

**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session**

Bill No. 195(EC)

Introduced by:

L.F. Kasperbauer *LJK*

**AN ACT TO APPROVE THE ADMINISTRATIVE RULES AND  
REGULATIONS FOR THE "EDUCATOR RECERTIFICATION"  
PROGRAM.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2

3 **Section 1. Approval of Administrative Rules and Regulations.** The  
4 Administrative Rules and Regulations submitted by the Dr. Antonio C. Yamashita  
5 Educator Corps to the Secretary of *I Liheslaturan Guåhan* on September 8, 2005  
6 in conformance to the provisions of 17G.C.A.: §18510 and 5G.C.A.: Chapter 9 are  
7 hereby approved.

Rules and Regulations for Educator Recertification  
Dr. Antonio C. Yamashita Educator Corps  
Title 17, Division 3, Chapter 18, Article 6  
As substituted by the Committee on Education and Community Development

Rule I

PURPOSE AND SCOPE OF RULES

1.0.0 Purpose: It is the purpose of these rules to provide the procedure for the implementation of provisions of the Structured Curriculum Option for teacher recertification established by Public Law 28-02 and codified under 17 GCA, Chapter 18, Article 6.

1.1.0 Limitations: The level and extent of support to qualified applicants under the provisions for educator recertification are subject to the availability of funds.

## Rule II

### ADMINISTRATION AND ORGANIZATION

2.0.0 Administration: The administration of these rules shall be the responsibility of the Yamashita Educator Corps (YEC) Council.

2.1.0 Organization: The YEC Council shall ensure that the YEC is structured in such a way as to effectively carry out the intent of Article 6 of 17 GCA Chapter 18. The Instruments to be used for these purposes are attached as appendices. The Instruments used may be evaluated and modified as determined by the YEC Council as the Instruments are appendices and not Rules & Regulations. The YEC Council may, from time to time, add or delete instruments in the appendices without further adjudication.

2.2.0 Structured Curriculum Option: 17 GCA § 18602 provides a Structured Curriculum Option for educators seeking financial support for recertification. Educators selected to receive support under the Structured Curriculum Option are required to complete their recertification courses in any of the following areas:

- (a) courses providing reinforcement of the educator's instructional methods;
- (b) courses providing reinforcement of the educator's language arts and mathematics skills;
- (c) courses providing reinforcement of the educator's teaching subjects;
- (d) courses providing proficiency in the use of computers and the internet; and
- (e) courses to prepare educators to address the educational needs of students with disabilities, as defined by the Individuals with Disabilities Education Act (IDEA), students whose primary

language is one other than English, and the Gifted and Talented Students.

2.3.0 Approval of Course Listing: The YEC Council shall review, approve and maintain a list of all courses eligible under the Structured Curriculum Option utilizing the following additional criteria:

1. Relation to Learning Standards;
2. Rigor – Higher-order Thinking;
3. Real-World Relevancy & Diversity;
4. Student Work - Clear Performance Objectives;
5. Assessment - Clear Criteria Reflecting Desired Levels of Accomplishment;

2.3.1 The YEC Council may delegate to its Executive Director the authority to approve courses not on the Approved Course Listing, provided that such courses are of similar subject matter to the courses on the Approved Course Listing. The Course Review Form to be used for this purpose is attached as Appendix A.

2.3.2 Applicants desiring to take courses, other than those pre-approved by the YEC Council, shall submit a descriptive course syllabus with the Course Review Form (Appendix A).

2.4.0 Beneficiaries of Support: All GPSS educators required to maintain certification may receive support from this program. The Application Form to be used for this purpose is attached as Appendix B.

2.5.0 Benefits: Educators selecting the Structured Curriculum Option for recertification shall be entitled to the payment of tuition, books and fees by the Dr. Antonio C. Yamashita Educator Corps. The allowance for books shall be based on a prorated formula based on course load relative to the amount allowed for books for

fulltime students in the "Teacher Corps" component of the Dr. Antonio C. Yamashita Educator Corps. The amount of tuition and fees for courses herein shall be the lower of the actual cost of tuition and fees, or the amount of the tuition and fees for similar level courses charged by the University of Guam.

