

TITLE 13 – EDUCATIONAL INSTITUTIONS

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TITLE 13 – CHAPTER 01 – STUDENT FINANCIAL AID

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13.0101 Authority.

The rules adopted in this chapter are adopted under the authority of 16.2504(a)(1) A.S.C.A.

History: Rule 10-80, eff 20 Aug 80, § 1; repealed and replaced by Rule 1-38 eff 25 May 88, §§ 1,2.

13.0102 Definitions.

As used in the chapter unless the context otherwise requires:

- (a) “Administrator” means a person hired by the board to administer the financial aid program.
- (b) “Board” means the student financial aid board.
- (c) “Chairman” means the chairman of the board elected from among its members in January each year by the members of the board.
- (d) “Secretary” means the secretary of the board elected from among its members in January of each year by the members of the board.
- (e) “Cumulative GPA” means the cumulative grade point average.
- (f) “Education costs” means those costs of a student’s tuition, laboratory fees, books and

supplies, room and board, and college offered health or hospital insurance coverage.

- (g) “Educational institution” means an accredited 4-year institute of higher learning.
 - (h) “Financial aid” means a scholarship, grant, loan, or any other monetary assistance provided by the board for postsecondary education.
 - (i) “Financial need” means need for financial assistance as defined in the federal at 20 USC 1089, as amended, and as further defined by or qualified in the Code of Federal Regulations.
 - (j) “Full-time student” means a student attending an educational institution taking not less than 12 credit hours per academic term or semester. Repeated courses are excluded in determining credit hours.
 - (k) “Fund” means the American Samoa Government Student Financial Aid Fund.
 - (1) “Job opportunity reports” means the reports prepared by the offices of Manpower Resources and Development Planning annually on potential public and private enterprise employment opportunity for college graduates and biennially on 5-year projected public and private enterprise employment needs pursuant to 16.2512 A.S.C.A.
 - (m) “SAT” means the Scholastic Aptitude Test.
 - (n) “Scholastic achievement” means the results of competitive college entrance examinations, TOEFL, the student’s cumulative GPA, and other general academic projects completed while attending a secondary educational institution.
 - (o) “Student” means a person enrolled and regularly pursuing studies at an education institution.
 - (p) “TOEFL” means the Test of English as a Foreign Language.
- History: Rule 10-80, eff 20 Aug 80. § 2; repealed and replaced by Rule 1-88, eff 25 May 88, §§ 1,2.*
- 13.0103 Financial aid categories.**
- (a) The categories of awarding student financial aid are:
 - (1) Scholarships. Scholarships are awarded to eligible applicants based solely upon the applicant’s competitive college entrance examination scores, TOEFL or SAT and GPA, without regard to financial need.

- (2) Grants-in-aid. Grants-in-aid are awarded to eligible applicants pursuing specific areas of study or research which are designated by the board as areas of particular need and importance in American Samoa based upon the applicant's scholastic achievement, without regard to financial need. Specific areas of study or research of particular need and importance in American Samoa shall be determined and published no later than June 20 every year. In designating such areas of study or research, the board shall take into account the current job opportunity reports on projected employment needs, and established the priority of each area.

- (3) Student loans. Student loans are awarded to eligible applicants based solely upon the applicant's financial need.

- (b) Applicants may apply for more than one category of financial aid except advanced degree students and government employee students.

History: Rule 10-80, eff 20 Aug 80, § 3; repealed and replaced by Rule 1-88, eff 25 May 88, §§ 1,2.

13.0104 Allocations of available moneys.

- (a) By January 1,1990, not less than 10 percent of the moneys available in the fund each year shall be allocated to scholarships.
- (b) The remainder of the moneys available in the fund each year shall be allocated to grants-in-aid, student loans and program expenses. The moneys allocated to grants-in-aid and student loans shall be determined by the board each year according to its assessment of the allocation most beneficial to American Samoa considering the amount of moneys available in the fund, priorities of designated areas of study or research of particular need and importance in American Samoa and the number of eligible and qualified applicants for grants-in-aid the number of eligible applicants having financial need for student loans and other relevant factors.

