

EDDIE BAZA CALVO
Governor




RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

31-12-1559

Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 5/15/12
Time 4:04 PM
Received by 

May 14, 2012

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

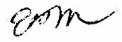
Transmitted herewith is Substitute Bill No. 201-31 (COR) entitled, "AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO PROTECTION OF MINORS' AND STUDENTS' RIGHTS", which I signed into law on May 9, 2012 as Public Law 31-201.

Senseramente,


EDDIE BAZA CALVO

Attachment: copy of Bill

2012 MAY 16 AM 8:47



1559

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

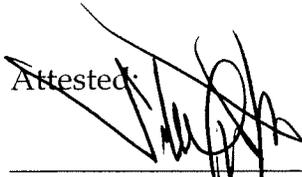
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 201-31 (COR), "AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO PROTECTION OF MINORS' AND STUDENTS' RIGHTS"**, was on the 27th day of April, 2012, duly and regularly passed.



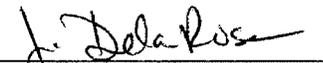
Judith T. Won Pat, Ed.D.
Speaker

Attested:



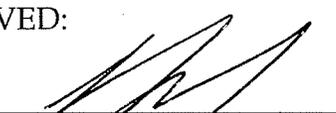
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 27th day of Apr., 2012, at 2:00 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: MAY 09 2012

Public Law No. 31-201

1 **§ 6600. Short Title.** This Act *shall* be known as the “Protection
2 of Minors’ and Student’s Rights Act”.

3 **§ 6601. Legislative Findings and Intent.** *I Liheslaturan*
4 *Guàhan* finds that school districts throughout the nation routinely survey
5 student populations to obtain demographic information that they will use for
6 a variety of educational and non-educational purposes.

7 *I Liheslatura* further finds that some surveys may include questions
8 requesting that students divulge information of a sensitive or personal
9 nature, such as religious, political and sexual preferences. Many surveys
10 may also include information that may subject the student to identity theft or
11 make them vulnerable to stalkers and sexual predators.

12 It is the intent of *I Liheslatura* to require that prior to a government
13 entity or school district administering certain academic or nonacademic
14 surveys, assessments, analyses, or evaluations to its students it must receive
15 written informed consent from a minor’s or student’s parent or legal
16 guardian, and must provide a copy of the document to be administered for
17 viewing at convenient locations and time periods.

18 **§ 6602. Restrictions.**

19 (a) *Unless* a government entity or school receives prior written
20 informed consent from a minor’s or student’s parent or legal guardian, and
21 provides for a copy of the document to be administered to be available for
22 viewing at convenient locations and time periods, the government entity or
23 school *shall not* administer to a minor or student any academic or
24 nonacademic survey, assessment, analysis, or evaluation which reveals
25 information concerning:

- 26 (1) political affiliations;

1 (2) mental and psychological (medical) problems potentially
2 embarrassing to the student or the student's family;

3 (3) sexual behavior and attitudes;

4 (4) illegal, anti-social, and self-incriminating behavior;

5 (5) appraisals of other individuals with whom a respondent
6 has a close family relationship;

7 (6) legally recognized, privileged, or analogous
8 relationships, such as those of lawyers, physicians, and ministers;

9 (7) income, other than that required by law to determine
10 eligibility for participation in a program or for receiving financial
11 assistance under a program; or

12 (8) social security number.

13 (b) The government entity or school *shall* request prior written
14 informed consent *at least* two (2) weeks prior to the administration of the
15 survey, assessment, analysis, or evaluation.

16 (c) A minor or student *shall not* participate in any survey,
17 assessment, analysis, or evaluation that concerns the issues listed in
18 Subsection (a) of this Section *unless* the government entity or school district
19 has obtained prior written informed consent from that minor's or student's
20 parent or legal guardian.

21 (d) Any violation of this Act *shall* be subject to civil and criminal
22 prosecution and/or any penalties that may apply.

23 (e) The following notice *shall* be prominently displayed on the
24 first page of any survey as defined in Subsection (a) of this Section:

25 ***“Notice: If you are younger than eighteen (18) years of age
26 and a student in a public school, you should not complete this***

1 *survey unless your parent or legal guardian has given their*
2 *written permission for you to do so.”*

3 **§ 6603. Restrictions on Release of Identifying Information.**

4 The government entity or school *shall not* release names, dates of birth,
5 addresses and phone numbers of a minor student without the consent of the
6 student’s parent or legal guardian, *except* to allow emergency medical
7 personnel to contact the student’s parent or guardian in cases of medical
8 emergencies.

9 **§ 6604. Severability.** *If* any provision of this Article or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity *shall not* affect other provisions or applications of the Article
12 which can be given effect without the invalid provision or application, and
13 to that end the provisions of this Article are declared to be severable.”

