



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OCT 17 2001

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 175 (COR) "AN ACT TO *AMEND* §§ 15603 AND 15604 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH, AND TO APPROVE THE PROGRAM'S RULES AND REGULATIONS" which was I have signed into law as **Public Law No. 26-53**.

This legislation amends the John F. Quan Memorial Scholarship requirements to allow more students to apply for this Scholarship. The changes are that a permanent resident alien can now apply. In addition, after completion of the course of studies, the student must work on Guam for One (1) year for each year the scholarship is received, rather than the previous Twelve (12) credits earned. A cap of \$12,500 for undergraduate studies is established, and a cap of \$17,500 for graduate studies is established. Finally, this legislation adopts the scholarship rules and regulations as submitted by the University of Guam.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker

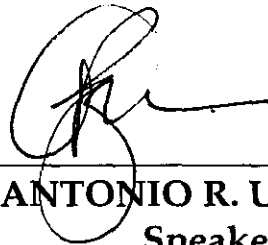
OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By [Signature]
Time 1:56pm
Date 10/17/01

0536

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

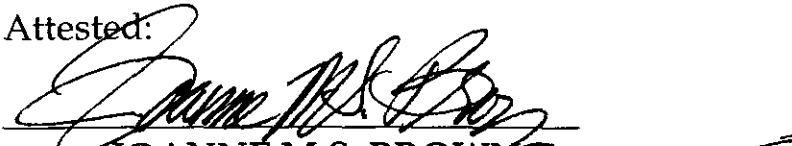
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 175 (COR), "AN ACT TO AMEND §§ 15603 AND 15604 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH, AND TO APPROVE THE PROGRAM'S RULES AND REGULATIONS," was on the 14th day of September, 2001, duly and regularly passed.



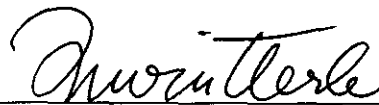
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 5th day of October, 2001,
at 4:30 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 10-17-01

Public Law No. 26-53

1 **"Section 15603. Scholarship.** The Board is authorized to
2 approve one (1) scholarship per year for undergraduate studies or
3 training, to qualified applicants who have been accepted or admitted
4 into programs leading to a degree in the field of ocean resources
5 scientific studies. The scholarships provided in this Article are *subject to*
6 the following limitations:

7 (a) The applicant must be a *bona fide* resident of Guam and
8 an U.S. citizen or permanent resident alien who has achieved *at*
9 *least* a grade point average of 3.0 in high school or undergraduate
10 studies, or an irrevocable letter of acceptance from an accredited
11 U.S. university, college or professional institute recognized in the
12 fields of ocean resource science, or oceanography.

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

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

23 (1) living resources;

Attachment A

John F. Quan Memorial Scholarship for Ocean Resource Science and Research Rules and Regulations.

1.0. PURPOSE.

The John F. Quan Memorial Scholarship for Ocean Resource Science and Research shall be given to deserving undergraduate, graduate and professional degree students of Guam who are accepted into programs which will help to advance Guam's scientific understanding of its ocean resources, living and non-living, off shores and maritime industries, and to protect Guam's Exclusive Economic Zone from external impediments which potentially threaten resources within Guam's waters.

2.0. BACKGROUND AND STATUTORY AUTHORITY.

The Board of Regents of the University of Guam is authorized under Title 17 of the Guam Code Annotated to formulate rules and regulations to equitably and efficiently administer the Student Financial Assistance Programs, as listed in Chapter 15 of Title 17 of the Guam Code Annotated.

3.0. NUMBER OF AWARDS.

The Board of Regents is authorized to approve one (1) scholarship per year for undergraduate or graduate studies or training, to qualified applicants who have been accepted or admitted into programs leading to a degree or certificate in the field of ocean resources scientific studies.

4.0. DEFINITIONS.

As used in these rules and regulations, the following terms will have the following meaning:

- (a) "*Scholastic Year*": Fall, Spring and Summer semester calendar systems, and Fall Winter, Spring and Summer for a quarter calendar system.
- (b) "*Academic program*": the specific academic program of study, which will be undertaken to achieve the desired degree.
- (c) "*Accreditation*": as recognized by the Council for Higher Education Accreditation ("*CHEA*"), or its successors.
- (d) "*Board*": the Board of Regents of the University of Guam.
- (e) "*Bona fide resident*": resident of Guam for a continuous period of *not less than ten (10) years prior* to application.
- (f) "*Cash repayment*": monetary cash repayment for the period the deficiency was made and no service credit allowed.

- (g) "FAFSA": Free Application for Federal Student Aid.
- (h) "Fees": general fees applied to all students plus laboratory and course fees.
- (i) "Financial need": institutional cost minus expected family contribution, determined through the FAFSA, equal unmet need (COA-EFC=Unmet need).
- (j) "Full-time status": (1) twelve (12) or more credit hours per semester/quarter for undergraduate students, or as defined by the institution's catalog; (2) nine (9) or more credit hours per semester/quarter for graduate students, or as defined by the institution's catalog.
- (k) "Promissory note": the document signed by the student promising to repay the award in accordance with the rules and regulations specified under the program.
- (l) "SAR": Student Aid Report resulting from the processed FAFSA.
- (m) "Service credit": repayment of award obligation through employment service, upon completion of studies.
- (n) "Co-signers": those persons who are residents of Guam and are financially responsible for repaying the promissory note and/or cash repayment note in the event the recipient fails to comply with their obligation.

5.0. APPLICATION PROCEDURE AND REQUIREMENTS.

An applicant for an award must provide the following documents:

- (a) A completed application must be received on or before April 30th, to the Financial Aid Office, University of Guam. The official application form is obtainable in January at the Financial Aid Office.
- (b) An official letter affirming that the applicant has been unconditionally accepted for admission to an U.S. accredited higher education institution or professional school, as recognized by the Council for Higher Education Accreditation ("CHEA"), or its successors, as a regular full-time undergraduate or graduate student in a specific program, or that the applicant is enrolled in the Program and in good standing. No award will be granted for studies at an off-Guam institution in an academic/technical program that is available at the University of Guam.
- (c) A complete official college transcript of the applicant's studies at all institutions attended.
- (d) College/university catalog or bulletin applicable to student's enrollment containing information regarding the applicant's professional/technical program, the institution's published annual cost of attendance and the normal number of years or semester for completion of program.
- (e) The Student Aid Report ("SAR") or Institutional Student Information Report ("ISIR"), as evidence of need for financial assistance as a result of the processed FAFSA by the U.S. Department of Education Processing Center. The

FAFSA application is obtainable from the Financial Aid Office, or students may apply directly to www.fafsa.ed.gov.

(f) Must submit proof of U.S. citizenship (birth certificate, naturalized certificate or passport).

(g) Must provide one (1) or more of the following as proof of ten (10) year residency on Guam:

(1) copies of filed income tax records for a period of ten (10) years;

(2) certificate or validation of income tax filed from Department of Revenue and Taxation;

(3) *if* a recipient of public assistance, must have a certified statement from agencies that assistance was provided for a period of ten (10) years;

(4) certified statement from the Guam Election Commission on voter registration for the past three (3) general elections;

(5) bank statement of mortgage on principal residence over ten (10) year period; *or*

(6) official school transcript from schools attended on Guam, or as a resident of Guam while attending an off-Guam institution.

6.0. ELIGIBILITY.

To be eligible for a John F. Quan Memorial Scholarship, the applicant:

(a) must be a *bona fide* resident of Guam for a continuous period of *not less than* (10) ten years *prior* to application, and a citizen of the United States;

(b) must provide evidence of financial need through the completion and processing of the Free Application for Federal Student Aid ("FAFSA"), as reported in the Student Aid Report ("SAR"), or the Institutional Student Information Report from the U.S. Department of Education Processing Center;

(c) must have achieved *at least* a grade point average of 3.0 in high school *if* pursuing undergraduate studies toward an Associate or Bachelor's degree, or be able to produce an irrevocable letter of acceptance from an U.S. accredited institution, or professional school, as recognized by CHEA;

(d) must be a college student with a current grade point average of 3.0 or better *if* pursuing Master's or Doctoral Degree, or be able to provide an irrevocable letter of acceptance from an U.S. accredited institution, or professional program recognized by CHEA; *and*

(e) must be pursuing, on a full-time basis, a technical training certificate or degree program in ocean resource science, or fisheries, maritime industries, or other areas to include:

(1) living resources;

(2) non-living resources, such as hard seabed materials, geothermal venting, precious minerals, submarine currents and other non-living resources;

- (3) ocean resource technology;
- (4) pollutant mitigation technology;
- (5) fishing and maritime industries; *and*
- (6) maritime law.

7.0. SELECTION OF AWARDEE.

The Board of Regents shall direct the Financial Aid Office to review and evaluate the applications based upon the following:

- (a) the applicant's scholastic record, aptitude and financial need;
- (b) the Board may use work or lifetime experience and achievement as criteria in place of the aptitude *if* it appears that such experience or achievement can reasonably predict the applicant's success in the course of study; *or*
- (c) the field of study is needed for the development of Guam's ocean resources in the future.

8.0. BENEFITS.

An award recipient is entitled to the following benefits:

- (a) payment of tuition and fees, and related field research cost per year as follows:
 - (1) **Undergraduate Scholarship Award.**
 - Associate Degree - *up to* the amount of Five Thousand Dollars (\$5,000.00) for a period *not* to exceed two (2) scholastic years. Technical training certificate for a period *not* to exceed two (2) scholastic years.
 - Bachelor's Degree - *up to* the amount of Ten Thousand Dollars (\$10,000.00) for a period *not* to exceed four (4) scholastic years;
 - (2) **Graduate Scholarship Award.**
 - Master's Degree - *up to* the amount of Ten Thousand Dollars (\$10,000.00) for a period *not* to exceed two (2) scholastic years.
 - Doctoral Degree - *up to* the amount of Fifteen Thousand Dollars (\$15,000.00), including dissertation, as long as it does *not* exceed four (4) scholastic years.
 - Juris Doctor Degree - *up to* the amount of Fifteen Thousand Dollars (\$15,000.00) for a period *not* to exceed four (4) scholastic years; *and*

(b) an annual grant of *not more than* Two Thousand Five Hundred Dollars (\$2,500.00) per year for room and board, books, and educational supplies and materials, but in no case shall the total amount awarded to a single individual exceed the sum of Ten Thousand Dollars (\$10,000.00).