History: Rule 10-80, eff 20 Aug 80, § 4; repealed and replaced by Rule 1-88, eff 25 May 88, §§ 1,2.

13.0105 Eligibility.

Financial aid may only be awarded to an applicant who:

- (1) is a United States national or citizen, or an American Samoan as defined in 41.0202(1) (c) A.S.C.A., or a permanent resident in accordance

with 41.0401 A.S.C.A., et seq., or a person legally adopted in accordance with 45.0401 A.S.C.A., et seq.; and

- (2) is a legal resident of American Samoa as defined in 6.02 12 A.S.C.A., and in compliance with applicable territorial immigration laws except that the residence of the parents or legal guardians of a minor shall be presumed to be the legal residence of that minor; and
- (3) has been accepted to or is attending an educational institution.

History: Rule 10-80, eff 20 Aug 80, § 5; repealed and replaced by Rule 1-88, eff 25 May,88, §§ 1,2.

13.0106 Applications.

All applications for financial aid shall be made on forms approved by the board. Applications shall contain information establishing eligibility to the board's satisfaction, and state anticipated areas of study and occupational or professional preferences.

History: Rule 10-80, eff 20 Aug. 80, § 6; repealed and replaced by Rule 1-88, eff 25 May 88, §§ 1, 2.

13.0107 Letters of reference and interviews.

- (a) Each applicant shall submit to the board at least 3 letters of reference or support from teachers, counselors, principals, employers and other persons with specific knowledge of the applicant's character and abilities before receiving any award of financial aid.
- (b) Each applicant may be interviewed by the board at a scheduled time and place to verify the applicant's eligibility and other application statements and to assess the applicant's character and abilities.

History: Rule 10-80, eff 20 Aug 80, § 7; repealed and replaced by Rule 1-88,eff 25 May 88, §§ 1,2.

13.0108 Selection criteria of financial aid awards.

- (a) On scholarships for high school graduates, the minimum scholastic achievement for scholarship awards are a TOEFL test score of 580 or SAT combined test score of 900, and a 3.6 out of 4.0 cumulative GPA. For ASCC graduates, the minimum scholastic achievement for scholarship are a cumulative GPA of 3.2, a TOEFL test score of 580 and at least 48 acceptable credit hours from an off-island educational institution. For off-island applicants, the minimum scholastic achievement for scholarship are a cumulative GPA of 2.5 and at

least 48 acceptable credit hours from an off-island educational institution. The number of scholarships available each year shall be awarded according to the competitive ranking of the eligible applicants as determined by their college entrance examination test scores, TOEFL test score or SAT combined test score, and cumulative GPA. For each of the three criteria, numbers shall be assigned to each eligible applicant, based upon the number of applicants, with the highest number assigned to the first in rank. Composite averaging of the assigned members shall then be made to determine the final competitive ranking of the eligible applicants.

- (b) Grants-in-aid. For college students the minimum scholastic achievement for GPA are a 3.0 out of 4.0 cumulative GPA, and at least 45 acceptable credit hours from an off-island educational institution. Grants-in aid shall be awarded according to the competitive ranking of the eligible applicants, who have chosen designated areas of study or research of particular need, as determined by their TOEFL test score or SAT combined test score, and cumulative GPA. For each of the two criteria, with respect to each designated area of study or research numbers shall be assigned to each eligible applicant, based upon the number of applicants, with the highest number assigned to the first in rank. Composite averaging of the assigned numbers shall then be made to determine the final composite ranking of the eligible applicants.
- (c) Student loans. For college students the minimum requirements for applicants is that the be a full-time student in an accredited institution of higher learning, maintaining a minimum of 2.0 GPA, and parental (combined) income must be less than the poverty income level currently established by the U.S. Government; applicant must agree to begin payback two years after receiving a bachelor's degree. Applications must include the latest tax return of the family or legal guardians, and a listing of the number of dependents in the family. Parents or legal guardians must cosign the application.

History: Rule 40-80, eff 20 Aug 80, § 8; repealed and replaced by Rule 1-88, eff 25 May 88. § 1,2.

