

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 14, 2012

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

3112-1561
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 5/15/12
Time 4:04 PM
Received by [Signature]

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 315-31 (COR) entitled, "AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A TEN (10)-YEAR CAPITAL IMPROVEMENT PROJECT PLAN, AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND TO CITE THIS ACT AS THE 'TEACHING AND LEARNING COMMUNITIES ACT'", which I signed into law on May 9, 2012 as **Public Law 31-203**.

Senseramente,


EDDIE BAZA CALVO

2012 MAY 16 AM 8:47
[Signature]

Attachment: copy of Bill

1561

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. 315-31 (COR)**, "AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A TEN (10)-YEAR CAPITAL IMPROVEMENT PROJECT PLAN, AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND TO CITE THIS ACT AS THE "TEACHING AND LEARNING COMMUNITIES ACT", was on the 27th day of April, 2012, duly and regularly passed.



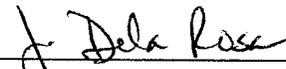
Judith T. Won Pat, Ed.D.
Speaker

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

MAY 09 2012

Date: _____

Public Law No. 31-203

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

Bill No. 315-31 (COR)

As substituted by the Committee on Education
and Public Libraries.

Introduced by:

Aline A. Yamashita, Ph.D.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A TEN (10)-YEAR CAPITAL IMPROVEMENT PROJECT PLAN, AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND TO CITE THIS ACT AS THE “TEACHING AND LEARNING COMMUNITIES ACT”.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the last Department of Education Ten (10) Year Capital Improvement Project
4 Plan created in June 1999, implemented through the years of 2000-2010 has since

1 expired, and there are no mechanisms in place to ensure that plans are updated or
2 continuously reviewed for adequacy, based on conditions of facilities and changes
3 in population.

4 *I Liheslatura* finds that the majority of DOE schools face a multitude of
5 pressing issues including the need for maintenance and preventive maintenance to
6 allow for the accommodation of increasing school enrollments, and to provide safe
7 effective teaching and learning environments.

8 Through the “Teaching and Learning Communities Act,” *I Liheslatura*
9 intends to provide public policy that shall require DOE to continually maintain
10 current Ten (10)-Year Capital Improvement Project Plans with measures for
11 review, benchmarks and milestones, and options for funding.

12 **Section 2. Teaching and Learning Communities Act.** A new Chapter
13 14 is hereby *added* to Division 2 of Title 17, Guam Code Annotated, to read:

14 **“CHAPTER 14**

15 **TEACHING AND LEARNING COMMUNITIES ACT**

16 § 14101. Purpose.

17 § 14102. Short Title.

18 § 14103. Definitions.

19 § 14104. Ten (10)-Year Capital Improvement Project Plan.

20 **§ 14101. Purpose.** The purpose of the Department of Education
21 Ten (10)-Year Capital Improvement Project Plan is to provide:

22 (a) a management tool and a guide to identify the
23 most practical and economical means of providing safe
24 teaching and learning environments;

25 (b) justification and guidance in preparing annual
26 capital improvement project design and construction budgets;

1 (c) an outline for anticipated changes in terms of
2 major facilities, population needs and associated demands; and

3 (d) indicators of future facilities costs for financial
4 planning and decision making.

5 § 14102. **Short Title.** This Chapter may be cited as the “Teaching
6 and Learning Communities Act.”

7 § 14103. **Definitions.** When used in this Chapter:

8 (a) *Board* means the Guam Education Board.

9 (b) *Superintendent* means the Superintendent of
10 Education, the Chief Executive of the Department of
11 Education.

12 (c) *CIP* means Capitol Improvement Project(s).

13 (d) *Plan* means a Ten (10) Year Capital Improvement
14 Project Plan.

15 (e) *Properties* means all lands under the
16 administrative jurisdiction of the Department of Education.

17 (f) *Facilities* means all Department of Education
18 schools, non-instructional administrative support buildings,
19 athletic facilities, and related structures.

20 § 14104. **Ten (10)-Year Capital Improvement Project Plan.**

21 The Superintendent *shall* prepare a Ten (10)-Year Capital
22 Improvement Project Plan that shall be subject to Board approval.

23 (a) **Plan Provisions.** The Plan *shall* include as a basis, but
24 is *not* limited to:

25 (1) An inventory of DOE properties and facilities,
26 which *shall* include at a minimum:

- 1 (A) the age of the facility;
- 2 (B) the gross square footage of each facility;
- 3 (C) the quantity and quality of core instructional
- 4 spaces;
- 5 (D) the quantity and quality of supplemental
- 6 instructional spaces;
- 7 (E) the adequacy of administrative and support
- 8 spaces;
- 9 (F) the adequacy of the athletic facilities;
- 10 (G) the code compliance of the facility; and
- 11 (H) the dates that each facility was last
- 12 renovated, repaired or improved; and whether copies of
- 13 the building plans, a recorded map from the Department
- 14 of Land Management and certificate of title are available
- 15 for each facility.

16 (2) An assessment of needs, to include at a minimum:

- 17 (A) DOE's educational mission, vision, and
- 18 goals;
- 19 (B) the adequacy of the square footage for the
- 20 current and projected school enrollment;
- 21 (C) the quantity and quality of core instructional
- 22 spaces;
- 23 (D) the quantity and quality of supplemental
- 24 instructional spaces;
- 25 (E) the adequacy of administrative and support
- 26 spaces;

1 (F) the adequacy of the athletic facilities; and

2 (G) the security of DOE's properties and
3 facilities and energy-efficiency measures, to include an
4 evaluation of cost effectiveness.

5 (3) A review and assessment of attendance areas,
6 enrollment data and source of data.

7 (4) A list of projected capital improvement projects.

8 (5) Proposed annual budgets for capital improvement
9 projects that *shall* include a cost analysis which shall include,
10 at a minimum, projected cost comparisons for the demolition
11 and rebuilding of facilities versus measures to rehabilitate and
12 renovate; and projected expense for the construction of eco-
13 friendly facilities and/or for the purchase of equipment/items to
14 make facilities more energy efficient.

15 (b) **Review Process.** The Plan *shall* undergo a review
16 process as follows:

17 (1) The Plan *shall* be updated annually, and the
18 Superintendent and Board *shall* determine whether significant
19 revisions are required, based on available information.

20 (2) The Plan *shall* include provisions for all DOE's
21 facilities to have security monitoring and maintenance as part
22 of contracts with developers for buildings/facilities constructed
23 under a build- lease and lease-back contract.

24 (c) **Implementation.** The Ten (10)-Year CIP Plan *shall* be
25 implemented at the start of each new decade.

1 (d) **Reporting.** The DOE *shall* transmit to *I Maga'laha*
2 *Guåhan* (the Governor of Guam), and the Speaker of *I Liheslaturan*
3 *Guåhan* a copy of each Ten (10)-Year CIP Plan, and annual updates.

