1 (Nov. 9, 2017).

2017 NOTE: See 17 GCA § 28202, which limits the use of Merit Awards to the University of Guam.

ARTICLE 3

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

**JESUS U. TORRES PROFESSIONAL AND TECHNICAL AWARDS
(For Academic Years 2013-2014 and Thereafter)**

2012 NOTE: P.L. 31-237:2 (Dec. 6, 2012) added Chapter 15A to Division 3 of Title 17, codified by the Compiler as new Chapter 28 of this title to avoid confusion that would arise from the identical numbering scheme in Articles 3A and 4A, Chapter 15, of this title. Article 3 of this new Chapter 28 governs the administration of the Jesus U. Torres Professional and Technical Awards after Award Year 2012-2013. Provisions in Chapter 15 remain in effect for Professional and Technical Awards granted in Award Year 2012-2013 and prior.

- § 28301. Students Entitled to Awards.
- § 28302. Benefits.
- § 28303. Repayment of Benefits and Service Credit.
- § 28304. Forfeiture of Awards.
- § 28305. Rules and Regulations.

§ 28301. Students Entitled to Awards.

There is established the Jesus U. Torres Professional and Technical Awards for graduate studies. To qualify for these awards, applicants must meet the following criteria:

- (a) The applicant must be a bona fide resident of Guam for a period of *not less than* ten (10) years prior to application, and a United States citizen, a permanent resident alien, or a non-immigrant alien admitted into Guam under the Compacts of Free Association between the United States and the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, and must have achieved an overall grade point average of 3.0 in undergraduate studies if pursuing a master's degree or a professional degree, or a 3.33 grade point average in a master's degree or professional degree program if pursuing a doctoral degree or an irrevocable letter of acceptance from a U.S. accredited institution, as recognized by the Council for Higher Education Accreditation (CHEA), or its successors, or an irrevocable letter of acceptance from a foreign medical school, as listed in the World Health Organization (WHO) listing of medical schools, which was

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

approved by the Board of Medical Examiners, or the Council on Medical Education and Hospitals of the American Medical Association, or by a private non-profit accrediting body approved by the Guam Board of Medical Examiners.

(b) The applicant must agree to the repayment terms as specified in § 28303 and § 28304;

(c) The applicant must present to the Board, prior to granting of the award, satisfactory proof that such applicant has been accepted by a U.S. accredited college or university, as recognized by the Council for Higher Education Accreditation (CHEA), or its successors, or satisfactory proof that such applicant has been accepted by a foreign medical school as listed in the World Health Organization (WHO) listing of medical schools, which was approved by the Board of Medical Examiners or the Council on Medical Education and hospitals of the American Medical Association or by a private non-profit accrediting body approved by the Guam Board of Medical Examiners as a full-time student pursuing a program of study in the field applied for; and

(d) The college or university must be properly accredited as recognized by the Council for Higher Education Accreditation (CHEA), or its successors, or the foreign medical school must be properly accredited as listed in the World Health Organization (WHO) listing of medical schools, which was approved by the Board of Medical Examiners or the Council on Medical Education and hospitals of the American Medical Association or by a private non-profit accrediting body approved by the Guam Board of Medical Examiners, and must be approved by the Board; 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.

(e) The Board shall select the recipients of the awards based upon the basis of scholastic ability, financial need, and aptitude. The Board may also use work or life-time

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

experience and achievement criteria in place of the aptitude criteria, if it can be reasonably determined that the applicant will succeed in a course of study funded by an award herein.

(f) In determining financial need, the applicant must submit a Free Application for Federal Student Aid (FAFSA) to determine level of need.

(g) No benefits as specified in § 28302 shall be continued beyond the number of years normally required to complete studies in the specific academic degree program for which the award was granted, except under exceptional circumstances, as determined by the Board.