13.0109 Award amounts.

- (a) Scholarships shall be for uniform amounts as determined and published by the board prior to the competitive examinations of applications

each year, without regard to other financial assistance available to the recipient, excluding travel grants.

- (b) Grants-in-aid and student loans shall be in amounts adequate to meet education costs less all other financial assistance available to each recipient, excluding travel grants. A limit will be published every year by the board.

History: Rule 10-80, eff 20 Aug 80, § 9; repealed and replaced by Rule 1-88, eff 25 May 88, §§ 1,2.

13.0110 Travel grants.

- (a) In addition to the amount of any financial aid, each recipient of financial aid shall be provided air transportation at the standard economy rate for commercial air carriers from American Samoa to the recipient's educational institution upon the initial award. Return air transportation at the same rate to American Samoa, and a personal effects allowance of \$500 maximum paid in cash, shall be provided each recipient who satisfactorily completes degree requirements as specified by the recipient's educational institution. The cash personal effects allowance is intended to permit a successful recipient to ship books and other educational materials and personal effects accumulated during the course of study back to American Samoa.
- (b) Air transportation at the standard economy rate for commercial carriers to American Samoa shall not be provided any recipient who does not complete degree requirements due to failure.
- (c) All other transportation expense, whether for persons or things, is the recipient's responsibility.
- (d) The board will not be responsible for transportation costs of any recipient to attend personal affairs including weddings, funerals, graduations.

History: Rule 10-80, eff 20 Aug 80. § 10; repealed and replaced by Rule 1-88. eff 25 May 88, §§ 1,2.

13.0111 Financial aid contracts.

- (a) Financial aid shall be awarded by contract containing the conditions of the award. Each financial aid category shall have a standard and uniform contract approved by the Attorney General.
- (b) Financial aid contracts shall contain provisions governing the following matters:

- (1) The amount and duration of the award.
 - (2) The amounts to be paid directly to the recipient or to the educational institution, or both. For this purpose, categories of education may be specifically identified.
 - (3) Reduction in the amount awarded for a grant-in-aid or student loan by the amount the recipient may later receive in the form of an extra-territorial scholarship, grant, fellowship or other type of financial assistance. This requirement does not apply to scholarships.
 - (4) Cancellation of the financial aid awarded, and reimbursement of the amounts expended or a pro rata share thereof, if the recipient fails to meet the conditions set forth in 13.0112. Those conditions shall be expressly stated in the contract.
 - (5) Repayment of the amount awarded and extended for a grant-in-aid or student loan plus reasonable interest. The repayment schedule and interest rate shall be expressly stated in the contract.
 - (6) The recipient's promise to be employed by the government or private enterprise in American Samoa in a position related to the recipient's chosen area of study for a period of time equal to number of scholastic years financed by the board.
 - (7) Waiver of repayment of the amounts awarded and expended for a grant-in-aid in full or part based on the ratio the years of employment by the government or private enterprise in American Samoa in positions related to the recipient's chosen area of study bears to the number of scholastic years financed by the board.
 - (8) The major area of study which the recipient will pursue during the period of the grant or scholarship. The recipient cannot deviate from this field for the duration of the financial aid.
- (e) The chairman, or his or her designee as authorized in writing, shall sign all financial aid contracts on behalf of the American Samoa Government.

History: Rule 10-80, eff 20 Aug 80, § 11; repealed and replaced by Rule 1-88, eff 25 May 88, §§ 1,2.

13.0112 Duration and renewal of financial aid.

- (a) Financial aid shall be awarded for one scholastic year at a time unless the board determines financial aid for a specific recipient should be of longer or shorter duration due to special or unique circumstances.
- (b) A recipient who complies with the conditions set forth in 13.0112 and his or her financial aid contract and remains eligible shall be given priority consideration for renewal of financial aid in the category initially awarded to complete the recipient's chosen area of study or research when the recipient applies for renewal of the financial rule upon expiration of each financial aid term awarded. Renewal contracts shall be modified in accordance with the board's current rules.

History: Rule 10-80, eff 20 Aug 80, § 12; repealed and replaced by Rule 1-88, eff 25 May 88, §§1,2.

