



OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
 CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
 MUNICIPAL AFFAIRS,
 HOUSING AND
 RECREATION

COMMITTEE ON
 TAXATION,
 APPROPRIATIONS, PUBLIC
 DEBT, BANKING,
 INSURANCE, RETIREMENT
 AND LAND

COMMISSIONER

GUAM COMMISSION ON
 DECOLONIZATION

GUAM FIRST
 COMMISSION

VICE PRESIDENT

ASSOCIATION OF
 PACIFIC ISLAND
 LEGISLATURES
 (APIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
 EDUCATION
 AND LEARNING
 (PREL)

**LEGISLATIVE
 REPRESENTATIVE**

PACIFIC ISLAND
 DEVELOPMENT BANK
 (PIDB)

FESTIVAL OF THE
 PACIFIC ARTS
 (FESTPAC)

November 19, 2012

The Honorable Rory J. Respicio
 Chairperson, Committee on Rules
I Mina' Trentai Unu Na Liheslaturan Guahan
 155 Hesler Place
 Hagatna, Guam 96910

RE: Committee Report on Substitute Bill No. 509-31 (COR)

Dear Chairman Respicio:

Transmitted herewith is the Committee Report on Substitute Bill No. 509-31 (COR) - An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs, which was referred to the Committee on Education and Public Libraries.

Committee votes are as follows:

- 6 TO DO PASS
- 0 TO NOT PASS
- 0 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and *Si Yu'os ma'ase*.

Judith T. Won Pat, Ed.D.
 Speaker

attachments

2012 NOV 20 AM 7:58



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JUDITH T. WON PAT, Ed.D.

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AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

COMMITTEE REPORT

on

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

Substitute Bill No. 509-31 (COR)

**An act to add a new Chapter 15A of Division 3, Title 17 Guam Code
Annotated relative to the Student Financial Assistance Programs.**

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

Sponsored by Speaker Judith T. Won Pat, Ed.D.

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)



OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

November 16, 2012

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

MEMORANDUM

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

To: ALL MEMBERS
Committee on Education and Public Libraries

GUAM FIRST
COMMISSION

From: Speaker Judith T. Won Pat, Ed.D. *JTW*
Committee Chairperson

Subject: Committee report on Substitute Bill No. 509-31 (COR)

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

Transmitted herewith for your consideration is the Committee Report on Substitute Bill No. 509-31 (COR) - An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs

This report includes the following:

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

Committee Voting Sheet
Committee Report Digest
Copy of Bill No. 509 -31 (COR)
Copy of Substitute of Bill No. 509-31 (COR)
Public Hearing Sign-in Sheet
Fiscal Note
Copy of COR Referral of Bill No. 509 -31(COR)
Notices of Public Hearing
Agenda

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.


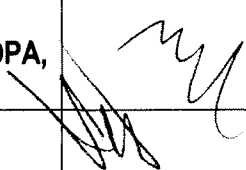

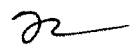
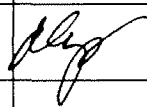

Si Yu'os ma'ase!

attachments

COMMITTEE VOTING SHEET
COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

Substitute Bill No. 509-31 (COR) – Speaker Judith T. Won Pat, Ed.D.

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
Judith T. Won Pat, Ed.D., Chairperson		11/19/12				
Judith P. Guthertz, DPA, Vice Chairperson		2 11/11				
Tina R. Muna-Barnes Vice Chairperson		11/19/12				
Vicente C. Pangelinan Vice Chairperson						
Thomas C. Ada		11/19/12				
Adolpho B. Palacios, Sr.		11/19/12				
Frank F. Blas, Jr.						
Aline A. Yamashita, Ph.D.				11/19/12		
V. Anthony Ada						
Sam Mabini, Ph.D.						



OFFICE OF THE SPEAKER

JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Education and Public Libraries convened a public hearing on September 28, 2012 at 4:00 p.m. in *I Liheslatura*'s Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 509-31 (COR) - An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs

Public Notice Requirements

Notices were emailed to all Senators on September 20, 2012 and 2011 (5-Day Notice) and all main media broadcasting outlets on September 21, 2012 (5-Day Notice) and again to all Senators and all main media broadcasting outlets on September 26, 2012 (48-Hour Notice).

Senators Present

Speaker Judith T. Won Pat, Ed.D.	Committee, Chairperson
Senator Tina Muna Barnes	Committee, Vice Chairperson
Senator Ben Pangelinan	Committee, Vice Chairperson
Senator Tom Ada	
Senator V. A. Ada	Committee, Minority Member

Appearing before the Committee

Dr. Robert Underwood, President of the University of Guam
Mr. Mark Duarte, Director of the University of Guam Financial Aid Office

II. SUMMARY OF TESTIMONY & DISCUSSION

Speaker Won Pat, Ed.D. convened the public hearing to order at 4:05 p.m. and announced the agenda of the public hearing for Bill No. 509-31 (COR).

- Speaker Won Pat, Ed.D. stated that nationwide with college enrollment growing, student debt has stretched to a record number of U.S. households — nearly 1 in 5 — with the biggest burdens falling on the young and poor. The analysis by the Pew Research Center found that 22.4 million households, or 19 percent, had college debt in 2010. That is double the share in 1989, and up from 15 percent in 2007, just prior to the recession — representing the biggest three-year increase in student debt in more than two decades. The increase was driven by higher tuition costs as well as rising college enrollment during the economic downturn. The biggest jumps occurred in households at the two extremes of the income distribution. More well-off families are digging deeper into their pockets to pay for costly private colleges, while lower-income people in search of higher-wage jobs are enrolling in community colleges, public universities and other schools as a way to boost their resumes.

Because of the sluggish economy, fewer college students than before are able to settle into full-time careers immediately upon graduation, contributing to a jump in debt among lower-income households as the young adults take on part-time jobs or attend graduate school, according to Pew. As a share of household income, the debt burden was the greatest for the poorest 20 percent of households, or those making less than \$21,044. In all, 40 percent of U.S. households headed by someone younger than age 35 owed college debt, the highest share of any age group.

"Comparing the debt to their economic resources, the lowest-income fifth of households are the ones experiencing the greatest stresses," said Richard Fry, a senior economist at Pew who analyzed the numbers. Noting that college enrollment has continued to climb since 2010, Fry added: "Until college enrollment peaks, I would not expect the amount of outstanding student debt to level off."

The study released Wednesday is based on the Survey of Consumer Finances, conducted every three years and sponsored by the Federal Reserve. "The last thing we want for our young people is to have to deal with an overwhelming student loan debt because they wanted to get an education. This is why I think this proposed legislation is very timely and one of the main reasons I worked closely with UOG to get this bill introduced quickly.

As a summary, this bill proposes to make some fundamental changes to the Student Financial Assistance Programs currently administered by University of Guam. The bill would allow the University, through its Board of Regents, more control over the programs and would ultimately provide financial assistance to more of our people to attend the University of Guam.

In Article 2 concerning the Merit Award, the bill proposed to keep the program but eliminate the off-island provision.

In Article 3, the PROTECH Award is renamed the Jesus U. Torres Professional and Technical Awards and makes several program changes taken from an earlier bill introduced by Vice Speaker Cruz. The revised award will increase the dollar amounts for students who are pursuing an MD, a Doctorate in Dental Surgery or Dental Medicine, a Doctorate Clinical Psychology, and a Doctorate in Veterinary Medicine, from \$25,000 per academic year to \$35,000. The bill also will allow students to attend a non-US medical school if the school is in the World Health Organization medical school listing approved by the Guam Board of Medical Examiners or the Council on Medical Education and Hospitals of the American Medical Association. The service requirement remains the same, for every \$10,000 that a student receives; he will have to work on Guam for one year.

In Article 4, the bill proposes a new program called the Higher Education Financial Assistance Program. The program will award to a student who meets certain residency, academic, and financial need criteria, an amount between \$500 to \$3,000 per academic year towards a bachelor's degree. The amount awarded to a student will depend on their financial need determined by filling out the Free Application for Federal Student Aid or FAFSA. That award scale would be determined by the Board of Regents and can be adjusted to keep in step with the federal guidelines of the Pell grant award. This is the program I expect our students will benefit from the most.