9.0. OBLIGATION OF AWARD RECIPIENTS.

The recipient of an Award must fulfill the following obligations:

(a) comply with all award regulations established by the Board of Regents;

(b) enroll for and maintain full-time status for the period under the program, *unless* it is the student's last term in which graduation occurs;

(c) maintain a grade-point average of *not less than* 3.0 each term (A student who fails to comply with this regulation shall be placed on probation and must meet the academic standard prescribed herein by the end of the term *immediately* following the term in which the probationary status occurred.);

(d) submit an official copy of transcript and a detailed statement of actual tuition and fee charges *no later than* thirty (30) days *prior* to the beginning of each semester/quarter to process payment;

(e) obtain written approval by the Board before:

(1) transferring to another institution; transfer(s) may be approved by the Board *if* such transfer(s) would *not* exceed the length of time required to complete the program;

(2) changing academic/technical program; change(s) may be approved by the Board *if* such change(s) would *not* extend the length of time required to complete the program (Such change must be within the program guidelines as established by Public Law Number 24-187, 17 GCA § 15604(a) (1-2).);

(3) withdrawing from any institution, *unless* such withdrawal was due to circumstances beyond the recipient's control, and such withdrawal is subsequently approved in writing by the Board; *or*

(4) being employed on Guam; recipients are obligated to work for one (1) year, for each twelve (12) credits earned while the recipient was under the Award program (The recipient's employment on Guam shall commence within six (6) months *after* the completion of studies. *If* a recipient continues their education as a full-time student at a graduate or professional school, the recipient may defer their return to Guam *until* such additional studies are completed; *provided*, that written approval is obtained from the Board. A graduate requiring specialized training, may postpone the graduate's employment on Guam while undergoing specialized training, as long as the recipient is certified by the director of the training program on an annual basis and upon written approval from the Board.); *and*

(f) by accepting the award, the recipient agrees that the University of Guam may obtain any or all information from the recipient's respective institution and employer to comply with Board rules and regulations. Additionally, the recipient will be required to attend:

- (1) a pre-award interview prior to disbursement of the award; *and*
- (2) an exit interview upon completion of degree or certificate program with the staff from the Financial Aid Office.

10.0. PROMISSORY NOTE.

The recipient shall execute a non-interest bearing promissory note with two (2) responsible co-signers, who are residents of Guam and are financially able to repay the note in the event that the recipient fails to comply with service obligation one hundred eighty (180) days from the required initial date of employment. The note becomes interest bearing on any amounts unpaid by service credit that are due and payable, which shall be subject to interest on the annual rate of ten percent (10%). The total amount of the note shall be determined upon completion of studies in which assistance was provided by the Award. No funds under this program shall be disbursed *until* the note has been complied with in accordance to the prescribed rules and regulations of this Program. This note shall be executed by the Financial Aid Office, Student Financial Assistance Program.

11.0. CONDITIONS FOR CONTINUANCE OF AN AWARD.

The conditions for continuation of the Award shall include the following:

- (a) maintain status as a regular full-time student at the institution to which admitted and in the program for which the award was granted, *unless* a transfer to another institution or a change of academic program has been authorized in writing by the Board of Regents;
- (b) maintain satisfactory academic standing in accordance with Regulations 9(b) and 9(c);
- (c) submit an official copy of transcript and a detailed billing statement of tuition and fees *no later than* thirty (30) days at the end of each semester/quarter;
- (d) provide a copy of a Student Aid Report and an award letter from the institution of attendance to determine continued financial need (No Award shall be continued beyond the number of years as specified by Public Law Number 24-187, 17 GCA § 15604(a) (1-2).); *and*
- (e) comply with all other regulations governing the Award.

12.0. FORFEITURE OF AWARD.

Forfeiture of an award shall result from *any* of the causes listed below, and any award forfeited shall be *immediately* due and payable:

(a) suspension or dismissal for academic deficiency, disciplinary reasons or conviction of a felony;

(b) withdrawal from the institution in anticipation of any action under (a), above, or for any other reason(s) *not* authorized by the Board;

(c) failure to maintain status as a full-time student, *except* a recipient may be allowed by the Board one (1) academic term to regain full-time status without cancellation of the Award, or a recipient may be permitted to carry *less than* full-time load, *if* it would *not* result in the student's failing to graduate within the normal time for completing the program of studies (In the event that an exception is granted pursuant to this Subsection, the student shall be required to sign a cash repayment promissory note to repay, in cash, the amount awarded for the academic term in which the failure to maintain full-time status occurred and *not* be eligible for service credit pursuant to § 12.0 following graduation or termination of studies for any reason.); *or*

(d) violation of other Board regulations.

13.0. SERVICE CREDIT.

(a) **Service Credit.** The applicant agrees that after completion of the course of studies for which the scholarship was granted, such applicant will remain on, or return to, Guam to work on Guam for one (1) year, for each twelve (12) credits earned while a recipient was under the program.

(b) **Postponement.** If the recipient wishes *not* to begin employment on Guam within six (6) months after graduation to continue studies on a full-time basis at an accredited institution of higher education, the recipient may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue the recipient's studies. Without the *prior* approval of the Board, the recipient who does *not* return to Guam within six (6) months, must pay in cash Thirteen Dollars and Eighty-eight Cents (\$13.88) per day (Five Thousand Dollars (\$5,000.00) per year) for those under the Associate Degree Program; Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day, (Ten Thousand Dollars (\$10,000.00) per year) for those under the Bachelor's and Master's Degree Program; Forty-one Dollars and Sixty-six Cents (\$41.66) per day, (Fifteen Thousand Dollars (\$15,000.00) per year) for those under the Doctoral and Juris Doctor Degree Programs, for each day between the date of graduation and the date of employment on Guam. Once this amount has been paid, the recipient is entitled to use service credit for the remaining amount of the debt for each year of employment on Guam.

(c) **Interruption.** If a person receiving service credit wishes to *temporarily* terminate employment on Guam to continue that person's studies on a full-time basis at an accredited institution of higher education, as recognized by CHEA, or its successors, that person may appeal in writing to the Board for

permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue that person's studies. Without the *prior* approval of the Board, the recipient must pay in cash Thirteen Dollars and Eighty-eight Cents (\$13.88) per day (Five Thousand Dollars (\$5,000.00) per year) for those under the Associate Degree Program; Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day (Ten Thousand Dollars (\$10,000.00) per year) for those under the Bachelor's and Master's Degree Program; Forty-one Dollars and Sixty-six Cents (\$41.66) per day, (Fifteen Thousand Dollars (\$15,000.00) per year) for those under the Doctoral and Juris Doctor Degree Programs, for each day the person is *not* employed on Guam. Upon payment of such amount, the recipient is entitled to use service credit on the remaining debt.

(d) **Ineligibility for Service Credit.** Any recipient who did *not* receive the degree that that person sought with assistance from the Board, without *prior* written approval, shall be ineligible for service credit. All monies disbursed during attendance under the John F. Quan Memorial Scholarship will become due and payable under the note, and shall be subject to an annual interest rate of ten percent (10%) in monthly installment payments. Such payments shall *not* exceed ten (10) years pursuant to the law. The University of Guam Collections Department will be charged with computing the recipient's monthly installment payments in the event of default.

(e) **Leave of Absence.** It is the responsibility of the recipient to inform the Board of Regents of their intended leave of absence *if* such leave is longer than forty-five (45) days. The recipient must remain employed on Guam to receive service credit while on off-Guam leave status.

(f) **Death or Total Disability.** In the event the recipient should become *totally* disabled (physiological or psychological) or upon death, while completing service credit, any obligation on the note shall be terminated upon certification of two (2) physicians licensed to practice in the United States.

(g) **Annual Proof of Employment.** It is the responsibility of the recipient to provide the Board of Regents documentary evidence of such employment and, each year thereafter, until such service obligation is fulfilled.

①
1 MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 9/14/01

VOTING SHEET

S Bill No. 175(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

2nd Reading - 3rd
9/13/01 9/13/01

6
9/14/01

**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session**

Bill No. 175 (COR)
As substituted by the
Committee On Education

Introduced by:

L. F. Kasperbauer
A.R. Unpingco
FP CAMACHO

**AN ACT TO AMEND §15603 AND §15604 OF TITLE 17,
GUAM CODE ANNOTATED RELATIVE TO THE JOHN F.
QUAN MEMORIAL SCHOLARSHIP FOR OCEAN
RESOURCE SCIENCE AND RESEARCH AND TO APPROVE
THE PROGRAMS RULES AND REGULATIONS. .**

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

2

3 **Section 1.** Section 15603 of Title 17, Guam Code Annotated, as
4 amended by Public Law 24-187, is hereby *amended* to read:

5 **"§15603. Scholarship.**

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

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



September 11, 2001

The Honorable Antonio R. Unpingco
Speaker
I Mina Bente Sais Na Liheslaturan Guahan
Hagåtña, Guam

Via: Committee on Rules

The Committee on Education, to which was referred **BILL NO. 175 (COR) AN ACT TO AMEND §15603 AND §15604 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH AND TO APPROVE THE PROGRAMS RULES AND REGULATIONS**, herein reports back with the recommendation TO DO PASS, as substituted by the committee.

Votes are as follows:

9 To Pass

_____ Not to Pass

_____ To the Inactive File

_____ Abstained

Sincerely,


LARRY F. KASPERBAUER, Ph.D.

Attachments



September 11, 2001

MEMORANDUM

To: All Members
Committee on Education

From: Chairman

Subject: **Voting Sheet**

Transmitted herewith are the voting sheet and Committee Report for **BILL NO. 175 (COR)** AN ACT TO AMEND §15603 AND §15604 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH AND TO APPROVE THE PROGRAMS RULES AND REGULATIONS, herein reports back with the recommendation TO DO PASS as substituted by the committee, for your review and signature.

Attention to this matter is greatly appreciated.


LARRY F. KASPERBAUER, Ph.D.




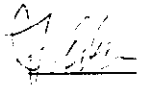

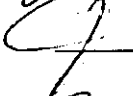

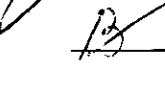

Attachments

COMMITTEE ON EDUCATION
I Mina' Bente Sais Na Libeslaturan Guåhan
 155 Hesler Street · Hagåtña, Guam 96910

Chairman: Vice Speaker Lawrence F. Kasperbauer Vice-Chairperson: Senator Mark Forbes
 Ex-Officio Member: Speaker Antonio R. Unpingco

VOTING SHEET ON:

SUBSTITUTE BILL NO. 175 (COR) AN ACT TO AMEND §15603 AND §15604 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH AND TO APPROVE THE PROGRAMS RULES AND REGULATIONS.

