

TITLE 75: OFFICE OF THE GOVERNOR

SUBCHAPTER 75-20.3

POST SECONDARY TEACHER EDUCATION SCHOLARSHIP PROGRAM RULES AND REGULATIONS

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Subchapter Authority: 3 CMC §§ 1601-1603; Executive Order 94-3 § 211.

Subchapter History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: PL 10-58 (effective May 15, 1997), codified as amended at 3 CMC §§ 1601-1603, creates a post secondary teacher education scholarship program to award college scholarships to students who are pursuing a professional degree in teaching and meet the requirements of the act. See 3 CMC § 1601. 3 CMC § 1602 authorizes the Scholarship Office to administer the provisions of the act and promulgate necessary regulations.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3 § 211:

Section 211. Scholarships.

(a) All functions of the Northern Marianas College Board of Regents relating to student scholarships, except those donated, bequeathed, or granted to the College by parties outside the Commonwealth Government, are transferred to the Office of the Governor.

(b) There is hereby established in the Office of the Governor a Scholarship Advisory Board consisting of nine members who shall be appointed by and serve at the pleasure of the Governor. At least two of the members shall be from Tinian, and at least two from Rota. Not more than five of the board members shall be associated with a single political party. The Board shall review applications for scholarships and make recommendations to the Governor with respect thereto. The Board shall also recommend objective standards for the award of scholarships. The provisions of [PL 8-41] shall not apply to the Board.

(c) As used in this section, the term "scholarships" includes student grants, student loans, and other programs of student financial assistance.

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The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001. The staff of the Scholarship Advisory Board within the Office of the Governor is known as the Scholarship Office.

PL 15-109 (Nov. 9, 2007) repealed and re-enacted 3 CMC §§ 1601-1603 and added new sections 1604-1606. To the extent the new portions of 3 CMC §§ 1601-1606 conflict with these regulations, the regulations are superseded.

PL 18-40 (Mar. 21, 2014) dissolved the Scholarship Office and replaced it with a new CNMI Scholarship Office, independent of the Office of the Governor. Section 5(c) of the Public Law provided, “The policies, rules and regulations of the Scholarship Office shall continue as policies, rules and regulations of the CNMI Scholarship Office until amended or repealed by the CNMI Scholarship Board of Directors.”

Part 001 - General Provisions

§ 75-20.3-001 Purpose

The rules and regulations in this subchapter are to implement Public Law 10-58, as amended by Public Law 11-34, a law to establish a Post Secondary Teacher Education Program (PSTEP).

Modified, 1 CMC § 3806(d), (f).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: The 2004 amendments republished the regulations in this subchapter in their entirety.

§ 75-20.3-005 Definitions for Implementing Public Law 10-58 as Amended by Public Law 11-34

- (a) **Cumulative Grade Point Average (GPA):** The grade point average for all terms combined.
- (b) **Full-time Status:** A recipients full-time status is defined by the institution that he or she is attending. Courses that are repeated are not counted towards maintaining a full-time status.
- (c) **Probation:** A condition placed on a student who fails to comply with the statutory requirement or any of the rules and regulation promulgated by the Scholarship Office.
- (d) **Termination:** Discontinued from the program.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: The 2004 amendments amended subsection (b). The Commission corrected the spelling of the word “recipient’s” in subsection (b) pursuant to 1 CMC § 3806(g).

Part 100 - Application, Eligibility and Award

§ 75-20.3-101 Application Procedure

(a) Applications must be received or postmarked on or before July 1st for fall semester/quarter or December 15th for winter/spring quarter/semester for which the scholarship is to award. NOTE: If the deadline falls on a weekend or a holiday, deadline will be the next working day.

(b) The required documents to be submitted with the application include but are not limited to:

- (1) An official sealed transcript from the institution;
- (2) A letter of acceptance from an accredited college or university;
- (3) A certification letter from the institution stating the institution's education program accreditation status and accrediting agency;
- (4) Certification letter stating acceptance into an accredited teacher training program and student class status; and
- (5) Proof of compliance with statutory requirements as demonstrated by, but not limited to, documents such as a U.S. passport, parent's tax forms, or other similar documents deemed acceptable or appropriate by the Scholarship Office.

