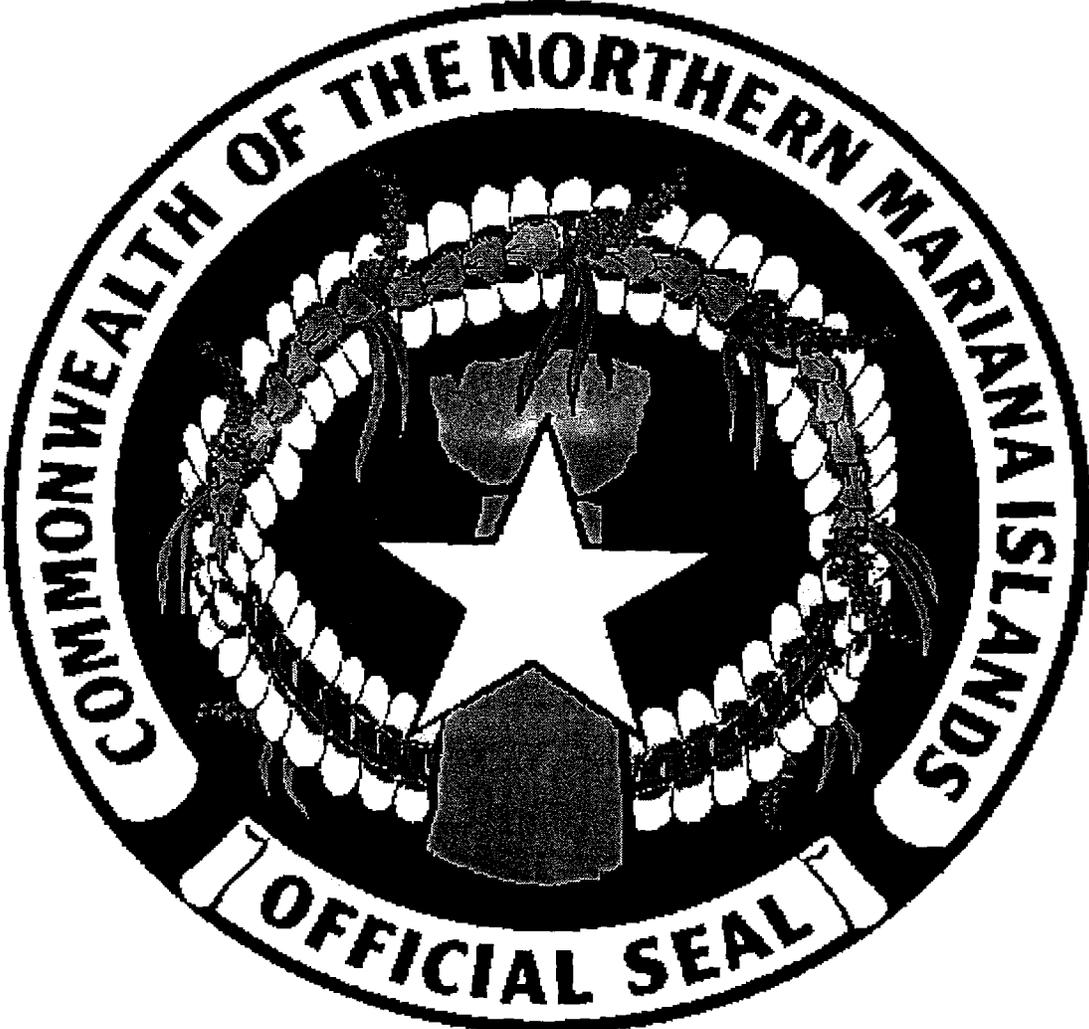


**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, TINIAN, ROTA and NORTHERN ISLANDS**



**COMMONWEALTH REGISTER
VOLUME 33
NUMBER 06
JUNE 27, 2011**



COMMONWEALTH REGISTER

VOLUME 33
NUMBER 06

JUNE 27, 2011

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**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
HEALTH CARE PROFESSIONS LICENSING BOARD**

In the Matter of Tinian Health Center)
(Amendment of Practice Agreement for)
Remote Supervision)

Case No. 2010-04

**FIFTH AMENDMENT TO THE BOARD EMERGENCY ORDER #01
APPROVING PRACTICE AGREEMENT AMENDMENT
FOR REMOTE SUPERVISION**

Summary of Amendment

This amendment to this Order is entered today, April 29, 2011 pursuant to the Board's decision today, to amend the Order for another month effective April 21, 2011. It also immediately authorizes physician assistants Dirk Tanner and Juan B. Pangelinan and any other CNMI licensed physician assistant ("PA"), during the period this Order is in effect, to work at the Tinian Health Center ("THC"), under the supervision of THC's physician, Dr. Stephan Lebamoff and any other physician located at a site other than the same Tinian Health Center, when Dr. Lebamoff is off duty or off-island. This Order is valid through the end of the day of May 22, 2011.

Discussion

The "Health Care Professions Licensing Act of 2007" ("the Health Care Act" or "the Act"), 3 CMC §§ 2201 – 36, P.L. 15-105, requires that a physician assistant ("PA") be licensed by the Health Care Professions Licensing Board ("the Board") and that his/her conduct conform to certain statutory and regulatory standards and specific dictates.

The pre-existing regulations of the predecessor Medical Professions Licensing Board continue in effect, except as amended by the Board:

- (e) Except as otherwise provided herein, the regulations, guidelines, standards, and procedures related to the regulation of the functions and operation of a regulated health care professional and/or profession that are in force when this Act becomes effective, shall continue to apply until amended or repealed by the Board.

3 CMC §§ 2235(e). The Board has amended its regulations in part. 140 NMIAC 50-3 Commonwealth Health Care Professions Licensing Board Regulations. 30 Com Reg. 03, p28388 – 28426. It has not yet amended its PA regulations so the pre-existing regulations apply.

The Board's authority proceeds from the Act and the Administrative Procedure Act. The Act established the Board with complete jurisdiction, power and authority to regulate the health care professions. 3 CMC § 2204(a). The Board's powers include:

- To adopt rules and regulations to enforce the Act. 3 CMC § 2206(b);
- To issue, deny and condition licenses. 3 CMC § 2206 (c);
- To conduct disciplinary hearings to suspend or revoke licenses, 3 CMC § 2206 (h);
- To suspend or revoke a license. 3 CMC § 2206(k);
- To act summarily in the face of the likelihood of harm to:
 - i. the public health, safety or welfare; or
 - ii. to the patients of a health care professional who is regulated by this Chapter. 3 CMC § 2206(n).

1 A PA practicing with a license issued prior to the new Act and its new regulations continues as
2 a licensee until the Board suspends or revokes that license:
3

4 For the transition period between the application of the old Medical Practice Act
5 and the new Health Care Professions Licensing Act, specifically until new applicable
6 Regulations are promulgated, each practicing member of each profession over which
7 the Board has jurisdiction shall be deemed practicing with a license until regulations
8 are promulgated for the respective profession and an indicated re-licensing
9 application period has ended, or until the Board acts to suspend, modify, revoke or
10 otherwise affect a license, whichever comes first.
11

12 140 NMIAC § 50.3-101-002.
13

14 At all times a PA shall have in place a “practice agreement” with a supervising physician. 140
15 NMIAC § 50.1-1220, 1230(d). Such agreement ordinarily provides the scope of a PA’s activities
16 and ensures that the physician will be available for consultation, and will review and co-sign
17 patient records. It also provides that the physician co-signs for prescription of medication and
18 other treatments, except that the PA may not prescribe DEA-controlled substances. 140
19 NMIAC § 50.1-1235.
20

21 The Administrative Procedure Act provides for license hearings, when a notice of a hearing is
22 required, and defers to an agency’s specific organic act. 1 CMC §§ 9108 – 10. This Order
23 addresses an emergency situation coming under the specific “immediate and grave danger to
24 the public” provision of the HCPLA, 3 CMC § 2206(n).
25

26 **Facts**

27 Dr. Priyantha Wijayagunaratne, the only physician at THC, has submitted his resignation
28 effective December 1, 2010. However, beginning on Friday, November 12, 2010, Dr.
29 Wijayagunaratne will be on sick leave until December 1, 2010. Accordingly, as of Monday,
30 November 15, 2010, THC is without a physician.
31

32 THC requested the Board consider an Emergency Order to exempt THC’s Mid-Level Provider,
33 PA Juan B. Pangelinan, PA William R. Weiss and any other CNMI licensed physician assistant
34 (“PA”), during the period this Order is in effect, to provide health care at THC through remote
35 supervision. CHC, through Mr. John Tagabuel and Secretary Joseph K. Villagomez, has agreed
36 to provide physician supervision to the physician assistants at THC. Supervision will be
37 provided by the CHC’s Emergency Room physician, Dr. Greg Kotheimer. Additional ER
38 physicians at CHC who are designated by DPH administration and whose names are submitted
39 in writing to the Board may also provide supervision.
40

41 **Board Findings and Conclusions**

42 The Board finds that it would be unfair to the people of Tinian to restrict physician assistants
43 from practicing at THC merely because the Center’s physician is off duty or off-island. This
44 Order provides authority for remote supervision from Saipan. We will not continue the
45 authority provided in this Order indefinitely but we will continue it for a time.
46

47 **Ruling and Ordering Paragraphs**

48 The Board having been fully advised in the premises of this matter, for the above-stated
49 reasons, hereby Orders that:
50

- 51 1. Physician assistants Dirk Tanner and Juan B. Pangelinan and any other CNMI
52 licensed physician assistant during the period this Order is in effect, may work at the
53 Tinian Health Center (“THC”), under the supervision of a physician located at a site
54 other than the same Tinian Health Center when Dr. Stephen Lebamoff is off duty or off-
55 island.
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- 2. Supervision: Dr. Greg Kotheimer and any other ER physicians at CHC designated by DPH in writing to the Board, as supervising physicians.

- 3. Mr. Tanner and Mr. Pangelinan and any other CNMI licensed physician assistant during the period this Order is in effect, shall submit a new Practice Agreement, which shall be approved by the Board, to address the requirements of the amendments to the Order, and which shall be signed by both the PA and the supervising physician(s) (fax signatures are acceptable). This agreement must be submitted to the Board no later than Monday, May 2, 2011, by hard copy or electronically, otherwise this Order expires 24 hours later.

- 4. The agreement shall include:
 - a. The supervising physician(s) will provide adequate means for direct communication between themselves and the PA. The direct communication may occur through the use of technology, which may include but is not limited to, two-way radio, telephone, fax machine, modem, or other telecommunication device.

 - b. Daily emails shall be exchanged between the PA and the supervising physician for permitted prescriptions.

 - c. The database of patients on chronic or long-term scheduled medications shall be maintained and updated by the PA. The supervising physician to ensure adherence to the standard of care shall review it monthly.

 - d. Chart notes and prescriptions will be sent to the supervising physician for review and signature, as provided below.

 - e. The supervising physician shall closely monitor chronic pain contracts for adherence.

- 5. The physician assistants are authorized to prescribe:
 - a. Schedule III-V medications as follows:
 - 1. The PA is authorized to prescribe Schedule III through V medications as needed but shall be limited to prescribing, administering, and/or dispensing no more than 21-day supply. For refills, the supervising physician must co-sign the prescription and clearly write his DEA number on the prescription form. The supervising physician(s) shall review and sign chart notes within 21 days.

 - 2. All prescriptions for Schedule III-V medications written by the PA must be documented in the patient's chart and must include the name of the drug, dose, and route of administration, frequency, duration, quantity prescribed and name of supervising physician he consulted.

 - b. Schedule II medications as follows:
 - 1. In extreme emergency cases (myocardial infarction, motor vehicle trauma, certain fractures, pancreatitis, urethral and ureteral stones) Schedule II medications may be administered immediately, followed by a phone call to the supervising physician as soon as the patient is stable. In all other emergencies, Schedule II medications may not be prescribed, administered, or ordered without a verbal order from the ER physician on duty at CHC. The PA must first discuss the case with the ER physician. If the physician makes a verbal order for a Schedule II

1 medication it must be appropriately documented in the patient's chart
2 (as described in "B" above).
3

4 2. All such prescriptions and chart notes must be presented to the
5 supervising physician(s) within seven (7) days for co-signature. The PA
6 shall be limited to prescribing no more than a 7-day supply and there
7 will be no refills.
8

9 c. All prescriptions will indicate the quantity of the medication being
10 prescribed both numerically and alphabetically (e.g., "10" and "ten").
11

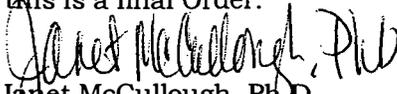
12 6. This Order is valid through the end of the day of May 22, 2011.
13

14 7. The Board shall review this matter at its next board meeting. THC management
15 is invited to appear at that meeting or via conference call and update the Board on its
16 efforts at recruiting a supervising physician.
17

18 8. A copy of this Order shall be placed in a public area of the Tinian Health Center.
19 The Executive Director, or her designee, is directed to do the following in person or by
20 electronic means:

- 21 a. Serve this Order on the physician assistants;
- 22 b. Serve this Order to Dr. Stephen Lebamoff;
- 23 b. Serve this Order on the director of the Tinian Health Center;
- 24 c. Serve this Order on the Secretary of the Dept. of Public Health;
- 25 d. Serve this Order on the supervising physicians at CHC's ER;
- 26 e. Have this Order published in the next Commonwealth Register; and
- 27 f. Place this matter on the Board's agenda for ratification at its next board
28 meeting.
29

30 A party seeking to appeal this Order is directed to 1 CMC § 9112 (b), which provides for judicial
31 review of final orders within 30 days in the Commonwealth Superior Court. The Board believes
32 that this is a final Order.
33

34 
35 /s/ Janet McCullough, Ph.D.
36 Chair
37

Dated: April 29, 2011

38 /s/ Leticia Borja, MD, Board Member
39 /s/ Ahmad Al-Alou, MD, Board Member
40

Health Care Professions Licensing Board
Bldg #1242, Pohnpei Ct.
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Tel: (670) 664-4809
Fax: (670) 664-4814
Email: bpl@pticom.com
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1 **COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**
2 **HEALTH CARE PROFESSIONS LICENSING BOARD**
3
4

5 *In the Matter of Tinian Health Center*) Case No. 2010-04
6 (Amendment of Practice Agreement for)
7 Remote Supervision)
8

9 **SIXTH AMENDMENT TO THE BOARD EMERGENCY ORDER #01**
10 **APPROVING PRACTICE AGREEMENT AMENDMENT**
11 **FOR REMOTE SUPERVISION**
12

13 **Summary of Amendments**

14 This amendment to this Order is entered today, May 26, 2011 pursuant to the Board's decision
15 on May 18, 2011, to amend the Order for three months effective May 23, 2011. It also
16 immediately authorizes physician assistant Juan B. Pangelinan and any other CNMI licensed
17 physician assistant ("PA"), during the period this Order is in effect, to work at the Tinian Health
18 Center ("THC"), under the supervision of THC's physician, Dr. Stephan Lebamoff and any other
19 CNMI licensed physician approved by the Board to supervise the physician assistant(s), located
20 at a site other than the same Tinian Health Center when Dr. Lebamoff is off duty or off-island.
21 This Order is valid through the end of the day of August 21, 2011.
22

23 **Discussion**

24 The "Health Care Professions Licensing Act of 2007" ("the Health Care Act" or "the Act"), 3 CMC
25 §§ 2201 – 36, P.L. 15-105, requires that a physician assistant ("PA") be licensed by the Health
26 Care Professions Licensing Board ("the Board") and that his/her conduct conform to certain
27 statutory and regulatory standards and specific dictates.
28

29 The pre-existing regulations of the predecessor Medical Professions Licensing Board continue
30 in effect, except as amended by the Board:
31

32 (e) Except as otherwise provided herein, the regulations, guidelines, standards,
33 and procedures related to the regulation of the functions and operation of a regulated
34 health care professional and/or profession that are in force when this Act becomes
35 effective, shall continue to apply until amended or repealed by the Board.
36

37 3 CMC §§ 2235(e). The Board has amended its regulations in part. 140 NMIAC 50-3
38 Commonwealth Health Care Professions Licensing Board Regulations. 30 Com Reg. 03, p28388
39 – 28426. It has not yet amended its PA regulations so the pre-existing regulations apply.
40

41 The Board's authority proceeds from the Act and the Administrative Procedure Act. The Act
42 established the Board with complete jurisdiction, power and authority to regulate the health
43 care professions. 3 CMC § 2204(a). The Board's powers include:
44

- 45 • To adopt rules and regulations to enforce the Act. 3 CMC § 2206(b);
- 46 • To issue, deny and condition licenses. 3 CMC § 2206 (c);
- 47 • To conduct disciplinary hearings to suspend or revoke licenses, 3 CMC § 2206 (h);
- 48 • To suspend or revoke a license. 3 CMC § 2206(k);
- 49 • To act summarily in the face of the likelihood of harm to:
 - 50 i. the public health, safety or welfare; or
 - 51 ii. to the patients of a health care professional who is regulated
 - 52 by this Chapter. 3 CMC § 2206(n).
 - 53

1 A PA practicing with a license issued prior to the new Act and its new regulations continues as
2 a licensee until the Board suspends or revokes that license:

3
4 For the transition period between the application of the old Medical Practice Act
5 and the new Health Care Professions Licensing Act, specifically until new applicable
6 Regulations are promulgated, each practicing member of each profession over which
7 the Board has jurisdiction shall be deemed practicing with a license until regulations
8 are promulgated for the respective profession and an indicated re-licensing
9 application period has ended, or until the Board acts to suspend, modify, revoke or
10 otherwise affect a license, whichever comes first.

11
12 140 NMIAC § 50.3-101-002.

13
14 At all times a PA shall have in place a “practice agreement” with a supervising physician. 140
15 NMIAC § 50.1-1220, 1230(d). Such agreement ordinarily provides the scope of a PA’s activities
16 and ensures that the physician will be available for consultation, and will review and co-sign
17 patient records. It also provides that the physician co-signs for prescription of medication and
18 other treatments, except that the PA may not prescribe DEA-controlled substances. 140
19 NMIAC § 50.1-1235.

20
21 The Administrative Procedure Act provides for license hearings, when a notice of a hearing is
22 required, and defers to an agency’s specific organic act. 1 CMC §§ 9108 – 10. This Order
23 addresses an emergency situation coming under the specific “immediate and grave danger to
24 the public” provision of the HCPLA, 3 CMC § 2206(n).

25
26 **Facts**

27 Dr. Priyantha Wijayagunaratne, the only physician at THC, has submitted his resignation
28 effective December 1, 2010. However, beginning on Friday, November 12, 2010, Dr.
29 Wijayagunaratne will be on sick leave until December 1, 2010. Accordingly, as of Monday,
30 November 15, 2010, THC is without a physician.

31
32 THC requested the Board consider an Emergency Order to exempt THC’s Mid-Level Provider,
33 PA Juan B. Pangelinan, PA William R. Weiss and any other CNMI licensed physician assistant
34 (“PA”), during the period this Order is in effect, to provide health care at THC through remote
35 supervision. CHC, through Mr. John Tagabuel and Secretary Joseph K. Villagomez, has agreed
36 to provide physician supervision to the physician assistants at THC. Supervision will be
37 provided by the CHC’s Emergency Room physician, Dr. Greg Kotheimer. Additional ER
38 physicians at CHC who are designated by DPH administration and whose names are submitted
39 in writing to the Board may also provide supervision.

40
41 **Board Findings and Conclusions**

42 The Board finds that it would be unfair to the people of Tinian to restrict physician assistants
43 from practicing at THC merely because the Center’s physician is off duty or off-island. This
44 Order provides authority for remote supervision from Saipan. We will not continue the
45 authority provided in this Order indefinitely but we will continue it for a time.

46
47 **Ruling and Ordering Paragraphs**

48 The Board having been fully advised in the premises of this matter, for the above-stated
49 reasons, hereby Orders that:

- 50
51 1. Physician assistant Juan B. Pangelinan and any other CNMI licensed physician
52 assistant during the period this Order is in effect, may work at the Tinian Health
53 Center (“THC”), under the supervision of a CNMI licensed physician located at a
54 site other than the same Tinian Health Center when Dr. Stephen Lebamoff is off
55 duty or off-island.

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- 2. Supervision: Dr. Greg Kotheimer, other ER physicians at CHC and any other CNMI licensed physician, requested by THC in writing to the Board, as supervising physicians.

- 3. Mr. Pangelinan and any other CNMI licensed physician assistant during the period this Order is in effect, shall submit a new Practice Agreement, which shall be approved by the Board, to address the requirements of the amendments to the Order, and which shall be signed by both the PA and the supervising physician(s) (fax signatures are acceptable). This agreement must be submitted to the Board no later than Friday, May 27, 2011, by hard copy or electronically, otherwise this Order expires 24 hours later.

- 4. The agreement shall include:
 - a. The supervising physician(s) will provide adequate means for direct communication between themselves and the PA. The direct communication may occur through the use of technology, which may include but is not limited to, two-way radio, telephone, fax machine, modem, or other telecommunication device.
 - b. Daily emails shall be exchanged between the PA and the supervising physician for permitted prescriptions.
 - c. The database of patients on chronic or long-term scheduled medications shall be maintained and updated by the PA. The supervising physician to ensure adherence to the standard of care shall review it monthly.
 - d. Chart notes and prescriptions will be sent to the supervising physician for review and signature, as provided below.
 - e. The supervising physician shall closely monitor chronic pain contracts for adherence.

- 5. The physician assistants are authorized to prescribe:
 - a. Schedule III-V medications as follows:
 - 1. The PA is authorized to prescribe Schedule III through V medications as needed but shall be limited to prescribing, administering, and/or dispensing no more than 21-day supply. For refills, the supervising physician must co-sign the prescription and clearly write his DEA number on the prescription form. The supervising physician(s) shall review and sign chart notes within 21 days.
 - 2. All prescriptions for Schedule III-V medications written by the PA must be documented in the patient's chart and must include the name of the drug, dose, and route of administration, frequency, duration, quantity prescribed and name of supervising physician he consulted.
 - b. Schedule II medications as follows:
 - 1. In extreme emergency cases (myocardial infarction, motor vehicle trauma, certain fractures, pancreatitis, urethral and ureteral stones) Schedule II medications may be administered immediately, followed by a phone call to the supervising physician as soon as the patient is stable. In all other emergencies, Schedule II medications may not be prescribed, administered, or ordered without a verbal order from the ER physician on duty at CHC. The PA must first discuss the case with the ER physician. If the physician makes a verbal order for a Schedule II

1 medication it must be appropriately documented in the patient's chart
2 (as described in "B" above).