4 (e) **Funding Sources.** Notwithstanding any other provision
5 of law, funding to support the CIP may come from any or all of the
6 following sources, but is *not* limited to:

7 (1) Leaseback Financing allowable pursuant to “*The*
8 *Education Facilities Construction Initiative Act of 2001*”; and

9 (2) Support Financing Vehicles, such as the U.S.
10 Housing and Urban Development Community Development
11 Block Grant and U.S. Department of Education Qualified Zone
12 Academy Bonds.”

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (SECOND) Regular Session

Date: 04/27/12

VOTING SHEET

SBill No. 315-31 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
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

14
0
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

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)

February 10, 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. 315-31 (COR)

Dear Chairman Respicio:

Transmitted herewith is the Committee Report on Substitute Bill No. 315-31 (COR) - An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act." which was referred to the Committee on Education and Public Libraries.

Committee votes are as follows:

<u>6</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	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.
Speaker

attachments

2012 FEB 20 PM 11:22



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
(APIIL)

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. 315-31 (COR)

An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

Sponsored by A.A. Yamashita



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)

February 9, 2011

MEMORANDUM

To: ALL MEMBERS
Committee on Education and Public Libraries

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

Subject: Committee report on Substitute Bill No. 315 -31 (COR)

Transmitted herewith for your consideration is the Committee Report on Substitute Bill No. 315-31 (COR) - An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

This report includes the following:

Committee Voting Sheet
Committee Report Digest
Copy of Bill No. 315-31 (COR)
Copy of Substitute Bill No. 315-31 (COR)
Public Hearing Sign-in Sheet
Fiscal Note
Copy of COR Referral of Bill No. 315 (COR)
Notices of Public Hearing

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.

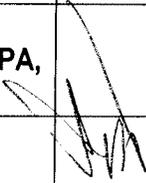
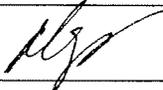
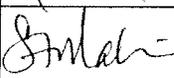
Si Yu'os ma'ase!

attachments

**COMMITTEE VOTING SHEET
COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES**

Bill No. 315-31 (COR) - A.A. Yamashita, Ph.D.

An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

	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		✓				
Judith P. Guthertz, DPA, Vice Chairperson						
Tina R. Muna-Barnes Vice Chairperson		✓				
Vicente C. Pangelinan Vice Chairperson						
Thomas C. Ada						
Adolpho B. Palacios, Sr.		2/10/12 ✓				
Frank F. Blas, Jr.						
Aline A. Yamashita, Ph.D.		2/10/12 ✓				
V. Anthony Ada		2/10/12 ✓				
Sam Mabini, Ph.D.		2/10/12 ✓				



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 November 22, 2011 at 8:30 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 315-31 (COR) - An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

Public Notice Requirements

Notices were disseminated via fax or email to all Senators on November 12 and November 15, 2011 (5-Day Notice) and all main media broadcasting outlets on November 11 and November 14, 2011 (5-Day Notice) and again to all Senators and all main media broadcasting outlets on November 19, 2011 (48-Hour Notice).

Senators Present

Speaker Judith T. Won Pat, Ed.D.	Committee, Chairperson
Senator Adolpho B. Palacios, Sr.	Committee, Majority Member
Senator Aline A. Yamashita, Ph.D.	Committee, Minority Member

Appearing before the Committee

Mr. Barry Mead, Member of the Guam Education Board

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. 315-31 (COR) was announced as one of the items on the agenda to be heard by the Committee.

- **Senator Aline Yamashita, Ph.D.** stated that Bill No. 315 provides the Department of Education and the Board of Education a tool to review its facility and structural needs on a continual basis, and it gives them time to plan and identify resources. She added that the last DOE 10-year capitol improvement plan has expired. Putting the requirement for a updated 10 year CIP into statute will ensure continuity despite changes in DOE leadership or board of education. The CIP will allow the community to plan for needs and will be subject to the approval of the Board of Education.

- Mr. Barry Mead testified in support of the legislation, but recommended changes to the bill. His written testimony is appended to the committee report

There being no individuals present to testify on the legislation, Speaker Won Pat, Ed.D. concluded the hearing for Bill No. 315-31 (COR).

III. FINDINGS AND RECOMMENDATIONS

Amendments to the language of the introduced bill are indicated by double underlines or double strikeouts in the substitute version of Bill No. 315-31 (COR) included in this report.

The Committee on Education and Public Libraries to which was referred Bill No. 315-31 (COR), hereby submits these findings to *I Mina' Trentai Unu Na Liheslaturan Guahan* and reports out Substitute Bill No. 315-31 (COR), with the recommendation TO PASS.

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

2011 SEP 26 PM 1:27
mm
af

BILL NO. 315-31 (cor)

Introduced by:

A.A. YAMASHITA, PhD

AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, TO REQUIRE THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A 10-YEAR CAPITAL IMPROVEMENT PROJECT PLAN AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND, CITING THIS ACT AS THE “TEACHING AND LEARNING COMMUNITIES ACT.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Findings and Intent. *I Liheslaturan Guahan* finds that the last Guam Department of Education 10-Year Capital Improvement Project Plan created in June 1999, implemented through the years of 2000-2010 has since expired, and there are no mechanisms in place to ensure that plans are updated or continuously reviewed for adequacy, based on conditions of facilities and changes in population.

I Liheslatura finds that the majority of GDOE schools face a multitude of pressing issues including the need for maintenance and preventive maintenance to allow for the accommodation of increasing school enrollments, and to provide safe effective teaching and learning environments.

Through the “Teaching and Learning Communities Act,” *I Liheslatura* intends to provide public policy that will require GDOE to continually maintain current 10-Year Capital Improvement Project Plans

1 with measures for review, benchmarks and milestones, and options for
2 funding.

3 **Section 2. Teaching and Learning Communities Act.** A new
4 chapter 14 to Division 2 of Title 17, Guam Code Annotated, is added to
5 read:

6 **“CHAPTER 14**

7 **TEACHING AND LEARNING COMMUNITIES ACT**

8 **§ 14101. Purpose.**

9 **§ 14102. Short Title.**

10 **§ 14103. Definitions.**

11 **§ 14103. Ten-Year Capital Improvement Project Plans.**

12 **§ 14104. Reporting Requirements.**

13
14 **§ 14101. Purpose.**

15 The purpose of the Guam Department of Education 10-Year Capital
16 Improvement Project Plan is to provide:

- 17 a.) a management tool and a guide to identify the most practical and
18 economical means of providing safe teaching and learning
19 environments;
- 20 b.) justification and guidance in preparing annual Capital
21 Improvement Project design and construction budgets;
- 22 c.) an outline for anticipated changes in terms of major facilities,
23 population needs and associated demands; and,
- 24 d.) indicators of future facilities costs for financial planning and
25 decision making.

26 **§ 14102. Short Title.** This Chapter may be cited as the “Teaching and
27 Learning Communities Act.”

