



Commonwealth of the Northern Mariana Islands
Saipan Higher Education Financial Assistance

Jose C. Mafnas, Chair
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Northern Marianas Housing Corporation No. A-42, Garapan, Saipan MP 96950
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**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION
OF REGULATIONS OF
Saipan Higher Education Financial Assistance**

**PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED AMENDMENTS TO THE SAIPAN HIGHER EDUCATION FINANCIAL
ASSISTANCE REGULATIONS**

**Volume 33, Number 07, pp 031761-777, of July 22, 2011
Adopted as Permanent with No Changes**

ACTION TO ADOPT PROPOSED REGULATIONS: The Board of Saipan Higher Education Financial Assistance (the "Board of SHEFA"), HEREBY ADOPTS AS PERMANENT regulations the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Board of SHEFA announced that it intended to adopt them as permanent, and now does so. (Id.) I also certify by signature below that:

As attached and as published, the Proposed Regulations adopted as permanent regulations are a true, complete and correct copy of the referenced Proposed Regulations, and that they are being adopted without modification or amendment.

PRIOR PUBLICATION: The prior publication was as stated above. The Board of SHEFA adopted the regulations as final at its meeting of September 19, 2011.

MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY: None.

AUTHORITY: The Board of SHEFA is required by the Saipan and Northern Islands Legislative Delegation to adopt rules and regulations regarding those matters over which the Board of SHEFA has jurisdiction. SLL 13-21, as amended, the "Saipan Higher Education Financial Assistance Act of 2003" (10 CMC §§ 3921 - 28, as amended, eff. February 2, 2004).

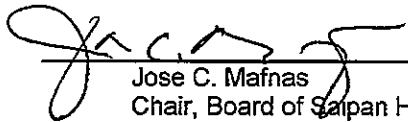
EFFECTIVE DATE: Pursuant to the APA, 1 CMC sec. 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC sec. 9104(a)(2), the agency has considered fully all written and oral submissions respecting the proposed regulations. Upon this 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 its 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 there are any, in response to filed comments.

The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC sec. 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 corporations, except as otherwise provided by law).

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 15th day of September, 2011, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



Jose C. Mafnas
Chair, Board of Saipan Higher
Education Finance Assistance

9/20/2011
Date

Filed and
Recorded by:



ESTHER M. SAN NICOLAS
Commonwealth Register

9-22-2011
Date

0 Form Notice of Final Adoption of Regs.wpd



SAIPAN HIGHER EDUCATION FINANCIAL ASSISTANCE

Office of the Mayor
Municipality of Saipan

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Saipan Higher Education Financial Assistance Office of the Mayor Municipality of Saipan

PUBLIC NOTICE OF PROPOSED AMENDMENTS TO THE SAIPAN HIGHER EDUCATION FINANCIAL ASSISTANCE RULES AND REGULATIONS

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Board of Saipan Higher Education Financial Assistance (the "Board of SHEFA") intends to adopt as permanent rules and regulations the attached proposed amendments to the Saipan Higher Education Financial Assistance rules and regulations pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104 (a). The Board of SHEFA intends to adopt them as permanent, and hereby gives thirty (30) days' notice of its intent. *Id.* The amendments will become effective ten (10) days after adoption. 1 CMC § 9105 (b).

AUTHORITY:

CONSTITUTIONAL AUTHORITY: None

STATUTORY AUTHORITY: The Board of SHEFA is authorized to prescribe reasonably necessary rules and regulations to carry out the intent of the Saipan Higher Education Financial Assistance Act. 10 CMC § 3924 (n).

TERMS AND SUBSTANCE:

The Board of SHEFA is publishing the proposed amendments carry out its decision concerning full-time status requirement for graduate and advanced degree level students. More specifically,

1. To reduce the 12 or more credits requirement for full-time graduate and advanced degree students to 9 credits;

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2. The reduction is necessary and proper in view of concerns expressed by recipients of SHEFA financial assistance funds pursuing graduate and advanced level degrees that most institutions of higher education require nine credits to meet full-time status; and,
3. To apply a standard full-time course load requirement to graduate and advanced degree students applying for, have been, and are current recipients of SHEFA financial assistance funds; and,
4. The requirement set forth at § 165-20.1-205, ¶ 2, ¶ 3 (ii), and ¶ 4 (ii) and § 165-20.1-220 (e) (2) that graduate and advanced degree students carry a course load of 12 or more credits to be considered full-time status must be amended to reduce the course load to nine credits.

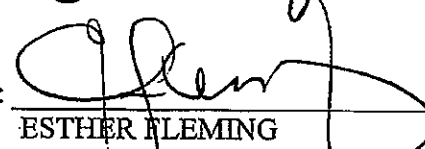
THE SUBJECTS AND ISSUES INVOLVED:

Section 165-20.1-205, ¶ 2, ¶ 3 (ii), and ¶ 4 (ii) and § 165-20.1-220 (e) (2) of the Saipan Higher Education Financial Assistance rules and regulations provide that full-time status for graduate and advanced degree students is 12 or more credits at each academic term. Graduate and advanced degree students have sought the consideration of the Board of SHEFA to reduce the current course load requirement of 12 or more credits to 9 or more credits, as most colleges and universities set a threshold for graduate or advanced degree level work at 9 credits.