14 **Section 2. Authorization for the Compiler of Laws to Renumber**
15 **Sections as Necessary.** The Compiler of Laws *shall*, if necessary, renumber any
16 provisions of this Act in the event that the numbers of such sections conflict with
17 the existing numbers of sections of public law.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (SECOND) Regular Session

Date: 04/27/12

VOTING SHEET

SBill No. 201-31 (COR)

Resolution No. _____

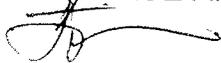
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓	✓			
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera					EA
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

13 ~~##~~ tw 1 ~~##~~ p 0 0 1

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



**OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.**

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

2011 07 19 - 2 PM 4: 44 EOM

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

July 19, 2011

The Honorable Rory J. Respicio
Chairperson, Committee on Rules
I Mina' Trentai Unu Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

RE: Committee Report on Substitute Bill No. 201-31 (COR)

Dear Chairman Respicio:

Transmitted herewith is the Committee Report on Substitute Bill No. 201-31 (COR) – “An act to add a new Article 6 to Chapter 6 of 17 GCA relative to protection of minors' and students' rights,.” sponsored by Senator V. Anthony Ada and referred to the Committee on Education and Public Libraries.

Committee votes are as follows:

- 6 TO DO PASS
- 0 TO NOT PASS
- 0 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and *Si Yu'os ma'ase*.

Judith T. Won Pat, Ed.D.
Chairperson
Committee on Education

attachments



OFFICE OF THE SPEAKER

JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

COMMITTEE REPORT

on

Substitute Bill No. 201-31 (COR)

**An act to add a new Article 6 to Chapter 6 of Title 17, GCA
relative to protection of minors' and students' rights.**



OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

July 16, 2011

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

MEMORANDUM

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

To: ALL MEMBERS
Committee on Education and Public Libraries

GUAM FIRST
COMMISSION

From: Speaker Judith T. Won Pat, Ed.D. 
Committee Chairperson

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

Subject: Committee report on Substitute Bill No. 201-31 (COR)

Transmitted herewith for your consideration is the Committee Report on Substitute Bill No. 201-31 (COR) – “An act to add a new Article 6 to Chapter 6 of Title 17 GCA, relative to protection of minors' and students' rights,” sponsored by Senator V. Anthony Ada.

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

This report includes the following:

Committee Voting Sheet
Committee Report Digest
Copy of Bill No. 201-31 (COR)
Copy of Substitute Bill No. 201-31 (COR)
Public Hearing Sign-in Sheet
Fiscal Note
Copy of COR Referral of Bill No. 201-31 (COR)
Notices of Public Hearing
Copy of Public Hearing Agenda

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

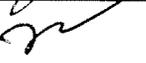
Si Yu'os ma'ase!

attachments

COMMITTEE VOTING SHEET
COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

Substitute Bill No. 201-31 (COR) – V. Anthony Ada

An act to add a new Article 6 to Chapter 6 of Title 17 GCA, relative to protection of minors' and students' rights.

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
Judith T. Won Pat, Ed.D., Chairperson		✓ 7/18/11				
Judith P. Guthertz, DPA, Vice Chairperson						
Tina R. Muna-Barnes Vice Chairperson						
Vicente C. Pangelinan Vice Chairperson		✓				
Thomas C. Ada		7/18/11 ✓				
Frank F. Blas, Jr.		7/18/11 ✓				
Aline A. Yamashita, Ph.D.		7/18/11 ✓				
V. Anthony Ada		7/18				
Sam Mabini, Ph.D.						



OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Education and Public Libraries convened a public hearing on June 23, 2011 at 2:00 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 201-31 (COR) "An act to add a new Article 6 to Chapter 6 of Title 17 GCA relative to protection of minors' and students' rights," sponsored by Senator V. Anthony Ada.

Public Notice Requirements

Notices were disseminated via fax and email to all senators and all main media broadcasting outlets on June 15, 2011 (5-Day Notice), and again on June 20, 2011 (48-Hour Notice).

Senators Present

Speaker Judith T. Won Pat, Ed.D.	Committee, Chairperson
Vice Speaker Benjamin J.F. Cruz	
Minority Leader Frank F. Blas, Jr.	
Senator V. Anthony Ada	Committee, Minority Member
Senator Aline A. Yamashita, Ph.D.	Committee, Minority Member
Senator Christopher M. Duenas	Committee, Minority Member
Senator Sam Mabini, Ph.D.	Committee, Minority Member

Appearing before the Committee

No Witnesses

II. SUMMARY OF TESTIMONY & DISCUSSION

Speaker Judith T. Won Pat, Ed.D. convened the public hearing to order at 2:00 p.m. and announced the agenda of the public hearing. Bill No. 201-31 (COR) was announced as one of the items on the agenda to be heard by the Committee.