28 **§ 14103. Definitions.** As used in this Chapter words are defined to mean:

- 1 a.) "Board" means the Guam Education Board.
- 2 b.) "Superintendent" means the Superintendent of Education of the
- 3 government of Guam.
- 4 c.) "CIP" means Capitol Improvement Project(s).
- 5 d.) "Plan" means a 10-Year Capital Improvement Project Plan.
- 6 e.) "Properties" means all lands belonging to the Department of
- 7 Education of the government of Guam.
- 8 f.) "Facilities" means all government of Guam Department of
- 9 Education public schools, non-instructional administrative support
- 10 buildings and relative structures.

11 **§ 14104. Ten-Year Capital Improvement Project Plans.**

12 The GDOE Superintendent shall prepare a 10-Year Capital
13 Improvement Project Plan that will be subject to Guam Education Board
14 approval.

15 **1) Plan provisions.** The Plan shall include as a basis, but is not limited to:

- 16 a.) An inventory of GDOE properties and facilities, which will include
- 17 at a minimum:
 - 18 i. each building/athletic field of individual school campuses
 - 19 and dates built;
 - 20 ii. the gross square footage of each building/athletic field on
 - 21 the school campus;
 - 22 iii. the dates that each building/athletic field was last
 - 23 renovated, repaired or improved;
 - 24 iv. whether or not copies of building plans are available and
 - 25 their location; and copies or location of registered maps
 - 26 of and title to each school campus.

27 b.) An assessment of needs to include at a minimum:

- 1 i. an assessment as to the adequacy of the square footage
2 for the school population/size;
- 3 ii. an assessment as to the adequacy of the associated
4 facilities, including – but not limited to— classrooms and
5 instructional rooms, the common dining facility, library,
6 restrooms, gymnasium and auxiliary facilities,
7 auditorium, parking lot, hallways, covered walkways,
8 administrative offices, and instructional support facilities;
9 and,
- 10 iii. an assessment of security of GDOE properties and
11 facilities and energy-efficiency measures, to include an
12 evaluation of cost effectiveness.
- 13 c.) Review and assessment of attendance areas: enrollment data and
14 source of data.
- 15 d.) A list of projected capital improvement projects.
- 16 e.) Proposed annual budgets for capital improvement projects that will
17 include a cost analysis that will include, at a minimum, projected cost
18 comparisons for the demolition and rebuilding of facilities versus
19 measures to rehabilitate and renovate; and projected expense for the
20 construction of eco-friendly facilities and/or for the purchase of
21 equipment/items to make facilities more energy efficient.
- 22 **2) Review process.** The Plan will undergo a review process as follows:
- 23 a.) The Plan shall be updated annually and the Superintendent and
24 Board will determine whether significant revisions are required, based
25 on available information.
- 26 b.) The Superintendent and Board shall implement a mid-range
27 planning process every five (5) years and begin the planning phase for
28 the next Plan in the final year of the current Plan, such that an updated

1 10-year Plan will be ready for implementation at the beginning of the
2 next 10-year cycle.

3 c.) The Plan will include provisions for all DOE Facilities to have
4 security monitoring and maintenance as part of contracts with
5 developers for buildings/facilities constructed under a build- lease and
6 lease-back contract.

7 **3) Implementation.** The GDOE 10-Year CIP Plan shall be implemented at
8 the start of each new decade.

9 **4) Reporting.** The GDOE shall transmit to *I Maga Lahen Guahan*, the
10 Governor of Guam, and the Speaker of *I Liheslaturan Guahan* a copy of
11 each 10-Year CIP Plan a year prior to implementation, and annual updates.

12 **Section 3. Funding Sources.** Notwithstanding any other provision of law,
13 funding to support the GDOE CIP may come from any or all of the
14 following sources, but is not limited to:

- 15 a) Leaseback Financing allowable pursuant to “*The Education*
16 *Facilities Construction Initiative Act of 2001*”; and,
17 b) Support Financing Vehicles such as the US Housing and Urban
18 Development Community Development Block Grant and US
19 Department of Education Qualified Zone Academy Bonds.

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

Bill No. 315-31 (COR)

As substituted by the Committee
on Education and Public Libraries.

Introduced by:

A.A. YAMASHITA, PhD

**AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2
OF TITLE 17, GUAM CODE ANNOTATED, TO
REQUIRE THE GUAM DEPARTMENT OF
EDUCATION TO CONTINUALLY UPDATE A 10-YEAR
CAPITAL IMPROVEMENT PROJECT PLAN AND TO
IDENTIFY FUNDING SOURCES FOR THE PROJECTS;
AND, CITING THIS ACT AS THE "TEACHING AND
LEARNING COMMUNITIES ACT."**

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

2 **Section 1. Findings and Intent.** *I Liheslaturan Guahan* finds that
3 the last ~~Guam~~ Department of Education Ten (10)-Year Capital Improvement
4 Project Plan created in June 1999, implemented through the years of 2000-
5 2010 has since expired, and there are no mechanisms in place to ensure that
6 plans are updated or continuously reviewed for adequacy, based on
7 conditions of facilities and changes in population.

8 *I Liheslatura* finds that the majority of ~~G~~DOE schools face a
9 multitude of pressing issues including the need for maintenance and
10 preventive maintenance to allow for the accommodation of increasing school
11 enrollments, and to provide safe effective teaching and learning
12 environments.

1 Through the “Teaching and Learning Communities Act,” *I*
2 *Liheslatura* intends to provide public policy that ~~will~~ shall require ~~G~~DOE to
3 continually maintain current Ten (10)-Year Capital Improvement Project
4 Plans with measures for review, benchmarks and milestones, and options for
5 funding.

6 **Section 2. Teaching and Learning Communities Act.** A *new*
7 Chapter 14 to Division 2 of Title 17, Guam Code Annotated, is hereby
8 *added* to read:

9 **“CHAPTER 14**

10 **TEACHING AND LEARNING COMMUNITIES ACT**

11 **§ 14101. Purpose.**

12 **§ 14102. Short Title.**

13 **§ 14103. Definitions.**

14 **~~§ 14103~~ 4. Ten (10) -Year Capital Improvement Project Plans.**

15 **~~§ 14104. Reporting Requirements.~~**

16 **§ 14101 Purpose.**

17 The purpose of the ~~Guam~~ Department of Education Ten (10)-
18 Year Capital Improvement Project Plan is to provide:

19 (a) a management tool and a guide to identify the most
20 practical and economical means of providing safe teaching and
21 learning environments;

22 (b) justification and guidance in preparing annual
23 Capital Improvement Project design and construction budgets;

24 (c) an outline for anticipated changes in terms of
25 major facilities, population needs and associated demands; and,

26 (d) indicators of future facilities costs for financial
27 planning and decision making.

1 **§ 14102. Short Title.** This Chapter may be cited as the
2 “Teaching and Learning Communities Act.”

3 **§ 14103. Definitions.** ~~As used in this Chapter words are~~
4 ~~defined to mean~~ When used in this Chapter:

5 (a) “Board” means the Guam Education Board.

6 (b) “Superintendent” means the Superintendent of
7 Education, ~~the government of Guam~~ Chief Executive of the
8 Department of Education.