SOURCE: Added as § 15A301 by P.L. 31-237:2 (Dec. 6, 2012). Codified to this section pursuant to 1 GCA § 1606. Subsection (a) amended by P.L. 33-038:4 (June 10, 2015).

§ 28302. Benefits.

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

(a) payment of tuition and fees up to Ten Thousand Dollars (\$10,000) per year, to be determined by the Board of Regents.

(b) an annual grant loan of not more than Ten Thousand Dollars (\$10,000) per year to be used for room and board, books and educational supplies, to be determined by the Board of Regents. Such grant loans are to be non-interest bearing, except as to unpaid delinquent amounts; and

(c) cost of an economy, one (1)-way airfare to the school of attendance, and the cost of an economy, one (1)-way airfare to return to Guam upon completion of studies for which an award was given under this Article.

§ 28303. 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. In the event that any portion of the assistance is not repaid through service credit,

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

the amount unpaid in service credit shall become due and payable.

(a) Every student granted an award pursuant to this Article shall execute a promissory note agreeing to repay said loan over a period to be determined by the Board, but not in excess of ten (10) years from the contemplated date of the termination or the completion of the course of study 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 multiplied by 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 Subsection (b)(2) multiplied by the number of installment paid through service credit.

(c) Any awardee granted an award pursuant to the provisions of this Article must commence work on Guam

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

within six (6) months following the completion of studies, unless extended by the Board for extenuating circumstances, or will be considered in default of their obligation as of the date classes ended. The permanent transfer to an off-Guam 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 accruing on such a 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 rates to be charged, and the collection of delinquent accounts.

(d) If any temporary leave of absence is expected to last longer than forty-five (45) days, the awardee shall inform the Board of the length of time expected to be off-island, the reason for such time off-island, and the awardee's 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 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 and permanent disability requires the certification by two (2) physicians licensed to practice in the United States.

(f) The Board may grant deferrals of repayment through service in cases where a family medical emergency arises.

(g) In the event a student forfeits an award defined in § 28404, no service credit shall be granted and repaid

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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.

§ 28304. 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.

§ 28305. Rules and Regulations.

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

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

ARTICLE 4
ACCESS TO HIGHER EDUCATION
FINANCIAL ASSISTANCE PROGRAM

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

2012 NOTE: P.L. 31-237:2 (Dec. 6, 2012) added Chapter 15A to Division 3 of Title 17, codified by the Compiler as new Chapter 28 of this title to avoid confusion that would arise from the identical numbering scheme in Articles 3A and 4A, Chapter 15, of this title. Pursuant to P.L. 31-237:3, after Award Year 2012-2013, no other awards shall be granted under Chapter 15 except as provided for in Chapter 28; specifically, awards are to be granted only pursuant to Articles 9, 10, 13 and 14 of Chapter 15.

- § 28401. Students Entitled to Award.
- § 28402. Benefits.
- § 28403. Repayment of Benefits and Service Credit.
- § 28404. Programs for Teachers, Nurses, and Other Specialized Awards.
- § 28405. Rules and Regulations.

§ 28401. Students Entitled to Award.

There is hereby established the Access to Higher Education Financial Assistance Program. The award shall be made available to any student meeting the qualification herein, for the purpose of supplementing the cost of attending the University of Guam. To qualify for these awards, applicants must meet the following criteria:

(a) The applicant must have a minimum 2.50 high school Grade Point Average (GPA) or 2.50 undergraduate GPA;

(b) the applicant must be a United States citizen, a permanent resident alien, or a non-immigrant alien admitted into Guam under the Compacts of Free Association between the United States and the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, who has been a resident of Guam for a continuous period of *not less than* four (4) years immediately preceding June 15 of the year the award is to be given, and must *not* be incarcerated;

(c) the applicant must be pursuing their first undergraduate degree (grant is not available for students pursuing a second undergraduate degree or a graduate level

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

degree);

(d) the applicant must be enrolled as a full-time student at the University of Guam; and

(e) the applicant must have completed the Free Application for Federal Student Aid (FAFSA) and an Access to Higher Education Financial Assistance Grant application by a date to be determined by the Board.