- **Senator Ada** stated more and more school districts are expanding their aptitude tests to include mental health screening, and these tests are often used to determine if students have any mental health issues that may lead to difficulty in learning. He stated often some school districts have conducted such screenings that have been accused of strong arming parents into putting their children on psychotropic medication, such as drugs to treat ADHD. He stated mental health and screening is a right of the parents and not the schools. He stated the last legislation we enacted into law limits the degree to which school personnel without medical credentials can advise parents about medical treatment. He does not believe our school system should be in the business of assessing and treating our students' mental health disorders without parental involvement.

There being no further questions or comments, Speaker Won Pat, Ed.D. concluded the hearing for Bill No. 201-31 (COR).

III. FINDINGS AND RECOMMENDATIONS

The Committee on Education and Public Libraries hereby submits the following amendment to Bill No. 201-31 (COR). The following amendment would ensure any uncertainty as to the order of enactment of bills currently before the Body, or whether any or all of the bills will be enacted, all dealing with Chapter 6 of Title 17 GCA, a provision must be made to allow the Compiler of Laws the flexibility to renumber Title and Sections of the bills as may be necessary according to the order of enactment.

The Committee on Education and Public Libraries hereby reports out Bill No. 201-31 (COR), As Substituted with the recommendation TO DO PASS

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 201-31 (COR)

Introduced by:
As substituted by the Committee on
Education and Public Libraries

V. Anthony Ada

**AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF
17GCA RELATIVE TO PROTECTION OF MINORS' AND
STUDENTS' RIGHTS.**

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

2 **Section 1.** A new Article 6 is *added* to Chapter 6 of 17 GCA to read as follows:

3

4

Article 6

5

6

Protection of Minors' and Students' Rights Act

7

8 **§6600. Short title.** This Act shall be known as the Protection of Minors' and
9 Student's Rights Act.

10

11 **§6601. Legislative Intent.** *I Liheslaturan Guåhan* finds that school districts
12 throughout the nation routinely survey student populations to obtain demographic
13 information that they will use for a variety of educational and non-educational
14 purposes.

15

16 *I Liheslatura* further finds that some surveys may include questions requesting that
17 students divulge information of a sensitive or personal nature such as religious,

1 political and sexual preferences. Many surveys may also include information that
2 may subject the student to identity theft or make them vulnerable to stalkers and
3 sexual predators.

4
5 It is the *intent of I Liheslatura* to require that prior to a government entity or
6 school district administering certain academic or nonacademic surveys,
7 assessments, analyses, evaluations or comprehensive guidance and counseling
8 values clarification programs to its students it must receive written informed
9 consent from a minor's or student's parent or legal guardian and must provide a
10 copy of the document to be administered for viewing at convenient locations and
11 time periods.

12
13 **§6602. Restrictions.**

14
15 A. Unless a government entity or school receives prior written informed consent
16 from a minor's or student's parent or legal guardian and provides for a copy of the
17 document to be administered to be available for viewing at convenient locations
18 and time periods, the government entity or school shall not administer to a minor
19 or student any academic or nonacademic survey, assessment, analysis, evaluation
20 or comprehensive guidance and counseling values clarification program which
21 reveals information concerning:

- 22 1. Political affiliations;
23 2. Mental and psychological (medical) problems potentially embarrassing to
24 the student or the student's family;
25 3. Sexual behavior and attitudes;
26 4. Illegal, anti-social, and self-incriminating behavior;

- 1 5. Appraisals of other individuals with whom a respondent has a close
- 2 family relationship;
- 3 6. Legally recognized privileged or analogous relationships, such as those of
- 4 lawyers, physicians, and ministers;
- 5 7. Income, other than that required by law to determine eligibility for
- 6 participation in a program or for receiving financial assistance under a
- 7 program; or
- 8 8. Social security number.

9

10 B. The government entity or school shall request prior written informed consent at

11 least two weeks prior to the administration of the survey, assessment, analysis,

12 evaluation or comprehensive guidance and counseling values clarification

13 program.

14

15 C. A minor or student shall not participate in any survey, assessment, analysis,

16 evaluation or comprehensive guidance and counseling values clarification

17 program that concerns the issues listed in Paragraph A of this section unless the

18 government entity or school district has obtained prior written informed consent

19 from that minor's or student's parent or legal guardian.

20

21 D. Any violation of this act shall be subject to civil and criminal prosecution

22 and/or any penalties that may apply.

23

24 E. The following notice shall be prominently displayed on the first page of any

25 survey as defined in Paragraph A of this section:

1 *“Notice: If you are younger than eighteen (18) years of age or a*
2 *student in a public school, you should not complete this survey*
3 *unless your parent or legal guardian has given their written*
4 *permission for you to do so.”*
5

6 **§6603. Restrictions on release of Identifying Information.** The government
7 entity or school shall not release names, dates of birth, addresses and phone
8 numbers of a minor student without the consent of the student’s parents or legal
9 guardian except to allow emergency medical personnel to contact the student’s
10 parents or guardian in cases of medical emergencies.
11

12 **§6604. Severability.** If any provision of this Article or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect other
14 provisions or applications of the Article which can be given effect without the
15 invalid provision or application, and to that end the provisions of this Article are
16 declared to be severable.
17

18 **Section 2. Authorization for the Compiler of Laws to renumber sections as**
19 **necessary.** The Compiler of Laws, shall, if necessary renumber any provisions of
20 this act in the event that the numbers of such sections conflict with the existing
21 numbers of sections of Public Law.

