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SAIPAN, MARIANA ISLANDS

Volume 12 No. 10



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TABLE OF CONTENTS

EMERGENCY REGULATION:

Issuance of a Monetary fine in lieu of three month moratorium on Garment Factories.
Department of Commerce and Labor 7395

Amendment to the Corporation Regulations Relating to Notice of Administrative Dissolution. Registrar of Corporations
Office of the Attorney General 7401

PROPOSED REGULATIONS:

Proposed Rules and Regulations Governing the Administration of the Tinian Agricultural Homestead Program (P.L. 6-15)
Marianas Public Land Corporation 7404

Proposed Amendments to the Low Income Family Energy Assistance Program
Department of Community and Cultural Affairs 7415

Notice of Proposed Charter of Non-Public School Policy
Public School System 7426

ADOPTED REGULATIONS:

Adoption of Amendments to the CNMI Procurement Regulations
Department of Finance 7436

Adoption of Public School System Policies pursuant to Public Law No. 6-10 and the Administrative Procedures Act.
Public School System 7438

PUBLIC NOTICE

NOTICE OF EMERGENCY REGULATION
AND
NOTICE OF PROPOSED REGULATION

ISSUANCE OF A MONETARY FINE IN LIEU OF
THREE MONTH MORATORIUM ON GARMENT FACTORIES

The Department of Commerce and Labor, under the authority vested by Section 5 (b) (1) of Public Law No. 3-105, find pursuant to 1 CMC 9104(b) that the public interest requires the adoption upon less than 30 days' notice of an amendment to Section 3 (2) of the Garment Factory Regulations allowing for the imposition of a monetary fine in lieu of the three month moratorium on hiring or renewal of work certificates imposed upon garment factories in default, in those instances where the imposition of the three month moratorium would cause the factory to permanently close. Immediate adoption is necessary for preservation of the stability of the garment industry. The regulations, which take effect immediately, are based upon the rule-making authority conferred by 1 CMC 2454.

The regulations will be amended by the deletion of the following final sentence of the final paragraph of Section 3 (2):

A manufacturer which has defaulted with no unused or unfilled quota shall not be allowed to replace or renew workers for a period of three months beginning as of the date of default.

The regulations will be amended by the substitution of the following section in place of the above deleted section:

A manufacturer which has defaulted with no unused or unfilled quota shall not be allowed to replace or renew workers for a period of three months beginning as of the date of default. However, in those cases where, in the discretion of the Director, the imposition of the three month moratorium would so hinder factory operations as to result in the permanent closure of the factory, as a direct result of the moratorium, the Director may impose a monetary fine in lieu of the three month moratorium. The fine shall be an amount not to exceed \$500 per worker, of those workers whose work certificates would expire during the three month period following the default.


Additionally, the Department of Commerce and Labor hereby gives notice to the public of its intention to adopt this amendment permanently. All interested persons may submit their written comments concerning this proposed regulation to:

Director
Commerce and Labor
1st Floor, Administration Building
Capital Hill,
Saipan, MP 96950

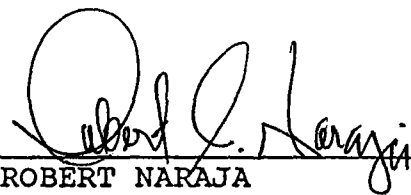
Date: 10/11/90


JOAQUIN TORRES
Director, Commerce and Labor
Textile Panel Member


Date: 10/11/90


ELOY INOS
Director, Finance
Textile Panel Member

Date: 10-12-90


ROBERT NARAJA
Attorney General
Textile Panel Member

Date: 10/11/90


LORENZO DELEON GUERRERO
Governor

NUTISIAN PUPBLIKU

NUTISIAN I REGULASION GI PUT GOTPE NA NISISIDA YAN

NUTISIA PUT I MAPROPOPONI NA REGULASION

NINA'EN MUTTAN SALAPPE' KOMO TULAIKAN I TRES (3) MESES NA NINA'PARAN FAKTORIAN MAGAGU MANIMPLEHA

I Depattamenton Commerce and Labor, gi papa' i atoridat ni mapribeniyi nu i Seksiona 5 (b) (1) gi Lai Pupbliku Numiru 3-105, ha sodda' sigon gi I CMC 9104(b) na i enteres pupbliku ha nisisita na u ma'adapta gi halom menos di trenta (30) dias na nutisian i amendasion Seksiona 3 (2) gi Garment Factory Regulations ni sumesedi i inenggañon muttan salappe' komo tulaikan i tres (3) meses na nina'paran manimpleha sino' marinueban settefikon cho'cho' para i faktorian magagu ni ti kumumple i mangginagagao siha na kondision gi regulasion, gi situ'asion siha anai i penan tres meses na nina'para siña ha' afekta i faktoria ni para u mahuchom petmanente. Ensegidas na inadaptan regulasion nisisario para u prutehi i estabilidat i endastrian magagu. I regulasion siha ni para u fanefektibu ensegidas, mangngonsiste yan i atoridat mama'tinas areklamento ni mapribeni nu i I CMC 2454.

I regulasion para u inamenda nu i linaknos i sigiente na sentensia gi uttimo na parafon i Seksiona 3 (2):

I faktoria ni ti ha kumple i kondision siha gi regulasion ni masedi unos kuantu na kantidan hotnaleru ya ti ha usa sino' ti ha kumple umimpleha ennao na kantida ti u masedi na u fangngonne' tahguen osino' u rinueba i lisensian cho'cho' para i taotao-ña siha gi halom i tres meses na tetminu desde i fecha ni ha tutuhon kumontradesi i kondision i regulasion siha.

I regulasion para u inamenda nu i nina'halom i sigiente na sentensia engkuenta di i malaknos na sentensia gi san hilo':

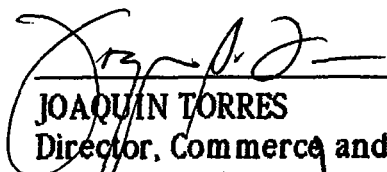
I faktoria ni ti ha kumple i kondision siha gi regulasion ni masedi unos kuantu na kantidan hotnaleru ya ti ha usa sino' ti ha kumple umimpleha ennao na kantida ti u masedi na u fangngonne' tahgue osino' u rinueba i lisensian cho'cho' para i taotao-ña siha gi halom i tres meses na tetminu desde i fecha ni ha tutuhon

kumontradesi i kondision i regulasion siha. Lao, gi situ'asion siha anai, sigon gi disision i Direktot, i penan tres meses na nina'paran faktorian magagu mangngonne' emplehao u afekta i uperasion i faktoria ni para u mahuchom petmanente, i Direktot siña ha na'ma'enggañu muttan salappe' komo tulaikan i tres meses na nina'paran manimpleha. I mutta debi di ti u mas ki \$500.00 para kada emplehao, para ayu siha na emplehao i para u fanmatai settefikon-ñiha cho'cho' gi duranten i tres meses na tetminu despues di i fecha anai masodda' i faktoria na ha kontradesi i kondision siha gi regulasion.

Put mas, i Depattamenton Commerce and Labor ginen este ha nana'i i publiku nutisia put i extension-ña umadapta petmanente este na amendasion. Todu enteresante siha na petsona siña masatmiti i tinige'-ñiha siha na kumento put este i mapropoponi na regulasion guato gi:


Director
Commerce and Labor
1st Floor, Administration Building
Capital Hill, Saipan, MP 96950

Fecha: 10/11/90



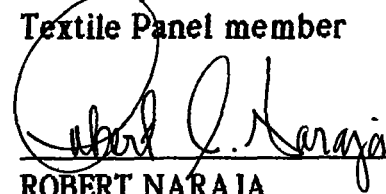
JOAQUIN TORRES
Director, Commerce and Labor
Textile Panel Member

Fecha: 10/11/90




ELOY INOS
Director, Finance
Textile Panel member

Fecha: 10-12-90



ROBERT NARAÑA
Attorney General
Textile Panel Member

Fecha: 10/11/90



LORENZO DELEON GUERRERO
Governor

ARONGORONGOL TOWLAP

**ARONGORONG REEL ALLÉGHÚL EMERGENCY
ME
ARONGORONG REEL FFEÉRÚL ALLÉGH**

**ISIISIWOWUL MUTTAL SELAAPI REEL LLIIWELIL
ELUW MARAM MORATORIUM NGÁLI FAKTORIYAAL MWUNGOÓGH**

Dipatamentool Commerce and Labor, reel bwángil sáangi Section 5 (b) mellól Public Law No. 3-105, e schuungi bwe llól 1 CMC 9104 (b) bwe reel tipeer towap, nge eghi fil bwe ebwe yoor adaption essóbw luu sáangi 30 rál igha eyoor arongorong reel lliiwel mellól Section 3 (2) llól alléghúl Garment Factory bwe ebwe yoor mutta reel aléghéléghél eluww maram moratorium igha rebwe umwuumw ngáre féerú sefááli tiliighil angaang, iye eghi fil bwe schóol garment factories rebwe ayoora nge ngáre rese attabweey tingór yeel nge emmwel schagh ebwe tittiló faktoriya we. Eghi fil bwe ebwe yoor ffeérúl allégh reel ebwe ghatch mwóghutughutul me fáarághil garment industry. Allégh kka ebwe bwélétá ngáre schagh e takkeló nge mwet sáangi bwángil allégh ye llól 1 CMC 2454.

Allégh kkaal nge ebwe lliiwel ngáre atotoowow ówutol aighúghúl sentence mellól aighúghúl paragrah Section 3 (2):

Schóol manufacture ye ese tabweey mille ebwe yoor schagh llapal ebwe fitimal aramas kka ebwe umwuur, nge ressóbw lighitaaló bwe ebwe umwuumwulong akkáámweyút, ngáre umwuuw sefáliir fasúl layúl schóol angaang llól eluww maram bwélétá llól ráálil we ese féerú.