SOURCE: Added as § 15A401 by P.L. 31-237:2 (Dec. 6, 2012). Codified to this section pursuant to 1 GCA § 1606. Subsection (b) amended by P.L. 33-038:5(June 10, 2015).

§ 28402. Benefits.

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

(a) A grant amount between Five Hundred Dollars (\$500) to Three Thousand Dollars (\$3,000) per year based on financial need. “Financial need” means the difference between the student’s cost of attendance at the University of Guam and the student’s expected family contribution (EFC). Expected Family Contribution (EFC) shall be determined using the federal methodology pursuant to subdivision (a) of Section 69506 (as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sees. 1070 et seq.) and applicable rules and regulations adopted by Board.

(1) Final awards shall be determined by the Board based on a combination of fund availability, financial need and application priority due dates.

(2) Award recipients shall remain eligible for award renewal only if he or she remains a Guam resident, in attendance, and making satisfactory academic progress at the University of Guam, as determined by the Board.

(3) Award recipients shall not receive more than one (1) type of award concurrently under this Chapter.

§ 28403. Repayment of Benefits and Service Credit.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

The financial assistance granted under this Article shall be repaid on a one-to-one (1:1) basis for each year that assistance was provided through employment on Guam. 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.

§ 28404. Programs for Teachers, Nurses, and Other Specialized Awards.

The Board *shall* continue to award programs identified in 17 GCA Chapter 15, specifically, Article 9 (Doc Sanchez Scholarships), Article 10 (Nursing Training), Article 13 (the Doctor Antonio C. Yamashita Teacher Corps), and Article 14 (the Every Child is Entitled to a Higher Education Scholarship Program), consistent with rules and regulations promulgated by the Board as authorized by this Chapter. The rules and regulations for programs authorized under this Section must contain provisions for repayment of benefits and service credit. Notwithstanding any other provision of law, rule, or regulation, no such program shall refuse an award to an otherwise qualified non-immigrant alien admitted into Guam under the Compacts of Free Association between the United States and the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

SOURCE: Added as § 15A405 by P.L. 31-237:2 (Dec. 6, 2012).
Codified to this section pursuant to 1 GCA § 1606. Amended by P.L. 33-038:6 (June 10, 2015).

§ 28405. Rules and Regulations.

The Board shall promulgate rules and regulations prior to the granting of any award under this Chapter. Notwithstanding 5 GCA § 9303 (c), said rules and regulations shall be effective upon filing with the Legislative Secretary in accordance with 5 GCA § 9303 (a) and (b).

**ARTICLE 5
PEDRO “DOC” SANCHEZ PROFESSIONAL SCHOLARSHIP FOR**

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

CAREER EMPLOYEES OF THE GOVERNMENT OF GUAM

SOURCE: Added as uncodified law by P.L. 19-045 (Dec. 30, 1988). Amended by P.L. 21-110:20 (June 1, 1992), P.L. 21-136:IV:16 (Sept. 29, 1992), and P.L. 22-112:4 (Apr. 11, 1994). Repealed and added as a new Chapter 15, Title 4 GCA by P.L. 23-111:1 (July 26, 1996), and moved by the Compiler to Article 9, Chapter 15, Title 17 GCA. Recodified as Article 5, Chapter 28.

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards under Chapter 15 of Title 17 GCA would be granted only as provided by Chapter 28. Because 17 GCA § 28404 mandated that awards under the “Doc Sanchez” program would continue, Article 9 was moved by the Compiler and recodified as a new Article 5 to Chapter 28, pursuant to the authority of 1 GCA § 1606.

