

**TITLE 75: OFFICE OF THE GOVERNOR**

---

**CHAPTER 75-20  
SCHOLARSHIP ADVISORY BOARD**

**SUBCHAPTER 75-20.1  
EDUCATIONAL ASSISTANCE PROGRAM RULES AND REGULATIONS**

**Part 001 General Provisions**

§ 75-20.1-001 Purpose

§ 75-20.1-005 Definition

§ 75-20.1-010 Scholarship Advisory Board

§ 75-20.1-015 Funding

§ 75-20.1-115 Application Deadline

§ 75-20.1-120 Satisfactory Academic Progress (SAP)

§ 75-20.1-125 Students Who Either Drop or Withdraw From Classes

§ 75-20.1-130 Repayment

§ 75-20.1-135 Duration of Award

§ 75-20.1-140 Memorandum of Agreement

§ 75-20.1-145 Fraudulent Information

§ 75-20.1-150 Appeals

**Part 100 Application, Eligibility, and Award**

§ 75-20.1-101 Eligibility Requirements for EAP

§ 75-20.1-105 Eligibility Requirements for Merit Incentive Award

§ 75-20.1-110 Eligibility Requirements for Part-Time Students

**Part 200 Miscellaneous Provisions**

§ 75-20.1-201 Effective Date

Subchapter Authority: 3 CMC § 1316; Executive Order 94-3 § 211.

Subchapter History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011); Amdts Adopted 24 Com. Reg. 19942 (Dec. 27, 2002) (repealing and re-enacting the Educational Assistance Program Rules and Regulations); Amdts Proposed 24 Com. Reg. 19508 (Sept. 27, 2002); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug 18, 1999).

Commission Comment: 3 CMC § 1304 creates the Northern Marianas College as a nonprofit public corporation, under the general control and direction of the Board of Regents of the Northern Marianas College. See also 3 CMC § 1311. The Board of Regents is authorized to review eligibility based on established policy or criteria and to establish awards for all publicly funded financial assistance for post-secondary education of Commonwealth students within the Commonwealth. 3 CMC § 1316(d).

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

Section 211. Scholarships.

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

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

## TITLE 75: OFFICE OF THE GOVERNOR

---

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

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

The Northern Marianas College Board of Regents first proposed a Financial Aid Policy in 1983. See 5 Com. Reg. 2458 (Oct. 20, 1983). A notice of adoption for the 1983 policy was never published. Prior to the creation of the Scholarship Advisory Board and the promulgation of the 1999 regulations, the Northern Marianas College Board of Regents administered a “Financial Aid for Off-island Students Policy” pursuant to the authority of 3 CMC § 1316(d). The history of the Financial Aid for Off-island Students Policy is as follows: Adopted 15 Com. Reg. 10718 (July 15, 1993); Proposed 15 Com. Reg. 10593 (May 15, 1993).

The 2012 amendments repealed and re-enacted a new version of this subchapter.

PL 18-6 (May 31, 2013) struck the former section 70-20.1.020, “Requirement of Attendance at NMC.”

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

### **Part 001 - General Provisions**

#### **§ 70-20.1-001 Purpose**

The Scholarship Advisory Board hereby establishes an Educational Assistance Program (EAP) for the purpose of assisting applicants who desire to pursue post-secondary study, first at the Northern Marianas College (NMC), and then from within or outside of the Commonwealth of the Northern Mariana Islands (CNMI) through use of various locally funded grants and scholarships.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

#### **§ 70-20.1-005 Definition**

- (a) “Permanent Resident”: A United States citizen domiciled in the Commonwealth for two (2) consecutive years prior to enrollment in a college or university.
- (b) “Educational Assistance Grants”: Financial assistance awarded for the purpose of post-secondary studies.
- (c) “Merit Incentive Award”: An additional grant awarded to qualifying full-time and continuing undergraduate students on the basis of attainment starting with a 3.00 cumulative grade point average from a college or university (Such awards are contingent upon the availability of funds).
- (d) “Developmental Courses”: Courses that are below college level courses (Recipients who are taking developmental courses towards fulfillment of a full-time status are not eligible for merit incentive awards).

## TITLE 75: OFFICE OF THE GOVERNOR

---

- (e) “Full-Time Status”: Full-time status for undergraduate enrollment is a semester/quarter term earning 12 or more credits, for graduates, enrollment in a semester/quarter term earning 9 or more credits or determined by the institution’s definition of semester/term. Courses that are repeated, as defined in subsection (i), are not counted towards fulfillment of a full-time status. Subsection (i) may be waived for applicants who are Certified Disabled, according to subsection (j).
- (f) “Part-Time Status”: Part-time status for undergraduate enrollment is a semester/quarter earning 1-11 credits. Courses that are repeated, as defined on subsection (i), are not counted towards fulfillment of a part-time status. Commencing with Fall 2003, funding for part-time applicants will be determined upon availability of funds.
- (g) “Correspondence School”: An educational institution offering courses (instructions, lessons, exercises, grades) through the mail.
- (h) “Online Courses”: Courses available electronically or through telecommunication systems.
- (i) “Repeat Course”: Course that a student repeats due to failing grades or retaking to earn a higher grade which was originally paid by the CNMI Scholarship Program.
- (j) “Certified Disability”: A person who is certified disabled by a licensed physician.
- (k) “Satisfactory Academic Progress (SAP)”: Coursework progress measured qualitatively (cumulative grade point average) and quantitatively (credits completed).
- (l) Level of education:
- (1) “Certificate”/“Diploma”: An undergraduate program less than two years.
  - (2) “Associate Degree”: An undergraduate degree program less than a baccalaureate level.
  - (3) “Baccalaureate Degree”: A four (4) or more year undergraduate degree program.
  - (4) “Masters Degree”: A degree program beyond a baccalaureate level.
  - (5) “Professional Degree”: Juris Doctorate or Medical Doctor who will directly provide health care.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission placed quotation marks around terms defined. The Commission updated internal citations in this section pursuant to 1 CMC § 3806(d).