3
4 2. All such prescriptions and chart notes must be presented to the
5 supervising physician(s) within seven (7) days for co-signature. The PA
6 shall be limited to prescribing no more than a 7-day supply and there
7 will be no refills.

8
9 c. All prescriptions will indicate the quantity of the medication being
10 prescribed both numerically and alphabetically (e.g., "10" and "ten").

11
12 6. THC is to provide the Board a monthly report of the following:

- 13 a. The dates when Dr. Lebamoff is off-duty and/or off-island;
14 b. Name(s) of the supervising physician(s) at the CHC ER when Dr.
15 Lebamoff is off-duty and/or off-island;
16 c. Name(s) and date(s) of physician, other than Dr. Lebamoff, practicing at
17 THC when Dr. Lebamoff is off-duty and/or off-island;
18 d. Name(s) and date(s) of supervising physician reviewing chart notes and
19 prescriptions for signature;

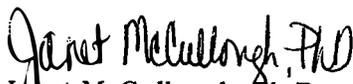
20
21 7. This Order is valid through the end of the day of August 21, 2011.

22
23 8. The Board shall review this matter at its next board meeting. THC management
24 is invited to appear at that meeting or via conference call and update the Board on its
25 efforts at recruiting a supervising physician.

26
27 9. A copy of this Order shall be placed in a public area of the Tinian Health Center.
28 The Executive Director, or her designee, is directed to do the following in person or by
29 electronic means:

- 30 a. Serve this Order on the physician assistants;
31 b. Serve this Order to Dr. Stephen Lebamoff;
32 b. Serve this Order on the director of the Tinian Health Center;
33 c. Serve this Order on the Secretary of the Dept. of Public Health;
34 d. Serve this Order on the supervising physicians at CHC's ER;
35 e. Have this Order published in the next Commonwealth Register; and
36 f. Place this matter on the Board's agenda for ratification at its next board
37 meeting.

38
39 A party seeking to appeal this Order is directed to 1 CMC § 9112 (b), which provides for judicial
40 review of final orders within 30 days in the Commonwealth Superior Court. The Board believes
41 that this is a final Order.

42
43 
44 /s/ Janet McCullough, Ph.D.
45 Chair

Dated: May 26, 2011

46
47
48
49 /s/ Leticia Borja, MD, Board Member
50 /s/ Ahmad Al-Alou, MD, Board Member

Health Care Professions Licensing Board
Bldg #1242, Pohnpei Ct.
Capitol Hill, Saipan, MP 96950
Tel: (670) 664-4809
Fax: (670) 664-4814
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ROTA CASINO GAMING COMMISSION

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

POST OFFICE BOX 1547, ROTA, MP 96951

PHONE: 1.670.532.7242

EMAIL: rotacommission@gmail.com

PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF ROTA CASINO GAMING COMMISSION

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
Proposed Regulations Vol. 33 No. 03 pages 031439 to 031497
Published on March 23, 2011

ACTION TO ADOPT PROPOSED REGULATIONS: The Rota Gaming Commission, HEREBY ADOPTS AS PERMANENT regulations the Proposed Regulations which were published in the Commonwealth Register Volume 33 Number 03 pages 031439 to 031497, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Commissioners announced that they intended to adopt them as permanent, and now does so. *Id.* I also certify by signatures which adopted the regulations are true and complete and correct of the reference Proposed Regulations and that they have been adopted with modifications and amendment as follows:

PRIOR PUBLICATION: The prior publication was as stated above. The Rota Casino Gaming Commission unanimously adopted the regulations as final at its meeting on June 01, 2011.

MODIFICATION FROM PROPOSED REGULATIONS: The entire Rules and Regulations Chapters I, II, III, IV & V specifically identified in Commonwealth Register Volume 33 Number 03 pages 031439 to 031497 in its entirety is HEREBY AMENDED to reflect publication in the Commonwealth Register Volume 33 Number 03 pages 031439 to 031497 "(March 23, 2011)" and final publication of this notice shall reflect the changes. I further request and direct that this Notice be published in the Commonwealth Register.

AUTHORITY: Pursuant to the Rota Casino Act of 2007, The Rota Casino Gaming Commission was established with five (5) Commissioners granting full authority to establish its rules and regulations necessary for the establishment and operation of the Commission.

EFFECTIVE DATE: Pursuant to the APA, 1 CMC § 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

COMMENTS AND COMMISSION CONCISE STATEMENT: Pursuant to the APA, 1 CMC § 9104(a)(2), the Rota Casino Gaming Commission has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the

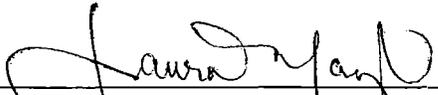
LAURA MARIA I. MANGLONA, Chairperson * ELPHREM S. TAIMANAO, Vice Chairman
ABELINA T. MENDIOLA, Secretary * VICENTE M. ATALIG, Commissioner

Rota Casino Gaming Commission, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption. Please see the following pages for the ROTA Casino Gaming Commission's concise statement, if any, in response to filed comments.

ATTORNEY GENERAL APPROVAL for modified regulations: The adopted regulations were approved for promulgations by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 2153(e) to review and approve as to form and legal sufficiency, all rules and regulations to be promulgated by the Rota Casino Gaming Commission, except as otherwise provided by the law.

I DECLARE under penalty of perjury that the above foregoing is true and correct and that this Declaration was executed on June 01, 2011 on Rota, Commonwealth of the Northern Mariana Islands.

Certified and Ordered by:



LAURA MARIA I. MANGLONA, Chairperson
Rota Casino Gaming Commission

06/01/11
Date



VICTORINO DLG. TORRES, Esq., Counsel
Rota Casino Gaming Commission

06/01/2011
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC §9104(a)(30) (obtain AG approval) the certified final regulations, modified as indicated above from the cited proposed regulations, have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General, and shall be published (1 CMC §2153(f) (publication of rules and regulations)).



EDWARD T. BUCKINGHAM, ESQ.
Attorney General, Northern Mariana Islands

6-16-11
Date

File and Recorded By:



ESTHER M. SAN NICOLAS
Commonwealth Register

06.20.2011
Date

LAURA MARIA I. MANGLONA, Chairperson * ELPHREM S. TAIMANAO, Vice Chairman
ABELINA T. MENDIOLA, Secretary * VICENTE M. ATALIG, Commissioner



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
Chairperson

D. Tanya King
Vice-Chairperson

Gabrin S. Deleon Guerrero
Secretary/Treasurer

Members
Herman T. Guerrero
Lucia L. Blanco-Maratita
Non Public School Rep.

Student Representative
Joycelynn Y. Atakig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF CERTIFICATION AND ADOPTION
OF REGULATIONS OF
THE COMMONWEALTH BOARD OF EDUCATION

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER AS PROPOSED
RULES AND REGULATIONS
Volume 32, Number 12, pp 031095-031108, of December 20, 2010

Regulations of the Commonwealth State Board of Education: § 60-20-720 and §60-20-721

ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands State Board of Education ("Board") HEREBY ADOPTS AS PERMANENT REGULATIONS the Proposed Regulations which were published in the Commonwealth Register at pages 031095 to 031108 in Volume 32, Number 12 on December 20, 2010 pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC § 9104(a). The Board announced that it intended to adopt them as permanent, and now does so. (Id.) I certify by signature below that, as published, such adopted regulations are a true, complete and correct copy of the referenced Proposed Regulations, and that they are being adopted without modification or amendment. The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

PRIOR PUBLICATION: The prior publication was as stated above. The Board adopted the regulations as final at its meeting of December 07, 2010.

AUTHORITY: The Board is required by the Legislature to adopt rules and regulations regarding those matters over which the Board has jurisdiction, including its regulation of the policies of the Public School System, pursuant to Article XV of the CNMI Constitution and to 1 CMC § 2261.

EFFECTIVE DATE: Pursuant to the APA, 1 CMC § 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after publication in the Commonwealth Register.

State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

"Students First"

Commissioner of Education

COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC § 9104 (a) (2), the agency has considered fully all written and oral submission respecting the proposed regulations. Upon the adoption of the regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against adoption, incorporating therein its reasons for overruling the considerations urged against its adoption. Please see the following pages for this agency's concise statement, if any, in response to any field comments, which requested a response.

ATTORNEY GENERAL APPROVAL FOR MODIFIED REGULATIONS: The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 2153(e) (To review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including public corporation, except as otherwise provided by law). Because these regulations were adopted as final with some changes from the previously published regulations, pursuant to the 1 CMC § 2153(e), the Attorney General must approve the modifications for as to form and legal sufficiency.

For Regulation § 60-20-670, Travel Outside of the CNMI, no substantive changes were made from the previously published regulation.

Regulation §60-20-721; Travel Within the CNMI, was modified based on comments brought during the public comment period. The substantive nature of the regulation did not change. However, in order to ensure better accountability for records on commute travel, procedures were added to comport with the PSS policy of transparency and accountability. Changes were made to the documentation process required of travelers commuting within the CNMI. In addition, language classifying the different status of travelers was modified and/or omitted.

I DECLARE under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 17th day of June, 2011, at Saipan, Commonwealth of the Northern Mariana Islands.

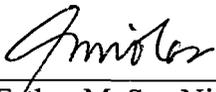
Certified and
Ordered by:



MaryLou S. Aña, Chairperson
State Board of Education

June 17, 2011
Date

Filed and
Recorded by:

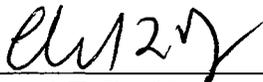


Esther M. San Nicolas
Commonwealth Register

06.22.11
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Reviewed and
Approved by:



Edward T. Buckingham

6.22.11
Date

**NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE
TITLE 60
BOARD OF EDUCATION**

**Regulation Title: Northern Mariana Islands Administrative Code
Chapter 60-20 Public School System Rules and Regulations**

Subchapter § 60-20-720 is repealed in its entirety and replaced by with the following regulations: § 60-20-720 Accounting and Reporting: Travel Outside the CNMI and § 60-20-721 Accounting and Reporting: Travel Within the CNMI.

§ 60-20-720

Accounting and Reporting: Travel Outside the CNMI

(a) Applicability

This section applies to official travel outside the CNMI performed in the interest of the Public School System by Public School System employees and the Board of Education. Other individuals covered by this section include, but are not limited to, consultants, employees eligible for repatriation and individuals, such as students and parent chaperones, and advisory council members who are traveling on official business for the Public School System. This section shall not apply to travel for repatriation or other travels for which additional regulations may be established and approved by the Board of Education.

(b) General Rules

Only official travels that are considered necessary to accomplish a specified purpose shall be authorized.

(c) Travel Authorizations (TA)

(1) All official travel shall be authorized with an approved travel authorization (TA). Situations requiring emergency official travel shall be permitted upon approval of a written justification.

(2) Trip-by-trip authorization shall be issued to allow an individual to perform official travel. This authorization shall include:

- (i) Specific purpose
- (ii) Itinerary (schedule of departure, arrival and destination)
- (iii) Estimated cost.

(3) All travel outside of the CNMI by PSS employees, students, parents and appropriate consultants and guests shall be requested by the principal or program manager through the Commissioner and authorized by the Chairperson of the Board or his designee as the approving officer.

(4) All travel outside of the CNMI by the Commissioner, BOE key staff, and BOE members other than the Chairperson of the Board of Education shall be signed by the traveler as requester and the Chairperson of the Board or his designee as the approving officer.

(5) All travels outside of the CNMI by the Chairperson of the Board shall be requested by the Chairperson of the Board and approved by the Vice-chairperson of the Board of Education.

(6) The following information must be attached to the TA before being presented to the Chairperson of the Board and to the Commissioner as appropriate:

- (i) Justification memorandum for the travel
- (ii) Document of invitation and/or agenda
- (iii) Specific purpose
- (iv) Itinerary (schedule or departure, arrival and destinations)
- (v) Estimated cost.

(7) Out of CNMI travel requests shall be submitted to the Commissioner or the Chairperson of the Board of Education, as appropriate, no later than 10 working days prior to commencement of travel, except for extenuating circumstances.

(8) Instructions for travelers shall be attached to all approved travel authorizations notifying travelers of their responsibilities in accounting for all procurement documents such as unused tickets, coupons, receipts, and other documents that will be required for completion of vouchers or for accounting for travel cancellations.

(9) TAs shall not be issued if there is an outstanding voucher or if an outstanding expense by the traveler has not been verified. Exceptions to this rule may be made at the discretion of the Commissioner or the Chairperson of the Board, as appropriate.

(10) TAs may be amended only upon approval by the requesting and approving officials. A justification memorandum for the amendment must be attached. Any diversion from what was specified on the approved TA must be presented as an amended TA and shall be approved by the appropriate requesting and approving officials. Amendments to TAs must be in the interest of the Public School System.

(d) Travel Expenses

Expenses anticipated in the fulfillment of an official travel may include the following:

(1) Transportation: PSS will authorize the mode of transportation which will result in the greatest advantage to the PSS considering factors such as per diem, overtime, lost work-time, transportation costs, distance of travel, number of travelers, and stopovers. Travel by common carrier, which is most efficient and economical to the PSS, shall be selected unless this will impose undue hardship upon the traveler or would seriously interfere with the performance of business by the traveler.

(2) Individual travel: Payment for ground transportation will be \$30 per day per individual. No receipts are necessary as this is a per diem travel expense. In certain circumstances the traveler

may find it more convenient to rent a car. The rate for the car should not be higher than the federal rates for the economy car. Please check with the travel section of PSS for the allowable rate for the rental car. (Rates will vary by city.) The traveler will be paid the difference between the car rental cost and the ground transportation per diem. The traveler will be expected to pay the car rental agency. Receipts for the car rental are necessary for reimbursement. PSS will not pay car rental agencies directly.

(3) Group travel: Payment for transportation expenses for group travel will be handled in a different manner. Ground transportation of \$30 per diem will not be issued to any traveler. One person in the group shall receive an advance to pay for the cost of the van. No other person will receive any funds for transportation expenses. The person who receives the cash for the rental of the van must rent the van or be liable for the reimbursement of the funds to PSS. Receipts must be submitted to PSS to certify the rental. Actual cost of the van rental is allowable. The difference between the funds advanced and the actual cost will be reconciled immediately upon submission of the travel voucher to the mutual benefit of the traveler and PSS.

(4) Termination of travel due to illness may be authorized prior to completion of temporary duty assignment. Termination of travel as a result of the travelers own misconduct shall be at the expense of the traveler.

(5) Travel routes other than what was authorized shall be allowed if it can be established as necessary and will not incur additional expense to the PSS and if the trip is related to official business to be performed by the traveler.

(6) Insurance for collision damage and liability shall be paid by PSS for official travel requiring the use of a vehicle and as authorized in the TA. Travelers are required to obtain collision damage and liability insurance when renting or otherwise obtaining a vehicle. Damages to rented vehicles may be paid up to the deductible amount shown in the rental contract if it can be proven that the damage occurred while the vehicle was used for official business only. Personal accident insurance is reimbursable.

(7) Expenses incurred due to cancellation of flights by the airline shall be the responsibility of the airline. Lodging and meal expenses incurred as a result of flight cancellation shall be the responsibility of the airline. It is the responsibility of the traveler to ensure that the airline covers these costs.

(8) Voluntary cancellation of reservation on the part of the employee shall be at the expense of the employee and not the PSS. Employees on official travel status shall not voluntarily cancel their reservations if it will interfere with performance of official duties. Employees who voluntarily delay their travel while on official duty en-route to home destination shall be charged annual leave for additional hours or days that they miss as a result of voluntary postponement of travel, if approved in advance per the annual leave regulations. Those employees who voluntarily delay their travel while on official duty en-route to home destination without prior approval will be charged absence without leave (AWOL) and may be otherwise disciplined, including losing future travel privileges.

(9) Miscellaneous expenses such as excess baggage, communication costs, gasoline, baggage transfer and others that are incidental to performance of official business shall be reimbursed only when authorized and when accompanied by explanation for each expense item.

(10) Per diem rates shall be established by the Board of Education in accordance with board policy and CNMI law. Per diem rates shall be the standard form of travel reimbursement for PSS travelers unless otherwise requested and authorized. It is assumed that the per diem rate will cover all expenses other than airplane transportation and ground transportation.

(11) Actual subsistence rates may be requested, if appropriate for the nature of business to be conducted, and must be authorized by the Commissioner or Chairperson of the Board. Appropriate circumstances may include conferences held in hotels where the per diem rate would not be sufficient to cover travelers expenses. To determine the actual subsistence rate, reasonable cost of lodging for the number of days authorized plus the amount established by the Board for meals per day. Cost of ground transportation related to official business activity may be reimbursed in addition to the set amount per day for meals and miscellaneous subsistence expenses. Receipts for ground transportation expenses shall be attached to the voucher for reimbursement. Actual subsistence reimbursement shall not exceed 55% of the established per diem rate. Lodging, transportation and receipts for any claimed miscellaneous expenses must be submitted with the travel voucher.

(12) Whenever a traveler interrupts his/her travel for personal reasons or due to illness or injury not due to his/her own misconduct, the proper leave application must be filed with the voucher and approved by the authorized official.

(e) Travel Authorization with No Expense to PSS

Travel sponsored by agencies other than PSS must be approved with a travel authorization showing zero travel expense. All travel performed by PSS staff at the expense of agencies other than the PSS must be in the interest of the PSS. Proper leave must be applied if the traveler requires additional days from duty station for personal reasons not related to the purpose of the travel. The leave application must be attached to the TA.

(f) Travel Advance

(1) General rules: A travel advance form shall be filed by the traveler to authorize release of checks. The travel advance form shall be submitted with the TA.

(2) Travel advance checks shall be released on a timely basis. Ninety percent of the travel advance allowed shall be issued to the traveler. The remaining ten percent shall be issued only upon travelers completion and filing of the appropriate support documents with the fiscal office within fifteen working days upon completion of travel.

(3) Travel advance should be considered as a loan to the traveler until proper reconciliation of approved travel expenses has been authorized and no outstanding amount is due to either the traveler or the PSS.

(g) Travel Voucher

(1) General rules: Travelers are solely responsible for the preparation and submission of all travel vouchers and shall be held accountable for any missing documents or any failure to file in a timely manner. Travelers must file a travel voucher with supporting documentation within fifteen working days upon completion of travel. Travelers who fail to meet this deadline will forfeit the remaining ten percent of the cost of travel. Travelers who fail to submit travel vouchers and supporting documentation will be subject to payroll deduction of the entire amount of the advance.

(2) The traveler must complete and file a travel voucher form following these procedures.

(i) Front page (self explanatory)

(ii) Reverse page: Complete the form by filling in the appropriate space the local date, time of arrival and departure, and location. Note any departure from approved travel routes and delays.

(3) For travelers using the per diem rate, the following items must be submitted with the voucher:

(i) An approved detailed trip report explaining the purpose of the travel, the event or meeting attended (if appropriate) and the benefit to the traveler and the PSS. All trip reports must be submitted to the traveler's supervisor for approval before submission to the fiscal office. The sufficiency of the trip report shall be determined by the traveler's supervisor, who shall approve the report and return to traveler for submission to the fiscal office if the report is sufficient. If insufficient and not approved, the supervisor shall return the trip report to the traveler and request more information from the traveler for re-submission to the supervisor;

(ii) Conference receipt, if applicable;

(iii) Airline ticket stub/Boarding Pass

(iv) Any unused ticket coupons.

(4) For travelers using the actual subsistence rate, the following documents must be submitted with the travel voucher:

(i) An approved detailed trip report following the same procedures set forth above in (g)(3)(i);

(ii) A detailed statement justifying why the actual subsistence rate is/was necessary for the business conducted;

(iii) Airline ticket stub/Boarding Pass;

(iv) Conference receipt, if applicable;

(v) Lodging receipt;

(vi) Car rental receipt;

(vii) Receipts for any claimed miscellaneous expenses other than for meals; and

(viii) Any lack of receipts must be fully explained.

(5) TAs approved by PSS but at the expense of agencies other than PSS require submission of a voucher upon completion of travel.

(6) Traveler must submit any appropriate leave applications.

(7) Within fifteen working days after the voucher was or should have been submitted, the travel section of the Fiscal and Budget Office will issue the employee a statement notifying him/her of any discrepancies in the submitted documents and all amounts owed to PSS. This statement shall include the following:

- (i) The date of each travel resulting in an outstanding balance;
- (ii) The place of each travel resulting in an outstanding balance;
- (iii) The amount advanced for each trip;
- (iv) The amount owed for each trip;
- (v) The total amount owed;
- (vi) Any discrepancies or problems with the submitted documents; and
- (vii) Notification that the amount will be deducted from the employees paycheck for the next pay period unless resolved.

(8) In no case shall a payroll deduction exceed more than thirty percent of the employee's gross paycheck unless the employee is leaving PSS. Payments owed to PSS may be deducted over several pay periods, if necessary.

(9) If the travel advance exceeds reimbursement due, the balance will be deducted from the travelers paycheck subsequent to the notice of the balance due, but no later than fifteen days after travel has been officially notified of amount due to PSS. For Board members, deductions shall be made from honorarium payments. For all non-employee travelers, including Board members, if future travel is approved as an exception under subsection (c)(10) of this section, deductions for amounts owed may be made from the per diem advance for the next travel.

(10) If travel is cancelled for any reason, immediate refund of the travel advance must be made. Employee must notify the travel section that the travel was cancelled and the purchased tickets or unused GTRs must be returned to PSS. Employee will be notified that a payroll deduction shall be made from the employees next pay check and the deduction shall be made no later than 15 days after the notice.

(11) Responsibility for examination of voucher and supporting documentation rests with the fiscal staff of the PSS. Vouchers must be accurate and expenses claimed authorized. If necessary, the voucher examiner shall initiate the voucher for review by the appropriate officials. Notes shall be made by the examiner if any discrepancy exists and forwarded to the traveler for clarification or correction. Employees must respond with the requested supporting information to avoid forfeiture of the 10% and/or to avoid any paycheck deductions.

(12) Appropriate procedures including possible legal action may be initiated in case of fraudulent claims. Documentation of this process must be made in writing by the fiscal section and the appropriate official of PSS.

**NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE
TITLE 60
BOARD OF EDUCATION**

**Regulation Title: Northern Mariana Islands Administrative Code
Chapter 60-20 Public School System Rules and Regulations**

§ 60-20-721

Accounting and Reporting; Travel Within the CNMI

(a) Applicability

This section applies to official commutes performed in the interest of the Public School System by Public School System employees and the Board of Education. Other individuals covered by this section include, but are not limited to, consultants, and individuals, such as students and parent chaperones, and advisory council members who are traveling on official business for the Public School System. This section shall not apply to travel outside of the CNMI for which additional regulations may be established and approved by the Board of Education.

(b) General Rules

Commutes are considered to be travel within the CNMI. Only official commutes that are considered necessary to accomplish a specified purpose for PSS shall be authorized.

(c) Commute Form

(1) All official commutes shall be initiated and authorized with an approved Commute Form.

(2) Commuters are responsible for the preparation and submission of the Commute Form.

(3) The Commute Form shall contain:

- i. Specific purpose
- ii. Name of commuter
- iii. Position/Department
- iv. Itinerary (schedule of departure, arrival and final destination)
- v. Dates and time of travel
- vi. Flight numbers for origin and destination
- vii. Signature of requesting party

(d) Requesting Party:

(1) Commutes by PSS employees, students, parents and appropriate consultants and guests shall be requested by the principal or program manager.

(2) Commutes by the Commissioner, BOE key staff, BOE members and Principals or Program Managers shall be signed by the commuter as requester.

(e) Commute Expenses. Expenses anticipated in the fulfillment of an official commute may include the following:

- (1) Per diem: Rates shall be established by the Board of Education in accordance with board policy and CNMI law. Per diem rates shall be the standard form of commute reimbursement for PSS commuters unless otherwise requested and authorized. It is assumed that the per diem rate will cover all expenses other than airplane transportation.
- (2) Air Fare: Commuters are required to arrange their own airline reservation. Airline tickets will be purchased by the Finance and Accounting office.
- (3) Accommodations: Commuters are required to arrange their own hotel reservations. Accommodations will be paid by the commuter out of the per diem rate received.
- (4) Transportation:
 - i. Ground transportation will not be authorized unless there is no available PSS vehicle or car rental.
 - ii. PSS employees should use reasonable efforts to obtain the use of a PSS vehicle during their commute.
 - iii. Car Rental will be authorized as follows:
 - a. Individual commutes: Reservations must be arranged by the commuter. The rate for the vehicle should not be higher than the federal rates for the economy car. Please check with the commute section of PSS for the allowable rate for the rental car. The commuter will be expected to pay the car rental agency directly. Receipts for the car rental are necessary. PSS will not pay car rental agencies directly.
 - b. Group commutes: For commuters from the same point of origin commuting on the same dates with the same scope of work one (1) car rental shall be issued per every four (4) commuters in the group. For commuter groups of less than four (4) commuting on the same dates with the same scope of work one (1) rental car shall be authorized for the group. One person in the group shall receive an advance to pay for the cost of the vehicle. No other person in the group will receive funds for car rental. Receipts for the car rental are necessary. PSS will not pay car rental agencies directly.
 - c. Insurance for collision damage and liability shall be paid by PSS for official commutes requiring the use of a vehicle and as authorized in the Commute Form. Commuters are required to obtain collision damage and liability insurance when renting or otherwise obtaining a vehicle. Damages to rented vehicles may be paid up to the deductible amount shown in the rental contract if it can be proven that the damage occurred while the vehicle was used for official business only. Personal accident insurance is reimbursable.
- (5) Voluntary cancellation of reservation on the part of the employee shall be at the expense of the employee and not the PSS. Employees on official commute status shall not voluntarily cancel their reservations if it will interfere with performance of official duties. Employees who voluntarily delay their commute while on official duty enroute to home destination shall be charged annual leave for additional hours or days that they miss as a result of voluntary postponement of the commute, if approved in advance

per the annual leave regulations. Those employees who voluntarily delay their commute while on official duty enroute to home destination without prior approval will be charged absence without leave (AWOL) and may be otherwise disciplined, including losing future commuting privileges.

- (6) Termination of commute due to illness may be authorized prior to completion of temporary duty assignment. Termination of travel as a result of the travelers own misconduct shall be at the expense of the traveler.

(f) Commute Advance:

- (1) Commuters will receive a onetime advance for commuting expenses.
- (2) Certain commuters that are considered to be either Frequent Commuters or Semi-Frequent Commuters may receive advanced monthly commuting expenses.
 - i. "Frequent Commuters" are PSS Commuters who travel within the CNMI on a frequent basis including but not limited to the Commissioner of Education, Special Education and Early Childhood staff.
 - ii. "Semi-Frequent Commuters" are PSS Commuters who travel often within the CNMI including but not limited to; Board Members, Principals and Leadership.
 - iii. A monthly scope of work should be included on the Commute Form including the estimated dates of travel for the month.
- (3) Based on the dates submitted on the Commute Form an estimated commute advance costs shall be released to the employee.
- (4) The commute advance should be considered as a loan to the commuter until proper reconciliation of approved commuting expenses have been authorized and no outstanding amount is due to either the commuter or the PSS.

(g) Travel Voucher

- (1) General rules: Commuters are solely responsible for the preparation and submission of all travel vouchers and shall be held accountable for any missing documents or any failure to file in a timely manner.
- (2) Commuters must file a travel voucher with supporting documentation within thirty (30) working days upon completion of each individual commute as set forth on the Commute Form.
 - i. Commuters who fail to meet this deadline will be subject to loss of future commuting privileges.

- ii. Commuters who fail to submit travel vouchers and supporting documentation will be subject to payroll deduction of the entire amount of the advance and loss of commuting privileges.
- (3) The commuter must complete and file a travel voucher form following these procedures.
- i. Front page (self explanatory)
 - ii. Reverse page: Complete the form by filling in the appropriate space the date, time of arrival and departure, and location.
- (4) The following items must be submitted with the voucher:
- i. Boarding Passes (to and from location);
 - ii. Gas purchase(s);
 - iii. Car rental receipt;
 - iv. Parking receipt(s)
- (5) Within thirty (30) working days after the voucher was or should have been submitted, the travel section of the Fiscal and Budget Office will issue the employee a statement notifying him/her of any discrepancies in the submitted documents and all amounts owed to PSS. This statement shall include the following:
- i. The date of each commute resulting in an outstanding balance;
 - ii. The place of each commute resulting in an outstanding balance;
 - iii. The amount advanced for each commute;
 - iv. The amount owed for each commute;
 - v. The total amount owed;
 - vi. Any discrepancies or problems with the submitted documents; and
 - ii. Notification that the amount will be deducted from the employee's paycheck for the next pay period unless resolved.
- (6) In no case shall a payroll deduction exceed more than thirty percent of the employee's gross paycheck unless the employee is leaving PSS. Payments owed to PSS may be deducted over several pay periods, if necessary.
- (7) If the commute advance exceeds reimbursement due, the balance will be deducted from the commuter's paycheck subsequent to the notice of the balance due, but no later than thirty (30) days after the commuter has been officially notified of amount due to PSS. For Board members, deductions shall be made from honorarium payments. For all non-employee travelers, including Board members, if future travel is approved as an exception under subsection (10) of this section, deductions for amounts owed may be made from the per diem advance for the next commute.

- (8) If the commute is cancelled for any reason, immediate refund of the commute advance must be made. Employee must notify the PSS Commute section that the commute was cancelled.
- (9) Responsibility for examination of voucher and supporting documentation rests with the fiscal staff of the PSS. Vouchers must be accurate and expenses claimed authorized. If necessary, the voucher examiner shall initiate the voucher for review by the appropriate officials. Notes shall be made by the examiner if any discrepancy exists and forwarded to the traveler for clarification or correction. Employees must respond with the requested supporting information to avoid loss of commuting privileges and/or to avoid any paycheck deductions.
- (10) Commutes shall not be authorized if there is an outstanding voucher or if an outstanding expense by the traveler has not been verified. Exceptions to this rule may be made at the discretion of the Commissioner or the Chairperson of the Board, as appropriate.
- (11) Appropriate procedures including possible legal action may be initiated in case of fraudulent claims. Documentation of this process must be made in writing by the fiscal section and the appropriate official of PSS.



Commonwealth of the Northern Mariana Islands
COMMONWEALTH ELECTION COMMISSION

Frances M. Sablan, Chairperson
Commonwealth Election Commission, P.O. Box 500470
Susupe, Saipan MP 96950
Tel: (670) 664-8683; fax:(670) 664-8689

**PUBLIC NOTICE FOR PROMULGATION OF
PROPOSED RULES AND REGULATIONS
FOR THE NORTHERN MARIANAS DESCENT REGISTRY (NMDR)
UNDER THE COMMONWEALTH ELECTION COMMISSION**

The Commonwealth of the Northern Mariana Islands, Commonwealth Election Commission (CEC) intends to adopt as permanent the attached Proposed Rules and Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Rules and Regulations would become effective 30 days after compliance with 1 CMC §§ 9102 and 9104 (a).

AUTHORITY: The Commonwealth Election Commission is empowered by Public 17-40 to adopt rules and regulations for the administration and enforcement of the statute governing his activities. 1 CMC § 6105 & P.L. 17-40

The Rules and Regulations provides for the Commonwealth Election Commission to establish a Northern Marianas Descent Registry (NMDR) for the registration of Northern Marianas Descent pursuant to Article XII of the NMI Constitution.

The proposed rules and regulations are as follows:

Authority. The authority for the adoption and promulgation of the Northern Marianas Descent Registry Rules and Regulations is vested under the authority and directions set forth in Section 5 of Public Law 17-40.

Purpose and Scope. The purpose of the rules and regulations in this chapter is to establish and maintain an official listing and records of persons of Northern Marianas Descent.

Registration

General Registration Procedures. The primary method of registration for Northern Marianas Descent (NMD) shall be in person before a duly authorized registration clerk, a Commission staff person or a Commission member. Any qualified individual may register at the Commission office in Saipan, at their residence or such other places that the Commission allows for the registration of voters.

Registration Affidavit. An NMD registers to vote by completing the affidavit, as attached and incorporated herein as exhibit A to this chapter and providing all of the information as required by law, and executing same under the penalty of perjury.

Mail Registration

(a) A person otherwise qualified under Article XII, § 4 of the Northern Mariana Islands Constitution may submit his registration affidavit by mail so long as the registration affidavit is signed. Upon signing the registrant must mail the registration affidavit via either first class, priority mail or express mail to the following address:

Commonwealth of the Northern Mariana Islands
Commonwealth Election Commission
PO Box 500470
Saipan, MP 96950

(b) A registration affidavit by mail must be postmarked no later than the date required for registration of all Commonwealth voters in order to vote in a general or special election. In the event the eligible voter mails the affidavit from such a locale that does not properly affix a postmark, such as a ship or submarine, then the date on the affidavit shall be presumed to be the day that the affidavit was mailed by the eligible voter. If that date is on or before the date the affidavit is due, then the voter shall be presumed to be registered if the Commission satisfactorily determines that the voter is eligible.

Mail Registration Requirements. As required by law, a person who desires to register by mail must not be physically present in the Commonwealth, and the registration clerk who receives the registration affidavit by mail must check the post mark or other such evidence to insure that the individual who submitted the application did not mail it from a location inside the Commonwealth.

Northern Marianas Descent Qualification. Any person who is otherwise qualified to register by mail must meet the requirements as set forth in Article XII, § 4 of the Northern Mariana Islands Constitution, as executed on the affidavit of registration.

Public Record Information of NMD Registration. It is understood that nothing in the Commonwealth Election Code or the Open Government Act as both are presently worded protects the privacy of the information contained in the affidavit of registration for NMD's. Therefore any person may request information about an NMD that is provided on the individual's registration affidavit. Therefore it is the decision of the Commission that the affidavit information shall remain a public record. Nothing in this section can prevent the Commission from changing this requirement should there be a change in either of these laws that declare this information private.

Registration Clerks. Registration clerks shall be all duly employed staff members of the Commission, and any Commission member or any other person who is properly designated by the Commission. Upon receipt of the duly executed affidavit, a registration clerk shall promptly transmit the affidavits to the Commission's offices on Saipan via first-class mail in a sealed envelope to the same address mentioned above or immediately via personal delivery so that the NMD's names shall appear on the register. The Commission shall ensure registration clerks have enough NMD registration affidavits.

No Refusal Right. No registration clerk shall refuse to register a person seeking to register even if the clerk believes that the person is not qualified to register. Instead the registration clerk shall allow the individual to fill out the affidavit, but shall immediately inform the Executive Director or a Commission staff person that the person attempting to register might not be eligible to register as an NMD in the Commonwealth. The Commission shall then follow the hearing procedures on all such registrations as listed below.

Hearings on Challenges of Registrations

(a) As authorized by law, the Commission shall hold hearings on all challenged registrations where it appears that the proposed registrant does not meet the qualifications required by statute to register under the Commonwealth Constitution. The hearings shall occur no more than 30 days after the registrant submitted their registration affidavit. As allowed by law the hearings will be informal in nature. A quorum of the Commission shall be necessary to conduct a hearing. Due to the informal nature of the hearing, and where necessary, a Commission member may participate at the hearing through the telephone. Pursuant to the law, the quorum must consist of at least 5 members provided that there is at least one representative from each senatorial district. It is not necessary that the hearing be noticed publicly, but the challenged registrant shall be given reasonable advance notice and opportunity to be heard at the hearing.

(b) The challenged registrant shall be allowed to offer any oral or documentary evidence as to why he should be registered. The challenged registrant may be represented by counsel of his or her own choosing and at his own expense. Any person shall be allowed to offer any oral or documentary evidence as to why the person should or should not be registered. The challenged registrant may also participate at the hearing by being physically present or through the telephone.

(c) The decision denying the challenged registrant the right to be registered shall be decided by a 3/4 majority of the Commission members present at the hearing, including those participating through the telephone. In all other cases where less than 3/4 of the Commission members present vote to deny the registrant the right to be registered, then it shall be presumed that the registrant is qualified to register. No Commission member who does not participate by being present (either physically or through the telephone) in a challenge hearing shall be allowed to vote on whether or not the registrant can register. The Commission shall announce its decision in writing to the challenged registrant as well as make it available to the public no later than three days after the conclusion of the hearing.

(d) The decision of the Commission shall be final; however the judicial review petition procedures of the Commonwealth Administrative Procedure Act [1 CMC §9101, et. seq.] shall also govern the Commission's decision, as being an agency action.

Miscellaneous Provisions

Severability. If any provision of the regulations in this chapter shall be held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations in this chapter shall not be affected thereby.

Effective Date. The regulations in this chapter shall take effect upon the notice of adoption and upon final publication in the Commonwealth Register.

These proposed rules and regulations were approved by the Commonwealth Election Commission on June 9, 2011.

Submitted by: 

Frances M. Sablan, Chairperson
Commonwealth Election Commission

June 9, 2011
Date

Received by: *Gerillagan*
FOR: ESTHER S. FLEMING
Governor's Special Assistant for Administration

06/21/11
Date

Filed and Recorded by: *Smolan*
ESTHER M. SAN NICOLAS
Commonwealth Register

6.22.11
Date

Pursuant to 1 CMC §2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC §9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC §2153(f) (publication of rules and regulations).

Dated the ____ day of _____, 2011.

Edward T. Buckingham 6.22.11
EDWARD T. BUCKINGHAM
Attorney General



**Commonwealth Gi Sangkattan Na Islas Marianas Siha
KUMISION ILEKSION COMMONWEALTH**

Frances M. Sablan, Kabiseyu
Kumision Ileksion Commonwealth, P.O. Box 500470
Susupe, Saipan MP 96950
Tel: (670)664-8683; Fax: (670)664-8689

**NUTISIAN PUPBLIKU PARA UMACHO'GUI I MANMAPROPONI NA AREKLAMENTU YAN
REGULASION SIHA PARA I NORTHERN MARIANAS DESCENT REGISTRY (NMDR) GI PAPA' I
KUMISION ILEKSION COMMONWEALTH**

I Commonwealth gi Sangkattan na Islas Marianas siha, I Kumision Eleksion Commonwealth (CEC) ha intensiona para u adãpta komu petmanenti mañechettun i Manmaproponi na Areklametu yan Regulasion siha, sigun i para i manera siha gi Æktun 1 gi Administrative Procedures, 1 CMC § 9104(a). I Areklamentu yan Regulasion na para u ifektibu trenta(30) dihas dispues di makumpli i 1 CMC §§ 9102 yan 9104 (a).

ÆTURIDÆT. I Kumision Ileksion Commonwealth nina'i fuetsa ni Public 17-40 para u adãpta i areklamentu yan regulasion siha para i atministrasion yan enforcement i aktibidãt siha gi governing statute. 1 CMC § 6105 & P.L. 17-40.

I Areklamentu yan i Regulasion siha ha pribeniyi i Kumision Ileksion Commonwealth para u estapblisa i Northern Marianas Descent Registry (NMDR) para i registrasion i Northern Marianas Descent sigun I Attikulu XII gi Konstitusion NMI.

I maproponi na areklamentu yan regulasion manattatiyi siha:

Æturidãt. I Æturidãt para i adãptasion yan para u macho'gui i Areklamentu yan Regulasion Registry siha gi Sangkattan na Marianas ni pribilehu gi papa' i Æturidãt yan direksion siha ni mapega mo'na gi halum Seksiona 5 gi Lai Publiku 17-40.

Purpose yan Scope. I hinangai I areklamentu yan regulasion siha guini na kapitulu na para u estapblisa yan u maintain i ufisiãt na lista yan notan petsona siha gi Northern Marianas Descent.

Registrasion

Minanehan Registrasion Henerãt Siha. I prinsipãt na method i registrasion para i Northern Marianas Descent(NMD) debi na i petsona gi me'nan i ma'Æturisa na registration clerk, i staff Kumision pat i miembrun i Kumision. Maseha hãyi kualifikão na indibiyuãt sina ma rihistra gi Ufisanan Kumision giya Saipan, gi residensian-ñiha pat ottru siha na lugãt na i Kumision ha sedi para i registrasion i mambobota siha.

Dokumentun Registrasion. I NMD ha rihistra para u bota ginin i kinempidun i dokumentu, komu mañettun yan u incorporate guini komu i exhibit A guini na kapilu yan pribeninyi todū imfetmasion siha komu madimanda ginin i lai, yan executing parehu gi papa' i penalty of perjury.

Registrasion Kåtta

(a) I petsona osino i kualifikáo gi papa' i Attikulu XII § 4 gi Konstitusion Sangkattan na Islas Marianas sina ha na'hålum i dokumentun registrasion-ña kontra kåtta kuntåt komu i dokumentun registrasion ni mafitma. Gi mafitman i marihistra debi na i mail i dokumentun registrasion via maseha via first class, priority mail para i sigienti na address:

Commonwealth of the Northern Mariana Islands
Commonwealth Election Commission
P. O. Box 500470
Saipan, MP 96950

(b) I dokumentun registrasion by mail debi na u ma-postmark antis di i fecha ni madimánda para registrasion ni para todū i mambibota gi Commonwealth ni para u siña mambota gi henerát pat espisiát na ileksion. Yanggin siakásu na kualifikáo i bibota ha na'hånáo i kattan dokumentu ginin i locale ni ti ha na'dinanchi i affix i postmark, tåt komu båtku pat submarine, pues i bibota debi na u hassu na i ha'áni ni ha na'hånáo i dokumentu ni ginin i kualifikáo na bibota.

Dinimánda Rehistrasion Kåtta Siha. Komu madimánda ni lai, i petsona ni ha tånga para u rihistra guí kontra mail debi na ti u fáttu prisenti gi halum Commonwealth, yan i registration clerk ni ha risibi i dokumentun registrasion ginin i mail debi na u ma-post mark pat u ottru ebidensia na ha na'siguru i indibiyuát na na'hålum i aplikasion ni ti ha mail ginin i lugát gi halum i Commonwealth.

Kualifikasion Northern Marianas Descent. Maseha háyi na petsona ni ha osino kualifikáo para u rihistra kontra katta debi na u kumpli i dinimánda siha ni mapega mo'na gi Attikulu XII, § 4 gi Konstitusion i Sangkattan na Islas Marianas, komu ma-execute i dokumentun registrasion.

Imfetmasion Notan Publiku gi Rehistrasion NMD. Makumprendi na tåya' gi halum i Kodigun Ileksion Commonwealth pat i Áktun i Open Government komu parehu gi prisenti matuge'ña ni prinitehi i privacy gi imfetmasion ni ha sasahguan gi dokumentun rehistrasion i NMD's. Láo maseha háyi na petsona siña manggágáo imfetmasion put i NMD ni prinibeninyi gi dokumentun rehistrasion indibiyuát. Láo disision i Kumision na i dokumentun imfetmasion debi na u sága gi notan publiku. Tåya' guini na seksiona siña umatáha i Kumision kontra i tinilaikan esti na dinamánda debi ha' u guaha tinilaika maseha gi esti siha na lai ni ha diklára na esti private na imfetmasion.

Registration Clerks. I registration clerks debi na todū emple'áon Kumision, yan maseha miembrun Kumsion pat maseha háyi ottru na petsona ni madisikna ginin i Kumsion. Sigun i risibu ni ma execute na dokumentu, i registration clerk debi na u na'siguru na ha transmiti i dokumentu siha para i Ufisinan Kumision siha giya Saipan via first-class mail gi halum i ma-seal na sobri para i parehu na address ni mamensona gi sanhilu' pat insigidas via ma'intrega petsonát kosa ki i na'an NMD siha debi na u fanannuk gi rihistra. I Kumision debi na u na'siguru na i register clerks guaha nahung dokumentun rehistrasion NMD siha.

Taya' Dretchun Pinini. Taya' registration clerk debi na rinunsia ni para u rihistra i petsona ni manaliligão para u rihistra maskiseha i clerk ha tungu' na ti kualifikão i petsona para u rihistra. Inlugât i registration clerk debi na u sedi i indibiyuât na u fill out i dokumentu, lão debi insigidas u imfotma i Direktot Eksakatibu pat i staff Kumision na i petsona ha chagi para u rihistra gui' lão siña ti kualifikão para u rihistra komu NMD gi halum Commonwealth. I Kumision debi dispues na u tattiyi i areklamentun hinekkunguk siha gi todú i sigienti na registrasion komu malista gi sampapa'.