9 (c) “CIP” means Capitol Improvement Project(s).

10 (d) “Plan” means a Ten (10)-Year Capital
11 Improvement Project Plan.

12 (e) “Properties” means all lands ~~belonging under the~~
13 administrative jurisdiction ~~to~~ of the Department of Education of
14 ~~the government of Guam.~~

15 (f) “Facilities” means all ~~government of Guam~~
16 Department of Education ~~public~~ schools, non-instructional
17 administrative support buildings, athletic facilities, and relative
18 structures.

19 **§ 14104. Ten-Year Capital Improvement Project Plans.**

20 The ~~GDOE~~ Superintendent shall prepare a Ten (10)-Year
21 Capital Improvement Project Plan that ~~will~~ shall be subject to ~~Guam~~
22 ~~Education~~ Board approval.

23 1) **Plan provisions.** The Plan shall include as a basis, but is not
24 limited to:

25 a.) An inventory of ~~GDOE~~ properties and facilities,
26 ~~which will~~ shall include at a minimum:

27 i. ~~each building/athletic field of individual~~
28 ~~school campuses and dates built~~ age of the facility;

1 ii. the gross square footage of each
2 ~~building/athletic field facility on the school campus;~~

3 iii. the quantity and quality of core instructional
4 spaces;

5 iv. the quantity and quality of supplemental
6 instructional spaces;

7 v. the adequacy of administrative and support
8 spaces;

9 vi. the adequacy of the athletic facilities;

10 vi. the code compliance of the facility;

11 ~~iii.~~ vii. the dates that of each building/athletic field
12 facility was last renovated, repaired or improved; and

13 ~~iv. viii.~~ whether or not copies of the building plans,
14 a recorded map from the Department of Land
15 Management and certificate of title are available and their
16 location; and copies or location of registered maps of
17 and title to for each facility school campus.

18 b.) An assessment of needs to include at a minimum:

19 i. ~~an assessment as to the adequacy of the~~
20 ~~square footage for the school population/size; DOE's~~
21 educational mission, vision, and goals;

22 ii. ~~an assessment as to the adequacy of the~~
23 ~~associated facilities, including — but not limited to —~~
24 ~~classrooms and instructional rooms, the common dining~~
25 ~~facility, library, restrooms, gymnasium and auxiliary~~
26 ~~facilities, auditorium, parking lot, hallways, covered~~
27 ~~walkways, administrative offices, and instructional~~

1 ~~support facilities~~ of the square footage for the current and
2 projected school enrollment;

3 iii. ~~an assessment of security of GDOE~~
4 ~~properties and facilities and energy efficiency measures,~~
5 ~~to include an evaluation of cost effectiveness~~ the quantity
6 and quality of core instructional spaces;

7 iv. the quantity and quality of supplemental
8 instructional spaces;

9 v. the adequacy of administrative and support
10 spaces;

11 vi. the adequacy of the athletic facilities; and

12 vi. the security of DOE's properties and
13 facilities and energy-efficiency measures, to include an
14 evaluation of cost effectiveness.

15 c.) Review and assessment of attendance areas:
16 enrollment data and source of data.

17 d.) A list of projected capital improvement projects.

18 e.) Proposed annual budgets for capital improvement
19 projects that ~~will~~ shall include a cost analysis that ~~will~~ shall
20 include, at a minimum, projected cost comparisons for the
21 demolition and rebuilding of facilities versus measures to
22 rehabilitate and renovate; and projected expense for the
23 construction of eco-friendly facilities and/or for the purchase of
24 equipment/items to make facilities more energy efficient.

25 2) **Review process.** The Plan ~~will~~ shall undergo a review
26 process as follows:

27 a.) The Plan shall be updated annually and the
28 Superintendent and Board ~~will~~ shall determine whether significant

1 revisions are required, based on available information.

2 ~~b.) The Superintendent and Board shall implement a mid-range~~
3 ~~planning process every five (5) years and begin the planning phase for~~
4 ~~the next Plan in the final year of the current Plan, such that an updated~~
5 ~~10-year Plan will be ready for implementation at the beginning of the~~
6 ~~next 10-year cycle.~~

7 ~~e. b.)~~ The Plan ~~will~~ shall include provisions for all DOE's
8 ~~F~~ facilities to have security monitoring and maintenance as part of
9 contracts with developers for buildings/facilities constructed under a
10 build- lease and lease-back contract.

11 3) **Implementation.** The ~~GDOE~~ Ten (10)-Year CIP Plan
12 shall be implemented at the start of each new decade.

13 4) **Reporting.** The ~~GDOE~~ shall transmit to *I Maga Lahren*
14 *Guahan*, the Governor of Guam, and the Speaker of *I Liheslaturan*
15 *Guahan* a copy of each Ten (10)-Year CIP Plan ~~a year prior to~~
16 ~~implementation~~, and annual updates.

17 **Section 3. Funding Sources.** Notwithstanding any other provision
18 of law, funding to support the ~~GDOE~~ CIP may come from any or all of the
19 following sources, but is not limited to:

20 (a) Leaseback Financing allowable pursuant to "*The*
21 *Education Facilities Construction Initiative Act of 2001*"; and,

22 (b) Support Financing Vehicles such as the U.S. Housing
23 and Urban Development Community Development Block Grant and
24 U.S. Department of Education Qualified Zone Academy Bonds.

TESTIMONY ON
BILL 315-31
BARRY L. MEAD, GEB MEMBER

Good Afternoon, my name is Barry Mead and I a member of the Guam Education Board.

I am here today to speak somewhat in favor of Bill 315-31 in so much that there is a need for an ongoing Capital Improvement Plan, though I am not sure that providing for such a plan is necessary or best served in Public Law.

It would seem that such a requirement would more fit into a Policy of the Guam Education Board, and as well serve better were it to be an Institutional Strategic Master Plan that encompassed not only the area of Capital Improvement but all areas of the operation of the Guam Department of Education including but not limited to those provisions found in §14104 #1 of the bill.

This Strategic plan would take into account curriculum, changes to curriculum and the effect curriculum has on classroom needs, and staffing. It would identify anticipated student population growth, resulting in identifying the need for new schools and where those buildings would need to be located as well as increases in the need for textbooks and staff. It would also establish a plan with how to as a Department deal with the current over crowding issues that GDOE now faces.

In addition the plan could include the schedule for all school accreditation visits and the expense of those visits. It would also take into account current grants and the need for renewal of the grants and the need for additional grants.

§14104 #2a calls for the plan to be updated annually and determine if revisions are required, I believe this section should also state that revisions shall be made as determined. In 2b there is a call for the Superintendent and Board to implement a mid-range planning process every 5 years and begin the planning phase for the subsequent ten-year plan to begin in the last year of the current plan. It would seem that with an annual review of the plan, and with revisions made as needed the need for the mid-range planning process would be moot. In addition where in #4 of the section(Reporting) the bill calls for the transmission of the CIP plan to I Maga Lahen Guahan and I Liheslaturan Guahan a copy of each 10 year CIP a year prior to the implementation, as well as updates. This provision would be hard pressed to be met as the time lines set forth in #2 (Review process) calls for the planning phase for the next 10 year plan to begin at the same time it is due to the above mention entities.