(c) Once accepted, recipients must continue to submit the appropriate information and documentation necessary to maintain their scholarship as required by the Scholarship Office.

Modified, 1 CMC § 3806(f), (g).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: In subsection (b), the Commission inserted several semi-colons to ensure consistent punctuation. In subsection (b)(3), the Commission changed "institutions" to "institution's" to correct a manifest error.

§ 75-20.3-105 Eligibility

In addition to meeting all statutory requirements an applicant must meet the following criteria to be eligible:

(a) A scholarship awarded to undergraduate students enrolled in an accredited teacher-training program will commence at the beginning of the students'* junior year in college/university.

(b) For the purpose of the rules and regulations in this subchapter, students are defined as PSTEP recipients who either meet the criteria of subsection (a) above, have obtained their undergraduate, baccalaureate degree and their teacher education certificate or similar teaching

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credentials and immediately after completion of their baccalaureate program pursue a masters degree in education. A PSTEP scholarship award will be granted to one seeking an advanced degree in education only for a period, which is provided by law.

(c) The recipient must sign and have notarized a memorandum of agreement approved by the Scholarship Advisory Board for each academic year in order to receive scholarship benefits. This memorandum of agreement shall set forth the terms and conditions pursuant to which scholarship benefits will be awarded to the recipient. Each memorandum of agreement must be notarized and returned to the Scholarship Office before the recipient will receive any scholarship benefits.

* So in original.

Modified, 1 CMC § 3806(c), (d), (f).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: PL 15-109 (Nov. 9, 2007), codified at 3 CMC § 1601, revised the eligibility requirements for the scholarship. To the extent this section conflicts with 3 CMC § 1601, it is superseded.

§ 75-20.3-110 Duration of Eligibility

Unless otherwise provided by law, applicants are allowed to benefit from the PSTEP program for a period of up to four years. The Scholarship Administrator will determine when the applicant will be eligible based on § 75-20.3-105 of the rules and regulations in this subchapter. Students graduating from the program should be qualified to be classroom teachers. Thus, the 4-year scholarship period allowed by law may also include teacher certification programs and/or other internship necessary to acquire the highest standard of credential and certification to be a professional teacher.

Modified, 1 CMC § 3806(c), (d), (e), (f), (g).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: The Commission inserted “a” before “professional teacher” to correct a manifest error.

§ 75-20.3-115 Persons Eligible

(a) Initial eligibility for the PSTEP program shall be as provided by law.

(b) Persons on educational or government administrative leave with or without pay are eligible to receive benefits under this program.

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History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

§ 75-20.3-120 Minimum Scholastic Achievement

Undergraduate recipients who initially qualify under this program must, as provided by law, remain and continue as a full time student without interruption or break during the 4-year period in order to continue benefitting from the program. A transfer or change of college or university may be allowed provided that the transfer is completed without interruption of a session or semester.

Modified, 1 CMC § 3806(f), (g).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: The Commission corrected the spelling of “benefitting.”

§ 75-20.3-125 Amount and Distribution of Awards

Changes in the annual appropriation level funding this program and/or the number of participants in the program will determine the level of awards to each participant in the PSTEP. All awards will be consistent with the provisions of applicable CNMI law. Recipients will be advised of the changes in award levels necessitated by either an increase or decrease in funding and/or an increase or decrease in the number of participants in the PSTEP.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

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§ 75-20.3-201 Probation and Termination

(a) The recipient must maintain a full-time status and have a cumulative GPA of 2.5 on a 4.0 scale to continue in the PSTEP program. If the recipient fails to maintain the required cumulative GPA of 2.5 on a 4.0 scale or if the number of credit hours drop below that of a full-time student, fails to comply with the statutory requirement and all terms and condition of the memorandum of agreement the student will be placed on probation for one following enrollment period.*

*So in original.

(b)(1) Scholarship benefits will be awarded during probationary period. However, in order to continue in the scholarship program the student must make-up the credits lacking while also maintaining the full-time (12 credits) status and by the end of the probationary enrollment period must meet the minimum cumulative GPA and be in compliance with the statutory requirement and the memorandum of agreement.