Hinekkunguk i Chinãmpan Rihistrasion Siha

(a) Komu ma'aturisa ginin i lai, i Kumision debi na u na'guaha hinekkunguk siha gi todú i chinampãan rihistrasion siha gi anai a'annuk na i maproponi na i registrant ti ha kumpli i kuãlifikasion siha ni madimãnda ginin i estatua ni para u rihistra gi papa' i Konstitusion Commonwealth. I hinekkunguk siha debi na u masusedi putlumãs ki trenta(30)dihas dispues di i registrant ha na'hãlum i iyun-ñiha dokumentun rihistrasion. Komu masedi ginin i lai i hinekkunguk siha na para u informal in nature. I kinabãlis Kumision debi na u nisisãriu para u kondukta hinekkunguk. Sigun gi para i informal nature gi hinekkunguk, yan amãnu na nisisãriu , i miembrun Kumision siña pumattisipao gi hinekkunguk kontra i tilifon. Sigun gi lai, i kinabãlis debi na u kunsisti gi putlumenus singku(5) na miembru siha ni mapribeniyi na guaha maskiseha unu na reipresentãnti ginin kada distritun senadot. Ti nisisãriu na i hinekkunguk na u mapupblika, lão i chãnsan registrant debi na u nã'i nutisia kuntempu yan oputtunidãt ni para u ma'ekkunguk gi huntan hinekkunguk.

(b) I chãnsan registrant debi na u masedi para u ofresi maseha hãfa na sinangan pat tinigi' dokumentu komu para hãfa na debi na rihistra gui'. I chãnsan registrant siña maprisenta gui' ni inayek-ña na abugãdu yan gãsto-ña. Maseha hãyi na petsona debi na u masedi para u ofresi maseha hãfa na sinangan pat ebidensian tiningi' dokumentu komu para hãfa i petsona debi pat ti debi na u marihistra. I chãnsan registrant siña lokkui' pumattisipão gi hinekkunguk prumisenta pat kontra i tilifon.

(c) I pinini na disision i chinansan i registrant gai dretchu para u marihistra debi na u dinisidi ginin tres put sientu(3/4) mayuria gi miembrun i Kumision siha ni manggaigi gi hinekkunguk, ingklusu atyu siha i mampattisipão kontra i tilifon. Gi todú ottru siha na manera gi anai menus ki tres put sientu(3/4) gi miembrun i Kumision mamprisenti gi botu para u puni i registrant ni dretchu ni para u rihistra , pues debi na u hallum na i registrant kualifikão para u rihistra. Tãya' i miembrun Kumision ni ti pumattisipão ni ti prumisenti (parehu mãttu pat kontra tilifon) gi chinansan hinekkunguk debi na u masedi para u fambota gi maskiseha pat ti i registrant siña manrihistra. I Kumision debi na u anunsia i disision-ña gi tinigi' para i chinansan registrant asi komu u bakãnti para i pupbliku ti u menus ki tres (3) diha dispues di uttimun i hinekkunguk.

(d) I disision i Kumsion debi na u funhãyan; taimanu i judicial review petition procedures gi Æktun i Commonwealth Administrative Procedure [1 CMC §9101, et.seq.] debi lokkui' na u ginibietna i disision Kumision, komu action ahensia.

Miscellaneous Provisions

Severability. Yanggin hâfa na prubension i regulasion siha gi esti na kapitulu debi na umasustieni sa' ti bâli ginin i kotti gi competent jurisdiction, i binalin i tetehnan gi regulasion siha guini na kapitulu ti debi na u inafekta guihi.

Inefektibun Fecha. I regulasion siha gi halum esti na kapitulu debi na u take effect gigan i nutisian adaptasion yan gigan munhâyan i publikasion gi halum i Rehistran Commonwealth.

Este i manmaproponi na areklamentu yan regulasion siha manma'aprueba ginin i Kumision Eleksion Commonwealth gi Huniu 9, 2011.

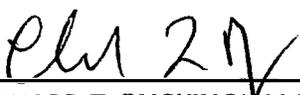
Nina'hâlum as:  6/9/11
Frances M. Sablan, Kabiseyu
Kumision Eleksion Commonwealth
Fecha

Rinisibi as:  06/01/11
^{Fon} ESTHER S. FLEMING
Espisiât Na Ayudânti Para I Atministrasion Gubietnu
Fecha

Pine'lu yan
Ninota as:  06.22.11
ESTHER M. SAN NICOLAS
Rihistran Commonwealth
Fecha

Sigun i 1 CMC § 2153(e) (Inaprueba Abugâdu Henerât na i regulasion siha para u macho'gui komu fotma) yan 1 CMC § 9104(a)(3) (hinentan inapruedan Abugâdu Henerât) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligât ginin i CNMI Abugâdu Henerât yan debi na u mapupblika, 1 CMC § 2153(f) (publikasion areklamentu yan regulasion siha).

Mafecha guini gi diha 6-22, gi JUNE, 2011


EDWARD T. BUCKINGHAM
Abugâdu Henerât



**Commonwealth of the Northern Mariana Islands
COMMONWEALTH ELECTION COMMISSION**

Frances M. Sablan, Chairperson
Commonwealth Election Commission, P.O. Box 500470
Susupe, Saipan MP 96950
Tel: (670) 664-8683; fax: (670) 664-8689

**ARONGORONGOL TOULAP REEL POMWOL FFÉÉRÚL ALLÉGH
REEL NORTHERN MARIANAS DESCENT REGISTRY (NMDR)
FAAL COMMONWEALTH ELECTION COMMISSION**

Commonwealth Election Commission, (CEC) mellól Commonwealth of the Northern Mariana Islands nge e mángiyy bwe ebwele adaptáliiló ngare lléghló Pomwol Fféérúl Allégh, reel rebwe attabweey mwóghutughutul Administrative Act, 1 CMC § 9104(a). Allégh kkaal nge ebwe alléghló 30 ráll mwurill aar attabweey 1 CMC §§9102 me 9104(a).

BWÁNG: Commonwealth Election Commission nge eyoor bwángil sáangi Alléghúl Toulap 17-43 bwe ebwe adapta allégh me akkúlé ngáli adminstration me rebwe amamaawa allégh kka lemeliyal. 1 CMC § 6105 me Public Law ye 17-40.

Allégh me Akkúlé kkaal nge ebwe alisi Commonwealth Election Commission bwe ebwe mmwewlil ayoora Northern Marianas Descent Registry (NMDR) me Northern Marianas Descent rebwe register sáangi bwángil Article XII mellól CNMI Constitution.

Pomwol fféérúl allégh me akkúlé kkaal nge ikka e táltiw:

Bwáng: reel rebwe adpta me fféér allégh reel mille Northern Marianas Descent Registry Alléghúl me Akkuléeyal nge elo faal bwángil me aitiiyal Tálil 5 mellól Alléghul Toulap ye 17-40.

Bwúlúl me aal scope: Bwúlúl allégh me akkúlé kka llól chapter yeel nge ebwe ayooraátá me ammwala fischiiy tálil me reekodul iteer aramas kka Northern Mariana Descent.

Registration

Mwóghutughutul Registration: Ghommwal fféérúl registration reer Northern Mariana Islands (NMD) nge ebwe ulimmwal aramas ye re aturisaay ngare registration clerk, aramas ye e angaang ngáli Commission, nge membroot Commission. Aramas ye e qualified nge emmwel ebwe ló register llól Bwulaiyool Commission mewóól Saipél, reel imweer me inaaamwo bwuley fa ye Commission e ayoora registratoiu-ur voters.

Alúghúgúil Registration: Aramas ye Northern Marianas Descent, nge ebwe register bwe ebwe boota nge ebwe atakkaaló affidavit, nge e appasch nge e incorporated ighaal ngare exhibit A ngáli chapter yeel me ayoora alongal infodmasiyoos kka tingóreeyal allégh, me ayoora fféér faal mwuttaal misimis (perjury).

Mail Registration:

(a) Aramas ye e qualified faal Article XII, § 4 mellól Northern Mariana Islands Constitution nge emmwel schagh ebwe atolongooyaal registration affidavit nge ebwe mail-li ngare aa sign-li. Ngare schagh aa sign-li nge aramas we e register ebwele afanga registration affidavit eweewe schagh ngare first class, priority mail me ngare express mail ngáli address ye faal:

Commonwealth of the Northern Mariana Islands
Commonwealth Election Commission
PO Box 500470
Saipan, MP 96950

(b) Registration affidavit ye re afanga llól mail nge e fil bwe ebwe postmarked nge essóbw luu sáangi ráálil la registration ngáliir alongeer commonwealth voters bwelle rebwe mmwellil booata llól general ngare special election. Ngare igha eligible voter e afanga llól post affidavit we me bwuley we ese aghatchú aal postmark-li, sibwe ira ngare schúúlúwa mewóól submarine, ráll we wóól affidavit nge rebwe isáli bwe ráálil we eligible voter we e afanga affidavit we. Ngare ráálil we e ppung llól ngare mmwal ráálil we e due affidavit we, nge rebwele isáli bwe voter we aa register ngare Commission e mángiyy fischiyy bwe e eligible voter we.

Requirement-il Mail Registration: Igha aitiyyal allégh, aramas ye e tipáli bwe ebwe register llól mail nge essóbw lo llól Commonwealth, nge registration clerk we e risibi registration-ul affidavit mellól mail nge ebwe amwuri fischiyy postmark me meeta aghikkil kka e fil bwe ebwe alúghúlúghúúw bwe aramas we e atotoolong application nge ese afanga llól mail me bwuley kka elo llól Commonwealth.

Northern Marianas Descent Qualification. Aramas ye e qualified bwe ebwe register llól mail nge ebwe tabweey requirements kkewe e itiwow sáangi Article XII, § 4 mellól Northern Mariana Islands Constitution, igha e executed mellól affidavit-il registration.

Infodmasiyoounul Toulap Reel NMD Registration. E ammatat bwe esóór mellól Commonwealth election Code ngare Open Government Act igha ii me ruwoow e affataawow reel privacy information ye elo llól aal eschay NMD affidavit-il registration. Iwe, inaanwo iyo aramas nge emmwel ebwe aiyegh infodmasiyooun reel aal eschay NMD affidavit-il registration. Iwe, elo ngáli Commission bwe infodmasiyoounul affidavit we nge ebwe lo bwe reekoodul toulap. Esóór mellól tánil yeel mille emmwel ebwe pileey Commission bwe ebwe liwiliiló requirement ngare eyoor lliiwel mellól inaanwo ifa meleyil allégh kkaal iye e apasa bwe infodmasiyooun yeel nge private.

Registration Clerks: Registration clerks nge rebwe schéschéél angaang me ngare staff-il Commission ngare membrool me iyo aramas ye Commission e aitiy. Igha schagh e toolong affidavit we, nge registration clerk ebwe afanga ngáli Bwulasiyool Commission kka Seipél affidavit kkewe nge ebwe afnaga llól first class mail llól envelope ye e sealed nge afanga ngáli address we elo weiláng milla kkáyil ngare bwughi amweeyiló bwe iteer NMD kkewe ebwe bwááwaw llól register. Commission ebwe alúghúlúghúúw bwe e gummy sáangiir clerks reel NMD affidavit-il registration.

Esóór Aar Wel Bwe Rebwe Assefáál: Esóór registration clerk ye emmwel ebwe asefááliy eschay aramas ye ebwe register inaanwo igha e mángiyy bwe ese qualify aramas we bwe ebwe register. Far bwughi fen registration clerk we ebwe light ngáli aramas we bwe ebwe fill out-lee affidavit we, nge aa kkávil sarong ngáli executive Director ngare eschay staff-bee aramas we nge eke aghala bwe ebwe

register nge emmwel schagh essóbw eligible ngare bwal ii eschay NMD mellól Commonwealth Commission nge ebwele atabweey mwóghutul hearing reel tappal registration kkewe, nge ebwe tabweey táilil kka elootiw faal.

Hearings reel Angingiil Registrations:

(a) igha e bwáng sáangi allégh, nge Commissioner ebwe ayooro hearings reel alongal registration kka re Yellowknife ngare e bwá aramas we e pomwoli bwe ebwe register nge qualify reel aitiyal allégh bwe ebwe register faal Commonwealth Constitution. Hearing kkaal nge essóbw luu sáangi 30 ráll sáangi igha aramas we e register e atolongngongooy aal affidafit-il registration. Igha allégh e lighiti bwe hearings kkaal nge ebwe informal. Ebwe quorum Commission ngare rebwe ayooro hearings kkaal. Bwelle igha e informal tappal hearings kkaal nge e fil bwe eschay meleyir membro ebwe tuta llól hearing we ngare e kkepas llól tilifoon. Reel aitiyal allégh, nge ebwe yoor limmal (5) membrool Commission rebwe lo nge ebwe yoor eschay representative sáangi ghal eew me eew senatorial district. Ese bwal fil bwe ebwe yoor arongorongol toulap reel hearings kkaal, nge aramas aramas we re angingi ngáli nge rebwe aronga kkáayil me Alleghú bwe ebwe appasaaló mmeta tipal llól hearing kkaal.

(b) Registrant we re angingi ngáli nge rebwe light ngáli bwe ebwe apasaawow ngare ischiitiw meeta evidence kka e iráátiw meeta ebwe register reel. Registrant we re angingi ngáli nge emmwel schagh rebwe tingóreey bwe ebwe yoor eschay counsel ye ebwe represent-li nge filiyaal schagh me ii ebwe abwóssuw. Iyo aramas ye e tipáli nge emmwel schagh bwe ebwe apsaalong meeta ngare ischiitiw meeta Aaliyah reel meeta aramas we ese mmwelil register reel. Registrant we re angingi ngáli nge emmwel schagh bwe ebwe tuta llól hearing we ngare e fit me emmwel schagh ebwe kkepas llól tilifoon.

(c) Mángemáng reel rebwe asefáaliy registrant we reel aal wel nge ebwe yoor $\frac{3}{4}$ mereer membro bwe rebwe lo reel hearing, rebwal toolong ikkiiwe re kkepaslong llól tilifoon. Reel bwal akkááw mwóghutughut igha ese ghówtá $\frac{3}{4}$ membrool Commission relo igha re botááli bwe ese fil bwe aramas we ebwe register, nge rebwe isáli bwe aramas we nge e qualify bwe ebwe register. Esóor membrool Commission ye ese (tuta ngare kkepaslong llól tilifoon) ye rebwe lighti ngáli bwe ebwe bootááli ngare registrant we emmwelil register ngare saabw. Commission ebwe arongaawow meeta mángemángil nge ebwe ischitiw ngáli registrant we re angingi ngáli me ngáliir toulap nge essóbw luu sáangi eleráll sáangi igha e bwungló hearing we.

(d) Meeta ye mángiyeer schóol Commission nge ilaal amwúтчúл; nge mwóghutughutul judicial review petition mellól Commonwealth Administrative Act [1 CMC § 9101, et. Seq.] nge ebwe bwal lo ngare lemeliyal ngare mángemángil Commission, ngare aar mwóghut.

Bwal Akkááw Autol:

Severability: Ngare eyoor autol allégh kka llól táilil yeel re apsa bwe e invalid sáangi kotti ye eyoor bwángil, nge ghatchúl lussul allégh kka lló chapter yeel nge esóobw tiwól.

Rállil Alléghló: allégh kka llól chapter yeel nge ebwe alléghló ngare aa yoor arongorong meigha e toowow mellól Commonwealth Register.

Allégh kkaal nee e angúúneú sáangi Commonwealth Election Commission wóol. Unniya 9 2011

Isáliiyallong: Frances M. Sablan
Frances M. Sablan
Chairperson, Board of Election

6/9/11
Ráil

Ara mas ye e bwughi: ESTHER S. FLEMING
ESTHER S. FLEMING
Governor's Special Assistant for Administration

06/21/11
Ráil

E File me rekoodliiyal: ESTHER M. SAN NICOLAS
ESTHER M. SAN NICOLAS
Commonwealth Registrar

06.22.11
Ráil

Sáangi bwángil 1 CMC § 2153 (e) (Ebwe angúungú sangi AG reel pomwol fféerúl allégh kkaal bwe ebwe fil me 1 CMC □ 9104 (a)(3) (Ebwe angúungú sáangi Bwulasiyool AG) pomwol fféerúl allégh kka e apasch fengáll me rebwe am wuri fischiiy ngare me angúungú bwe ebwe tabweey ngare e fisch bwe e attbweey allegh sáangi CNMI Attorney General me ebwe arongowow, sáangi bwángil 1 CMC § 2153 (f) reel (atotoowowwul allégh me akkulé kkaal).

E fféer llól ráilil ye June maram ye 22 ,2011

Edward T. Buckingham
EDWARD T. BUCKINGHAM
ATTORNEY GENERAL



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
Chairperson

D. Tanya King
Vice-Chairperson

Galvin S. Deleon Guerrero
Secretary/Treasurer

Members
Herman T. Guerrero
Lucia L. Blanco-Maratita

Non Public School Rep.

Student Representative
Joycelyn Y. Atalig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS WHICH ARE AMENDMENTS TO RULES AND REGULATIONS REGARDING CNMI PUBLIC SCHOOL SYSTEM RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System (“PSS”) finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board’s authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed amendment is set forth to provide procedural guidelines for Interim Assignment.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for Interim Assignments.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

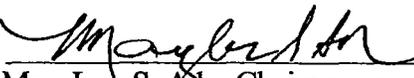
State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

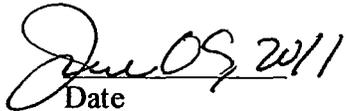
“Students First”
www.cnmipss.org

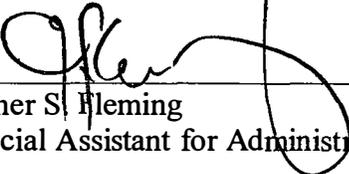
Commissioner of Education
Telephone: (670) 237-3001 / 3061 / 3075
Fax: (670) 664-3798

TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

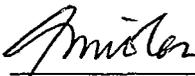
This regulation was approved at the State Board of Education Meeting on Saipan on March 16, 2011.

Submitted by: 
MaryLou S. Ada, Chairperson
State Board of Education


Date

Received by: 
Esther S. Fleming
Special Assistant for Administration

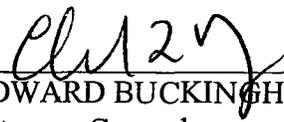
06/27/11
Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register

06.27.11
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 27 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ISKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONEN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA SIGUN GI CNMI SISTEMAN ESKUELAN PUPBLIKU

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Eskuelan Pupbliku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupbliku ("PSS") ha intensiona para u adápta kumo petmanenti na regulasion siha ni mañechettun gi manmapropo ni na Regulasion siha, sigun gi areklamentu siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi hálum dies (10) dihas dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmapropo ni na amendasion siha para i PSS na regulasion manmácho'gui sigun gi aturidát i Kuetpu komu mapribeniyi ginin i Attikulu XV gi Konstitusion CNMI , Lai Pupbliku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I mapropo ni na regulasion mapega mo'na para u pribeniyi maneran giniha siha para i Interim Assignment.

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion mapega mo'na i regulasion yan manera siha ni madimánda para i Interim Assignments.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti I Manmapropo ni na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi Seksiona ni manmapropo ni yan nuebu na ma'adápta na regulasion siha (1 CMC §9102 (a)(1) yan mapega gi halum i kombinenti na lugát siha gi halum ufisinan gubietnamentu gi kada distritun senadot, parehu English yan i dos na linguãhin natibu. (1 CMC §9104(a)(1)

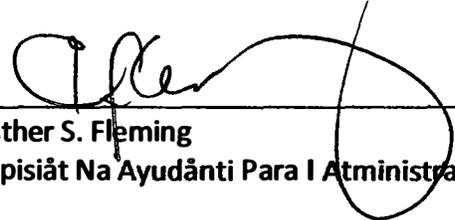
PARA U MAPRIBENIYI OPIÑON SIHA: Todu maninterisão na petsona siña ma'eksamina i manmapropo ni na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusision, pat diklãrasion inaksepta pat kinentran i manmapropo ni na amendasion siha guatu gi Kabiseyu, Kuetpun Idukasion, P.O. Box 501370 C.K., Saipan, MP 96950, ágang 237-3027 pat fax 664-3711 gi halum i trenta (30) dihas

ni tinattitiyi ni fechan publikasion gi halum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a)(2))

Esti na regulasion ma'aprueba gi huntan Kuetpun Idukasion gi islan Saipan gi Mâtsu 16, 2011.

Nina'hålum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion

Jun 27 2011
Fecha

Rinisibi as: 
Esther S. Fleming
Espisiât Na Ayudânti Para I Atministrasion

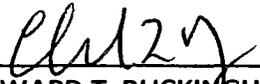
06/27/11
Fecha

Pine'lu yan
Ninota as: 
Esther M. San Nicolas
Rehistran Commonwealth

06-27-11
Fecha

Sigun I 1 CMC §2153(e) (I Abugâdu Henerât ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a)(3) (hentan inaprueban Abugâdu Henerât) I manmaproponi na regulasion siha ni mañechettun guini ni manmarebisa yan manma'aprueba komu fotma yan sufisienti ligât ginin i CNMI Abugâdu Henerât yan debi na u mapublika, 1 CMC §2153(f) (publikasion i areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugâdu Henerât

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) rááilil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghulugh yeel e afataló mwóghutul me alléghir schóól angaang reel National Certification mellól CNMI Public School System.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) rááilil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Seipél wóól Mááilap 16, 2011.

Isaliyallong: Mary Lou S. Ada
Mary Lou S. Ada
Mwiischil Gakko

June 27, 2011
Ráál

Mwir Sáangi: Esther S. Fleming
Esther S. Fleming
Sów alillisil Sów lemelem

06/27/11
Ráál

Ammwel Sáangi: Esther M. San Nicolas
Esther M. San Nicolas
Commonwealth Register

06.27.11
Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischiiy me allégheló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatéeló (1CMC Táilil 2153 (f) akkatéel allégh kkaal).

Ráál ye 27 llól Alimaté 2011

Edward Buckingham
Edward Buckingham
Sów Bwúngúl Allégh Lapalap

Interim Appointment

An Interim Appointment is a designation, in writing, issued by the Commissioner of Education, of a current employee to perform the duties of a vacant key staff position or critical position while recruitment of a fully qualified person to fill such a position is conducted.

