



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUL 19 2001

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 092 (LS) entitled: "AN ACT TO AMEND §§ 6103 AND 6104, AND TO ADD § 6105.1 TO TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO TESTING UNDERAGE ENTRANCE INTO KINDERGARTEN AND TO ADD A SUNSET PROVISION" which I have signed into law as Public Law No. 26-29.

This legislation contains provisions that are inconsistent with the provisions of Bill No. 001, passed in the same legislative session and which is now Public Law No. 26-26. Please note that new Section 6106 of Public Law No. 26-26 will now need to be repealed, as it provides for options to again change the date for entrance to kindergarten.

The consensus of opinion among educators of young children is that early entrance into kindergarten for children who may at times be very intelligent but who are nevertheless immature in other ways due to their chronological age does not serve those children well in future years. Their later performance does not compare well to those of older children in the class in which these younger children are placed.

Since this legislation establishes a firm cut off date of July 31st for future years for the entrance of children into kindergarten, this legislation is signed.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	10:50 AM
Date	7/23/01

0356

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

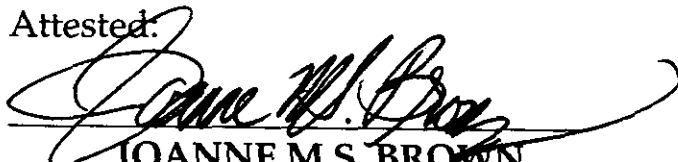
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 092 (LS), "AN ACT TO AMEND §§ 6103 AND 6104, AND TO ADD § 6105.1 TO TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO TESTING UNDERAGE ENTRANCE INTO KINDERGARTEN AND TO ADD A SUNSET PROVISION," was on the 11th day of June, 2001, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 9th day of July, 2001,
at 4:50 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahen Guåhan

Date: 7-19-01

Public Law No. 26-29

MINA'BENTE SAIS NA LIHESLATURAN GUÁHAN
2001 (FIRST) Regular Session

Bill No. 92 (LS)

As substituted by the
Committee on Education
and amended on the Floor.

Introduced by:

L. F. Kasperbauer
T. C. Ada
J. F. Ada
F. B. Aguon, Jr.
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
A. L.G. Santos
A. R. Unpingco

**AN ACT TO AMEND §§ 6103 AND 6104, AND TO
ADD § 6105.1 TO TITLE 17 OF THE GUAM CODE
ANNOTATED, RELATIVE TO TESTING
UNDERAGE ENTRANCE INTO KINDERGARTEN
AND TO ADD A SUNSET PROVISION.**

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

2 **Section 1.** Section 6103 of Article 1, Chapter 6, Division 2 of Title 17 of
3 the Guam Code Annotated is hereby *amended* to read as follows:

1 **"Section 6103. Children who Have Reached the Age of Five (5)**
2 **Years Eligible to Attend.** Any child whose fifth (5th) birthday falls on
3 or before the commencement date of classes may, in such year, enroll in
4 the kindergarten of any public school within Guam which the child is
5 otherwise eligible to attend, *except* that any child whose fifth (5th)
6 birthday falls within one hundred twenty-five (125) days after the
7 beginning date of classes on the school calendar in the attendance area
8 where they live, and are designated to attend, may enroll in
9 kindergarten, *subject* to the approval of the principal of the school
10 pursuant to the policy mandated by § 6104 of this Chapter.

11 The effective date of this Section shall be the start of School Year
12 1998-1999."

13 **Section 2.** Section 6104 of Article 1, Chapter 6, Division 2 of Title 17 of
14 the Guam Code Annotated is hereby *amended* to read as follows:

15 **"Section 6104. Policy and Procedures.** The
16 Department of Education shall develop a policy and implement
17 procedures by which children, who will have reached the age of five (5)
18 years old within one hundred twenty-five (125) days after the beginning
19 date of classes on the school calendar in the attendance area where they
20 live, and are designated to attend and whose parents or guardians so
21 desire, will be screened to determine readiness for school. Any such
22 child whose parent(s) request screening for entrance into kindergarten
23 under the provisions of this Section *at least* thirty (30) days *prior* to the
24 start of the school year shall be screened, and upon passing, deemed

1 eligible to be admitted on a space-available basis. Space availability
2 shall be based on the class size limits as determined by Department
3 policy. In the event that space is available in a class, but the number of
4 eligible students exceeds such available space, first priority for
5 admission shall be determined based on age, beginning with the eldest.”