Also in this legislation, the Government of Guam Student Loan program will be discontinued beginning in the 2013-2014 academic year. Savings from this program will be used to fund the Higher Education Financial Assistance Program.

The Doc Sanchez Program, The Yamashita Teacher Corp, The Nursing Training Program will continue under this legislation, but with greater control by the Board of Regents of the University of Guam. The University of Guam is best able to determine the specific criteria for these programs as they are more aware of the daily academic challenges and needs of our students.

That in a nutshell is Bill 509-31(COR), let's hear from individuals present who would like to offer testimony.

- **Dr. Underwood** expressed support of the legislation. Thank you for the opportunity to provide testimony on bill 509-31. I am in testifying in favor of the proposed legislation. I believe this is a good step forward in assisting more of our students in obtaining their undergraduate degree at the University of Guam.

The most important aspect of this legislation is the shift in control of the financial assistance program to the University. We feel strongly that we are better able to address academic issues and assess education needs of the community much quicker and in "real-time" without having to go through additional legislation. This flexibility allows us to examine the needs of the community and make adjustments to the programs with regards to amounts awarded, entry dates, benefits, and others.

An example of where this increased control would have been beneficial is in our Teacher Corp program where we are now inundated with certain type of teachers that Guam DOE cannot accommodate. Mid-year adjustments and multiple entry dates into the program could not be possible under the current law.

Another example is the current way we award local and federal student aid. Greater control of local aid means that we can tightly package federal financial aid with local aid - giving a potential UOG student a clearer picture of how much total financial assistance she will receive if she attends UOG. Most schools do this. The most we can do, is tell students their potential federal aid. It's hard to compete with a school that can outline a total financial aid package for a student that meets most of their financial needs.

Currently, the application for the Government of Guam programs is separate from the federal programs and often is more cumbersome and more complex than its federal counterpart. This level of complexity delays or deters students from applying for government of Guam aid.

Finally, this legislation recognizes the hard work of the students, staff, faculty and administrators over the past 60 years in making UOG the natural choice for our students. We no longer need to send our people off-island to get a good quality education. When the original SFAP legislation was introduced, it made sense that we allowed our best and brightest to go off-island to obtain a quality education. Today, quality education can be obtained at the University of Guam.

- **Mr. Duarte** explained that the proposed bill would change the application process. Students before they graduate from high school they would be able to know how much they can receive from both federal and local programs before they are admitted to the university. He stated that the deadline the government programs is April 30th and most of our graduates they don't meet the deadline and they have to wait the following academic year and the application processes is so tedious and discourages individuals from applying.

- **Speaker Won Pat, Ed.D.** asked how many students are attending the university.

- **Dr. Underwood** responding by stating that the university has over 3700 students enrolled.

- **Speaker Won Pat, Ed.D.** asked how many students are receiving financial aid

- **Mr. Duarte** replied that 75 percent of the students.

- **Speaker Won Pat, Ed.D.** commented that the legislation would increase the number of financial aid recipients.

- **Mr. Duarte** replied that the number of recipients of the government of Guam scholarship would increase.

- **Dr. Underwood** stated the bill would strategically affect more students. Instead of giving 300 students \$3000 each, we are able to give 900 students \$1000 each and we are able to get more service commitment at the end and we are leveraging more financial aid from the federal side and this become one composite view. He further stated that this would put the first level on financial aid on the federal government and the local government will make up the difference.

- **Speaker Won Pat, Ed.D.** asked how many students who received financial aid from the government of Guam and did not return back to Guam.

- **Mr. Duarte** answered that the off-island merit scholarship recipients rank first in default followed by the Pro-tech recipients.

- **Dr. Underwood** stated for every three students only one student returns.

- **Speaker Won Pat, Ed.D.** asked if the scholarships have a service component.

- **Mr. Duarte** replied the local scholarships have service components.

- **Senator Pangelinan** spoke about a national publication that he read that addressed the student financial aid program and the confusing nature of the grantors. He stated there is a move in Congress to create uniformity in a way letters are drafted and offers are made. He wanted to bring this issue to the attention of the university. He recommended that the letter to the students should be clear and accurate in the terms of the responsibilities of the student and the university.

- **Mr. Duarte** replied that he has discussed this matter with his peers in the financial aid program. He emphasized the university letter is based on a standardized methodology. He further elaborated that the

university letter is simpler and transparent and not confusing, because the university has three federal aid programs and local aid programs.

- **Dr. Underwood** stated the confusion rest with the federal loan. Students are presented with a certain amount that they can receive and they get into trouble by mismanagement of the loan by buying a car He stressed that the university does not manage the loan, it is the responsibility of the student, but the university is held responsible for the students not obtaining an education.

- **Senator Barnes** asked if the existing recipients be affected if this bill becomes law.

- **Mr. Duarte** stated no.

- **Senator Barnes** asked if bill would affect the Pro-tech award recipients going off-island to other institutions.

- **Mr. Duarte** stated no.

- **Senator Barnes** asked if students attending college in the mainland will be able to qualify for Pro-tech award.

- **Mr. Duarte** stated that the bill removes the word continuous and therefore a person no longer has to be a resident of Guam continuously for ten years, just ten years during his or her life span.

- **Dr. Underwood** explained that some students attending college off-island change their resident status to obtain state resident tuition rate.

- **Senator Tom Ada** expressed concern of the eligibility for the scholarships especially with the high demand and the limited dollars funded for the programs. He would like to see that U.S. citizens be given preferential treatment followed by the permanent residents and green card holders.

- **Mr. Duarte** responded that the university is following the same guidelines applied to federal aid programs.

- **Senator Tom Ada** asked if the university is indifferent.

- **Dr. Underwood** replied that the university is not indifferent, but the university is looking at protecting its federal funding. However, he stated that they will research the matter.

- **Senator Tom Ada** noted that the bill states that merit scholarship recipients are from public and private schools, but DODEA does not fall into either category.

- **Dr. Underwood** replied that the inclusion of DODEA was made by a previous legislature.

- **Senator Tom Ada** stated that a student is afforded the opportunity to defer his/her service if the student decides to go on with graduate or post graduate studies. He stated that ROTC graduates should be given a 4 year deferment because of their military service.

- **Senator Tom Ada** questioned what if a student is unable to find employment within 6 months after graduation.

- **Mr. Duarte** replied the rules and regulations provides the board to give further extension if the student demonstrate he/she is seeking employment.

- **Senator Tom Ada** asked for clarification what is a non profit is accrediting body approved by the Guam Medical Examinee.

- **Speaker Won Pat** stated that this language was incorporated from another bill to allow Guam residents to attend foreign medical school graduates to receive the Pro-tech award.

- **Senator Tony Ada** asked if additional funding would be needed if the bill becomes law.

- **Mr. Mark Duarte** replied no.

-**Speaker Won Pat, Ed.D.** adjourned the public hearing.

III. FINDINGS AND RECOMMENDATIONS

Amendments of Bill No. 509-31 (COR) are indicated by strikeouts in the substitute version of Bill No. 509-31(COR).

The Committee on Education and Public Libraries to which was referred Bill No. 509-31 (COR), hereby submits these findings to *I Mina' Trentai Unu Na Liheslaturan Guahan* and reports out Substitute Bill No. 509-31 (COR), with the recommendation TO DO PASS.

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) REGULAR SESSION**

Bill No. 509-31 (COR)

Introduced by:

Judith T. Won Pat Ed.D.
T.R.m. Barnes

2012 SEP 10 PM 3:37

**AN ACT TO ADD A NEW CHAPTER 15A OF
DIVISION 3, TITLE 17 GUAM CODE ANNOTATED
RELATIVE TO THE STUDENT FINANCIAL
ASSISTANCE PROGRAMS**

Oh

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that access to higher education is becoming more difficult as costs continue to rise at all institutions of higher education across the nation. The biggest source of financial assistance for most college students in the United States remains the federal government's Title IV programs (U.S. Higher Education Act) consisting mainly of the Pell Grant and the Direct Student Loan programs.