The Interim Appointment shall be for a limited period of time, not to exceed one year., Successive Interim Appointments for an additional year may be approved by the Commissioner, as necessary, with concurrence of the Board of Education. The Commissioner of Education must identify key staff positions and critical positions that will be subject to interim appointments.

The employee appointed on an Interim Appointment shall receive compensation effective on the date of the appointment at the rate of the vacant position. Upon successful recruitment of an applicant to fill the position, the employee shall revert back to his/her original position at the same rate of pay as they were receiving when they accepted the initial Interim Appointment.

Proposed Amendment Language for Interim Appointment

Revised February 28, 2011



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
Chairperson

D. TanjaKing
Vice-Chairperson

Gahin S. DeLeon Guerrero
Secretary/Treasurer

Members
Herman T. Guerrero
Lucia L. Blanco-Maratita

Non Public School Rep.

Student Representative
JoyceLynn Y. Atalig, Roia High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS REGARDING CNMI PUBLIC SCHOOL SYSTEM RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System (“PSS”) finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board’s authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed regulation is set forth to provide procedural guidelines for performance evaluations for school teachers within the CNMI Public School System.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for evaluating the performance of school teachers within the CNMI Public School System.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

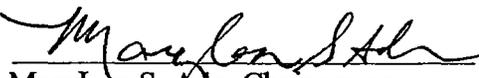
State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

“Students First”
www.cnmipss.org

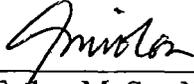
Commissioner of Education
Telephone: (670) 237-3001 / 3061 / 3075
Fax: (670) 664-3798

TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

This regulation was approved at the State Board of Education Meeting on Tinian on May 19, 2011.

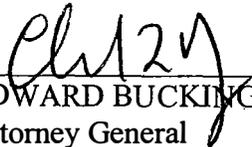
Submitted by:  June 09, 2011
MaryLou S. Ada, Chairperson
State Board of Education
Date

Received by:  6/27/11
Esther S. Fleming
Special Assistant for Administration
Date

Filed and Recorded by:  06.27.11
Esther M. San Nicolas
Commonwealth Register
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 27 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ISKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA SIGUN I AREKLAMENTU YAN REGULASION SIHA GI SISTEMAN ESKUELAN PUPBLIKU CNMI.

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas Sistemán Eskuelan Pùbliku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Siha, Sistemán Eskuelan Pùbliku ("PSS") ha intensiona para u adápta komu petmanenti na regulasion siha ni mañechettun gi manmaproponi na Regulasion siha, sigun gi areklamentu siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi halum dies (10) dihas dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmaproponi na amendasion siha para i PSS na regulasion manmacho'gui sigun gi aturidát i Kuetpu komu mapribeniyi ginin i Attikulu XV gi Konstitusion CNMI , Lai Pùbliku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I maproponi na amendasion mapega mo'na para u mapribeniyi maneran giniha siha para i ebaluan fina'cho'chu' para i manma'estru/an eskuela siha gi halum i CNMI Sistemán Eskuelan Pùbliku..

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion mapega mo'na i regulasion yan i manera siha ni madimánda para i ebaluasion fina'cho'chu' gi manma'estru/an eskuela gi hálum i CNMI Sistemán Eskuelan Pùbliku.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi Seksiona ni manmaproponi yan nuebu na ma'adápta na regulasion siha (1 CMC §9102 (a)(1) yan mapega gi hálum i kumbenienti na lugát siha gi halum ufisinan gubietnamentu gi kada distriton senadot, parehu English yan i dos na lingguãhin natibu. (1 CMC §9104(a)(1)

PARA U MAPRIBENIYI OPIÑON SIHA: Todu maninterisão na petsona siña ma'eksamina i manmaproponi na amendasion siha yan u mana'hálum itinigi' imfetmasion, pusision, pat deklarasion inaksepta pat kinentran i manmaproponi na amendasion siha guatu gi Kabiseyu, Kuetpon Edukasion,

P.O. Box 501370 C.K., Saipan, MP 96950, ågang 237-3027 pat fax 664-3711 gi halum I trenta (30) dihas ni tinattitiyi ni fechan publikasion gi hãlum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))

Esti na regulasion ma'aprueba ni huntan Kuetpun Idukasion gi islan Tinian gi Måyu 19, 2011.

Nina'hãlum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion

June 24, 2011
Fecha

Rinisibi as: 
Esther S. Fleming
Espisiãt Na Ayudãnti Para I Atministrasion

6/27/11
Fecha

Ninota yan
Rinikot as: 
Esther M. San Nicolas
Rehistran Commonwealth

06.27.11
Fecha

Sigun I 1 CMC §2153(e) (I Abugãdu Henerãt ha aprueba I regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a)(3) (hentan inaprueban Abugãdu Henerãt) I manmaproponi na regulasion siha ni mañechettun guini ni manmarebisa yan manma'aprueba komu fotma yan sufisienti ligãt ginin I CNMI Abugãdu Henerãt yan debi na u mapublika, 1 CMC §2153(f)(publikasion I areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugãdu Henerãt

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) ráálil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghulugh yeel a schuu ló mwáál llól mwóghutughut reel ebwe evaluate li yaar bwarigh schóól angaang llól CNMI Public School System.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwash me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) ráálil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Tchiliyól wóól Ghúúw 19, 2011.

Isaliyallong: Mary Lou S. Ada
Mary Lou S. Ada

Mwiischil Gakko

June 24, 2011
Ráál

Mwir Sáangi: Esther S. Fleming
Esther S. Fleming

Sów alillisil Sów lemelem

06/27/11
Ráál

Ammwel Sáangi: Esther M. San Nicolas
Esther M. San Nicolas

Commonwealth Register

06.27.11
Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischiiy me allégheló mereel AG Sów Bwúngúl Allégh apalap me ebwe akkatéeló (1CMC Táilil 2153 (f) akkatéel allégh kkaal).

Ráál ye 27 llól Alimaté 2011

Edward Buckingham
Edward Buckingham

Sów Bwúngúl Allégh apalap

Proposed BOE Policy on Performance Evaluation System for Teachers

Proposed Policy on CNMI Public School System's Performance Evaluation Rubric and Process for Teacher Evaluation

Purpose:

To assess classroom teachers in relation to the CNMI Public School System "professional teaching standards" and to design a plan for professional growth. The Performance Evaluation shall be conducted on a yearly basis, on the respective classroom teacher's anniversary date.

The principal or designee will conduct the evaluation process in which the teacher will actively participate through the use of self-study assessment, reflection, presentation of artifacts, and classroom demonstration

Process: The CNMI Public School System Classroom Teacher Evaluation process shall include the following steps:

1. Training – before participating in the evaluation process, all teachers, principals, designated evaluators, and a peer evaluation must complete training on the evaluation process
2. Orientation – within 3 weeks of a teacher's first day of work in any school year, the principal will provide the classroom teacher with a copy of or directions for obtaining access to a copy of
 - a. The Rubric for Evaluating CNMI Public School System Classroom teachers;
 - b. This policy; and
 - c. A schedule for completing all the components of the evaluation process
 - i. Copies may be provided by electronic means
3. Teacher Self-Assessment using the rubric for evaluating CNMI PSS teachers, he or she shall rate his or her performance at the beginning of the year and reflect on his or her performance throughout the year
4. Pre-Observation Conference
 - a. The first observation shall be a formal, announced observation; before the first observation, the principal shall meet with the teacher to discuss the teacher's self-assessment based on the Rubric for Evaluating CNMI PSS Teachers; the teacher's most recent professional growth plan, and the classroom demonstration observed. The teacher will provide the principal with a written description of the lesson (s). The goal of this conference is to prepare the principal for the observation. Pre-observation conferences are not required for subsequent observations.
5. Observations
 - a. A formal observation shall last at least an entire class period
 - b. New teachers (0-4 years) – 3 formal observations and one peer to peer
 - c. Seasoned teachers (5 and up) – an evaluation cycle for this group of teachers must be developed to include one formal observation annually. May adjust the schedule for the summative evaluation of a seasoned teacher whenever it is deemed necessary; at least 2 observations during the employment contract of the teacher

6. Post Observation Conference – the principal shall conduct a post conference no later than ten days after the observation. During the post observation conference, the teacher and principal shall discuss the document on the Rubric, the strengths and weaknesses of the teacher’s performance during the observed lesson
7. Summary Evaluation Conference and Scoring the Teacher Summary Rating Form – prior to the end of the school year and in accordance with the timelines; the principal shall conduct a summary evaluation conference with the teacher. During the summary evaluation conference, the principal and teacher shall discuss the teacher’s self-assessment, the teachers’ most recent Professional Growth Plan, the components of the CNMI PSS Teacher Evaluation Process completed during the year, classroom observations, artifacts submitted or collected during the evaluation process and other evidence of the teacher’s performance on the Rubric

At the conclusion of the CNMI PSS Teacher Evaluation Process, the principal shall

- Give a rating for each Element in the Rubrics
- Make a written comment on any Element marked “non demonstrated”
- Give an overall rating of each Standard in the Rubric
- Provide the teacher with the opportunity to add comments to the Teacher Summary Rating Form
- Review the completed Teacher Summary Rating Form with the teacher; and
- Secure the teacher’s signature on the Record of Teacher Evaluation Activities and Teacher Summary Rating Form
- Submit the completed evaluation form to Human Resource Office.
- The completed Teacher Evaluation Rating forms and justification for renewal are to be attached to employment contract renewals for all teachers.

Individual Growth Plans:

Teachers who are rated “Proficient” on all the Standards on the Teacher Summary Rating Form shall develop an Individual Growth Plan designed to improve performance on specifically identified standards and elements with the goal of achieving a “Distinguished” rating on all standards.

Monitored Growth Plans

A teacher shall be placed on a Monitored Growth Plan whenever he or she:

1. Is rated “Developing” on one or more Standards on the Teacher Summary Rating Form and he or she;
2. Is not recommended for dismissal or nonrenewal

A monitored growth plan shall, at a minimum identify the standards and elements to be improved, the goals to be accomplished and the activities the teacher should undertake to achieve proficiency, and a timeline which allows the teacher one school year to achieve proficiency. A monitored Growth plans that meets those criteria shall be deemed to satisfy the requirements of the Teacher Evaluation System

Directed Growth Plans

A teacher shall be placed on a Directed Growth Plan whenever he or she:

1. Is rated
 - a. “not demonstrated” on any standard on the teacher summary rating form; or
 - b. “developing” on one of more standards on the teacher summary rating form for two consecutive years; and
 - c. Is not recommended for dismissal or non-renewal
2. The directed growth plan, shall at a minimum, identify the standards and elements to be improved, the goals to be accomplished, the activities that teacher shall complete to achieve proficiency, a timeline for achieving proficiency within one school year. A Directed Growth Plan that meets those criteria shall be deemed to satisfy the requirements of the Teacher Evaluation System

Effective Dates

Effective School Year 2010-2011, the PSS shall provide orientation, training seminars and established a teacher/administrator focus group to identify artifacts and a list of evidence to be used with the Teacher Evaluation System

Effective School Year 2011-2012, all teachers in the CNMI Public School System will be evaluated using the PSS Teacher Evaluation System and this policy



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
Chairperson

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Non Public School Rep.

Student Representative
Joycelynn Y. Alalig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS
WHICH ARE AMENDMENTS TO THE RULES AND REGULATIONS
REGARDING CNMI PUBLIC SCHOOL SYSTEM
RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System ("PSS") finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board's authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed regulation is set forth to provide procedural guidelines for performance evaluations for school administrators within the CNMI Public School System.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for evaluating the performance of school administrators within the CNMI Public School System.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

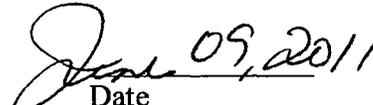
"Students First"
www.cnmipss.org

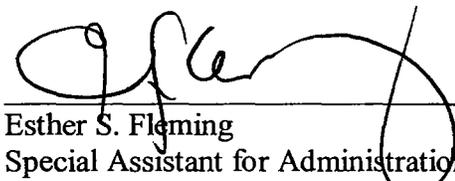
Commissioner of Education
Telephone: (670) 237-3001/3061/3075
Fax: (670) 664-3798

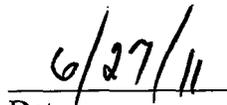
TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

This regulation was approved at the State Board of Education Meeting on Tinian on May 19, 2011.

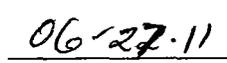
Submitted by: 
MaryLou S. Ada, Chairperson
State Board of Education


Date

Received by: 
Esther S. Fleming
Special Assistant for Administration


Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register


Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 27 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ISKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA SIGUN GI SISTEMAN ESKUELAN PUPBLIKU CNMI

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Marianas Sistemán Eskuelan Pupblíku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA I MAN MAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariánas Siha, Sistemán Eskuelan Pupblíku ("PSS") ha intensiona para u adápta komu petmanenti na regulasion siha ni mañechettun gi manmapropóni na Regulasion, sigun gi areklamentu siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi halum dies (10) diha siha dispues di adaptasion yan pupblíkasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmapropóni na amendasion para i PSS na regulasion siha macho'gui sigun gi aturidát i Kuetpu komu mapribeniya ginin i Attikulu XV gi Konstitusion CNMI, Lai Pupblíku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I manmapropóni na regulasion mapega mo'na para u pribeniya maneran giniha siha para i performance evaluations para i atministradot eskuela siha gi halum i CNMI Sistemán Eskuelan Pupblíku.

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion mapega mo'na para i regulasion yan manera siha ni madimánda para atministradot eskuela siha gi halum i CNMI Sistemán Eskuelan Pupblíku.

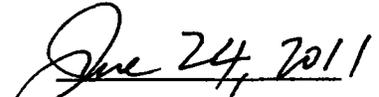
DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmapropóni na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi Seksiona ni manmapropóni yan nuebu na ma'adápta na regulasion siha (1 CMC §9102 (a))(1) yan mapega gi hálum i kumbenienti na lugát siha gi halum ufisinan gubietnamentu gi kada distritun senadot, parehu English yan i dos na lingguáhin natibu. (1 CMC §9104(a) (1))

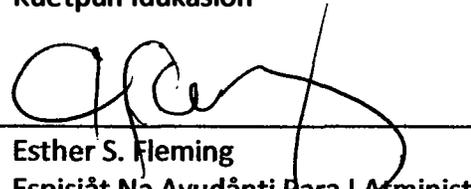
PARA U MAPRIBENIYA OPIÑON SIHA: Todu maninterisáon na petsona siña ma'eksamina i manmapropóni na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusision, pat diklaron

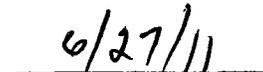
inaksepta pat kinentran i manmaproponi na amendasion siha guatu gi Kabiseyu, Kuetpun Idukasion, P.O. Box 501370 C.K., Saipan, MP 96950, âgang 237-3027 pat fax 664-3711 gi halum i trenta (30) dihas ni tinattitiyi ni fechan publikasion gi halum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))

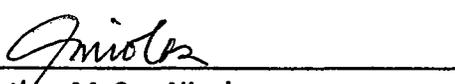
Esti na regulasion ma'apueba gi huntan Kuetpun Idukasion gi islan Saipan gi Mâyü 19, 2011.

Nina'hålum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion


Fecha

Rinisibi as: 
Esther S. Fleming
Espisiât Na Ayudânti Para I Administrasion


Fecha

Pine'lu yan
Ninota as: 
Esther M. San Nicolas
Rehistran Commonwealth


Fecha

Sigun I 1 CMC §2153(e) (I Abugâdu Henerât ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a)(3) (hentan inaprueban Abugâdu Henerât) I manmaproponi na regulasion siha ni mañechettun guini ni manmarebisa yan manma'apueba komu fotma yan sufisienti ligât ginin I CNMI Abugâdu Henerât yan debi na u mapublika, 1 CMC §2153(f) (publikasion I areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugâdu Henerât

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) rááilil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghúlúgh yeel a faat llól mwóghutughut me abwungubwung reel Interim Assignments.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) rááilil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Tchiliyól wóól Ghúúw 19, 2011.

Isaliyallong: Mary Lou S. Ada
Mary Lou S. Ada

June 24, 2011
Ráál

Mwiischil Gakko

Mwir Sáangi: Esther S. Fleming
Esther S. Fleming

6/27/11
Ráál

Sów allillisil Sów lemelem

Ammwel Sáangi: Esther M. San Nicolas
Esther M. San Nicolas

06-27-11
Ráál

Commonwealth Register

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischiiy me allégheló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatééló (1CMC Táilil 2153 (f) akkatéél allégh kkaal).

Ráál ye _____ llól Alimaté 2011

Edward Buckingham

Sów Bwúngúl Allégh Lapalap

Proposed BOE Policy on Performance Evaluation System for School Administrators
(Principals and Vice Principals)

*Proposed Policy on CNMI Public School System's Performance Evaluation Rubric and Process
for School Administrators Evaluation*

Purpose:

To assess school administrators in relation to the CNMI Public School System "professional teaching standards and school administrator leadership standards" and to design a plan for professional growth. The Performance Evaluation shall be conducted on a yearly basis, on the respective School Administrator's anniversary date.

The Commissioner of Education or designee will conduct the performance evaluation process in which the principal will actively participate through the use of self-study assessment, reflection, presentation of artifacts, and supervisory and administrative performance requirements.

Process: The CNMI Public School System School Administrator Leadership process shall include the following steps:

1. Training – before participating in the evaluation process, all principals and peer evaluators must complete training on the evaluation process
2. Orientation – within 6 weeks of the principal's first day of work in any school year, the Commissioner of Education or designee will provide the school administrator with a copy of or directions for obtaining access to a copy of
 - a. The Rubric for Evaluating CNMI Public School System Classroom school administrators;
 - b. This policy; and
 - c. A schedule for completing all the components of the evaluation process
 - i. Copies may be provided by electronic means
3. School Administrator Self-Assessment – using the rubric for evaluating CNMI PSS school administrators, the respective Administrator shall rate his or her own performance at the beginning of the year and reflect on his or her performance throughout the year
4. Pre-Observation Conference
 - a. The first observation shall be a formal and announced observation; before the first observation, the Commissioner shall meet with the principal to discuss the principal's self assessment based on the Rubric for Evaluating CNMI PSS School Administrators; the school principals' most recent professional growth plan, and the supervisory and administrative performance observed. The school principal will provide the Commissioner of Education with a written description of the supervisory and administrative performance activities. The goal of this conference is to prepare the COE for the observation. Pre-observation conferences are not required for subsequent observations.

5. Observations
 - a. A formal observation shall last at least 2 hours
 - b. New school administrators (0-4) – 3 formal observations and one peer to peer observation to be performed annually
 - c. Seasoned school administrators (5 and up) – an evaluation cycle for this group of school administrators. The schedule may be adjusted for the summative evaluation of a seasoned school administration whenever it is deemed necessary; at least 3 observations are required during 2 year employment contract.
6. Post Observation Conference –The post conference with the principal shall be conducted no later than ten days after the observation. During the post observation conference, the principal and the COE shall discuss the document on the Rubric, the strengths and weaknesses of the principal’s performance during the observed principal performance
7. Summary Evaluation Conference and Scoring the Principal Summary Rating Form – prior to the end of the school year and in accordance with the timelines, the Commissioner shall conduct a summary evaluation conference with the principal. During the summary evaluation conference, the Commissioner and the principal shall discuss the principal’s self-assessment, the principal’s most recent Professional Growth Plan, the components of the CNMI PSS School Principal’s Evaluation Process completed during the year, supervisory and administrative activities observations, artifacts submitted or collected during the evaluation process and other evidence of the principal’s performance on the Rubric

At the conclusion of the CNMI PSS School Administrator’s Performance Evaluation Process, the Commissioner shall:

- Give a rating for each Element in the Rubrics
- Make a written comment on any Element marked “non demonstrated”
- Give an overall rating of each Standard in the Rubric
- Provide the Administrator with the opportunity to add comments to the Summary Rating Form
- Review the completed Administrator’s Summary Rating Form with the Administrator; and
- Secure the Administrator’s signature on the Record of School Administrator’s Evaluation Activities and Administrator’s Summary Rating Form
- Discuss and set new goals for the Administrator next review cycle.
- Submit the completed evaluation form to Human Resource Office.
- The completed School Administrator Evaluation Rating forms and justification for renewal are to be attached to employment contract renewals for all teachers.

Individual Growth Plans:

School Administrators who are rated “Proficient” on all the Standards on the School Administrator Summary Rating Form shall develop an Individual Growth Plan designed to improve performance on specifically identified standards and elements with the goal of achieving a “Distinguished” rating on all standards.

Monitored Growth Plans

A school administrator shall be placed on a Monitored Growth Plan whenever he or she:

1. Is rated “Developing” on one or more Standards on the School Administrator Summary Rating Form and he or she;
2. Is not recommended for dismissal or nonrenewal

A monitored growth plan shall, at a minimum identify the standards and elements to be improved, the goals to be accomplished and the activities the school administrator should undertake to achieve proficiency, and a timeline which allows the school administrator one school year to achieve proficiency. A monitored Growth plans that meets those criteria shall be deemed to satisfy the requirements of the School Administrator Evaluation System

Directed Growth Plans

A school administrator shall be placed on a Directed Growth Plan whenever he or she:

1. Is rated
 - a. “not demonstrated” on any standard on the School Administrator Summary Rating form; or
 - b. “developing” on one of more standards on the School Administrator Summary Rating form for two consecutive years; and
 - c. Is not recommended for dismissal or non-renewal
2. The directed growth plan, shall at a minimum, identify the standards and elements to be improved, the goals to be accomplished, the activities that school administrator shall complete to achieve proficiency, a timeline for achieving proficiency within one school year. A Directed Growth Plan that meets those criteria shall be deemed to satisfy the requirements of the School Administrator Evaluation System

Effective Dates

Effective School Year 2010-2011, the PSS shall provide orientation, training seminars and established a teacher/administrator focus group to identify artifacts and a list of evidence to be used with the School Administrator Evaluation System

Effective School Year 2011-2012, all school administrators in the CNMI Public School System will be evaluated using the PSS School Administrator Evaluation System and this policy



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950



MaryLou S. Ada
Chairperson

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Non Public School Rep.