As with any plan there needs to be identified objectives, which allow for attainable goals along the way to insure the success of the plan. As well, any Policy or Legislation mandating such a plan needs to have defined objectives that allow for the outlining and planning of each goal to insure the success of the plan.

I would ask that before this committee reports this bill to the entire legislative body that meetings be held between the Committee, the Guam Education Board and the Office of the Governor to establish how best to join this bill with the current GDOE District Action Plan and to determine if whether a Public Law or Board Policy would best serve what I believe is the intended purpose of this bill.

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 315-31 (COR)**

AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, TO REQUIRE THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A 10-YEAR CAPITAL IMPROVEMENT PROJECT PLAN AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND, CITING THIS ACT AS THE 'TEACHING AND LEARNING COMMUNITIES ACT.'

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education	Dept./Agency Head: Taling Taitano, Act. Super. of
Department's General Fund (GF) appropriation(s) to date:	182,428,678
Department's Other Fund (Specify) appropriation(s) to date:	30,644,393
Total Department/Agency Appropriation(s) to date:	\$213,073,071

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance ¹		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$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 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
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 / x / No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x / N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /x / N/A
- Does the Bill establish a new program/agency? / / Yes /x / No
If yes, will the program duplicate existing programs/agencies? /x / N/A / / 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 /x / No
/ / Requested agency comments not received by due date / / Other: _____

Analyst:  John AB Pangelina	Date: 10/31/11	Director:  John A. Rios, Acting Director	Date: 10/31/11
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Footnotes:
The Bill has a potential for additional funding impact; however, in its present form that 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
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LEGISLATIVE SECRETARY
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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

September 26, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 

Subject: Referral of Bill Nos. 312-31(COR), 314-31(COR)
& 315-31 (COR)

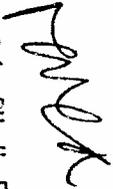
As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 312-31 (COR), 314-31 (COR) & 315-31 (COR).

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 members 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!

(3) Attachment

2011 SEP 26 PM 4: 54


I Mina'Trentai Unu Na Liheslaturan Guåhan
Bill Log Sheet
September 26, 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?
315-31 (COR)	A. A. Yamashita, PhD	AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, TO REQUIRE THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A 10-YEAR CAPITAL IMPROVEMENT PROJECT PLAN AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND, CITING THIS ACT AS THE "TEACHING AND LEARNING COMMUNITIES ACT."	09/26/11 1:27 p.m.	9/26/11		Committee on Education and Public Libraries			



Frank Torres <fbtorres@judiwonpat.com>

Committee on Education and Public Libraries

2 messages

Frank Torres <fbtorres@judiwonpat.com>

Sat, Nov 12, 2011 at 11:34 AM

To: phnotice@guamlegislature.org

November 12, 2011

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

The Committee on Education and Public Libraries will hold a public hearing on Tuesday, November 22, 2011 at the Guam Legislature's Public Hearing Room on the following items:

8:30 a.m.

The appointment of Ms. Asuncion P. Guerrero to serve as a member of the Guam Commission for Educator Certification.

Bill No. 248-31 (COR) - J.P. Guthertz, DPA

An act to repeal Chapter 11 of Title 17 Guam Code Annotated relative to abolishing the Office of the Adequate Education Suruhanu.

Bill No. 262-31 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. / T.R. Muna-Barnes / R.J. Respicio

An act amend § 15A402 of Article 4A of Chapter 15 of Title 17 and § 15201 of Article 2 of Chapter 15 Guam Code Annotated relative to increasing the Professional and Technical Award amount for medical students.

2:00 p.m.

Bill No. 264-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Chapter 9, Division 2 of Title 17, Guam Code Annotated relative to education & training facilities and opportunities for the individual with a disability.

Bill No. 315-31 (COR) - A.A. Yamashita, Ph.D.

An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan

and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

Bill No. 318-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Sections 3102.1 and 3103 of Chapter 3, Article 1, Title 17, Guam Code Annotated, and to repeal Section 3103.1 of Chapter 3, Article 1, Title 17, Guam Code Annotated, relative to allowing I Maga'lahren Guahan, the Governor of Guam, to appoint the Superintendent of Education.

Written Testimonies should be addressed to Speaker Judith T. Won Pat, Ed.D. and will be accepted via hand delivery to Speaker's office or the Mail Room of the Guam Legislature at 155 Hesler Place in Hagåtña or via email to speaker@judiwonpat.com or via facsimile to 472-3589.

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

The public hearing will be broadcasted on MCV Channel 13 or GUdTV Channel 21.

Adam Bearce <adam@guamlegislature.org>

Mon, Nov 14, 2011 at 8:21 AM

To: Frank Torres <fbtorres@judiwonpat.com>, Yong Pak <yong@guamlegislature.org>

Hi. This is now posted.

From: Frank Torres [<mailto:fbtorres@judiwonpat.com>]

Sent: Saturday, November 12, 2011 11:34 AM

To: phnotice@guamlegislature.org

Subject: Committee on Education and Public Libraries

[Quoted text hidden]

Listserv: phnotice@guamlegislature.org

As of Nov. 23, 2011

aguon4guam@gmail.com
alerta.jermaine@gmail.com
aline4families@gmail.com
ataylor.senatorrodriguez@gmail.com
audrey@judiwonpat.com
baza.matthew@gmail.com
berlene@senatorpalacios.com
bruce.lloyd.media@gmail.com
candasofrank@gmail.com
carlo@tinamunabarnes.com
chechsantos@gmail.com
chelsa@tinamunabarnes.com
cherbert.senatorrodriguez@gmail.com
cipo@guamlegislature.org
clerks@guamlegislature.org
colleen@judiwonpat.com
cor@guamlegislature.org
cyrus@senatorada.org
doc.wyppenbachsantos@gmail.com
duenasenator@gmail.com
edleonguerrero@gmail.com
edpocaigue@judiwonpat.com
edwardglee671@yahoo.com
elaine@tinamunabarnes.com
etajalle@guamlegislature.org
evelyn4families@gmail.com
faith.r@senatormabini.com
faith.r@senatormabini.com
fbtorres@judiwonpat.com
floterlaje@gmail.com
frank.blasjr@gmail.com
gavin@tinamunabarnes.com
guamnativesun@yahoo.com
jamespcastro@gmail.com
jane@tinamunabarnes.com
jason@senatorpalacios.com
jcamacho@senatorada.com
jean@tinamunabarnes.com
jeff.m@senatormabini.com
jennifer@senatorpalacios.com
jimespaldon@yahoo.com
jmesngon.senatorrodriguez@gmail.com
john.calvo@noaa.gov
jtenorio@guamcourts.org
judiguthertz@gmail.com
julian@senatorpalacios.com
leonguerrero.angela@gmail.com
lou4families@gmail.com
louise_atalig@yahoo.com
markaflague@gmail.com
maryfejeran@gmail.com
mcarlson@guamlegislature.org
mis@guamlegislature.org
msuarez.senatorrodriguez@gmail.com
mtorres.senatorrodriguez@gmail.com
miracle.m@senatormabini.com
nsantos@senatorada.org
office@senatorada.org
oliviampalacios@gmail.com
peterlg@gmail.com
phillipsguam@gmail.com
pris@senatorpalacios.com
rfteehan@yahoo.com
richard@tinamunabarnes.com
rob.tupaz@gmail.com
roryforguam@gmail.com
Santos.duenas@gmail.com
sem@guamlegislature.org
senator@senatorbjcruz.com
senator@senatorpalacios.com
senator@tinamunabarnes.com
senatorrodriguez@gmail.com
senatormabini@senatormabini.com
senatorsam@senatormabini.com
senatortonyada@guamlegislature.org
senbenp@guam.net
sgrarmes@guamlegislature.org
speaker@judiwonpat.com
tanya4families@gmail.com
tcastro@guam.net
telo.taitague@guam.gov
tinaokada@gmail.com
tom@senatorada.org
tterlaje@guam.net
uriah@tinamunabarnes.com
val.g@senatormabini.com
victoria@senatorpalacios.com
vkomiyama.senatorrodriguez@gmail.com
wilcastro671@gmail.com



