

MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular

Bill No. 257-31 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. 

AN ACT TO SAVE F.Q. SANCHEZ ELEMENTARY SCHOOL,
UMATAC, BY PROVIDING FINANCING FOR WORKING
CAPITAL EXPENDITURES FOR THE FY-2011-2012 SCHOOL
YEAR BY REPROGRAMMING AND APPROPRIATING THE
SUM OF ONE HUNDRED FIFTY-SEVEN THOUSAND
DOLLARS (\$157,000) FROM THE 2007 TOBACCO BOND
PROCEEDS TO THE DEPARTMENT OF EDUCATION.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent: *I Liheslaturan Guåhan* finds
3 that there is strong community support by southern residents of Umatac, who have
4 repeatedly stated their strong support for the continuing operation of the
5 historically significant F.Q. Sanchez Elementary School in Umatac.

6 *I Liheslaturan Guåhan* takes due note that F.Q. Sanchez Elementary has
7 become a historical cultural component of the village life and is an integral part of
8 the community of Umatac's social structure.

9 *I Liheslaturan Guåhan* finds that there is strong, widespread community
10 support by southern residents of Guam for the continuing operation of the
11 historically significant F.Q. Sanchez Elementary School in Umatac.

12 *I Liheslaturan Guåhan* further finds, that expenditure of the sum required to
13 maintain the continuing operation of F.Q. Sanchez Elementary School is a quality

1 of village life issue for southern residents and should be supported by the people of
2 Guam.

3 Further, *I Liheslaturan Guåhan* takes due note that although numerous new
4 schools are being provided for the children of northern residents, no new schools
5 are being built in the south. To the contrary, the Education Policy Board is instead
6 closing this school in the south, in direct contrast to the wishes and heartfelt desires
7 of southern residents.

8 It is the intent of *I Liheslaturan Guåhan* to ensure equitable consideration
9 for southern residents by maintaining the continuing operation of F.Q. Sanchez
10 Elementary School for their children who are equally deserving.

11 *I Liheslaturan Guåhan* takes due note of the significant fact that the test
12 scores of the Umatac elementary students has consistently been above average,
13 which directly correlates with the quality of teaching and the high teacher to
14 student ratio.

15 It is, further, the intent of *I Liheslaturan Guåhan* to ensure that the school
16 continues to have the requisite staffing pattern and resources necessary for the
17 proper education of the children, and to that end, the current staffing pattern,
18 educational programs and the provision of resources shall not be reduced or
19 redirected to other schools or utilized for other purposes not consistent with the
20 intent and mandates of this Act.

21 *I Liheslaturan Guåhan* takes due note that the children of southern Guam are
22 equally entitled to benefit from educational programs relative to promoting healthy
23 lifestyles, inclusive of programs encouraging the avoidance of smoking and/or the
24 use of alcohol or drugs, and to that end, it is further the intent of this Act that such

1 educational opportunities shall be included in the F.Q. Sanchez curriculum, or if it
2 currently exists, that it shall continue.

3 *I Liheslaturan Guåhan* also takes due note that the basis for the closure of
4 F.Q. Sanchez Elementary School was premised upon the 2009 Evergreen Report
5 recommendations, which stated that the closure would save the Guam Department
6 of Education the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000).

7 It is the intent of *I Liheslaturan Guåhan* to ensure that the children of F.Q.
8 Sanchez Elementary School in Umatac continue to have the quality of education
9 they have been receiving by providing funding, and a concurrent mandate that the
10 school remain open for a minimum period of two years from the date of enactment
11 of this Act.

12 **Section 2. Reprogramming and Appropriation of funds for F.Q.**
13 **Sanchez Elementary School, Umatac.** The **SUM of ONE HUNDRED FIFTY-**
14 **SEVEN THOUSAND DOLLARS (\$157,000.00)** is hereby REPROGRAMMED
15 from the available funds of the 2007 Tobacco Bond Proceeds account, managed by
16 the Guam Economic Development Authority, and APPROPRIATED, to the
17 Department of Education for the *sole* purpose of financing working capital
18 expenditures for F.Q. Sanchez Elementary School, Umatac.

19 **Section 3. Appropriation Not Subject to Governor’s Transfer Authority**
20 **or Education Policy Board.** The funds reprogrammed and appropriated pursuant
21 to this Act shall only be expended for the purpose of financing working capital
22 expenditures for the continued operation of F.Q. Sanchez Elementary School for
23 the FY-2011-2012 school year, and *shall not* be subject to the transfer authority of
24 *I Maga’lahan Guåhan*, or the Guam Education Policy Board for other purposes.

1 **Section 4. Maintenance of Current Personnel, Educational**
2 **Opportunities and Resources.** The Guam Education Policy Board shall ensure
3 the requisite staffing pattern and resources as are necessary for the proper
4 education of the children are maintained, and to that end, the *current* staffing
5 pattern, educational programs and the provision of resources *shall not* be reduced
6 or redirected to other schools or utilized for other purposes not consistent with the
7 intent and mandates of this Act, without the express authorization pursuant to law,
8 for the duration of the term of the FY-2011-2012 school year.

9 **Section 5. Continuing Appropriation.** The appropriations made pursuant
10 to Section 2 of this Act shall not lapse and shall continue until fully expended.

11 **Section 6. Closure Prohibited.** Notwithstanding any other provision of
12 law, the Guam Education Policy Board shall not close F.Q. Sanchez Elementary
13 School for a minimum period of two years from the date of enactment of this Act.
14 The Guam Education Policy Board *shall* explore alternatives measures to feasibly
15 maintain the operation of the school, while continuing to maintain a quality
16 curriculum.

17 **Section 7. Educational Programs Promoting Healthy Lifestyles, and the**
18 **Avoidance of Tobacco, Alcohol and Drugs.** The Guam Education Policy Board
19 *shall* ensure that the F.Q. Sanchez Elementary School includes in its curriculum,
20 educational programs relative to promoting healthy lifestyles, inclusive of
21 programs encouraging the avoidance of smoking and the use of alcohol or drugs.

22 **Section 8. Severability.** *If* any provision of this Act or its application to
23 any person or circumstance is found to be invalid or contrary to law, such
24 invalidity shall *not* affect other provisions or applications of this Law which can be

1 given effect without the invalid provisions or applications, and to this end the
2 provisions of this Law are severable.

3 **Section 9. Effective Date.** This Act shall be immediately effective upon
4 enactment.