I Liheslatura further finds that while Title IV programs have been extremely helpful in supplementing a student's cost of education, aid to students have steadily lagged behind rising higher education costs, resulting in students and their families opting to sign up for costly education loans.

In an effort to assist students to fill these funding gaps, most states have implemented programs to assist the most needy students and families in their communities with state grants to attend universities within their jurisdiction.

1 Programs such as the Cal Grant (California), the Hawaii State Incentive Grant
2 (Hawaii), and the Oregon Opportunity Act (Oregon) are examples of programs that
3 provide grants to their students that meet certain residency, financial, and academic
4 requirements. These state grants, in conjunction with Title IV programs offered by
5 the federal government, allow more students access to higher education.

6 *I Liheslatura* further finds that, although Guam currently offers financial
7 assistance to residents to pursue higher education, these programs are often
8 cumbersome and bureaucratic, requiring separate application forms with different
9 application due dates and eligibility requirements, resulting in confusion and
10 frustration on the part of the student.

11 It is therefore the intent of *I Liheslatura* to reform the process of the locally
12 funded financial aid programs by aligning the limited local resources with funds
13 received from the federal government. The alignment of these resources will result
14 in greater access for Guam residents to higher education by making it more
15 affordable.

16 **Section 2. A new Chapter 15A is hereby added to Division 3 of Title 17**
17 **Guam Code Annotated to read as follows:**

18 **“Chapter 15A.**

19 ***STUDENT FINANCIAL ASSISTANCE PROGRAMS FOR HIGHER***
20 ***EDUCATION***

21 **Article 1. Administration.**

22 **Article 2. Merit Awards to the University of Guam (For Academic**
23 **Years 2013-2014 and Thereafter).**

24 **Article 3. Jesus U. Torres Professional and Technical Awards (For**
25 **Academic Years 2013-2014 and Thereafter).**

26 **Article 4. Access to Higher Education Financial Assistance Program**

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ARTICLE 1
ADMINISTRATION

- §15A101. Definitions**
- §15A102. Administration.**
- §15A103. Fund.**
- §15A104. Regulation.**
- §15A105. Application Forms and Notices.**
- §15A106. Limitation of Awards.**
- §15A107. Discharge of Award Obligation Upon Death or Disability.**
- §15A108. Garnishment of Income Tax Refunds in the Event of Default.**
- §15A109. Interest Computation on Financial Assistance Awarded After September 30, 2006 For Cash (Non-Service Credit) Payments.**
- §15A110. Prohibition.**
- §15A112. Reporting Requirements**

§15A101. Definitions. The Following terms whenever used in this Chapter shall have the following meaning, 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.

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

2 **§15A102. Administration.** The provision of this Chapter shall be
3 administered by the Board of Regents of the University of Guam, and all
4 awards provided by this Chapter shall be granted by the Board. The Board
5 of Regents may delegate to the management of the University, its authority
6 granted under any Administrative Rules and Regulations.

7 **§15A103. Fund.** There is hereby established a Student Financial
8 Assistance Fund hereinafter referred to as the "Fund" from which awards
9 granted pursuant to this Chapter shall be financed. The Board is authorized
10 to accept for the Funds gifts, devices; bequests, donations and all other kinds
11 of contributions for the purposes of the Fund. The Fund may be
12 supplemented by annual appropriations to the extent made necessary by
13 awards granted pursuant to this Chapter. The Fund shall be administered by
14 the Board and all moneys appropriated for awards pursuant to this Chapter
15 and all repayment of such awards, made under this Chapter, shall be paid
16 directly to the Fund and dispensed by the Board. Within sixty (60) days
17 after the closing of each fiscal year, the Board shall transmit to the
18 Legislature an annual report consistent with §15A112 of this Article.

19 **§15A104. Regulations.** The Board, subject to the provisions of the
20 Administrative Adjudication Law, shall make regulations pursuant to and
21 not inconsistent with the provision of this Chapter.

22 **§15A105. Application Forms and Notices.** The Board shall
23 prescribe by regulation necessary application forms and procedures for all
24 awards pursuant to this Chapter. The Board shall give notice to the
25 community to permit interested students, who shall be residents of Guam

1 and citizens of the United States of America, or a permanent resident alien,
2 an opportunity to apply for the awards granted by this Chapter.

3 **§15A106. Limitation on Awards.** No person receiving benefits
4 under one article of this Chapter shall be entitled to benefits under any other
5 article of this Chapter, and no person receiving benefits under any teacher
6 training program, in-service training program or other government of Guam
7 education programs shall be entitled to benefits under the provision of this
8 Chapter.

9 **§15A107. Discharge of Award Obligations Upon Death or**
10 **Disability.** The Board may, upon death or disability of a student who is
11 receiving or has received an award under the provisions of this Chapter,
12 discharge in full or in part all obligations for the repayment of said award.

13 **§15A108. Garnishment of Income Tax Refunds in the Event of**
14 **Default.** The Board may, subject to the terms and conditions of a
15 Memorandum of Understanding with the Department of Revenue and
16 Taxation, garnish the tax refunds due to any recipients of assistance pursuant
17 to this Chapter and/or recipient's co-signer(s) who has defaulted on the
18 repayment of such assistance and a judgment has been issued. Such
19 garnishment shall not exceed the judgment amount.

20 **§15A109. Interest Computation on Financial Assistance Awarded**
21 **On or After Award Year 2013-2014 for Non Cash (Non-Service Credit)**
22 **Repayments.** Interest on all awards of assistance made on or after Award
23 Year 2013-2014, pursuant to this Chapter shall be computed on the
24 outstanding balance on a simple interest basis beginning on the date of
25 disbursement at an annual percentage rate of ten percent (10%). Repayment
26 shall be made in either a lump sum by which the principal and accrued

1 interest up to the date of repayment is satisfied or through a periodic
2 payment plan under the following conditions:

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

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

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

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

12 **§15A110. Prohibition.**

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

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

20 **§15A111. Prioritization of Awards.** Beginning in the 2013-2014
21 award year, the Board shall adopt, by resolution, a listing of awarding
22 priorities prior to awarding students under Articles 3 of this Chapter.
23 Awarding priorities shall be established every three (3) years or sooner if
24 requested by the President of the University.

25 **§15A112. Reporting Requirements.** The Board shall submit a report
26 of the Student Financial Assistance Programs for Higher Education to the

1 Governor of Guam and to the Speaker of *I Liheslaturan Guahan* no later
2 than one month from the end of the Academic Year which, at the very least,
3 shall contain the following information: the total number of recipients under
4 this chapter, sorted by new and continuing recipients; the total number of
5 students that have completed their degrees under Article 3, sorted by
6 program; the total amount expended for the academic year; and any other
7 information that *I Liheslatura* will deem helpful in the review of the
8 programs in this chapter.

9 **ARTICLE 2**

10 **MERIT AWARDS TO THE UNIVERSITY OF GUAM**

11 **(For Academic Years 2013-2014 and Thereafter)**

12 **§15A201. Students Entitled to Merit Awards**

13 **§15A202. Benefits**

14 **§15A203. Service Credit**

15 **§15A204. Rules and Regulations**

16
17 **§15A201. Students Entitles to Merit Awards.**

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

25 (1) One for every fifty (50) graduates or a fraction
26 thereof of a school's graduating class. If as a result of the

1 equal scholastic standing of two (2) or more graduates,
2 there is a tie for the awards granted pursuant to this
3 Chapter, the graduates' respective school shall provide a
4 mechanism to break the tie. Awardees are entitled to
5 four (4) years of education at the University of Guam.

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

8 A recipient must be a:

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

15 (ii) a resident of Guam for a continuous period of
16 not less than five (5) years immediately preceding June
17 15th of the year the award is to be given.

18 (4) To be eligible for a Merit Award, a student must have
19 achieved a cumulative high school grade point average of
20 not less than 3.00 or its equivalent at the time of
21 graduation.