2.6.0 Eligibility: To be eligible the applicant must meet the following requirements:

- a. be currently employed by the Guam Public School System as a certified educator;
- b. present an eligibility certificate from the Guam Public School System that includes the educator's present teaching concentration;
- c. meet pre-requisite requirements for courses to be taken;
- d. sign a statement attesting that he/she has not completed courses required for current recertification through means other than the provisions of 17 GCA, Chapter 18, Article 6. Applicants who have completed courses through such other means shall have their eligibility reduced accordingly;
- e. have evidence that all admissions requirements for the Institution(s) of Instruction, at which the recertification course(s) will be taken, are met. The Institution of Instruction must be a United States accredited college or university or one recognized by the Council for Higher Education Accreditation or its successors.

2.7.0 Application for Support:

- (a) Completed applications for support must be submitted no later than thirty (30) days prior to the start of the semester in which the course will be taken.

(b) The application must include the following attachments:

- (1) A Verification of Employment form from the Guam Public School System;
- (2) A copy of the applicant's current Certificate;
- (3) A copy of the admissions and acceptance document from the Institution(s) of Instruction, at which the recertification course(s) will be taken;
- (4) The Course Review Form for courses to be taken under this Article for recertification;
- (5) A certificate of eligibility as defined by 17 GCA § 18507(3).

2.8.0 Notification of Award: Applicants approved for support herein shall be required to submit a notarized Student Support Agreement.

2.9.0 Construction of Contract: The contract (*Student Support Agreement*) shall include the following provisions:

- (1) The YEC obligations to the recipient pursuant to these Rules and Regulations and the provisions of 17 GCA, Chapter 18, Article 6;
- (2) The responsibilities of the recipient pursuant to these Rules and Regulations and the provisions of 17 GCA Chapter 18 Article 6.

The Student Support Agreement to be used for this purpose is attached as Appendix C.

2.9.1 Promissory Note: Each recipient shall execute a Promissory Note in favor of the YEC. Such Promissory Note shall include:

- (1) A provision for the repayment of support through service credit;

- (2) A provision that, in the event of termination of employment with the Guam Public School System prior to full repayment of support through service credit, the balance of the unpaid service shall be due and payable in cash on the date of such termination. Unpaid obligations shall accrue interest on a daily basis at an annual percentage rate of ten percent(10%) from the date of termination;
- (3) A provision that, in the event an recipient fails to complete a course with a satisfactory grade, the recipient shall be required to repay to the YEC an amount equal to the cost of tuition, books, and prorated fees for the course plus interest accruing daily at an annual rate of ten percent (10%) from the date that the course started.

2.10.0 Qualified recipients entitled to support pursuant to this Article who are enrolled in pre-approved courses at the University of Guam or the Guam Community College may have tuition and fees charges prepaid through accounts established by the Financial Aid Office at the University of Guam.

2.11.0 Form of Support: Reimbursement. Those qualified recipients electing to take pre-approved courses at other recognized and accredited institutions of higher learning, aside from the University of Guam or the Guam Community College, shall receive those allowances, via a reimbursement process, upon the successful and satisfactory completion of those courses taken toward Recertification. The recipient shall submit to the YEC, receipts or vouchers for the course tuition, fees and books. The recipient shall provide to the YEC, a copy of the official transcript showing successful course completion and receipts for course tuition, fees and books.

RULE III  
OBLIGATIONS ON RECIPIENTS

3.0.0 Time Limitation: Recipients shall have one calendar year from the consummation of the contract to satisfactorily complete the course(s).

3.1.0 Deferments: The YEC Council may grant deferments for service payback and extension of the time limitation under Rule 3.0.0, except that, unless the recipient is able to secure a full refund from an uncompleted course, no deferment may be granted for the completion of a course once the recipient has enrolled in the course.