6 **Section 3.** Section 6105.1 is hereby *added* to Article 1, Chapter 6,
7 Division 2 of Title 17 of the Guam Code Annotated to read as follows:

8 **“Section 6105.1. Sunset Provision Underage Screening and**
9 **Enrollment.** Notwithstanding the provisions of §§ 6103 and 6104,
10 beginning with the School Year 2002 – 2003, all students must be *at least*
11 five (5) years of age by July 31 of each year for enrollment in
12 kindergarten for that school year. The Department of Education shall
13 announce the starting date for schools *at least* one hundred eighty (180)
14 days in advance of the starting date. There shall be no further screening
15 for underage enrollment in kindergarten after the School Year 2001-
16 2002.”

6

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 6/11/01

VOTING SHEET

S Bill No. 92(15)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.					✓
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.		✓			
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.		✓			

TOTAL

12 2 0 0 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



June 6, 2001

The Honorable Antonio R. Unpingco
Speaker
I Mina Bente Sais Na Liheslaturan Guahan
Hagatna, Guam

Via: Committee on Rules

The Committee on Education, to which was referred **Bill No. 92 (LS): AN ACT TO AMEND §6103 AND 6103.1 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO KINDERGARTEN**, herein reports back with the recommendation TO DO PASS, as substituted by the committee.

Votes are as follows:

10 To Pass

_____ Not to Pass

_____ To the Inactive File

_____ Abstained

Sincerely,


LARRY F. KASPERBAUER, Ph.D.

Attachments



June 6, 2001

MEMORANDUM

To: All Members
Committee on Education

From: Chairman

Subject: **Voting Sheet**

Transmitted herewith are the voting sheets and Committee Report on **Bill No. 92 (LS): AN ACT TO AMEND §6103 AND 6103.1 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO KINDERGARTEN**, herein reports back with the recommendation TO DO PASS as substituted by the committee, for your review and signature.

Attention to this matter is greatly appreciated.


LARRY F. KASPERBAUER, Ph.D.

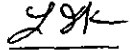

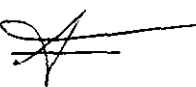
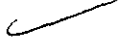




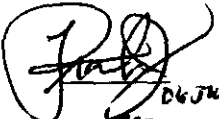


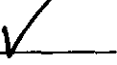



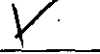




Attachments

COMMITTEE ON EDUCATION
I Mina' Bente Sais Na Libeslaturan Guåhan
 155 Hesler Street · Hagåtña, Guam 96910

Chairman: Vice Speaker Lawrence F. Kasperbauer	Vice-Chairperson: Senator Mark Forbes
Ex-Officio Member: Speaker Antonio R. Unpingco	

VOTING SHEET ON:

Substitute Bill No. 92 (LS): AN ACT TO AMEND §6103 AND §6103.1 OF AND TO ADD A NEW §6103.4 TO TITLE 17, GUAM CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO KINDERGARTEN AND TO ADD A SUNSET PROVISION.

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE INACTIVE FILE</u>
Vice Speaker Lawrence F. Kasperbauer <i>Chairman</i>			_____	_____	_____
Sen. Mark Forbes <i>Vice-Chairperson</i>			_____	_____	_____
Speaker Antonio R. Unpingco <i>Ex-Officio</i>	_____	_____	_____	_____	_____
Sen. Joseph F. Ada <i>Member</i>			_____	_____	_____
Sen. Thomas C. Ada <i>Member</i>			_____	_____	_____
Sen. Frank Blas Aguon <i>Member</i>			_____	_____	_____
Sen. Joanne M.S. Brown <i>Member</i>			_____	_____	_____
Sen. Felix P. Camacho <i>Member</i>			_____	_____	_____
Sen. Mark Charfauros <i>Member</i>			_____	_____	_____
Sen. Kaleo Scott Moylan <i>Member</i>			_____	_____	_____
Sen. Vicente C. Pangelinan <i>Member</i>	_____	_____	_____	_____	_____
Sen. Judith Won Pat <i>Member</i>			_____	_____	_____

I MINA' BENTE SAIS NA LIHESLATURAN GUÁHAN
Committee on Education

Vice Speaker Lawrence F. Kasperbauer, Chairperson

Committee Report On

Bill No. 92 (LS): AN ACT TO AMEND §6103 AND 6103.1 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO KINDERGARTEN.