- § 28501. Legislative Intent.
- § 28502. Scope of the Program.
- § 28503. Number of Scholarships.
- § 28504. Selection of Scholarship Recipients.
- § 28505. Responsibility of the Agency.
- § 28506. Responsibility of the Scholarship Recipient.
- § 28507. Funding for the Scholarship Program.
- § 28508. Availability of Scholarship Program.
- § 28509. Responsibility.
- § 28510. Support and Budgeting.
- § 28511. No Disruption of Government Service.
- § 28512. University of Guam Clearance Required Upon Separation.

§ 28501. Legislative Intent.

(a) 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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 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.

(b) 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.

2019 NOTE: Subsections designations added pursuant to the authority of 1 GCA § 1606.

§ 28502. 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 §§ 28103 through 28105 of this Chapter.

§ 28503. Numbers of Scholarships.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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.

§ 28504. 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 scholarship 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 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 § 28103 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.

§ 28505. Responsibility of the Agency.

Employees enrolled in this program shall be allowed administrative leave with pay to attend classes during working

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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.

2013 NOTE: Subsection designation deleted to adhere to the Compiler's general codification scheme in accordance to the authority granted by 1 GCA § 1606.

§ 28506. 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 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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: Added as uncodified law by P.L. 19-045 (Dec. 30, 1988). Amended by P.L. 21-110:20 (June 1, 1992), P.L. 21-136:IV:16 (Sept. 29, 1992), and P.L. 22-112:4 (Apr. 11, 1994). Repealed and added as part of a new Chapter 15, Title 4 GCA by P.L. 23-111:1 (July 26, 1996), moved by the Compiler to Article 9, Chapter 15, Title 17 GCA. Subsection (f) added by P.L. 23-128:IV:6 (Dec. 12, 1996). Subsection (d) amended by P.L. 27-135:1 (Dec. 30, 2004). Subsection (e) amended and subsection (g) added by P.L. 29-137:2, 3 (Jan. 30, 2009). Subsection (e) amended by P.L. 30-067:2 (Nov. 27, 2009). Moved to Article 5, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

§ 28507. 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.

(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].

§ 28508. 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)(1) 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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.

(2) 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.

(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).

2019 NOTE: Subsection and subitem designations added/altered pursuant to the authority of 1 GCA § 1606.

§ 28509. 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.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

SOURCE: Added as uncodified law by P.L. 19-045 (Dec. 30, 1988). Amended by P.L. 21-110:20 (June 1, 1992), P.L. 21-136:IV:16 (Sept. 29, 1992), and P.L. 22-112:4 (Apr. 11, 1994). Repealed and reenacted by P.L. 23-128:IV:7 (Dec. 12, 1996). Repealed and added as part of a new Chapter 15, Title 4 GCA by P.L. 23-111:1 (July 26, 1996), and moved by the Compiler to Article 9, Chapter 15, Title 17 GCA. Moved to Article 5, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

§ 28510. Support and Budgeting.

(a) (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.

(2) 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 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

Professional Scholarship for Career Employees of the government of Guam.

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

(b) 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.

(c) 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.

(d) 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.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

SOURCE: Added as uncodified law by P.L. 19-045 (Dec. 30, 1988). Amended by P.L. 21-110:20 (June 1, 1992), P.L. 21-136:IV:16 (Sept. 29, 1992), and P.L. 22-112:4 (Apr. 11, 1994). Repealed and added as a new Chapter 15, Title 4 GCA by P.L. 23-111:1 (July 26, 1996), and moved by the Compiler to Article 9, Chapter 15, Title 17 GCA by the Compiler. Repealed and reenacted by P.L. 23-128:IV:8 (Dec. 12, 1996). Subsection (b) repealed and reenacted by P.L. 24-059:IV:13 (Sept. 12, 1997). Moved to Article 5, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

2019 NOTE: Subsection and subitem designations added/altered pursuant to the authority of 1 GCA § 1606.

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

§ 28511. No Disruption of Government Service.

(a) 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.