Bureau of Budget & Management Research
Fiscal Note of Bill No. 201-31 (COR)

AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF 17GCA RELATIVE TO PROTECTION OF MINORS' AND STUDENTS' RIGHTS.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Department of Education		Dept./Agency Head: Narrissa Bretania-Shaffer
Department's General Fund (GF) appropriation(s) to date: General Fund to Department of Education Operational Fund (DOEOF)		163,276,054
Department's Other Fund (Specify) appropriation(s) to date: Public Library Resource Fund (PLRF), Healthy Futures Fund (HFF), Territorial Education Facilities Fund (TEFF), School Lunch Cash Collection, SAE/Child Nutritional Reimbursement Fund, Indirect Cost Fund		21,845,797
Total Department/Agency Appropriation(s) to date:		\$185,121,851

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance	\$0	\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? // Yes // No
 If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? // Yes // No
 If no, what is the additional amount required? \$ _____ // N/A
- Does the Bill establish a new program/agency? // Yes // No
 If yes, will the program duplicate existing programs/agencies? // Yes // No
 Is there a federal mandate to establish the program/agency? // Yes // No
- Will the enactment of this Bill require new physical facilities? // Yes // No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes // No
 // Requested agency comments not received by due date // Other: Time constraint

Analyst (s): Joe Certeza Date: 05/27/2011 Directory: Benita A. Manglona, Director Date: 6/7/11

Footnotes:

The Bill has a potential fiscal impact for additional funding requirements. However, in its present form, such impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

May 17, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bills No. 200-31 (COR) through 202-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 200-31(COR) through 202-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse!

(2) Attachments

2011 MAY 18 PM 3:52

9

I Mina' Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

May 16, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
201-31 (COR)	V. A. Ada	AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF 17GCA RELATIVE TO PROTECTION OF MINORS' AND STUDENTS' RIGHTS.	05/16/11 2:00 p.m.	5/17/11		Committee on Education and Public Libraries.			
202-31 (COR)	V. A. Ada	AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 6 OF 17GCA RELATIVE TO PROTECTION OF MINORS' AND STUDENTS' RIGHTS.	05/16/11 2:00 p.m.	5/17/11		Committee on Education and Public Libraries.			

Small Business Home

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public hearing - june 23, 2011

Tuesday, June 14, 2011 9:03 PM

From: "Frank Torres" <fbtorres@judiwonpat.com>

To: phnotice@guamlegislature.org

Folders

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Inbox (200)

Drafts (61)

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June 15, 2011

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MEMORANDUM

To: Members of the 31st Guam Legislature
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing

The Committee on Education and Public Libraries has scheduled a public hearing for Thursday, June 23, 2011 at 2:00 p.m. in the Public Hearing Room of the Guam Legislature Building on the following:

- **The appointment of Jesse T. San Nicolas to serve as a member, Guam Commission for Educator Certifications**

- **Bill No. 177-31 (LS)** - A.A. Yamashita, Ph.D. / A.B. Palacios, Sr. An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program: School Crime Stoppers.

- **Bill No. 179-31 (LS)** - V.A. Ada / F.F. Blas, Jr. An act to add a new Article 6 to Chapter 6 of 17G.C.A. relative to authorizing the Department of Education to create and implement a voluntary preschool pilot program.

- **Bill No. 192-31 (COR)** - C.M. Duenas An act to add a new § 34102 to Chapter 34 of Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program; and, citing this act as the "Growing Guam's Work Force Scholarship Program."

- **Bill No. 198-31 (COR)** - C.M. Duenas / A.A. Yamashita, Ph.D. An act to add a new Article 14 to Division 3 of Chapter 15, Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program, and citing this act as the "Every Child is Entitled to a Higher Education Scholarship Program."

- **Bill No. 201-31 (COR)** - V.A. Ada An act to add a new Article 6 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- **Bill No. 202-31 (COR)** - V.A. Ada An act to add a new Article 7 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- **Bill No. 213-31 (COR)** - A.A. Yamashita, Ph.D. An act to repeal § 6108 of Chapter 6, Article 1 of Title 17, Guam Code Annotated, relative to sick persons.

- **Bill No. 229-31 (COR)** - J.T. Won Pat, Ed.D. / V.A. Ada An act to add Section 6101.1 of Title 17 Guam Code Annotated relative to Students' Bill of Rights and Responsibilities.