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE INACTIVE FILE</u>
Vice Speaker Lawrence F. Kasperbauer <i>Chairman</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mark Forbes <i>Vice-Chairperson</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speaker Antonio R. Unpingco <i>Ex-Officio</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joseph F. Ada <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Thomas C. Ada <i>Member</i>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Frank Blas Aguon <i>Member</i>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joanne M.S. Brown <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Felix P. Camacho <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mark Charfauros <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kaleo Scott Moylan <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Vicente C. Pangelinan <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Angel L.G. Santos <i>Member</i>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Judith Won Pat <i>Member</i>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1 professional institutes recognized in the fields of ocean resource science, or
2 oceanography.

3 (b) The applicant must agree that after completion of the course of
4 studies for which the scholarship was granted, such applicant will remain on or
5 return to Guam to work on Guam for one (1) year, for each ~~twelve (12) credits~~
6 earned year the scholarship is received.

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

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

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

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Section 2. Section 15604 of Title 17, Guam Code Annotated, as amended by Public Law 24-187, is hereby *amended* to read:

"§15604. Benefits.

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

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

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

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

(b) An annual grant of not more than Two Thousand Five Hundred Dollars (\$2,500) per year to be disbursed in accordance with regulations adopted by the Board. In no case shall the total amount awarded under this paragraph, to a single individual exceed the sum of Ten Thousand Dollars (\$10,000).

(c) Cap on Benefits. The total annual benefits for item (a)(1) of this Section shall not exceed Twelve Thousand Five Hundred Dollars (\$12,500). The total annual benefits for item (a)(2) of this Section shall not exceed Seventeen Thousand Five Hundred Dollars (\$17,500)."

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Section 3. Approval of the Quan Scholarship Rules and Regulations.

The *John F. Quan Memorial Scholarship for Ocean Resource Science and Research* Rules and Regulations, as approved by Resolution of the University of Guam's Board of Regents (Resolutions No. 01-24) and attached hereto as "**Attachment A**" are hereby approved. The University of Guam is authorized to make further changes to such Rules and Regulations for the purpose of consistency with the provisions of Sections 1 and 2 of this Act.

"Attachment A"

John F. Quan Memorial Scholarship for Ocean Resource Science and Research Rules and Regulations

1.0 PURPOSE

The John F. Quan Memorial Scholarship for Ocean Resource Science and Research shall be given to deserving undergraduate, graduate and professional degree students of Guam who are accepted into programs which will help to advance Guam's scientific understanding of its ocean resources, living and non-living, off shores, maritime industries, and to protect Guam's Exclusive Economic Zone from external impediments which potentially threaten resources within Guam's waters.

2.0 BACKGROUND AND STATUTORY AUTHORITY

The Board of Regents of the University of Guam is authorized under Title 17 of the Guam Code Annotated to formulate rules and regulations to equitably and efficiently administer the Student Financial Assistance Programs as listed in Chapter 15 of Title 17 of the Guam Code Annotated.

3.0 NUMBER OF AWARDS

The Board of Regents is authorized to approve one (1) scholarship per year for undergraduate or graduate studies or training, to qualified applicants who have been accepted or admitted into programs leading to a degree or certificate in the field of ocean resources scientific studies.

4.0 DEFINITIONS

As used in these rules and regulations, the following terms will have the following meaning:

- (a) 'Scholastic Year': Fall, Spring, and Summer semester calendar systems, and Fall Winter, Spring and Summer for a quarter calendar system.
- (b) 'Academic program': the specific academic program of study, which will be undertaken to achieve the desired degree.
- (c) 'Accreditation': as recognized by the Council for Higher Education Accreditation (CHEA), or its successors.
- (d) 'Board': the Board of Regents of the University of Guam.
- (e) 'Bona fide resident': resident of Guam for a continuous period of not less than ten (10) years prior to application.
- (f) 'Cash Repayment': monetary cash repayment for the period the deficiency was made and no service credit allowed.

- (g) 'FAFSA': Free Application for Federal Student Aid.
- (h) 'Fees': general fees applied to all students plus laboratory and course fees.
- (i) 'Financial Need': institutional cost minus expected family contribution, determined through the FAFSA, equal unmet need (COA-EFC=Unmet need).
- (j) 'Full-time Status': (1) Twelve (12) or more credit hours per semester/quarter for undergraduate students, or as defined by the institution's catalog. (2) Nine (9) or more credit hours per semester/quarter, for graduate students, or as defined by the institution's catalog.
- (k) 'Promissory Note': the document signed by the student promising to repay the award in accordance with the rules and regulations specified under the program.
- (l) 'SAR': Student Aid Report resulting from the processed FAFSA.
- (m) 'Service Credit': repayment of award obligation through employment service, upon completion of studies.
- (n) Co-signers': Those persons who are residents of Guam and are financially responsible for repaying the promissory note and/or cash repayment note in the event the recipient fails to comply with their obligation.

5.0 APPLICATION PROCEDURE AND REQUIREMENTS

An applicant for an award must provide the following documents:

- (a) A completed application must be received on or before April 30th, to the Financial Aid Office, University of Guam. The official application form is obtainable in January at the Financial Aid Office.
- (b) An official letter affirming that the applicant has been unconditionally accepted for admission to a U.S. accredited higher education institution or professional school as recognized by the Council for Higher Education Accreditation (CHEA), or its successors, as a regular full-time undergraduate or graduate student in a specific program, or that the applicant is enrolled in the Program and in good standing. No award will be granted for studies at an off-island institution in an academic/technical program that is available at the University of Guam.
- (c) A complete official college transcript of the applicant's studies at all institutions attended.
- (d) College/university catalog or bulletin applicable to student's enrollment containing information regarding the applicant's professional/technical program and institution's published annual cost of attendance and the normal number of years or semester for completion of program.
- (e) The Student Aid Report ('SAR') or Institutional Student Information Report (ISIR), as evidenced of need for financial assistance as a result of the processed FAFSA by the U.S. Department of Education Processing Center. The FAFSA application is obtainable from the

Financial Aid Office or students may apply directly to www.fafsa.ed.gov.

- (f) Must submit proof of U.S. citizenship (Birth Certificate, Naturalized Certificate, or Passport).
- (g) Must provide one (1) or more of the following as proof of ten (10) year residency on Guam:
 - (1) Copies of filed income tax records for a period of ten (10) years; or
 - (2) Certificate or validation of income tax filed from Department of Revenue; or
 - (3) If a recipient of Public Assistance, must have certified statement from agencies that assistance was provided for a period of ten (10) years; or
 - (4) Certified statement from the Guam Election Commission on Voter registration for the past three (3) general elections; or
 - (5) Bank statement of mortgage on principal residence over ten (10) year period.
 - (6) Official school transcript from schools attended on Guam, or as a resident of Guam while attending an off-island institution.

6.0 ELIGIBILITY

To be eligible for a John F. Quan Memorial Scholarship, the applicant:

- a. must be a bona fide resident of Guam for a continuous period of not less than (10) ten years prior to application, and a citizen of the United States.
- b. must provide evidence of financial need through the completion and processing of the Free Application for Federal Student Aid (FAFSA) as reported in the Student Aid Report (SAR), or the Institutional Student Information Report from the U.S. Department of Education Processing Center;
- c. must have achieved at least a grade point average of 3.0 in high school if pursuing undergraduate studies toward an Associate or Bachelor's degree, or be able to produce an irrevocable letter of acceptance from a U.S. accredited institution, or professional school as recognized by CHEA,
- d. must be a college student with a current grade point average of 3.0 or better if pursuing Master's or Doctoral degree, or be able to provide an irrevocable letter of acceptance from a U.S. accredited institution, or professional program recognized by CHEA,
- e. must be pursuing on a full-time basis a technical training certificate or degree program in ocean resource science, or fisheries, maritime industries, or other areas to include:
 - 1) living resources;
 - 2) non-living resources, such as hard seabed materials, geo-thermal venting, precious minerals, submarine currents and other non-living resources;

- 3) ocean resource technology;
- 4) pollutant mitigation technology;
- 5) fishing and maritime industries; and,
- 6) maritime law

7.0 SELECTION OF AWARDEE

The Board of Regents shall direct the Financial Aid Office to review and evaluate the applications based on the following:

- a. the applicant's scholastic record, aptitude, and financial need; or,
- b. the Board may use work or lifetime experience and achievement as criteria in place of the aptitude if it appears that such experience or achievement can reasonably predict the applicant's success in the course of study; or,
- c. the field of study is needed for the development of Guam's ocean resources in the future.

8.0 BENEFITS

An award recipient is entitled to the following benefits:

- a. Payment of tuition and fees, and related field research cost per year as follows:
 - 1) Undergraduate Scholarship Award
Associate Degree - up to the amount of \$5,000 for a period not to exceed two (2) scholastic years. Technical training certificate for a period not to exceed two (2) scholastic years.
Bachelor's Degree - up to the amount of \$10,000 for a period not to exceed four (4) scholastic years.
 - 2) Graduate Scholarship Award
Master's Degree - up to the amount of \$10,000 for a period not to exceed two (2) scholastic years.
Doctoral Degree - up to the amount of \$15,000, including dissertation, as long as it does not exceed four (4) scholastic years.
Juris Doctor Degree - up to the amount of \$15,000 for a period not to exceed four (4) scholastic years.
- b. An annual grant of not more than Two Thousand Five Hundred Dollars (\$2,500) per year for room and board, books and educational supplies and materials, but in no case shall the total amount awarded to a single individual exceed the sum of Ten Thousand Dollars (\$10,000)

9.0 OBLIGATION OF AWARD RECIPIENTS

The recipient of an Award must fulfill the following obligations:

- a. Comply with all award regulations established by the Board of Regents.