I. OVERVIEW

The Committee on Education held a public hearing on Friday, June 1, 2001 at 9:00 a.m. at I Liheslaturan Public Hearing Room.

Committee Members Present:

Vice Speaker Lawrence F. Kasperbauer, Chairperson
Senator Felix P. Camacho
Senator Thomas C. Ada
Senator Frank Blas Aguon, Jr.

Other Senators Present:

None

Providing Testimony on the Bill:

From the Department of Education:

Ms. Rosie Tainatongo, Director of Education

(Note Ms. Tainatongo presented both Written and Oral Testimony, The written testimony was, however, signed by several DOE administrators.)

Ms. Norma Tabayoyong
Ms. Carmelita Gutierrez
Ms. Shirley Marsh
Ms. Evangeline Chang
Ms. Diana Dungca
Ms. Eugenia Manley
Mr. Joe Pineda
Ms. Victoria Carrera
Ms. Rose Pineda
Ms. Janice Chargualaf
Ms. Marsha Birch

Ms. Jane Rayphand
Ms. Glenna Reyes
Ms. Teri Knapp, GATE Coordinator

II. Testimony

Joint Testimony – DOE Administrators and Teachers

Testimony was presented on behalf of eighteen elementary school administrators in opposition to the Bill. Issues cited were:

- Shortage of teachers certified in early childhood education.
- DOE projection that about four hundred additional of age kindergartners will enroll in school this upcoming school year.
- This will put a substantial strain on DOE resources.
- Experience has shown that children who are not five years old at the start of the school are at a continuous disadvantage.
- The assessment tool used to determine readiness for school has been compromised and must be replaced. This and test administration will be costly.

H. Joseph Dobrowolski, Principal, Price Elementary. Mr. Dobrowolski testified against Bill No. 92 He reviewed the positive aspects of the recent raising of the minimum school entry age. He recommends a firm cut-off date for both eligibility age and student registration. Also, he recommends elimination of early entrance testing and the space available provision of Bill No. 92.

Glenna Reyes, Principal, Chief Brodie Elementary. Ms. Reyes submitted testimony opposing Bill No. 92 citing statistics which show benefits of children starting school at five years of age and problems associated with early entrance.

Ms. Shirley Marsh: Ms. Marsh testified as a proponent of children being five years old by the time they enter school; otherwise they are not ready for school. She suggests doing away with testing as it does not determine maturity.

Ms. Eugenia Manley: Ms. Manley stated that her child will be five years old in November of this year. She asked the school administrator that the child be tested, but her request was denied. She asks that the eligibility date either be extended or that her child be tested.

Ms. Norma Tabayoyong, Principal, M.A. Ulloa Elementary School: Ms. Tabayoyong informed the Committee that her school policy requires pre-registration of students by July 15, 2001. This helps with the planning process and preparation for accommodating students. She stated also that her school does not have the capability to screen students, but her experience has

been that out of seven schools in her region, four out of twenty-three children passed screening and were enrolled. These children, however, are not performing well in school.

Ms. Victoria Carrera, Teacher and Parent: Ms. Carrera related that her grand daughter is six days short of the birth date cut-off. The child has attended pre-school for two years, yet is ineligible for kindergarten. There exists a two year cap on pre-school attendance leaving the child ineligible for either program. Ms. Carrera also suggests that a firm date be established for kindergarten eligibility.

Ms. Teri Knapp, GATE Coordinator: Ms. Knapp clarified the issue surrounding the cut-off date used for the GATE Program and suggested that a firm cut-off date for kindergarten would enable parents to plan for their children's schooling.

Ms. Jan Yamashita, DOE Associate Superintendent of Elementary Schools. Ms. Yamashita stated that DOE will screen children but that priority must be given to enrolling children who are five years old at the start of school. Experience has shown, she said, that eligible students often enroll after school has started and must be accepted. Overcrowding results, she stated, and grievances are filed by teachers.

Dr. Nerrissa Schafer, DOE Administrator of Research, Planning and Evaluation. Dr. Schafer responded to concerns raised over the projected increase in kindergarten enrollment for the upcoming school year by explaining the methodology used in arriving at the figure.