- **Bill No. 239-31 (COR)** - Sam Mabini, Ph.D. / J.P. Guthertz, DPA Amending §4114.1 and adding a new sub-item (A) to §4114.1 of Title 17 Guam Code Annotated, Chapter 4, the "College and Career Readiness" (CCaRe) Act, relative to integrating academic curriculum and career technical education into the Guam Department of Education's basic curricula.

Testimonies can be submitted in advance to the Office of Speaker Judith T. Won Pat, Ed.D. through email at fbtorres@judiwonpat.com or through facsimile at 472-3589. Copies of the bills are available at www.guamlegislature.com

The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Mr. Ed Pocaigue at 472-3586/7/8 or by email at edpocaigue@judiwonpat.com

cc: Sgt at Arms
MIS
DOE
All Media

Frank B. Torres
Sr. Policy Analyst
Office of the Speaker
31st Guam Legislature

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GUAM LEGISLATURE

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OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMISSIONER OF PUBLIC
WORKS AND AFFAIRS,
TRANSPORTATION
REGULATORY

June 15, 2011

MEMORANDUM

COMMISSIONER OF
TELEVISION,
APPROPRIATIONS BOARD,
TRUST BANKING,
PROGRAMS, INFORMATION
SYSTEMS

To: Members of the 31st Guam Legislature
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing - First Notice

COMMISSIONER

GUAM COMMISSIONER OF
DEVELOPMENT
GUAM FIRST
COMMISSIONER

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(AIPIL)

BOARD MEMBER

PACIFIC BUSINESS FOR
EDUCATION
AND TRAINING
(PREFE)

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FEDERAL OF THE
PACIFIC ISLANDS
(FETIPAI)

The Committee on Education and Public Libraries has scheduled a public hearing for Thursday, June 23, 2011 at 2:00 p.m. in the Public Hearing Room of the Guam Legislature consisting of the following:

- The appointment of James T. Yoo Nicolas to serve as a member, Guam Commission for Educator Certification

- Bill No. 177-31 (LS) - A.A. Yamasita, Ph.D. / A.B. Palarin, Sr. An act to add a new § 3112.2 of Article I, Chapter 5, Title 17, Guam Code Annotated relative to creating a safe schools program; School Crime Stoppers.

- Bill No. 179-31 (LS) - V.A. Ada / F.P. Dian, Jr. An act to add a new Article 6 to Chapter 6 of 17G.C.A. relative to authorizing the Department of Education to create and implement a voluntary preschool pilot program.

- Bill No. 192-31 (COR) - C.M. Daosen An act to add a new § 14102 to Chapter 14 of Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program, and, citing this act as the "Growing Guam's Work Force Scholarship Program."

- Bill No. 196-31 (COR) - C.M. Daosen / A.A. Yamasita, Ph.D. An act to add a new Article 14 to Division 3 of Chapter 15, Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program, and, citing this act as the "Every Child is Entitled to a Higher Education Scholarship Program."

- Bill No. 201-31 (COR) - V.A. Ada An act to add a new Article 6 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- Bill No. 202-31 (COR) - V.A. Ada An act to add a new Article 7 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- Bill No. 213-31 (COR) - A.A. Yamasita, Ph.D. An act to repeal § 6188 of Chapter 6, Article 1 of Title 17, Guam Code Annotated, relative to such persons.

- Bill No. 229-31 (COR) - J.T. Won Pat, Ed.D. / V.A. Ada An act to add Section 6191.1 of Title 17 Guam Code Annotated relative to Students' Bill of Rights and Responsibilities.

- Bill No. 236-31 (COR) - Sara Malon, Ph.D. / J.P. Guhera, DPA Amending §6114 and adding a new sub-section (A) to §6114.1 of Title 17 Guam Code Annotated, Chapter 4, the "College and Career Readiness" (CCR) Act, relative to integrating academic curriculum and career technical education into the Guam Department of Education's basic curricula.

Total Pages Scanned : 2

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02	464	671 472 7663 H + R C L S	02:32:28 p.m. 06-15-2011	00:00:17	2/2	1	EC	HS	CP28800
03	464	6714776411 K - S 7	02:32:28 p.m. 06-15-2011	00:00:36	2/2	1	EC	HS	CP14400
04	464	6482007 Variety	02:32:28 p.m. 06-15-2011	00:00:21	2/2	1	EC	HS	CP14400
05	464	4770793 PWC	02:32:28 p.m. 06-15-2011	00:00:00	0/2	1	EC	HS	CP31200
06	464	+6714773079 PDC	02:32:28 p.m. 06-15-2011	00:00:38	2/2	1	EC	HS	FA
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GUAM LEGISLATURE

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Small Business Home

YAHOO!, SMALL BUSINESS

Welcome
fbtorres@judiwonpat.com
[Sign Out, My Account]

Search

Mail Home - Help

Mail

Contacts

Calendar

Notepad

What's New?