3.2.0 Proof of Completion of Coursework: The recipient shall be required to submit an official transcript to document the successful completion of coursework.

3.3.0 The recipient shall remain employed in the Guam Public School System in the position for which the Recipient is seeking recertification for a period of not less than one (1) semester for every three (3) credits of support received herein.

3.3.1 Proof of Completion of Service Obligation: The recipient shall provide proof that the service obligation has been completed. Upon validation of completion of service obligation the YEC will acknowledge in writing to the recipient the successful completion of service obligation.

3.4.0 Default and Forfeiture of Award: A recipient who withdraws from the pre-approved course(s) or fails to complete them with satisfactory results, or fails to comply with the regulations set by the YEC Council shall be in default of the



contract and shall forfeit support under this Article. The recipient in default shall be required to re-pay any amounts expended.

3.4.1 The recipient in default shall also be liable for any interest accrued on the outstanding balance owed. The recipient in default shall also pay for all cost and reasonable attorney's fees, incurred due to collections and recovery efforts.

3.4.2 Pursuant to §18107, the YEC Council may, subject to a Memorandum of Understanding with the Department of Revenue and Taxation, garnish the tax refunds due to any recipient of assistance and/or the recipient's co-signers who has defaulted on the repayment of such assistance. Additionally, the Guam Public School System may withhold employee separation clearance for recipients who are in a state of default upon termination of employment.

# Appendices

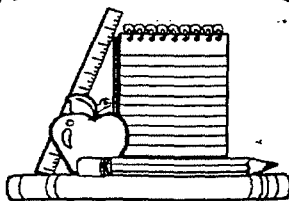
to the Rules and Regulations for  
Dr. Antonio C. Yamashita Educator Corps  
Educator Recertification  
Title 17, Division 3, Chapter 18, Article 6

**Appendix A: Course Approval Form**

**Appendix B: Application Form**

**Appendix C: Student Support Agreement**

# Dr. Antonio C. Yamashita



## EDUCATOR CORPS

School of Education Bldg., Room 119  
UOG Station Mangilao, GUAM 96923

Telephone: (671) 735-2470/1 Fax: (671) 734-4158

### Application Packet for Educator Recertification Corps (Public Law 28-002)

## INSTRUCTIONS TO APPLICANT

Before submitting your application, please read these instructions carefully and be familiar with the regulations of the Educator Corps Council (ECC). An application that is incomplete and/or is not supported by required documents indicated below will not be processed.

**APPLICATION FORM:** A completed application must be filed with the Dr. Antonio C. Yamashita Educator Corps (YEC) office not less than 30 days prior to the commencement of the semester in which courses will be attempted.

**RESIDENCE STATUS:** Present satisfactory evidence, such as payment of income tax to Guam, for a period of twelve months or more prior to the beginning of the term for which residency is claimed or permanent employment on Guam.

**COURSE REVIEW FORM:** The YEC Director is to sign off on the approval of the course(s) if the applicant is to receive funds under the Structured Curriculum Option for Educator Recertification. A course description or syllabus must also be submitted if the course(s) in question has not already received approval.

**ADMISSION REQUIREMENT:** Submit evidence that admission requirements for the Institution(s), at which the recertification course(s) will be taken, are met.

**VERIFICATION OF EMPLOYMENT:** Submit a verification of employment from the Guam Public School System.

**CERTIFICATE:** Submit most current Certification certificate.

**NOTE:** Funding for course support under the provisions of Public Law 28-002 will be provided BY WAY OF PRE-PAYMENT for tuition, student fees, books and supplies allowances, and at the rate defined by law for pre-approved courses taken at the University of Guam or the Guam Community College, and BY WAY OF REIMBURSEMENT for those allowances at an amount that is the lower of the actual cost of tuition and fees, and not to exceed those charged by the University of Guam for similar level courses.

Public Law 28-002  
YEC Form 39-05  
09/20/05

NOTE: Please print in blue/black ink or type.

