I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
351-38 (COR) As amended by the Committee on Education, Libraries and Public Broadcasting; and substituted and amended on the Floor.	Vincent A.V. Borja V. Anthony Ada Shelly V. Calvo Jesse A. Lujan Tina Rose Muña-Barnes	AN ACT TO *AMEND* §§6102, 6103, ARTICLE 1, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED AND TO *ADD* A NEW §3137 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO GRANTING THE GUAM DEPARTMENT OF EDUCATION INDEPENDENT AUTHORITY TO ESTABLISH AN EDUCATOR CLASSIFICATION, COMPENSATION, AND EVALUATION STRUCTURE FOR GUAM DEPARTMENT OF EDUCATION PERSONNEL.	8/24/26 8:40 a.m.	8/28/26	Committee on Education, Libraries and Public Broadcasting.	Request: 8/28/26 9/3/26	9/8/26 2:00 p.m.	9/17/26 As Amended.	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES
9/28/26	AN ACT TO *AMEND* §§ 6102, 6103, OF ARTICLE 1, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED AND TO *ADD* A NEW § 3137 TO ARTICLE 1, OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO GRANTING THE GUAM DEPARTMENT OF EDUCATION INDEPENDENT AUTHORITY TO ESTABLISH AN EDUCATOR CLASSIFICATION, COMPENSATION, AND EVALUATION STRUCTURE FOR GUAM DEPARTMENT OF EDUCATION PERSONNEL.	10/16/26	10/19/26	10/30/26	

COPY

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
Thirty-Eighth Guam Legislature

October 19, 2026

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 175-38 (COR), 219-38 (COR), 226-38 (COR), 268-38 (COR), 305-38 (COR), 308-38 (COR), 320-38 (COR), 321-38 (COR), 322-38 (COR), 326-38 (LS), 327-38 (LS), 333-38 (COR), 334-38 (COR), 336-38 (COR), 337-38 (COR), 338-38 (COR), 342-38 (LS), 343-38 (LS), 351-38 (COR), and 361-38 (COR) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guåhan* on October 16, 2026.

Sincerely,

Senator Sabrina Salas Matanane
Legislative Secretary

Enclosure (20)

OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Elaine Tajalle
Date: 10/19/26 Time: 4:53 pm

COPY

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 351-38 (COR), "AN ACT TO *AMEND* §§ 6102, 6103, OF ARTICLE 1, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED AND TO *ADD* A NEW § 3137 TO ARTICLE 1, OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO GRANTING THE GUAM DEPARTMENT OF EDUCATION INDEPENDENT AUTHORITY TO ESTABLISH AN EDUCATOR CLASSIFICATION, COMPENSATION, AND EVALUATION STRUCTURE FOR GUAM DEPARTMENT OF EDUCATION PERSONNEL,"** was on the 16th day of October 2026, duly and regularly passed.

Frank F. Blas, Jr.
Speaker

Attested:

Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 19TH day of October, 2026, at 4:53 o'clock P .M.

Jomichael C. Quinata
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:

Public Law No.

OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Jomichael C. Quinata
Date: 10-19-26 Time: 4:53 PM

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 351-38 (COR)
As amended by the Committee on Education, Libraries,
and Public Broadcasting; and substituted and amended on the Floor

Introduced by: Vincent A.V. Borja
V. Anthony Ada
Shelly V. Calvo
Jesse A. Lujan
Tina Rose Muña-Barnes
Chris Barnett
Frank F. Blas, Jr.
Christopher M. Dueñas
Eulogio Shawn Gumataotao
William A. Parkinson
Sabina Flores Perez
Sabrina Salas Matanane
Joe S. San Agustin
Telo T. Taitague
Therese M. Terlaje

AN ACT TO *AMEND* §§ 6102, 6103, OF ARTICLE 1, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED AND TO *ADD* A NEW § 3137 TO ARTICLE 1, OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO GRANTING THE GUAM DEPARTMENT OF EDUCATION INDEPENDENT AUTHORITY TO ESTABLISH AN EDUCATOR CLASSIFICATION, COMPENSATION, AND EVALUATION STRUCTURE FOR GUAM DEPARTMENT OF EDUCATION PERSONNEL.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that public education is one of the most important constitutional responsibilities of

the Government of Guam and serves as the foundation for economic growth, workforce development, civic engagement, and long-term community stability.