Mobile Mail

Options

Check Mail

New

Mail Search

Mail Accounts

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public hearing second notice

Monday, June 20, 2011 12:38 AM

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June 21, 2011

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MEMORANDUM

To: Members of the 31st Guam Legislature

From: Committee on Education and Public Libraries

Subject: Notice of Public Hearing –
Second Notice

The Committee on Education and Public Libraries has scheduled a public hearing for Thursday, June 23, 2011 at 2:00 p.m. in the Public Hearing Room of the Guam Legislature Building on the following:

- **The appointment of Jesse T. San Nicolas to serve as a member, Guam Commission for Educator Certifications**

- **Bill No. 177-31 (LS)** - A.A. Yamashita, Ph.D. / A.B. Palacios, Sr. An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program: School Crime Stoppers.

- **Bill No. 179-31 (LS)** - V.A. Ada / F.F. Blas, Jr. An act to add a new Article 6 to Chapter 6 of 17G.C.A. relative to authorizing the Department of Education to create and implement a voluntary preschool pilot program.

- **Bill No. 192-31 (COR)** - C.M. Duenas An act to add a new § 34102 to Chapter 34 of Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program; and, citing this act as the "Growing Guam's Work Force Scholarship Program."

- **Bill No. 198-31 (COR)** - C.M. Duenas / A.A. Yamashita, Ph.D. An act to add a new Article 14 to Division 3 of Chapter 15, Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program, and citing this act as the "Every Child is Entitled to a Higher Education Scholarship Program."

- **Bill No. 201-31 (COR)** - V.A. Ada An act to add a new Article 6 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- **Bill No. 202-31 (COR)** - V.A. Ada An act to add a new Article 7 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- **Bill No. 213-31 (COR)** - A.A. Yamashita, Ph.D. An act to repeal § 6108 of Chapter 6, Article 1 of Title 17, Guam Code Annotated, relative to sick persons.

- **Bill No. 229-31 (COR)** - J.T. Won Pat, Ed.D. / V.A. Ada An act to add Section 6101.1 of Title 17 Guam Code Annotated relative to Students' Bill of Rights and Responsibilities.

- **Bill No. 239-31 (COR)** - Sam Mabini, Ph.D. / J.P. Guthertz, DPA Amending §4114.1 and adding a new sub-item (A) to §4114.1 of Title 17 Guam Code Annotated, Chapter 4, the "College and Career Readiness" (CCaRe) Act, relative to integrating academic curriculum and career technical education into the Guam Department of Education's basic curricula.

Testimonies can be submitted in advance to the Office of Speaker Judith T. Won Pat, Ed.D. through email at fbtorres@judiwonpat.com or through facsimile at 472-3589. Copies of the bills are available at www.guamlegislature.com

The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Mr. Ed Pocaigue at 472-3586/7/8 or by email at edpocaigue@judiwonpat.com

cc: Sgt at Arms
MIS
DOE
All Media

Frank B. Torres
Sr. Policy Analyst
Office of the Speaker
31st Guam Legislature

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GUAM LEGISLATURE

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OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

SYNDICATE TO BUREAU
INFORMATION AFFAIRS
SERVICES UNIT
RECREATION

June 21, 2011

COMMITTEE ON
ECONOMY
ADMINISTRATIVE POLICY
NEW BANKING
FINANCE, REVENUE
AND LAND

MEMORANDUM

COMMISSIONER

CLAM COMMISSIONER
INSURANCE
CLAM FUND
(HAWAIIAN)

To: Members of the 31st Guam Legislature
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing – Second Notice

VICE PRESIDENT

ASSOCIATION
FOR THE
LEGISLATURE
(AFRL)

The Committee on Education and Public Libraries has scheduled a public hearing for Thursday, June 23, 2011 at 2:00 p.m. in the Public Hearing Room of the Guam Legislature Building on the following:

BOARD MEMBER

PUBLIC RESOURCES FOR
EDUCATION
UNIVERSITY
(PREU)

- The appointment of Jose T. San Nicolas to serve as a member, Guam Commission for Educator Certifications

LEGISLATIVE REPRESENTATIVE

PUBLIC ISLAND DEVELOPMENT BANK
(PIBD)

- Bill No. 177-11 (LSB) - A.A. Yamashita, Ph.D.; A.R. Polario, Sr. An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program. School Child Stoppers.

- Bill No. 176-11 (EQ) - V.A. Adon / F.F. Blas, Jr. An act to add a new Article 6 to Chapter 6 of 17G.C.A. relative to authorizing the Department of Education to create and implement a voluntary preschool pilot program.

- Bill No. 175-11 (CDB) - C.M. Dizon. An act to add a new § 34102 to Chapter 34 of Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program; and using this act as the "Timing Guam's Work Force Scholarship Program."

- Bill No. 168-11 (CDB) - C.M. Dizon / A.A. Yamashita, Ph.D. An act to add a new Article 14 to Division 1 of Chapter 13, Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students, providing funding sources for the program, and using this act as the "Mary Child & Entered to a Higher Education Scholarship Program."