22 (b) If any student is ineligible for an award because of failure to
23 meet the requirements contained in Subsection (a) of this
24 Section; or if any eligible student chooses not to accept an
25 award when first offered such award, the award shall be granted
26 to the eligible student with the next highest scholastic rank, on

1 in the case of a tie, the student that was eliminated by the tie-
2 breaker. If an eligible student declines to accept an award when
3 first offered, the student may not accept the award after it has
4 been granted to another student. The recipient of a merit award
5 must notify the Board within thirty (30) days that the award is
6 accepted. Failure to notify the Board within thirty (30) days
7 will forfeit the award and shall be offered to the next alternate.

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

16 (d) Awards granted on or subsequent to the effective date of
17 this Section shall be cancelled if a recipient:

18 (1) fails to maintain a cumulative grade point average of
19 2.5 or its equivalent, except a recipient may be allowed one (1)
20 academic term to regain the required grade point average
21 without cancellation of the award, or

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

1 **§15A202. Benefits.** Students entitled to merit awards pursuant to this
2 Article shall receive the following benefits:

3 (a) Tuition and Fees at the University of Guam. Tuition and
4 fees for each academic year to be paid by the Student Financial
5 Assistance Fund for a period of not more than four (4) years in an
6 undergraduate program at the University of Guam. For awards
7 granted under §15A201(a)(2) of this Article, student shall receive an
8 additional two (2) years of tuition and fees for a graduate degree at the
9 University of Guam. To be eligible for an additional award granted
10 under §15A201(a)(2), the awardee must begin their graduate program
11 at the University of Guam within three years from their undergraduate
12 completion date.

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

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

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

20 (3) Graduate Students: Six Hundred Dollars (\$600.00)
21 per month.

22 (c) Allowance for Textbooks. Each student receiving an award
23 under this Article shall be entitled to an additional Three Hundred and
24 Fifty Dollars (\$350.00) per semester for textbooks.

25 (d) Optional Inter-Session Allowed.

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

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

8 **§15A203. Service Credit.** The financial assistance granted under this
9 Article shall be repaid on a one-to-one basis for each year that assistance
10 was provided through employment on Guam or in the office of Guam's
11 Delegate to the United States Congress. In the event that any portion of the
12 assistance is not repaid through service credit, the amount unpaid in service
13 credit shall become due and payable.

14 (a) In calculating the amount due and payable for failure to pay
15 through service credit, the amount due shall be the total amount of
16 assistance minus the number of years repaid through service credit.
17 For purposes of this Section, a year of service credit is twelve (12)
18 months. The Board may also extend payments of cash repayment by
19 executing a promissory note for a term not to exceed ten (10) years at
20 an annual percentage rate of not less than ten percent (10%). No
21 amounts shall be considered due and payable during the time which
22 the awardee is repaying service credit pursuant to the provisions in
23 this Article.

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

26 (1) pursuit of a graduate degree; or

1 (2) a family or medical emergency

2 (c) Any awardee granted an award pursuant to the provisions
3 of this Article must commence work on Guam within six (6) months
4 following the completion of studies, unless extended by the Board for
5 extenuating circumstances or will be considered in default of their
6 obligation as of the date classes ended. The permanent transfer to an
7 off-Guam office or branch of a Guam employer shall not count
8 towards service credit and shall result in default on the date of transfer
9 and interest shall begin accruing on such a date of default. Permanent
10 transfers, for purposes of this Section, are those that are longer than
11 six (6) months. The Board shall establish such policies prescribing
12 the length and terms of repayment, the interest rates to be charged,
13 and the collection of delinquent accounts.

14 (d) Death or total disability of the student shall terminate any
15 obligations herein. Total disability for purposes of this Section is
16 defined as any physiological or psychological condition that will
17 prevent the student from obtaining or maintaining any form of gainful
18 employment for a period of not less than three (3) years. The Board
19 may defer repayment for temporary disability. Total and permanent
20 disability requires the certification by two (2) physicians licensed to
21 practice in the United States.

22 **§15A204. Rules and Regulations.** The Board shall develop
23 appropriate rules and regulations for the administration of this Article.

24
25 **ARTICLE 3**

26 **JESUS U. TORRES PROFESSIONAL AND TECHNICAL AWARDS**

1 (For Academic Years 2013-2014 and Thereafter)

2
3 §15A301. Students Entitled to Awards.

4 §15A302. Benefits.

5 §15A303. Repayment of Benefits and Service Credit.

6 §15A304. Forfeiture of Awards.

7 §15A305. Rules and Regulations.

8
9 §15A301. Students Entitled to Awards. There are established
10 professional and technical awards for graduate studies. To qualify for these
11 awards, applicants must meet the following criteria:

12 (a) The applicant must be a bona fide resident of Guam for a period of
13 not less than ten (10) years prior to application, and a United States citizen,
14 or a permanent resident alien, and must have achieved an overall grade point
15 average of 3.00 in undergraduate studies if pursuing a master's degree or a
16 professional degree, or a 3.33 grade point average in a master's degree or
17 professional degree program if pursuing a doctoral degree or an irrevocable
18 letter of acceptance from a U.S. accredited institution as recognized by the
19 Council for Higher Education Accreditation (CHEA) or its successors or an
20 irrevocable letter of acceptance from a foreign medical school as listed in the
21 World Health Organization (WHO) listing of medical schools, which was
22 approved by the Board of Medical Examiners or the Council on Medical
23 Education and hospitals of the American Medical Association (or by a
24 private non-profit accrediting body approved by the Guam Board of Medical
25 Examiners.

1 (b) the applicant must agree to the repayment terms as specified
2 in §15A303 and §15A304;

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

15 (d) the college or university must be properly accredited as
16 recognized by the Council for Higher Education Accreditation
17 (CHEA), or its successors, or the foreign medical school must be
18 properly accredited as listed in the World Health Organization (WHO)
19 listing of medical schools, which was approved by the Board of
20 Medical Examiners or the Council on Medical Education and
21 hospitals of the American Medical Association or by a private non-
22 profit accrediting body approved by the Guam Board of Medical
23 Examiners, and must be approved by the Board, however, that no
24 award shall be granted for studies at an off-Guam institution in a
25 program that is available at the University of Guam.

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

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

10 (g) No benefits as specified in §15A302 shall be continued
11 beyond the number of years normally required to complete studies in
12 the specific academic degree program for which the award was
13 granted, except under exceptional circumstances, as determined by the
14 Board.

15 **§15A302. Benefits.** Students entitled to awards pursuant to this
16 Article shall receive the following benefits:

17 (a) payment of tuition and fees up to Ten Thousand Dollars
18 (\$10,000.00) per year, except that students whose course of study is in
19 an area leading to a Doctor of Medicine (MD), a Doctor of Dental
20 Medicine (DMD), Doctor of Dental Surgery (DDS), a Doctor in
21 Clinical Psychology (ClinPsyD), or a Doctor of Veterinary Medicine
22 (DVM) shall be entitled to Twenty Thousand Dollars (\$20,000.00) for
23 tuition and fees.

24 (b) an annual grant loan of not more than Ten Thousand Dollars
25 (\$10,000.00) per year to be used for room and board, books and
26 educational supplies, except that students whose course of study is in

1 an area leading to a Doctor of Medicine (MD), a Doctor of Dental
2 Medicine (DMD), Doctor of Dental Surgery (DDS), a Doctor in
3 Clinical Psychology (ClinPsyD), or a Doctor of Veterinary Medicine
4 (DVM) shall be entitled to Fifteen Thousand Dollars (\$15,000.00)
5 Such grant loans are to be non-interest bearing, except as to unpaid
6 delinquent amounts; and

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

11 Total for items (a) and (b) of this Section shall not exceed Twenty
12 Thousand Dollars (\$20,000.00) per year. If the course of study leads
13 to a Doctor of Medicine (MD), a Doctor of Dental Medicine (DMD),
14 Doctor of Dental Surgery (DDS), a Doctor in Clinical Psychology
15 (ClinPsyD), or a Doctor of Veterinary Medicine (DVM), the total for
16 items (a) and (b) of this Section shall not exceed Thirty-five Thousand
17 Dollars (\$35,000.00) per year.