**Dr. Antonio C. Yamashita Educator Corps  
Educator Recertification Corps Application Form  
(PL 28-002)**

Name: \_\_\_\_\_ Class Level: G1 G2  
          Last                      First                      Middle                      (Circle one)

US Citizen: / / No    / / Yes      FAS Citizen: / / No    / / Yes

2 Naturalization Certificate No. \_\_\_\_\_

Date Naturalized: \_\_\_\_\_ Place of Naturalization: \_\_\_\_\_

7 Ethnic Identity: \_\_\_\_\_ Gender: / / Male    / / Female

7 Social Security No. \_\_\_\_\_ Date of Birth \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Permanent home address (give full address) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Colleges/Universities Attended:

Name	Address	Major	Date of Attendance	No. Cr	Cum GPA	Degree

Semester applying for:    / / Fall \_\_\_\_    / / Spring \_\_\_\_    / / Summer \_\_\_\_

Are you now or ever been a recipient of any Government of Guam Student Loan or scholarship (Merit Scholarship, Teacher Education Scholarship, etc.)?    / / YES    / / NO

If so, indicate type and date: \_\_\_\_\_

*If the answer is "yes" to the above question, please provide a verification of employment to indicate completion or partial completion of service payback.*

**Certificates:**

What is the level of certification you currently hold?

Professional I     Professional II     Other. (please specify) \_\_\_\_\_

What is/are the subject area(s) of certification? \_\_\_\_\_

When does your current certification expire: \_\_\_\_\_

Are you currently lacking credit towards the renewal of your Professional I or II certification:

Yes     No

**Employment:**

Place of Employment	Period of Employment	Position Held

**Structured Curriculum Provision: Educators electing to seek program support for courses taken towards their recertification with the Guam Public School System are forewarned that applicability of PL 28-002 provisions are limited to:**

- a. Courses that strengthen the educator's instructional methods;
- b. Courses that strengthen the educator's language arts or mathematics skill;
- c. Courses that enrich the educator's content knowledge of subject matter;
- d. Courses that provide proficiency in the use of computers and the internet; and
- e. Courses that prepare the educator to address the educational needs of students with disabilities, as defined by the Individuals with Disabilities Education Act (IDEA), students whose primary language is one other than English, and the Gifted and Talented

Students. *(Educators completing recertification courses under this option may select course from one (1) or more of the five (5) categories herein.*

In addition to the pre-determined exclusiveness of the (5) aforementioned course clusters, all of which are to be taken at a United States accredited college or university or recognized by the Council on Postsecondary Accreditation or its successor, all courses are to be pre-approved by the Educator Corps Council.

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**STATEMENT OF RESIDENCY FORM**

I, \_\_\_\_\_, have been a resident of Guam for \_\_\_\_\_ years/month. I am not a resident of any other place and intend to remain on Guam indefinitely.

Date		Signature of Applicant

*Yamashita Educator Corps Council*

**Dr. Antonio C. Yamashita Educator Corps (YEC)  
UOG Station, University of Guam**

**STUDENT SUPPORT AGREEMENT  
Educator Recertification Corps (PL28-002)**

**THIS AGREEMENT** is made between the Yamashita Educator Corps Council, hereinafter referred to as the "YEC COUNCIL" or YECC, and \_\_\_\_\_, herein referred to as the **Recipient**.

**RECITALS**

**WHEREAS**, it is the policy of the government to support educator recertification under a Structured Curriculum Option designed to improve teaching methods, increase proficiency in language arts and mathematics, increase proficiency in the teaching subject area, increase proficiency in the use of computers and the internet, and to address requirements of special needs students; and

**WHEREAS**, The YEC Council established the rules, regulations, and policies to implement the program; and

**WHEREAS**, The Structured Curriculum Option is to be administered by the YEC Council, via its Executive Director; and

**WHEREAS**, The Recipient's application for support has been accepted as meeting all qualifications and selection criteria; and