- b. Enroll for and maintain full-time status for the period under the program, unless it is the student's last term in which graduation occurs.
- c. Maintain a grade-point average of not less than 3.0 each term. A student who fails to comply with this regulation shall be placed on probation and must meet the academic standard prescribed herein by the end of the term immediately following the term in which the probationary status occurred.
- d. Submit an official copy of transcript and a detailed statement of actual tuition and fee charges no later than thirty (30) days prior to the beginning of each semester/quarter to process payment.
- e. Obtain written approval by the Board before:
 - (1) Transferring to another institution; transfer(s) may be approved by the Board if such transfer(s) would not exceed the length of time required to complete the program.
 - (2) Changing academic/technical program; change(s) may be approved by the Board if such change(s) would not extend the length of time required to complete the program. Such change must be within the program guidelines as established by Public Law 24-187 §15604(a) (1-2).
 - (3) Withdrawing from any institution, unless such withdrawal was due to circumstances beyond the recipient's control, and such withdrawal is subsequently approved in writing by the Board.
 - (4) Being employed on Guam; recipients are obligated to work for one (1) year, for each 12 credits earned while the recipient was under the Award program. The recipient's employment on Guam shall commence within six (6) months after the completion of studies. If a recipient continues their education as a full-time student at a graduate or professional school, the recipient may defer their return to Guam until such additional studies are completed; provided, that written approval is obtained from the Board. A graduate requiring specialized training, may postpone their employment on Guam while undergoing specialized training as long as the recipient is certified by the director of the training program on an annual basis and upon written approval from the Board.
- f. By accepting the award, the recipient agrees that the University of Guam may obtain any or all information from the recipient's respective institution and employer to comply with Board rules and regulations. Additionally, the recipient will be required to attend:

- (1) A pre-award interview prior to disbursement of the award; and
- (2) An exit interview upon completion of degree or certificate program with the staff from the Financial Aid Office.

10.0 PROMISSORY NOTE

The recipient shall execute a non-interest bearing promissory note with two (2) responsible co-signers, who are residents of Guam and are financially able to repay the note in the event that the recipient fails to comply with service obligation one hundred eighty (180) days from the required initial date of employment. The note becomes interest bearing on any amounts unpaid by service credit that are due and payable, which shall be subject to interest on the annual rate of ten percent (10%). The total amount of the note shall be determined upon completion of studies in which assistance was provided by the award. No funds under this program shall be disbursed until the note has been complied with in accordance to the prescribed rules and regulations of this Program. This note shall be executed by the Financial Aid Office, Student Financial Assistance Program.

11.0 CONDITIONS FOR CONTINUANCE OF AN AWARD

The conditions for continuation of the Award shall include the following:

- (a) Maintain status as a regular full-time student at the institution to which admitted and in the program for which the award was granted, unless a transfer to another institution or a change of academic program has been authorized in writing by the Board of Regents.
- (b) Maintained satisfactory academic standing in accordance with Regulations 9(b) and 9(c)
- (c) Submit an official copy of transcript and a detailed billing statement of tuition and fees no later than thirty (30) days at the end of each semester/quarter.
- (d) Provide a copy of a Student Aid Report and an award letter from the institution of attendance to determine continued financial need. No Award shall be continued beyond the number of years as specified by Public Law 24-187 §15604(a) (1-2).
- (e) Comply with all other regulations governing the Award.

12.0 FORFEITURE OF AWARD

Forfeiture of an award shall result from any of the causes listed below, and any award forfeited shall be immediately due and payable.

- (a) Suspension or dismissal for academic deficiency, disciplinary reasons, or conviction of a felony.
- (b) Withdrawal from the institution in anticipation of any action under (a), above or for any other reason(s) not authorized by the Board.

- (c) Failure to maintain status as a full-time student, except a recipient may be allowed by the Board one-academic term to regain full-time status without cancellation of the award, or a recipient may be permitted to carry less than full-time load, if it would not result in the student's failing to graduate within the normal time for completing the program of studies. In the event that an exception is granted pursuant to this Subsection, the student shall be required to sign a cash repayment promissory note to repay in cash the amount awarded for the academic term in which the failure to maintain full-time status occurred and not be eligible for service credit pursuant to Section 12.0 following graduation or termination of studies for any reason.
- (d) Violation of other Board regulations.

13.0 SERVICE CREDIT

For the purpose of repayment of the Award, the following shall apply.

- (a) Service Credit. The applicant agrees that after completion of the course of studies for which the scholarship was granted, such applicant will remain on or return to Guam to work on Guam for one (1) year, for each twelve (12) credits earned while a recipient was under the program.
- (b) Postponement. If the recipient wishes not to begin employment on Guam within six (6) months after graduation to continue studies on a full-time basis at an accredited institution or higher education, the recipient may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue the recipient's studies. Without the prior approval of the Board, the recipient who does not return to Guam within six (6) months, must pay in cash Thirteen dollars and eighty-eight cents (\$13.88) per day (Five thousand dollars [\$5,000] per year) for those under the Associate Degree program, Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day, (Ten Thousand Dollars [\$10,000.00] per year) for those under the Bachelor's and Master's degree program, Forty-one dollars and sixty-six cents (41.66) per day, (Fifteen thousand dollars [\$15,000] per year) for those under the Doctoral and Juris Doctor degree programs, for each day between the date of graduation and the date of employment on Guam. Once this amount has been paid, the recipient is entitled to use service credit for the remaining amount of the debt for each year of employment on Guam.
- (c) Interruption. If a person receiving service credit wishes to temporarily terminate employment on Guam to continue that person's studies on a full-time basis at an accredited institution of higher education as recognized by CHEA, or its successors, that person may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue that person's studies. Without the prior approval of the Board, the recipient must pay in cash Thirteen dollars and eighty-eight cents (\$13.88) per day (Five thousand dollars [\$5,000] per year) for those under the Associate Degree

program, Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day (Ten Thousand Dollars [\$10,000.00] per year) for those under the Bachelor's and Master's degree program, Forty-one dollars and sixty-six cents (41.66) per day, (Fifteen thousand dollars [\$15,000] per year) for those under the Doctoral and Juris Doctor degree programs, for each day the person is not employed on Guam. Upon payment of such amount, the recipient is entitled to use service credit on the remaining debt.

- (d) Ineligibility for Service Credit. Any recipient who did not receive the degree that that person sought with assistance from the Board, without prior written approval, shall be ineligible for service credit. All monies disbursed during attendance under the John F. Quan Memorial Scholarship will become due and payable under the note, and shall be subject to an annual interest rate of ten percent (10%) in monthly installment payments. Such payments shall not exceed ten (10) years pursuant to the law. The University of Guam Collections Department will be charged with computing the recipient's monthly installment payments in the event of default.
- (e) Leave of Absence. It is the responsibility of the recipient to inform the Board of Regents of their intended leave of absence if such leave is longer than forty-five (45) days. The recipient must remain employed on Guam to receive service credit while on off-island leave status.
- (f) Death or Total Disability. In the event the recipient should become totally disabled (physiological or psychological) or upon death, while completing service credit, any obligation on the note shall be terminated upon certification of two (2) physicians licensed to practice in the United States.
- (g) Annual Proof of Employment. It is the responsibility of the recipient to provide the Board of Regents documentary evidence of such employment and, each year thereafter, until such service obligation is fulfilled.

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

2001 (FIRST) Regular Session

Bill No. 175 (COR)

Date: 9/4/01

L. F. Kasperbauer *LFK*
A.R. Unpingco *U*

AN ACT TO AMEND §15603 AND §15604 OF TITLE 17,
GUAM CODE ANNOTATED RELATIVE TO THE JOHN F.
QUAN MEMORIAL SCHOLARSHIP FOR OCEAN
RESOURCE SCIENCE AND RESEARCH AND TO APPROVE
THE PROGRAMS RULES AND REGULATIONS. .

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2
3 Section 1. Section 15603 of Title 17, Guam Code Annotated is hereby
4 *amended* to read:

5 "§15603. Scholarship.

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

11 (a) The applicant must be a bona fide resident of Guam and a U.S.
12 citizen who has achieved at least a grade point average of 3.0 in high school or
13 undergraduate studies, or an irrevocable letter of acceptance from an accredited
14 U.S. universities, colleges, or professional institutes recognized in the fields of
15 ocean resource science, or oceanography.

1 (b) The applicant must agree that after completion of the course of
2 studies for which the scholarship was granted, such applicant will remain on or
3 return to Guam to work on Guam for one (1) year, for each ~~twelve (12) credits~~
4 earned year the scholarship is received.

5 (c) The applicant must present to the Board prior to the granting of
6 the award, satisfactory proof that of admission to an accredited U.S. university,
7 college or professional institute as a full time student to pursue a program of study
8 in ocean resource science, including studies in:

9 (1) living resources;

10 (2) non-living resources such as hard seabed materials, geo-thermal
11 venting, precious minerals, submarine currents; and other non-living resources;

12 (3) ocean research technology; and

13 (4) pollutant mitigation technology.

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

21
22 **Section 2.** Section 15604 of Title 17, Guam Code Annotated is hereby
23 *amended* to read:

24 **"§15604. Benefits.**

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

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

6 (1) Undergraduate Scholarship Award:

7 Associate Degree, for a period not to exceed two (2) scholastic years.

8 Bachelor's Degree, for a period not to exceed four (4) scholastic years.

9 (2) Graduate Scholarship Award:

10 Master's Degree, for a period not to exceed two (2) scholastic years.

11 Doctoral Degree, for a period not to exceed four (4) scholastic years.

12 (b) An annual grant of not more than Two Thousand Five Hundred Dollars
13 (\$2,500) per year to be disbursed in accordance with regulations adopted by the
14 Board. In no case shall the total amount awarded under this paragraph, to a single
15 individual exceed the sum of Ten Thousand Dollars (\$10,000).

16 (c) Cap on Benefits. The total *annual* benefits for item (a)(1) of this Section
17 shall not exceed Twelve Thousand Five Hundred Dollars (\$12,500). The total
18 *annual* benefits for item (a)(2) of this Section shall not exceed Seventeen
19 Thousand Five Hundred Dollars (\$17,500).

20
21 **Section 3. Approval of the Quan Scholarship Rules and Regulations.**

22 The *John F. Quan Memorial Scholarship for Ocean Resource Science and*
23 *Research* Rules and Regulations, as approved by Resolution of the University of
24 Guam's Board of Regents (Resolutions No. 01-24) and attached hereto as
25 "**Attachment A**" are hereby approved. The University of Guam is authorized to

- 1 make further changes to such Rules and Regulations for the purpose of
- 2 consistency with the provisions of Sections 1 and 2 of this Act.

"Attachment A"

John F. Quan Memorial Scholarship for Ocean Resource Science and Research Rules and Regulations

1.0 PURPOSE

The John F. Quan Memorial Scholarship for Ocean Resource Science and Research shall be given to deserving undergraduate, graduate and professional degree students of Guam who are accepted into programs which will help to advance Guam's scientific understanding of its ocean resources, living and non-living, off shores, maritime industries, and to protect Guam's Exclusive Economic Zone from external impediments which potentially threaten resources within Guam's waters.

2.0 BACKGROUND AND STATUTORY AUTHORITY

The Board of Regents of the University of Guam is authorized under Title 17 of the Guam Code Annotated to formulate rules and regulations to equitably and efficiently administer the Student Financial Assistance Programs as listed in Chapter 15 of Title 17 of the Guam Code Annotated.