18 **§15A303. Repayment of Benefits and Service Credit.** The financial
19 assistance granted under this Article shall be repaid on a two-to-one (2:1)
20 basis for each year that assistance was provided through employment on
21 Guam or in the office of Guam's Delegate to the United States Congress. In
22 the event that any portion of the assistance is not repaid through service
23 credit, the amount unpaid in service credit shall become due and payable.

24 (a) Every student granted an award pursuant to this Article shall
25 execute a promissory note agreeing to repay said loan over a period to
26 be determined by the Board, but not in excess of ten (10) years from

1 the contemplated date of the termination or the completion of the
2 course of study for which the award was approved. The amount of the
3 note shall be left blank until the completion of studies, in which the
4 amount of the note will be the total monetary amount of assistance
5 provided by the award. Said promissory note shall be non-interest
6 bearing, except as to amounts unpaid by service credit that are due
7 and payable under the note, which shall be subject to interest at the
8 annual rate of ten percent (10%). No amounts shall be considered due
9 and payable during the time in which the awardee is repaying service
10 credit pursuant to the provisions herein.

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

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

17 (2) The number of monthly installments to be paid shall
18 be based on the number of months for which assistance was
19 provided multiplied by two (2).

20 (3) In the event of default, the balance due in monetary
21 terms shall be the amount of assistance provided less the
22 amount repaid through service credit. The amount repaid
23 through service credit shall be the total amount of assistance
24 provided divided by the number of installments of service credit
25 due as calculated in sub section (b)(2) multiplied by the number
26 of installment paid through service credit.

1 (c) Any awardee granted an award pursuant to the provisions of
2 this Article must commence work on Guam within six (6) months
3 following the completion of studies, unless extended by the Board for
4 extenuating circumstances, or will be considered in default of their
5 obligation as of the date classes ended. The permanent transfer to an
6 off-Guam office or branch of a Guam employer shall not count
7 towards service credit and shall result in default on the date of transfer
8 and interest shall begin accruing on such a date of default. Permanent
9 transfers, for purposes of this Section, are those that are longer than
10 six (6) months. The Board shall establish such policies prescribing
11 the length and terms of repayment, the interest rates to be charged,
12 and the collection of delinquent accounts.

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

20 (e) Death or total disability of the student shall terminate any
21 obligations herein. Total disability for purposes of this Section is
22 defined as any physiological or psychological condition that will
23 prevent the student from obtaining or maintaining any form of gainful
24 employment for a period of not less than three (3) years. The Board
25 may defer repayment for temporary disability. Total and permanent

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

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

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

10 **§15A304. Forfeiture of Awards.** Expulsion from a school or
11 institution attended, or suspension for a period of the same or greater than
12 one (1) academic semester, or its equivalent, in such school or institution, or
13 failure to complete the program for which the award was granted, or failure
14 to comply with the regulations of the Board, shall result in a forfeiture of the
15 award provided by this Article. For purposes of this Article, a person shall
16 be considered to have completed the course of studies upon the event or
17 events of forfeiture as provided in this Section.

18 **§15A305. Rules and Regulations.** The Board shall develop rules and
19 regulations pursuant to the Administrative Adjudication Law for the
20 administration of the program enacted by this Article. In addition to the
21 administration of the program, such Rules and Regulations shall include
22 provisions for:

- 23 (a) conditions for continuance of an award;
24 (b) construction of applicable promissory notes;
25 (c) time frames for the completion of program studies; and

1 (d) provisions for the temporary suspension of completion of a
2 degree program or repayment of awards for cases beyond the control
3 of the scholarship recipient such as personal illness of death or illness
4 of a family member.

5
6 **ARTICLE 4**

7 **ACCESS TO HIGHER EDUCATION FINANCIAL**
8 **ASSISTANCE PROGRAM**

9
10 **§15A401. Students Entitled to Award.** There is hereby established
11 the Access to Higher Education Financial Assistance Program. The award
12 shall be made available to any student meeting the qualification herein, for
13 the purpose of supplementing the cost of attending the University of Guam.
14 To qualify for these awards, applicants must meet the following criteria:

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

17 b. the applicant must be a United States citizen, or a permanent
18 resident alien, who has been a resident of Guam for a continuous
19 period of not less than four (4) years immediately preceding June 15th
20 of the year the award is to be given and must not be incarcerated;

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

24 d. the applicant must be enrolled as a full-time student at the
25 University of Guam.

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

5 **§15A402. Benefits.** Students entitled to grants pursuant to this Article
6 shall receive the following benefits:

7 a. A grant amount between Five Hundred Dollars (\$500.00) to
8 Three Thousand Dollars (\$3,000.00) per year based on financial need.
9 "Financial need" means the difference between the student's cost of
10 attendance at the University of Guam and the student's expected
11 family contribution (EFC). Expected Family Contribution (EFC),
12 shall be determined using the federal methodology pursuant to
13 subdivision (a) of Section 69506 (as established by Title IV of the
14 federal Higher Education Act of 1965, as amended (20 U.S.C. Secs.
15 1070 et seq.) and applicable rules and regulations adopted by Board.

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

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

23 3. Award recipients shall not receive more than one type
24 of award concurrently under this Chapter.

25 **§15A403. Repayment of Benefits and Service Credit.** The financial
26 assistance granted under this Article shall be repaid on a one-to-one (1:1)

1 basis for each year that assistance was provided through employment on
2 Guam or in the office of Guam's Delegate to the United States Congress. In
3 the event that any portion of the assistance is not repaid through service
4 credit, the amount unpaid in service credit shall become due and payable.

5 **§15A404. Programs for Teachers, Nurses, and Other Specialized**
6 **Awards.** The Board shall continue to award programs identified in 17 GCA
7 Chapter 15, specifically, Article 9 (Doc Sanchez Scholarships), Article 10
8 (Nursing Training), Article 13 (The Doctor Antonio C. Yamashita Teacher
9 Corp), and Article 14 (The Every Child is Entitled to a Higher Education
10 Scholarship Program) consistent with Rules and Regulations promulgated by
11 the Board as authorized by this Chapter. The Rules and Regulations for
12 programs authorized under this section must contain provisions for
13 repayment of benefits and service credit.

14 **§15A405. Rules and Regulations.** The Board shall promulgate rules
15 and regulations prior to the granting of any award under this Chapter.”

16 **Section 3. Sunset Provision.** After Award Year 2012-2013, no other
17 awards shall be granted under Chapter 15 of Title 17 Guam Code Annotated except
18 as provided for in Chapter 15A. However, the provisions of Chapter 15 Title 17
19 shall remain in effect for all awards granted in Award Year 2012-2013 and prior.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) REGULAR SESSION

Bill No. 509-31(COR)

Introduced by:

As substituted by the Committee on Education

Judith T. Won Pat, Ed.D.

Tina R. Muna Barnes

**AN ACT TO ADD A NEW CHAPTER 15A OF
DIVISION 3, TITLE 17 GUAM CODE ANNOTATED
RELATIVE TO THE STUDENT FINANCIAL
ASSISTANCE PROGRAMS**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that access to higher education is becoming more difficult as costs continue to rise
4 at all institutions of higher education across the nation. The biggest source of
5 financial assistance for most college students in the United States remains the
6 federal government's Title IV programs (U.S. Higher Education Act) consisting
7 mainly of the Pell Grant and the Direct Student Loan programs.

8 *I Liheslatura* further finds that while Title IV programs have been extremely
9 helpful in supplementing a student's cost of education, aid to students have steadily
10 lagged behind rising higher education costs, resulting in students and their families
11 opting to sign up for costly education loans.

12 In an effort to assist students to fill these funding gaps, most states have
13 implemented programs to assist the most needy students and families in their
14 communities with state grants to attend universities within their jurisdiction.
15 Programs such as the Cal Grant (California), the Hawaii State Incentive Grant
16 (Hawaii), and the Oregon Opportunity Act (Oregon) are examples of programs that

1 provide grants to their students that meet certain residency, financial, and academic
2 requirements. These state grants, in conjunction with Title IV programs offered by
3 the federal government, allow more students access to higher education.