Student Representative
Joyce Lynn Y. Atallig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS REGARDING CNMI PUBLIC SCHOOL SYSTEM RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System (“PSS”) finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board’s authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed rules and regulations is set forth to provide procedural guidelines for communicable disease within the CNMI Public Schools for grades K through 12.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for students with head lice within the CNMI Public Schools grades K through 12.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

“Students First”
www.cnmipss.org

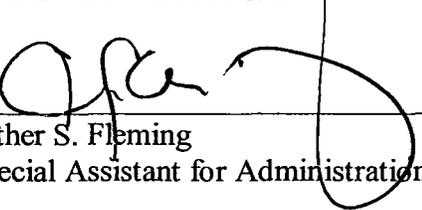
Commissioner of Education
Telephone: (670) 237-3001/ 3061/ 3075
Fax: (670) 664-3798

TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

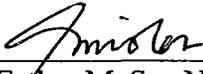
This regulation was approved at the State Board of Education Meeting on Saipan on March 16, 2011.

Submitted by: 
MaryLou S. Ada, Chairperson
State Board of Education

June 09, 2011
Date

Received by: 
Esther S. Fleming
Special Assistant for Administration

6/27/11
Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register

06.27.11
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 27 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ISKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA SIGUN I AREKLAMENTU YAN REGULASION SIHA GI SISTEMAN ESKUELAN PUPBLIKU CNMI

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Iskuelan Pupblíku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupblíku ("PSS") ha intensiona para u adápta kumo petmanenti na regulasion siha ni mañechettun gi manmaproponi na Regulasion siha, sigun gi areklu siha gi Ákton Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u efektibu gi hálum dies (10) diha siha despues di adaptasion yan publikasion gi halum I Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmaproponi na amendasion siha para i PSS na regulasion manmácho'gui sigun gi aturidát i Kuetpu kumo mapribeniyi ginin i Attikulu XV gi Konstitusion CNMI, Lai Pupblíku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I maproponi na areklamentu yan regulasion siha mapega mo'na para u mapribeniyi maneran giniha siha para i mantatmi na chetnut gi halum i CNMI na Sistemán Eskuelan Pupblíku siha para i grádu K asta i grádu 12.

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion mapega mo'na i regulasion yan manera siha ni dinimánda para i estudiánti ni manggai hutu siha yan gi halum i CNMI na Sistemán Eskuelan Pupblíku siha grádu K asta i grádu 12.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi Seksiona ni manmaproponi yan nuebu na ma'adápta na regulasion siha (1 CMC § 9102 (a) (1) yan mapega gi halum i kumbenienti na lugát siha gi halum ufisinan gubietnamentu gi kada distritun senedot, parehu English yan i dos na lengguáhen natibu. (1 CMC §9104(a) (1)

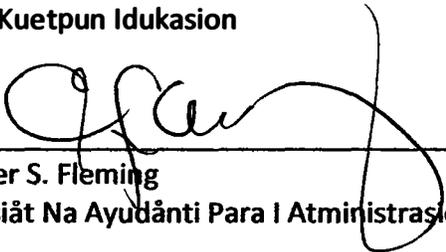
PARA U MAPRIBENIYI OPIÑON SIHA: Todu maninterisáo na petsona siña ma'eksamina i manmaproponi na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusision, pat diklárasion inaksepta pat kinentran i manmaproponi na amendasion siha guatu gi Kabiseyu, Kuetpun Idukasion,

P.O. Box 501370 C.K., Saipan, MP 96950, ågang 237-3027 pat fax 664-3711 gi halum i trenta (30) dihas ni tinattitiyi ni fechan publikasion gi halum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a)(2))

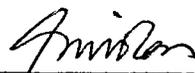
Esti na regulasion ma'aprueba gi huntan Kuetpun Idukasion gi islan Saipan gi Måtsu 16, 2011.

Nina'hålum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion

June 27, 2011
Fecha

Rinisibi as: 
Esther S. Fleming
Espisiåt Na Ayudånti Para I Atministrasion

6/27/11
Fecha

Ninota yan Rinikot as: 
Esther M. San Nicolas
Rehistran Commonwealth

06.27.11
Fecha

Sigun i 1 CMC §2153(e) (I Abugådu Heneråt ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a)(3) (hentan inaprueban Abugådu Heneråt) I manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligåt ginin i CNMI Abugådu Heneråt yan debi na u mapublikå, 1 CMC §2153(f)(publikasion i areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugådu Heneråt

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkaamall llól seigh (10) rááilil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghúlúgh yeel a faat bwe mwóghútúghút me allégh reer oligháát kka eyoor ghúúweer llól CNMI Public School System.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) rááilil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Seipél wóól Mááilap 16, 2011.

Isaliyallong: Mary Lou S. Ada
Mary Lou S. Ada
Mwiischil Gakko

June 27, 2011
Ráál

Mwir Sáangi: Esther S. Fleming
Esther S. Fleming
Sów alillisil Sów Iemelem

06/27/11
Ráál

Ammwel Sáangi: Esther M. San Nicolas
Esther M. San Nicolas
Commonwealth Register

06.27.11
Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischiiy me allégheló mereel AG Sów Bwúngúl Allégh apalap me ebwe akkatéeló (1CMC Táilil 2153 (f) akkatéel allégh kkaal).

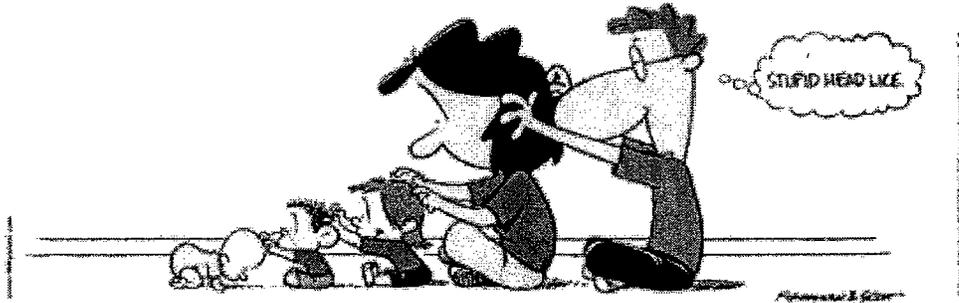
Ráál ye 27 Ilól Alimaté 2011

Edward Buckingham
Edward Buckingham
Sów Bwungul Allégh Lapalap

[2010]

Safe & Orderly Schools

Committee
Recommendation



[HEAD LICE POLICY]

Head Lice

To ensure that the CNMI *Public School System* children are provided with a healthy and clean environment, *PSS* classrooms shall be kept lice-free. Support and education shall be given to all families to help prevent spreading of lice. No person, adult or child shall attend school with lice or nits.

No person (adult or child) shall attend classes if that person has head lice or nits.

- (a) Clearance for admission into the classroom must be issued by the school administrator after the student's hair is physically checked by the designated school personnel or the school administrator.
 - (b) Accumulated absences after two days "release-time" from school shall be counted as unexcused absences. Parents/Guardians are encouraged to address the head lice problem immediately upon notification from the school.
 - (c) Excessive or continuous referrals for head lice may result in further action as a safeguard and protection for the child's health and welfare.
- (a) **Head Lice Checks:**
1. Trained staff shall check all students at enrollment to ensure that they begin classes lice-free.
 2. All Students shall be checked at a minimum monthly or as need arises.
 3. When any students attending *PSS* is found to have head lice, students within close proximity with the affected student must be checked for lice to minimized spreading.
- (b) **Exclusion from Class:**
1. Students or adults with lice or nits shall not be allowed to attend class.
 2. Staff and volunteers shall handle cases of head lice with respect and care so as not to embarrass anyone. Students should not be belittled for having lice or nits.
 3. Upon discovery of lice/nits on a student, the teacher or designated person shall contact the parent(s)/guardian(s) to pick the child up from the school. The child should avoid physical contact with other students while waiting to be picked up from school by his or her parent(s)/guardian(s).
 4. Parent(s)/guardian(s) shall be offered guidance and/or recommendations for obtaining lice treatment and instructions on treatment and cleaning of their home environment.
 5. Parent(s)/guardian(s) need to bring the student to the school main office for clearance before reporting back to class.
 6. Students shall be allowed to resume classes when found to be nit/lice-free. A clearance notification from the school main office shall allow a student to resume classes.

(c) Head Lice Treatment and Prevention

All parents/guardians shall be provided the following information:

1. How to tell their child about what they have (head lice), why they need to be treated before going back to class (other children can get the lice), and why they need to get rid of the lice (they bite and causes a disruption to self).
2. Use shampoo for head lice, following instructions and cautions on the package.
3. Use the lice comb to completely remove all lice and nits.
4. Wash all linens, clothing, and hair accessories of the infected individual. Do not share towels or beds.
5. Items that cannot be washed, such as toys and stuffed animals, should be put in a sealed plastic bag for 14 days.
6. Vacuum all carpets, upholstery and mattresses thoroughly.
7. Clean combs and brushes in hot water.
8. Repeat shampoo on non-affected family members. The Shampoo does not prevent lice infestation and is an insecticide and should only be used when needed.
9. Animals do not carry head lice and do not need treatment.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
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D. Tanya King
Vice-Chairperson

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Lucia L. Blanco-Maralita

Non Public School Rep.

Student Representative
Joyrelynn Y. Atalig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS WHICH ARE AMENDMENT TO RULES AND REGULATIONS REGARDING CNMI PUBLIC SCHOOL SYSTEM RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System (“PSS”) finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board’s authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed regulation is set forth to provide procedural guidelines for anti-bullying in the CNMI Public School System.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for addressing student bullying within the CNMI Public School System.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

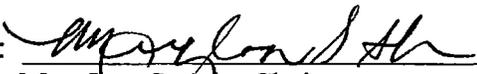
State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

“Students First”
www.cnmipss.org

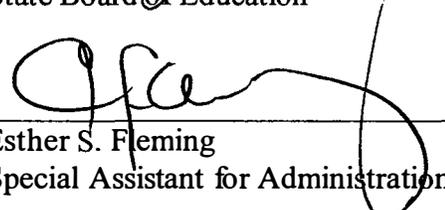
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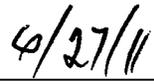
TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

This regulation was approved at the State Board of Education Meeting on Tinian on May 19, 2011.

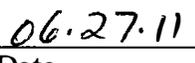
Submitted by: 
MaryLou S. Aqa, Chairperson
State Board of Education


Date

Received by: 
Esther S. Fleming
Special Assistant for Administration

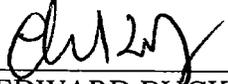

Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register


Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 27 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ESKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA SIGUN I AREKLAMENTU YAN REGULASION SIHA GI SISTEMAN ESKUELAN PUPBLIKU CNMI

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Eskuelan Pupblíku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupblíku ("PSS") ha intensiona para u adápta komu petmanenti na regulasion siha ni mañechettun gi manmaproponi na Regulasion siha, sigun gi manera siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi hálum dies (10) dihas siha dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmaproponi na amendasion siha para i regulasion manmácho'gui sigun gi aturidát i Kuetpu kumo mapribeniya ginin i Attikulu XV gi Konstitusion CNMI , Lai Pupblíku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I maproponi na amendasion mapega mo'na para u mapribeniya giniha siha para i anti-bullying gi halum i CNMI Sistemán Iskuelan Pupblíku.

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion ha pega mo'na siha i regulasion yan procedures ni madimánda para u ma'-address i student bullying gi halum i CNMI Sistemán Iskuelan Pupblíku.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi Seksiona ni manmaproponi yan nuebu na ma'adápta na regulasion siha (1 CMC § 9102 (a)(1) yan mapega gi hálum i kumbenienti na lugát siha gi hálum ufisinan gobietnamentu gi kada distritun senadot, parehu English yan i dos na lingguáhin natibu. (1 CMC §9104(a)(1)

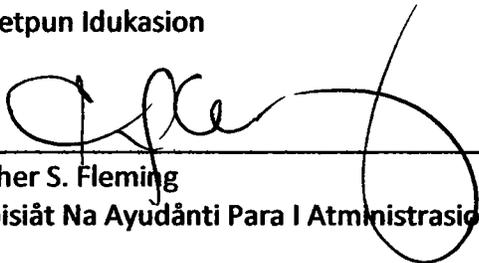
PARA U MAPRIBENIYA UPIÑON SIHA: Todu maninterisáo na petsona siña ma'eksamina i manmaproponi na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusision, pat diklarasion inaksepta pat kinentran i manmaproponi na amendasion siha guatu gi Kabiseyu, Kuetpun Idukasion,

P.O. Box 501370 C.K., Saipan, MP 96950, ågang i 670-237-3027 pat fax gi 670-664-3711 gi halum i trenta (30) dihas siha ni tinattitiyi ni fechan publikasion gi hálum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))

Esti na regulasion ma'aprueba gi huntan Kuetpun Idukasion gi islan Tinian gi Måyu 19, 2011.

Nina'hálum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion

Jun 24, 2011
Fecha

Rinisibi as: 
Esther S. Fleming
Espisiåt Na Ayudãnti Para I Atministrasion

06/27/11
Fecha

Ninota yan Rinikot as: 
Esther M. San Nicolas
Rehistran Commonwealth

06.27.11
Fecha

Sigun I 1 CMC §2153(e) (I Abugãdu Heneråt ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a) (3) (hentan inaprueban Abugãdu Heneråt) I manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligåt ginin i CNMI Abugãdu Heneråt yan debi na u mapupblika, 1 CMC §2153(f)(publikasion I areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugãdu Heneråt

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) ráálil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghúlúgh yeel aa schuu allégh me mwóghutughut kka ebwe awelaar olighát kka reghil ilumaaw mellól CNMI Public School System.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) ráálil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Tchiliyól wóól Ghúúw 19, 2011.

Isaliyallong: Mary Lou S. Ada

Mary Lou S. Ada

Mwiischil Gakko

June 24, 2011

Ráál

Mwir Sáangi: Esther S. Fleming

Esther S. Fleming

Sów alillisil Sów Iemelem

6/27/11

Ráál

Ammwel Sáangi: Esther M. San Nicolas

Esther M. San Nicolas

Commonwealth Register

06.27.11

Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischi me allégheló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatéeló (1CMC Táilil 2153 (f) akkatéel allégh kkaal).

Ráál ye 27 Iíol Alimaté 2011

Edward Buckingham

Edward Buckingham

Sów Bwungul Allégh Lapalap

Bullying

(a) It is the policy of the CNMI State Board of Education to prohibit bullying, harassment, or intimidation of any person on school property or at school-sponsored functions or by the use of electronic technology at a public school. It is the policy of the CNMI State Board of Education to prohibit reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation

(b) Definitions

(1) As used in this regulation, "bullying, harassment, or intimidation" means intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

- i. Motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability;
- ii. Threatening or seriously intimidating;
- iii. Occurs in a school setting and/or with school property; and
- iv. Substantially disrupts the orderly operation of a school.

(2) Examples of Bullying may include but is not limited to:

- i. Physical: hitting, kicking, pushing, shoving, getting another person to hurt someone;
- ii. Verbal: racial slurs, name-calling, teasing, taunting, verbal sexual harassment, gossiping, spreading rumor; or
- iii. Non-Verbal: Threatening, obscene gestures, isolation, exclusion, stalking, cyber-bullying (bullying that occurs by means of electronic communication)

(3) "Electronic communication" means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

(4) "School Setting" means in the school, on school grounds, in school vehicles, at a designated school bus stop or at any activity sponsored, supervised or sanctioned by the school.

(5) "School property" means the school computer or telephone and encompasses the use of electronic technology at a public school.

(c) Complaints

(1) Any student who believes that he or she is a victim of bullying should report the matter immediately to the building principal. If the student feels more comfortable speaking to someone other than the building principal, the student may inform any teacher, counselor or the

PSS EEO Officer. If the situation is not satisfactorily resolved by the building principal, the student or parent should contact the PSS EEO Officer.

(2) There will be no retaliation against, or adverse treatment of any student who uses this procedure to resolve a concern when such complaint has been brought in the good faith belief that the complainant has been subjected to bullying.

(4) The responsible administrator shall follow up regularly with the complaining student to ensure that the bullying has stopped and that no retaliation has occurred.

(d) Discipline/Consequences

(1) Any student who engages in bullying while on school property or while participating in school activities will be subject to disciplinary action, up to and including expulsion.

(2) Any employee who permits or engages in the bullying of students will be subject to disciplinary action, up to and including dismissal.

(3) Any employee who receives a complaint of bullying from a student and who does not act promptly to forward that complaint to the principal and PSS EEO Officer shall be disciplined appropriately.

(4) Any student who brings a false charge of bullying shall receive appropriate discipline. The term "false charge" means charges brought in bad faith, that is, without the good faith belief that one has been subjected to bullying. The term "false charge" does not include a charge that was brought in good faith but which the PSS was unable to substantiate.

(e) The PSS EEO Officer will be available to answer all questions regarding this regulation or its implementation.

(f) Enforcement

Each building administrator is responsible for maintaining an educational and work environment free from bullying. Principals shall take appropriate action to ensure that the students are aware of and knowledgeable about these policies and that discipline action is taken whenever warranted. In accordance with their responsibilities, each building administrator, or his/her designee, shall take appropriate actions to enforce the PSS's bullying policy.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
Chairperson

D. Tanya King
Vice-Chairperson

Gabrin S. Deleon Guerrero
Secretary/Treasurer

Members

Herman T. Guerrero
Lucia L. Blanco-Maratita

Non Public School Rep.

Student Representative
Joyce Lynn Y. Atalig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnmipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS
WHICH ARE AMENDMENTS TO RULES AND REGULATIONS
REGARDING CNMI PUBLIC SCHOOL SYSTEM
RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System ("PSS") finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board's authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed amendment set forth to provide procedural guidelines for reporting of child abuse.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for Reporting Student Abuse and Regulation 60-20-910 sets forth the regulations and procedures required for Mandatory Reporting of Child Abuse.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

"Students First"
www.cnmipss.org

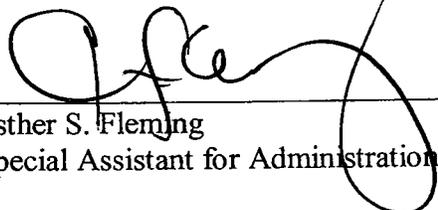
Commissioner of Education
Telephone: (670) 237-3001, 3061, 3075
Fax: (670) 664-3798

TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

This regulation was approved at the State Board of Education Meeting on Saipan on March 16, 2011.

Submitted by: 
MaryLou S. Ada, Chairperson
State Board of Education

June 09, 2011
Date

Received by: 
Esther S. Fleming
Special Assistant for Administration

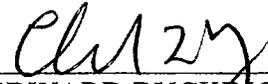
6/27/11
Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register

06-22-11
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 13 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ISKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA GI HALUM I CNMI SISTEMAN ESKUELAN PUPBLIKU

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Eskuelan Pupblíku ("PSS") ha sodda' na:

MA'INTENSIONA NA AKSION PARA U MA'ADÁPTA ESTI SIHA MAN MAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupblíku ("PSS") ha intensiona para u adápta komu petmanenti na regulasion siha ni mañechettun gi manmaproponi na Regulasion siha, sigun gi areklamentu siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi halum dies (10) dihas dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmaproponi na amendasion siha para i PSS na regulasion siha man macho'gui sigun gi aturidát i Kuetpu komu mapribeniya ginin i Attikulu XV gi Konstitusion CNMI , Lai Pupblíku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I maproponi na amendasion mapega mo'na para u pribeniya maneran giniha siha para i kiniháyin child abuse.

SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion mapega mo'na i regulasion yan manera siha ni madimánda para i Kiniháyin Student Abuse yan i Regulasion 60-20-910 ni mapega mo'na i regulasion yan i manera siha ni madimánda para i Mandatory Reporting of Child Abuse.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi Seksiona ni manmaproponi yan nuebu na ma'adápta na regulasion siha (1 CMC §9102 (a))(1) yan mapega gi halum i kombenienti na lugát siha gi halum ufisinan gubietnamentu gi kada distriton senadot, parehu English yan i dos na lingguáhin natibu. (1 CMC §9104(a) (1))

PARA U MAPRIBENIYA OPIÑON SIHA: Todu maninterisáo na petsona siña ma'eksamina i manmaproponi na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusision, pat diklárasion inaksepta pat kinentran i manmaproponi na amendasion siha guatu gi Kabiseyu, Kuetpon Idukasion,

P.O. Box 501370 C.K., Saipan, MP 96950, ågang 237-3027 pat fax 664-3711 gi halum i trenta (30) dihas ni tinattitiyi ni fechan pupublikasion gi halum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))

Esti na regulasion ma'apueba gi huntan Kuetpun Idukasion gi islan Saipan gi Måtsu 16, 2011.

Nina'hålum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion

June 27, 2011
Fecha

Rinisibi as: 
Esther S. Fleming
Espisiåt Na Ayudånti Para I Atministrasion

6/27/11
Fecha

Pine'lu yan
Ninota as: 
Esther M. San Nicolas
Rehistran Commonwealth

06.27.11
Fecha

Sigun I 1 CMC §2153(e) (I Abugådu Heneråt ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a)(3) (hentan inaprueban Abugådu Heneråt) I manmaproponi na regulasion siha ni mañechettun guini ni manmarebisa yan manma'apueba komu fotma yan sufisienti ligåt ginin i CNMI Abugådu Heneråt yan debi na u mapupblika, 1 CMC §2153(f)(pupublikasion i areklamentu yan regulasion siha).

Mafecha guini gi diha 13, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugådu Heneråt

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) rááilil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghulugh yeel a schuu ló mwáál llól mwóghutulugh reel ebwe evaluate li yaar bwaghir schóól afal llól CNMI Public School System.

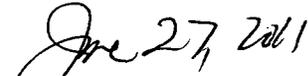
AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

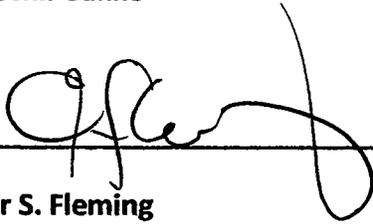
ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) rááilil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Séipél wóól Mááilap 16, 2011.