I Liheslaturan Guåhan further finds that the recruitment and retention of qualified educators is critical to ensuring high-quality instruction, student achievement, and the overall performance of Guam's public school system. However, Guam continues to experience significant challenges in retaining experienced educators and recruiting new teachers, particularly in specialized subject areas.

I Liheslaturan Guåhan finds that educator compensation in Guam has historically lagged behind national averages and compensation levels in many U.S. states and territories. According to the United States Bureau of Labor Statistics, Occupational Employment and Wage Statistics, May 2025, Guam ranks fifty-third (53rd) of the fifty-four (54) states and territories reported for the annual median wage across all occupations, and ranks last among all such areas in education and library occupations. According to the National Education Association, Rankings and Estimates, April 2026, table E-6, the national average public school teacher salary for school year 2025-2026 is Seventy-Six Thousand Five Hundred Fifty-Two Dollars ($76,552). As economic activity on Guam continues to expand, and as federal investments and private sector growth contribute to rising wages in other sectors, public school educators face increasing disparities in compensation.

I Liheslaturan Guåhan further finds that rising housing costs, healthcare expenses, transportation costs, and general cost-of-living increases have significantly reduced the purchasing power of educator salaries. As a result, many educators are leaving Guam for higher-paying jurisdictions where compensation is more competitive and better aligned with living expenses. This outmigration contributes directly to teacher shortages, classroom instability, increased reliance on provisional or substitute educators, and diminished continuity of instruction.

I Liheslaturan Guåhan also finds that when educators leave Guam, the island loses not only experienced professionals but also community leaders, mentors, and role models who play an essential role in shaping the next generation. The long-term impact of educator attrition affects workforce readiness, economic resilience, and the island's ability to compete in a rapidly evolving regional and global economy.

I Liheslaturan Guåhan further finds that institutions such as the University of Guam and the Guam Community College possess independent authority to establish and administer their own compensation systems, allowing flexibility to respond to market conditions and institutional needs.

I Liheslaturan Guåhan finds that decisions regarding educator classification and compensation are best made by the elected Guam Education Board, which is directly accountable to the parents and taxpayers of Guam, rather than by a central administrative agency applying a schedule designed for the government at large.

I Liheslaturan Guåhan further finds that compensation disputes resolved through litigation, or addressed through episodic retroactive adjustment, impose avoidable and unpredictable cost upon the taxpayer. A compensation structure established by written agreement, with implementation phased over a defined period, and with no retroactive application, affords the government of Guam greater fiscal predictability than present practice.

I Liheslaturan Guåhan finds that educator attrition is not a cost-free condition. Each departure obliges the Guam Department of Education to recruit, relocate, orient, and train a replacement, and to cover the vacancy in the interim through long-term substitutes, combined classes, and understaffed courses. These are recurring expenditures already borne by the taxpayer, and they yield no lasting return. Compensation sufficient to retain an experienced educator is, in substantial part, a substitute for money the government is already spending to replace one.

I Liheslaturan Guåhan further recognizes testimony provided by the Department of Administration during the September 8 and September 10, 2026, public hearings that a new Government of Guam compensation plan is presently under development.

I Liheslaturan Guåhan further finds that the development of a new government-wide compensation plan provides an appropriate opportunity to continue advancing the broader framework of granting the Guam Department of Education greater authority over the classification, compensation, and pay structure of its workforce. Rather than creating competing compensation systems while a new government-wide plan is being developed, *I Liheslatura* intends to use this transition period to establish a clear framework toward greater GDOE autonomy over compensation.

