

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
204-38 (COR)	Vincent A. V. Borja Shelly V. Calvo V. Anthony Ada Tina Rose Muña Barnes Eulogio Shawn Gumataotao	AN ACT TO <i>AMEND</i> §§ 3102.1 AND 3125 OF ARTICLE 1, CHAPTER 3, DIVISION 2, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING GUAM EDUCATION BOARD CONFIRMATION OF DEPUTY SUPERINTENDENT APPOINTMENTS TO ENHANCE OVERSIGHT, ACCOUNTABILITY, AND FOCUS ON STUDENT OUTCOMES.	10/9/25 11:53 a.m.						

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

Bill No. 204-38 (COR)

Introduced by:

Vincent A. V. Borja 
Shelly V. Calvo 
V. Anthony Ada 
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Eulogio Shawn Gumataotao 

**AN ACT TO AMEND §§ 3102.1 AND 3125 OF ARTICLE 1,
CHAPTER 3, DIVISION 2, TITLE 17, GUAM CODE
ANNOTATED, RELATIVE TO REQUIRING GUAM
EDUCATION BOARD CONFIRMATION OF DEPUTY
SUPERINTENDENT APPOINTMENTS TO ENHANCE
OVERSIGHT, ACCOUNTABILITY, AND FOCUS ON
STUDENT OUTCOMES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 Guam's public education system demands equitable and effective leadership to
4 ensure success for all students. As the policy-setting and oversight body for the
5 Guam Department of Education, the Guam Education Board plays a vital role in
6 maintaining governance integrity.

7 *I Liheslaturan Guåhan* intends to mandate Board confirmation of Deputy
8 Superintendent appointments, along with public posting and Board approval of
9 qualifications to promote greater accountability and transparency. These measures
10 aim to align leadership selections with community values, mitigate potential
11 conflicts, and support collaborative decision-making.

1 *I Liheslaturan Guåhan* further seeks to strengthen a professional Board
2 focused on strategic oversight and community engagement, ultimately advancing the
3 educational future of Guam's children by enacting these reforms.

4 **Section 2.** §3102.1 to Article 1, Chapter 3, Division 2, Title 17, Guam Code
5 Annotated is hereby *amended* to read as follows:

6 **§ 3102.1. Duties of the Guam Education Board.**

7 The Guam Education Board shall be responsible for all policies that govern the
8 Department of Education (hereinafter “Department”). The Board shall have the
9 authority to delegate such of its powers as it may deem appropriate, but shall retain
10 the ultimate responsibility for the exercise of its powers.

11 The Board, among other duties, shall perform the following in accordance with
12 applicable law:

13 (a) select and appoint a Superintendent and support him/her in the discharge
14 of his/her duties;

15 (b) receive, evaluate and act upon the recommendations and reports of the
16 Superintendent;

17 (c) adopt an annual budget and control expenditures accordingly; review
18 periodic financial reports and modify the budget if and when necessary;

19 (d) adopt student performance standards and assessment models;

20 (e) ensure that the Superintendent addresses the proper administration of all
21 mandated responsibilities;

22 (f) adopt attendance areas and school boundaries

23 (g) sue and/or defend itself in suits at law;

24 (h) report routine complaints and concerns related to the Department’s
25 operations directly to the Superintendent for appropriate investigation and
26 response;

1 (i) have no business or pecuniary interest which will conflict with the
2 activities of the Board;

3 (j) establish student discipline policy;

4 (k) establish a school calendar;

5 (l) establish graduation standards;

6 (m) periodically review established policies for refinement and
7 improvement;

8 (n) serve as Guam's State Education Policy/Governing Board for Federal
9 programs where such a board is required by Federal law, to include, but not be
10 limited to, the Head Start Program;

11 (o) act as the approving authority on behalf of the Department for collective
12 bargaining agreements;

13 (p) make recommendations to *I Maga'håga/Maga'låhen Guåhan* or *I*
14 *Liheslaturan Guåhan* for changes, additions or deletions to Guam Education Laws;