### **§ 70-20.1-010 Scholarship Advisory Board**

The Scholarship Advisory Board (SAB) is created under Executive Order 94-3 Sec. 21 1. The Governor appoints members. The Board members serve on a voluntary basis without compensation. The duties and responsibilities of the Board are:

## TITLE 75: OFFICE OF THE GOVERNOR

---

- (a) To review and submit to the Governor recommendations pertaining to scholarship and incentive awards.
- (b) To review appeals and submit decisions on appeals of Scholarship Administrator's decision by students to the Scholarship Office.
- (c) To advise and provide guidance to the Scholarship Administrator on matters concerning Rules and Regulations, student financial assistance, and budgetary matters.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

### § 70-20.1-015 Funding

- (a) Educational Assistance Program funding is derived from the scholarship funds appropriated by the legislature on a fiscal year basis. The level of funding is contingent on the balance of funds available after all statutory scholarship programs have been paid. Circumstances vary from year to year, so an EAP award for one year is no assurance of the same assistance in subsequent years. Thus, there may be variation in the amount of assistance offered to a student from one year to the next year because of changes in the availability of funds appropriated by the legislature or the number or amount of statutory scholarship awards.
- (b) Should the Scholarship Advisory Board establish a written policy by which it determines a student's scholarship amount based on a student's financial need, there is no guarantee that individual students, other than those receiving the Merit Incentive Award, will receive the same amount of financial assistance or any financial assistance. If the Scholarship Advisory Board partners with another entity, it may also delegate determination of scholarship amount to that entity. The Office shall not be liable if a disruption or change in funding or disbursement of funds disrupts the awards.
- (c) SAB shall use its best efforts to ensure that all Merit Incentive Awards granted during the same semester are similarly funded. In the absence of written policies, SAB shall also attempt to award similarly sized EAP scholarships to all recipients receiving the award in the same semester; however, recipients eligible under NMC's Early Admissions Program shall only be eligible for up to 50% of the EAP award amount.
- (d) EAP and Merit Incentive awards will not be granted to fund religious studies leading to ministry correspondence school or advance non-health care degree programs. On-line programs will be determined on a case-by-case basis. However, on-line programs must be taken within the CNMI.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission corrected the spelling of "case-by-case" in subsection (d) pursuant to 1 CMC § 3806(g).

## TITLE 75: OFFICE OF THE GOVERNOR

---

### Part 100 - Application, Eligibility, and Award

#### § 70-20.1-101 Eligibility Requirements for EAP

(a) New Applicants – Undergraduate Students: To qualify for funding under the EAP, an applicant must:

- (1) Submit a completed and signed Application Form; and,
- (2) Ensure that the most recent sealed official transcript is mailed or hand-delivered to the Scholarship Office. (A transcript faxed directly from the institution's records may be accepted as an unofficial transcript until such time the original is received, as required); and,
- (3) Provide a letter of acceptance from NMC or a transcript or proof of degree from NMC demonstrating the requirements from Section V\* have been met. Students who wish to attend an institution other than NMC who have met the conditions in Section V\* must provide a letter of acceptance from a recognized U.S. accredited college, university or institution as proof of admission for new students. Non-US Accredited college, university or institution must be approved by the SAB; and,
- (4) Be a permanent resident of the Commonwealth with documentation of such, (an original passport or original birth certificate and CNMI Annual tax return, drivers license, CNMI affidavit card or other documents as appropriate); and,
- (5) Have graduated from high school, Advance Development Institute, General Education Development (GED) or higher; or be admitted into the Northern Marianas College Early Admissions Program no earlier than high school junior year (To be eligible for funding for the Early Admissions Program, the student shall have a minimum 3.0 high school cumulative grade point average (CGPA) and place into English 101); and
- (6) Submit a Free Application for Federal Student Aid (FAFSA) Student Aid Report (SAR).
- (7) Note: A first-time recipient of EAP will be considered for financial assistance even if his or her GPA is below the SAP requirement. However, in order to continue in the EAP program, the recipient must achieve the cumulative GPA requirements, as defined in Section IX(b)\*, at the end of the term awarded.

(b) New Applicants – Graduate Students. To qualify for funding under EAP, an applicant must:

- (1) Meet all of the requirements listed in section 70-20.1-101, excluding the requirements of attendance at NMC and the requirements of Section V\*.

(c) Continuing Students: to continue eligibility for funding students must:

- (1) Submit a completed and signed Renewal Application Form; and
- (2) Ensure that the most recent sealed official transcript is mailed or hand-delivered to the Scholarship Office. (A transcript faxed directly from the institution's records may be accepted as an unofficial transcript until such time the original is received, as required); and,
- (3) Provide a letter of acceptance from an eligible institution as proof of admissions for transferring students or those pursuing a higher degree (and, if the student first applied for EAP in Fall 2012 or later, a transcript or proof of degree demonstrating that the conditions of Section V\* have been met); and,
- (4) Maintain SAP in a course of study according to the standards established by the Scholarship Office.

## TITLE 75: OFFICE OF THE GOVERNOR

---

(d) Former EAP Recipient: A student who did not receive Financial Assistance from the Scholarship Office for a period of one year as a result of ineligibility and/or break in attendance is considered a returnee and must provide the following:

- (1) Submit a completed and signed Renewal Application Form; and
  - (2) Ensure that the most recent sealed official transcript is mailed or hand-delivered to the Scholarship Office (A transcript faxed directly from the institution's records department may be accepted as an unofficial transcript until such time the original is received, as required); and,
  - (3) Provide a letter of re-acceptance from an eligible institution for those who have taken a break in enrollment, or a letter of acceptance into the institution for transferring students; and
  - (4) Maintain SAP in a course of study according to the standards established by the Scholarship Office.
- (5) If the student first applied for EAP in Fall 2012 or later, the requirements of Section V\* apply.

\*So in original; see Commission Comment.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: Section V, referenced in subsections (a)(3), (b)(1), (c)(3), and (d)(5), was repealed by PL 18-06 (May 31, 2013). Section IX(b), referenced in subsection (a)(7), does not exist in the original regulation. The Commission corrected the phrase "Institutions Records" to "institution's records" in subsections (a)(2), (c)(2), and (d)(2) pursuant to 1 CMC § 3806(g). The Commission designated subsection (a)(7) pursuant to 1 CMC § 3806(a).

### **§ 70-20.1-105 Eligibility Requirements for Merit Incentive Award**

The merit incentive award is given in addition to the EAP grant. To be considered for a merit incentive award, a recipient of the EAP grant must satisfy the following requirements:

- (a) Must be a full-time and continuing undergraduate student.
- (b) On a 4.0 scale, a student must maintain a cumulative grade point average of 3.00 to 3.49 to receive a merit incentive award up to \$1,000.00 per academic year.
- (c) On a 4.0 scale, a student must maintain a cumulative grade point average of 3.50 or higher to receive a merit incentive award up to \$2,000.00 per academic year.
- (d) Note: Merit incentive awards are contingent upon availability of funds. Lesser amounts may be granted. All individuals receiving the merit incentive award will receive the same amount. Students taking developmental courses in fulfillment of a full-time status are not eligible for a merit incentive award.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission designated subsection (d) pursuant to 1 CMC § 3806(a).

