

CHAPTER 6

Aid to Nonpublic Schools Fund

SECTIONS

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§ 601. Title.

This chapter shall be known as the “Aid to Nonpublic Schools Fund Program Act.”

Source: PL 4-103 § 1.

§ 602. Program established.

There is hereby established the Aid to Nonpublic Schools Fund Program, which shall be administered in accordance with this chapter and any regulations promulgated hereunder.

Source: PL 4-103 § 2, modified.

Cross-reference: FSM Const., art. IX, § 2(r), as amended, states as follows:

Section 2. The following powers are expressly delegated to Congress:

...

(r) to promote education and health by setting minimum standards, coordinating state activities relating to foreign assistance, providing training and assistance to the states and providing support for post-secondary educational programs and projects.

...

FSM Const., art. XIII, § 1 states as follows:

Section 1. The national government of the Federated States of Micronesia recognizes the right of the people to education, health care, and legal services and shall take every step reasonable and necessary to provide these services.

The provisions of the Constitution are found in Part I of this code.

§ 603. Utilization of funds.

Funds appropriated by the Congress for the purpose of providing aid to nonpublic schools in the Federated States of Micronesia shall be used for secular purposes only, including, but not limited to, health services, transportation services, textbooks, instructors' salaries, and instructional materials. Such funds shall be used for the extension of services to students attending nonpublic schools in the same manner and for the same purposes as such services are extended to students of equal level in public schools.

Source: PL 4-103 § 3.

Cross-reference: The FSM Constitution provides in art. IV, sect. 2, as follows:

Section 2. No law may be passed respecting an establishment of religion or impairing the free exercise of religion, except that assistance may be provided to parochial schools for non-religious purposes.

The statutory provisions on the Congress of the Federated States of Micronesia are found in title 3 of this code.

The official website of the Congress of the Federated States of Micronesia contains the public laws enacted by the Congress, sessions, committee hearings, rules, and other Congressional information at <http://www.fsmcongress.fm/>.

§ 604. Equitable distribution.

All funds appropriated for the Aid to Nonpublic Schools Fund Program shall be administered by the President or his designee in a manner calculated to ensure an equitable distribution of the assistance represented by the funds to all students in nonpublic schools within the Federated States of Micronesia.

Source: PL 4-103 § 4.

§ 605. Reporting.

The Director of the Office of Education of the Federated States of Micronesia shall prepare and submit to the Congress an annual report on the status of the program before each regular May session of the Congress. This report shall detail the expenditures of program funds during the preceding fiscal year, and shall include such other information

as the Director of the Office of Education of the Federated States of Micronesia may deem appropriate.

Source: PL 4-103 § 5.

§ 606. Promulgation of regulations.

The Director of the Office of Education of the Federated States of Micronesia, with the approval of the President, shall promulgate regulations, pursuant to chapter 1 of title 17 of this code, governing the procedures for ensuring an equitable distribution of funds among the States; the process by which nonpublic schools may apply for funds under the program; the criteria governing awards of funds under the program; the purposes for which such funds may be used consistent with section 603 of this chapter; the procedures for accounting for funds awarded under the program; and such other matters as may be consistent with the contents and purposes of this chapter.

Source: PL 4-103 § 6.

Cross-reference: Chapter 1 of title 17 of this code is on FSM Administrative Procedures.