I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Substitute Bill No. 198-31 (COR), "AN ACT TO *ADD* A NEW ARTICLE 14 TO CHAPTER 15 OF DIVISION 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A SCHOLARSHIP PROGRAM FOR ECONOMICALLY-DISADVANTAGED STUDENTS, AND PROVIDING FUNDING SOURCES FOR THE PROGRAM; AND TO CITE THIS ACT AS THE *"EVERY CHILD IS ENTITLED TO A HIGHER EDUCATION SCHOLARSHIP PROGRAM"*,** was on the 8th day of November, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 9th day of Nov., 2011, at 4:25 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 198-31 (COR)
As substituted by the Committee on Education and Public Libraries;
and amended on the Floor.

Introduced by: Chris M. Dueñas
Aline A.Yamashita, Ph.D.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
v. c. pangelinan
Adolpho B. Palacios, Sr.
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW ARTICLE 14 TO CHAPTER 15 OF DIVISION 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A SCHOLARSHIP PROGRAM FOR ECONOMICALLY-DISADVANTAGED STUDENTS, AND PROVIDING FUNDING SOURCES FOR THE PROGRAM; AND TO CITE THIS ACT AS THE *"EVERY CHILD IS ENTITLED TO A HIGHER EDUCATION SCHOLARSHIP PROGRAM"*.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. A review of the financial assistance programs available to students planning to attend the University of Guam indicates

two (2) main themes: academic achievement and awards based upon a concentration in a specific field of study. The "*Every Child is Entitled to a Higher Education Scholarship Program*" will continue to acknowledge academic achievement as a main theme and factor in the eligibility for assistance to be offered herein. However, its focus will be to provide economically-disadvantaged students with the ability to experience higher education in hopes that the students assisted will seek out other financial means to remain in school, determine a course of study, and complete a degree program. The emphasis of offering an enticement to experience higher education could be the difference between a person who needs to immediately work to support his family and who cannot afford the costs to attend the University of Guam, and a person who can be of greater benefit to his family with both an exposure to higher education and, perhaps, a college degree.

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

"**ARTICLE 14**

EVERY CHILD IS ENTITLED TO

A HIGHER EDUCATION SCHOLARSHIP PROGRAM

§ 151401. The *Every Child is Entitled to a Higher Education Scholarship Program:* Creation.

§ 151402. Administration of Program.

§ 151403. Rules and Regulations.

§ 151404. Selection Committee.

§ 151405. Academic Advisor and Program Contract.

§ 151406. Scholarships.

§ 151407. Same: Benefits.

§ 151408. Service Requirements.

§ 151409. Reporting Requirements.

§ 151401. The *Every Child is Entitled to a Higher Education Scholarship Program*: Creation. There is hereby created the *Every Child is Entitled to a Higher Education Scholarship Program*. Awards granted under this Article *shall* be granted for Academic Year 2012-2013, and thereafter.

§ 151402. Administration of Program. The University of Guam Board of Regents *shall* administer this Program pursuant to §15102 of Article 1 of this Chapter.

§ 151403. Rules and Regulations. All rules and regulations adopted *prior* to the enactment of this Article *shall* remain effective *unless* they are *amended or repealed* by the Board in a manner consistent with §15105 of Article 1 of this Chapter.

§ 151404. Selection Committee. (a) The President of the University *shall* annually establish an Evaluation and Selection Committee (the Committee). The primary criteria for selection of recipients *shall* be the adherence to established University of Guam entrance and academic requirements. The Board may prescribe additional qualifications for admission to the scholarship program.

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

§ 151405. Academic Advisor and Program Contract. Each program scholarship recipient *shall* develop a complete academic plan that would result in the granting of the applicable degree within the prescribed period of time. This plan *shall* be examined by the appropriate University official, as determined by the Board, and upon approval, *shall* constitute a contract between the student and the University.

§ 151406. Scholarships. The *Every Child is Entitled to a Higher Education Scholarship Program shall* consist of students who have declared their intention to attend the University of Guam. Scholarships may be awarded to eligible students who meet the following criteria:

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

(b) citizen of the United States;

(c) senior *or* graduate of an accredited high school with a cumulative grade point average of *not less than* 2.5 on a 4.0 scale, *or* its equivalent;

(d) official acceptance to the University of Guam in accordance with its admissions policies; and

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

(f) demonstrates financial need, which shall be determined by regulations authorized by § 15105 of Article 1 of this Chapter. In addition, the applicant must complete and submit the Free Application for Federal Student Aid' (FAFSA) to determine the appropriate level of need; and must exhaust all federal sources that may be available for economically disadvantaged students, as certified by UOG.

§ 151407. Same: Benefits. (a) Students entitled to scholarships pursuant to § 151406 of this Article *shall* receive the following benefit: a scholarship in the amount of Five Thousand Dollars ($5,000), issued in two (2) equal installments of Two Thousand Five Hundred Dollars ($2500) each. The first (1st) installment *shall* be payable at the beginning of the first (1st) semester of Recipient's freshman year at the University of Guam. The

second (2nd) installment *shall* be paid in the beginning of the first (1st) semester of the Recipient's senior year at the University of Guam.

§ 151408. Service Requirements.

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

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

(c) If a student enlists to serve on active duty in a branch of the U.S. Armed Services while in attendance or upon completion of studies, the service requirement *shall* be postponed until such student returns to work on Guam, but in no case longer than six (6) years; provided, however, that the student applies for the postponement within ninety (90) days of entering the Armed Services, and continues to maintain Guam as the student's home of record.

(d) Death or total and permanent disability of the student *shall* terminate any obligations herein. Total and permanent disability for purposes of this Section is defined as any physiological or psychological condition that will prevent the student from obtaining or maintaining any form of gainful employment. The Board may defer repayment for temporary disability. Total and permanent disability requires the certification by two (2) physicians licensed to practice in Guam or the United States.

§ 151409. Reporting Requirements. A report *shall* be submitted to the Speaker of *I Liheslaturan Guåhan no later than* three (3) weeks after the start of the fall semester for which any scholarships have been awarded. The report *shall* contain the following information: the total number of recipients by academic year, sorted by new and continuing recipients; the total number of recipients that completed their degree program; the total amount expended for the *prior* academic year for any activity related to the program; and any other information that *I Liheslatura* will deem helpful in the review of the program.

§ 151410. Funding Sources. The Program may make every effort to award up to five hundred (500) scholarships annually contingent on the availability of funding sources cited in this Section. Scholarship funds *shall* be payable exclusively to UOG for tuition or books or as reimbursement to scholarship recipients upon evidence of prior payment of tuition and books and according to rules and regulations. Funding to administer and conduct the program in this Article *may* come from any or all of the following sources:

(a) direct appropriation by *I Liheslaturan Guåhan* for the express purpose of funding the program created by this Article;

(b) public investments from GEDA's Qualifying Certificate Program, *not* already dedicated for a particular use;

(c) company donations to a "Qualified Tuition Program, also known as a 529 program" made available to eligible employees for re-investment and development; and

(d) any other source of funding for which the use of money for the purposes herein is consistent with law."