4 *I Liheslatura* further finds that, although Guam currently offers financial
5 assistance to residents to pursue higher education, these programs are often
6 cumbersome and bureaucratic, requiring separate application forms with different
7 application due dates and eligibility requirements, resulting in confusion and
8 frustration on the part of the student.

9 It is therefore the intent of *I Liheslatura* to reform the process of the locally
10 funded financial aid programs by aligning the limited local resources with funds
11 received from the federal government. The alignment of these resources will result
12 in greater access for Guam residents to higher education by making it more
13 affordable.

14 **Section 2. A new Chapter 15A is hereby added to Division 3 of Title 17**
15 **Guam Code Annotated to read as follows:**

16 **“Chapter 15A.**

17 ***STUDENT FNANCIAL ASSISTANCE PROGRAMS FOR HIGHER***
18 ***EDUCATION***

19 **Article 1. Administration.**

20 **Article 2. Merit Awards to the University of Guam (For Academic**
21 **Years 2013-2014 and Thereafter).**

22 **Article 3. Jesus U. Torres Professional and Technical Awards (For**
23 **Academic Years 2013-2014 and Thereafter).**

24 **Article 4. Access to Higher Education Financial Assistance Program**

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ARTICLE 1

ADMINISTRATION

§15A101. Definitions

§15A102. Administration.

§15A103. Fund.

§15A104. Regulation.

§15A105. Application Forms and Notices.

§15A106. Limitation of Awards.

§15A107. Discharge of Award Obligation Upon Death or Disability.

§15A108. Garnishment of Income Tax Refunds in the Event of Default.

§15A109. Interest Computation on Financial Assistance Awarded After September 30, 2006 For Cash (Non-Service Credit) Payments.

§15A110. Prohibition.

§15A112. Reporting Requirements

§15A101. Definitions. The Following terms whenever used in this Chapter shall have the following meaning, 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.

1 **§15A102. Administration.** The provision of this Chapter shall be
2 administered by the Board of Regents of the University of Guam, and all
3 awards provided by this Chapter shall be granted by the Board. The Board
4 of Regents may delegate to the management of the University, its authority
5 granted under any Administrative Rules and Regulations.

6 **§15A103. Fund.** There is hereby established a Student Financial
7 Assistance Fund hereinafter referred to as the “Fund” from which awards
8 granted pursuant to this Chapter shall be financed. The Board is authorized
9 to accept for the Funds gifts, devices, bequests, donations and all other kinds
10 of contributions for the purposes of the Fund. The Fund may be
11 supplemented by annual appropriations to the extent made necessary by
12 awards granted pursuant to this Chapter. The Fund shall be administered by
13 the Board and all moneys appropriated for awards pursuant to this Chapter
14 and all repayment of such awards, made under this Chapter, shall be paid
15 directly to the Fund and dispensed by the Board. Within sixty (60) days
16 after the closing of each fiscal year, the Board shall transmit to the
17 Legislature an annual report consistent with §15A112 of this Article.

18 **§15A104. Regulations.** The Board, subject to the provisions of the
19 Administrative Adjudication Law, shall make regulations pursuant to and
20 not inconsistent with the provision of this Chapter.

21 **§15A105. Application Forms and Notices.** The Board shall
22 prescribe by regulation necessary application forms and procedures for all
23 awards pursuant to this Chapter. The Board shall give notice to the
24 community to permit interested students, who shall be residents of Guam
25 and citizens of the United States of America, or a permanent resident alien,
26 an opportunity to apply for the awards granted by this Chapter.

1 **§15A106. Limitation on Awards.** No person receiving benefits
2 under one article of this Chapter shall be entitled to benefits under any other
3 article of this Chapter, and no person receiving benefits under any teacher
4 training program, in-service training program or other government of Guam
5 education programs shall be entitled to benefits under the provision of this
6 Chapter.

7 **§15A107. Discharge of Award Obligations Upon Death or**
8 **Disability.** The Board may, upon death or disability of a student who is
9 receiving or has received an award under the provisions of this Chapter,
10 discharge in full or in part all obligations for the repayment of said award.

11 **§15A108. Garnishment of Income Tax Refunds in the Event of**
12 **Default.** The Board may, subject to the terms and conditions of a
13 Memorandum of Understanding with the Department of Revenue and
14 Taxation, garnish the tax refunds due to any recipients of assistance pursuant
15 to this Chapter and/or recipient's co-signer(s) who has defaulted on the
16 repayment of such assistance and a judgment has been issued. Such
17 garnishment shall not exceed the judgment amount.

18 **§15A109. Interest Computation on Financial Assistance Awarded**
19 **On or After Award Year 2013-2014 for Non Cash (Non-Service Credit)**
20 **Repayments.** Interest on all awards of assistance made on or after Award
21 Year 2013-2014, pursuant to this Chapter shall be computed on the
22 outstanding balance on a simple interest basis beginning on the date of
23 disbursement at an annual percentage rate of ten percent (10%). Repayment
24 shall be made in either a lump sum by which the principal and accrued
25 interest up to the date of repayment is satisfied or through a periodic
26 payment plan under the following conditions:

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

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

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

8 Repayment of awards made prior to Award Year 2013-2014 shall be made
9 pursuant to the provisions of Chapter 15 of this Title.

10 **§15A110. Prohibition.**

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

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

18 **§15A111. Prioritization of Awards.** Beginning in the 2013-2014
19 award year, the Board shall adopt, by resolution, a listing of awarding
20 priorities prior to awarding students under Articles 3 of this Chapter.
21 Awarding priorities shall be established every three (3) years or sooner if
22 requested by the President of the University.

23 **§15A112. Reporting Requirements.** The Board shall submit a report
24 of the Student Financial Assistance Programs for Higher Education to the
25 Governor of Guam and to the Speaker of *I Liheslaturan Guahan* no later
26 than one month from the end of the Academic Year which, at the very least,

1 shall contain the following information: the total number of recipients under
2 this chapter, sorted by new and continuing recipients; the total number of
3 students that have completed their degrees under Article 3, sorted by
4 program; the total amount expended for the academic year; and any other
5 information that *I Liheslatura* will deem helpful in the review of the
6 programs in this chapter.

7 **ARTICLE 2**

8 **MERIT AWARDS TO THE UNIVERSITY OF GUAM**

9 **(For Academic Years 2013-2014 and Thereafter)**

10 **§15A201. Students Entitled to Merit Awards**

11 **§15A202. Benefits**

12 **§15A203. Service Credit**

13 **§15A204. Rules and Regulations**

14
15 **§15A201. Students Entitles to Merit Awards.**

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

23 (1) One for every fifty (50) graduates or a fraction
24 thereof of a school's graduating class. If as a result of the
25 equal scholastic standing of two (2) or more graduates,
26 there is a tie for the awards granted pursuant to this

1 Chapter, the graduates' respective school shall provide a
2 mechanism to break the tie. Awardees are entitled to
3 four (4) years of education at the University of Guam.

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

6 A recipient must be a:

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

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

16 (4) To be eligible for a Merit Award, a student must have
17 achieved a cumulative high school grade point average of
18 not less than 3.00 or its equivalent at the time of
19 graduation.

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

1 first offered, the student may not accept the award after it has
2 been granted to another student. The recipient of a merit award
3 must notify the Board within thirty (30) days that the award is
4 accepted. Failure to notify the Board within thirty (30) days
5 will forfeit the award and shall be offered to the next alternate.

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

14 (d) Awards granted on or subsequent to the effective date of
15 this Section shall be cancelled if a recipient:

16 (1) fails to maintain a cumulative grade point average of
17 2.5 or its equivalent, except a recipient may be allowed one (1)
18 academic term to regain the required grade point average
19 without cancellation of the award, or

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

24 **§15A202. Benefits.** Students entitled to merit awards pursuant to this
25 Article shall receive the following benefits:

1 (a) Tuition and Fees at the University of Guam. Tuition and
2 fees for each academic year to be paid by the Student Financial
3 Assistance Fund for a period of not more than four (4) years in an
4 undergraduate program at the University of Guam. ~~For awards~~
5 ~~granted under §15A201(a)(2) of this Article, student shall receive an~~
6 ~~additional two (2) years of tuition and fees for a graduate degree at the~~
7 ~~University of Guam. To be eligible for an additional award granted~~
8 ~~under §15A201(a)(2), the awardee must begin their graduate program~~
9 ~~at the University of Guam within three years from their undergraduate~~
10 ~~completion date.~~

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

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

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

18 ~~(3) Graduate Students: Six Hundred Dollars (\$600.00)~~
19 ~~per month.~~

20 (c) Allowance for Textbooks. Each student receiving an award
21 under this Article shall be entitled to an additional Three Hundred and
22 Fifty Dollars (\$350.00) per semester for textbooks.