**WHEREAS**, The Recipient has shown a willingness to abide by the conditions of this agreement,

**NOW THEREFORE**, in consideration of the foregoing terms and conditions set forth, the parties agree as follows:

1. Entitlements will apply to pre-approved courses taken in pursuit of Educator Recertification, under the Structured Curriculum Option, at an accredited college or university. It is hereby established that a time limitation of one calendar year exists from the consummation of this contract within which the prescribed approved course(s) are to be satisfactorily completed.
2. Awards to qualified recipients shall be limited to the charges for tuition and fees for pre-approved courses (up to 6 credit limit) and at an amount that is the lower of the actual cost of tuition and fees, and not to exceed those charged by the University of Guam for similar level courses.
3. Recipients who are enrolled in pre-approved courses at the University of Guam or the Guam Community College may have tuition and fees charges prepaid through accounts set up with the University of Guam's Financial Aid Office. A prorated book allowance will be made available.
4. Recipients electing to take pre-approved courses at other recognized and accredited institutions of higher learning shall receive those allowances, via a reimbursement process,

upon the successful and satisfactory completion of those courses. A prorated book allowance at an amount that is the lower of the actual cost of the books, and not to exceed the rate determined by that awarded to other YEC scholarship recipients, should be included in the reimbursement request.

5. Courses must be approved to qualify for program support.
6. Unauthorized change of course(s) from those declared by the recipient at the time of award is sufficient cause for dismissal from the program.
7. The Recipient shall be required to submit an official transcript, to document that a grade of 3.0 or better on a 4-point scale was earned for the course(s). Incidental cost for the reproduction of the grades report will also be reimbursed.
8. The Recipient is to provide YEC with a copy of his/her current Certificate (Professional I, Professional II, Professional III, or Standard), in his/her teaching concentration, which was made possible with the support provided in this contract.
9. The Recipient shall comply in a timely fashion with the Guam Public School System certification requirements.
10. The Recipient shall remain employed by the Guam Public School System in the position in which the Recipient is seeking recertification for a period of not less than one (1) semester for every three (3) credits of support received herein, with six (6) credits being the limit of support for a given recertification cycle.
11. The Recipient shall repay the Dr. Antonio C. Yamashita Educator Corps for benefits provided if the Recipient defaults.
12. The Recipient specifically agrees to pay cost and reasonable attorney's fees should the Council be required to enforce any of the obligations undertaken by the Recipient.
13. This Agreement is subject to the provisions of 17 GCA, Division 3, Chapter 18 and other laws of Guam as are in effect, or as hereafter may be amended or enacted. Should any inconsistencies exist between the provisions of this Agreement and said laws, the laws of Guam will be controlling.
14. The Recipient may be dismissed from the program for any cause that would result in dismissal from the University of Guam.
15. This Agreement may be terminated upon sixty (60) days notice by mutual agreement of the parties prior to expiration.



I accept the terms stipulated herein and subject to all applicable laws and regulations. I specifically agree to reimburse the Government of Guam any amount that may become due under these provisions.

-----  
RECIPIENT

-----  
DATE

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ personally appeared before me person named \_\_\_\_\_ to be known and duly sworn by me, made oath that the statements in this Agreement are true.

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NOTARY PUBLIC

We, the undersigned, jointly and severally guarantee the payment of any sum that may become due the Government of Guam under the terms of this Dr. Antonio C. Yamashita Educator Corps Program Agreement and all applicable laws and regulations.

-----  
(Print) Co-Signer's Name SS#

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Co-Signer's Signature

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(Print) Co-Signer's Address

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Date

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(Print) Co-Signer's Name SS#

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Co-Signer's Signature

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(Print) Co-Signer's Address

-----  
Date

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ personally appeared before me person(s) named \_\_\_\_\_, \_\_\_\_\_ to be known and duly sworn by me, made oath that the statements in this Agreement are true.

-----  
NOTARY PUBLIC

\_\_\_\_\_  
Executive Director  
Dr. Antonio C. Yamashita  
Educator Corps

\_\_\_\_\_  
Chairperson  
Dr. Antonio C. Yamashita  
Educator Corps Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date