Ebwe lliiwel allégh kkaal bwe toolong itilal ye faal iye ebwe liwili iwe elo weiláng:

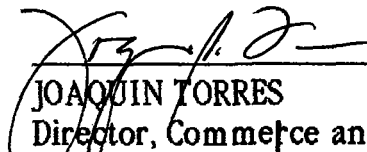
Schóol manufacture ye ese tabweey mille ebwe yoor schagh llapal ebwe fitimal aramas kka ebwe umwuur, nge ressóbw lighitaaló bwe ebwe umwuumwulong akkáámweyút, ngáre umwuuw sefáliir fasúl layúl schóol angaang llól eluww maram bwélétá llól ráálil we ese féerú. Iwe, ngáre Direktood e mángiiy bwe moratorium ye eluww maram emmwel ebwe anngówa mwoghutughutul faktoriya me ete tittiló, nge emmwel ii ngáre

Direktood ebwe abwós selaapi bwe liwilil miliwe eluww maram moratorium. Mutta yeel nge essóbw aluww \$500 eschay schóól angaang, ngáliir ikkiwe ebwele mwutch yaar work certificate llól eluww maram mwuril default.

DipatamentoolCommerce and Labor, ekke arongaar towwlap, igha ekke mángiyy bwe ebwe adaptáali allégh kkaal bwe ebwe aléghélégheló. Aramas ye e tipáli nge emmwel schagh rebwe ischiitiw meta mángemángiir nge raa afanga ngáli :


Director
Commerce and Labor
1st Floor, Administration Building
Capitol Hill, Saipan, MP 96950

Rál: 10/11/90



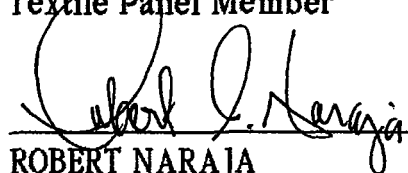
JOAQUIN TORRES
Director, Commerce and Labor
Textile Panel Member

Rál: 10/11/90



ELOY INOS
Director, Finance
Textile Panel Member

Rál: 10-12-90



ROBERT NARAÑA
Attorney General
Textile Panel Member

Rál: 10/11/90



LORENZO DELEON GUERRERO
Governor

PUBLIC NOTICE

NOTICE OF EMERGENCY REGULATION
AND
NOTICE OF PROPOSED REGULATION

AMENDMENT TO CORPORATION REGULATIONS RELATING
TO NOTICE OF ADMINISTRATIVE DISSOLUTION

The Registrar of Corporations, with the approval of the Governor, pursuant to 1 CMC §9104(a) hereby gives notice to the public of the intent to adopt amendments to Subchapter B, §14.21 (a), (b) and (c), §14.22 (b) and § 14.23 (a) of the Corporation Regulations.

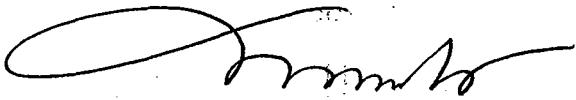
The purpose of the amendment is to provide a more efficient method of notifying corporations of administrative dissolution.

Immediate adoption of the amendments to the regulation is necessary to facilitate the processing of the administrative dissolution of a large number of corporations which are deficient in their filing requirements.

A copy of the amendments are attached. All interested persons may submit their written comments concerning the proposed amendments to:

Registrar of Corporations
Office of the Attorney General
2nd Floor - Administration Building
Capitol Hill, Saipan, MP 96950

Dated October 15, 1990



SOLEDAD B. SASAMOTO
Registrar of Corporations

Approved by:



LORENZO I. DE LEON GUERRERO
Governor

NOTISIAN PUPBLIKU

NOTISIAN EMERGENCIA NA AREKLAMENTO
YAN
NOTISIAN MA-PROPOPONE NA AREKLAMENTO

AMENDASION I CORPORATION NA AREKLAMENTO SIHA POT

NOTISIAN I MA-DIRIHI

I Rehiistran Corporation, kon apruebasion i Gobetno, sigun i 1 CMC § 9104(a), estaguiya hanotitisia i pupbliku pot intension para u-adopta i Subchapter B, §14.21 (a), (b) yan (c), §14.22 (b) yan §14.23 (a) pot i Regulasion Corporation.


I proposito pot i amendasion ni para ma-nai mas hinilat pot an ma-notiticia i corporation pot i administradot madirihina.

I ma-adoptana este na amendasion pot para uninai mas klaru na manera an ma noticia i coroproration pot administradot na madihirina sa mampos dangkulu i numberun corporation ni man manhahalon gi ti gof dinanche kontra i nisisario na areklo.

I copian este na amendasion manadadana guine. Todo man enteresao na petsonas sina man nahalom commento pot este na proposito amendasion guato gi:

Registrar of Corporation
Office of the Attorney General
2nd Floor - Administration Building
Capitol Hill, Saipan, MP 96950

Mafecha guine Oktobre 15, 1990.



SOLEDAD B. SASAMOTO
Registrar of Corporations

Ma-aprueba:



LORENZO I. DE LEON GUERRERO
Gobietno

AMENDMENT TO CORPORATION REGULATIONS

14.21. Procedure for and Effect of Administrative Dissolution.

(a) If the Registrar of Corporations one or more grounds exist under section 14.20 for dissolving a corporation, he shall serve the corporation with written notice of his determination by delivering a copy to the registered office of the corporation, or by mailing a copy by first class mail to the registered agent, or if the registered agent cannot be found, to the secretary of the corporation at its principal office, as disclosed in the records of the Registrar of Corporations.

(b) If the corporation does not correct each ground for dissolution or demonstrate to the reasonable satisfaction of the Registrar of Corporations that each ground determined by the Registrar of Corporations does not exist within 60 days after service of the notice under section 14.21(a), the Registrar of Corporations shall administratively dissolve the corporation by signing a certificate of dissolution that recites the ground or grounds for dissolution and its effective date. The Registrar of Corporations shall file the original of the certificate and serve a copy on the corporation as provided for in section 14.21(a).

14.22. Reinstatement Following Administrative Dissolution.-

...
(b) If the Registrar of Corporations determines that the application contains the information required by subsection (a) and that the information is correct, he shall cancel the certificate of dissolution and prepare a certificate of reinstatement that recites his determination and the effective date of reinstatement, file the original of the certificate, and serve a copy on the corporation under section 14.21(a).

§ 14.23. Appeal From Denial of Reinstatement.-

(a) If the Registrar of Corporations denies a corporation's application for reinstatement following administrative dissolution, he shall serve the corporation under section 14.21(a) with a written notice that explains the reason or reasons for denial.

PUBLIC NOTICE

Proposed Rules and Regulations
Governing the Administration of the
Tinian Agricultural Homestead Program (P.L. 6-15)

The Marianas Public Land Corporation (MPLC) hereby gives public notice that it has developed and established proposed rules and regulations that will govern the administration and implementation of the Tinian Agricultural Homestead Act of 1988, Public Law 6-15. The rules and regulations promulgated are authorized pursuant to Section 3 of Public Law 6-15.

MPLC hereby advises the general public that the proposed Tinian Agricultural Homestead rules and regulations are available at the MPLC office, Capitol Hill, Saipan, MP and MPLC office San Jose, Tinian. Interested persons may obtain copies of the proposed rules and regulations for review and comment in writing, addressed to the Executive Director, MPLC, P.O. Box 380, Capitol Hill, Saipan, MP 96950. Copies may be obtained between the hours of 8:00 a.m and 4:00 p.m. Monday through Friday.

All comments shall be in writing and submitted within thirty (30) days of the date of this notice for consideration and review. The proposed rules and regulations shall become effective ten days (10) after adoption and final publication.

Dated this 25th day of September, 1990.

MARIANAS PUBLIC LAND CORPORATION

By:

W.R. L
William R. Concepcion
Executive Director

NUTISIAN PUPBLIKU

**I MANMAPROPOONI SIHA NA AREKLAMENTO YAN REGULASION
NI GUMUBIEBIETNA I ATMINISTRASION
TINIAN AGRICULTURAL HOMESTEAD PROGRAM
(LAI PUPBLIKU NUMIRU 6-15)**

I Marianas Public Land Corporation (MPLC) ginen este ha nana'i i pupbliku nutisia na esta ha na'guaha yan establesi priniponi siha na areklamento yan regulasion ni para u gubietna i atministrasion yan emplimentasion i Tinian Agricultural Homestead Act of 1988, Lai Pupbliku Numiru 6-15. I manmapropooni siha na areklamento yan regulasion ni manmalaknos ma'atorisa sigon gi Seksiona 3 gi Lai Pupbliku Numiru 6-15.

I MPLC ginen este ha atbibisa i pupbliku hinerat na guaha siha kopian i manmapropooni na areklamento yan regulasion gi MPLC Office, Capital Hill, Saipan, MP yan MPLC Office, San Jose, Tinian. Todu interesante siha na petsona siña manmañuñule' kopia put i manmapropooni na areklamento yan regulasion para u maribisa yan komento gi tinige' guato gi Executive Director, MPLC, P.O. Box 380, Capital Hill, Saipan, MP 96950. I kopia siha siña manmachuchule' gi duranten i oran alas 8:00 gi egga'an asta oran alas 4:00 despues di talo'ani, Lunes asta Bietnes.

Todu komento siha debi di u fanmatuge' ya u fanmasatmiti gi halom trenta (30) dias despues di i fechan este na nutisia ni para u makonsidera yan ribisa. I manmapropooni siha na areklamento yan regulasion u fanefektibu dies dias despues di ma'adapta ya mapupblika put i uttimu.