### **§ 70-20.1-110 Eligibility Requirements for Part-Time Students**

## **TITLE 75: OFFICE OF THE GOVERNOR**

---

Undergraduate students must meet the following criteria:

- (a) EAP requirements for New Applicants, Continuing Students, or Returning Students; and,
- (b) Be employed full-time in the Private or Public Sector within the CNMI throughout his/her educational pursuit. This may be waived for applicants with a Certified Disability. Employment Verification Form must be completed and submitted each enrollment period; and,
- (c) Be accepted and enrolled for one to eleven credits in an accredited college or institution. Proof of enrollment must be provided.
- (d) Awards for part-time recipients will be prorated.
- (e) Note: Part-time EAP, graduate program, and merit incentive awards are contingent upon availability of funds. Eligibility awards will be determined after September 15<sup>th</sup> for fall term; February 15<sup>th</sup> for winter and spring term.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission corrected the capitalization of “new applicants,” “continuing students,” “returning students,” “private or public sector,” and “certified disability” pursuant to 1 CMC § 3806(f). The Commission struck the figures “1” and “11” pursuant to 1 CMC § 3806(e). The Commission designated subsection (e) pursuant to 1 CMC § 3806(a). The Commission inserted a comma after the word “program” in subsection (e) pursuant to 1 CMC § 3806(g).

### **§ 70-20.1-115 Application Deadline**

- (a) It is the student’s responsibility to obtain and complete forms by the established deadline in order to be considered for EAP. Complete and signed applications must be received or post-marked by: July 1<sup>st</sup> for fall term; December 15<sup>th</sup> for winter/spring term. Denial of EAP awards based on the receipt of a late application is not subject to appeal.
- (b) Note: If the deadline falls on a weekend or a holiday, the deadline will be the next working day.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission corrected the capitalization of “fall,” “winter,” “spring,” and “term” pursuant to 1 CMC § 3806(f).

### **§ 70-20.1-120 Satisfactory Academic Progress (SAP)**

A student is qualified to receive EAP only if both quantitative and qualitative SAP is being maintained. SAP for EAP is defined as:

- (a) Quantitative measure is completing the following number of non-repeat credits:

## **TITLE 75: OFFICE OF THE GOVERNOR**

---

- (1) EAP Undergraduate Full-time: Twelve (12) credits
- (2) EAP Undergraduate Part-time: Credits awarded\*
- (3) Graduate & Professional Full-time: Nine (9) credits or as defined by the institution.

(b) Qualitative measure is maintaining the following grade point average (GPA):

- (1) EAP Undergraduate: 2.75 Cumulative GPA
- (2) Merit Incentive Awards: As defined in section 70-20.1-105(a), (b), & (c)
- (3) Graduate & Professional: As required by the institution to remain enrolled.

(c) Note: First-time recipient of EAP will be considered for financial assistance even if his/her GPA is below the SAP requirement. However in order to continue in the EAP program the recipient must achieve the cumulative GPA requirement, as defined in Section IX(b)\*, at the end of the term awarded.

\* So in original. See Commission Comment.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission updated the citation in subsection (b)(2) pursuant to 1 CMC § 3806(d). The Commission designated subsection (c) pursuant to 1 CMC § 3806(a). Section IX(b), cited in subsection (c), does not exist in the original regulation.

### **§ 70-20.1-125 Students Who Either Drop or Withdraw From Classes**

(a) An EAP recipient who either drops or withdraws from classes and fails to complete the minimum required number of credits will be suspended from the program and disqualified from further participation until he or she fulfills the requirement of the award given. A student on suspension may be reinstated upon completion of hours lacking from the last term awarded.

(b) An EAP recipient who falls below the required SAP will be suspended from the program and disqualified from further participation until he or she meets the required cumulative GPA.

(c) Letter grades for incomplete courses must be submitted to the Scholarship Office prior to the first day of the following instructional term. Awards will not be released until the letter grade is submitted to the Scholarship Office.

(d) A recipient who received an award and is not enrolled will be required to return the funds immediately. Failure to repay/return the funds will result in immediate referral to a collection agency.

(e) EAP will not fund any courses taken during the summer term.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission corrected the capitalization of “letter grades,” “incomplete courses,” and “collection agency” pursuant to 1 CMC § 3806(f).



## TITLE 75: OFFICE OF THE GOVERNOR

---

### § 70-20.1-130 Repayment

(a) All recipients are required to return to the CNMI no later than three months after completion of their degree program. The recipient further agrees to perform Commonwealth work for a period equal to the period for which the recipient received scholarship assistance from the SAB. For each such six month period of Commonwealth work, SAB will consider the recipient to have repaid the equivalent value of the scholarship assistance the recipient accepted for one academic term.

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

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

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

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission corrected the capitalization of “work,” “recipient,” and “degree program” pursuant to 1 CMC § 3806(f). The Commission struck the figures “3” and “6” pursuant to 1 CMC § 3806(e).

### § 75-20.1-135 Duration of Award

All programs that the Scholarship Office administers will be considered in determining the duration of the award. No EAP will be awarded once a recipient has completed a “Level of Education,” as defined in section 75-20.1-005(k)(1). EAP grants will then only be awarded for the next level of education.

(a) Undergraduate Degrees

(1) Two and a half academic years for full-time undergraduate program leading toward an associate’s degree.

(2) Four academic years for part-time undergraduate programs leading toward an associate’s degree.

(3) Four and a half academic years for full-time undergraduate programs leading toward a bachelor’s degree. A maximum of five years is allowed for completion of specialized majors, as required by the Institution.

## TITLE 75: OFFICE OF THE GOVERNOR

---

(4) Eight academic years for part-time undergraduate programs leading toward a bachelor's degree. A maximum of ten years is allowed for completion of specialized majors, as required by the Institution.

(5) EAP Assistance provided for Certificate and Associate's Degree will be included when determining the duration of award for a bachelor's degree program.

(6) Note: Full-time first year students enrolled in developmental course, as required by the institution, may be eligible for financial assistance for a total of 12 paid credits. However, this does not exempt the recipient in completing the program within the established duration period. Duration of awards will not apply to students with certified disabilities.

(b) Graduate Degrees

(1) Two academic years for graduate level students, leading to a master's degree or registry and licensure.

(2) Four academic years for a Juris Doctor degree.

(3) Six and a half academic years for an advanced degree directly providing health care (not administrative), e.g. MD, DDS, DO which generally require additional years of study, as specified in the catalog enforced at the time the student is enrolled.

(4) Note: Commencing with academic year 2003-04, financial assistance for all levels of graduate programs will only be made\* upon availability of funds.

(c) Extending Duration of Award: Upon the written request of an EAP scholarship recipient who demonstrates that he or she cannot complete his or her degree during the above-stated period due to restraints put in place by the academic institution, the SAB may, upon a majority vote, choose to extend assistance for that student for a period to be determined by the Board. In determining whether to extend assistance, the Board should consider what steps the student could have taken to prevent the restraint.