(b) 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: Added as uncodified law by P.L. 19-045 (Dec. 30, 1988). Amended by P.L. 21-110:20 (June 1, 1992), P.L. 21-136:IV:16 (Sept. 29, 1992), and P.L. 22-112:4 (Apr. 11, 1994). Repealed and added as a new Chapter 15, Title 4 GCA by P.L. 23-

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

111:1 (July 26, 1996), and moved by the Compiler to Article 9, Chapter 15, Title 17 GCA by the Compiler. Repealed and reenacted by P.L. 23-128:IV:9 (Dec. 12, 1996). Subsection (b) repealed and reenacted by P.L. 24-059:IV:13 (Sept. 12, 1997). Moved to Article 5, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

2019 NOTE: Subsection and subitem designations added/alterd pursuant to the authority of 1 GCA § 1606.

§ 28512. University of Guam Clearance Required Upon Separation.

(a) 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:

- (1) repaid the assistance provided through service credit; or
- (2) repaid the assistance provided; or
- (3) arranged to repay the assistance through a periodic payment plan that complies with Title 17 GCA § 28109.

(b) 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). Moved to Article 5, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

ARTICLE 6
NURSING TRAINING

SOURCE: Gov't Code Chapter XI-A of Title XII, as added by P.L. 11-161 (July 28, 1972). Codified as Chapter 19 of Title 17. Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved and

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

recodified as Article 6, Chapter 28 by the Compiler.

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards under Chapter 15 of Title 17 GCA would be granted only as provided by Chapter 28. Because 17 GCA § 28404 mandated that awards under the Nursing Training program would continue, Article 10 was moved by the Compiler and recodified as a new Article 6 to Chapter 28, pursuant to the authority of 1 GCA § 1606.

- § 28601. Findings and Purpose.
- § 28602. Stipends.
- § 28603. Selection of Trainees.
- § 28604. Employment of Trainees: Reimbursement.
- § 28605. In-service Training for Resident Nurses.
- § 28606. [Vacant].
- § 28607. Graduate Nurses Corps established.
- § 28608. Annual report and budget request.
- § 28609. Minimum Grade-Point-Average.
- § 28610. Garnishment of Income Tax Refunds in the Event of Default.

§ 28601. 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.

§ 28602. Stipends.

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

- (a) 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

and Graduate Standing, Six Hundred Twenty-five Dollars (\$625.00) per month.

(b) 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.

(c) 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: Gov't Code Chapter XI-A of Title XII, as added by P.L. 11-161 (July 28, 1972). Codified as Chapter 19 of Title 17. Amended by P.L. 22-161:4(d) (Dec. 30, 1994); P.L. 25-137:1 (May 22, 2000). Recodified by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

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

§ 28603. 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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: Gov't Code Chapter XI-A of Title XII, as added by P.L. 11-161 (July 28, 1972). Codified as Chapter 19 of Title 17. Amended by P.L. 22-161:4(d) (Dec. 30, 1994); P.L. 25-137:1 (May 22, 2000). Amended by P.L. 26-009:1 (May 17, 2001); P.L. 28-097:1 (Feb. 7, 2006). Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

§ 28604. Employment of Trainees: Reimbursement.

(a) As a condition of selection and enrollment in the programs of Chapters 15 and 15A of Title 17, Guam Code Annotated, each trainee *shall* agree to accept employment as a nurse, either professional or practical, in the public health system of Guam, including the Guam Memorial Hospital Authority, the Department of Public Health and Social Services, and the Guam Behavioral Health and Wellness Center, as school health counselors in the Guam Department of Education or the Guam Community College, or in private clinics or private hospitals 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: Gov't Code Chapter XI-A of Title XII, as added by P.L. 11-161 (July 28, 1972). Codified as Chapter 19 of Title 17. Amended by P.L. 22-161:4(d) (Dec. 30, 1994); P.L. 25-137:1 (May 22, 2000). Amended by P.L. 26-022:1 (June 26, 2001). Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Subsection (a) amended by P.L. 32-190:1 (Oct. 13, 2014). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

2013 NOTE: P.L. 32-024:2 (May 6, 2013) renamed the Department of Mental Health & Substance Abuse to the Guam Behavioral Health and Wellness Center. Reference to the Department of Mental Health & Substance Abuse changed to Guam Behavioral Health and Wellness Center pursuant to P.L. 32-024:4.