3.0 NUMBER OF AWARDS

The Board of Regents is authorized to approve one (1) scholarship per year for undergraduate or graduate studies or training, to qualified applicants who have been accepted or admitted into programs leading to a degree or certificate in the field of ocean resources scientific studies.

4.0 DEFINITIONS

As used in these rules and regulations, the following terms will have the following meaning:

- (a) 'Scholastic Year': Fall, Spring, and Summer semester calendar systems, and Fall Winter, Spring and Summer for a quarter calendar system.
- (b) 'Academic program': the specific academic program of study, which will be undertaken to achieve the desired degree.
- (c) 'Accreditation': as recognized by the Council for Higher Education Accreditation (CHEA), or its successors.
- (d) 'Board': the Board of Regents of the University of Guam.
- (e) 'Bona fide resident': resident of Guam for a continuous period of not less than ten (10) years prior to application.
- (f) 'Cash Repayment': monetary cash repayment for the period the deficiency was made and no service credit allowed.

- (g) 'FAFSA': Free Application for Federal Student Aid.
- (h) 'Fees': general fees applied to all students plus laboratory and course fees.
- (i) 'Financial Need': institutional cost minus expected family contribution, determined through the FAFSA, equal unmet need (COA-EFC=Unmet need).
- (j) 'Full-time Status': (1) Twelve (12) or more credit hours per semester/quarter for undergraduate students, or as defined by the institution's catalog. (2) Nine (9) or more credit hours per semester/quarter, for graduate students, or as defined by the institution's catalog.
- (k) 'Promissory Note': the document signed by the student promising to repay the award in accordance with the rules and regulations specified under the program.
- (l) 'SAR': Student Aid Report resulting from the processed FAFSA.
- (m) 'Service Credit': repayment of award obligation through employment service, upon completion of studies.
- (n) Co-signers': Those persons who are residents of Guam and are financially responsible for repaying the promissory note and/or cash repayment note in the event the recipient fails to comply with their obligation.

5.0 APPLICATION PROCEDURE AND REQUIREMENTS

An applicant for an award must provide the following documents:

- (a) A completed application must be received on or before April 30th, to the Financial Aid Office, University of Guam. The official application form is obtainable in January at the Financial Aid Office.
- (b) An official letter affirming that the applicant has been unconditionally accepted for admission to a U.S. accredited higher education institution or professional school as recognized by the Council for Higher Education Accreditation (CHEA), or its successors, as a regular full-time undergraduate or graduate student in a specific program, or that the applicant is enrolled in the Program and in good standing. No award will be granted for studies at an off-island institution in an academic/technical program that is available at the University of Guam.
- (c) A complete official college transcript of the applicant's studies at all institutions attended.
- (d) College/university catalog or bulletin applicable to student's enrollment containing information regarding the applicant's professional/technical program and institution's published annual cost of attendance and the normal number of years or semester for completion of program.
- (e) The Student Aid Report ('SAR') or Institutional Student Information Report (ISIR), as evidenced of need for financial assistance as a result of the processed FAFSA by the U.S. Department of Education Processing Center. The FAFSA application is obtainable from the

Financial Aid Office or students may apply directly to www.fafsa.ed.gov.

- (f) Must submit proof of U.S. citizenship (Birth Certificate, Naturalized Certificate, or Passport).
- (g) Must provide one (1) or more of the following as proof of ten (10) year residency on Guam:
 - (1) Copies of filed income tax records for a period of ten (10) years; or
 - (2) Certificate or validation of income tax filed from Department of Revenue; or
 - (3) If a recipient of Public Assistance, must have certified statement from agencies that assistance was provided for a period of ten (10) years; or
 - (4) Certified statement from the Guam Election Commission on Voter registration for the past three (3) general elections; or
 - (5) Bank statement of mortgage on principal residence over ten (10) year period.
 - (6) Official school transcript from schools attended on Guam, or as a resident of Guam while attending an off-island institution.

6.0 ELIGIBILITY

To be eligible for a John F. Quan Memorial Scholarship, the applicant:

- a. must be a bona fide resident of Guam for a continuous period of not less than (10) ten years prior to application, and a citizen of the United States.
- b. must provide evidence of financial need through the completion and processing of the Free Application for Federal Student Aid (FAFSA) as reported in the Student Aid Report (SAR), or the Institutional Student Information Report from the U.S. Department of Education Processing Center;
- c. must have achieved at least a grade point average of 3.0 in high school if pursuing undergraduate studies toward an Associate or Bachelor's degree, or be able to produce an irrevocable letter of acceptance from a U.S. accredited institution, or professional school as recognized by CHEA,
- d. must be a college student with a current grade point average of 3.0 or better if pursuing Master's or Doctoral degree, or be able to provide an irrevocable letter of acceptance from a U.S. accredited institution, or professional program recognized by CHEA,
- e. must be pursuing on a full-time basis a technical training certificate or degree program in ocean resource science, or fisheries, maritime industries, or other areas to include:
 - 1) living resources;
 - 2) non-living resources, such as hard seabed materials, geo-thermal venting, precious minerals, submarine currents and other non-living resources;

- 3) ocean resource technology;
- 4) pollutant mitigation technology;
- 5) fishing and maritime industries; and.
- 6) maritime law

7.0 SELECTION OF AWARDEE

The Board of Regents shall direct the Financial Aid Office to review and evaluate the applications based on the following:

- a. the applicant's scholastic record, aptitude, and financial need; or,
- b. the Board may use work or lifetime experience and achievement as criteria in place of the aptitude if it appears that such experience or achievement can reasonably predict the applicant's success in the course of study; or,
- c. the field of study is needed for the development of Guam's ocean resources in the future.

8.0 BENEFITS

An award recipient is entitled to the following benefits:

- a. Payment of tuition and fees, and related field research cost per year as follows:
 - 1) Undergraduate Scholarship Award
Associate Degree - up to the amount of \$5,000 for a period not to exceed two (2) scholastic years. Technical training certificate for a period not to exceed two (2) scholastic years.
Bachelor's Degree - up to the amount of \$10,000 for a period not to exceed four (4) scholastic years.
 - 2) Graduate Scholarship Award
Master's Degree - up to the amount of \$10,000 for a period not to exceed two (2) scholastic years.
Doctoral Degree - up to the amount of \$15,000, including dissertation, as long as it does not exceed four (4) scholastic years.
Juris Doctor Degree - up to the amount of \$15,000 for a period not to exceed four (4) scholastic years.
- b. An annual grant of not more than Two Thousand Five Hundred Dollars (\$2,500) per year for room and board, books and educational supplies and materials, but in no case shall the total amount awarded to a single individual exceed the sum of Ten Thousand Dollars (\$10,000)

9.0 OBLIGATION OF AWARD RECIPIENTS

The recipient of an Award must fulfill the following obligations:

- a. Comply with all award regulations established by the Board of Regents.

- b. Enroll for and maintain full-time status for the period under the program, unless it is the student's last term in which graduation occurs.
- c. Maintain a grade-point average of not less than 3.0 each term. A student who fails to comply with this regulation shall be placed on probation and must meet the academic standard prescribed herein by the end of the term immediately following the term in which the probationary status occurred.
- d. Submit an official copy of transcript and a detailed statement of actual tuition and fee charges no later than thirty (30) days prior to the beginning of each semester/quarter to process payment.
- e. Obtain written approval by the Board before:
 - (1) Transferring to another institution: transfer(s) may be approved by the Board if such transfer(s) would not exceed the length of time required to complete the program.
 - (2) Changing academic/technical program; change(s) may be approved by the Board if such change(s) would not extend the length of time required to complete the program. Such change must be within the program guidelines as established by Public Law 24-187 §15604(a) (1-2).
 - (3) Withdrawing from any institution, unless such withdrawal was due to circumstances beyond the recipient's control, and such withdrawal is subsequently approved in writing by the Board.
 - (4) Being employed on Guam; recipients are obligated to work for one (1) year, for each 12 credits earned while the recipient was under the Award program. The recipient's employment on Guam shall commence within six (6) months after the completion of studies. If a recipient continues their education as a full-time student at a graduate or professional school, the recipient may defer their return to Guam until such additional studies are completed; provided, that written approval is obtained from the Board. A graduate requiring specialized training, may postpone their employment on Guam while undergoing specialized training as long as the recipient is certified by the director of the training program on an annual basis and upon written approval from the Board.
- f. By accepting the award, the recipient agrees that the University of Guam may obtain any or all information from the recipient's respective institution and employer to comply with Board rules and regulations. Additionally, the recipient will be required to attend:

- (1) A pre-award interview prior to disbursement of the award; and
- (2) An exit interview upon completion of degree or certificate program with the staff from the Financial Aid Office.

10.0 PROMISSORY NOTE

The recipient shall execute a non-interest bearing promissory note with two (2) responsible co-signers, who are residents of Guam and are financially able to repay the note in the event that the recipient fails to comply with service obligation one hundred eighty (180) days from the required initial date of employment. The note becomes interest bearing on any amounts unpaid by service credit that are due and payable, which shall be subject to interest on the annual rate of ten percent (10%). The total amount of the note shall be determined upon completion of studies in which assistance was provided by the award. No funds under this program shall be disbursed until the note has been complied with in accordance to the prescribed rules and regulations of this Program. This note shall be executed by the Financial Aid Office, Student Financial Assistance Program.

11.0 CONDITIONS FOR CONTINUANCE OF AN AWARD

The conditions for continuation of the Award shall include the following:

- (a) Maintain status as a regular full-time student at the institution to which admitted and in the program for which the award was granted, unless a transfer to another institution or a change of academic program has been authorized in writing by the Board of Regents.
- (b) Maintained satisfactory academic standing in accordance with Regulations 9(b) and 9(c)
- (c) Submit an official copy of transcript and a detailed billing statement of tuition and fees no later than thirty (30) days at the end of each semester/quarter.
- (d) Provide a copy of a Student Aid Report and an award letter from the institution of attendance to determine continued financial need. No Award shall be continued beyond the number of years as specified by Public Law 24-187 §15604(a) (1-2).
- (e) Comply with all other regulations governing the Award.

12.0 FORFEITURE OF AWARD

Forfeiture of an award shall result from any of the causes listed below, and any award forfeited shall be immediately due and payable.

- (a) Suspension or dismissal for academic deficiency, disciplinary reasons, or conviction of a felony.
- (b) Withdrawal from the institution in anticipation of any action under (a), above or for any other reason(s) not authorized by the Board.