\* So in original.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission updated the citation to Section II(k)(1) in the initial paragraph to section 75-20.1-005(k)(1) pursuant to 1 CMC § 3806(d). The Commission corrected the capitalization of the words "bachelor's," "certificate," "associates," and "degree" in subsection (a)(5), "registry" and "licensure" in subsection (b)(1), and "degree" in subsection (b)(2) pursuant to 1 CMC § 3806(f). The Commission designated subsections (a)(6) and (b)(4) pursuant to 1 CMC § 3806(a).

### § 75-20.1-140 Memorandum of Agreement

When accepting an award, the recipient will receive and sign the Memorandum of Agreement outlining the applicable Terms and Conditions established by law, rules and regulations promulgated by the Scholarship Program, and as follows:

(a) In recognition of the scarcity of trained manpower in the Commonwealth, each recipient of grants and/or incentives is required to return to the CNMI within three (3) months after completion of his/her degree plan or non-enrollment from school and work in the CNMI public

## TITLE 75: OFFICE OF THE GOVERNOR

---

or private sector for a period of one year for each year of financial assistance received, unless otherwise specified by law.

(b) A recipient who, after a good-faith effort, is unsuccessful in finding employment in the Commonwealth within the three months after completion of his/her degree plan or non-enrollment from school may request, in writing, an extension of time to secure employment in the Commonwealth. Documentation justifying non-employment must accompany the request for a deferment.

(c) Recipients who do not comply with the Memorandum of Agreement (MOA) shall repay the total amount of funds awarded. The amount may be paid in full or in installments. The Scholarship Program Administrator will arrange a payment schedule after reviewing the recipient's financial statement.

(d) Legal proceedings will be taken to recover the total amount of EAP and/or incentive awarded should a recipient fail to return to the CNMI within three months or request an extension pursuant to Section XXII(b)\* after receipt of his/her degree or the conclusion of his/her educational pursuit. The recipient shall pay all fees and interest charged by the collection agency, including legal expenses incurred by the government in an effort to recover EAP and/or merit incentive awards.

(e) No penalty shall be imposed on a recipient who decides to return to the CNMI and find employment in the CNMI before the completion of study; the appropriate cancellation rates shall be applied. However, should the recipient return to school, the cancellation shall cease immediately and the amount owing shall be added toward the new EAP.

\* So in original. See Commission Comment.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission corrected the capitalization of "public or private sector" in subsection (a) and of "financial statement" in subsection (c) pursuant to 1 CMC § 3806(f). The Commission struck the figure "3" from subsections (c) and (d) pursuant to 1 CMC § 3806(e).

Subsection (d) cites to Section XXII(b) of the regulation. No such section exists.

### **§ 75-20.1-145 Fraudulent Information**

All documents received by the Scholarship Office are subject to verification. The applicant is personally responsible for the integrity of these documents. Recipients and/or their authorized representative who submit documents that are false or tampered with in any way will result in the recipients' immediate and permanent removal from any of the programs administered by the Scholarship Office. Documents include, but are not limited to, application, supporting documents, grade reports, transcripts, letters of reference or letters of recommendation, etc.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

## TITLE 75: OFFICE OF THE GOVERNOR

---

### § 75-20.1-150 Appeals

- (a) A recipient who is denied EAP has the right to appeal a decision of the Scholarship Office.
- (b) Appeals must be in writing, addressed to the Chairperson of the Scholarship Advisory Board.
- (c) Appeals must be postmarked or hand-delivered no later than twenty-one calendar days after notification of the decision by the Scholarship Administrator. Notification of denial if mailed shall be given via certified mail, return receipt requested.
- (d) Appeals to the Scholarship Advisory Board shall be heard and decided pursuant to applicable CNMI law, including, but not limited to, the CNMI Administrative Procedure Act, 1 CMC § 9101 et seq.
- (e) All decisions by the Scholarship Advisory Board on appeals are final regarding the administrative review process.
- (f) Denials based on late submission of an application or due to a repeated course are not subject to the appeal process.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

Commission Comment: The Commission struck the figure “21” from subsection (c) pursuant to 1 CMC § 3806(e). The Commission removed the period after the word “et” in subsection (d) pursuant to 1 CMC § 3806(g).

### Part 200 - Miscellaneous Provisions

#### § 75-20.1-201 Effective Date

These rules and regulations shall take effect upon adoption by the SAB and publication in the Commonwealth Register.

History: Adopted 34 Com. Reg. 32406 (Apr. 29, 2012); Proposed 34 Com. Reg. 32315 (Feb. 29, 2012); Emergency 33 Com. Reg. 32116 (Dec. 29, 2011).

# TITLE 75: OFFICE OF THE GOVERNOR

---

## SUBCHAPTER 75-20.2 HONOR SCHOLARSHIP PROGRAM FOR POST SECONDARY EDUCATION RULES AND REGULATIONS

<b>Part 001</b>	<b>General Provisions</b>	§ 75-20.2-115	Scholarship Maintenance and Conditions
§ 75-20.2-001	Purpose	§ 75-20.2-120	Probation and Termination
§ 75-20.2-005	Definitions for Implementing Public Law 14-37	§ 75-20.2-125	Transfer or Change of Field of Study
<b>Part 100</b>	<b>Scholarship Application and Award</b>	§ 75-20.2-130	Repayment
§ 75-20.2-101	Application	§ 75-20.2-135	Fraudulent Information
§ 75-20.2-105	Selection Criteria	§ 75-20.2-140	Appeals
§ 75-20.2-110	Scholarship Award	<b>Part 200</b>	<b>Miscellaneous Provisions</b>
		§ 75-20.2-201	Effective Date

Subchapter Authority: 3 CMC §§ 1341-1343; Executive Order 94-3 § 211.

Subchapter History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012); Emergency 34 Com. Reg. 32483 (July 29, 2012); Amdts Adopted 33 Com. Reg. 31395 (Feb. 24, 2011); Amdts Proposed 33 Com. Reg. 31265 (Jan. 24, 2011); Amdts Adopted 27 Com. Reg. 24522 (May 18, 2005); Amdts Proposed 27 Com. Reg. 24109 (Mar. 17, 2005); Amdts Emergency and Proposed 26 Com. Reg. 23084 (Nov. 30, 2004) (effective for 120 days from Oct. 27, 2004);\* Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20, 2001) (effective for 120 days from July 13, 2001); Emergency and Proposed 21 Com. Reg. 16871 (Aug. 23, 1999) (effective for 120 days from Aug. 18, 1999).

\*A notice of permanent adoption for the November 2004 amendments was never published.

