

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

Bill No. 226-38 (COR) As amended by the Committee on Education, Libraries and Public Broadcasting; and substituted and amended on the Floor.		Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building October 16, 2026				
NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Vice Speaker V. Anthony Ada	✓					
Senator Chris Barnett		✓				
Speaker Frank F. Blas, Jr.	✓					
Senator Vincent A.V. Borja	✓					
Senator Shelly V. Calvo	✓					
Senator Christopher M. Dueñas	✓					
Senator Eulogio Shawn Gumataotao	✓					
Senator Jesse A. Lujan	✓					
Senator Tina Rose Muña-Barnes	✓					
Senator William A. Parkinson		III ✓				
Senator Sabina Flores Perez		✓				
Senator Sabrina Salas Matanane	✓					
Senator Joe S. San Agustin	✓					
Senator Telo T. Taitague		✓				
Senator Therese M. Terlaje		✓				

TOTAL

10	5				
Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

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

**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

1 who can teach the language and culture to future generations. GDOE continues to
2 face challenges in recruiting and retaining *CHamoru* language teachers with the
3 specialized knowledge, language proficiency, and cultural competency necessary to
4 provide meaningful instruction. Providing incentive pay to employees who obtain
5 and utilize approved *CHamoru* language or cultural certifications will strengthen
6 GDOE's ability to develop and retain qualified *CHamoru* educators, expand student
7 access to *CHamoru* language instruction, and support the preservation and
8 perpetuation of Guam's indigenous language and cultural heritage.

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

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

15 **“§ 6236. Specialty Certification Incentive Pay Program for**
16 **Guam Department of Education Employees.**

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

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

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

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

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

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

7 Eligible shortage areas may include but are not limited to:

8 (1) Special Education Services;

9 (2) Language Access Services;

10 (3) Disability Services;

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

12 (5) Other critical shortage areas approved pursuant to

13 this Section.

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

20 (1) addresses a documented critical shortage;

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

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

25 (d) Incentive Pay

26 (1) An eligible employee may receive a percentage
27 differential of not less than five percent (5%) and not more than ten

1 percent (10%) of base salary, as determined by the pay grade and step
2 under the GovGuam Unified Pay Schedule or other applicable pay plan.

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

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

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

11 (e) Active Utilization

12 Incentive pay shall remain in effect only while:

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

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

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

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

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

26 In determining whether a credential or training program qualifies,
27 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.

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

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

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

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

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

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

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

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

23 (k) Additional Critical Shortage Areas.

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

27 (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 *IMaga'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

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

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

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

14 (2) Full Review and Sunset. No later than five (5) years after
15 the effective date of this Act, the Guam Department of Education, in
16 consultation with the Guam Education Board, shall conduct a full
17 evaluation of the Specialty Certification Pay Program's overall
18 effectiveness, total costs, return on investment (e.g., retention rates and
19 compliance with federal mandates such as IDEA), and long-term
20 impact on GDOE workforce capacity. The evaluation shall be
21 submitted as a report to *I Liheslaturan Guåhan*, who may amend,
22 reauthorize, or allow the Specialty Certification Pay Program to sunset
23 based on the findings. If the Program is not reauthorized by legislation
24 prior to the fifth anniversary of the effective date of this Act, the
25 Program shall terminate at the beginning of the next fiscal year
26 following such anniversary. All incentive payments authorized

1 pursuant to this Section shall cease on that date, regardless of the date
2 on which an individual employee first began receiving incentive pay.”

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

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