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) As amended by the Committee on Education, Libraries and Public Broadcasting; and substituted and amended on the Floor.	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.	11/17/25 10:15 a.m.	11/25/25	Committee on Education, Libraries and Public Broadcasting.	Request: 11/25/25 12/4/25	3/13/26 9:00 a.m.	9/16/26	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES
9/28/26	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, DISABILITY SERVICES AND *CHAMORU* LANGUAGE TEACHERS.	10/16/26	10/19/26	10/30/26	38-148	10/30/26	Received: 10/30/26 Mess and Comm. Doc. No. 38GL-26-3126

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

38GL-26-3126

OFFICE OF THE SPEAKER
FRANK F. BLAS JR.
OCT 30 2026
Time: 4:30pm
Received:

Transmitted via Email to: speakerblas@guamlegislature.org

October 30, 2026

THE HON. FRANK BLAS, JR., *Speaker*
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 226-38 (COR), "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, DISABILITY SERVICES AND CHAMORU LANGUAGE TEACHERS."

Håfa Adai Mr. Speaker,

Bill No. 226-38 (COR) establishes incentive pay for Guam Department of Education (GDOE) employees who obtain and actively use specialized qualifications in critical shortage areas, including special education, language access, disability services, and CHamoru language instruction.

This bill invests in the skilled professionals our students need. However, its success requires consistent and sustainable funding. GDOE's existing Bonuses, Rewards and Incentives Program (BRIP), authorized under § 5121 of Chapter 5, Title 17, Guam Code Annotated, has faced funding gaps. This bill provides no new appropriation, and GDOE, the Guam Education Board, and the Legislature must work together to secure dependable funding and avoid repeating that experience.

The Board must also streamline and coordinate this program with BRIP and other incentives, ensuring clear eligibility standards and preventing overlapping benefits or duplicate compensation for the same qualifications and duties.

With dependable funding and responsible implementation, this law can help GDOE recruit and retain the specialized workforce our students deserve.

//

//

For these reasons, I sign Bill No. 226-38 (COR) into law as ***Public Law No. 38-148.***

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Bill No. 226-38 (COR) nka P.L. 38-148
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

38GL-26-3126
Messages and Communications
RECEIVED
COMMITTEE ON RULES
October 31, 2026
1:22 p.m.
Marie Crisostomo

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. 226-38 (COR), "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, DISABILITY SERVICES AND *CHAMORU* LANGUAGE TEACHERS,"** 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 4:43 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/30/2026

Public Law No. 38-148

2026-26647
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By:
Date: 10/19/26 Time: 4:53 pm

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

Bill No. 226-38 (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
Chris Barnett
Frank F. Blas, Jr.
Shelly V. Calvo
Christopher M. Dueñas
Eulogio Shawn Gumataotao
Jesse A. Lujan
Tina Rose Muña-Barnes
William A. Parkinson
Sabrina Salas Matanane
Joe S. San Agustin
Telo T. Taitague
Therese M. Terlaje

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, DISABILITY SERVICES AND *CHAMORU* LANGUAGE TEACHERS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslaturan Guåhan 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.

I Liheslaturan Guåhan further finds that the preservation and continued use of the *CHamoru* language depends in significant part on having qualified educators who can teach the language and culture to future generations. GDOE continues to face challenges in recruiting and retaining *CHamoru* language teachers with the specialized knowledge, language proficiency, and cultural competency necessary to provide meaningful instruction. Providing incentive pay to employees who obtain and utilize approved *CHamoru* language or cultural certifications will strengthen GDOE's ability to develop and retain qualified *CHamoru* educators, expand student access to *CHamoru* language instruction, and support the preservation and perpetuation of Guam's indigenous language and cultural heritage.

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.

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

"**§ 6236. Specialty Certification Incentive Pay Program for Guam Department of Education Employees.**

(a) Establishment. There is hereby established a Specialty Certification Incentive Pay Program for employees of the Guam Department of Education who obtain and actively utilize approved certifications or

training in critical shortage areas, as defined in subsection (b), in the performance of their duties.

(b) Eligible Employees and Areas. An employee of the Guam Department of Education may qualify for specialty certification incentive pay when the employee:

(1) possesses a certification, credential, license, or approved specialized training recognized by the Guam Department of Education pursuant to subsection (f) of this Section;

(2) is assigned duties for which the approved certification, credential, license, or specialized training is directly relevant;

(3) actively utilizes the specialized knowledge or skills in the regular performance of assigned duties; and

(4) otherwise meets all eligibility requirements established by the Guam Department of Education.

Eligible shortage areas may include but are not limited to:

(1) Special Education Services;

(2) Language Access Services;

(3) Disability Services;

(4) *CHamoru* Language and Cultural Instruction; and

(5) Other critical shortage areas approved pursuant to this Section.

(c) Minimum Qualification Exclusion. Specialty certification incentive pay shall not be awarded solely for possession of a license, certification, credential, degree, or training that constitutes a minimum qualification or mandatory condition of employment for the employee's existing position, unless the Guam Education Board specifically determines that the credential:

(1) addresses a documented critical shortage;

(2) provides specialized duties beyond the normal requirements of the employee's position; and

(3) warrants additional compensation under the purposes of this section.