Commission Comment: 3 CMC § 1304 creates the Northern Marianas College as a nonprofit public corporation, under the general control and direction of the Board of Regents of the Northern Marianas College. See also 3 CMC § 1311. The Board of Regents is authorized to review eligibility based on established policy or criteria and to establish awards for all publicly funded financial assistance for post-secondary education of Commonwealth students within the Commonwealth. 3 CMC § 1316(d).

PL 7-32 (effective June 20, 1991), the “Postsecondary Education Scholarship Act of 1990,” codified as amended at 3 CMC §§ 1341-1343, created annual scholarships for CNMI high school graduates to attend accredited colleges or universities in the Commonwealth or the United States. See 3 CMC § 1342.

PL 14-37 (effective Oct. 22, 2004), the “CNMI Honor Scholarship Act of 2004,” repealed and reenacted 3 CMC §§ 1341 and 1342. See PL 14-37 § 3. The act continues the original scholarship program with clarifications as to who is eligible for the awards. 3 CMC § 1343 authorizes the Northern Marianas College Board of Regents to administer the provisions of the act and promulgate necessary regulations.

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

Section 211. Scholarships.

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

## TITLE 75: OFFICE OF THE GOVERNOR

---

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

(c) As used in this section, the term “scholarships” includes student grants, student loans, and other programs of student financial assistance. The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

The May 2005 amendments repealed and re-promulgated this subchapter in its entirety.

On February 20, 2009, the Commonwealth Supreme Court ruled that the regulations in this chapter failed to implement the statutorily-mandated criteria set forth in 3 CMC § 1342(b), and issued the following order:

The scholarship board shall promptly:

(1) Promulgate rules and regulations consistent with the statutory language of 3 CMC § 1342, which requires the scholarship board to weigh the applicants’ respective grade point averages, SAT or ACT scores, extra-curricular activities, the difficulty of the high school coursework, and at least two letters of recommendation in selecting scholarship recipients. In promulgating the rules and regulations, the scholarship board must assign a percentage value to all the statutorily-mandated criteria set forth in Section 1342(b). Additionally, the regulations must adequately set forth the methodology for ensuring that the scholarship board uniformly evaluates the difficulty of the applicants’ coursework; and

(2) Reevaluate the entire set of applications for the 2006 honor scholarships, and award the scholarships based on the statutorily-mandated criteria set forth in 3 CMC § 1342(b).

*Calvo v. Northern Mariana Islands Scholarship Advisory Board*, 2009 MP 2 ¶ 31.

The 2011 amendments repealed and re-promulgated this subchapter. The 2012 amendments also repealed and re-promulgated this subchapter.

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

### **Part 001 - General Provisions**

#### **§ 75-20.2-001 Purpose**

These regulations implement the provisions of the CNMI Honor Scholarship Act, 3 CMC § 1342. They repeal and replace the Honor Scholarship Program For Post Secondary Education Rules and Regulations, NMIAC § 75-20.2. They are promulgated pursuant to, and in accordance, with the Supreme Court Order in *Calvo v. Northern Mariana Islands Scholarship Advisory Board*, 2009 MP 2.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

#### **§ 75-20.2-005 Definitions for Implementing Public Law 14-37**

## **TITLE 75: OFFICE OF THE GOVERNOR**

---

- (a) “Cumulative Grade Point Average”: The Grade Point Average for all terms combined. The recipient must have a 3.00 cumulative GPA on a 4.00 scale at the end of each school year.
- (b) “Full-Time Status”: Twelve (12) credits per enrollment period. Courses that are repeated will not be counted as fulfillment of a student’s full-time enrollment status.
- (c) “Probation”: A condition placed on a student who failed to comply with the statutory requirement or in any of the Rules and Regulations promulgated by the Scholarship Advisory Board.
- (d) “Termination”: Discontinued from the program.
- (e) “SAT”: Scholastic Achievement Test.
- (f) “ACT”: American College Testing.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission corrected the spelling of “full-time” in subsection (b), corrected the spelling of “Regulations” in subsection (c), and inserted periods at the ends of subsections (e) and (f) pursuant to 1 CMC § 3806(g). The Commission inserted quotation marks around terms defined.

### **Part 100 - Scholarship Application and Award**

#### **§ 75-20.2-101 Application**

- (a) All Applications and required documents must be received by the CNMI Scholarship Advisory Board, Office of the Governor, on or before June 30<sup>th</sup> of the year for which the scholarship is to be commenced. Note: If the Deadline falls on a weekend or a holiday, deadline will be on the next working day.
- (b) The required documents include, but are not limited to:
  - (1) an official high school transcript, inclusive of the last quarter’s 12<sup>th</sup> grade\*;
  - (2) a letter of acceptance from an accredited college or university;
  - (3) proof of compliance with statutory requirements, as demonstrated by, but not limited to\*
  - (4) Scholastic Achievement Test (SAT) and/or American College Testing (ACT), two letters of recommendation, a description of extra-curricular activities, and proof of citizenship and residency such as a U.S. passport, parents’ CNMI tax forms, CNMI voter registration, or other similar documents deemed acceptable or appropriate to the Scholarship Advisory Board.
- (c) At the beginning of each academic year on-going recipients must submit all the required documents to maintain their scholarship.

\* So in original.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

## TITLE 75: OFFICE OF THE GOVERNOR

---

Commission Comment: The Commission corrected the spelling of “extra-curricular” in subsection (b)(4) pursuant to 1 CMC § 3806(g).

### § 75-20.2-105 Selection Criteria

(a) The Scholarship Advisory Board shall meet after July 15<sup>th</sup> for the purpose of selecting the scholarship recipients.

(b) The Scholarship Advisory Board shall review and evaluate the applications of applicants using the criteria established by law and those imposed by the NMI Supreme Court.

(1) Applicants must be a U.S. citizen or a U.S. national.

(2) Applicants must be newly high school graduates who have attained a combination of highest cumulative grade point average and highest SAT and/or ACT score. In addition, applicants’ extra-curricular activities, difficulty of courses taken, and at least two letters of recommendation will be used in the selection process.

Process of Ranking Scholarship:

(i) 80% of the rank will be determined by the applicants’ cumulative grade point average and difficulty of courses. The Scholarship Advisory Board (“SAB”) has determined that the public/private education system in the NMI is valid in that all high schools in the NMI are accredited. Moreover, all high schools in the NMI allow their students to take Advanced Placement (AP) or honor courses. These courses allow students who wish to take more difficult courses to be rewarded via a higher Cumulative Grade Point Average. This is so because all schools in the NMI give students who take AP or honors courses grades on a five point scale instead of the traditional 4 point scale. The SAB rejects the process of norming GPAs because this would fail to distinguish students who took AP or honors courses and those students who did not. The board has studied the problem and believes this is the best way to incorporate the difficulty of a student’s coursework. Students will be ranked according their cumulative grade point average from highest to lowest with the highest-ranking student receiving a “one.”