Mafecha gi este i mina' 25th na dia gi Septiembre, 1990.

MARIANAS PUBLIC LAND CORPORATION

As: W. R. Z
William R. Concepcion
Executive Director

ARONGORONGOL TOWLAP

Ffeerúl Allégh Reel Mwóghutughutul Ammwelil
Tinian Agricultural Homestead Program (P.L. 6-15)

Schóol Marianas Public Land Corporation (MPLC) e mwuschál arongaar towap, reel igha aa ffeer allégh kka ebwe ammwela mwóghutughutul mille Tinian Agricultural Homestead Act of 1988, alléghúl towap ye (Public Law 6-15). Allégh kkaal, nge eyoor sáangi bwángil Section 3 mellól Public Law 6-15.

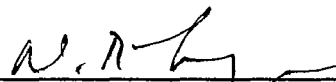
MPLC e mwuschál arongaar towap, bwe alléghúl mwóghutughutul mille Tinian Agricultural Homestead, nge eyoor llól Bwulasiyool MPLC, Capitol Hill Saipan, MP me Bwulasiyool MPLC San Jose, Tinian. Aramas ye e tipáli, nge emmwel schagh ebwe bweibwogh kkoopiyal allégh kkaal, nge raa ischiitiw meta mángemángiir me tipeer nge raa afanga ngáli Executive Director, MPLC, P.O. Box 380, Capitol Hill, Saipan, MP 96950. Emmwel rebwe ló bweibwogh kkoopiyal allégh ótol ye 8: 00 a.m. leesor mwet ngáli ótol ye 4:00 p.m. leepal, Luunis mwet ngáli Bennis.

Alongal mángemáng me tiip, nge ebwe isch nge aa atotoolong llól eliigh (30) rál sáangi igha e toowow arongorong yeel bwe rebwe amwuri fischiiy. Allégh kkaal nge ebwe aléghéghéló llól seigh (10) rál sáangi igha re adaptáali me atotoowow.

Ráalil ye 25th Septiembre, 1990

MARIANAS PUBLIC LAND CORPORATION

Sáangi:



William R. Concepcion
Executive Director

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
MARIANAS PUBLIC LAND CORPORATION

PROPOSED RULES AND REGULATIONS PROMULGATED PURSUANT TO THE
TINIAN AGRICULTURE HOMESTEAD ACT OF 1988
(PUBLIC LAW 6-15)

The Marianas Public Land Corporation (MPLC), pursuant to its duties and responsibilities under Article XI of the Constitution and the authority given the Corporation by and through the Tinian Agriculture Homestead Act of 1988 does hereby promulgated these rules and regulations that shall govern the implementation and administration of the Agriculture Homestead Program specifically developed for the Island of Tinian.

1. Authority

These rules and regulations are hereby promulgated and issued by the Marianas Public Land Corporation (MPLC) pursuant to Section 3 of the Tinian Agriculture Homestead Act of 1988 (Public Law 6-15).

2. Purpose

The purpose of these rules and regulations are to set forth the necessary procedures with respect to agricultural homestead applications; to set out in detail the standards of eligibility; to provide for certain requirements necessary to meet the goals and objectives of the agricultural program; to provide for an efficient system of notice and hearing process for applicants whose applications have been denied, and to provide a basic format for applications and other documents and instruments necessary to administer and implement the agricultural homestead program.

3. Definitions

- A. Domicile: That place where a person has his true, fixed and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. The permanent residence of a person or place to which he intends to return even though he may actually reside elsewhere.

The established, fixed, permanent, or ordinary dwelling place or place of residence of a person, as distinguished reside elsewhere.

- B. Marriage: The legal union of one man and one woman as husband and wife. It is a legal status and requires the issuance of a marriage license by the Commonwealth with or without a ceremony by a church.
- C. Common Law Marriage: One not solemnized in the ordinary way but created by an agreement to marry, followed by cohabitation. Such a marriage requires a positive mutual agreement, permanent and exclusive of all others, to enter into a marriage relationship, combined with cohabitation sufficient to allow the fulfillment of necessary elements to the relationship of man and wife, and an assumption of marital duties and obligations. The burden to prove such relationship lies with the applicant, however, the existence of children whose birth certificates list both parties to such a relationship as parents shall constitute a prima facie showing of the existence of the relationship. For purposes of these Regulations only, the definition of spouse shall include either party to a "common law" marriage.

4. Designation of Homestead Areas

The Marianas Public Land Corporation may from time to time designate areas suitable for farming and agricultural activities, and shall use such designated areas for the distribution of agriculture homestead lots. No applicant may be granted an agriculture homestead lot outside of the designated area without the prior approval of the Board of Directors.

5. Establishment of Area

All eligible applicants shall be entitled to a maximum area of one hectare or 10,000 square meters of agricultural land.

6. Persons Eligible to Homestead

All applicants for agriculture homestead lots must meet and satisfy all of the following criteria:

- 1. An applicant must be 18 years of age, or over, and is a citizen of the Commonwealth of the Northern

Marianas, and of Northern Marianas descent as provided for in the CNMI Constitution.

2. An applicant must have been domiciled on the island of Tinian for not less than five (5) years.
3. An applicant or his/her spouse must not own or have an interest in agricultural land within the Commonwealth of the Northern Marianas which equals or exceeds 1/2 hectare or 5,000 contiguous square meters.
4. An applicant or his/her spouse must not have been a recipient of an agriculture homestead lot from previous agricultural homesteading program.
5. An applicant shall not receive more than one (1) agriculture homestead lot.
6. A person is not eligible to apply for a homestead within the first six months after ceasing to cohabitate with an applicant or recipient of an agricultural homestead lot. Additionally, if an applicant resumes cohabitating with another applicant or recipient of an agricultural homestead lot within six months after receiving a permit to homestead, the permit shall be considered void for all purposes.
7. A person residing with an applicant for, or recipient of an agricultural homestead lot is not eligible to apply for a homestead.
8. If two applicants marry within the first year of either's permit, they shall make an election as to which homestead to develop and the other homestead permit shall be deemed void. If an election is not made within two months of the marriage, the most recent permit shall be deemed void.

7. Priority of Applicants

The Marianas Public Land Corporation shall prioritize the applications submitted according to the following categories. In order to verify the information provided in the application and in order to accurately determine the actual need and priority for an agricultural homestead lot, MPLC may require the applicant to provide additional documentation as MPLC deems appropriate.

A. First Priority

- a) Married applicants whose primary source of income is derived from farming.
- b) Single applicants whose primary source of income is derived from farming.

B. Second Priority

- a) Married applicants whose primary income is derived from sources other than farming.
- b) Single applicants whose primary income is derived from sources other than farming.

C. Ineligible Applicants

Those applicants who are determined ineligible to receive agricultural lots due to constitutional and statutory restrictions shall be notified in writing of such determination. The letter notice shall specify the reasons for ineligibility and informing the applicant of a right to appeal the determination within 30 days of the receipt of the notice.

Within each category of eligible applicants, the MPLC shall take into consideration the date of application, so that an earlier applicant shall take precedence over a later applicant, all other factors being equal.

8. Application Procedure

- a) All applicants for agricultural homestead shall fill out an application form provided by MPLC. Applications may be submitted in the Saipan Office or directly to the Tinian Office. Applications shall be date stamped by the MPLC when received.
- b) All applications shall be signed and declared under penalty of perjury.
- c) All applications must be accompanied by \$100.00 non-refundable application fee.

- d) After submission of an application, MPLC shall verify the eligibility of the applicant and all essential facts set forth by the applicant and if necessary require the applicant to appear before the MPLC Homestead Administrator or his designee for an interview to clarify or verify the information given in the application. Approval or disapproval of application shall be rendered no later than 90 days after receipt of a completed application.

9. Issuance of Homestead Permit

Upon approval of the application, the MPLC shall issue a permit to enter upon, use and improve the land once the agricultural tract has been surveyed, monumented, mapped, and ready for homesteading. The MPLC shall, by drawing of lots, pick up the agriculture lots for eligible applicants.

After a agricultural lot is picked for an eligible applicant, the Corporation shall prepare a agriculture homestead permit for the applicant, and shall give a copy of the map showing the agriculture homestead tract as surveyed and shall also physically show the tract to the homesteaders.

A permit fee of \$100.00 shall be paid by the homesteaders due and payable at the time the permit is executed.

10. Conditions of Occupancy

- a) The homesteader shall enter upon and commence the use and improvement of the agriculture lot consistent with a Land Utilization and Planting Program approved by MPLC within 90 days after the receipt of the permit. Homesteader may develop his/her own Land Utilization Planting Program, but shall obtain written approval from MPLC prior to actual use and occupancy of the homestead lot. Upon non-compliance with the foregoing, the permit shall expire and be null and void and the homesteader shall be construed to have waived all rights in and to the land. Upon such occupancy, MPLC shall have the right to enter and possess the land.
- b) The homesteader shall, at all times maintain all boundaries clear of any and all weeds, trash and underbrush.

- c) MPLC shall show the homesteader the actual boundaries of the homestead lot. However, any subsequent request by homesteader for relocation of boundaries by MPLC may be undertaken only after a \$300.00 fee is paid in advance.
- d) During the period of occupancy, the homesteader shall observe and comply with all rules, regulations and requirements concerning the use, occupation and development of the homestead lot.
- e) No permanent structure, e.g. reinforced concrete or hollow concrete blocked construction is allowed during the term of the permit. All temporary construction for housing of people shall provide sanitation facilities approved by the Division of Environmental Qualities (DEQ).