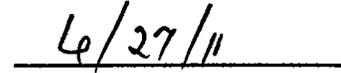

Mary Lou S. Ada

Mwiischil Gakko


Ráál

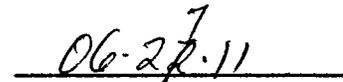
Mwir Sáangi: 
Esther S. Fleming

Sów alillisi Sów lemelem


Ráál

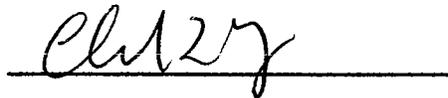
Ammwel Sáangi: 
Esther M. San Nicolas

Commonwealth Register


Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischiiy me alléghéló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatééló (1CMC Táilil 2153 (f) akkatéél allégh kkaal).

Ráál ye 13 Ilól Alimaté 2011



Edward Buckingham

Sów Bwúngúl Allégh Lapalap

PROPOSED REVISED CHILD ABUSE REPORTING POLICY

1) Child Abuse defined:

In the CNMI, Child Abuse is a crime that penalizes certain actions taken towards a “child” by any person who occupies a special relationship with a “child”. Child Abuse can be committed either by a person who has “custody” over a child, or a person who occupies a “position of authority” in relation to that child. If a person has “custody” over a child or occupies a “position of authority” in relation to that child, that person commits Child Abuse if he or she:

- a. purposefully strikes, beats or otherwise (by any act or omission) inflicts physical pain, injury or mental distress upon that child, with the result that the child’s physical or mental well-being is harmed or threatened,
- b. purposefully or neglectfully fails to provide adequate supervision, medical care, food, clothing or shelter to that child, with the result that the child’s physical or mental health and well-being are harmed or threatened,
- c. or, commits any act that would be considered any form of Sexual Abuse of a Minor under CNMI law, which would include:
 - i. being over the age of 18 and engaging in “sexual penetration” or sexual contact” with the child,¹
 - ii. being over the age of 18 and inducing, causing or encouraging the child to engage in “sexual penetration” or “sexual contact” with anyone,
 - iii. being over the age of 16 and engaging in “sexual penetration” or sexual contact” with the child (if the child is under the age of 13, or, if over the age of 13, at least three years younger than that person),
 - iv. being over the age of 16 and inducing, causing or encouraging the child to engage in “sexual penetration” or “sexual contact” with anyone,
 - v. being under the age of 16 and engaging in “sexual penetration” or “sexual contact” with the child (if the child is under the age of 13 and three or more years younger than that person).

2) Definitions:

- a. “Child”: For the purposes of this policy, a person is a “child” if they are under the age of 18.
- b. “Custody”: For the purposes of this policy, a person has “custody” over a child if they are the child’s parent (including natural parents, stepparents and adopted parents), legal guardian, foster parent, the employee of a public or private residential home or facility in which the child is living or any other person over the age of 18 responsible for the child’s welfare in a residential setting.
- c. “Position of Authority”: For the purposes of this policy, a person occupies a “position of authority” over a child if that person is the child’s employer, youth leader, scout leader, coach, teacher, counselor, school administrator, religious leader, doctor, nurse, psychologist, guardian ad litem (a person appointed by a court to look after a child’s best interests), babysitter or someone who occupies a substantially similar position, and police and/or probation officers.
- d. “Sexual Penetration”: For the purposes of this policy, “sexual penetration” means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person’s body into the genital or anal opening of another person’s body.
- e. “Sexual Contact”: For the purposes of this policy, “sexual contact” means any touching of the sexual or other intimate parts of another person or any touching of another person by a person’s sexual or other intimate parts done with the intent of gratifying or arousing the sexual desire of either party.

3) Persons with a duty to report under this policy:

All employees of the CNMI Public School System who, through their employment with the CNMI Public School system, knows or has reasonable cause to suspect that an instance of Child Abuse has occurred or will occur, must report that knowledge according to the procedures outlined in this policy. Failure to do so may expose the employee to disciplinary action according to the appropriate policies and procedures of the CNMI Public School System.

4) Designation of liaison for purposes of internal reporting:

Each head administrator at each school, and each department head of each PSS department, shall appoint an individual to act as a “Child Abuse liaison.” Following such designation, the identity of this person shall be made known to all PSS employees at the respective school or department. At no time shall any school or department be without a Child Abuse liaison. Each Child Abuse liaison shall be provided contact numbers by which they can reach the Commissioner of Education and PSS Legal Counsel after work hours.

5) Procedure for reporting:

a. Reporting to the CNMI Department of Public Safety:

- i. Immediately upon becoming aware that an act of Child Abuse has occurred or will occur, or developing a reasonable cause to believe that an act of Child Abuse has occurred or will occur, the PSS employee shall contact the CNMI Department of Public Safety and inform them of such. This contact shall be made within twenty-four (24) hours of the PSS employee first knowing of the act of Child Abuse has occurred or will occur or first forming a reasonable cause to believe that an act of Child Abuse has occurred or will occur.
- ii. When reporting to the Department of Public Safety, the PSS employee shall include a statement of the time, date, circumstances and details or information which gave rise to the knowledge or suspicion that the child in question is, or will become, a victim of Child Abuse.
- iii. The PSS employee’s responsibility to contact the CNMI Department of Public Safety is non-delegable.

b. Internal Reporting:

- i. Immediately upon becoming aware that an act of Child Abuse has occurred or will occur, or developing a reasonable cause to believe that an act of Child Abuse has occurred or will occur, the PSS employee shall contact the designated Child Abuse liaison in their respective school or department. This contact shall be made by the end of the school day, or as soon as possible on the following school day if after school hours. If the PSS employee in question cannot locate the Child Abuse liaison in such

time, he or she shall contact the head administrator of their respective school or the head of their respective department.

- ii. As soon as the Child Abuse liaison is contacted, that person shall contact the Commissioner of Education and PSS Legal Counsel who will initiate an investigation into the act or acts of Child Abuse in question.

6) Immunity for good faith effort to report:

Any person who makes a good faith attempt to report under this policy and makes a good faith effort to comply with the procedures outlined in this policy, shall be immune from any negative administrative action that otherwise may have resulted from such a good faith effort to report.

7) Potential administrative action for interference with good faith efforts to report:

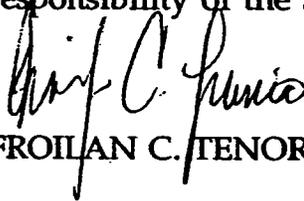
Any person who knowingly and/or willingly interferes or attempts to interfere with another person who is attempting in good faith to make a report under this policy may face disciplinary action according to appropriate PSS policies and procedures.

DIRECTIVE

DATE: SEP 04 1996
No. 181

TO : All Department and Activity Heads
FR : Governor
RE : APPROVAL OF TRAVEL VOUCHERS

To better facilitate the expeditious processing of travel vouchers, immediately, the Special Assistant for Administration will now be approving all travel vouchers going through my office. I will continue to approve international travels, but the delegation of travel voucher approvals will now be the responsibility of the Special Assistant for Administration.


FROILAN C. TENORIO

DIRECTIVE

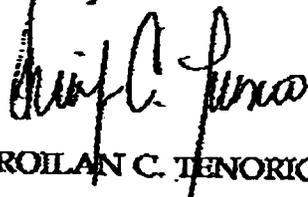
DATE: SEP 04 1996
No. 182

TO : All Department and Activity Heads
FROM : Governor
SUBJ. : Contracts

In our effort to best facilitate, coordinate and control government obligations and expenditures, and at the same time provide effective and efficient government services, effective immediately, all Independent Contracts, including Government Leases (vehicles, equipment, facilities), Non Classified Personnel Hiring, and other forms of agreements committing the government, shall be routed to the Office of the Special Assistant for Administration for review and consideration prior to obligation.

This policy shall remain in effect until I rescind it. Your usual cooperation and adherence to this directive is appreciated.

Thank you.



FROILAN C. TENORIO

DIRECTIVE

DATE: OCT 3 1996
No. 183

TO : All Department and Activity Heads
FROM : Governor
SUBJ. : New Procedure for Regulation Review

Pursuant to 1 CMC §9102(c), no agency rule, order or decision is valid or effective against any person or party unless it has been previously filed with, *inter alia*, the Office of the Governor. In addition, under 1 CMC §9104(b), no emergency rules may be promulgated unless the Governor concurs in an agency's finding that the public interest or an imminent peril to the public health, safety or welfare requires less than thirty days prior public notice.

In all cases where an agency proposes to file final rules or orders with the Office of the Governor or seeks my concurrence in the issuance of emergency rules, the agency shall first submit to the Executive Assistant to the Governor a signed original and two copies of the final or emergency rule(s) no later than close of business Tuesday of the week prior to their proposed publication in the Commonwealth Register or, if emergency rules, their effective date.

The agency's submission shall be accompanied with a written statement including the following information:

- (1) citation of statutory authority,
- (2) short statement of goals and objectives,
- (3) brief summary of the proposed rule or order,
- (4) name, title and telephone/telefax numbers of knowledgeable agency contact person, and
- (5) citation of related and/or affected statutes, regulations and orders. In the case of proposed emergency rules, the agency shall also submit a written statement of its public interest or public peril finding.

In the absence of a written determination to the contrary, final rules or orders shall be deemed filed with the office of the Governor for the purposes of 1 CMC §9102(c) or the adoption of emergency rules shall be deemed concurred in for the purposes of 1 CMC §9104(b) by close of business Friday following submission (or Monday should that Friday be a non-work day).

Where a rule or order is accepted for filing or the use of emergency procedures is concurred in, the Executive Assistant will cause one copy to be placed in the official files of the Office of the Governor and will transmit the signed original to the Registrar of Corporations for publication in the Commonwealth Register.



FROILAN C. TENORIO

DIRECTIVE

DATE: OCT 18 1996
No. 184

TO : All Department and Activity Heads
FROM : Acting Governor
SUBJ. : Repeal of Emergency Garment Worker Regulations

On September 3, the Secretaries of Finance, Commerce, and Immigration & Labor jointly promulgated emergency regulations governing the issuance of garment worker permits pursuant to the Garment Moratorium Act of 1996 (P.L. 10-9). These regulations were later published in the Commonwealth Register of September 15, 1996 (Vol. 18, No. 9., pages 14316 to 14325).

A number of questions have arisen regarding the legality of these regulations and their consistency with P.L. 10-9, which is the enabling legislation for their promulgation. Under these circumstances, it appears necessary to me that the regulations be repealed.

1. Repealer. Under our Administrative Procedures Act, emergency regulations require the concurrence of the Governor. I am hereby withdrawing that concurrence and declaring that the regulations are repealed.
2. New Regulations. The Secretaries should prepare to promulgate new regulations on this topic. I do not believe that emergency regulations are necessary, but I do think that we should move promptly. The Department of Labor and Immigration should prepare a first draft and circulate it to the Departments of Commerce and Finance, the Governor, and myself. I would like to see this draft by Friday, November 1.
3. Pending Applications. The Department of Labor and Immigration must refund any application fees for non-resident garment workers that were paid pursuant to these regulations but have not been issued permits. The Department of Finance shall take steps to make sure that these funds are promptly made available.
4. Savings Clause. In deciding which fees to refund, the Department should keep in mind that P.L. 10-9 contains a "savings clause" which states that it cannot affect existing contractual relationships. Thus, any worker who had a valid contract on the effective date of that law (May 28, 1996) is immune to its effects. Although the law appears intended to reduce the number of garment workers available to the numbers available in October 1995, the savings clause means that it cannot actually do this.

I understand that this issue is a controversial one and that the departments and department heads are not in complete agreement. However, I expect all of our Secretaries and Directors to follow the unified policy set down by this Directive and to resolve any further differences in a professional manner.


JESUS C. BORJA

DIRECTIVE

DATE: OCT 22 1996
No. 185

TO: All Department and Activity Heads
FROM: Acting Governor
SUBJ.: South Pacific Commission Conference

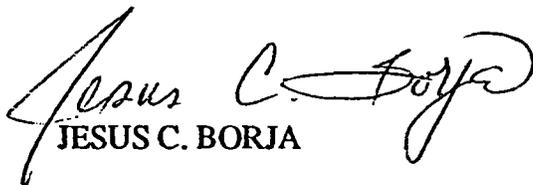
Prior to this Directive, Governor Tenorio and I have written memoranda requesting all departments to give their full support and cooperation to the South Pacific Conference (SPC) Planning Committee.

Many departments have responded enthusiastically, but not all. Therefore, I think it is appropriate to put this in the form of a directive.

The South Pacific Conference is extremely important. Our Commonwealth has a tremendous responsibility as host. All departments and agencies should give their full cooperation in providing equipment, personnel, furniture, or whatever else may be required by the Planning Committee.

Your department may receive requests from the Planning Committee to detail government employees to SPC-related work. Unless it will seriously interfere with vital government functions, you should grant these requests whenever possible. This may require some employees to accrue overtime and compensatory time. The Special Assistant for Management and Budget will try to make funds available for this by reprogramming where necessary.

I thank you for your cooperation, and look forward to a successful conference.


JESUS C. BORJA

DIRECTIVE

Date: October 30, 1996

No. : 186

To : All Department Heads

From : Governor

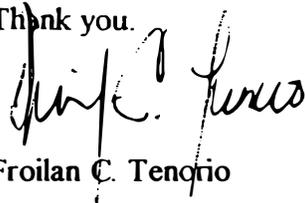
Subject: Financial Information Management System (FIMS)

I am sure all of you are aware of the dynamic nature of our government business. Our success in the future will depend greatly on how we plan and react to the business environment. I am pleased to inform you that we are initiating a major effort to analyze our current and future financial information needs. I have authorized a project team that will conduct an in-depth analysis of how we use financial information and its relation to our business.

The project team will be directed by Mr. Tony Zanfardino, Project Manager, Integrated Systems Solutions Corporation (ISSC), with other ISSC and Department of Finance personnel involved on a full-time basis. Key to the project's success is the precise identification and clear statement of our individual and collective information needs. To this end, the project team will want to discuss our information needs with us in detail in a series of individual interviews. It is essential that each individual who is asked to participate in an interview be completely candid in discussing problems, needs, and plans with project team members. You will be contacted by Department of Finance personnel in the near future to set up interview dates and times.

I urge you to give your full cooperation to the project team in this important undertaking. I am confident the project will be of tremendous value to the government and help us accomplish our overall financial management objectives.

Thank you.



Froilan C. Tenorio

General Ledger

Provide for different accounting requirements for governmental, proprietary and fiduciary fund types as well as Long Term Debt and other account types.

- Relational chart of accounts coding block.
- On-line CAFR production.
- Real-time Service Efforts & Accomplishments tracking and reporting.
- Ability to process multiple fiscal years.
- Multiple sets of books for “what if” analysis.

Procurement & Account Payable

Provide a means by which on-line and real-time budget-checking and procurement facilities can be provided to the Various Government departments.

- On-line and real-time budget checking.
- Real-time encumbrance accounting.
- On-line user-defined approval routing for purchase requisitions.
- Automatic three-way matching of invoices, PO's and receiver.
- Vendor performance management and tracking.

CIP Management

Enable the Department of Finance to track and manage the costs associated with CIP activities.

- Provide on-line and real-time project status including encumbrances and estimate at completion values.
- Accommodate variety of projects including construction, routine work orders, operating projects.
- Accumulate maintain costs over the life of a project.
- Provides full software integration with general ledger, accounts payable, inventory and purchasing systems.
- Accommodates projects spanning multiple years.

Budgeting

Budget preparation and review function to be provided to the various Government departments.

- Ability to create multiple types of concurrent budgets.
- Ability to perform “what if” analysis.
- Provide for upload and download of budget to and from personal computers.
- Ability to produce quantity based budgets for GASB statistical reporting.
- Tracks all budget changes with an audit trail.

FINANCIAL INFORMATION MANAGEMENT SYSTEM PROJECT OVERVIEW

Scope of work

The CNMI Department of Finance is planning to re-engineer its Financial Information Management System (FIMS). The objectives of the new system are:

- Improve CNMI's performance during financial audits.
- Provide accurate and timely financial information and services to the government and citizens.
- Improve customer service to both government and the citizens.
- Implement a fully integrated system that will enable the real time accuracy and on line information need by the Department to tightly control the finances of the government. Fully implement this system by 03/01/97.

In addition, the following capabilities will be part of the FIMS.

- Full compliance with GAAP as well as GASB accounting standards.
- Integrated and on-line facilities that will enable the production of an on-line and real-time CAFR.
- Comprehensive function with regard to funds and account types.
- Flexible and easy report writing with user-defined layout capabilities.
- Significant and parameter driven standards reports.
- Full integration of all elements of the software solution.
- Integrated models and process templates that will facilitate re-engineering of the CNMI Government.
- Roll out of the FIMS should be in two (2) phases--See **NOTE Attachment Schedule**.

The high level functional requirements of the Department of Finance are as follows:

General

- Provision of 7 day x 24 hours per day help-line support.
- Ability to provide dial-in support where required.
- Provide Executive Information System functionality.
- User definable help text to the field level.

Asset Management

Provide a mean by which the Government can track, cost and manage all of the assets that it owns.

- Allow items other than fixed assets to be entered for property control purposes.
- Supports multiple asset types and categories.
- Ability to track insurance, lease and financing information.
- Full asset history available including financial and location information.
- Supports fixed asset physical inventory.

Grant Management

Diverse reporting and reconciliation needs associated with grants spanning multiple years.

- Ability to span multiple years.
- Provides for full on-line inquiry into status of grant.
- Software integration with other applications.
- Full audit trail.

Payroll

Replace the Government's current payroll system.

- Maintain employee information on-line for review and reporting.
- Supports multiple employee categories and types.
- Ability to automatically process full benefit and accrual system.
- Maintain employee history for a minimum of seven years.

Personnel

Provide full employee tracking and reporting, position control, applicant tracking and benefit tracking functionally.

- Provide position control function.
- Provide applicant tracking function.
- Provide a skills database for the government.
- Full EEO reporting functionality.
- On-line and real-time reporting and analysis function.

Inventory & Supply

Manage and track the various inventories within the Government operation.

- User controls definition of availability by warehouse.
- Has user-defined tables to drive general ledger cost, asset, scrap and adjustment accounts.
- Unlimited unit of measure conversions.
- System supports fixed reorder quantity, economic order quantity, average usage, turn over order point, minimum and maximum.

Travel Management

Enable the CNMI Government to improve the travel and procurement administration process.

- Supports pre-trip planning with cash advance and authorization.
- Provides travel reservation information.
- Tracks actual travel ticket issuance and delivery.
- Automates travel expense accounting.
- Provides travel financial management functions.

FIMS ROLL OUT

Phases I

Office of the Governor/OMB
Dept. Of Finance
Office of Personnel Management
Dept. Of Public Works
Dept. Of Public Health/CHC

Phases II

Dept. Of Commerce
Dept. Of Public Safety/CJPA
Dept. Of Community and Cultural Affairs
Dept. Of Labor and Immigration
Dept. Of Land and Natural Resources
Emergency Management Office
Rota Government Offices
Tinian Government Offices

CNMI GOVERNMENT FIMS ESTIMATED USER LIST

<u>NAME</u>	<u>TOTAL USERS</u>	<u>CONCURRENT USERS</u>
Office of the Governor/OMS	20	05
Department of Finance	60	30
Dept. Of Public Works	05	02
Dept. Of Commerce	05	02
Dept. Of Public Health	15	15
Dept. Of Public Safety/CJPA	05	02
Dept. Of Comm. & Cultural Affairs	05	02
Dept. Of Labor & Immigration	05	02
Dept. Of Land & Natural Resources	05	02
Office of Personnel Management	10	05
Emergency Management Office	02	01
Rota Government Offices	10	07
Tinian Government Offices	10	07

DIRECTIVE

DATE: NOV 19 1996
No. 187

TO: All Department and Activity Heads

FROM: Governor

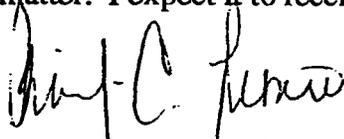
SUBJ.: Application of Fair Labor Standards Act (FLSA) Overtime Provisions Per the September 23, 1996 Emergency Amendments to the Personnel Service System Rules and Regulations and Excepted Service Personnel Regulations

I wish to emphasize the importance of all departments coming into full compliance with the FLSA overtime provisions. These regulations have been legally in effect since the creation of the Commonwealth and were present in our personnel regulations in a less specific form even before the emergency amendments were passed. However, it has become clearly evident that the government is not in compliance with the FLSA requirements.

It is vital that this situation be addressed immediately and with the highest level of attention. The Office of Personnel Management (OPM) has been tasked with coordination this effort and determining the overtime status of each position and employee to bring the government into full compliance. The OPM has reviewed each position for an initial determination and is now conducting meetings with each department and activity to confirm the official determination.

I must point out to all appointing authorities the importance of these meetings. The determination that is reached as a result of these meetings and approved by the Director of Personnel will, with my concurrence, be the official overtime eligibility status of your employees. It is your responsibility to provide your input at this time. I strongly advise the personal involvement of the department/activity head in these meetings.

Bringing the Commonwealth Government into compliance with the Federal FLSA regulations is an urgent matter. I expect it to receive your immediate and personal attention.



FROILAN C. TENORIO

DIRECTIVE

DATE: NOV 19 1996
No. 188

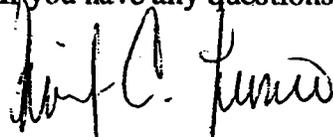
TO: All Department and Activity Heads
FROM: Governor
SUBJ.: Collections

It has come to my attention that several different government agencies and departments are collecting money and not remitting that to the Department of Finance.

This practice must cease. Our laws are very clear on this point. 1 CMC Section 2553 says that "The duties and responsibilities of the Department of Finance include... (a) To collect and deposit all locally raised revenues from any source, including taxes, custom duties, excise tax revenues, license fees, and payment for services".

All funds collected in the Commonwealth by any government agency should be collected by and for the Department of Finance.

If you have any questions about this, please contact the Secretary of Finance.