§ 28605. In-service Training for Resident Nurses.

(a) 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.

(b) 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: Gov't Code Chapter XI-A of Title XII, as added by P.L. 11-161 (July 28, 1972). Codified as Chapter 19 of Title 17. Amended by P.L. 22-161:4(d) (Dec. 30, 1994). Amended by P.L. 26-022:3 (June 26, 2001). Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Subsection (a) amended by P.L. 32-190:1 (Oct. 13, 2014). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

2019 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.

§ 28606. [Vacant].

2019 NOTE: Past publications of the GCA erroneously stated § 19106 as the source of this provision; however, § 19106 did not exist in any prior code. This provision has always been designated as "vacant."

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

§ 28607. 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 17 GCA § 19170 by P.L. 22-161:4(b) (Dec. 30, 1994) and renumbered by Compiler. Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

§ 28608. 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 as 17 GCA § 19108 by P.L. 22-161:4(c) (Dec. 30, 1994). Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

§ 28609. 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 as 17 GCA § 19109 by P.L. 26-022:2 (June 26, 2001). Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

§ 28610. Garnishment of Income Tax Refunds in the Event of Default.

**17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION**

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 Article and/or the recipient's co-signer(s) who has defaulted on the repayment of such assistance and a judgment has issued. Such garnishment shall not exceed the judgment amount.

SOURCE: Added as 17 GCA § 19109 by P.L. 27-051:3 (Dec. 17, 2003) and renumbered by Compiler. Recodified to Chapter 15 by P.L. 28-149:II:VI:5 (Sept. 30, 2006). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

2019 NOTE: The reference to "Chapter" replaced with "Article" pursuant to the authority of 1 GCA § 1606.

**ARTICLE 7
THE DR. ANTONIO C. YAMASHITA TEACHER CORPS**

SOURCE: Added by P.L. 30-073:2 (Nov. 27, 2009) as Art. 13, Chap 15, Title 17 GCA. Moved and recodified as Article 6, Chapter 28 by the Compiler.

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards under Chapter 15 of Title 17 GCA would be granted only as provided by Chapter 28. Because 17 GCA § 28404 mandated that awards under the Dr. Antonio C. Yamashita Teacher Corps would continue, Article 13 was moved by the Compiler and recodified as a new Article 7 to Chapter 28, pursuant to the authority of 1 GCA § 1606.

- § 28701. The Dr. Antonio C. Yamashita Teacher Corps: Creation.
- § 28702. Administration of Teacher Corps.
- § 28703. Rules and Regulations.
- § 28704. Selection Committee.
- § 28705. Academic Advisor and Program Contract.
- § 28706. Teacher Corps Scholarships.
- § 28707. Same: Benefits.
- § 28708. Same: Those with Prior Baccalaureate Degree.
- § 28709. Same: For Specialist Teachers.
- § 28710. Same: For Non-education Majors.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

§ 28711. Same: Prioritization of Scholarships According to Teaching Needs.

§ 28712. Reporting Requirements

§ 28701. 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.

§ 28702. Administration of Teacher Corps.

The University of Guam Board of Regents shall administer this program pursuant to § 28102 of this Chapter.

§ 28703. 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 amended or repealed by the Board in a manner consistent with § 28105 of this Chapter.

§ 28704. 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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.

§ 28705. 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 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.

§ 28706. 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;

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

(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 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

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.

§ 28707. Same: Benefits.

(a) Students entitled to scholarships pursuant to § 26706 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.

