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A BILL FOR AN ACT

To further amend title 40 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-30, 6-44, 6-45, 8-21, and 8-132, by amending sections 102 and 113, as established by Public Law No. 8-132, to amend the title and definition of Chief State School Officer; and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 102 of chapter 1 of title 40 of the  
2 Code of the Federated States of Micronesia, as established by  
3 Public Law No. 8-132, is hereby amended to read as follows:

4 "Section 102. Definitions. As used in this act:

5 (1) 'Accreditation' means the process of  
6 evaluating a school in terms of meeting the required  
7 minimum standards and the acknowledgment thereof by  
8 the FSM National Government through the issuance of an  
9 FSM Certificate of Accreditation.

10 (2) 'Board of Education' means each of the four  
11 groups of persons having managerial, supervisory, or  
12 advisory powers concerning education, as created,  
13 appointed and confirmed in office by the duly elected  
14 officials of the States of Chuuk, Kosrae, Pohnpei and  
15 Yap.

16 (3) 'Chief ~~State~~ School Officer' means the  
17 President of the College of Micronesia - FSM and the  
18 State Director of Education or other highest ranking  
19 educator with day-to-day administrative authority and  
20 control over the educational system of each State.

21 (4) 'Children with disabilities' means those  
22 individuals from birth through age 21 who are  
23 evaluated as having mental retardation, hearing  
24 impairments including deafness, speech or language  
25 impairments, visual impairments including blindness,

1 serious emotional disturbance, orthopedic  
2 impairments, autism, traumatic brain injury, other  
3 health impairments, specific learning disabilities,  
4 deaf-blindness, or multiple impairments, and who,  
5 because of those impairments, need special education  
6 and related services.

7 (5) 'College of Micronesia-FSM' means an  
8 institution of higher education located in the FSM  
9 and established in 1977 by P.L. No. 7-29 of the  
10 Seventh Congress of Micronesia.

11 (6) 'Compact' means the Compact of Free  
12 Association between the Federated States of  
13 Micronesia and the United States of America.

14 (7) 'Congress' means the Congress of the  
15 Federated States of Micronesia.

16 (8) 'Department' means the Department of  
17 Education of the Federated States of Micronesia.

18 (9) 'Elementary school' means an institution  
19 which imparts teaching and learning from grades one  
20 (first grade) through eight (eight grade).

21 (10) 'FSM' means the Federated States of  
22 Micronesia.

23 (11) 'FACSSO' means the FSM Association of Chief  
24 ~~State~~ School Officers.

25 (12) 'Home learning' means a private form of

1 education or course of study administered by parents  
2 who for personal or religious reasons choose not to  
3 send their children to a public or private school but  
4 as an alternative provide education within a home  
5 setting.

6 (13) 'National Government' means the National  
7 Government of the Federated States of Micronesia.

8 (14) 'Person' means an individual, corporation,  
9 firm or any other entity or association existing  
10 under or authorized by law.

11 (15) 'Post-secondary education' means an  
12 attendance at an institution of higher education in  
13 the FSM or abroad.

14 (16) 'Preschool' means any nursery school,  
15 kindergarten or special program attended by children  
16 during the period from infancy to age five or six,  
17 preceding attendance at elementary school.

18 (17) 'President' means the President of the  
19 Federated States of Micronesia.

20 (18) 'School' means an FSM accredited public or  
21 private institution of learning at the elementary or  
22 secondary level, including a school with a religious  
23 affiliation.

24 (19) 'Secondary school' means an institution  
25 which imparts teaching and learning beyond the

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1 elementary level up to but not including college or  
2 university level.

3 (20) 'Secretary' means the Secretary of the  
4 Department of Education of the Federated States of  
5 Micronesia.

6 (21) 'Special education' means instructional or  
7 other services necessary to assist children with  
8 disabilities. Special education is specifically  
9 designed instruction, at no cost to the parents, to  
10 meet the unique needs of a child with a disability,  
11 including instruction conducted:

- 12 (a) in classrooms;
- 13 (b) in the home;
- 14 (c) in hospitals and institutions;
- 15 (d) in other settings; and
- 16 (e) in physical education.

17 (22) 'State' means a State within the Federated  
18 States of Micronesia.

19 (23) 'State Director of Education' means the  
20 individual who is appointed by the Governor of the  
21 State and granted thereby the direct authority to  
22 manage and control the daily affairs of the State  
23 Department of Education.

24 (24) 'Teacher' means a classroom instructor who  
25 has attained the FSM National Government teacher

1 certification standards and whose primary function is  
2 to impart knowledge to students in schools.

3 (25) 'Teacher certification' means the issuance  
4 of a certificate to a preschool, elementary, or  
5 secondary classroom instructor who has met the  
6 National Government qualification requirements set  
7 forth in section 105 of this title."

8 Section 2. Section 113 of chapter 1 of title 40 of the  
9 Code of the Federated States of Micronesia, as established by  
10 Public Law No. 8-132, is hereby amended to read as follows:

11 "Section 113. FACSSO.

12 (1) The FSM Department of Education will  
13 periodically as necessary convene meetings of the  
14 Chief ~~State~~ School Officers for the purpose of  
15 increasing cooperation and coordination between the  
16 States and National Government and ensuring quality  
17 educational programs and facilities for students, in  
18 the following areas:

19 (a) Setting and attaining minimum  
20 standards for educational administration, programs  
21 and facilities;

22 (b) Obtaining and equitably distributing  
23 national and external financial assistance for  
24 education;

25 (c) Providing technical assistance to the

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States and sharing experience and data on how to improve the administration of educational programs; and

(d) Anticipating and meeting the needs of FSM students in the area of post-secondary education.

(2) The Secretary of Education and the ~~the~~ Chief ~~State~~ School Officers, when meeting in their official capacity, shall be known as the FSM Association of Chief ~~State~~ School Officers, or FAC\$SO.

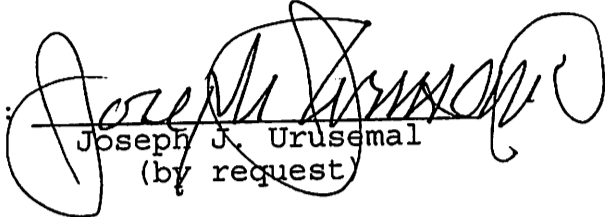
(3) Upon discussing and reaching a consensus on educational issues, FAC\$SO shall formally adopt, in the form of resolutions, its findings and conclusions, as well as the reasons or principles upon which its resolutions are based.

(4) The Secretary of Education shall promptly transmit FAC\$SO resolutions to the FSM President and to other persons as appropriate.

(5) The Secretary of Education shall maintain a book of FACSSO resolutions arranged consecutively according to date of adoption, and indexed according to subject matter."

1 Section 3. This act shall become law upon approved by the  
2 President of the Federated States of Micronesia or upon its  
3 becoming law without such approval.

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5 Date: 5/28/98

6 Introduced by:   
7 Joseph J. Urusemal  
8 (by request)

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