23 (d) Optional Inter-Session Allowed.

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

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

6 **§15A203. Service Credit.** The financial assistance granted under this
7 Article shall be repaid on a one-to-one basis for each year that assistance
8 was provided through employment on Guam or in the office of Guam's
9 Delegate to the United States Congress. In the event that any portion of the
10 assistance is not repaid through service credit, the amount unpaid in service
11 credit shall become due and payable.

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

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

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

1 (c) Any awardee granted an award pursuant to the provisions
2 of this Article must commence work on Guam within six (6) months
3 following the completion of studies, unless extended by the Board for
4 extenuating circumstances or will be considered in default of their
5 obligation as of the date classes ended. The permanent transfer to an
6 off-Guam office or branch of a Guam employer shall not count
7 towards service credit and shall result in default on the date of transfer
8 and interest shall begin accruing on such a date of default. Permanent
9 transfers, for purposes of this Section, are those that are longer than
10 six (6) months. The Board shall establish such policies prescribing
11 the length and terms of repayment, the interest rates to be charged,
12 and the collection of delinquent accounts.

13 (d) Death or total disability of the student shall terminate any
14 obligations herein. Total disability for purposes of this Section is
15 defined as any physiological or psychological condition that will
16 prevent the student from obtaining or maintaining any form of gainful
17 employment for a period of not less than three (3) years. The Board
18 may defer repayment for temporary disability. Total and permanent
19 disability requires the certification by two (2) physicians licensed to
20 practice in the United States.

21 **§15A204. Rules and Regulations.** The Board shall develop
22 appropriate rules and regulations for the administration of this Article.
23

24 **ARTICLE 3**

25 **JESUS U. TORRES PROFESSIONAL AND TECHNICAL AWARDS**

26 **(For Academic Years 2013-2014 and Thereafter)**

1
2 **§15A301. Students Entitled to Awards.**

3 **§15A302. Benefits.**

4 **§15A303. Repayment of Benefits and Service Credit.**

5 **§15A304. Forfeiture of Awards.**

6 **§15A305. Rules and Regulations.**

7
8 **§15A301. Students Entitled to Awards.** There are established
9 professional and technical awards for graduate studies. To qualify for these
10 awards, applicants must meet the following criteria:

11 (a) The applicant must be a bona fide resident of Guam for a period of
12 not less than ten (10) years prior to application, and a United States citizen,
13 or a permanent resident alien, and must have achieved an overall grade point
14 average of 3.00 in undergraduate studies if pursuing a master's degree or a
15 professional degree, or a 3.33 grade point average in a master's degree or
16 professional degree program if pursuing a doctoral degree or an irrevocable
17 letter of acceptance from a U.S. accredited institution as recognized by the
18 Council for Higher Education Accreditation (CHEA) or its successors or an
19 irrevocable letter of acceptance from a foreign medical school as listed in the
20 World Health Organization (WHO) listing of medical schools, which was
21 approved by the Board of Medical Examiners or the Council on Medical
22 Education and hospitals of the American Medical Association (or by a
23 private non-profit accrediting body approved by the Guam Board of Medical
24 Examiners.

25 (b) the applicant must agree to the repayment terms as specified
26 in §15A303 and §15A304;

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

13 (d) the college or university must be properly accredited as
14 recognized by the Council for Higher Education Accreditation
15 (CHEA), or its successors, or the foreign medical school must be
16 properly accredited as listed in the World Health Organization (WHO)
17 listing of medical schools, which was approved by the Board of
18 Medical Examiners or the Council on Medical Education and
19 hospitals of the American Medical Association or by a private non-
20 profit accrediting body approved by the Guam Board of Medical
21 Examiners, and must be approved by the Board, however, that no
22 award shall be granted for studies at an off-Guam institution in a
23 program that is available at the University of Guam.

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

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

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

7 (g) No benefits as specified in §15A302 shall be continued
8 beyond the number of years normally required to complete studies in
9 the specific academic degree program for which the award was
10 granted, except under exceptional circumstances, as determined by the
11 Board.

12 **§15A302. Benefits.** Students entitled to awards pursuant to this
13 Article shall receive the following benefits:

14 (a) payment of tuition and fees up to Ten Thousand Dollars
15 (\$10,000.00) per year, except that students whose course of study is in
16 an area leading to a Doctor of Medicine (MD), a Doctor of Dental
17 Medicine (DMD), Doctor of Dental Surgery (DDS), a Doctor in
18 Clinical Psychology (ClinPsyD), or a Doctor of Veterinary Medicine
19 (DVM) shall be entitled to Twenty Thousand Dollars (\$20,000.00) for
20 tuition and fees.

21 (b) an annual grant loan of not more than Ten Thousand Dollars
22 (\$10,000.00) per year to be used for room and board, books and
23 educational supplies, except that students whose course of study is in
24 an area leading to a Doctor of Medicine (MD), a Doctor of Dental
25 Medicine (DMD), Doctor of Dental Surgery (DDS), a Doctor in
26 Clinical Psychology (ClinPsyD), or a Doctor of Veterinary Medicine

1 (DVM) shall be entitled to Fifteen Thousand Dollars (\$15,000.00)
2 Such grant loans are to be non-interest bearing, except as to unpaid
3 delinquent amounts; and

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

8 Total for items (a) and (b) of this Section shall not exceed Twenty
9 Thousand Dollars (\$20,000.00) per year. If the course of study leads
10 to a Doctor of Medicine (MD), a Doctor of Dental Medicine (DMD),
11 Doctor of Dental Surgery (DDS), a Doctor in Clinical Psychology
12 (ClinPsyD), or a Doctor of Veterinary Medicine (DVM), the total for
13 items (a) and (b) of this Section shall not exceed Thirty-five Thousand
14 Dollars (\$35,000.00) per year.

15 **§15A303. Repayment of Benefits and Service Credit.** The financial
16 assistance granted under this Article shall be repaid on a two-to-one (2:1)
17 basis for each year that assistance was provided through employment on
18 Guam or in the office of Guam's Delegate to the United States Congress. In
19 the event that any portion of the assistance is not repaid through service
20 credit, the amount unpaid in service credit shall become due and payable.

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

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

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

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

14 (2) The number of monthly installments to be paid shall
15 be based on the number of months for which assistance was
16 provided multiplied by two (2).

17 (3) In the event of default, the balance due in monetary
18 terms shall be the amount of assistance provided less the
19 amount repaid through service credit. The amount repaid
20 through service credit shall be the total amount of assistance
21 provided divided by the number of installments of service credit
22 due as calculated in sub section (b)(2) multiplied by the number
23 of installment paid through service credit.

24 (c) Any awardee granted an award pursuant to the provisions of
25 this Article must commence work on Guam within six (6) months
26 following the completion of studies, unless extended by the Board for

1 extenuating circumstances, or will be considered in default of their
2 obligation as of the date classes ended. The permanent transfer to an
3 off-Guam office or branch of a Guam employer shall not count
4 towards service credit and shall result in default on the date of transfer
5 and interest shall begin accruing on such a date of default. Permanent
6 transfers, for purposes of this Section, are those that are longer than
7 six (6) months. The Board shall establish such policies prescribing
8 the length and terms of repayment, the interest rates to be charged,
9 and the collection of delinquent accounts.