Ms. Rose Rios, DOE School Administrator. Ms. Rios stated that experience has shown that four year olds are too young to attend school. She further stated that it is a form of rejection for a child to pass screening and not be allowed to enroll due to space limitations. Also, of those screened, nine out of ten are rejected. This, she said, is damaging to the child's self-esteem.

Ms. Marsha Burch, Kindergarten Teacher. Ms. Burch testified that she is a proponent that children being five years old at the start of school. She stated, also, that there is a loophole in the screening system in that students fail screening at one school and then go to another school for testing armed with knowledge of the test contents. She suggests that a central testing facility be established.

Ms. Jane Rayphand, Kindergarten Teacher. Ms. Rayphand is a twenty-year veteran teacher representing herself and six other teachers who want a firm cut-off date for age eligibility. This, she stated, would end the turmoil associated with kindergarten enrollment. Her experience has shown that screened early entrants generally do not perform well.

III. Findings and Recommendation

Considering the testimony presented at the hearing on Bill No. 92, the concerns of parents expressed to the Committee, and the Committee research on the issue at hand, the Committee finds that establishing a firm age eligibility date for entrance into kindergarten would best serve the interests of children, their parents, their teachers and school administrators.

Many parents, however, have planned their children's schooling around the provisions of existing law which allows for early entrance screen. The Committee finds that, in fairness to those so affected, the screening process should be allowed for the upcoming school year but eliminated thereafter in favor of a firm cut-off date with no early entrance. Discussions

subsequent to the hearing on the Bill with DOE officials indicate that this is acceptable to DOE. Of all elementary school principals polled, agreement is unanimous.

It is, therefore, the recommendation of the Committee to substitute Bill No. 92 to reflect the aforementioned changes and that Substitute Bill No. 92 be reported out of the Committee with the recommendation **TO DO PASS**.

3re
6/8/01

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session


Bill No. 92 (LS)
As substituted by the
Committee on Education

Introduced by:

L.F. Kasperbauer

T.C. Ada

J.T. Won Pat

F.B. Aguen, Jr. 

**AN ACT TO AMEND §6103 AND §6103.1 OF AND TO ADD A
NEW §6103.4 TO TITLE 17, GUAM CODE ANNOTATED
RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO
KINDERGARTEN AND ADD A SUNSET PROVISION.**

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

2 **Section 1.** Section 6103 of Title 17 of the Guam Code Annotated is hereby
3 amended to read:

4 **"§6103. Children who Have Reached the Age of Five (5) Years Eligible**
5 **to Attend.** Any child whose fifth birthday falls on or before the commencement
6 date of classes may, in such year, enroll in the kindergarten of any public school
7 within the Territory which he is otherwise eligible to attend, except that any child
8 whose fifth birthday falls within one hundred twenty-five (125) days after the
9 beginning date of classes on the school calendar in the attendance area where they
10 live, and are designated to attend, may enroll in kindergarten, subject to the
11 approval of the principal of the school pursuant to the policy mandated by ~~Section~~
12 ~~3 of this Act~~ §6103.1 of this Chapter.

13 The effective date of this Section shall be the start of school year 1998-1999."

1 **Section 2.** Section 6103.1 and Section 6103.2 of Title 17 of the Guam Code
2 Annotated are hereby amend to read:

3 "**§6103.1. Policy and Procedures.** The Department of Education shall,
4 ~~prior to the start of school year 1998-1999,~~ develop a policy and implement
5 procedures by which children, who will have reached the age of five (5) within
6 one hundred twenty-five (125) days after the beginning date of classes on the
7 school calendar in the attendance area where they live and are designated to attend
8 and whose parents or guardians so desire, will be screened to determine readiness
9 for school. Any such child whose parent(s) request screening for entrance into
10 kindergarten under the provisions of this section at least thirty (30) days prior to
11 the start of the school year shall be screened and upon passing, deemed eligible to
12 be admitted on a *space available* basis. Space availability shall be based on the
13 class size limits as determined by DOE policy. In the event that space is available
14 in a class but the number of eligible students exceeds such available space, first
15 priority for admission be shall determined based on age beginning with the eldest.