I Liheslaturan Guåhan further finds that greater compensation authority would allow GDOE to respond more directly to the unique workforce needs of the public school system, including educator shortages, hard-to-fill positions, changing labor-market conditions, and competition with federal and private-sector employers. A compensation system tailored to the needs of public education would provide GDOE and the Guam Education Board greater flexibility to recruit, retain, and appropriately compensate the employees necessary to operate Guam's schools.

I Liheslaturan Guåhan further finds that the forthcoming Government of Guam pay plan should not prevent the Legislature from establishing the statutory framework necessary for GDOE to ultimately exercise broader authority over its own compensation structure. Instead, the new pay plan may serve as a transitional baseline from which GDOE may develop and administer a compensation system responsive to the operational and workforce needs of public education.

I Liheslaturan Guåhan further finds that this transition must occur in an orderly and fiscally responsible manner and should include a clear timeline for the

completion and implementation of the Department of Administration's new pay plan, followed by continued evaluation of the appropriate transfer of compensation authority to GDOE and the Guam Education Board.

It is therefore the intent of *I Liheslaturan Guåhan* to address the immediate need for competitive educator compensation through this Act while continuing to advance a broader framework under which the Guam Department of Education and the Guam Education Board may exercise greater authority over the classification and compensation of the Department's workforce following the implementation of the forthcoming Government of Guam pay plan.

Section 2. § 6102 of Article 1, Chapter 6, Title 4, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 6102. Purpose.**

The purpose of this Chapter is to provide a uniform and unified system of position classification and compensation for the Executive and Judicial Branches of the Government of Guam. The provisions of this Chapter shall not apply to covered personnel of the Guam Department of Education covered by § 3137 of Article 1, Chapter 3, Title 17, *nor* to academic personnel of the Guam Community College and the University of Guam, which, as institutions of higher education, must adhere to accreditation standards established by their respective accrediting bodies. The term academic personnel refers to the definitions provided in 17 GCA § 31106 and § 16112, governing academic personnel of Guam Community College and the University of Guam."

Section 3. § 6103 of Article 1, Chapter 6, Title 4, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 6103. Scope.**

Unless otherwise specified, this Chapter shall apply to all positions, officers, and employees, classified and unclassified, as the case may be,

inclusive of the Executive and Judicial Branches, autonomous and semi-autonomous agencies, public corporations, and other public instrumentalities of the government of Guam. The provisions of this Chapter do not apply to academic personnel of the Guam Community College and the University of Guam. The employment and terms and conditions of employment of academic personnel shall be exclusively governed by provisions of the enabling laws of Guam Community College and the University of Guam pertaining to academic personnel, as set forth in Title 17, Guam Code Annotated.

The provisions of this Chapter shall not apply to covered personnel of the Guam Department of Education covered by § 3137 of Article 1, Chapter 3, Title 17. The employment and terms and conditions of employment for such personnel shall be governed by the provisions of § 3137 of Article 1, Chapter 3, Title 17 and by any compensation structure adopted and executed thereof."

Section 4. § 3137 is hereby *added* to Article 1, Chapter 3, Title 17, Guam Code Annotated, to read as follows:

"**§ 3137. Guam Department of Education Educator Classification Compensation, and Evaluation Authority.**

(a) As used in this Section, the following terms shall mean:

(1) "Covered personnel" means all persons employed by the Guam Department of Education, including, but not limited to, instructional, professional, administrative, technical, clerical, and support personnel.

Personnel classifications specifically listed as "covered personnel" under this Paragraph shall be subject exclusively to the classification, compensation, and evaluation authority of the Guam Department of Education and the Guam Education Board pursuant to this Section.

(2) "Adopted structure" means a Guam Department of Education classification, compensation, and evaluation structure approved and executed pursuant to subsection (h) of this Section.

(b) Authority. Notwithstanding any other provision of law, rule, or regulation, the Guam Education Board shall adopt, administer, modify and implement a Guam Department of Education position classification, compensation, and evaluation structure for covered personnel addressing:

(1) Position classification structures;

(2) Pay grades and salary schedules;

(3) Step progressions;

(4) Recruitment and retention incentives;

(5) Compensation policies; and

(6) Evaluation policies.