11. Homestead Progress Inspection

- a) The MPLC shall conduct inspections of the homestead at least once a year, or more often as it deems necessary to determine compliance with the homestead requirements. Notice of inspection shall be given the homesteader at least ten days in advance.
- b) After each inspection the homestead inspection team shall issue a brief report on the progress of and the compliance of the homesteader.
- c) In the event that a homesteader is not complying with the homestead requirements, the inspection team shall so note in its report and inform the homesteader of the requirement he/she is not complying with. Appropriate written warnings shall be given the homesteader. Such notice shall contain specific correcting action to be taken by the homesteader to bring himself into compliance with the homestead requirements.
- d) All inspection reports shall be signed by the Inspection Team Chairperson and all participating team members.

12. Deeds of Conveyance

Deeds of Conveyance shall be issued by the Marianas Public Land Corporation for homestead lots entered pursuant to the

Tinian Agriculture Homestead Act of 1988 upon maturity of the Permit, and only upon execution of a Certification by the Marianas Public Land Corporation certifying that the homesteader has resided on the island of Tinian for three (3) years from the date of entry upon the homestead lot and has complied with all laws, rules and regulations appertaining to the homestead. MPLC shall issue the Deed of Conveyance within six months of the time the homesteader becomes eligible to receive the Deed of Conveyance.

13. Transfer of Homestead Permit

No rights in or to a homestead permit shall be sold, assigned, leased, transferred or encumbered; except that in the event of the death of the homesteader prior to the issuance of a Deed of Conveyance, all rights under the permit shall inure to the benefit of such person or persons, if any, as the homesteaders shall designate in the permit or letter filed with the Marianas Public Land Corporation. In the event no designation is made by the homesteader, then the permit shall be revoked, and the land, together with all appurtenances thereto entered thereunder, shall revert to MPLC or its successor.

14. Penalties

A. Grounds for Revocation of Permit

1. If at any time after the issuance of the homestead permit, and before the expiration of the permit period, the homesteader abandoned the land or fail to comply with the laws, then the permit shall be revoked and the land shall revert to MPLC or its successor. The Marianas Public Land Corporation may at its discretion allow the homesteader an extension of the permit period.

B. Grounds for Disqualification

1. If an applicant knowingly and willfully submits false information to MPLC under penalty of perjury, the matter shall be referred to the Attorney General for prosecution and the applicant's permit shall be revoked and disqualified from participation in the Agriculture Homesteading Program.

2. If an applicant negligently or recklessly submits false information to MPLC or otherwise misleads MPLC, the applicant may be disqualified from participation in the Agriculture Homestead Program permanently or for a period of time to be determined by the Board.

15. Notice and Hearing

An applicant whose application for an agricultural homestead has been received, verified, and found not eligible, shall be informed in writing of such decision, the reason therefore, and a right to appeal the decision within 30 days of the date of the letter. Such hearing shall be held no later than 90 days after receipt of such notice by the applicant. The applicant has the right to be represented by a counsel of his/her choosing and to bring witnesses to the said hearing. No later than 30 days after the Hearing, the Committee, on behalf of the Corporation, shall issue its decision. If the Committee finds that it should deny the application, a written decision to that effect shall be prepared and given to the applicant. Such a decision shall be deemed final.

16. Waiver

The Marianas Public Land Corporation upon recommendation of the Inspection Team and the Homestead Administrator and upon showing of good cause, may waive a homestead requirement in these regulations and the conditions imposed on the permit; provided that, no restrictive provisions of the Constitution or statute shall be waived.

17. Effective Date

The rules and regulations promulgated herein shall be effective and have full force and effect of law thirty (30) days after publication of these rules and regulations in the Commonwealth Register.



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

FOR OFFICIAL USE
CABLE ADDRESS
GOV. NMI SAIPAN
REPLY TO:
DIR., C & CA
DEPT. OF ACTIVITY

DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS
 PROPOSED AMENDMENTS TO THE
 LOW INCOME FAMILY ENERGY ASSISTANCE PROGRAM

PART I. AUTHORITY

- A. Authority: Under and by virtue of the authority provided in 1 CMC 2353 (a), the Director, Department of Community and Cultural Affairs hereby proposes the following amendments to the Low Income Family Energy Assistance Program Rules and Regulations.

PART II. AMENDMENTS

The Low Income Family Energy Assistance Program (LIFEAP) Rules and Regulations are hereby amended as follows:

- 1. Section II. 7. is deleted in its entirety and a new Section II. 7 is hereby adopted to read as follows:

II. 7. To promote conservation of energy and to assure prompt and timely payments of electrical service bills, the qualified participant must present his/her electrical utility bill to the CCA program manager on or before the 10th day of the following month after billing date. The program manager will credit the participant's bill by attaching an authorized voucher displaying (assistance) credit to the utility bill. The participant is required to promptly pay the balance due (for overage) in full directly to the main billing office of CUC or any of its authorized outlets.

- 2. Section III. 1. is deleted in its entirety and a new Section III. 1. is hereby adopted to read as follows:

III. 1. Base Income - Base income is defined as the gross countable income of all persons living in the households. For wages and salaries, this means income before taxes or other deductions. Income countable in the determination of eligibility are:

- | | |
|--------------------|--|
| Wages/salaries | Social Security |
| Commissions | Other pensions |
| Employment bonuses | Child support |
| Lease money | Alimony |
| Veterans pension | Inheritances (money) |
| Savings/checking | Interest & dividends from savings & investment |

Income from self-employment such as ranching, farming, or owner/operator business is an exception to the rule on gross income. An adjusted figure taken from the CNMI Tax Form 1040 is the simplest way of obtaining this information on income for self employment. Losses from self-employment will not be used to offset income from other sources. In such case, it would not be used in the income calculation.

3. Section III. 2. is amended to add new subsections and is hereby adopted to read as follows:

- III. 2. f. Trips
- g. Sick leave pay
- h. Disability pay
- i. Some per capita payments
- j. Supplemental Security Income
- k. General Assistance
- l. Railroad retirement
- m. Workmen's Compensation
- n. Unemployment Compensation
- o. Union compensation during strikes

4. Section IV. is deleted in its entirety and a new Section IV is hereby adopted to read as follows:

IV. RESOURCE ELIGIBILITY STANDARDS

Program applicants shall be subject to maximum resource eligibility standards as specified below:

- a. Household of one and household which do not contain a member age 55 or older - \$2,000.00
- b. Households of two or more members one or more of whom are age 55 or older - \$3,000.00

If determining resource levels, the term "resource" shall be limited to cash on hand money in demand or savings accounts, savings certificates, stocks, bonds, and other readily negotiable certificates and instruments.

5. Section V. is deleted in its entirety and a new Section V. is hereby adopted to read as follows:

V. VERIFICATIONS

Verification is the use of documentation, third party information, or home visits, to establish the accuracy of statements on the application in order to determine the eligibility or ineligibility of the household.

1. Mandatory verification.
 - a. Gross income shall be verified for all households prior to certification except where all attempts to verify income have been unsuccessful either because the person or organization providing the income has failed to cooperate with the household and the program manager or because other sources of verification are unavailable. In such cases, the eligibility worker shall determine income or resource amounts to be used for certification purposes based on the best available information.
 - b. Household composition and citizenship status shall also be verified prior to certification of the household by requiring the applicant to submit birth certificates for each household member.
 - c. Social Security numbers shall also be verified prior to certification of the household. At the initial certification, the applicant shall be required to present a social security card for each household member 5 years of age and older. Members added to the household during subsequent recertification shall be required to present a social security card. Likewise, members leaving the family will have their social security number removed.
2. Verification of questionable information. Eligibility criteria other than income, resources, household size, residency, and citizenship status shall be verified prior to certification only if they are questionable. To be considered questionable, the information on the application must be consistent with statements by the applicant or inconsistent with other information received by the program manager.
3. Responsibility for obtaining verification. The household has primary responsibility for providing documentary evidence or an acceptable collateral contact to support its income statements and to resolve any questionable information. However, the program manager may accept any reasonable evidence provided by the household and shall be primarily concerned with how adequate the verification proves the statements on the application.
6. Section VI. is deleted in its entirety and a new Section VI. is hereby adopted to read as follows:

VI. DOCUMENTATION

Casefiles must be documented to support a determination of eligibility or denial. Documentation shall consist of sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination. The program manager shall make an entry on the contact sheet to document communication with the household, whether by phone, correspondence, or face contact.

7. Section VII. is deleted in its entirety and a new Section VII. is hereby adopted to read as follows:

VII. PROCESSING STANDARDS

The program manager shall process all applications so that eligibility is determined and benefits provided within thirty days following receipt of a signed application. An application is filed the day the Department of Community and Cultural Affairs receives an application which contains the applicant's name and address and which is signed by the head of the household.

8. Section VIII. is deleted in its entirety and a new Section VIII. is hereby adopted to read as follows:

VIII. RECERTIFICATION

Further eligibility shall be established only upon recertification based upon a newly completed application, an interview, and verification as required herein. Under no circumstances shall benefits be continued beyond the end of a certification period without a new determination of eligibility. At recertification, the program manager shall verify changes in income or household composition. All other changes reported at the time of recertification shall be subject to the same verification procedures used at the initial certification.

9. Section IX. is deleted in its entirety and a new Section IX. is hereby adopted to read as follows:

IX. DETERMINING HOUSEHOLD ELIGIBILITY AND BENEFIT LEVELS

1. Month of application.

- a. The eligibility and benefits for most households submitting an initial application shall be based on circumstances for the entire calendar month in which the household filed its application. A household's eligibility and benefit level shall be determined for the month of application by considering the household's circumstances for the entire month.