16 **§6103.4. Sunset Provision Underage Screening and Enrollment.**
17 Notwithstanding the provisions §6103 and §6103.1, beginning with the school
18 year 2002 - 2003 all students must be at least five (5) years of age by July 31 of
19 each year for enrollment in kindergarten for that school year. The Department of
20 Education shall announce the starting date for schools at least one hundred eighty
21 (180) days in advance of the starting date. There shall be no further screening for
22 underage enrollment in kindergarten after the school year 2001-2002. ''

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

27
4:51pm
5-23-01

Bill No. 92(L6)

Introduced by:

L.F. Kasperbauer *LK*

T.C. Ada *TA*

J.T. Won Pat *JP*

**AN ACT TO AMEND §6103 AND 6103.1 OF TITLE 17, GUAM
CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE
ENTRANCE INTO KINDERGARTEN.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1
2
3 **Section 1.** Section 6103 of Title 17 of the Guam Code Annotated is hereby
4 amended to read:

5 "**§6103. Children who Have Reached the Age of Five (5) Years Eligible**
6 **to Attend.** Any child whose fifth birthday falls on or before the commencement
7 date of classes may, in such year, enroll in the kindergarten of any public school
8 within the Territory which he is otherwise eligible to attend, except that any child
9 whose fifth birthday falls within one hundred twenty-five (125) days after the
10 beginning date of classes on the school calendar in the attendance area where they
11 live, and are designated to attend, may enroll in kindergarten, subject to the
12 approval of the principal of the school pursuant to the policy mandated by Section
13 ~~3 of this Act~~ §6103.1 of this Chapter.

14 The effective date of this Section shall be the start of school year 1998-1999."

1 **Section 2.** Section 6103.1 and Section 6103.2 of Title 17 of the Guam Code
2 Annotated are hereby amend to read:

3 "**§6103.1. Policy and Procedures.** The Department of Education shall,
4 ~~prior to the start of school year 1998-1999,~~ develop a policy and implement
5 procedures by which children, who will have reached the age of five (5) within
6 one hundred twenty-five (125) days after the beginning date of classes on the
7 school calendar in the attendance area where they live and are designated to attend
8 and whose parents or guardians so desire, will be screened to determine readiness
9 for school. Any such child whose parent(s) request screening for entrance into
10 kindergarten under the provisions of this section at least thirty (30) days prior to
11 the start of the school year shall be screened and upon passing, deemed eligible to
12 be admitted on a *space available* basis. Space availability shall be based on the
13 class size limits as determined by DOE policy. In the event that space is available
14 in a class but number of eligible students exceeds such space available, first
15 priority for admission shall determined based on the age beginning with the eldest.



CAPT. HENRY B. PRICE ELEMENTARY SCHOOL

P.O. Box DE, Hagatna, Guam 96932
(671) 734-2324/2159/Fax 734-2983

H. Joseph Dobrowolski
Principal

John Van Ausdall
Assistant Principal

To: Committee on Education
Subject: Input on Bill No. 92
From: Principal

1 June 2001

Having received and reviewed a copy of Bill No. 92, I respectfully submit the following suggestions and comments:

I do not support the bill. Several years ago, the Legislature was requested to pass a law raising the age of the island's public school children entering Kindergarten. The request came from the educators nearest to Kindergarten students, their teachers. Aimed with both years of experience and the latest research, they asked that the minimum age be raised to five. American research showed that students entering Kinder earlier met with less success, both in their first year at school and throughout the following twelve years. Differences in social readiness and physical development were suggested as reasons for differences – fine and gross motor skills development, emotional maturity/stability, leadership, etc.

The age was raised in the best interest of our children, not due to shortages of teachers, classrooms or to cause parents the inconvenience of needing an extra year of daycare. Other reasons might have also included how we locally judged the success of our island's public schools – on national test results. Those tests, prior to the enactment of the law raising entrance age, compared apples and oranges, as our children were entering school much earlier than the national average. Our first group of "older" students were tested as First graders two years ago. The results were that Guam's students, for the first time, met or exceeded the national average. These first results suggest the law's intent was correct. Our second group of "older" students was tested last month; the results of that test will not be available until August 2001.