- (c) Failure to maintain status as a full-time student, except a recipient may be allowed by the Board one-academic term to regain full-time status without cancellation of the award, or a recipient may be permitted to carry less than full-time load, if it would not result in the student's failing to graduate within the normal time for completing the program of studies. In the event that an exception is granted pursuant to this Subsection, the student shall be required to sign a cash repayment promissory note to repay in cash the amount awarded for the academic term in which the failure to maintain full-time status occurred and not be eligible for service credit pursuant to Section 12.0 following graduation or termination of studies for any reason.
- (d) Violation of other Board regulations.

13.0 SERVICE CREDIT

For the purpose of repayment of the Award, the following shall apply.

- (a) Service Credit. The applicant agrees that after completion of the course of studies for which the scholarship was granted, such applicant will remain on or return to Guam to work on Guam for one (1) year, for each twelve (12) credits earned while a recipient was under the program.
- (b) Postponement. If the recipient wishes not to begin employment on Guam within six (6) months after graduation to continue studies on a full-time basis at an accredited institution or higher education, the recipient may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue the recipient's studies. Without the prior approval of the Board, the recipient who does not return to Guam within six (6) months, must pay in cash Thirteen dollars and eighty-eight cents (\$13.88) per day (Five thousand dollars [\$5,000] per year) for those under the Associate Degree program, Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day, (Ten Thousand Dollars [\$10,000.00] per year) for those under the Bachelor's and Master's degree program, Forty-one dollars and sixty-six cents (41.66) per day, (Fifteen thousand dollars [\$15,000] per year) for those under the Doctoral and Juris Doctor degree programs, for each day between the date of graduation and the date of employment on Guam. Once this amount has been paid, the recipient is entitled to use service credit for the remaining amount of the debt for each year of employment on Guam.
- (c) Interruption. If a person receiving service credit wishes to temporarily terminate employment on Guam to continue that person's studies on a full-time basis at an accredited institution of higher education as recognized by CHEA, or its successors, that person may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue that person's studies. Without the prior approval of the Board, the recipient must pay in cash Thirteen dollars and eighty-eight cents (\$13.88) per day (Five thousand dollars [\$5,000] per year) for those under the Associate Degree

program. Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day (Ten Thousand Dollars [\$10,000.00] per year) for those under the Bachelor's and Master's degree program, Forty-one dollars and sixty-six cents (41.66) per day, (Fifteen thousand dollars [\$15,000] per year) for those under the Doctoral and Juris Doctor degree programs, for each day the person is not employed on Guam. Upon payment of such amount, the recipient is entitled to use service credit on the remaining debt.

- (d) Ineligibility for Service Credit. Any recipient who did not receive the degree that that person sought with assistance from the Board, without prior written approval, shall be ineligible for service credit. All monies disbursed during attendance under the John F. Quan Memorial Scholarship will become due and payable under the note, and shall be subject to an annual interest rate of ten percent (10%) in monthly installment payments. Such payments shall not exceed ten (10) years pursuant to the law. The University of Guam Collections Department will be charged with computing the recipient's monthly installment payments in the event of default.
- (e) Leave of Absence. It is the responsibility of the recipient to inform the Board of Regents of their intended leave of absence if such leave is longer than forty-five (45) days. The recipient must remain employed on Guam to receive service credit while on off-island leave status.
- (f) Death or Total Disability. In the event the recipient should become totally disabled (physiological or psychological) or upon death, while completing service credit, any obligation on the note shall be terminated upon certification of two (2) physicians licensed to practice in the United States.
- (g) Annual Proof of Employment. It is the responsibility of the recipient to provide the Board of Regents documentary evidence of such employment and, each year thereafter, until such service obligation is fulfilled.



Introduced by: Scholarship Committee

University of Guam
Board of Regents

Resolution No. 01-24

**RELATIVE TO APPROVING THE RECOMMENDATION OF THE SCHOLARSHIP
COMMITTEE DURING ITS MEETING OF AUGUST 16, 2001 ON THE PROPOSED RULES
AND REGULATIONS FOR THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN
RESOURCE SCIENCE AND RESEARCH**

WHEREAS, the governance and control of the University of Guam is vested in the Board of Regents of the University of Guam, and;

WHEREAS, the provisions of Title 17 of the Guam Code Annotated, Chapter 15, governing the Student Financial Assistance Fund, state that the Student Financial Assistance Fund shall be administered and granted by the Board of Regents in accordance with Public Law 19-37, section 5, as amended, and;

WHEREAS, Article I, section 15105 of said chapter, mandates that the Board of Regents, subject to the provisions of the Administrative Adjudication Law, shall make regulations pursuant to and not inconsistent with the provisions of this Chapter, and;

WHEREAS, in accordance with applicable provisions, the Scholarship Committee in conjunction with the President's Office held a Public Hearing on Thursday, July 18, 2001 at 1:30 p.m. in the RFK Library, AV Room #1 to receive the opinions and recommendations of the public on the Proposed Rules and Regulations for the John F. Quan Memorial Scholarship for Ocean Resource Science and Research, and;

WHEREAS, testimonies were submitted to the Scholarship Committee for review and consideration for the proposed rules and regulations at its August 16, 2001 meeting, and;

WHEREAS, as a result of the meeting, the Scholarship Committee recommends to the Board approval of the attached Proposed Rules and Regulations for the John F. Quan Memorial Scholarship for Ocean Resource Science and Research.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the Scholarship Committee's recommendation to approve the Proposed Rules and Regulations for the John F. Quan Memorial Scholarship for Ocean Resource Science and Research.

Duly adopted this 23rd day of August, 2001.

Marie R. Nelson, Chairwoman

Attested:

Dr. Roy T. Tsuda, Executive Secretary

I MINA' BENTE SAIS NA LIHESLATURAN GUÁHAN
Committee on Education

Vice Speaker Lawrence F. Kasperbauer, Chairperson

Committee Report On

Bill No. 175 (COR): AN ACT TO AMEND §15603 AND §15604 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH AND TO APPROVE THE PROGRAM'S RULES AND REGULATIONS.

I. OVERVIEW

The Committee on Education held a public hearing on Tuesday, September 11, 2001 at 9:00 a.m. at I Liheslatura Public Hearing Room.

Committee Members Present:

Vice Speaker Lawrence F. Kasperbauer, Chairperson
Senator Frank B. Aguon, Jr.
Senator Vicente C. Pangelinan
Senator Judith T. Won Pat

Providing Testimony on the Bill:

Dr. Roy Tsuda, Acting President, UOG
Dr. Arthur Jackson, Financial Aid Officer, UOG
Mr. Pascual Artero, Private Citizen

II. Testimony

Dr. Roy Tsuda, Acting President, UOG and Dr. Arthur Jackson, Financial Aid Officer, UOG presented oral testimony jointly in favor of the Bill. They both submitted written testimony in favor of the Bill as well. They elaborated on the Adjudication process used to develop, hear and approve the proposed *Rules and Regulations for The John F. Quan Memorial Scholarship For Ocean Resource Science And Research*. They also supported the two changes proposed in the Bill to bring service credit repayments in line with other student financial aid programs and to establish limits on benefits. They thanked the sponsor for providing the opportunity for the implementation a worthwhile program that "had been on the books for over ten years".

Mr. Pascual Artero, Private Citizen, presented oral testimony jointly in favor of the Bill. He was pleased the Bill brought the service credit in line with other programs noting that his son had applied for the program and that it might take many years of service to repay.

III. Findings and Recommendation

The Committee agrees with those providing testimony. The Committee also found that both sections of the Guam Code Annotated that this Bill is intended to amend did not include prior changes that were authorized by Public Law 24-187. The Committee therefore has substituted the original bill so that its proposed amendments will be to §§15603 and 15604 of Title 17, Guam Code Annotated *as amended by Public Law 24-187*.

It is the recommendation of the Committee on Education that Substitute Bill No. 175 (COR) be reported out with the recommendation **TO DO PASS**.

COMMITTEE ON EDUCATION
Mina' Bente Sais na Libeslaturan Guahan

- BILL NO. 175 (COR) AN ACT TO AMEND §15603 AND §15604 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH AND TO APPROVE THE PROGRAMS RULES AND REGULATIONS. -Introduced by L.F. Kasperbauer and A.R. Unpingco

Tuesday, September 11, 2001
 I Libeslatura Public Hearing Room

WITNESS SIGN-IN SHEET

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
			Oral	Written	For	Against
✓ Roy T. Tsuda UOG Station Mangilao, Guam 96923	University of Guam	735-2975	✓	✓	✓	
Eloise R. Sanchez P.O. Box DE An 86 Agaña, GU 96910	DOE	475-0444	✓	✓	✓	
ARTHUR A. JACKSON UOG STATION MANQILAO, GUAM 96923	UNIVERSITY OF GUAM	735-2289	✓	✓	✓	
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against

COMMITTEE ON EDUCATION
Mina' Bente Sais na Libeslaturan Guåhan

- BILL NO. 175 (COR) AN ACT TO AMEND §15603 AND §15604 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE JOHN F. QUAN MEMORIAL SCHOLARSHIP FOR OCEAN RESOURCE SCIENCE AND RESEARCH AND TO APPROVE THE PROGRAMS RULES AND REGULATIONS. -Introduced by L.F. Kasperbauer and A.R. Unpingco

Tuesday, September 11, 2001
I Libeslatura Public Hearing Room

WITNESS SIGN-IN SHEET

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
			Oral	Written	For	Against
PASCUAL T. ARTERO		632-3472	X	X	X	
Address: P.O. Box 8813 MOU3 Dededo, GU 96912						

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
			Oral	Written	For	Against
Address:						

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
			Oral	Written	For	Against
Address:						

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
			Oral	Written	For	Against
Address:						

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
			Oral	Written	For	Against
Address:						



UNIVERSITY OF GUAM
UNIBETSEDÁT GUAHAN

OFFICE OF THE PRESIDENT

UOG Station, Mangilao, Guam 96923

Telephone: (671) 735-2990 • Fax: (671) 734-2296

September 11, 2001

The Honorable Larry F. Kasperbauer, Ph.D.
Vice Speaker and Chairman, Committee on Education
I Mina' Bente Sais na Liheslaturan Guahan
Twenty-Sixth Guam Legislature
155 Hesler Street
Hagatna, Guam 96910

Re: Bill No. 175 (COR) An Act to Amend § 15603 and § 15604 of Title 17,
GCA, relative to the John F. Quan Memorial Scholarship for Ocean
Resource Science and Research, and to Approve the Programs Rules and
Regulations.