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

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

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

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

6 **§15A304. Forfeiture of Awards.** Expulsion from a school or
7 institution attended, or suspension for a period of the same or greater than
8 one (1) academic semester, or its equivalent, in such school or institution, or
9 failure to complete the program for which the award was granted, or failure
10 to comply with the regulations of the Board, shall result in a forfeiture of the
11 award provided by this Article. For purposes of this Article, a person shall
12 be considered to have completed the course of studies upon the event or
13 events of forfeiture as provided in this Section.

14 **§15A305. Rules and Regulations.** The Board shall develop rules and
15 regulations pursuant to the Administrative Adjudication Law for the
16 administration of the program enacted by this Article. In addition to the
17 administration of the program, such Rules and Regulations shall include
18 provisions for:

- 19 (a) conditions for continuance of an award;
20 (b) construction of applicable promissory notes;
21 (c) time frames for the completion of program studies; and
22 (d) provisions for the temporary suspension of completion of a
23 degree program or repayment of awards for cases beyond the control
24 of the scholarship recipient such as personal illness of death or illness
25 of a family member.
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ARTICLE 4
ACCESS TO HIGHER EDUCATION FINANCIAL
ASSISTANCE PROGRAM

§15A401. 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, or a permanent resident alien, who has been a resident of Guam for a continuous period of not less than four (4) years immediately preceding June 15th 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 degree);

d. the applicant must be enrolled as a full-time student at the University of Guam.

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;

§15A402. Benefits. Students entitled to grants pursuant to this Article shall receive the following benefits:

1 a. A grant amount between Five Hundred Dollars (\$500.00) to
2 Three Thousand Dollars (\$3,000.00) per year based on financial need.
3 "Financial need" means the difference between the student's cost of
4 attendance at the University of Guam and the student's expected
5 family contribution (EFC). Expected Family Contribution (EFC),
6 shall be determined using the federal methodology pursuant to
7 subdivision (a) of Section 69506 (as established by Title IV of the
8 federal Higher Education Act of 1965, as amended (20 U.S.C. Secs.
9 1070 et seq.) and applicable rules and regulations adopted by Board.

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

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

17 3. Award recipients shall not receive more than one type
18 of award concurrently under this Chapter.

19 **§15A403. Repayment of Benefits and Service Credit.** The financial
20 assistance granted under this Article shall be repaid on a one-to-one (1:1)
21 basis for each year that assistance was provided through employment on
22 Guam or in the office of Guam's Delegate to the United States Congress. In
23 the event that any portion of the assistance is not repaid through service
24 credit, the amount unpaid in service credit shall become due and payable.

25 **§15A404. Programs for Teachers, Nurses, and Other Specialized**
26 **Awards.** The Board shall continue to award programs identified in 17 GCA

1 Chapter 15, specifically, Article 9 (Doc Sanchez Scholarships), Article 10
2 (Nursing Training), Article 13 (The Doctor Antonio C. Yamashita Teacher
3 Corp), and Article 14 (The Every Child is Entitled to a Higher Education
4 Scholarship Program) consistent with Rules and Regulations promulgated by
5 the Board as authorized by this Chapter. The Rules and Regulations for
6 programs authorized under this section must contain provisions for
7 repayment of benefits and service credit.

8 **§15A405. Rules and Regulations.** The Board shall promulgate rules
9 and regulations prior to the granting of any award under this Chapter.”

10 **Section 3. Sunset Provision.** After Award Year 2012-2013, no other
11 awards shall be granted under Chapter 15 of Title 17 Guam Code Annotated except
12 as provided for in Chapter 15A. However, the provisions of Chapter 15 Title 17
13 shall remain in effect for all awards granted in Award Year 2012-2013 and prior.

COMMITTEE ON EDUCATION & PUBLIC LIBRARIES
SIGN-IN SHEET
PUBLIC HEARING
September 28, 2012, 4:00 p.m.

Bill No. 509-31 (COR) - J.T. Won Pat, Ed.D.

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Robert Underwood	VOG	support	X	X	7277715	anuelator2010@gmail.com
Mark Deyf	VOG	support	X			

Bill No. 509-31 (COR) - J.T. Won Pat, Ed.D.

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

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NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
D. O'BRIEN	UOG	SUPPORT	No	No	735-2900	
Jonas Maapulae	UOG	Support	No	No	755-2944	

Bill No. 509-31 (COR) - J.T. Won Pat, Ed.D.

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

STEPHEN J. GUERRERO
DEPUTY DIRECTOR

SEP 24 2012

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: **509-31(COR)**.

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 509-31 (COR)**

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

Department/Agency Appropriation Information

Dept./Agency Affected: University of Guam	Dept./Agency Head: Dr. Robert Underwood
Department's General Fund (GF) appropriation(s) to date:	29,988,904
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund (\$1,421,923); Tourist Attraction Fund (\$340,000); CIP (\$500,000)	4,622,866
Total Department/Agency Appropriation(s) to date:	\$34,611,770

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance ¹		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /X/ No
/ / Requested agency comments not received by due date /X/ Other: Time constraint

Analyst (s): Joe Certeza *JC* Date: 09/18/2012 Director: John X. Rios *JXR* Date: 9/21/12
John X. Rios, Director

Footnotes:

1/ The Bill has a potential fiscal impact to GovGuam funds, specifically, its intent to provide financial assistance to Guam residents interested in pursuing higher education. However, in its present form, such impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

September 12, 2012

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill Nos. 509-31 (COR) & 510-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 509-31 (COR) and 510-31 (COR).

Please ensure that the subject bills is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

(2) Attachment

I Mina'Trentai Unu Na Liheslaturan Guahan
Bill Log Sheet

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
509-31 (COR)	Judith T. Won Pat, Ed.D., T.R. Muna Barnes	AN ACT TO ADD A NEW CHAPTER 15A OF DIVISION 3, TITLE 17 GUAM CODE ANNOTATED RELATIVE TO THE STUDENT FINANCIAL ASSISTANCE PROGRAMS	09/10/2012 3:37pm	9/12/12		Committee on Education & Public Libraries			



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public hearing notice

Frank Torres ftorres@judiwonpat.com

Sep 20

to phnotice

September 20, 2012

To: Members of the 31st Guam Legislature

From: Committee on Education and Public Libraries

Subject: Notice of Public Hearing

The Committee on Education and Public Libraries will hold a public hearing on Friday, September 28, 2012 at 2:00 p.m. in the Guam Legislature's Public Hearing on the following legislation:

Bill No. 509-31 (COR) - J.T. Won Pat, Ed.D. / T.R. Muña Barnes

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

Written Testimonies should be addressed to Speaker Judith T. Won Pat, Ed.D. and will be accepted via hand delivery to Speaker's office or the Mail Room of the Guam Legislature at 155 Hesler Place in Hagåtña or via email to speaker@judiwonpat.com or via facsimile to 472-3589.

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The Committee on Education and Public Libraries will hold a public hearing on Friday, September 28, 2012 at 4:00 p.m. in the Guam Legislature's Public Hearing on the following legislation:

Bill No. 509-31 (COR) - J.T. Won Pat, Ed.D. / T.R. Muña Barnes

An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

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Sent: Wednesday, September 26, 2012 3:52 PM
To: phnotice@guamlegislature.org
Subject: Second notice public hearing

September 26 2012

To: Members of the 31st Guam Legislature
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing

The Committee on Education and Public Libraries will hold a public hearing on Friday, September 28, 2012 at 4:00 p.m. in the Guam Legislature's Public Hearing on the following legislation:

Bill No. 509-31 (COR) - J.T. Won Pat, Ed.D. / T.R. Muña Barnes

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The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Mr. Edward Pocaigue at [472-3586](tel:472-3586) or by email at edpocaigue@judiwonpat.com

The public hearing will be broadcasted on MCV Channel 13 or GUdTV Channel 21.

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September 26 2012

To: Members of the 31st Guam Legislature From: Committee on Education and Public Libraries Subject: Notice of Public Hearing

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The public hearing will be broadcasted on MCV Channel 13 or GUdTV Channel 21.

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CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

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COMMITTEE ON
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September 28, 2012

Agenda

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- Bill No. 509-31 (COR) An act to add a new Chapter 15A of Division 3, Title 17 Guam Code Annotated relative to the Student Financial Assistance Programs.

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