(ii) 14% of the rank will be determined by the single highest total SAT or ACT score that the applicant received on a given testing day. Scores may not be combined. ACT scores will be converted to an equivalent SAT score. Students will be ranked according to their highest total SAT (or converted ACT) score from highest to lowest with the highest-ranking student receiving a “one.”

(iii) 3% of the rank shall be determined by the student's extra-curricular activities. Prior to the SAB meeting, the student's extra-curricular activities will be separated from any identification markers. The individual Board members will then judge the extra-curricular activities on a scale of “one,” “two,” or “three.” Outstanding extra-curricular activities shall receive a “one,” average activities shall receive a “two” and subaverage activities shall receive a “three.” Each Board member voting shall make their own decision based on years of service and the nature thereof. Compensated extra-curricular activities shall not be considered. Upon each member awarding the total activities a “one,” “two,” or “three,” the high and low score shall be discarded and the average of all scores shall be determined. All averages shall be rounded to the nearest whole number. Thus, a 2.3 is a 2 and a 1.9 is a 2. (Extra-curricular activities must be certified by the coordinate\* of the event.)

(iv) 3% of the rank shall be determined by the student's letters of recommendation. Prior to the SAB meeting, the student’s letters of recommendation will be separated from any identification markers. The individual Board members will then judge the letters of



## TITLE 75: OFFICE OF THE GOVERNOR

recommendation on a scale of “one,” “two,” or “three.” Outstanding recommendations shall receive a “one,” average recommendations shall receive a “two” and subaverage recommendations shall receive a “three.” Each Board member voting shall make their own decision based on the nature of the letter. The author of the letter shall not be considered. Upon each member awarding the letters a “one,” “two,” or “three,” the high and low score shall be discarded and the average of all scores shall be determined. All averages shall be rounded to the nearest whole number. Thus, a 2.3 is a 2 and a 1.9 is a 2.

(v) Once applicants have a rank for their grade point average, SAT/ACT score, extra-curricular activities, and letters of recommendation, the rankings will be multiplied by the appropriate percentage and totaled. The applicants with the ranking closest to one will receive the awards in order until all the available scholarships under the program are provided.

(vi) The following example shows how the ranking process works.

Student	CGPA (rank)	80% GPA Score	SAT/ACT (rank)	14% SAT/ACT Score	Extra Curric.	3% Extra Curric. Score	LOR (rank)	3% LOR Score	Total	Place
A	4.25 (1)	.8	1275 (6)	.84	2	.06	3	.09	1.79	1
F	4.15 (2)	1.6	1400 (3)	.42	2	.06	2	.06	2.14	2
E	4.1 (3)	2.4	1000 (8)	1.12	3	.09	2	.06	3.67	4
G	4.06 (4)	3.2	1600 (1)	.14	2	.06	1	.03	3.43	3
I	4.01 (5)	4	1500 (2)	.28	2	.06	2	.06	4.4	5
C	4 (6)	4.8	1325 (4)	.56	1	.03	2	.06	5.48	6
B	4 (6)	4.8	1300 (5)	.70	2	.06	2	.06	5.62	7
H	3.99 (7)	5.6	1325 (4)	.56	2	.06	2	.06	6.28	8
D	3.75 (8)	6.4	1250 (7)	.98	2	.06	1	.03	7.47	9

Under this example, if eight scholarships were available, the individuals ranked first through eighth will receive awards. In other words, only applicant D would not receive an award.

(vii) For the purpose of a tiebreaker, the SAB shall use the highest Cumulative Grade Point Average. Thus, for the students who are tied, the one(s) with the highest CGPA wins the award(s).

(3) Applicants graduating within the CNMI must have attended school within the CNMI for a minimum total of six years. Within the six years requirement, applicants must have attended the CNMI\* - two years immediately preceding the date of the award.

(4) In addition to the subsection (b)(1) and (b)(2) requirement, applicants graduating from a high school within the United States of America or its territories as one of the top students, scholastically are eligible to apply, provided that the applicant has attained the highest scholastic achievement with a 4.0 or higher cumulative grade point average and whose parent(s) are bona fide CNMI resident(s) at the time of application and have been so for a minimum period of eight years prior to the date of application.

## TITLE 75: OFFICE OF THE GOVERNOR

---

\* So in original.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission corrected the capitalization of “national” in subsection (b)(1) and “author” in subsection (b)(2)(iv) pursuant to 1 CMC § 3806(f). The Commission inserted a comma after the word “taken” in subsection (b)(2), corrected the word “GPA’s” to “GPAs” in subsection (b)(2)(i), corrected the placement of the apostrophe in the word “student’s” in subsection (b)(2)(i), corrected the slash after the word “score” to a period in subsection (b)(2)(ii), converted the brackets to parentheses and placed the word in parentheses in sentence format in subsection (b)(2)(iii), and corrected the spelling of “bona fide” in subsection (b)(4) pursuant to 1 CMC § 3806(g). The Commission struck the figures “6” and “2” in subsection (b)(3) and “8” in subsection (b)(4) pursuant to 1 CMC § 3806(e). The Commission changed the phrase “3.2.1 and 3.2.2 requirement” in subsection (b)(4) to “subsection (b)(1) and (b)(2) requirement” pursuant to 1 CMC § 3806(c).

### § 75-20.2-110 Scholarship Award

- (a) Either the actual cost of the scholarship benefits as established by P.L. 14-37 or the amount of fifteen thousand dollars which ever\* is less, will be awarded to each recipient for each academic year. Awards will be decreased by any amount the recipient receives from other grants or scholarships.
- (b) The award will pay for costs directly related to the student’s educational needs, including but not limited to tuition, textbooks, school supplies, and housing allowance, provided that the amount allocated for room and board shall not exceed \$5,000.00 or 50% of the institution’s estimated room and board expense, whichever is less.
- (c) The award per term will be prorated.
- (d) If a recipient either dropped out of school or is terminated by the school, all scholarship privileges will be terminated immediately and the recipient will be required to remit the whole amount of moneys provided through this scholarship fund to the CNMI government.
- (e) Scholarship may not be used to cover for expenses not included in the institution’s definition for cost of attendance.
- (f) If an applicant declines an award or receives scholarship funds from other sources that equal the full amount of applicants’ cost of attendance, the applicant will not be provided an award under this program. The applicant’s award will instead be provided to the next eligible applicant by rank.