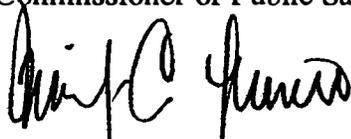

FROILAN C. TENORIO

DIRECTIVE

DATE: FEB 24 1997
No. 189

TO: All Department and Activity Heads
FROM: Governor
SUBJ.: Public Safety Radio Frequencies

Effective immediately, no radio frequency assigned to or utilized by the Department of Public Safety may be programmed into radios used by other CNMI Government departments, offices and agencies without such department, office or agency first having secured express written authorization signed by the Commissioner of Public Safety



FROILAN C. TENORIO

DIRECTIVE

Date: February 24, 1997

No. : 190

To : All Department and Activity Heads

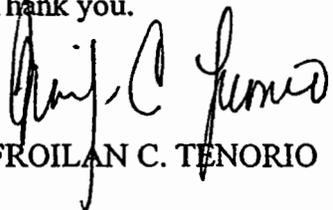
From : Governor

Subject: INTERNET ACCESS

In order ensure compatibility with the new CNMI Financial Management System (FMS) Network, all departments are required to submit requests for Internet access and Web Page development through the Department of Finance, EDP Division.

Please call the Director of EDP for more information at 664-1400.

Thank you.



FROILAN C. TENORIO

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ESKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA SIGUN I AREKLAMENTU YAN REGULASION SIHA GI SISTEMAN ESKUELAN PUPBLIKU CNMI

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Eskuelan Pupblíku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupblíku ("PSS") ha intensiona para u adápta komu petmanenti na regulasion siha ni mañechettun gi manmaproponi na Regulasion siha, sigun gi manera siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi hálum dies (10) dihas siha dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmaproponi na amendasion siha para i regulasion manmácho'gui sigun gi aturidát i Kuetpu kumo mapribeniyi ginin i Attikulu XV gi Konstitusion CNMI , Lai Pupblíku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I maproponi na amendasion mapega mo'na para u mapribeniyi giniha siha para i anti-bullying gi halum i CNMI Sistemán Iskuelan Pupblíku.

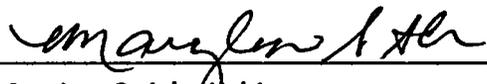
SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion ha pega mo'na siha i regulasion yan procedures ni madimánda para u ma'-address i student bullying gi halum i CNMI Sistemán Iskuelan Pupblíku.

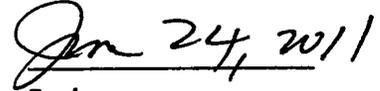
DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi Seksiona ni manmaproponi yan nuebu na ma'adápta na regulasion siha (1 CMC § 9102 (a)(1) yan mapega gi hálum i kumbenienti na lugát siha gi hálum ufisinan gobietnamentu gi kada distritun senadot, parehu English yan i dos na lingguáhin natibu. (1 CMC §9104(a)(1)

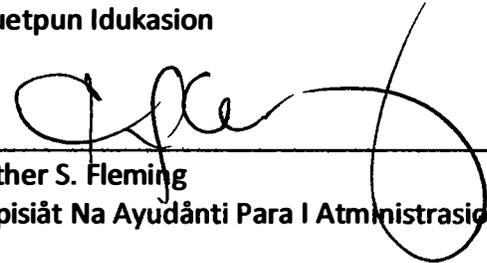
PARA U MAPRIBENIYI UPIÑON SIHA: Todu maninterisáo na petsona siña ma'eksamina i manmaproponi na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusision, pat diklarasion inaksepta pat kinentran i manmaproponi na amendasion siha guatu gi Kabiseyu, Kuetpun Idukasion,

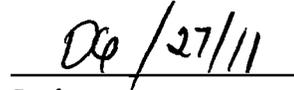
P.O. Box 501370 C.K., Saipan, MP 96950, ågang i 670-237-3027 pat fax gi 670-664-3711 gi halum i trenta (30) dihas siha ni tinattitiyi ni fechan publikasion gi hálum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))

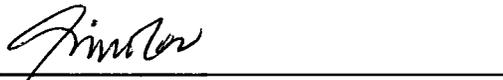
Esti na regulasion ma'aprueba gi huntan Kuetpun Idukasion gi islan Tinian gi Måyu 19, 2011.

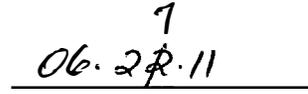
Nina'hálum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion


Fecha

Rinisibi as: 
Esther S. Fleming
Espisiát Na Ayudánti Para I Atministrasion


Fecha

Ninota yan Rinikot as: 
Esther M. San Nicolas
Rehistran Commonwealth


Fecha

Sigun I 1 CMC §2153(e) (I Abugâdu Henerât ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a) (3) (hentan inaprueban Abugâdu Henerât) I manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligât ginin i CNMI Abugâdu Henerât yan debi na u mapupblika, 1 CMC §2153(f)(publikasion I areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugâdu Henerât

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) ráálil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghúlúgh yeel aa schuu allégh me mwóghutughut kka ebwe awelaar olighát kka reghil ilumaaw mellól CNMI Public School System.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) ráálil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Tchiliyól wóól Ghúúw 19, 2011.

Isaliyallong: Mary Lou S. Ada

Mary Lou S. Ada

Mwiischil Gakko

June 24, 2011

Ráál

Mwir Sáangi: Esther S. Fleming

Esther S. Fleming

Sów alillisil Sów lemelem

6/27/11

Ráál

Ammwel Sáangi: Esther M. San Nicolas

Esther M. San Nicolas

Commonwealth Register

06.27.11

Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischi me allégheló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatééló (1CMC Tálil 2153 (f) akkatéél allégh kkaal).

Ráál ye 27 llól Alimaté 2011

Edward Buckingham

Edward Buckingham

Sów Bwungul Allégh Lapalap

Bullying

(a) It is the policy of the CNMI State Board of Education to prohibit bullying, harassment, or intimidation of any person on school property or at school-sponsored functions or by the use of electronic technology at a public school. It is the policy of the CNMI State Board of Education to prohibit reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation

(b) Definitions

(1) As used in this regulation, “bullying, harassment, or intimidation” means intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities, or performance, or with a student’s physical or psychological well-being and is:

- i. Motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability;
- ii. Threatening or seriously intimidating;
- iii. Occurs in a school setting and/or with school property; and
- iv. Substantially disrupts the orderly operation of a school.

(2) Examples of Bullying may include but is not limited to:

- i. Physical: hitting, kicking, pushing, shoving, getting another person to hurt someone;
- ii. Verbal: racial slurs, name-calling, teasing, taunting, verbal sexual harassment, gossiping, spreading rumor; or
- iii. Non-Verbal: Threatening, obscene gestures, isolation, exclusion, stalking, cyber-bullying (bullying that occurs by means of electronic communication)

(3) “Electronic communication” means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

(4) “School Setting” means in the school, on school grounds, in school vehicles, at a designated school bus stop or at any activity sponsored, supervised or sanctioned by the school.

(5) “School property” means the school computer or telephone and encompasses the use of electronic technology at a public school.

(c) Complaints

(1) Any student who believes that he or she is a victim of bullying should report the matter immediately to the building principal. If the student feels more comfortable speaking to someone other than the building principal, the student may inform any teacher, counselor or the

PSS EEO Officer. If the situation is not satisfactorily resolved by the building principal, the student or parent should contact the PSS EEO Officer.

(2) There will be no retaliation against, or adverse treatment of any student who uses this procedure to resolve a concern when such complaint has been brought in the good faith belief that the complainant has been subjected to bullying.

(4) The responsible administrator shall follow up regularly with the complaining student to ensure that the bullying has stopped and that no retaliation has occurred.

(d) Discipline/Consequences

(1) Any student who engages in bullying while on school property or while participating in school activities will be subject to disciplinary action, up to and including expulsion.

(2) Any employee who permits or engages in the bullying of students will be subject to disciplinary action, up to and including dismissal.

(3) Any employee who receives a complaint of bullying from a student and who does not act promptly to forward that complaint to the principal and PSS EEO Officer shall be disciplined appropriately.

(4) Any student who brings a false charge of bullying shall receive appropriate discipline. The term "false charge" means charges brought in bad faith, that is, without the good faith belief that one has been subjected to bullying. The term "false charge" does not include a charge that was brought in good faith but which the PSS was unable to substantiate.

(e) The PSS EEO Officer will be available to answer all questions regarding this regulation or its implementation.

(f) Enforcement

Each building administrator is responsible for maintaining an educational and work environment free from bullying. Principals shall take appropriate action to ensure that the students are aware of and knowledgeable about these policies and that discipline action is taken whenever warranted. In accordance with their responsibilities, each building administrator, or his/her designee, shall take appropriate actions to enforce the PSS's bullying policy.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

MaryLou S. Ada
Chairperson

D. Tanya King
Vice-Chairperson

Galvin S. Deleon Guerrero
Secretary/Treasurer

Members

Herman T. Guerrero

Lucia L. Blanco-Maratita

Non Public School Rep.

Student Representative

Joycelyn Y. Atalig, Rota High School

Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnnipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS
WHICH ARE AMENDMENTS TO RULES AND REGULATIONS
REGARDING CNMI PUBLIC SCHOOL SYSTEM
RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System ("PSS") finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board's authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed amendment set forth to provide procedural guidelines for reporting of child abuse.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for Reporting Student Abuse and Regulation 60-20-910 sets forth the regulations and procedures required for Mandatory Reporting of Child Abuse.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))

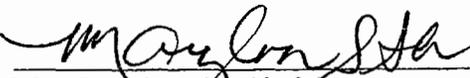
State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

"Students First"
www.cnnipss.org

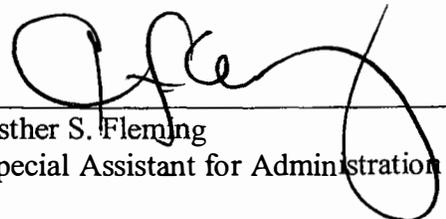
Commissioner of Education
Telephone: (670) 237-3001, 3061, 3075
Fax: (670) 664-3798

TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

This regulation was approved at the State Board of Education Meeting on Saipan on March 16, 2011.

Submitted by: 
MaryLou S. Ada, Chairperson
State Board of Education

June 09, 2011
Date

Received by: 
Esther S. Fleming
Special Assistant for Administration

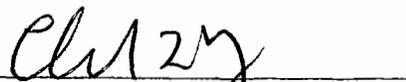
6/27/11
Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register

06-22-11
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 13 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ISKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA GI HALUM I CNMI SISTEMAN ESKUELAN PUPBLIKU

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Eskuelan Pupbliku ("PSS") ha sodda' na:

MA'INTENSIONA NA AKSION PARA U MA'ADAPTA ESTI SIHA MAN MAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupbliku ("PSS") ha intensiona para u adãpta komu petmanenti na regulasion siha ni mañechettun gi manmapropo ni na Regulasion siha, sigun gi areklamentu siha gi Æktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi halum dies (10) dihas dispues di adaptasion yan pupplikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÆTURIDÆT: I manmapropo ni na amendasion siha para i PSS na regulasion siha man macho'gui sigun gi aturidãt i Kuetpu komu mapribeniyi ginin i Attikulu XV gi Konstitusion CNMI , Lai Pupbliku 6-10 yan i Æktun i CNMI Administrative Procedures.

I TEMA YAN SUSTANSIAN I PALÆBRA SIHA: I mapropo ni na amendasion mapega mo'na para u pribeniyi maneran giniha siha para i kinihãyin child abuse.

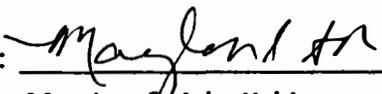
SUHETU NI MASUMÆRIA YAN ASUNTU NI TINEKKA: Esti na regulasion mapega mo'na i regulasion yan manera siha ni madimãnda para i Kinihãyin Student Abuse yan i Regulasion 60-20-910 ni mapega mo'na i regulasion yan i manera siha ni madimãnda para i Mandatory Reporting of Child Abuse.

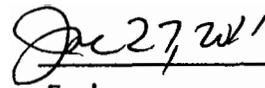
DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmapropo ni na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi Seksiona ni manmapropo ni yan nuebu na ma'adãpta na regulasion siha (1 CMC §9102 (a)(1) yan mapega gi halum i kombenienti na lugãt siha gi halum ufisinin gubietnamentu gi kada distriton senadot, parehu English yan i dos na linguãhin natibu. (1 CMC §9104(a) (1))

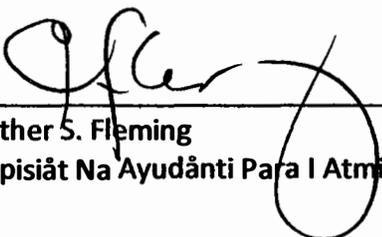
PARA U MAPRIBENIYI OPIÑON SIHA: Todu maninterisão na petsona siña ma'eksamina i manmapropo ni na amendasion siha yan u mana'hãlum i tinigi' imfetmasion, pusision, pat diklãrasion inaksepta pat kinentran i manmapropo ni na amendasion siha guatu gi Kabiseyu, Kuetpon Idukasion,

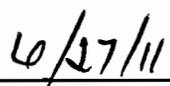
P.O. Box 501370 C.K., Saipan, MP 96950, ângang 237-3027 pat fax 664-3711 gi halum i trenta (30) dihas ni tinattitiyi ni fechan publikasion gi halum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))

Esti na regulasion ma'aprueba gi huntan Kuetpun Idukasion gi islan Saipan gi Mâtsu 16, 2011.

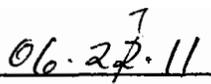
Nina'hålum as: 
MaryLou S. Ada, Kabiseyu
Kuetpun Idukasion


Fecha

Rinisibi as: 
Esther S. Fleming
Espisiât Na Ayudãnti Para I Atministrasion


Fecha

Pine'lu yan
Ninota as: 
Esther M. San Nicolas
Rehistran Commonwealth


Fecha

Sigun I 1 CMC §2153(e) (I Abugãdu Henerãt ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a)(3) (hentan inaprueban Abugãdu Henerãt) I manmaproponi na regulasion siha ni mañechettun guini ni manmarebisa yan manma'aprueba komu fotma yan sufisienti ligãt ginin i CNMI Abugãdu Henerãt yan debi na u mapublika, 1 CMC §2153(f)(publikasion i areklamentu yan regulasion siha).

Mafecha guini gi diha 13, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugãdu Henerãt

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) ráálil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghulugh yeel a schuu ló mwáál llól mwóghutughut reel ebwe evaluate li yaar bwaghir schóól afal llól CNMI Public School System.

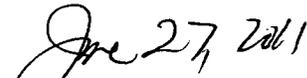
AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) ráálil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

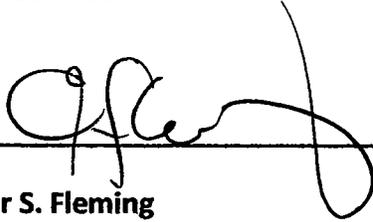
Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Séipél wóól Mááilap 16, 2011.


Mary Lou S. Ada

Mwiischil Gakko

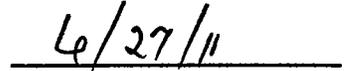

Ráál

Mwir Sáangi:



Esther S. Fleming

Sów allisil Sów lemelem



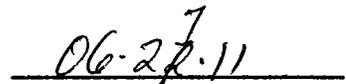
Ráál

Ammwel Sáangi:



Esther M. San Nicolas

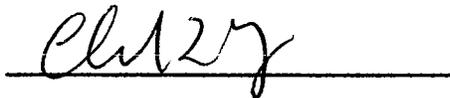
Commonwealth Register



Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischiiy me alléghéló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatééló (1CMC Táilil 2153 (f) akkatéél allégh kkaal).

Ráál ye 13 Ilól Alimaté 2011



Edward Buckingham

Sów Bwúngúl Allégh Lapalap

PROPOSED REVISED CHILD ABUSE REPORTING POLICY

1) Child Abuse defined:

In the CNMI, Child Abuse is a crime that penalizes certain actions taken towards a “child” by any person who occupies a special relationship with a “child”. Child Abuse can be committed either by a person who has “custody” over a child, or a person who occupies a “position of authority” in relation to that child. If a person has “custody” over a child or occupies a “position of authority” in relation to that child, that person commits Child Abuse if he or she:

- a. purposefully strikes, beats or otherwise (by any act or omission) inflicts physical pain, injury or mental distress upon that child, with the result that the child’s physical or mental well-being is harmed or threatened,
- b. purposefully or neglectfully fails to provide adequate supervision, medical care, food, clothing or shelter to that child, with the result that the child’s physical or mental health and well-being are harmed or threatened,
- c. or, commits any act that would be considered any form of Sexual Abuse of a Minor under CNMI law, which would include:
 - i. being over the age of 18 and engaging in “sexual penetration” or sexual contact” with the child,¹
 - ii. being over the age of 18 and inducing, causing or encouraging the child to engage in “sexual penetration” or “sexual contact” with anyone,
 - iii. being over the age of 16 and engaging in “sexual penetration” or sexual contact” with the child (if the child is under the age of 13, or, if over the age of 13, at least three years younger than that person),
 - iv. being over the age of 16 and inducing, causing or encouraging the child to engage in “sexual penetration” or “sexual contact” with anyone,
 - v. being under the age of 16 and engaging in “sexual penetration” or “sexual contact” with the child (if the child is under the age of 13 *and* three or more years younger than that person).

2) Definitions:

- a. “Child”: For the purposes of this policy, a person is a “child” if they are under the age of 18.
- b. “Custody”: For the purposes of this policy, a person has “custody” over a child if they are the child’s parent (including natural parents, stepparents and adopted parents), legal guardian, foster parent, the employee of a public or private residential home or facility in which the child is living or any other person over the age of 18 responsible for the child’s welfare in a residential setting.
- c. “Position of Authority”: For the purposes of this policy, a person occupies a “position of authority” over a child if that person is the child’s employer, youth leader, scout leader, coach, teacher, counselor, school administrator, religious leader, doctor, nurse, psychologist, guardian ad litem (a person appointed by a court to look after a child’s best interests), babysitter or someone who occupies a substantially similar position, and police and/or probation officers.
- d. “Sexual Penetration”: For the purposes of this policy, “sexual penetration” means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person’s body into the genital or anal opening of another person’s body.
- e. “Sexual Contact”: For the purposes of this policy, “sexual contact” means any touching of the sexual or other intimate parts of another person or any touching of another person by a person’s sexual or other intimate parts done with the intent of gratifying or arousing the sexual desire of either party.

3) Persons with a duty to report under this policy:

All employees of the CNMI Public School System who, through their employment with the CNMI Public School system, knows or has reasonable cause to suspect that an instance of Child Abuse has occurred or will occur, must report that knowledge according to the procedures outlined in this policy. Failure to do so may expose the employee to disciplinary action according to the appropriate policies and procedures of the CNMI Public School System.

4) Designation of liaison for purposes of internal reporting:

Each head administrator at each school, and each department head of each PSS department, shall appoint an individual to act as a “Child Abuse liaison.” Following such designation, the identity of this person shall be made known to all PSS employees at the respective school or department. At no time shall any school or department be without a Child Abuse liaison. Each Child Abuse liaison shall be provided contact numbers by which they can reach the Commissioner of Education and PSS Legal Counsel after work hours.

5) Procedure for reporting:

a. Reporting to the CNMI Department of Public Safety:

- i. Immediately upon becoming aware that an act of Child Abuse has occurred or will occur, or developing a reasonable cause to believe that an act of Child Abuse has occurred or will occur, the PSS employee shall contact the CNMI Department of Public Safety and inform them of such. This contact shall be made within twenty-four (24) hours of the PSS employee first knowing of the act of Child Abuse has occurred or will occur or first forming a reasonable cause to believe that an act of Child Abuse has occurred or will occur.
- ii. When reporting to the Department of Public Safety, the PSS employee shall include a statement of the time, date, circumstances and details or information which gave rise to the knowledge or suspicion that the child in question is, or will become, a victim of Child Abuse.
- iii. The PSS employee’s responsibility to contact the CNMI Department of Public Safety is non-delegable.

b. Internal Reporting:

- i. Immediately upon becoming aware that an act of Child Abuse has occurred or will occur, or developing a reasonable cause to believe that an act of Child Abuse has occurred or will occur, the PSS employee shall contact the designated Child Abuse liaison in their respective school or department. This contact shall be made by the end of the school day, or as soon as possible on the following school day if after school hours. If the PSS employee in question cannot locate the Child Abuse liaison in such

time, he or she shall contact the head administrator of their respective school or the head of their respective department.

- ii. As soon as the Child Abuse liaison is contacted, that person shall contact the Commissioner of Education and PSS Legal Counsel who will initiate an investigation into the act or acts of Child Abuse in question.

6) Immunity for good faith effort to report:

Any person who makes a good faith attempt to report under this policy and makes a good faith effort to comply with the procedures outlined in this policy, shall be immune from any negative administrative action that otherwise may have resulted from such a good faith effort to report.

7) Potential administrative action for interference with good faith efforts to report:

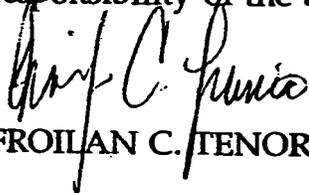
Any person who knowingly and/or willingly interferes or attempts to interfere with another person who is attempting in good faith to make a report under this policy may face disciplinary action according to appropriate PSS policies and procedures.

DIRECTIVE

DATE: SEP 04 1996
No. 181

TO : All Department and Activity Heads
FR : Governor
RE : APPROVAL OF TRAVEL VOUCHERS

To better facilitate the expeditious processing of travel vouchers, immediately, the Special Assistant for Administration will now be approving all travel vouchers going through my office. I will continue to approve international travels, but the delegation of travel voucher approvals will now be the responsibility of the Special Assistant for Administration.


FROILAN C. TENORIO

DIRECTIVE

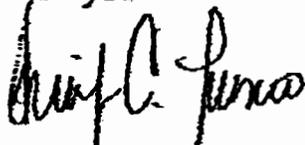
DATE: SEP 04 1996
No. 182

TO : All Department and Activity Heads
FROM : Governor
SUBJ. : Contracts

In our effort to best facilitate, coordinate and control government obligations and expenditures, and at the same time provide effective and efficient government services, effective immediately, all Independent Contracts, including Government Leases (vehicles, equipment, facilities), Non Classified Personnel Hiring, and other forms of agreements committing the government, shall be routed to the Office of the Special Assistant for Administration for review and consideration prior to obligation.

This policy shall remain in effect until I rescind it. Your usual cooperation and adherence to this directive is appreciated.

Thank you.



FROILAN C. TENORIO