Dear Senator Kasperbauer:

We appreciate the opportunity to support Bill No. 175 (COR) relative to the John F. Quan Memorial Scholarship for Ocean Resource Science and Research. On 23 August 2001, the University of Guam Board of Regents duly adopted Resolution No. 01-24 which addressed the Program's Rules and Regulations drafted by personnel of the University's Financial Aid Office and discussed during a Public Hearing.

Dr. Arthur Jackson, Director of the Financial Aid Office, will comment on certain aspects of the Scholarship and its rules and regulations.

Sincerely yours,

Roy T. Tsuda, Ph.D.
Acting President

TESTIMONY IN SUPPORT OF BILL NO. 175
JOHN F. QUAN MEMORIAL SCHOLARSHIP
September 11, 2001

To: The Honorable Lawrence F. Kasperbauer, Chairman
Committee on Education

Buenas! My name is Arthur Jackson and I'm the Director, Financial Aid Office, University of Guam.

Thank you Senator Kasperbauer and members of the Committee on Education for the opportunity to testify in support of Bill No. 175 (COR), which is an act to amend subsection 15603 and subsection 15604 of Title 17, Guam Code Annotated relative to the John F. Quan Memorial Scholarship for Ocean Resource Science and Research and to approve the Board of Regents program rules and regulations.

For the record, I would like to report that a public hearing, which was coordinated with your office Senator Kasperbauer, was conducted on July 18, 2001 at the RFK Memorial Library, University of Guam. Student Regent Mark Mendiola officiated the hearing, which was also attended by Acting President Tsuda and myself. Two written testimonies were received: one from Dr. Steven Amesbury, Director, Marine Laboratory, University of Guam; and, one from Mr. Pascual Artero, a private citizen. Dr. Mary Spencer, Dean, College of Arts and Sciences, gave her testimony orally. The recommendations from those testifying were recorded and given full consideration by the Board of Regents Scholarship Committee in the development of rules and regulations for the scholarship program under discussion.

I would like to express full concurrence on behalf of the Board of Regents Scholarship Committee with the change in service obligation. More specifically, we noted that a recipient of the scholarship agrees "... to work on Guam for one year (1), for each year the scholarship is received. We feel that this is more equitable and consistent with other financial aid programs than the previous requirement to work for one year for every twelve (12) credit hours earned while under the scholarship.

We wish to call to the attention of the Committee a disparity between what is written in Bill No. 175 and the Board of Regents Rules and Regulations. Section 1, © lists programs of study allowed under the John F. Quan Memorial Scholarship. The listing does not include either Fishing and Maritime Industries or Maritime Law. On the other hand, the Rules and Regulations include both of these programs of study. We are not clear why were these two programs omitted in Bill No. 175.

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 175 (COR)

Introduced by:

L. F. Kasperbauer *LFK*
A.R. Unpingco *U*

**AN ACT TO AMEND §15603 AND §15604 OF TITLE 17,
GUAM CODE ANNOTATED RELATIVE TO THE JOHN F.
QUAN MEMORIAL SCHOLARSHIP FOR OCEAN
RESOURCE SCIENCE AND RESEARCH AND TO APPROVE
THE PROGRAMS RULES AND REGULATIONS. .**

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

2

3 **Section 1.** Section 15603 of Title 17, Guam Code Annotated is hereby
4 *amended* to read:

5 **"§15603. Scholarship.**

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

11 (a) The applicant must be a bona fide resident of Guam and a U.S.
12 citizen who has achieved at least a grade point average of 3.0 in high school or
13 undergraduate studies, or an irrevocable letter of acceptance from an accredited
14 U.S. universities, colleges, or professional institutes recognized in the fields of
15 ocean resource science, or oceanography.

1 (b) The applicant must agree that after completion of the course of
2 studies for which the scholarship was granted, such applicant will remain on or
3 return to Guam to work on Guam for one (1) year, for each ~~twelve (12) credits~~
4 earned year the scholarship is received.

5 (c) The applicant must present to the Board prior to the granting of
6 the award, satisfactory proof that of admission to an accredited U.S. university,
7 college or professional institute as a full time student to pursue a program of study
8 in ocean resource science, including studies in:

9 (1) living resources;

10 (2) non-living resources such as hard seabed materials, geo-thermal
11 venting, precious minerals, submarine currents; and other non-living resources;

12 (3) ocean research technology; and

13 (4) pollutant mitigation technology.

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

21
22 **Section 2.** Section 15604 of Title 17, Guam Code Annotated is hereby
23 *amended* to read:

24 **"§15604. Benefits.**

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

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

6 (1) Undergraduate Scholarship Award:

7 Associate Degree, for a period not to exceed two (2) scholastic years.

8 Bachelor's Degree, for a period not to exceed four (4) scholastic years.

9 (2) Graduate Scholarship Award:

10 Master's Degree, for a period not to exceed two (2) scholastic years.

11 Doctoral Degree, for a period not to exceed four (4) scholastic years.

12 (b) An annual grant of not more than Two Thousand Five Hundred Dollars
13 (\$2,500) per year to be disbursed in accordance with regulations adopted by the
14 Board. In no case shall the total amount awarded under this paragraph, to a single
15 individual exceed the sum of Ten Thousand Dollars (\$10,000).

16 (c) Cap on Benefits. The total annual benefits for item (a)(1) of this Section
17 shall not exceed Twelve Thousand Five Hundred Dollars (\$12,500). The total
18 annual benefits for item (a)(2) of this Section shall not exceed Seventeen
19 Thousand Five Hundred Dollars (\$17,500).

20

21 **Section 3. Approval of the Quan Scholarship Rules and Regulations.**

22 The *John F. Quan Memorial Scholarship for Ocean Resource Science and*
23 *Research* Rules and Regulations, as approved by Resolution of the University of
24 Guam's Board of Regents (Resolutions No. 01-24) and attached hereto as
25 "**Attachment A**" are hereby approved. The University of Guam is authorized to

- 1 make further changes to such Rules and Regulations for the purpose of
- 2 consistency with the provisions of Sections 1 and 2 of this Act.

"Attachment A"

John F. Quan Memorial Scholarship for Ocean Resource Science and Research Rules and Regulations

1.0 PURPOSE

The John F. Quan Memorial Scholarship for Ocean Resource Science and Research shall be given to deserving undergraduate, graduate and professional degree students of Guam who are accepted into programs which will help to advance Guam's scientific understanding of its ocean resources, living and non-living, off shores, maritime industries, and to protect Guam's Exclusive Economic Zone from external impediments which potentially threaten resources within Guam's waters.

2.0 BACKGROUND AND STATUTORY AUTHORITY

The Board of Regents of the University of Guam is authorized under Title 17 of the Guam Code Annotated to formulate rules and regulations to equitably and efficiently administer the Student Financial Assistance Programs as listed in Chapter 15 of Title 17 of the Guam Code Annotated.

3.0 NUMBER OF AWARDS

The Board of Regents is authorized to approve one (1) scholarship per year for undergraduate or graduate studies or training, to qualified applicants who have been accepted or admitted into programs leading to a degree or certificate in the field of ocean resources scientific studies.

4.0 DEFINITIONS

As used in these rules and regulations, the following terms will have the following meaning:

- (a) 'Scholastic Year': Fall, Spring, and Summer semester calendar systems, and Fall Winter, Spring and Summer for a quarter calendar system.
- (b) 'Academic program': the specific academic program of study, which will be undertaken to achieve the desired degree.
- (c) 'Accreditation': as recognized by the Council for Higher Education Accreditation (CHEA), or its successors.
- (d) 'Board': the Board of Regents of the University of Guam.
- (e) 'Bona fide resident': resident of Guam for a continuous period of not less than ten (10) years prior to application.
- (f) 'Cash Repayment': monetary cash repayment for the period the deficiency was made and no service credit allowed.

- (g) 'FAFSA': Free Application for Federal Student Aid.
- (h) 'Fees': general fees applied to all students plus laboratory and course fees.
- (i) 'Financial Need': institutional cost minus expected family contribution, determined through the FAFSA, equal unmet need (COA-EFC=Unmet need).
- (j) 'Full-time Status': (1) Twelve (12) or more credit hours per semester/quarter for undergraduate students, or as defined by the institution's catalog. (2) Nine (9) or more credit hours per semester/quarter, for graduate students, or as defined by the institution's catalog.
- (k) 'Promissory Note': the document signed by the student promising to repay the award in accordance with the rules and regulations specified under the program.
- (l) 'SAR': Student Aid Report resulting from the processed FAFSA.
- (m) 'Service Credit': repayment of award obligation through employment service, upon completion of studies.
- (n) Co-signers': Those persons who are residents of Guam and are financially responsible for repaying the promissory note and/or cash repayment note in the event the recipient fails to comply with their obligation.

5.0 APPLICATION PROCEDURE AND REQUIREMENTS

An applicant for an award must provide the following documents:

- (a) A completed application must be received on or before April 30th, to the Financial Aid Office, University of Guam. The official application form is obtainable in January at the Financial Aid Office.
- (b) An official letter affirming that the applicant has been unconditionally accepted for admission to a U.S. accredited higher education institution or professional school as recognized by the Council for Higher Education Accreditation (CHEA), or its successors, as a regular full-time undergraduate or graduate student in a specific program, or that the applicant is enrolled in the Program and in good standing. No award will be granted for studies at an off-island institution in an academic/technical program that is available at the University of Guam.
- (c) A complete official college transcript of the applicant's studies at all institutions attended.
- (d) College/university catalog or bulletin applicable to student's enrollment containing information regarding the applicant's professional/technical program and institution's published annual cost of attendance and the normal number of years or semester for completion of program.
- (e) The Student Aid Report ('SAR') or Institutional Student Information Report (ISIR), as evidenced of need for financial assistance as a result of the processed FAFSA by the U.S. Department of Education Processing Center. The FAFSA application is obtainable from the

Financial Aid Office or students may apply directly to www.fafsa.ed.gov.

- (f) Must submit proof of U.S. citizenship (Birth Certificate, Naturalized Certificate, or Passport).
- (g) Must provide one (1) or more of the following as proof of ten (10) year residency on Guam:
 - (1) Copies of filed income tax records for a period of ten (10) years; or
 - (2) Certificate or validation of income tax filed from Department of Revenue; or
 - (3) If a recipient of Public Assistance, must have certified statement from agencies that assistance was provided for a period of ten (10) years; or
 - (4) Certified statement from the Guam Election Commission on Voter registration for the past three (3) general elections; or
 - (5) Bank statement of mortgage on principal residence over ten (10) year period.
 - (6) Official school transcript from schools attended on Guam, or as a resident of Guam while attending an off-island institution.