\* So in original.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission corrected the capitalization of “fifteen thousand” and struck the figure “\$15,000” in subsection (a) pursuant to 1 CMC § 3806(e) and (f). The Commission corrected the spelling of the word “scholarships” in subsection (a) pursuant to 1 CMC § 3806(g). The Commission corrected the phrase “Institutions Definition for Cost of Attendance” in subsection (e) to “institution’s definition for cost of attendance” pursuant to 1 CMC § 3806(f) and (g).

## TITLE 75: OFFICE OF THE GOVERNOR

---

### § 75-20.2-115 Scholarship Maintenance and Conditions

- (a) The recipient graduating from high-school selected for the scholarship may continue to receive scholarship but no more than five academic years, as long as he/she maintains the required cumulative GPA of 3.00 on a 4.00 scale at the end of each school year.
- (b) The recipient must submit a certified copy of the institution's cost of attendance each academic year. If the recipient fails to submit the institution's cost of attendance all scholarship privileges will be deferred until the Scholarship Advisory Board receives such document.
- (c) The recipient must enroll and maintain a full-time status each enrollment period.
- (d) At the end of each enrollment period, the recipient must provide the Scholarship Advisory Board with a copy of his/her grade report for the enrollment period ending. At the end of each academic year, the student must provide the Scholarship Advisory Board with an official sealed transcript. If the recipient fails to submit the official transcript or the grade report, all scholarship privileges will be deferred until the Scholarship Advisory Board receives such document(s).
- (e) The recipient must sign and have notarized a Memorandum of Agreement approved by the Scholarship Advisory Board for each academic year in order to receive scholarship benefits. This Memorandum of Agreement shall set forth the terms and conditions pursuant to which scholarship benefits will be granted to the recipient. Each Agreement must be notarized and returned to the Scholarship Advisory Board before the recipient will receive any scholarship benefits.
- (d) A recipient who is enrolled in a two-year institution must have prior approval from the Scholarship Advisory Board prior to enrolling in any two-year institution for a third academic year.
- (e) All scholarship recipients must declare their field of study before the beginning of their second year in college. The Scholarship Advisory Board will hold awards until this information is received in writing, via fax, or email or via an appropriate mail service to the following address:
- Scholarship Advisory Board  
Office of the Governor  
Caller Box 10007  
Saipan, MP 96950
- Facsimile: 670-664-4759  
Email Address: [cnmisab@cnmischolarship.com](mailto:cnmisab@cnmischolarship.com)
- (f) All scholarship recipients must advise the Scholarship Advisory Board of both their school and CNMI address each time there is a change.

## TITLE 75: OFFICE OF THE GOVERNOR

---

- (g) A recipient is not eligible for same or lower level of education.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission struck the figures “5” in subsection (a) and “3<sup>rd</sup>” in subsection (d) pursuant to 1 CMC § 3806(e). The Commission corrected the phrase “Institutions’ Cost of Attendance” in subsection (b) to “institution’s cost of attendance” pursuant to 1 CMC § 3806(f) and (g).

### **§ 75-20.2-120 Probation and Termination**

(a) The recipient must maintain a full-time status and have a GPA of 3.00 on a 4.0 scale cumulatively at the end of each academic year. If the recipient fails to maintain a required GPA, or if the number of credit hours drops below that of full-time status at the end of an enrollment period or the student fails to comply with the statutory requirements or the terms of the Memorandum of Agreement, the student will be placed on probation for the following academic year.

(b) Scholarship benefits will be awarded during the probation period. However, the student must make up the credits lacking while also maintaining a full-time (12 credits) status. By the end of the probationary enrollment period the student must be able to meet the minimum GPA requirement and be in compliance with the statutory requirements and the terms of the students’\* Memorandum of Agreement.

(c) If the student does not meet the required GPA requirements or does not complete the credits lacking in addition to maintaining full-time status or is not in compliance with the statutory requirements or the terms of the Memorandum of Agreement during the probationary enrollment period, the scholarship benefits will terminate immediately, and the recipient will not be allowed any future participation in the program.

\* So in original.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission corrected the spelling of “full-time” in subsection (a) and “make up” in subsection (b) pursuant to 1 CMC § 3806(g).

### **§ 75-20.2-125 Transfer or Change of Field of Study**

Permission must first be obtained from the Scholarship Administrator if a recipient wants to transfer to another institution or change his/her field of study. A request shall be in writing and, if the request is to another institution, an acceptance letter from the institution to which a student is transferring must be submitted with the request for an approval of transfer.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

### **§ 75-20.2-130 Repayment**

## TITLE 75: OFFICE OF THE GOVERNOR

---

- (a) All recipients of such scholarship are required to return to the CNMI no later than three months after completion of their degree program.
- (b) Recipients, who fail to complete his/her educational degree program, will be required to repay the amount of scholarship awarded. The amount may either be repaid in full or in installments as determined by the Scholarship Advisory Board and the recipient.
- (c) Legal proceedings will be taken to recover the total amount of scholarships awarded in order to enforce the requirements provided in subsections (a) and (b). The recipient shall also pay all legal expenses and fees incurred by the government in the effort to recover scholarship awards.
- (d) No penalty shall be imposed on a recipient who obtain their baccalaureate degree and decides to enter a post-graduate degree program. The repayment or cancellation of such scholarship will be deferred until the student obtains their post-graduate degree whether or not the student is receiving scholarship funds. However, should the student cease his/her post-graduate program, he/she must return to the CNMI within three months to commence work. Failure to return will result in the student being required to repay all scholarship awards previously received.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission struck the figure “3” in subsections (a) and (d) pursuant to 1 CMC § 3806(e). The Commission changed the phrase “§ 8.1 and 8.2 above” in subsection (c) to “subsections (a) and (b)” pursuant to 1 CMC § 3806(d). The Commission corrected the capitalization of “degree program” in subsection (d) pursuant to 1 CMC § 3806(f).

### **§ 75-20.2-135 Fraudulent Information**

All documents received by the Scholarship Advisory Board are subject to verification from the Institution and sources from which it came. The applicant and his or her family or authorized representatives are individually responsible for the integrity of such documents. Recipients and the authorized representative who submit documents that are false or tampered in any way(s) will result in the recipient immediate and permanent removal from any Scholarship program administered by Scholarship Advisory Board. Documents include but are not limited to application, supporting documents, grade reports, transcript, etc.

### **§ 75-20.2-140 Appeals**

- (a) A recipient who is denied P.L. 14-37\* has the right to appeal to the Scholarship Advisory Board.
- (b) The appeal must be in writing addressed to the Chairperson of the Scholarship Advisory Board.

## TITLE 75: OFFICE OF THE GOVERNOR

---

(c) The appeal must be postmarked or hand-delivered no later than twenty-one calendar days after notification of the decision by the Scholarship Administrator. If notification is via mail it shall be given via a certified mail, return receipt requested.