- b. Eligibility and the level of benefits for recertifications shall be determined based on circumstances anticipated for the certification period starting the month following the expiration of the current certification period. If an application for recertification is not received until after the current recertification period has expired, the month of application shall be the month in which application was filed, as for any initial application.
- c. Because of anticipated changes, a household may be eligible for the month of application, but ineligible in the subsequent month. The household shall be entitled to benefits for the month of application even if the processing of its application results in the benefits being issued in the subsequent month. Similarly, a household may be ineligible for the month of application but eligible in the subsequent month due to anticipated changes in circumstances. To establish eligibility for the subsequent month, the household must file a new application.

2. Determining income.

- a. Anticipating income. For the purpose of determining the household's eligibility and level of benefits, the program manager shall take into account the income already received by the household during the certification period and any anticipated income the household and program manager are reasonably certain will be received during the remainder of the certification period. If the amount of income that will be received or when it will be received is uncertain, that portion of the household's income that is uncertain shall not be counted by the program manager. For example, job or recently applied-for public assistance benefits may be uncertain as to the timing and amount of the initial payment. These payments shall not be anticipated by the program manager unless there is reasonable certainty concerning the month in which the payment will be received and in what amount. If the exact amount of the income is not known, that portion of it which can be anticipated with reasonable certainty shall be considered as income. In cases where the receipt of income is reasonably certain but the monthly amount may fluctuate, the program manager may elect to average income.

- b. Income received during the past 30 days shall be used as an indicator of the income that is and will be available to the household during the certification period. However, the program manager shall not use past income as an indicator of income anticipated for the certification period if changes in income have occurred or can be anticipated. If income fluctuates to the extent that a 30-day period alone cannot provide an accurate indication of anticipated income, the program manager and the household may use longer prior period (at least two months but preferably three months) if it will provide a more accurate indication of anticipated fluctuations in future income. In such cases the program manager shall use pay documents (pay stubs, check stubs, pay slips) which indicate the actual income to the household from the three most recent pay periods prior to the household's application or recertification. The program manager shall average the actual amounts indicated on the pay documents and convert the averaged amount to a monthly income figure (if the pay periods documented are more frequent than monthly, ie., weekly or biweekly). Similarly, if the household's income fluctuates seasonally, it may be appropriate to use the most recent season comparable to the certification period, rather than the last 30 days, as one indicator of anticipated income. The program manager shall exercise caution in using income from a past season as an indicator of income for the certification period. In many cases of seasonally fluctuating income, the income also fluctuates from one season in one year to the same season in the next year. However, in no event shall the program manager automatically attribute to the household the amounts of any past income.
- c. Income anticipated during the certification period shall be counted as income only in the month it is expected to be received, unless the income is averaged. Whenever a full month's income is anticipated but is received on a weekly or biweekly basis, the program manager shall convert the income to a monthly income by multiplying weekly amounts by 4.33 and biweekly amounts by 2.15, or use the exact monthly figure if it can be anticipated for each month of the certification period. Nonrecurring lump-sum payments shall be counted as income.
- d. Wages held at the request of the employee shall be considered income to the household in the month the wages would otherwise have been paid by the employer. Advances on wages shall count as income in the month received only if reasonably anticipated as defined herein.

- e. Households receiving assistance payments such as social security payments on a recurring monthly basis shall not have their monthly income from these sources varied merely because mailing cycles may cause two payments to be received in one month and none in the next month.
- f. The program manager may elect to have an applicant's income averaged. To average income, the program manager shall use the household's anticipation of income fluctuations over the certification period. The number of months used to arrive at the average income need not be the same as the number of months in the certification period. For example, if fluctuating income for the past 30 days and the month of application are known and, with reasonable certainty, are representative of income fluctuations anticipated for the coming months, the income from the three (3) known months may be averaged and projected over a certification period of longer than three (3) months.
- g. Households which, by contract or self-employment, derive their annual income in a period of time shorter than one year shall have that income averaged over a 12-month period, provided the income from the contract is not received on an hourly or piece-work basis. These households may include school employee, fisherman, farmers, and other self-employed households.

3. Calculating income and benefit levels.

- a. To determine a household's monthly gross income, the program manager shall add the monthly gross income earned by all household members and all unearned income from all sources. Round the product up if it ends in 50 through 99 cents and down if it ends in 1 through 49 cents.
- b. The total gross monthly income shall be compared to the income eligibility standard for the appropriate household size to determine the household's eligibility.

10. Section X. is deleted in its entirety and a new Section X. is hereby adopted to read as follows:

Section X. REPORTING CHANGES

- 1. Household responsibility to report. Certified households are required to report the following changes in circumstances:
 - a. Changes in the sources of income or in the amount of gross monthly income;
 - b. All changes in household composition such as the addition or loss of a household member;

- c. Changes in residence;
2. Reporting. The program manager shall require each certified household to report changes within 10 days of the date the change becomes known to the household. Reports of changes may be done orally or in writing. In either case, the program manager shall document any reported changes on the contact sheet. If written, the document shall be filed with the current application form.
 3. Action on changes. The program manager shall take prompt action (within three working days) on all changes to determine if the change affects the household's eligibility or assistance level.
 - a. Increase in benefits.
 - i. For changes which result in an increase in a household's benefits due to the addition of a new household member who is not a member of another certified household or due to decrease in the household's gross income, the program manager shall make the change effective the month following in which the change is reported provided the required verification is completed prior to the start of that month following the month in which the change is reported.
 - ii. Required verification must be obtained prior to the issuance of the monthly benefit after the change is reported. Until the household provides verification, the household's benefits will remain at the original benefit level. In cases where the program manager has determined that a household has refused to cooperate to verify reported changes, the program manager shall terminate the household's eligibility.
 - b. Decreases in benefits. If the household's benefits level decreases or the household becomes ineligible as a result of change, the program manager shall issue a notice of adverse action within 10 days of the date of change was reported. The notice of adverse action shall provide the household 10 days to contest the adverse action. If the household does not respond within the 10 days notice given, the decrease in benefit levels shall take effect at the next scheduled issuance of benefits.
 4. Failure to report. If the program manager discovers that the household failed to report a change as required and, as a result, received benefits to which it was not entitled, the program manager shall file a claim against the household. If the discovery is made

within the certification period, the household is entitled to a 10 days notice of adverse action if the household's benefits are to be reduced or terminated.

11. Section XI. Is deleted in its entirety and a new Section XI. is hereby adopted to read as follows:

X. TREATMENT OF INCOME OF DISQUALIFIED MEMBERS AND ALIENS.

Individual household members may be disqualified for fraud or for failure to meet the work registration requirement or the household may include ineligible members. During the period of time a household member is disqualified or as long as an ineligible alien is included in the household the eligibility and benefit level of any remaining household members shall be determined as follows:

1. Income. A pro-rata share of the income of the disqualified member and/or the alien(s) shall be counted as income to the remaining members. This pro-rata share is calculated by dividing the income evenly among the household members, including the disqualified member or the alien(s). All but the disqualified member or the alien's share is counted as income to the remaining household members.
2. Eligibility and benefits level. The disqualified member or alien shall not be included when determining the household's size for purpose of assigning a benefit level to the household or for purposes of comparing the household's monthly gross income with the eligibility standards.
3. Reduction or termination of benefits within the certification period. Whenever an individual is disqualified within the household's certification period, the program manager shall determine the eligibility or ineligibility of the remaining household members based, as much as possible, on information in the casefile and provide appropriate notice of adverse action to the household.

12. Section XII. is deleted in its entirety and a new Section XII. is hereby adopted to read as follows:

XII. FAIR HEARING

1. Notification of right to request a fair hearing. At the time of application, each household or its authorized representative shall be informed of its right to request a Departmental conference or a fair hearing and the method by which they are requested on any action the program manager takes which affects the household's level of benefits.

The household or its authorized representative shall also be informed that Program violations will be pursued by the program manager and of the penalties for Program violations. The household or its authorized representative shall be further advised that a Departmental conference or hearing does not preclude additional prosecutions in civil or criminal court.

2. Time period for requesting a hearing. A Departmental conference or a fair hearing may be requested on any action by the program manager which occurred in the prior 60 days and which affects the household's benefits.
 3. Request for Departmental conference or fair hearing. A request for a Departmental conference or fair hearing is any clear expression, oral or written, by a household or its authorized representative to the program manager that it wished to present its case to a higher authority. The freedom to make such a request shall not be limited or interfered with in any way. Upon request, the program manager shall make available the rules for a Departmental conference or hearing procedures and other materials necessary for a household or its authorized representative to determine whether a Departmental agency conference or hearing should be requested. And to prepare for the Departmental conference or hearing.
 4. Timely action on hearings. Within sixty (60) days of the receipt of a request for a hearing from a household or its authorized representative, the program manager shall schedule a hearing, inform the household in writing of the hearing date, conduct a hearing and arrive at a decision and notify the household of the decision.
 5. Postponement or alternative hearing option.
 - a. The household or its authorized representative may request, for good cause, a postponement of a scheduled hearing. The postponement shall not exceed 30 days, and the time limit for action on the decision may be extended for as many days as the hearing is postponed.
13. Section XIII. is deleted in its entirety and a new Section XIII. is hereby adopted to read as follows:

XIII. MONTHLY BENEFITS.

The monthly benefits for all qualified participating households are displayed in the attached Exhibit "A" and are a portion of these regulations.

The benefits have been established based on the present rate structure of eleven cents (\$0.11) per kilowatt hour for residential consumers.

The monthly benefits and/or qualifying provisions of these regulations and, the benefit schedule reflecting an implemented change in the residential consumer electrical energy rate per kilowatt hour may be changed by the Director, and only when funds are available.