My suggestions would be to provide stability and consistency to both the public (parents) and the public school system by enacting the following:

- 1 Establish a HARD cut off date rather than the current floating one – perhaps 31 July or 31 August rather than the first day of school based on an annually changing calendar.
- 2 Establish a HARD "must register by date" for Kindergarten – perhaps 15 June or 1 July. Parents who did not register their children by that date, without cause, would be subject to educational neglect prosecution. Kindergarten planning remains the greatest uncertainty each year for our public schools; how many classroom and teachers will be needed at each school is never finalized until AFTER school begins. In SY1999-2000, Guerrero's need grew from six to eight Kindergarten classes between a week before school began and a week after. An eighth teacher was not obtained until well into the second quarter. In SY2000-2001, Guerrero's need dropped again to six classrooms. In SY2000-2001, Price's need likewise grew from six to eight Kindergarten classes (132 students) in the two weeks surrounding the first day of school. The eighth teacher was not obtained until January in third quarter after UOG's December graduation. Currently Price, after three weeks of community advertising requesting parents register their children "today," has only 20 students registered.

- 3 Eliminate parent uncertain caused by the "expectations" legislating an early entrance testing mandate which violates the current school age attendance law (5 to 16 years old, not 4 years old) would raise.
- 4 Eliminate the planning uncertainty caused by a "space available to the oldest 4 year old" list by this mandate.

I hope these comments and suggestions help focus attention on our children's success rather than the inconvenience parent's experience in securing quality daycare. I wish to thank you for listening to the professionals in the past by passing a mandatory age law and thank you in advance for listening to them again to keep it. Please don't hesitate to call me if further explanation is needed.

Senseramente,

H. Joseph Dobrowolski

H. Joseph Dobrowolski

This testimony is in favor of keeping the entry age into kindergarten for a child at five years, on or before the first day of classes.

I believe that children who enter kindergarten at age five are more successful throughout the school year, than ~~do~~ their younger peers. A five-year-old child is at a higher level of maturity, physically, emotionally, and academically. A five-year-old child's level of thinking and social interaction are higher than a younger child, which leads to more cooperation and order in the kindergarten classroom.

Today, over 50 percent of U.S. states require kindergartners to be in school on the first day of school. The children ~~that~~ ^{who} go to those schools perform much better all around in the classroom and have higher test scores than younger children. One study, based at the University of Rochester, followed 948 children from kindergarten through 6th grade, comparing children who were age five on or before the first day of school with those who turned five later. Researchers found that younger children, boys especially, had displayed behavioral and academic problems that lingered six years later.

Even states where four-year-old children are accepted to kindergarten, have realized drawbacks to letting such young children enter. For example, schools in Cambridge, MA have welcomed 4-year-olds to start kindergarten for about a decade. The school district requires these children to turn four by March 31 of the year they start school, giving it the youngest cutoff date in the state. Yet, the state also requires those children who are eligible on or before March 31 of that year to remain in kindergarten for two years. Which clearly shows that although a 4-year-old may enter, ^{he} she cannot complete kindergarten until ^{he} she is 6-years-old.

Post-it® Fax Note

To	Mrs. Yamashita
Co./Dept.	DOE
Phone #	
Fax #	472-5000

371	Date	01-01	# of pages	2
	From	Chenna Reynolds		
	Co.			
	Phone #	0247-4536		
	Fax #			

I believe that the law should remain and not once again be changed. We all know that consistency is key in every kindergarten classroom and at every grade level, it should also be important at the administrative level. There is no good in going back and forth on this issue. The bottom line is children are more prepared to enter kindergarten at age five and older), and allowing them to enter before that is a disservice to them and their families in the long run.

Gfe a Rojas



CAPT. HENRY B. PRICE ELEMENTARY SCHOOL

P.O. Box DE, Hagatna, Guam 96932
(671) 734-2324/2159/Fax 734-2983

H. Joseph Dobrowolski
Principal

John Van Ausdall
Assistant Principal

To: Committee on Education

1 June 2001

Subject: Input on Bill No. 92

From: Principal

Having received and reviewed a copy of Bill No. 92, I respectfully submit the following suggestions and comments:

I do not support the bill. Several years ago, the Legislature was requested to pass a law raising the age of the island's public school children entering Kindergarten. The request came from the educators nearest to Kindergarten students, their teachers. Aimed with both years of experience and the latest research, they asked that the minimum age be raised to five. American research showed that students entering Kinder earlier met with less success, both in their first year at school and throughout the following twelve years. Differences in social readiness and physical development were suggested as reasons for differences – fine and gross motor skills development, emotional maturity/stability, leadership, etc.