The Superintendent of Education shall administer and implement the structure in accordance with policies adopted by the Guam Education Board.

Rules and regulations governing selection, compensation, promotion, performance evaluation, disciplinary action and other terms and conditions of employment affecting covered personnel shall be adopted by the Guam Education Board in accordance with 4 GCA §§ 4104 and 4105. Such rules and regulations shall provide for the employment of persons on the basis of merit and shall include an orderly and systematic method of recruitment and the establishment of a list of qualified applicants for employment purposes.

(c) Development. The Guam Education Board, in consultation with the Superintendent of Education shall be responsible for developing and adopting a classification, compensation, and evaluation structure for covered personnel.

(d) Market Competitiveness Standard. The adopted structure shall be designed to achieve market competitiveness for covered personnel. For classroom teachers, market competitiveness means an average salary of not less than ninety-five percent (95%) of the national average public school teacher salary most recently published by the National Education Association, to be achieved through phased implementation over a period of not more than five (5) fiscal years. For all other covered personnel, market competitiveness shall be measured against comparable public-sector and private-sector occupational compensation data, including data published by the United States Bureau of Labor Statistics, compensation data from comparable Government of Guam positions, and compensation offered by comparable employers on Guam and in other similarly situated jurisdictions. Any salary increase implemented pursuant to this Subsection shall not exceed fifteen percent (15%) of an employee's salary during any single fiscal year. The Guam Education Board shall review the adopted structure not less than once every two (2) years against the most recent salary data published by the National Education Association and the United States Bureau of Labor Statistics.

(e) Cost Determination. Prior to approval pursuant to subsection (h), the Guam Education Board shall determine the total cost to the government of Guam of the proposed structure for each fiscal year of its phased implementation.

(1) The cost determination shall be transmitted to the Bureau of Budget and Management Research and to the Office of Finance and Budget of *I Liheslaturan Guåhan*, each of which shall review it within its existing appropriation and report its findings to *I Liheslaturan*

Guåhan. The determination and both reviews shall be made available to the public.

(2) The Superintendent of Education shall obtain an independent classification and compensation study encompassing all positions within the Guam Department of Education, including covered personnel, employees compensated under the General Pay Plan, and employees under any other applicable pay plan, before implementation of the initial structure pursuant to subsection (h).

The study shall assess the Department's overall compensation framework and consider internal pay equity, salary compression, supervisory and organizational relationships, market competitiveness, recruitment, retention, and the potential effects of implementing a separate classification and compensation structure for covered personnel.

As part of the study, the independent evaluator shall identify and provide recommendations regarding any positions or classifications that may be appropriate for inclusion within, or exclusion from, the definition of covered personnel under the Educator Classification, Compensation, and Evaluation structure established by this Section.

Any recommendation to add or remove a position or classification from covered personnel shall be submitted to *I Liheslaturan Guåhan* for consideration. No position or classification shall be added to or removed from covered personnel except through legislation enacted by *I Liheslaturan Guåhan*.

The inclusion of any position or classification within the scope of the study shall not, by itself, alter the applicable pay plan,

classification, compensation, evaluation structure, or status of that position or classification.

(f) No structure shall be approved pursuant to subsection (h) unless the Guam Education Board first certifies in writing to *I Liheslaturan Guåhan* and to *I Maga'hågan/Maga'låhen Guåhan* the total cost of the proposed structure in each fiscal year of its implementation, expressed both in dollars and as a percentage of the appropriation to the Guam Department of Education for the then-current fiscal year, accompanied by the determination and reviews required by subsection (e). Implementation shall be phased over not more than five (5) fiscal years, subject to the availability of funds. No adopted structure shall be applied retroactively.

(g) The Guam Education Board and Superintendent of Education *shall* transmit to *I Liheslaturan Guåhan* an implementation plan no later than June 30, 2027, describing the actions necessary to establish Guam Department of Education Educator Classification, Compensation, and Evaluation structure required by this Section.

The plan shall include:

(1) Procurement of the independent study;

(2) Classification Review;

(3) Compensation Benchmarking;

(4) HRIS and Payroll Modifications;

(5) Policies and Standard Operation Procedures; and

(6) Projected implementation dates.