6.0 ELIGIBILITY

To be eligible for a John F. Quan Memorial Scholarship, the applicant:

- a. must be a bona fide resident of Guam for a continuous period of not less than (10) ten years prior to application, and a citizen of the United States.
- b. must provide evidence of financial need through the completion and processing of the Free Application for Federal Student Aid (FAFSA) as reported in the Student Aid Report (SAR), or the Institutional Student Information Report from the U.S. Department of Education Processing Center;
- c. must have achieved at least a grade point average of 3.0 in high school if pursuing undergraduate studies toward an Associate or Bachelor's degree, or be able to produce an irrevocable letter of acceptance from a U.S. accredited institution, or professional school as recognized by CHEA,
- d. must be a college student with a current grade point average of 3.0 or better if pursuing Master's or Doctoral degree, or be able to provide an irrevocable letter of acceptance from a U.S. accredited institution, or professional program recognized by CHEA,
- e. must be pursuing on a full-time basis a technical training certificate or degree program in ocean resource science, or fisheries, maritime industries, or other areas to include:
 - 1) living resources;
 - 2) non-living resources, such as hard seabed materials, geo-thermal venting, precious minerals, submarine currents and other non-living resources;

- 3) ocean resource technology;
- 4) pollutant mitigation technology;
- 5) fishing and maritime industries; and,
- 6) maritime law

7.0 SELECTION OF AWARDEE

The Board of Regents shall direct the Financial Aid Office to review and evaluate the applications based on the following:

- a. the applicant's scholastic record, aptitude, and financial need; or,
- b. the Board may use work or lifetime experience and achievement as criteria in place of the aptitude if it appears that such experience or achievement can reasonably predict the applicant's success in the course of study; or,
- c. the field of study is needed for the development of Guam's ocean resources in the future.

8.0 BENEFITS

An award recipient is entitled to the following benefits:

- a. Payment of tuition and fees, and related field research cost per year as follows:
 - 1) Undergraduate Scholarship Award
Associate Degree - up to the amount of \$5,000 for a period not to exceed two (2) scholastic years. Technical training certificate for a period not to exceed two (2) scholastic years.
Bachelor's Degree - up to the amount of \$10,000 for a period not to exceed four (4) scholastic years.
 - 2) Graduate Scholarship Award
Master's Degree - up to the amount of \$10,000 for a period not to exceed two (2) scholastic years.
Doctoral Degree - up to the amount of \$15,000, including dissertation, as long as it does not exceed four (4) scholastic years.
Juris Doctor Degree - up to the amount of \$15,000 for a period not to exceed four (4) scholastic years.
- b. An annual grant of not more than Two Thousand Five Hundred Dollars (\$2,500) per year for room and board, books and educational supplies and materials, but in no case shall the total amount awarded to a single individual exceed the sum of Ten Thousand Dollars (\$10,000)

9.0 OBLIGATION OF AWARD RECIPIENTS

The recipient of an Award must fulfill the following obligations:

- a. Comply with all award regulations established by the Board of Regents.

- b. Enroll for and maintain full-time status for the period under the program, unless it is the student's last term in which graduation occurs.
- c. Maintain a grade-point average of not less than 3.0 each term. A student who fails to comply with this regulation shall be placed on probation and must meet the academic standard prescribed herein by the end of the term immediately following the term in which the probationary status occurred.
- d. Submit an official copy of transcript and a detailed statement of actual tuition and fee charges no later than thirty (30) days prior to the beginning of each semester/quarter to process payment.
- e. Obtain written approval by the Board before:
 - (1) Transferring to another institution; transfer(s) may be approved by the Board if such transfer(s) would not exceed the length of time required to complete the program.
 - (2) Changing academic/technical program; change(s) may be approved by the Board if such change(s) would not extend the length of time required to complete the program. Such change must be within the program guidelines as established by Public Law 24-187 §15604(a) (1-2).
 - (3) Withdrawing from any institution, unless such withdrawal was due to circumstances beyond the recipient's control, and such withdrawal is subsequently approved in writing by the Board.
 - (4) Being employed on Guam; recipients are obligated to work for one (1) year, for each 12 credits earned while the recipient was under the Award program. The recipient's employment on Guam shall commence within six (6) months after the completion of studies. If a recipient continues their education as a full-time student at a graduate or professional school, the recipient may defer their return to Guam until such additional studies are completed; provided, that written approval is obtained from the Board. A graduate requiring specialized training, may postpone their employment on Guam while undergoing specialized training as long as the recipient is certified by the director of the training program on an annual basis and upon written approval from the Board.
- f. By accepting the award, the recipient agrees that the University of Guam may obtain any or all information from the recipient's respective institution and employer to comply with Board rules and regulations. Additionally, the recipient will be required to attend:

- (1) A pre-award interview prior to disbursement of the award; and
- (2) An exit interview upon completion of degree or certificate program with the staff from the Financial Aid Office.

10.0 PROMISSORY NOTE

The recipient shall execute a non-interest bearing promissory note with two (2) responsible co-signers, who are residents of Guam and are financially able to repay the note in the event that the recipient fails to comply with service obligation one hundred eighty (180) days from the required initial date of employment. The note becomes interest bearing on any amounts unpaid by service credit that are due and payable, which shall be subject to interest on the annual rate of ten percent (10%). The total amount of the note shall be determined upon completion of studies in which assistance was provided by the award. No funds under this program shall be disbursed until the note has been complied with in accordance to the prescribed rules and regulations of this Program. This note shall be executed by the Financial Aid Office, Student Financial Assistance Program.

11.0 CONDITIONS FOR CONTINUANCE OF AN AWARD

The conditions for continuation of the Award shall include the following:

- (a) Maintain status as a regular full-time student at the institution to which admitted and in the program for which the award was granted, unless a transfer to another institution or a change of academic program has been authorized in writing by the Board of Regents.
- (b) Maintained satisfactory academic standing in accordance with Regulations 9(b) and 9(c)
- (c) Submit an official copy of transcript and a detailed billing statement of tuition and fees no later than thirty (30) days at the end of each semester/quarter.
- (d) Provide a copy of a Student Aid Report and an award letter from the institution of attendance to determine continued financial need. No Award shall be continued beyond the number of years as specified by Public Law 24-187 §15604(a) (1-2).
- (e) Comply with all other regulations governing the Award.

12.0 FORFEITURE OF AWARD

Forfeiture of an award shall result from any of the causes listed below, and any award forfeited shall be immediately due and payable.

- (a) Suspension or dismissal for academic deficiency, disciplinary reasons, or conviction of a felony.
- (b) Withdrawal from the institution in anticipation of any action under (a), above or for any other reason(s) not authorized by the Board.

- (c) Failure to maintain status as a full-time student, except a recipient may be allowed by the Board one-academic term to regain full-time status without cancellation of the award, or a recipient may be permitted to carry less than full-time load, if it would not result in the student's failing to graduate within the normal time for completing the program of studies. In the event that an exception is granted pursuant to this Subsection, the student shall be required to sign a cash repayment promissory note to repay in cash the amount awarded for the academic term in which the failure to maintain full-time status occurred and not be eligible for service credit pursuant to Section 12.0 following graduation or termination of studies for any reason.
- (d) Violation of other Board regulations.

13.0 SERVICE CREDIT

For the purpose of repayment of the Award, the following shall apply.

- (a) Service Credit. The applicant agrees that after completion of the course of studies for which the scholarship was granted, such applicant will remain on or return to Guam to work on Guam for one (1) year, for each twelve (12) credits earned while a recipient was under the program.
- (b) Postponement. If the recipient wishes not to begin employment on Guam within six (6) months after graduation to continue studies on a full-time basis at an accredited institution or higher education, the recipient may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue the recipient's studies. Without the prior approval of the Board, the recipient who does not return to Guam within six (6) months, must pay in cash Thirteen dollars and eighty-eight cents (\$13.88) per day (Five thousand dollars [\$5,000] per year) for those under the Associate Degree program, Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day, (Ten Thousand Dollars [\$10,000.00] per year) for those under the Bachelor's and Master's degree program, Forty-one dollars and sixty-six cents (41.66) per day, (Fifteen thousand dollars [\$15,000] per year) for those under the Doctoral and Juris Doctor degree programs, for each day between the date of graduation and the date of employment on Guam. Once this amount has been paid, the recipient is entitled to use service credit for the remaining amount of the debt for each year of employment on Guam.
- (c) Interruption. If a person receiving service credit wishes to temporarily terminate employment on Guam to continue that person's studies on a full-time basis at an accredited institution of higher education as recognized by CHEA, or its successors, that person may appeal in writing to the Board for permission. Should such permission be granted, the repayment obligation shall be deferred for the period granted to continue that person's studies. Without the prior approval of the Board, the recipient must pay in cash Thirteen dollars and eighty-eight cents (\$13.88) per day (Five thousand dollars [\$5,000] per year) for those under the Associate Degree

program, Twenty-seven Dollars and Seventy-seven Cents (\$27.77) per day (Ten Thousand Dollars [\$10,000.00] per year) for those under the Bachelor's and Master's degree program, Forty-one dollars and sixty-six cents (41.66) per day, (Fifteen thousand dollars [\$15,000] per year) for those under the Doctoral and Juris Doctor degree programs, for each day the person is not employed on Guam. Upon payment of such amount, the recipient is entitled to use service credit on the remaining debt.

- (d) Ineligibility for Service Credit. Any recipient who did not receive the degree that that person sought with assistance from the Board, without prior written approval, shall be ineligible for service credit. All monies disbursed during attendance under the John F. Quan Memorial Scholarship will become due and payable under the note, and shall be subject to an annual interest rate of ten percent (10%) in monthly installment payments. Such payments shall not exceed ten (10) years pursuant to the law. The University of Guam Collections Department will be charged with computing the recipient's monthly installment payments in the event of default.
- (e) Leave of Absence. It is the responsibility of the recipient to inform the Board of Regents of their intended leave of absence if such leave is longer than forty-five (45) days. The recipient must remain employed on Guam to receive service credit while on off-island leave status.
- (f) Death or Total Disability. In the event the recipient should become totally disabled (physiological or psychological) or upon death, while completing service credit, any obligation on the note shall be terminated upon certification of two (2) physicians licensed to practice in the United States.
- (g) Annual Proof of Employment. It is the responsibility of the recipient to provide the Board of Regents documentary evidence of such employment and, each year thereafter, until such service obligation is fulfilled.