Frank Torres <fbtorres@judiwonpat.com>

Committee on Education and Public Libraries

2 messages

Frank Torres <fbtorres@judiwonpat.com>

Tue, Nov 15, 2011 at 8:57 AM

To: phnotice@guamlegislature.org

November 15, 2011

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

The Committee on Education and Public Libraries will hold a public hearing on Tuesday, November 22, 2011 at the Guam Legislature's Public Hearing Room on the following items:

8:30 a.m.

The appointment of Ms. Asuncion P. Guerrero to serve as a member of the Guam Commission for Educator Certification.

Bill No. 248-31 (COR) - J.P. Guthertz, DPA

An act to repeal Chapter 11 of Title 17 Guam Code Annotated relative to abolishing the Office of the Adequate Education Suruhanu.

Bill No. 262-31 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. / T.R. Muna-Barnes / R.J. Respicio

An act amend § 15A402 of Article 4A of Chapter 15 of Title 17 and § 15201 of Article 2 of Chapter 15 Guam Code Annotated relative to increasing the Professional and Technical Award amount for medical students.

2:00 p.m.

Bill No. 264-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Chapter 9, Division 2 of Title 17, Guam Code Annotated relative to education & training facilities and opportunities for the individual with a disability.

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An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement

project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

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An act to amend Sections 3102.1 and 3103 of Chapter 3, Article 1, Title 17, Guam Code Annotated, and to repeal Section 3103.1 of Chapter 3, Article 1, Title 17, Guam Code Annotated, relative to allowing I Maga'lahren Guahan, the Governor of Guam, to appoint the Superintendent of Education.

Written Testimonies should be addressed to Speaker Judith T. Won Pat, Ed.D. and will be accepted via hand delivery to Speaker's office or the Mail Room of the Guam Legislature at 155 Hesler Place in Hagåtña or via email to speaker@judiwonpat.com or via facsimile to 472-3589.

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The public hearing will be broadcasted on MCV Channel 13 or GUdTV Channel 21.

Adam Bearce <adam@guamlegislature.org>

Tue, Nov 15, 2011 at 9:02 AM

To: Frank Torres <fbtorres@judiwonpat.com>, Yong Pak <yong@guamlegislature.org>

Hi. Verifying this as posted.

From: Frank Torres [<mailto:fbtorres@judiwonpat.com>]

Sent: Tuesday, November 15, 2011 8:58 AM

To: phnotice@guamlegislature.org

Subject: Committee on Education and Public Libraries

[Quoted text hidden]



Frank Torres <fbtorres@judiwonpat.com>

Public Hearing Notice

2 messages

Frank Torres <fbtorres@judiwonpat.com>

Sat, Nov 19, 2011 at 11:19 AM

To: phnotice@guamlegislature.org

November 19, 2011

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 will hold a public hearing on Tuesday, November 22, 2011 at the Guam Legislature's Public Hearing Room on the following items:

8:30 a.m.

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The public hearing will be broadcasted on MCV Channel 13 or GUdTV Channel 21.

Adam Bearce <adam@guamlegislature.org>

Mon, Nov 21, 2011 at 8:20 AM

To: Frank Torres <fbtorres@judiwonpat.com>, Yong Pak <yong@guamlegislature.org>

Hi. confirmed posted.

[Quoted text hidden]

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Local ID 1
Local ID 2

11-11-2011
4723510

04:42:19 p.m.

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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
COMMITTEE ON THE BEST
MEMBER AFFAIRS,
MEMBERSHIP AND
RECRUITMENT

November 11, 2011

COMMISSIONER
COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND PENSIONS

To: Media

From: Committee on Education and Public Libraries

COMMISSIONER
GUAM COMMISSION ON
ELECTRICITY

GUAM FIRST
COMMISSION

Subject: Notice of Public Hearing - First Notice

The Committee on Education and Public Libraries will hold a public hearing on Tuesday, November 22, 2011 at the Guam Legislature's Public Hearing Room on the following items:

VICE PRESIDENT
ASSOCIATION OF
PUBLIC WORKERS AND
LOCAL UNIONS
(APLU)

8:30 a.m.

The appointment of Ms. Asuncion P. Guerrero to serve as a member of the Guam Commission for Educator Certification.

BOARD MEMBER
PUBLIC RESOURCES FOR
EDUCATION
AND TRAINING
(PREL)

Bill No. 248-31 (COR) - J.P. Gutierrez, DPA

An act to repeal Chapter 11 of Title 17 Guam Code Annotated relative to abolishing the Office of the Adequate Education Standards.

LEGISLATIVE REPRESENTATIVE
PUBLIC WORKERS AND
DEPARTMENTAL PUBLIC
(PWDB)

Bill No. 262-31 (COR) - R.J.F. Cruz / J.T. Won Pat, Ed.D. / I.R. Muna-Barron / R.J. Respicio

An act amend § 15A402 of Article 4A of Chapter 15 of Title 17 and § 15201 of Article 2 of Chapter 15 Guam Code Annotated relative to increasing the Professional and Technical Award amount for medical students.

FESTIVAL OF THE FAMILIES AND CULTURE

2:00 p.m.

Bill No. 264-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Chapter 9, Division 2 of Title 17, Guam Code Annotated relative to education & training facilities and opportunities for the individual with a disability.

Bill No. 315-31 (COR) - A.A. Yamashita, Ph.D.

An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects, and, citing this act as the "Teaching and Learning Communities Act."

Total Pages Scanned : 2

Total Pages Confirmed : 14

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Broadcast Report

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Local ID 2			Local Name 2	

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

Broadcast Report

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4723510

10:42:18 a.m.