- Bill No. 181-11 (COR) - V.A. Adon. An act to add a new Article 6 to Chapter 6 of 17G.C.A. relative to protection of minors' and students' rights.

- Bill No. 182-11 (CDB) - V.A. Adon. An act to add a new Article 7 to Chapter 6 of 17G.C.A. relative to protection of minors' and students' rights.

- Bill No. 183-11 (CDB) - A.A. Yamashita, Ph.D. An act to repeal § 6104 of Chapter 6, Article 1 of Title 17, Guam Code Annotated, relative to such persons.

- Bill No. 129-11 (CDB) - J.T. Won Pat, Ed.D.; V.A. Adon. An act to add Section 5101.1 of Title 17 Guam Code Annotated relative to Students' Bill of Rights and Responsibilities.

- Bill No. 226-11 (COR) - Sam Mahol, Ph.D.; J.P. (Tito) Torres, DPA Amending § 4114.1 and adding a new sub-item (A) to § 4114.1 of Title 17 Guam Code Annotated, Chapter 4, the "College and Career Readiness" (CCAR) Act, relative to integrating academic curriculum and career technical education into the Guam Department of Education's basic curricula.

Total Pages Scanned : 2

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	486	+671 477 3079 PON	06:00:16 p.m. 06-20-2011	00:00:37	2/2	1	EC	HS	CP31200
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GUAM LEGISLATURE

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct



OFFICE OF THE SPEAKER

JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

LEGISLATIVE REPRESENTATIVE

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

Public Hearing Agenda

The Committee on Education and Public Libraries has scheduled a public hearing for Thursday, June 23, 2011 at 2:00 p.m.

- The appointment of Jesse T. San Nicolas to serve as a member, Guam Commission for Educator Certifications

- **Bill No. 177-31 (LS)** - A.A. Yamashita, Ph.D. / A.B. Palacios, Sr. An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program: School Crime Stoppers.

- **Bill No. 179-31 (LS)** - V.A. Ada / F.F. Blas, Jr. An act to add a new Article 6 to Chapter 6 of 17G.C.A. relative to authorizing the Department of Education to create and implement a voluntary preschool pilot program.

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- **Bill No. 198-31 (COR)** - C.M. Duenas / A.A. Yamashita, Ph.D. An act to add a new Article 14 to Division 3 of Chapter 15, Title 17, Guam Code Annotated, relative to establishing a scholarship program for economically-disadvantaged students; providing funding sources for the program, and citing this act as the "Every Child is Entitled to a Higher Education Scholarship Program."

- **Bill No. 201-31 (COR)** - V.A. Ada An act to add a new Article 6 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- **Bill No. 202-31 (COR)** - V.A. Ada An act to add a new Article 7 to Chapter 6 of 17GCA relative to protection of minors' and students' rights.

- **Bill No. 213-31 (COR)** - A.A. Yamashita, Ph.D. An act to repeal § 6108 of Chapter 6, Article 1 of Title 17, Guam Code Annotated, relative to sick persons.

- **Bill No. 229-31 (COR)** - J.T. Won Pat, Ed.D. / V.A. Ada An act to add Section 6101.1 of Title 17 Guam Code Annotated relative to Students' Bill of Rights and Responsibilities.

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I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

2011 MAY 16 PM 2:06

Bill No. 201-31(COR)

Introduced by:

V. Anthony Ada



**AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF
17GCA RELATIVE TO PROTECTION OF MINORS' AND
STUDENTS' RIGHTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Article 6 is *added* to Chapter 6 of 17 GCA to read as follows:

Article 6

Protection of Minors' and Students' Rights Act

§6600. Short title. This Act shall be known as the Protection of Minors' and Student's Rights Act.

§6601. Legislative Intent. *I Liheslaturan Guåhan* finds that school districts throughout the nation routinely survey student populations to obtain demographic information that they will use for a variety of educational and non-educational purposes.

I Liheslatura further finds that some surveys may include questions requesting that students divulge information of a sensitive or personal nature such as religious, political and sexual preferences. Many surveys may also include information that

1 may subject the student to identity theft or make them vulnerable to stalkers and
2 sexual predators.

3
4 It is the *intent of I Liheslatura* to require that prior to a government entity or
5 school district administering certain academic or nonacademic surveys,
6 assessments, analyses, evaluations or comprehensive guidance and counseling
7 values clarification programs to its students it must receive written informed
8 consent from a minor's or student's parent or legal guardian and must provide a
9 copy of the document to be administered for viewing at convenient locations and
10 time periods.