COMMENTS: Interested parties may submit written comments on the proposed amendments to the Saipan Higher Education Financial Assistance Rules and Regulations to Jose C. Mafnas, Chair, Board of SHEFA, P.O. Box 10001, PMB 3648, Saipan MP 96950, or via facsimile to (670) 233-5996. Comments must be received by the Board of SHEFA within thirty days of the date this notice is published in the Commonwealth Register.

Submitted by: 
 JOSE C. MAFNAS

7/18/2011
 Date

Receive by: 
 ESTHER FLEMING
 Special Assistance to the Administration

07/20/11
 Date

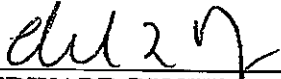
Filed and Record by: 
 ESTHER SAN NICOLAS
 Commonwealth Registrar

07.20.2011
 Date

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Pursuant to 1 CMC § 2153 (e) (approved of rules and regulations to be promulgated as to form), and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed amendments to the Saipan Higher Education Financial Assistance Rules and Regulations 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 _____ day of July 2011.

 7-20-11

EDWARD BUCKINGHAM
CNMI Attorney General

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SAIPAN HIGHER EDUCATION FINANCIAL ASSISTANCE

Office of the Mayor
Municipality of Saipan

I.

PROPOSED AMENDMENT TO § 165-20.1-205, ¶ 2, ¶ 3(ii), and ¶ 4(ii) and (iii) OF THE SHEFA RULES AND REGULATIONS

Paragraphs 2, 3 (ii), 4 (ii) and (iii) are hereby amended to read as follows: (Deleted text is shown in ~~strikeout~~. Amended text is underlined.)

2. —The Debtor shall utilize all financial assistance for educational expenses directly related or incidental to attendance and continued attendance at an institution of record and shall enroll in ~~take~~ at least a minimum of 12 credits for undergraduate; ~~12~~ 9 credits for graduate; and ~~12~~ 9 credits for advanced standing and maintain the minimum or higher grade point average (GPA) in accordance with the SHEFA Rules and Regulations.

3. The Debtor shall complete the required credits at each academic term (mark one):

- i. Undergraduate Full-Time: Twelve or more credits
- ii. Graduate Full-Time: Nine ~~Twelve~~ or more credits
- iii. Advanced Full-Time: Nine ~~Twelve~~ or more credits

4. The Debtor shall maintain at the end of each academic term the required cumulative grade point average and term grade point average as it applies below by marking the appropriate category:

- i. Undergraduate: 2.5 Cumulative GPA
Twelve or more credits
- ii. Performance-Based 3.5 Term+
Scholarship: Twelve or more credits for undergraduates
Nine or more credits for graduate and advanced degree
- iii. Graduate: 3.0 Cumulative GPA
Nine ~~Twelve~~ or more credits
- iv. Advanced: 3.0 Cumulative GPA
Nine ~~Twelve~~ or more credits
- v. Priority Field of Study: 2.5 Cumulative GPA
- vi. Loan Applicant/Recipient: 2.5 Cumulative GPA.

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+Term refers to fall term and spring term per academic year for applicant or recipient on semester system; fall term, winter term and spring term for applicant or recipient on quarter system; winter and spring term GPA may be combined in computing the higher of the term GPA for purposes of GPA scholarship. GPA scholarship for semester term is awarded on the fall and spring semester and fall and spring the quarter term.

5. The Debtor shall submit a copy of his/her official grade report/transcript promptly after the conclusion of each academic term directly from the institution of record to the SHEFA Office. The grade report submittal will determine the eligibility for continued assistance on every subsequent term. Within ninety days upon matriculation from the institution of record, the Debtor shall submit a copy of his/her college degree and proof of employment on Saipan or Northern Islands. The Debtor also fully understands and agrees to his/her legal obligations pursuant to the explicit and implicit terms and conditions set forth in this promissory note/memorandum of agreement.

II.

PROPOSED AMENDMENT TO § 165-20.1-220 (e)(2) OF THE SHEFA RULES AND REGULATIONS

Section 165-20.1-220 (e)(2) and (3) are hereby amended to read as follows: (Deleted text is shown in ~~strikeout~~. Amended text is underlined.)

(e) "Full-time status" means the registration and enrollment at the student's institution of record from the beginning and throughout the entire academic period (i.e., semester or quarter term) for which SHEFA financial aid is provided and shall require the following:

- (2) Graduate degree and advanced degree students: Nine ~~twelve~~ semester or quarter credits taken concurrently throughout an entire academic term i.e., fall semester, fall quarter, spring semester, or spring or winter quarter, unless the student is working on a dissertation, engaged in a mandatory internship required by the program, or engaged in other related required fieldwork or studies outside of a formal didactic setting; and
- (4) Provided, however, that no credit shall be counted toward full-time status for a class from which the student withdraws, for a religion course (unless it is a mandatory prerequisite for a program major field of study or general education requirement) for repetition of a class (regardless whether credit has previously been counted); for audit of a class; for a class for which the student receives a grade of incomplete; for a class for which the student receives a failing grade; or for a class unrelated to a declared field of study and not included in the student's individualized degree plan (IDP).

Section 165-20.1-220 (e)(1), (3), and (5) shall remain unchanged.

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