SOURCE: Added by P.L. 30-073:2 (Nov. 27, 2009) as part of Art. 15, Chap 15, Title 17 GCA. Subsection (c) repealed by P.L. 31-037:4 (Apr. 18, 2011). Moved to Article 7, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

§ 28708. 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.

§ 28709. Same: For Specialist Teachers.

The Educator Corps Council may award Teacher Corps scholarships beyond the four (4) year limitation of § 26707 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 if the prospective scholarship recipient is a teacher with the Guam Department of Education or the Guam Community College.

§ 28710. 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.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

§ 28711. Same: Prioritization of Scholarships According to Teaching Needs.

(a) 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.

(b) Notwithstanding those subject areas deemed to be a teaching need by the Board, a student whose declared major, minor, or certification track is in *Chamorro* studies shall be provided the equal opportunity to apply for any and all benefits provided in this Chapter. This shall apply to current and future students whose degree and certification track leads towards the teaching of the *Chamorro* language and culture in Guam's public schools.

SOURCE: Added by P.L. 30-073:2 (Nov. 27, 2009) as part of Art. 15, Chap 15, Title 17 GCA. Amended by P.L. 31-037:2 (Apr. 18, 2011). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

2019 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.

§ 28711.1. Teacher Corps Scholarships for *Chamorro* Language and Culture Teachers.

(a) The Board may award Teacher Corps Scholarships to one (1) individual from every public secondary school seeking to major in *Chamorro* Language and Culture studies at the University of Guam; 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.

(b) No less than ten (10) Teacher Corps Scholarships for *Chamorro* Language and Culture Studies may be awarded each year, provided that the number of eligible recipients exceeds the minimum number of mandatory awards as set in this Section.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

(b) Teachers with existing baccalaureate degrees shall also be eligible for a Teacher Corps Scholarship for *Chamorro Language and Culture Studies*.

SOURCE: Added by P.L. 31-037:3 (Apr. 18, 2011). Moved to Article 6, Chapter 28 and codified to this section by the Compiler, pursuant to 1 GCA § 1606.

2019 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.

§ 28712. 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.

ARTICLE 8
EVERY CHILD IS ENTITLED TO A HIGHER
EDUCATION SCHOLARSHIP PROGRAM

SOURCE: Added by P.L. 31-129:2 (Nov. 17, 2011) as Art. 15, Chap 15, Title 17 GCA. Moved and recodified as Article 8, Chapter 28 by the Compiler.

2019 NOTE: Pursuant to P.L. 31-237:3 (Dec. 6, 2012), after Award Year 2012-2013, financial assistance awards under Chapter 15 of Title 17 GCA would be granted only as provided by Chapter 28. Because 17 GCA § 28404 mandated that awards under the Every Child is Entitled to a Higher Education Scholarship Program would continue, Article 13 was moved by the Compiler and recodified as a new Article 8 to Chapter 28, pursuant to the authority of 1 GCA § 1606.

- § 28801. The Every Child is Entitled to a Higher Education Scholarship Program: Creation.
- § 28802. Administration of Program.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

- § 28803. Rules and Regulations.
- § 28804. Selection Committee.
- § 28805. Academic Advisor and Program Contract.
- § 28806. Scholarships.
- § 28807. Same: Benefits.
- § 28808. Service Requirements.
- § 28809. Reporting Requirements.
- § 28810. Funding Sources.

§ 28801. The Every Child is Entitled to a Higher Education Scholarship Program: Creation.

There is hereby created the Every Child is Entitled to a Higher Education Scholarship Program. Awards granted under this Article shall be granted for Academic Year 2012-2013, and thereafter.

§ 28802. Administration of Program.

The University of Guam Board of Regents shall administer this Program pursuant to § 28102 of Article 1 of this Chapter.

§ 28803. Rules and Regulations.

All rules and regulations adopted prior to the enactment of this Article shall remain effective unless they are amended or repealed by the Board in a manner consistent with § 28105 of Article 1 of this Chapter.

