TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA
THIRD REGULAR SESSION, 1998

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 Code of the Federated States of Micronesia, as established by Public Law No. 8-132, is hereby amended to read as follows:

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

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

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

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

6. (4) 'Children with disabilities' means those individuals from birth through age 21 who are evaluated as having mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness.
serious emotional disturbance, orthopedic
imPAIRMENTS, autism, traumatic brain injury, other
health impairments, specific learning disabilities,
deaf-blindness, or multiple impairments, and who,
because of those impairments, need special education
and related services.

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

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

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

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

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

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

(11) 'FACSSO' means the FSM Association of Chief
School Officers.

(12) 'Home learning' means a private form of
education or course of study administered by parents who for personal or religious reasons choose not to send their children to a public or private school but as an alternative provide education within a home setting.

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

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

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

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

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

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

(19) 'Secondary school' means an institution which imparts teaching and learning beyond the
elementary level up to but not including college or university level.

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

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

(a) in classrooms;
(b) in the home;
(c) in hospitals and institutions;
(d) in other settings; and
(e) in physical education.

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

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

(24) 'Teacher' means a classroom instructor who has attained the FSM National Government teacher
certification standards and whose primary function is
to impart knowledge to students in schools.

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

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

"Section 113. FACSSO.

(1) The FSM Department of Education will
periodically as necessary convene meetings of the
Chief Educaté School Officers for the purpose of
increasing cooperation and coordination between the
States and National Government and ensuring quality
educational programs and facilities for students, in
the following areas:

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

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

(c) Providing technical assistance to the
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 Chief School Officers, when meeting in their
official capacity, shall be known as the FSM
Association of Chief School Officers, or
FACSSO.

(3) Upon discussing and reaching a consensus on
educational issues, FACSSO 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 FACSSO 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."
Section 3. This act shall become law upon approved by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 9/28/98

Introduced by: Joseph J. Urusmal
(by request)