13.0113 Financial aid conditions.

Financial aid may be cancelled by the board if the recipient:

- (1) is not a full-time student; or
- (2) does not comply with the policy of his or her educational institution governing overall grade point averages, including any probationary periods provided by that policy; or
- (3) does not authorize the registrar or his or her educational institution to send a copy of his or her grade reports or transcript to the board after each academic semester or other term; or
- (4) transfers to another educational institution without the board's prior written authorization; or
- (5) changes his or her major areas of study without the board's prior written approval;
- (6) does not maintain a cumulative GPA of at least 2.5.

History: Rule 1-88, eff 25 May 88, §§ 1,2.

13.0114 Advanced-degree student.

Selection for grants-in-aid will be based on professional preference catering to the need of the territory.

History: Rule 1-88, eff 25 May 88, §§ 1,2.

13.0115 Government employee students.

Grants-in-aid will be awarded to those ASG employees based on merit and professional preference. Recommendation will be submitted by the Director of Manpower Resources and the respective department, office, or other agency head.

History: Rule 1-88, eff 25 May 88, §§ 1,2.

13.0116 Special duties of officers and employees.

- (a) The chairman, or his or her designee authorized in writing, shall sign all financial aid contracts on behalf of the American Samoa Government.
- (b) The Director of Education shall be responsible for:
 - (1) the custody and care of all applications for financial aid, documents related thereto, and the records on board actions on all applications; and
 - (2) the transmittal of the annual job opportunity reports on potential employment opportunities to financial aid recipients who are expected to graduate during the current fiscal year, and the biennial job opportunity reports on projected employment needs to all high schools in American Samoa, the American Samoa Community College, and financial aid recipients;
 - (3) the overseeing and coordinating approved payments of all financial aid awards and travel grants in a timely manner; and
 - (4) ensuring implementation of the policies and procedures established by the financial aid laws and rules, determine compliance with financial aid contracts, and approve proper payments of all financial aid awards and travel grants in a timely manner.

History: Rule 1-88, eff 25 May 88, § 1,2.

[End of Title 13 – Chapter 1]

TITLE 13 – CHAPTER 02 – TUITION RATES AND FEES AT AMERICAN SAMOA COMMUNITY COLLEGE

Sections:

- 13.0201 Authority.
- 13.0202 Tuition.
- 13.0203 Other fees and charges.

- (8) Graduation fee: \$10;
- (9) Official transcript fee: \$2 per copy.

History: Rule 19-83, eff 28 Dec 83, § 3.

END OF TITLE 13 – EDUCATIONAL INSTITUTIONS

13.0201 Authority.

The rule codified in this-section and 13.0202 and 13.0203 A.S.A.C., is adopted under-the authority of 16.2002(b)(5) A.S.C.A.

History: Rule 19-33, eff 28 Dec 83, § 1.

13.0202 Tuition.

Tuition at the American Samoa Community College for each term, beginning the first term of the 1983-1984 college year, is as follows:

- (1) American Samoans, U.S. nationals, permanent residents certified by the Immigration Board, and U.S. citizens: \$2 per credit, with a maximum of \$24 per term;
- (2) All others residing in American Samoa under authorization of the Immigration Board: \$3 per credit, with a maximum of \$36 per term;
- (3) Nonresident aliens upon authorization of the Immigration Board: \$4 per credit, with a maximum of \$48 per term.

History: Rule 19-83, eff 28 Dec 83, § 2.

13.0203 Other fees and charges.

Other fees and charges at the American Samoa Community College are as follows:

- (1) Change of registration fee: \$5;
- (2) Late registration fee: \$10;
- (3) Noncredit courses: variable to cover the cost of instruction (e.g., teachers \$10 per hour; supplies used; etc.);
- (4) Laboratory fees: variable to cover the cost of laboratory operation (e.g., cost of supplies and special laboratory materials, etc.);
- (5) Student activity fee: \$5;
- (6) Library fines: cost of replacement if not returned;
- (7) Breakage or lost equipment fee: cost of replacement;