14. A new Section XIV. is hereby adopted to read as follows:

XIV. FRAUD DISQUALIFICATION:

1. Definition of Fraud. Fraud shall consist of any action by an individual to knowingly and intentionally:
 - a. Make a false statement to CCA or its staff, either orally or in writing, to obtain benefits to which the household is not entitled; or
 - b. Conceal information to obtain benefits to which the household is not entitled.
2. Fraud disqualification penalties. Individuals found to have committed fraud shall be ineligible to participate in the program for at least 3 months but not more than one year. Individuals found guilty of criminal or civil fraud by a court of appropriate jurisdiction shall be ineligible for not less than 6 months and not more than 24 months as determined by the court.

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

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LEGAL COUNSEL
RICHARD D. FAUS

BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 1370 CK
SAIPAN, MP 96950



NOTICE OF PROPOSED

CHARTER OF NON-PUBLIC SCHOOL POLICY

The Board of Education of the Northern Mariana Islands, pursuant to the authority provided by Public Law No. 6-10 and the Administrative Procedures Act, hereby notifies the public of its intention to adopt a revised policy which would have the force and effect of law. The proposed policy would govern the chartering of non-public schools in the Commonwealth by the Board of Education in accordance with Public Law No. 6-10, Sec. 1570.

The proposed policy would govern application procedure, limitations on the charter, school records, annual reports, certificates and diplomas, curriculum, certification, advertising, inspection, public access, revocation, filing of complaints, and other topics.

The proposed policy is published following this notice. The Board urges the public to submit written comments regarding the proposed regulations within thirty days after the date of this issue of the Commonwealth Register to the following address:

Chairman, Board of Education
PUBLIC SCHOOL SYSTEM
P.O. Box 1370 CK
Saipan, MP 96950

Mr. Juan L. Babauta
Chairman, Board of Education

10/12/90
Date

TEL: 322-3194 / 4051 / 4052 / 4053 / 9311 / 9457 / 9812 / 9823 / 9827 FAX: 670-322-4056

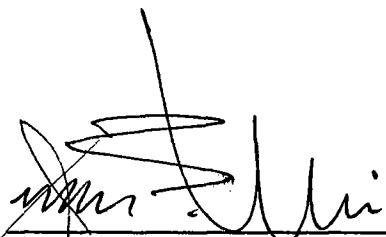
**NUTISIA PUT I MAPROPOPONI NA
NA AREKLAMENTO PARA MANESTABLESIN ESKUELAN PRAIBET**

I Board of Education i Sangkattan siha na Islas Mariana, sigon gi atoridat ni mapribeniyi nu i Lai Publiku Numiru 6-10, yan i Administrative Procedures Act, ginen este ha nutisia i publiku nu i entension-ña para u adapta i maribisa na areklamento ni para u gai fuetsa yan kapasidat komo lai. I mapropoponi na areklamento para u gubietna i inapruedian manestablesin eskuelan praibet siha gi halom commonwealth nu i Board of Education sigon gi Lai Publiku Numiru 6-10, Seksiona 1570.

I mapropoponi na areklamento para u gubietna i areklamenton aplikasion, kuinto na eskuelan praibet siña manma'establesi yan hafa siha i eskuelan praibet siña macho'gue, rekot eskuela, ripot kada sakkan, settefiku yan diploma, suheton estudiantu, settefikasion, pinupblika, inspeksion, direchon publiku, diniroga, nina'halom keha, yan otro siha na suhetu.

I mapropoponi na areklamento siempre u mapupblika despues di este na nutisia. I Board ha sosoyo' i publiku na u fana'halom kumento siha gi tinige' put i manmapropoponi na regulasion gi halom trenta (30) dias despues di i fecha ni mapupblika este na nutisia gi halom i Rehistran Commonwealth guato gi sigiente na adres:

Chairman, Board of Education
PUBLIC SCHOOL SYSTEM
P.O. Box 1370 CK
Saipan, MP 96950



Mr. Juan L. Babauta
Chairman, Board of Education

10/12/90

Fecha

ARONGORONG REEL FFEÉRÚL MWÓGHÚTÚGHÚTÚL

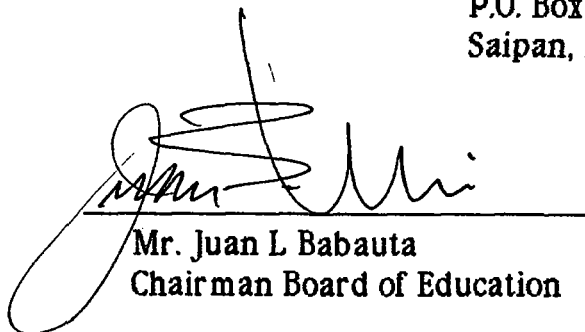
GAKKO KKA SAABW GAKKOOL PUBLIKO

Schóól Board of Education mellól Northern Marianas, reel igha rebwe tabweey ailéewal alléghúl towlap ye Public Law 6-10 me bwángil Administrative Procedures Act, re mwuschál arongaar towlap igha ekke mángiyy bwe rebwe fféer me adapta allégh ye ebwe lemeli mwóghutughutul gakko kka saabw gakkool Publiko (non-public schools) mellól Commonwealth, iye ebwe aléghélégh sáangiir schóól Board of Education reel ailéewal Ublíc Law No. 6-10, Section 1570.

Allégh kkaal, nge ebwe lemeli mwóghutughutul application, ifa tool bwángil allégh yeel (charter), reekodul gakko, annual reports, certificates me diplomas, meta kaa rebwe abwúngú ngáliir olighát, certification, advertising, inspection, igha emmwel bwe towlap rebwe yááyá, aighúghúlóól, atotoolongol complain, me bwal akkáaw.

Allégh kkaal nge ebwe toowow mwiril arongorong yeel. Schóól Board rekke tingór ngáliir towlap bwe rebwe ischiitiw meta mángemángiir reel allégh kkaal llól eliigh rál sáangi maram, rál me ráagh ye arongorong yeel e toowow mellól Commonwealth Register nge raa afanga ngáli address ye faal:

Chairman Board of Education
PUBLIC SCHOOL SYSTEM
P.O. Box 1370 CK
Saipan, MP 96950


Mr. Juan L. Babauta
Chairman Board of Education

10/12/90
Rál

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 1370 CK
SAIPAN, MP 96950



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COMMISSIONER OF EDUCATION
ELIZABETH DIAZ RECHEBEI

LEGAL COUNSEL
RICHARD D. FAUS

CHARTER OF NON-PUBLIC SCHOOL APPLICATION FORM

1. Name of Applicant and School: _____

2. Proposed Location of School: _____

3. Proposed Language and Courses of Instruction: _____

4. Summary of Financing, including Tuition and Fee Schedule: _____

5. Purpose of the School: _____

6. Enrollment Requirements: _____

7. Auspices under which the school will operate: _____

TEL: 322-3194 / 4051 / 4052 / 4053 / 9311 / 9457 / 9812 / 9823 / 9827 FAX: 670-322-4056

- 8. Dates and hours of operations: _____

- 9. Description and qualifications of faculty members and administrators: _____

- 10. Police and criminal record clearances from appropriate law enforcement agencies from the places where the faculty or administrator has resided over the past three years and for longer periods if requested: _____

- 11. Safety clearance from the Department of Public Works: _____

- 12. Health and sanitation clearance from the Department of Public Health: _____

- 13. Fire safety clearance from the Department of Public Safety: _____

- 14. Negative active tuberculosis records of school personnel issued by the Department of Public Health: _____

- 15. A non-refundable charter fee of \$300.00 payable to the CNMI Public School System: _____
- 16. Copy of business license or, if incorporated, articles of incorporation: _____

- 17. Any other pertinent and necessary information as requested by the Commissioner and Board: _____

Attachment

NON-PUBLIC SCHOOL CHARTER APPLICATION/CHECKLIST FORM

- 1. Name of Applicant
- 2. School Location
- 3. Language of Instruction
- 4. Course Offerings
- 5. Tuition/Fee Schedule
- 6. Purpose of School
- 7. Enrollment Requirements
- 8. Auspices under which school will operate
(Private Organization and/or Church Affiliation)
- 9. Dates/Hours of Operation
- 10. Description/Qualification of Personnel
- 11. BOE Teachers Certification Requirement
- 12. Non-Refundable Fee (\$300) paid to Public School System.
- 13. Business License and/or Articles of Incorporation
- 14. Required Clearances from the Various Agencies:
 - A. Safety Clearance from Dept. of Public Works
 - B. Health & Sanitation from Dept. of Public Health
 - C. Fire Safety Clearance from Dept. of Public Safety,
Fire Division
 - D. Police Clearance from Dept. of Public Safety
- 15. Other Information:

POLICY 309 Charter of Non-Public School

Authority. Public Law 6-10 Section 1570 authorizes the Board of Education to issue charters to non-public schools. Section 1570 (c) provides for the Board to set standards for the issuance of a charter. NON-PUBLIC SCHOOLS MUST COMPLY WITH ALL OTHER APPLICABLE LAWS OF THE COMMONWEALTH.

309.1 Definitions

- (a) "Board" refers to the Board of Education of the Commonwealth of the Northern Mariana Islands.
- (b) "Charter" means a formal document issued by the Board of Education whereby permission is granted to operate a non-public school within the Commonwealth under specific conditions.
- (c) "System" refers to the Public School System, Commonwealth of the Northern Mariana Islands.
- (d) "Non-public school" means a privately-owned or church-affiliated pre-school, kindergarten, or school for grades 1-12.