11
12 **§6602. Restrictions.**

13
14 A. Unless a government entity or school receives prior written informed consent
15 from a minor's or student's parent or legal guardian and provides for a copy of the
16 document to be administered to be available for viewing at convenient locations
17 and time periods, the government entity or school shall not administer to a minor
18 or student any academic or nonacademic survey, assessment, analysis, evaluation
19 or comprehensive guidance and counseling values clarification program which
20 reveals information concerning:

- 21 1. Political affiliations;
22 2. Mental and psychological (medical) problems potentially embarrassing to
23 the student or the student's family;
24 3. Sexual behavior and attitudes;
25 4. Illegal, anti-social, and self-incriminating behavior;

- 1 5. Appraisals of other individuals with whom a respondent has a close
- 2 family relationship;
- 3 6. Legally recognized privileged or analogous relationships, such as those of
- 4 lawyers, physicians, and ministers;
- 5 7. Income, other than that required by law to determine eligibility for
- 6 participation in a program or for receiving financial assistance under a
- 7 program; or
- 8 8. Social security number.

9

10 B. The government entity or school shall request prior written informed consent at

11 least two weeks prior to the administration of the survey, assessment, analysis,

12 evaluation or comprehensive guidance and counseling values clarification

13 program.

14

15 C. A minor or student shall not participate in any survey, assessment, analysis,

16 evaluation or comprehensive guidance and counseling values clarification

17 program that concerns the issues listed in Paragraph A of this section unless the

18 government entity or school district has obtained prior written informed consent

19 from that minor's or student's parent or legal guardian.

20

21 D. Any violation of this act shall be subject to civil and criminal prosecution

22 and/or any penalties that may apply.

23

24 E. The following notice shall be prominently displayed on the first page of any

25 survey as defined in Paragraph A of this section:

26

1 *“Notice: If you are younger than eighteen (18) years of age or a*
2 *student in a public school, you should not complete this survey*
3 *unless your parent or legal guardian has given their written*
4 *permission for you to do so.”*

5
6 **§6603. Restrictions on release of Identifying Information.** The government
7 entity or school shall not release names, dates of birth, addresses and phone
8 numbers of a minor student without the consent of the student’s parents or legal
9 guardian except to allow emergency medical personnel to contact the student’s
10 parents or guardian in cases of medical emergencies.

11
12 **§6604. Severability.** If any provision of this Article or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect other
14 provisions or applications of the Article which can be given effect without the
15 invalid provision or application, and to that end the provisions of this Article are
16 declared to be severable.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

2011 MAY 16 PM 2:06

Bill No. 201-31(COR)

Introduced by:

V. Anthony Ada



**AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF
17GCA RELATIVE TO PROTECTION OF MINORS' AND
STUDENTS' RIGHTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

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15 from a minor's or student's parent or legal guardian and provides for a copy of the
16 document to be administered to be available for viewing at convenient locations
17 and time periods, the government entity or school shall not administer to a minor
18 or student any academic or nonacademic survey, assessment, analysis, evaluation
19 or comprehensive guidance and counseling values clarification program which
20 reveals information concerning:

- 21 1. Political affiliations;
22 2. Mental and psychological (medical) problems potentially embarrassing to
23 the student or the student's family;
24 3. Sexual behavior and attitudes;
25 4. Illegal, anti-social, and self-incriminating behavior;

- 1 5. Appraisals of other individuals with whom a respondent has a close
- 2 family relationship;
- 3 6. Legally recognized privileged or analogous relationships, such as those of
- 4 lawyers, physicians, and ministers;
- 5 7. Income, other than that required by law to determine eligibility for
- 6 participation in a program or for receiving financial assistance under a
- 7 program; or
- 8 8. Social security number.

9

10 B. The government entity or school shall request prior written informed consent at

11 least two weeks prior to the administration of the survey, assessment, analysis,

12 evaluation or comprehensive guidance and counseling values clarification

13 program.

14

15 C. A minor or student shall not participate in any survey, assessment, analysis,

16 evaluation or comprehensive guidance and counseling values clarification

17 program that concerns the issues listed in Paragraph A of this section unless the

18 government entity or school district has obtained prior written informed consent

19 from that minor's or student's parent or legal guardian.

20

21 D. Any violation of this act shall be subject to civil and criminal prosecution

22 and/or any penalties that may apply.

23

24 E. The following notice shall be prominently displayed on the first page of any

25 survey as defined in Paragraph A of this section:

26

1 *“Notice: If you are younger than eighteen (18) years of age or a*
2 *student in a public school, you should not complete this survey*
3 *unless your parent or legal guardian has given their written*
4 *permission for you to do so.”*

5
6 **§6603. Restrictions on release of Identifying Information.** The government
7 entity or school shall not release names, dates of birth, addresses and phone
8 numbers of a minor student without the consent of the student’s parents or legal
9 guardian except to allow emergency medical personnel to contact the student’s
10 parents or guardian in cases of medical emergencies.

11
12 **§6604. Severability.** If any provision of this Article or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect other
14 provisions or applications of the Article which can be given effect without the
15 invalid provision or application, and to that end the provisions of this Article are
16 declared to be severable.