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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
COMMITTEE ON TOURISM,
INDUSTRIAL AFFAIRS,
HOUSING AND
RECREATION

**COMMITTEE ON
EDUCATION**
ADMINISTRATIVE, PUBLIC
LIBR., READING,
INFORMATION, RESEARCH
AND ARTS

COMMISSIONER
LEGISLATIVE COMMISSION ON
EDUCATION

**GUAM FIRST
CHAIRPERSON**

VICE PRESIDENT
ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(AIPIL)

BOARD MEMBER
PACIFIC REGIONAL FOR
EDUCATION
AND TRAINING
(PREL)

**LEGISLATIVE
REPRESENTATIVE**
PACIFIC ISLAND
DEVELOPMENT BOARD
(PIIDB)

**CHAIRMAN OF THE
PACIFIC ACTS
(FESTPAC)**

November 11, 2011

To: Media
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing - First Notice

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8:30 a.m.

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An act to repeal Chapter 11 of Title 17 Guam Code Annotated relative to abolishing the Office of the Adequate Education Standards.

Bill No. 262-31 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. / I.R. Muna-Barnes / R.A. Respicio

An act amend § 15A-02 of Article 4A of Chapter 15 of Title 17 and § 15201 of Article 2 of Chapter 15 Guam Code Annotated relative to increasing the Professional and Technical Award amount for medical students.

2:00 p.m.

Bill No. 264-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Chapter 9, Division 2 of Title 17, Guam Code Annotated relative to education & training facilities and opportunities for the individual with a disability.

Bill No. 315-31 (COR) - A.A. Yamashita, Ph.D.

An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act."

Total Pages Scanned : 2

Total Pages Confirmed : 12

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Broadcast Report

Date/Time
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11-14-2011
4723510

10:42:24 a.m.

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GUAM LEGISLATURE

Abbreviations:

HS: Host send
HR: Host receive
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PL: Polled local
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G3: Group 3
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Date: Sat, 19 Nov 2011 11:19:33 +1000
Delivered-To: fbtorres@judiwonpat.com
Message-ID: <CALpbJAY0DplU23Yi4pN0pG6w+_R3_ufy3h6-br0Atj9qG3cCHW@mail.gmail.com>
Subject: Public Hearing Notice
From: Frank Torres <fbtorres@judiwonpat.com>
To: pnnotice@guamlegislature.org
Content-Type: text/plain; charset=UTF-8
Content-Transfer-Encoding: quoted-printable

November 19, 2011

To: Members of the 31st Guam Legislature
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing =E2=80=93 Second Notice

The Committee on Education and Public Libraries will hold a public hearing on Tuesday, November 22, 2011 at the Guam Legislature =E2=80=93s Public Hearing Room on the following items:

8:30 a.m.

The appointment of Ms. Asuncion P. Guerrero to serve as a member of the Guam Commission for Educator Certification.

Bill No. 248-31 (COR) - J.P. Guthertz, DPA

An act to repeal Chapter 11 of Title 17 Guam Code Annotated relative to abolishing the Office of the Adequate Education Suruhanu.

Bill No. 262-31 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. / T.R. Muna-Barnes / R.J. Respicio

An act amend =C2=A7 15A402 of Article 4A of Chapter 15 of Title 17 and =C2=A7 15201 of Article 2 of Chapter 15 Guam Code Annotated relative to increasing the Professional and Technical Award amount for medical students.

2:00 p.m.

Bill No. 264-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Chapter 9, Division 2 of Title 17, Guam Code Annotated relative to education & training facilities and opportunities for the individual with a disability.

Bill No. 315-31 (COR) - A.A. Yamashita, Ph.D.

An act to add a new Chapter 14 to Division 2 of Title 17, Guam Code Annotated, to require the Guam Department of Education to continually update a 10-year capital improvement project plan and to identify funding sources for the projects; and, citing this act as the "Teaching and Learning Communities Act." =E2=80=9D

Bill No. 318-31 (COR) - A.A. Yamashita, Ph.D.

An act to amend Sections 3102.1 and 3103 of Chapter 3, Article 1, Title 17, Guam Code Annotated, and to repeal Section 3103.1 of Chapter 3, Article 1, Title 17, Guam Code Annotated, relative to allowing I Naga'lahaen Guahan, the Governor of Guam, to appoint the Superintendent of Education.

Written Testimonies should be addressed to Speaker Judith T. Won Pat, Ed.D. and will be accepted via hand delivery to Speaker =E2=80=93s office or the Mail Room of the Guam Legislature at 155 Mesler Place in Hag =C3=A5t =C3=948a

or via email to speaker@judiwonpat.com or via facsimile to 472-3589.

The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Mr. Edward Posaigue at 472-3586 or by email at edposaique@judiwonpat.com

The public hearing will be broadcasted on MCV Channel 13 or GGU-TV Channel 2-1.

Broadcast Report

Date/Time 11-19-2011
Local ID 1 4723510
Local ID 2

11:56:26 a.m.

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Local Name 2

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Media
11-19-11



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

- VICE CHAIR**
COMMITTEE ON FOREIGN
RELATIONS AFFAIRS
HUMAN AND
LABOR
- MEMBER**
COMMITTEE ON
CONSTITUTIONAL
AFFAIRS AND
GOVERNANCE
ECONOMIC DEVELOPMENT
AND LAND
- COMMISSIONER**
GUAM TELEVISION
PUBLIC UTILITIES
COMMISSION
- VICE PRESIDENT**
ASSOCIATION OF
PUBLIC ISLAND
LEGISLATURES
(AIPIL)
- BOARD MEMBER**
PACIFIC RESOURCES FOR
THE ENVIRONMENT
AND LEARNING
(PREL)
- LEGISLATIVE
REPRESENTATIVE**
PUBLIC ISLAND
DEVELOPMENT BANK
(PIIDB)
- MEMBER OF THE
PUBLIC ARTS
(FESTPAK)**

November 19, 2011

To: All Media
From: Committee on Education and Public Libraries
Subject: Notice of Public Hearing - Second Notice

The Committee on Education and Public Libraries will hold a public hearing on Tuesday, November 22, 2011 at the Guam Legislature's Public Hearing Room on the following items:

8:30 a.m.

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An act to repeal Chapter 11 of Title 17 Guam Code Annotated relative to abolishing the Office of the Adequate Education Surrogate.

Bill No. 262-31 (COR) - D.J.F. Cruz / J.T. Won Pat, Ed.D. / T.R. Muna-Barnes / R.J. Respicio

An act amend § 15A402 of Article 4A of Chapter 15 of Title 17 and § 15201 of Article 2 of Chapter 15 Guam Code Annotated relative to increasing the Professional and Technical Award amount for medical students.

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Total Pages Scanned : 2

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004	870	671-648-2007	11:35:46 a.m. 11-19-2011	00:00:18	2/2	1	EC	HS	CP14400
005	870	6714776411	11:35:46 a.m. 11-19-2011	00:00:35	2/2	1	EC	HS	CP31200
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									CP28800

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Broadcast Report

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Abbreviations:

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Committee on Education and Public Libraries

Public Hearing Agenda for November 22, 2011

8:30 a.m.

