

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
226-38 (COR)	Vincent A. V. Borja	AN ACT TO <i>ADD</i> A NEW §6236 TO ARTICLE 2 OF CHAPTER 6 TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING INCENTIVE PAY FOR CERTAIN GUAM DEPARTMENT OF EDUCATION EMPLOYEES WHO OBTAIN AND UTILIZE SPECIALIZED CERTIFICATIONS OR TRAINING IN CRITICAL SHORTAGE AREAS, INCLUDING SPECIAL EDUCATION, LANGUAGE ACCESS, AND DISABILITY SERVICES.	11/17/25 10:15 a.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 226-38 (COR)

Introduced by:

Vincent A.V. Borja 

**AN ACT TO *ADD A* NEW §6236 TO ARTICLE 2 OF CHAPTER 6
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO
ESTABLISHING INCENTIVE PAY FOR CERTAIN GUAM
DEPARTMENT OF EDUCATION EMPLOYEES WHO OBTAIN
AND UTILIZE SPECIALIZED CERTIFICATIONS OR TRAINING
IN CRITICAL SHORTAGE AREAS, INCLUDING SPECIAL
EDUCATION, LANGUAGE ACCESS, AND DISABILITY
SERVICES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

The Legislature finds that the Guam Department of Education (GDOE) continues to experience significant staffing shortages in specialized areas critical to student success, including special education services, language access for persons with limited English proficiency (LEP), and support for students who are deaf, hard of hearing, or otherwise disabled. While formal education pathways remain vital, incentivizing current GDOE employees to obtain relevant certifications or training can address immediate needs and enhance service delivery.

It is the intent of this Act to establish a Specialty Certification Incentive Pay Program specifically for GDOE employees who obtain and apply approved certifications in these shortage areas, thereby improving educational outcomes and supporting professional development.

1 **Section 2.** A new §6236 is hereby *added* to Article 2 of Chapter 6, Title 4,
2 Guam Code Annotated, to read as follows:

3 **“§6236. Specialty Certification Incentive Pay Program for Guam**
4 **Department of Education Employees.**

5 (a) Establishment. There is hereby established a Specialty Certification
6 Incentive Pay Program for employees of the Guam Department of Education who
7 obtain and actively utilize approved certifications or training in critical shortage
8 areas, as defined in subsection (b), in the performance of their duties.

9 (b) Eligible Areas. Eligible shortage areas for GDOE employees *shall* include,
10 but not be limited to:

11 (1) Special Education services (e.g., paraprofessional certification,
12 applied behavioral analysis training, SPED classroom support);

13 (2) Language Access services (e.g., certified interpreters, translators,
14 bilingual proficiency certifications, American Sign Language interpretation);

15 (3) Disability Services (e.g., assistive technology certification,
16 accessibility coordination, ADA compliance training).

17 The Superintendent of the Guam Department of Education, in consultation
18 with the Guam Director of Administration and relevant stakeholders (including
19 GDOE employee representatives and the Guam Federation of Teachers), may
20 designate additional shortage areas based on documented GDOE needs, such as
21 vacancy rates exceeding 15% or federal compliance risks. The Guam Education
22 Board shall review and approve or modify the proposed list of additional eligible
23 shortage areas at least annually, with designations effective within 60 days of
24 approval unless otherwise specified.

25 (c) Incentive Pay

26 (1) Employees who obtain and actively utilize an approved certification
27 *shall* receive either:

1 (a) A biweekly stipend not less than One Hundred Dollars
2 (\$100.00) and not more than One Hundred Eighty Dollars (\$180.00);
3 or

4 (b) A percentage differential of not less than five percent (5%)
5 and not more than ten percent (10%) of base salary, as determined by
6 the pay grade and step under the GovGuam Unified Pay Schedule.

7 (2) Incentive pay shall remain in effect only while:

8 (a) The certification is valid and current; and

9 (b) The skills are actively applied in the employee's assigned
10 duties, as certified annually by the Superintendent of Education. Active
11 utilization shall be verified via a simple annual attestation form,
12 including examples such as caseload assignments or program
13 implementation logs.

14 (d) Certification Approval. The Guam Department of Education shall
15 maintain and annually update a list of approved certifications and training programs.
16 Such list shall include local, national, or online programs meeting recognized
17 professional standards applicable to GDOE roles. The list shall be published on the
18 GDOE website and distributed to all employees upon update.

19 (e) Funding. Incentive pay for GDOE employees shall be funded through:

20 (1) Available federal funds, including Individuals with Disabilities
21 Education Act (IDEA) or other applicable grants;

22 (2) Special education or language access appropriations; or

23 (3) General Fund appropriations as authorized by I Liheslaturan
24 Guåhan, not to exceed \$500,000 annually without prior legislative approval.

25 (f) Reporting. The Guam Department of Education shall submit an annual
26 report to I Liheslaturan Guåhan and I Maga'hågan/Maga'låhen Guåhan, no later than
27 September 30th, detailing:

1 (1) The number of employees receiving certification incentive pay;
2 (2) The amount expended on incentive pay; and
3 (3) The impact of the program on reducing staffing shortages in GDOE,
4 including metrics such as vacancy fill rates, retention in eligible areas,
5 (g) Review. This Program shall be subjected to periodic reviews as follows:

6 (1) Interim Review. No later than two (2) years after the effective date
7 of this Act, the Guam Department of Education shall submit a comprehensive
8 interim report to I Liheslaturan Guåhan incorporating data from the annual
9 reports required under subsection (f). The interim report shall assess
10 preliminary program effectiveness, including participant enrollment, cost per
11 certification, initial impacts on vacancy rates in eligible shortage areas, and
12 any barriers to implementation.

13 (2) Full Review and Sunset. No later than five (5) years after the
14 effective date of this Act, the Guam Department of Education, in consultation
15 with the Guam Education Board, shall conduct a full evaluation of the
16 Program's overall effectiveness, total costs, return on investment (e.g.,
17 retention rates and compliance with federal mandates such as IDEA), and
18 long-term impact on GDOE workforce capacity. The evaluation shall be
19 submitted as a report to I Liheslaturan Guåhan, who may amend, reauthorize,
20 or allow the Program to sunset based on the findings. If not reauthorized by
21 legislation prior to the five-year mark, the Program shall terminate on the sixth
22 anniversary of the effective date, with any active incentive payments phasing
23 out over six (6) months.

24 **Section 3. Severability.** If any provision of this Act or its application to any
25 person or circumstance is found to be invalid or inorganic, such invalidity shall not
26 affect other provisions or applications of this Act that can be given effect without

1 the invalid provision or application, and to this end the provisions of this Act are
2 severable.

3 **Section 4. Effective Date.** This Act shall be effective upon enactment.