(2) If the student does not meet the required cumulative GPA or does not complete the credits lacking with the full-time status or is not in compliance with the statutory requirement and the memorandum of agreement during the probationary enrollment period, the scholarship benefit will be terminated immediately, and the recipient will not be allowed any further participation in the PSTEP.

Modified, 1 CMC § 3806(f), (g).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: The original paragraphs of subsection (b) were not designated. The Commission designated subsections (b)(1) and (b)(2). In subsection (a), the Commission changed “credits hours” to “credit hours” to correct a manifest error.

§ 75-20.3-205 Repayment

(a) All recipients of such scholarship are required to return to the CNMI no later than three months after completion of their degree program.

(b) Recipient, who fails to complete his/her educational degree program, will be required to repay the amount of scholarship awarded. The amount may either be repaid in full or in installments as determined by the Scholarship Office and the Board.

(c) Legal proceedings will be taken to recover the total amount of scholarships awarded in order to enforce the requirements provided in subsections (a) and (b) above. The recipient shall also pay all legal expenses and fees incurred by the government in the effort to recover scholarship awards.

(d) No penalty shall be imposed on a recipient who obtains his or her baccalaureate degree and decides to enter a post-graduate teacher training program. The repayment or cancellation of such scholarship will be deferred until the student obtains of their postgraduate degree whether or not the student is receiving PSTEP scholarship funds. However, should the student cease his/her post-graduate program, he/she must return to the CNMI within three months to commence work. Failure to return will result in the student being required to repay all scholarship awards previously received.

Modified, 1 CMC § 3806(c), (e), (f), (g).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

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2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: In subsections (d), the Commission changed “a recipient who obtain their” to “a recipient who obtains his or her.”

PL 16-15 (Sept. 5, 2008), codified at 3 CMC §§ 1343-1344, provides for forbearance of collection of financial assistance debts under certain circumstances. To the extent that this section conflicts with PL 16-15, it is superseded.

§ 75-20.3-210 Fraudulent Information

All documents received by the Scholarship Office are subject to verification from the institution and sources from which it came. The applicant and his or her family or authorized representative are individually responsible for the integrity of these documents. Recipients and the authorized representative who submit documents that are false or tampered with in any way will result in the recipients' immediate and permanent removal from any the scholarship program administered by the Scholarship Office. Documents include but are not limited to application, supporting documents, grade reports, transcript, etc.

Modified, 1 CMC § 3806(f), (g).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: The Commission changed “but not limited to” to “but are not limited to” to correct a manifest error.

§ 75-20.3-215 Appeals

- (a) A recipient who is denied PSTEP funds has the right to appeal to the Scholarship Advisory Board.
- (b) Recipient may appeal a decision by the Scholarship Administrator. The appeal must be in writing addressed to the Chairperson of the Scholarship Advisory Board.
- (c) The appeal must be postmarked or hand-delivered no later than twenty-one calendar days after notification of the decision by the Scholarship Administrator. If notification is via mail it shall be given via a certified mail, return receipt requested.
- (d) The appeal to the Scholarship Advisory Board shall be heard and decided pursuant to applicable CNMI law, including, but not limited to, the CNMI Administrative Procedure Act, 1 CMC §§ 9101, et seq.
- (e) All decisions by Scholarship Advisory Board on appeals are final regarding the administrative review process.

Modified, 1 CMC § 3806(e), (g).

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History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: In subsection (d), the Commission changed “seg” to “seq” to correct a manifest error.

Part 300 - Miscellaneous Provisions

§ 75-20.3-301 Effective and Expiration Dates

Public Law 10-58 was signed into law May 15, 1997. The implementation of the program commenced on August 1997, (fall semester 1997). As provided by § 4 of Public Law 11-34, the program will expire six years and three months from September 4, 1998. Therefore, unless this program is renewed or extended by the legislature, scholarship funds for those enrolled in the PSTEP may not be available on or after December 4, 2004. Funding for the PSTEP is part of the scholarship budget appropriated by the Legislature on an annual basis. The PSTEP program will continue only if subsequently funded by the CNMI Legislature after December 4, 2004.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

Commission Comment: PL 15-109 (Nov. 9, 2007) reauthorized the program through November 9, 2012.