The following milestones shall apply:

(1) Certification of funds for independent study shall be certified no later than September 1, 2027;

(2) Procurement for the independent study shall commence no later than October 1, 2027;

(3) The independent study shall be substantially completed no later than April 1, 2028;

(4) The Guam Education Board shall approve a proposed classification and compensation structure no later than July 31, 2028; and

(5) The initial structure shall be implemented no later than October 1, 2028.

If any milestone is not met, the Guam Department of Education shall transmit a written report to *I Liheslaturan Guåhan* every thirty (30) days explaining:

(1) The reason for the delay;

(2) The actions to cure the delay; and

(3) The anticipated completion date.

(h) Approval and execution. The proposed classification, compensation, and evaluation structure shall be approved by a majority vote of the members of the Guam Education Board. Upon approval, the structure shall be reduced to writing and executed by the Guam Education Board and Superintendent.

(i) Transition. Until a structure is approved and executed pursuant to subsection (h), covered personnel shall remain subject to the Government of Guam Compensation Schedule established pursuant to § 6201 of Title 4, Guam Code Annotated, and the classification system administered by the Department of Administration. Upon the effective date established under subsection (k), covered personnel shall be exempt from that Compensation Schedule, from that classification system, and from the Government of Guam

educator pay plan administered by the Department of Administration, and such exemption shall remain in effect unless otherwise provided by law.

(j) Continuing authority; limitation. Following initial approval of the educator classification and compensation structure pursuant to this Section, the Guam Department of Education shall retain continuing authority to amend, revise, or modify its classification structures, salary schedules, and compensation policies. Any such amendment shall require approval by a majority vote of the Guam Education Board. No amendment that reduces base salary, or step placement, below the levels established in the adopted structure then in effect.

(k) Effective Date of Structure. The initial adopted structure shall take effect on October 1, 2028, or on October 1 of the first fiscal year commencing after approval and execution pursuant to subsection (h), whichever is later. Any subsequent amendment by the Guam Education Board shall take effect only at the commencement of a Government of Guam fiscal year, being October 1, and shall not take effect at any other time during a fiscal year.

(l) Nothing in this Section shall be construed to authorize the expenditure of funds without legislative appropriation as required by law. The Guam Education Board may adopt the classification and compensation structure and establish a phased implementation schedule; provided, however, that any compensation increase requiring additional expenditures shall be implemented only to the extent sufficient funds have been appropriated or are otherwise lawfully available.

(m) Budget Transparency and Reporting. Upon approval of a structure pursuant to subsection (h), the Guam Education Board shall report annually to *I Liheslaturan Guåhan*, and shall make available to the public:

(1) the status of implementation,

(2) any compensation earned and unsatisfied for want of appropriation,

(3) the resulting variance from the market competitiveness standard established in subsection (d), and

(4) recruitment, retention, and vacancy rates for covered personnel.

(n) Employee protection. No covered employee shall experience a reduction in base salary, benefits, accrued leave, or step placement, solely as a result of the transition from the Government of Guam pay plan to a compensation structure adopted pursuant to this Section. Nothing in this Act shall be construed to diminish any procedural, grievance, or appeal right held by covered personnel as of the effective date of this Act.

(o) Appeals. The Civil Service Commission shall have jurisdiction to hear and decide appeals brought by covered personnel from any decision applying the adopted structure to an individual employee, including classification, pay grade assignment, step placement, computation of salary, incentives, bonuses, differentials, and other compensation and benefits. An employee shall first request written review by the Superintendent of Education, and may appeal to the Civil Service Commission within thirty (30) days after the Superintendent's determination or after the failure to issue one within thirty (30) days of the request.

The Civil Service Commission shall determine whether the decision conforms to the adopted structure and to applicable law, and may order correction of the employee's classification, step placement, or salary computation and payment of compensation wrongly withheld."

Section 5. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or inorganic, such invalidity shall not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 6. Effective Date. This Act shall become effective upon enactment.