(d) Incentive Pay

(1) An eligible employee may receive a percentage differential of not less than five percent (5%) and not more than ten percent (10%) of base salary, as determined by the pay grade and step under the GovGuam Unified Pay Schedule or other applicable pay plan.

(2) The amount of the percentage may vary based upon the level, complexity, scarcity, professional standard, and operational value of the approved certification or credential.

(3) Employees holding the same approved certification and performing substantially similar qualifying duties shall receive the same percentage amount.

(4) The percentage shall not permanently alter the employee's salary grade or step.

(e) Active Utilization

Incentive pay shall remain in effect only while:

(1) the approved certification, credential, license, or training remains valid and current, when applicable;

(2) the employee remains assigned to duties in which the specialized knowledge or skill is regularly utilized; and

(3) active utilization is verified annually by the employee's immediate supervisor and appropriate division or school administrator.

The Superintendent may establish standardized verification and attestation procedures and may delegate approval authority to appropriate administrators.

(f) Certification Approval. The Guam Department of Education shall maintain and annually update a list of approved certifications, credentials, licenses, and specialized training programs eligible for incentive pay.

In determining whether a credential or training program qualifies, GDOE shall consider:

(1) relevance to an identified critical shortage or compliance need;

(2) recognition by an appropriate professional, governmental, educational, or credentialing body;

(3) required instructional or training hours;

(4) assessment or demonstrated competency requirements;

(5) renewal or continuing education requirements, where applicable;

(6) the level of specialized skill required; and

(7) the direct relationship of the credential to assigned GDOE duties.

The approved list shall identify the applicable incentive amount associated with each approved credential.

(g) Application and Administration. The Guam Department of Education shall establish procedures governing:

(1) employee applications;

(2) verification of certifications and credentials;

(3) supervisory verification of active utilization;

(4) effective dates of incentive payments;

(5) renewal requirements;

(6) changes in assignment;

(7) expiration, suspension, or revocation of credentials;

(8) termination of incentive payments;

(9) appeals or reconsideration of eligibility decisions; and

(10) prevention of duplicate or overlapping incentive payments.

(h) Effective Date of Individual Incentive. Incentive pay shall commence only after GDOE has verified eligibility and formally approved the employee's application. No incentive shall be paid retroactively for periods preceding approval unless specifically authorized by appropriation or law.

(i) Non-Duplication of Compensation. An employee shall not receive more than one specialty certification incentive for the same certification, credential, qualification, or substantially similar specialized skill.

The Guam Education Board may establish limitations governing multiple incentive payments for employees possessing more than one qualifying credential.

No employee shall receive specialty certification incentive pay when the same credential is already separately compensated through another statutory differential, pay adjustment, or specialty compensation program, unless expressly authorized by law.

(j) Funding. Incentive pay for GDOE employees receiving specialty certification incentive pay may be funded through:

(1) Available federal funds, where such use is expressly allowable under applicable federal law, grant terms, and cost principles;

(2) Special education or language access appropriations; or

(3) General Fund appropriations as authorized by *I Liheslaturan Guåhan.*

(k) Additional Critical Shortage Areas.

The Superintendent of Education may recommend additional eligible shortage areas based upon documented Guam Department of Education workforce or operational needs, including:

(1) sustained vacancy rates;

(2) recruitment difficulty;

(3) employee turnover or retention data;

(4) federal or local compliance requirements;

(5) specialized student service needs; or

(6) lack of qualified applicants.

The Guam Education Board shall approve all additional eligible shortage areas prior to implementation. The Guam Department of Education shall consult with the Department of Administration and appropriate employee representatives regarding compensation administration and implementation, where applicable.

(l) Guam Education Board Approval.

The Guam Education Board shall approve:

(1) the list of qualifying critical shortage areas;

(2) approved certifications and credentials;

(3) applicable percentage amounts or incentive tiers;

(4) program eligibility standards; and

(5) any substantive amendments to program criteria.

The Superintendent shall administer the program consistent with Board-approved policies and applicable law.

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

(1) The number of employees receiving specialty incentive pay;

(2) The amount expended on specialty incentive pay; and

(3) The impact of the program on reducing staffing shortages in GDOE, including metrics such as vacancy fill rates, retention in eligible areas.

(n) Review. This Specialty Certification Pay Program shall be subjected to periodic reviews as follows:

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

(2) Full Review and Sunset. No later than five (5) years after the effective date of this Act, the Guam Department of Education, in consultation with the Guam Education Board, shall conduct a full evaluation of the Specialty Certification Pay Program's overall effectiveness, total costs, return on investment (e.g., retention rates and compliance with federal mandates such as IDEA), and long-term impact on GDOE workforce capacity. The evaluation shall be submitted as a report to *I Liheslaturan Guåhan*, who may amend,

reauthorize, or allow the Specialty Certification Pay Program to sunset based on the findings. If the Program is not reauthorized by legislation prior to the fifth anniversary of the effective date of this Act, the Program shall terminate at the beginning of the next fiscal year following such anniversary. All incentive payments authorized pursuant to this Section shall cease on that date, regardless of the date on which an individual employee first began receiving incentive pay."

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