309.2 Application Procedure

An application for a charter to operate a non-public school shall be made to the Board of Education upon forms provided for this purpose. NO NON-PUBLIC SCHOOL MAY OPERATE UNTIL A CHARTER HAS BEEN GRANTED BY THE BOARD OF EDUCATION. The following must accompany the application:

- (a) Name of applicant and school.
- (b) Proposed location of school.
- (c) Proposed language and courses of instruction.
- (d) Summary of financing, including tuition and fee schedule.
- (e) Purpose of the school.
- (f) Enrollment requirements
- (g) Auspices under which the school will operate.
- (h) Description and qualifications of faculty members and administrators and police and criminal record clearances from appropriate law enforcement agencies from the places where the faculty or administrator has resided over the past three years and for longer periods if requested.
- (i) Dates and hours of operation.
- (j) Safety clearance from the Department of Public Work.
- (k) Health and sanitation clearance from the Department of Public Health.

- (l) Fire safety clearance from the Department of Public Safety.
- (m) Negative active tuberculosis records of school personnel issued by the Department of Public Health.
- (n) A non-refundable charter fee of \$300.00 payable to the CNMI Public School System.
- (o) Copy of business license or, if incorporated, articles of incorporation.
- (p) Any other pertinent and necessary information as requested by the Commissioner and Board.

309.3 The Board shall have not more than three months from the date of receipt of a complete application to approve or disapprove a charter. The applicant shall satisfy the Board that the proposed school or program meets any and all standards required by the Commonwealth and Board for curriculum, building safety, health, sanitation and all other applicable standards and the Board and Public School System may conduct any appropriate investigation necessary in the review of such application.

309.4 Limitations

A charter issued to a non-public school is granted upon the conditions included in the application. The non-public school must notify the Board in writing within five (5) days of any changes from the original application.

The life of a charter shall be three years. However, the Board, after notice and opportunity for hearing, may suspend or revoke the charter if in its judgement the holder has violated the terms of the charter or is not providing the education required by its charter.

The granting of a charter does not automatically qualify a school for all services provided by the PSS. Local and federal law and Board policy shall determine the extent of public assistance to non-public schools.

309.5 School Records

A school granted a charter by the Board of Education shall keep adequate records for each student containing personal data, attendance, grades and such information as required by the Public School System. Student records of courses taken shall be kept on file by the school for at least five years and a list of all graduates shall be made part of the school's permanent files.

309.6 Reports

Each school shall submit an annual report and other reports as requested by the System.

309.7 Certificates and Diplomas

Upon completion of a course of study, whether be it kindergarten or a certain grade, a student shall be awarded a certificate or diploma stating the student has satisfactorily completed the requirements.

309.8 Display of Charter

A school granted a charter shall display it in plain view in the administrative office at all times.

309.9 Curriculum and Instruction

The school is required to provide 300 minutes of secular instruction daily. The school year must encompass a minimum of 180 full days of instruction.

The Board and PSS shall have the right to review the curriculum of the non-public school at any time.

309.10 Teacher Certification

Classroom teachers of non-public schools shall fall under the teacher certification policies adopted by the Board.

309.11 Advertising

No school may advertise to the public by the use of unfair, misleading, false or deceptive statements. Such acts or practices shall constitute grounds for suspension or revocation of a school's charter.

309.12 Tuition, Fees and Refunds

The standard tuition and fee rates shall be published in the school literature. A school is required to have a published refund policy.

309.13 Inspection and Monitoring

The Board and PSS reserves the right to inspect or cause to be inspected a non-public school prior to the issuance of a charter and may inspect a chartered school at its discretion. The school or program shall be monitored by the PSS to ensure the school or program is complying with its charter.

309.14 Public Access

Schools must post outside the administrative office the regular hours of operation. The school must provide public access to its administrative office of the school facility by parents and other interested persons. Classroom visitations are to be arranged at the request of a parent.

309.15 Revocation of Charter

Failure on the part of a school to maintain the standards and conditions set forth at the time of chartering the school, materials misrepresentation in application or to not provide the education required by its charter, shall be considered reason for suspension or revocation of the school's charter.

309.16 Filing of Complaints

When any person, persons, agency or institution desires to file a formal complaint regarding the violation of any part of the chartering policy, and which looks to the suspension or revocation of the charter of a school, such complaint shall be submitted as follows:

- (a) all complaints must be presented in writing and signed by the complainant, detailing the nature and particulars of the complaint.
- (b) if the complaint is in reference to sale literature, advertising or other printed material, a copy of such material should be submitted with the complaint.
- (c) all complaints should be sent to the Board where an investigation by the Board and PSS will be made and appropriate action taken based on the findings.

309.17 Duty to Cooperate & Provide Information. Access & Assistance

The non-public school, its faculty members, administrators, owners and other persons having an interest in the non-public school have a duty and are required to cooperate, provide information, access, and assistance to the Board and PSS in any inquiry or investigation conducted with regard to its Charter application, monitoring, investigation of complaints, etc. Failure to cooperate, provide information, access and assistance constitute reason for disapproval of a Charter application or the suspension or revocation of a Charter.

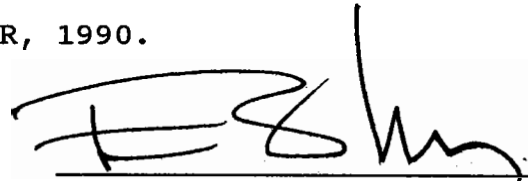
PUBLIC NOTICE

NOTICE OF ADOPTION OF AMENDMENTS TO THE
CNMI PROCUREMENT REGULATIONS

Notice is hereby given on the adoption by the Department of Finance of the proposed Amendments to the CNMI Procurement Regulations which will take effect ten (10) days after the publication of this notice in the Commonwealth Register. Notice of the Amendments to the CNMI Procurement Regulations was published in the September 15, 1990 issue of the Commonwealth Register.

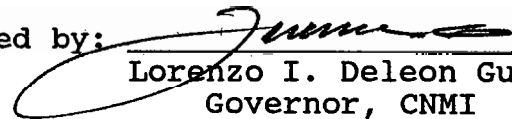
DATED THIS 17th DAY OF OCTOBER, 1990.

Issued by:



Eloy S. Inos
Director of Finance

Concurred by:



Lorenzo I. Deleon Guerrero
Governor, CNMI

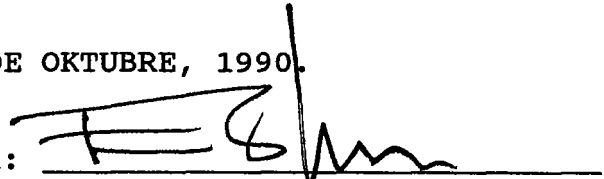
NUTISIAN ADAPTASION

NUTISIA POT MAADAPTAN I AMENDASION
GI AREGLAMENTON MAMAHAN SITBISIO
YAN KOSAS SIHA PARA USON GOBIETNAMENTU

Este na nutisia ha infofotman i Publiku henerat pot i maadaptan i Amendasion gi Areglamenton Mamahan Sitbisio yan Kosas Siha Para Uson Gobietnamentu. I amendasion inadapta nui Depattamenton i Fainansiat, ya para u efektibu dies (10) dias despues de i ma publikana este na nutisia gi Commonwealth Register. I nutisia pot i propositun Amendasion gi Areglamenton Mamahan Sitbisio yan Kosas Siha Para Uson Gobietnamentu ma publika gi Septiembre 15, 1990 na ma imprimtan i Commonwealth Register.

MA FECHA ESTE GI DIA 005E DE OKTUBRE, 1990.

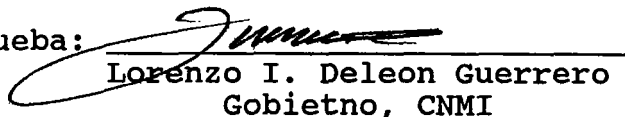
Pineblika:



Eloy S. Inos
Direktot

Depattamenton i Fainansiat

Inaprueba:



Lorenzo I. Deleon Guerrero
Gobietno, CNMI

PUBLIC NOTICE

ADOPTION OF PUBLIC SCHOOL SYSTEM POLICIES

The Board of Education of the Northern Mariana Islands hereby notifies the general public that it has adopted school policies pursuant to Public Law No. 6-10 and the Administrative Procedures Act.

The policies adopted were published in Commonwealth Register Vol. 12, No. 08 (August 15, 1990) in proposed form for public comment. The public is notified that the other proposed policies which were published in that issue are reserved by the Board for further consideration and possible adoption in the near future.

The adopted policies include the following subject areas:

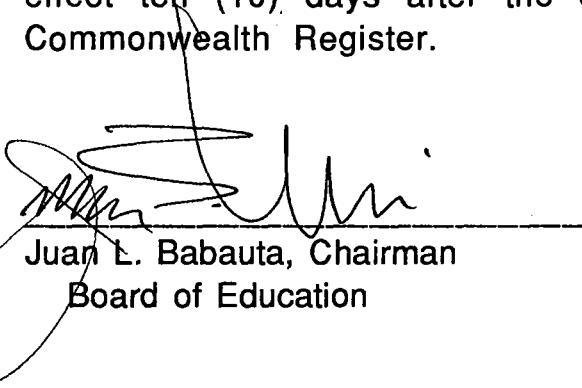
- 1. Policy 102 Instructional and Academic Goals**
- 2. Policy 103 Institutional Goals for the Public School System**
- 3. CNMI Board of Education By-Laws Article IV**
- 4. CNMI Board of Education By-Laws Article VI**
- 5. CNMI Board of Education By-Laws Article VII**
- 6. CNMI Board of Education By-Laws Article IX**
- 7. CNMI Board of Education By-Laws Article X**
- 8. Policy 205 Public Records**
- 9. Policy 302 Functions of the Commissioner**
- 10. Policy 310 Student Transportation**
- 11. Policy 311 Food Vendor Restriction**
- 12. Policy 312 Solicitation**
- 13. Policy 313 GED Testing Program**
- 14. Policy 401 Responsibility of Commissioner of Education in
Instruction Program**
- 15. Policy 402 Distribution of Grade Level**
- 16. Policy 503 Teacher Certification**
- 17. Policy 504 Conflict of Interest**
- 18. Policy 507 Student Supervision**

The proposed policies which are reserved by the Board for further consideration and which may be adopted in the near future are listed below. Notice will be published of the ultimate disposition of these policies.