The age was raised in the best interest of our children, not due to shortages of teachers, classrooms or to cause parents the inconvenience of needing an extra year of daycare. Other reasons might have also included how we locally judged the success of our island's public schools – on national test results. Those tests, prior to the enactment of the law raising entrance age, compared apples and oranges, as our children were entering school much earlier than the national average. Our first group of "older" students were tested as First graders two years ago. The results were that Guam's students, for the first time, met or exceeded the national average. These first results suggest the law's intent was correct. Our second group of "older" students was tested last month; the results of that test will not be available until August 2001.

My suggestions would be to provide stability and consistency to both the public (parents) and the public school system by enacting the following:

- 1 Establish a HARD cut off date rather than the current floating one – perhaps 31 July or 31 August rather than the first day of school based on an annually changing calendar.
- 2 Establish a HARD "must register by date" for Kindergarten – perhaps 15 June or 1 July. Parents who did not register their children by that date, without cause, would be subject to educational neglect prosecution. Kindergarten planning remains the greatest uncertainty each year for our public schools; how many classroom and teachers will be needed at each school is never finalized until AFTER school begins. In SY1999-2000, Guerrero's need grew from six to eight Kindergarten classes between a week before school began and a week after. An eighth teacher was not obtained until well into the second quarter. In SY2000-2001, Guerrero's need dropped again to six classrooms. In SY2000-2001, Price's need likewise grew from six to eight Kindergarten classes (132 students) in the two weeks surrounding the first day of school. The eighth teacher was not obtained until January in third quarter after UOG's December graduation. Currently Price, after three weeks of community advertising requesting parents register their children "today," has only 20 students registered.

- 3 Eliminate parent uncertain caused by the "expectations" legislating an early entrance testing mandate which violates the current school age attendance law (5 to 16 years old, not 4 years old) would raise.
- 4 Eliminate the planning uncertainty caused by a "space available to the oldest 4 year old" list by this mandate.

I hope these comments and suggestions help focus attention on our children's success rather than the inconvenience parent's experience in securing quality daycare. I wish to thank you for listening to the professionals in the past by passing a mandatory age law and thank you in advance for listening to them again to keep it. Please don't hesitate to call me if further explanation is needed.

Senseramente,



H. Joseph Dobrowolski



DEPARTMENT OF EDUCATION

P.O. Box DE
Agana, Guam 96932
Tel: (671) 475-0457
Fax: (671) 472-5003



Rosie R. Tainatongo
Director of Education

June 1, 2001

Senator Larry F. Kasperbauer, Ph. D.
Vice Speaker, Twenty-Sixth Guam Legislature
Chairman, Committee on Education
P.O. 155 Hesler Street
Hagatna, Guam 96910

BILL NO. 92 (LS) AN ACT TO AMEND § 6103 AND 6103.1 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO KINDERGARTEN

Dear Senator Kasperbauer:

Buenas Yan Hafa Adai!

We thank you for inviting the Guam Department of Education to participate and provide input on Bill NO. 92. In response to this bill to amend § 6103 and 6103.1 of Title 17, Guam Code Annotated Relative Testing for Underage Entrance into Kindergarten, we, the Principals, submit our position.

In 1998, the Guam Legislature enacted Public Law 24-26 establishing the entrance requirement for students entering Kindergarten. Since the passage of this law, the Department continues to meet major challenges in its recruitment efforts to hire certified early childhood majors to fill the vacancies. At the beginning of each school year, the Department is faced with the inevitable reality in which the University of Guam is not graduating enough teachers in the field of education to fill all vacant positions from Kinder to 12th grade.

The passage of Bill NO.92 will only exacerbate the already lack of certified teaching personnel. The mandated screening provides false hopes to parents that the Department will enroll their child into kindergarten.

Additionally, the Agreement between the Guam Federation of Teachers Local 1581 AFT/AFL-CIO and the Territorial Board of Education for Teachers mandates the Department to provide instructional aides to assist teachers in the classroom. The Department anticipates a projected kindergarten enrollment of approximately four

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hundred more students district-wide. The increase of student enrollment requires additional classrooms and resources. The influx of students will substantially cost the Department additional thousands of dollars.