15 (q) each newly elected or appointed Board member shall complete, during
16 the first year of that member's first term, a training program to be prepared and
17 offered by the University of Guam and the Department, regarding the skills and
18 knowledge necessary to serve as a local school board member. The training
19 program shall include:

20 (1) review of the Guam Code Annotated and other laws pertaining to
21 DOE;

22 (2) Robert's Rules of Order;

23 (3) the budgeting procedures and guidelines of the government of
24 Guam and the Department; and

25 (4) difference(s) between policy making and micromanagement of the
26 affairs of the Department; and

(r) the role of the Board, as with any legislative body, is to act collectively, not individually. Any Board member shall report to I Liheslaturan Guåhan any potential or alleged violation of this Subsection. The Board shall not:

(1) interfere in or micro-manage the affairs of the Department, or schools within the Department; or

(2) involve itself with student discipline cases, unless expressly authorized by public law, and only to the extent authorized by public law.

(s) adopt a policy concerning the use of electronic security systems on school campuses, to include, but not limited to, emergency contact protocols.

(t) Confirm the Superintendent's appointment of a Deputy Superintendent by majority vote, subject to the rules and procedures established by the Board.

Section 3. §3125 to Article 1, Chapter 3, Title 17, Guam Code Annotated is hereby *amended* to read as follows:

“ §3125. Chief Financial Officer Deputy Superintendents

~~(a) Unclassified Deputy Superintendent(s) Appointment. The Superintendent shall reserve the right to select unclassified Deputy Superintendent(s) as his management team with full management responsibility and authority as delegated unto him or her by the Superintendent. Such unclassified Deputy Superintendent(s) appointees may number from one (1) but shall not exceed four (4), unless otherwise approved by the Guam Education Policy Board. The unclassified Deputy Superintendent(s) appointed positions shall cover, but not be limited to: The Superintendent is vested with the authority to appoint Deputy Superintendents to serve as members of the management team. Each Deputy Superintendent shall possess management responsibilities and authority as delegated by the Superintendent. Such appointments shall be subject to confirmation by a majority vote of the Guam Education Board. The number of Deputy~~

1 Superintendents shall be not less than one (1) and shall not exceed four (4),
2 unless otherwise approved by the Guam Education Board. The Deputy
3 Superintendent positions shall include, but not be limited to:

4 (1) Deputy Superintendent, Finance and Administrative
5 Services;

6 (2) Deputy Superintendent, Assessment and Accountability;

7 (3) Deputy Superintendent, Curriculum and Instructional
8 Improvement;

9 (4) Deputy Superintendent, Educational Support and
10 Community Learning.

11 (b) Unclassified Status. Notwithstanding any other provision of law,
12 members of the management team may be selected through direct appointment or
13 through contractual arrangement and may be terminated at will and without cause.
14 ~~Sole authority for selection and termination of management team personnel rests~~
15 ~~with the Superintendent of Education. The authority for selection and termination~~
16 rests with the Superintendent of Education, subject to the confirmation and review
17 provisions of this Section.

18 (c) Compensation. Notwithstanding any other provision of law, personnel
19 from the Department of Education who are ~~selected~~ appointed as a management
20 team member shall receive compensation at no more than the maximum salary
21 established for the Superintendent of DOE.

22 (d) Qualifications. ~~The Superintendent shall establish qualifications~~
23 ~~demonstrating quantifiable criteria to define the skills required for each of the~~
24 ~~positions, which qualifications shall be subject to approval by the Board. The~~
25 Superintendent shall establish, and publicly post minimum qualifications and
26 quantifiable criteria required for each Deputy Superintendent position. Such

1 qualifications shall be subject to review and approval by the Guam Education
2 Board prior to appointment confirmation.

3 **Section 4. Severability.** If any provision of this Act or its application to any
4 person or circumstance is found to be invalid or contrary to law, such invalidity
5 shall not affect other provisions or applications of this Act that can be given effect
6 without the invalid provision or application, and to this end the provisions of the
7 provisions of this Act are severable

8 **Section 5. Effective Date.** This Act shall become effective upon enactment.