

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

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Bill No 93-31(COR)  
Introduced by:

Judith T. Won Pat, Ed.D. 

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**AN ACT TO AMEND § 3102.1 OF TITLE 17 GUAM CODE  
ANNOTATED, RELATIVE TO THE DUTIES OF THE  
GUAM EDUCATION BOARD.**

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

2 Section 1. § 3102.1 of Title 17 Guam Code Annotated is hereby amended  
3 to read as follows:

4 **"3102.1. Duties of the Guam Education Board.** The Guam Education  
5 Board shall have general supervision over the Department of Education  
6 (hereinafter 'Department') ~~and the control and direction of all funds of, and~~  
7 ~~appropriated to, the Department subject to such restrictions as may be~~  
8 ~~prescribed by law. The Board shall submit an annual budget to I Liheslatura~~  
9 ~~in the manner prescribed by law. The Board shall have the authority to~~  
10 ~~delegate such of its powers as it may deem appropriate, but shall retain the~~  
11 ~~ultimate responsibility for the exercise of its powers. The Board, among other~~

1 duties, shall perform the following in accordance with applicable law:

2 (a) select and appoint a Superintendent and support him/her in the discharge  
3 of his/her duties;

4 (b) receive, evaluate and act upon the recommendations and reports of the  
5 Superintendent;

6 (c) adopt an annual budget and control expenditures accordingly; review  
7 periodic financial reports and modify the budget if and when necessary;

8 (d) adopt attendance areas and school boundaries;

9 (e) sue and/or defend itself in suits at law;

10 (f) report routine complaints and concerns related to the department's  
11 operations; directly to the Superintendent for appropriate investigation and response;

12 (g) have no business or pecuniary interest which will conflict with the  
13 activities of the Board;

14 (h) establish student discipline policy;

15 (i) establish a school calendar;

16 (j) establish graduation standards;

17 (k) periodically review established policies for refinement and improvement;

18 (l) serve as Guam's State Education Policy/Governing Board for Federal  
19 programs where such a board is required by Federal Law to include, but not be limited  
20 to, the Head Start Program.

21 (m) act as the approving authority on behalf of the department for collective  
22 bargaining agreements;

23 (n) make recommendations to *I Maga'lahaen Guåhan* or *I Liheslaturan*  
24 *Guåhan* for changes, additions or deletions to Guam Education Laws;

25 (o) each newly elected or appointed board member shall complete during the  
26 first year of the member's first term a training program to be prepared and offered by  
27 the University of Guam and the department, regarding the skills and knowledge

1 necessary to serve as a local school board member. The training program shall  
2 include:  
3 (1) review of the Guam Code Annotated and other laws pertaining to DOE;  
4 (2) Roberts Rules of Order;  
5 (3) the budgeting procedures and guidelines of the government of Guam and  
6 the department; and  
7 (4) difference(s) between policy making and micromanagement of the affairs  
8 of the department; and  
9 (p) the role of the Board, as with any legislative body, is to act collectively, not  
10 individually. Any Board member shall report to *I Liheslaturan Guåhan* any potential  
11 or alleged violation of this subsection. The Board shall not:  
12 (1) interfere in or micro-manage the affairs of the department or schools  
13 within the department; and  
14 (2) involve itself with student discipline cases, unless expressly authorized by  
15 public law, and only to the extent authorized by public law.”