1. **Policy 307 School Attendance Districts**
2. **Policy 403 Daily School Sessions**
3. **Policy 404 Student-Teacher Ratios**
4. **Policy 407 Subject Time Allotments for Schools**
5. **Policy 409 Elementary School Grading System**
6. **Policy 410 Secondary School Grading System**
7. **Policy 412 Transfer of Credits**
8. **Policy 604 Student Absences and Excuses**
9. **Policy 605 Truancy**
10. **Policy 606 Student Records**
11. **Policy 610 Student Suspension and Expulsion**
12. **Policy 611 Corporal Punishment**
13. **Policy 613 Defining Normal School Age**
14. **Policy 615 Graduation Participation**
15. **Policy 703 Fundraising**
16. **Policy 905 Construction of Classrooms**
17. **Revision of Policy Numbering System in Policy Manual and Minor, Non-Substantive Revisions of Policy Wording.**

Copies of the adopted polices may be obtained from Ms. Elizabeth Diaz Rechebei, Commissioner of Education , Public School System, Lower Base, Saipan, MP 96950.

In accordance with 1 CMC Sec. 9105 (b), the adopted policies shall take effect ten (10) days after the date of publication of this issue of the Commonwealth Register.



Juan L. Babauta, Chairman
Board of Education

10/12/90
Date

NUTISIAN PUPBLIKU

MA'ADAPTAN I AREKLAMENTO SIHA PARA I SISTEMAN ESKUELAN PUPBLIKU

I Board of Education i Sangkattan siha na Islas Mariana ginen este ha nana'i nutisia i pupbliku hinerat na esta ha adapta i areklamento osino' 'policies' para i eskuela siha sigon gi Lai Pupbliku Numiru 6-10 yan i Administrative Procedures Act.

I manma'adapta siha na areklamento, siha ayu i manmaproponi para kumenton pupbliku ni mapupblika gi halom i Rehistran Commonwealth Baluma 12, Numiru 08, gi Agosto 15, 1990. I pupbliku manutisia na palu gi i manmaproponi siha na areklamento ni manmapupblika gi halom ayu na baluman i Rehistran Commonwealth manmarisetba nu i Board para mas konsiderasion yan pusipble u fanma'adapta gi mamaila' siha na tiempo.

I manma'adapta siha na areklamento ha enklusu i sigiente siha na suhetu:

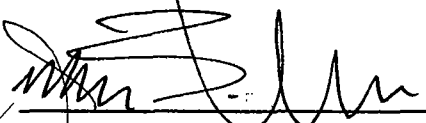
1. Minito' Instraksion yan Akademiku
2. Minito' Instraksion para i Public School System (Sisteman Eskuelan Pupbliku)
3. Attikulu IV gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
4. Attikulu VI gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
5. Attikulu VII gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
6. Attikulu IX gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
7. Attikulu X gi Areklamenton i CNMI Board of Education (Kuetpon Edukasion i CNMI)
8. Rekot Pupbliku
9. Fonsion i Komisina
10. Distriton Eskuela
11. Transpottasion Estudiante
12. Prinibidon Bentadot Nengkanno'
13. Solisitasion
14. Prugraman Mansensuran GED
15. Responsabilidat i Komisinan Edukasion gi Prugraman Instraksion
16. Dibision Gradu
17. Sesion Eskuela Kada Dia
18. Numiron Estudiante para kada Ma'estro

I manmapropoponi siha na areklamento ni manmarisetba nu i Baord para mas konsiderasion ni mansiña ha' na u fanma'adapta gi manmamaila' na tiempo manggaige na manmalista gi sampapa'. Nutisia siempre u mapupblika put hafa uttimu na disision manmafa'tinas put este siha na areklamento.

1. I Makuota na Ora para kada Suheto Eskuela siha
2. Sistemana mana'i Gradu para i Eskuelan Elementariu
3. Sistemana nama'i Gradu para i Eskuelan Segundariu
4. Matransferen Kreditu
5. Settefikasion Mas'estra/o
6. Prublema put Interes
7. Minanehan Estudiante
8. Finatta yan Dinispensan Estudiante
9. Finatta Sin Petmision
10. Rekot Estudiante Siha
11. Sinospende yan Nina'bastan estudiante
12. Kastigon Kaporat
13. Dinifinan Regulat na Idat Eskuela
14. Pattisipa gi Gradu'asion
15. Fundraising
16. Konstraksion Kuatto siha
17. Ribision i Areklamento put i Sistemana Manumiru gi halom i Policy Manual yan Minot siha na ribision gi palabras i policy

Kopian i manma'adapta siha na areklamento siña manmachuchule' ginen as Ms. Elizabeth Diaz Rechebei, Commissioner of Education, Public School System, Lower Base, Saipan, Mp 96950.

Komo konsiste yan i 1 CMC Seksiona 9105 (b) i manma'adapta siha na areklamento para u fanefektibu dies (10) dias despues di i fecha ni mapupblika este na nutisia gi halom i Rehistran Commonwealth.



Juan L. Babauta, Chairman
Board of Education

10/12/90

Fecha

ARONGORONGOL TOWLAP

FFEÉRUL ALLÉGH REEL MWÓGHÚGHÚTÚL GAKKO

Schóól Board of Education mellól falúw kka Northern Marianas rekke arongaar towap igha aa adapta allégh sáangi ailéewal Public Law 6-10 me Administrative Procedures Act.

Allégh kka re adaptááilil, nge ikka e táttáletiw faal eweewe schagh me ikkewe e toowow mellól Commonwealth Register Vol. 12 No. 08 (August 15, 1990) iwe e toowow bwe arongorongol Towlap. Akkááw allégh e bwal toowow mellól schéél tiliigh laal, nge schóól Board re isáliiló mwo bwe rebwe amwuri fischil ngáre emmwel re pwal adaptááilil llól rááilil kke emwemmetto.

Allégh kka re adaptááilil nge toolong milikka faal:

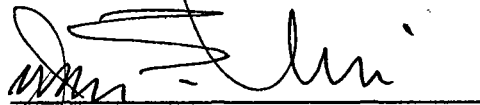
1. #1. **Abwúngubwúng me meta toowowul.**
2. #2. **Ebwe ifa toowowul Mwóghutughutul Public School System**
3. #3. **CNMI Board of Education By-Laws Article IV.**
4. #4. **CNMI Board of Education By-Laws Article VI.**
5. #5. **CNMI Board of Education By-Laws Article VII.**
6. #6. **CNMI Board of Education By-Laws Article IX.**
7. #7. **CNMI Board of Education By-Laws Article X.**
8. #8. **Public Records.**
9. #9. **Yaal Angaang Commissioner.**
10. #11. **Meta Waar attel Gakko.**
11. #12. **Pilipiliir Schóól Akkaméélól Mwungo.**
12. #13. **Tingórol Selaapi.**
13. #14. **GED Testing Program.**
14. #15. **Meta Yaal Angaang Commissioner of Education llól Instruction Program.**
15. #16. **Aitiitil Llapal Gróodo.**
16. #23. **Teacher Certification**
17. #24. **Mille Ese Fil (Conflict of Interest)**
18. #25. **Iye Rebwe Amwuri Fischiiir Olighát.**

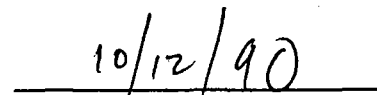
Allégh kka schóól Board re isáliiló mwo bwe amwuri fischiiy bwe re pwal adaptááilil llól rááilil kka e mwemmweto nge ikka elo faal. Imwu e pwal yoor arongorong reel meta rebwe féerú ngáli allégh kkaal.

1. **#10. Attel Sóobw Meiya Igha Rebwe Gakko Iye**
2. **#17. Rállil Gakko**
3. **#18. Fitimal Estudiyante Ngáli Eschay Schóól Akkabwúng**
4. **#19. Fitoow Oora Rebwe Ghal lo Llól Eew Tappal Akkabwúng**
5. **#20. Mwóghútúghútúl Grading Mellól Elementary**
6. **#21. Mwóghútúghútúl Grading Mellól Secondary**
7. **#22. Atétéél Credits**
8. **#26. Fatta Me Yaar Estudiyanti Excuse**
9. **#27. Ammweleer Atte Kaa Re Ghal Fatta Nge Rese Ghuleer**
10. **#28. Reekoduur Estudiyante**
11. **#29. Mwóghútúghútúl Suspension Me Expulsion Ngáliir Estudiyante**
12. **#30. Iye Ngáre Re Liir Estudiyante**
13. **#31. Fitoow Rághiir Olighát Nge Rebwele Gakko**
14. **#32. Tuutá Llól Grazueisiyon**
15. **#33. Fundraising**
16. **#34. Akkayúúl Kkuwótto**
17. **#35. Ebwe Pféér Sefáál Policy Numbering System Mellól Policy Manual me ebwe Iliiwel eghus kkapasal llól Allégh kkaal.**

Kkoopiyaal allégh kkaal nge emmwel rebwe ló bweibwogh sáangi Ms. Elizabeth Diaz Rechebei, Commissioner of Education, Public School System, Lower Base, Saipan, MP 96950.

Reel ailéewal me bwángil 1 CMC Sec. 9105 (b), nge ebwe bwélétá allégh kkaal seigh rál (10) igha e toowow mellól Commonwealth Register.


 Juan L. Babauta, Chairman
 Board of Education


 Rál