(d) The appeal to the Scholarship Advisory Board shall be heard and decided pursuant to applicable CNMI law, including, but not limited to, the CNMI Administrative Procedure Act, 1 CMC Section 9101 et seq.

(e) All decisions by Scholarship Advisory Board on appeals are final regarding the administrative review process.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission struck the figure “21” in subsection (c) pursuant to 1 CMC § 3806(e). The Commission removed the period after the word “et” in subsection (d) pursuant to 1 CMC § 3806(g).

### **Part 200 - Miscellaneous Provisions**

#### **§ 75-20.2-201 Effective Date**

These Rules and Regulations shall take effect as soon as possible.

History: Adopted 34 Com. Reg. 33116 (Nov. 29, 2012); Proposed 34 Com. Reg. 32750 (Aug. 29, 2012).

Commission Comment: The Commission corrected the spelling of “effective” in the section title pursuant to 1 CMC § 3806(g). The Commission corrected “Regulation” to “Regulations” pursuant to 1 CMC § 3806(g).

# TITLE 75: OFFICE OF THE GOVERNOR

---

## SUBCHAPTER 75-20.3

### POST SECONDARY TEACHER EDUCATION SCHOLARSHIP PROGRAM RULES AND REGULATIONS

#### **Part 001 General Provisions**

§ 75-20.3-001 Purpose  
§ 75-20.3-005 Definitions for Implementing  
Public Law 10-58 as Amended by Public  
Law 11-34

#### **Part 100 Application, Eligibility and Award**

§ 75-20.3-101 Application Procedure  
§ 75-20.3-105 Eligibility  
§ 75-20.3-110 Duration of Eligibility  
§ 75-20.3-115 Persons Eligible  
§ 75-20.3-120 Minimum Scholastic  
Achievement

§ 75-20.3-125 Amount and Distribution of  
Awards

#### **Part 200 Probation, Termination, Repayment and Appeals**

§ 75-20.3-201 Probation and Termination  
§ 75-20.3-205 Repayment  
§ 75-20.3-210 Fraudulent Information  
§ 75-20.3-215 Appeals

#### **Part 300 Miscellaneous Provisions**

§ 75-20.3-301 Effective and Expiration  
Dates

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

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

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

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

Section 211. Scholarships.

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

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

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

## TITLE 75: OFFICE OF THE GOVERNOR

---

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

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

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

### **Part 001 - General Provisions**

#### **§ 75-20.3-001 Purpose**

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

Modified, 1 CMC § 3806(d), (f).

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

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

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

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

Modified, 1 CMC § 3806(f).

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

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



**Part 100 - Application, Eligibility and Award**

**§ 75-20.3-101 Application Procedure**

- (a) Applications must be received or postmarked on or before July 1<sup>st</sup> for fall semester/quarter or December 15<sup>th</sup> for winter/spring quarter/semester for which the scholarship is to award. NOTE: If the deadline falls on a weekend or a holiday, deadline will be the next working day.
- (b) The required documents to be submitted with the application include but are not limited to:
- (1) An official sealed transcript from the institution;
  - (2) A letter of acceptance from an accredited college or university;
  - (3) A certification letter from the institution stating the institution's education program accreditation status and accrediting agency;
  - (4) Certification letter stating acceptance into an accredited teacher training program and student class status; and
  - (5) Proof of compliance with statutory requirements as demonstrated by, but not limited to, documents such as a U.S. passport, parent's tax forms, or other similar documents deemed acceptable or appropriate by the Scholarship Office.
- (c) Once accepted, recipients must continue to submit the appropriate information and documentation necessary to maintain their scholarship as required by the Scholarship Office.

Modified, 1 CMC § 3806(f), (g).

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

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

**§ 75-20.3-105 Eligibility**

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

- (a) A scholarship awarded to undergraduate students enrolled in an accredited teacher-training program will commence at the beginning of the students'\* junior year in college/university.
- (b) For the purpose of the rules and regulations in this subchapter, students are defined as PSTEP recipients who either meet the criteria of subsection (a) above, have obtained their undergraduate, baccalaureate degree and their teacher education certificate or similar teaching

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

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

\* So in original.

Modified, 1 CMC § 3806(c), (d), (f).

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

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

### **§ 75-20.3-110 Duration of Eligibility**

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

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

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

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

### **§ 75-20.3-115 Persons Eligible**

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

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

## TITLE 75: OFFICE OF THE GOVERNOR

---

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

### **§ 75-20.3-120 Minimum Scholastic Achievement**

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

Modified, 1 CMC § 3806(f), (g).

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

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

### **§ 75-20.3-125 Amount and Distribution of Awards**

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

Modified, 1 CMC § 3806(f).

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

## **Part 200 - Probation, Termination, Repayment and Appeals**

### **§ 75-20.3-201 Probation and Termination**

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

\*So in original.

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

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

Modified, 1 CMC § 3806(f), (g).

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

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

### **§ 75-20.3-205 Repayment**

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

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

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

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

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

History: Amdts Adopted 26 Com. Reg. 22349 (Apr. 23, 2004); Amdts Proposed 26 Com. Reg. 21877 (Feb. 23, 2004); Adopted 23 Com. Reg. 18389 (Sept. 24, 2001); Emergency and Proposed 23 Com. Reg. 18183 (July 20,

## TITLE 75: OFFICE OF THE GOVERNOR

---

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

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

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

### **§ 75-20.3-210 Fraudulent Information**

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

Modified, 1 CMC § 3806(f), (g).

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

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

### **§ 75-20.3-215 Appeals**

(a) A recipient who is denied PSTEP funds has the right to appeal to the Scholarship Advisory Board.

(b) Recipient may appeal a decision by the Scholarship Administrator. The appeal must be in writing addressed to the Chairperson of the Scholarship Advisory Board.

(c) The appeal must be postmarked or hand-delivered no later than twenty-one calendar days after notification of the decision by the Scholarship Administrator. If notification is via mail it shall be given via a certified mail, return receipt requested.

(d) The appeal to the Scholarship Advisory Board shall be heard and decided pursuant to applicable CNMI law, including, but not limited to, the CNMI Administrative Procedure Act, 1 CMC §§ 9101, et seq.

(e) All decisions by Scholarship Advisory Board on appeals are final regarding the administrative review process.

Modified, 1 CMC § 3806(e), (g).

## TITLE 75: OFFICE OF THE GOVERNOR

---

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

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

### **Part 300 - Miscellaneous Provisions**

#### **§ 75-20.3-301 Effective and Expiration Dates**

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

Modified, 1 CMC § 3806(f).

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

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