- The appointment of Ms. Asuncion P. Guerrero to serve as a member of the Guam Commission for Educator Certification.

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An act to amend Sections 3102.1 and 3103 of Chapter 3, Article 1, Title 17, Guam Code Annotated, and to repeal Section 3103.1 of Chapter 3, Article 1, Title 17, Guam Code Annotated, relative to allowing I Maga'lahaen Guahan, the Governor of Guam, to appoint the Superintendent of Education.

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

BILL NO. 315-31 (cor)

Introduced by:

A.A. YAMASHITA, PhD

2011 SEP 26 PM 1:27
WMM
af

AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE ANNOTATED, TO REQUIRE THE GUAM DEPARTMENT OF EDUCATION TO CONTINUALLY UPDATE A 10-YEAR CAPITAL IMPROVEMENT PROJECT PLAN AND TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND, CITING THIS ACT AS THE “TEACHING AND LEARNING COMMUNITIES ACT.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Findings and Intent. *I Liheslaturan Guahan* finds that

the last Guam Department of Education 10-Year Capital Improvement Project Plan created in June 1999, implemented through the years of 2000-2010 has since expired, and there are no mechanisms in place to ensure that plans are updated or continuously reviewed for adequacy, based on conditions of facilities and changes in population.

I Liheslatura finds that the majority of GDOE schools face a multitude of pressing issues including the need for maintenance and preventive maintenance to allow for the accommodation of increasing school enrollments, and to provide safe effective teaching and learning environments.

Through the “Teaching and Learning Communities Act,” *I Liheslatura* intends to provide public policy that will require GDOE to continually maintain current 10-Year Capital Improvement Project Plans

1 with measures for review, benchmarks and milestones, and options for
2 funding.

3 **Section 2. Teaching and Learning Communities Act.** *A new*
4 chapter 14 to Division 2 of Title 17, Guam Code Annotated, is added to
5 read:

6 **“CHAPTER 14**

7 **TEACHING AND LEARNING COMMUNITIES ACT**

8 **§ 14101. Purpose.**

9 **§ 14102. Short Title.**

10 **§ 14103. Definitions.**

11 **§ 14103. Ten-Year Capital Improvement Project Plans.**

12 **§ 14104. Reporting Requirements.**

13

14 **§ 14101. Purpose.**

15 The purpose of the Guam Department of Education 10-Year Capital
16 Improvement Project Plan is to provide:

17 a.) a management tool and a guide to identify the most practical and
18 economical means of providing safe teaching and learning
19 environments;

20 b.) justification and guidance in preparing annual Capital
21 Improvement Project design and construction budgets;

22 c.) an outline for anticipated changes in terms of major facilities,
23 population needs and associated demands; and,

24 d.) indicators of future facilities costs for financial planning and
25 decision making.

26 **§ 14102. Short Title.** This Chapter may be cited as the “Teaching and
27 Learning Communities Act.”

28 **§ 14103. Definitions.** As used in this Chapter words are defined to mean:

- 1 a.) “Board” means the Guam Education Board.
- 2 b.) “Superintendent” means the Superintendent of Education of the
3 government of Guam.
- 4 c.) “CIP” means Capitol Improvement Project(s).
- 5 d.) “Plan” means a 10-Year Capital Improvement Project Plan.
- 6 e.) “Properties” means all lands belonging to the Department of
7 Education of the government of Guam.
- 8 f.) “Facilities” means all government of Guam Department of
9 Education public schools, non-instructional administrative support
10 buildings and relative structures.

11 **§ 14104. Ten-Year Capital Improvement Project Plans.**

12 The GDOE Superintendent shall prepare a 10-Year Capital
13 Improvement Project Plan that will be subject to Guam Education Board
14 approval.

15 1) **Plan provisions.** The Plan shall include as a basis, but is not limited to:

- 16 a.) An inventory of GDOE properties and facilities, which will include
17 at a minimum:
- 18 i. each building/athletic field of individual school campuses
19 and dates built;
 - 20 ii. the gross square footage of each building/athletic field on
21 the school campus;
 - 22 iii. the dates that each building/athletic field was last
23 renovated, repaired or improved;
 - 24 iv. whether or not copies of building plans are available and
25 their location; and copies or location of registered maps
26 of and title to each school campus.

27 b.) An assessment of needs to include at a minimum:

- 1 i. an assessment as to the adequacy of the square footage
- 2 for the school population/size;
- 3 ii. an assessment as to the adequacy of the associated
- 4 facilities, including – but not limited to— classrooms and
- 5 instructional rooms, the common dining facility, library,
- 6 restrooms, gymnasium and auxiliary facilities,
- 7 auditorium, parking lot, hallways, covered walkways,
- 8 administrative offices, and instructional support facilities;
- 9 and,
- 10 iii. an assessment of security of GDOE properties and
- 11 facilities and energy-efficiency measures, to include an
- 12 evaluation of cost effectiveness.

13 c.) Review and assessment of attendance areas: enrollment data and
14 source of data.

15 d.) A list of projected capital improvement projects.

16 e.) Proposed annual budgets for capital improvement projects that will
17 include a cost analysis that will include, at a minimum, projected cost
18 comparisons for the demolition and rebuilding of facilities versus
19 measures to rehabilitate and renovate; and projected expense for the
20 construction of eco-friendly facilities and/or for the purchase of
21 equipment/items to make facilities more energy efficient.

22 **2) Review process.** The Plan will undergo a review process as follows:

23 a.) The Plan shall be updated annually and the Superintendent and
24 Board will determine whether significant revisions are required, based
25 on available information.

26 b.) The Superintendent and Board shall implement a mid-range
27 planning process every five (5) years and begin the planning phase for
28 the next Plan in the final year of the current Plan, such that an updated

1 10-year Plan will be ready for implementation at the beginning of the
2 next 10-year cycle.

3 c.) The Plan will include provisions for all DOE Facilities to have
4 security monitoring and maintenance as part of contracts with
5 developers for buildings/facilities constructed under a build- lease and
6 lease-back contract.

7 **3) Implementation.** The GDOE 10-Year CIP Plan shall be implemented at
8 the start of each new decade.

9 **4) Reporting.** The GDOE shall transmit to *I Maga Lahen Guahan*, the
10 Governor of Guam, and the Speaker of *I Liheslaturan Guahan* a copy of
11 each 10-Year CIP Plan a year prior to implementation, and annual updates.

12 **Section 3. Funding Sources.** Notwithstanding any other provision of law,
13 funding to support the GDOE CIP may come from any or all of the
14 following sources, but is not limited to:

15 a) Leaseback Financing allowable pursuant to “*The Education*
16 *Facilities Construction Initiative Act of 2001*”; and,

17 b) Support Financing Vehicles such as the US Housing and Urban
18 Development Community Development Block Grant and US
19 Department of Education Qualified Zone Academy Bonds.