§ 28804. Selection Committee.

(a) The President of the University shall annually establish an Evaluation and Selection Committee (the Committee). The primary criteria for selection of recipients shall be the adherence to established University of Guam entrance and academic requirements. The Board may prescribe additional qualifications for admission to the scholarship program.

(b) Applications for the Every Child is Entitled to a Higher Education Scholarship Program shall be received by April 30 of every year. Awards shall be granted prior to July 30 in a written notice to the selected applicant, and the applicant's school administrator, if applicable.

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

§ 28805. Academic Advisor and Program Contract.

Each program scholarship recipient shall develop a complete 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.

§ 28806. Scholarships.

The Every Child is Entitled to a Higher Education Scholarship Program shall consist of students who have declared their intention to attend the University of Guam. Scholarships may be awarded to eligible students who meet the following criteria:

(a) bona fide resident of Guam paying income taxes to the government of Guam, or is a dependent of a parent or legal guardian who pays income taxes to the government of Guam; and

(b) citizen of the United States;

(c) senior or graduate 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) official acceptance to the University of Guam in accordance with its admissions policies; and

(e) does not already hold a bachelor's (or any undergraduate) degree; and

(f) demonstrates financial need, which shall be determined by regulations authorized by § 28105 of Article 1 of this Chapter. In addition, the applicant must complete and submit the Free Application for Federal Student Aid (FAFSA) to determine the appropriate level of need; and must exhaust all federal sources that may be available for economically disadvantaged students, as certified by UOG.

§ 28807. Same: Benefits.

(a) Students entitled to scholarships pursuant to § 28806 of

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

this Article shall receive the following benefit: a scholarship in the amount of Five Thousand Dollars (\$5,000), issued in two (2) equal installments of Two Thousand Five Hundred Dollars (\$2500) each. The first (1st) installment shall be payable at the beginning of the first (1st) semester of Recipient's freshman year at the University of Guam. The second (2nd) installment shall be paid in the beginning of the first (1st) semester of the Recipient's senior year at the University of Guam.

§ 28808. Service Requirements.

(a) Any student who receives a scholarship pursuant to the provisions of this Article, shall be obligated to work on Guam for a period of one year (equivalent to twelve (12) months), commencing six (6) months from the completion of their degree program or six (6) months immediately following non-enrollment from the University of Guam.

(b) Any student granted a scholarship under this Article who fails to fulfill the provisions of this Section must repay the full amount of the scholarship. The Board shall establish such policies prescribing the length and terms of repayment, the interest rate to be charged, and the collection of delinquent accounts or in the event of a default.

(c) If a student enlists to serve on active duty in a branch of the U.S. Armed Services while in attendance or upon completion of studies, the service requirement shall be postponed until such student returns to 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 the student's home of record.

(d) 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

17 GCA EDUCATION
CH. 28 STUDENT FINANCIAL ASSISTANCE PROGRAMS
FOR HIGHER EDUCATION

certification by two (2) physicians licensed to practice in Guam or the United States.

§ 28809. Reporting Requirements.

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

§ 28810. Funding Sources.

The Program may make every effort to award up to five hundred (500) scholarships annually contingent on the availability of funding sources cited in this Section. Scholarship funds shall be payable exclusively to UOG for tuition or books or as reimbursement to scholarship recipients upon evidence of prior payment of tuition and books and according to rules and regulations. Funding to administer and conduct the program in this Article may come from any or all of the following sources:

- (a) direct appropriation by *I Liheslaturan Guåhan* for the express purpose of funding the program created by this Article;
- (b) public investments from GEDA's Qualifying Certificate Program, not already dedicated for a particular use;
- (c) company donations to a "Qualified Tuition Program, also known as a 529 program" made available to eligible employees for re-investment and development; and
- (d) any other source of funding for which the use of money for the purposes herein is consistent with law.
