


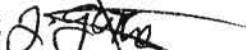
I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2007 (FIRST) Regular Session


2007 JUN 13 PM 2:27

Bill No. 171(25)

Introduced by:

J. T. Won Pat, Ed.D. 

J.P. Guthertz 

T.R. Muña-Barnes 

AN ACT TO ADD A NEW CHAPTER 11 TO DIVISION 2 OF TITLE 17 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH A PUBLIC CORPORATION FOR THE PURPOSE OF ADVANCING EXCELLENCE IN EDUCATION. THIS ACT SHALL BE KNOWN AS THE "FOUNDATION FOR PUBLIC EDUCATION ACT OF 2007."

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Foundation for Public Education Act of 2007. Chapter 11 of  
3 Division 2 of Title 17, Guam Code Annotated, is added to read:

4 "C hapter 11.

5 Foundation for Public Education Act 2007.

6 §11101. Legislative Findings. *I Liheslaturan Guahan* finds that creating  
7 the best public school education is the responsibility of the entire community.  
8 This means not only parents and educators but also businesses, community  
9 groups, associations, philanthropists and citizens. Currently, the Guam Public

1 School Systems is authorized to receive monetary donations which are  
2 promptly deposited into the Every Child is Entitled to an Adequate Education  
3 Fund ("Fund "). The provisions of the existing Fund is too restrictive in  
4 regards to how private contributions to the Guam Public School System can  
5 be utilized, therefore a mechanism needs to be put in place to more efficiently  
6 handle such contributions. In many communities, public education  
7 foundations serve as a conduit between schools and communities often  
8 funding projects that fall outside the scope of the schools operating budgets.  
9 The missions of these public education foundations are to mobilize regional  
10 and community resources to support and impact public education through  
11 initiatives, programs, and practices designed to improve student performance  
12 and advance quality educational opportunities for all children.

13 It is therefore the intent of *I Liheslaturan Guahan* that a separate  
14 mechanism, one that would promote the improvement of the general welfare  
15 of public education on Guam inclusive of philanthropic and community  
16 service endeavors, must be established. This can be accomplished with the  
17 creation of a "Foundation for Public Education".

18 **§11102. Short title.** This Chapter may be cited as the "Foundation for  
19 Public Education Act of 2007."

20 **§11103. Authorization to Receive Funds.** The Superintendent is hereby  
21 authorized to establish a public not for profit corporation that shall be  
22 separate and apart from the Government of Guam and the Guam Public  
23 School System for the purposes of being able to accept private gifts, donations,  
24 endowments, services in-kind, grants and other money which may be offered  
25 in support of the Guam Public School System. All such private gifts,

1 donations, endowments, services in-kind, grants and other money shall be in  
2 accordance with the laws of Guam and subject to reasonable conditions.

3 **§11104. Custody and Expenditure of Funds.** Such funds as are received  
4 shall be deposited into a fund as established by the public corporation and  
5 known as the Foundation for Public Education Fund. Expenditures shall be  
6 made from the fund in accordance with such conditions as may be attached to  
7 the private gifts, donations, endowments, services in-kind, and grants.

8 **§11105. Composition of Foundation Board of Directors.** The public  
9 corporation, as initially established by the Superintendent of Education, shall  
10 be comprised of a nine (9) member board of directors. The Superintendent  
11 shall appoint the charter directors of said corporation and each charter  
12 director will serve an initial term of one (1) year. The Superintendent of  
13 Education shall serve as temporary chairperson, and shall convene the first  
14 meeting of the Foundation. At its first meeting the Foundation shall elect from  
15 among its members its officers in accordance with its established by-laws. At  
16 least two (2) members shall be an alumnus of the Guam Public School System,  
17 formerly the Guam Department of Education. For the purposes of this  
18 provision, an alumnus is defined as any one person having attended the  
19 Guam Public School System for one complete school year. Upon  
20 establishment of the public corporation, said corporation shall establish in its  
21 articles of incorporation and by-laws the manner of appointment and length  
22 of service for board members and all other rules and regulations relative to  
23 operations, investments and programs through which all private gifts,  
24 donations, endowments, services in-kind, grants and other money shall be  
25 granted back to the Guam Public School System. If, in the event of a vacancy

1 on the charter board of directors, the Superintendent of Education or the  
2 Chairperson of the Guam Education Policy Board should the Superintendent  
3 of Education be incapacitated, shall appoint a replacement for the unexpired  
4 term. The initial meeting of the public corporation shall be convened by the  
5 Superintendent of the Guam Public School System.”

6       **§11106. Foundation Information Published on Website.** The  
7 Foundation shall publish information regarding its activities on a monthly  
8 basis. The information may include, but not limited to, financial statements,  
9 meeting minutes and agendas, and any other information that the Foundation  
10 may deem beneficial to the general public.

11       The Guam Public School System shall make their website available to  
12 the Foundation for the purpose of publishing the above required  
13 information.”