Senator, if we may, let us go back a couple of years when December 31 was statutorily designated as being the cut-off date. This had raised grave concern by the Kindergarten teachers and school principals, causing you to address this key issue with the present law.

Nationally, a number of schools have the last day in August as a cut-off date for students to enter kindergarten. Teacher reports, observations, and other data have indicated that students who turned five by August perform better than those born later. You recognized the significance of those months because you attempted to address the disparity by enacting into law that a student must be five (5) years old on the first day of school and designating August 7th as the cut-off date. The August 7th cut-off date applies to both traditional and year round schools.

A couple of months ago, the school principals met and discussed extensively the early entrance issue and voted unanimously to reject any early entrance registrant who did not meet the statutory entrance requirements. Bill NO.92 today appears to undermine all the efforts of past years to maintain a creditable cut-off date that would allow for not only fair competition in terms of norming, but most importantly, to insure that children entering kindergarten are maturately and socially ready when they enter kindergarten. If you remember, kindergarten teachers inundated your office with their concerns in eliminating the December 31 because they experienced that children born after August were found to be very immature and cognitively not ready for school. Some of the behavioral characteristics of these children could be described to have come to school crying, clutching to their mother's skirts, and other noticeable indifferent behaviors that continued into the middle of the school year.

Teachers continued to observe these late bloomers to not fit in socially with those born earlier. As a matter of fact, a review of test scores and teacher observations show that these students, as they progress through the grades, do not perform well in comparison to the students born in August. We have already seen that those first graders who were five the first day of school were more successful as indicated on the increase of our SAT9 test results.

The assessment tool used has to be replaced since it has been widely circulated and children can be conditioned to pass the test. It no longer provides a true assessment of the students' cognitive ability. It does however indicate through the testing process if a child is mature enough for kindergarten. Other than replacing the assessment tool, teachers who are presently on their summer break will have to be requested to administer the test, requiring the Department to expend additional money.

The concerns of our teachers have not changed. What has changed is that politicians have not accepted sound educational recommendations made by professionals in the field. What happened that you adamantly have become insistent on the schools testing students

for early entrance contrary to what professional experts have suggested. Do not subject our students to venture into a situation where they will be discouraged and frustrated in their schooling.

This past year, teachers in the middle of the school year filed grievances because their class size exceeded 18 students contradictory to Board/Union Contract. Students continue to be transient throughout the school year and classrooms that initially began with 17 at the beginning of the year normally increased over 18 by November and/or December.

To test students for early entrance would only mislead parents to think that their child would subsequently be enrolled in school. For whatever reasons parents have come to you expressing their concern to compel the schools to screen test their child, we ask that you respect and honor the decision made by us, the experts and practitioners in the field. We implore you to trust us and let us do our job of teaching and learning. Leave the students with capable, dedicated, hard-working teachers because we know best and we have the students best interest at heart. You ardently believe a site-base management concept or model best work at the school level, we challenge you now to manifest your belief and principles by honoring our decision.

Irrespective of the cut-off date, you will always have parents who will say that their child is only one day short of meeting the entrance requirement. Your office will continue to receive concerns because parents look forward to their child being in school. This amounts to a financial savings in daycare or freedom from not having to watch their child. We have continued to state that the first and foremost teacher of a child is his/her parent. Please allow these children to continue to have that extra year with their parents. Statistics will show that they have more to gain when they start school later.

In light of the aforementioned, we reiterate that we do not support Bill NO. 92.

Thank you for providing us the opportunity to be heard, as we also are your constituents.

Respectfully,

Elementary School Administrators

Evangelis A. Chang
Jane R. Chagnon
Nick
Thelma A. Anger
W. K. [unclear]
Roy G. [unclear]
B. Pablan
Bernie Tenorio
Aurora & Louie
Amanda S. Potts
[unclear]
[unclear]
Maria P. Roberts
[unclear]

Bill No. 92

COMMITTEE ON EDUCATION
 Mina' Bente Sais na Libeslaturan Guåhan

Bill No. 93 (LS) AN ACT AMENDING §18202(B)(1) OF ARTICLE 2, TO ADD §18305 TO ARTICLE 3 AND TO ADD §18405 TO ARTICLE 4; ALL OF CHAPTER 18, DIVISION 3 OF TITLE 17 OF THE GUAM CODE ANNOTATED RELATIVE TO DEFINING EARLY CHILDHOOD EDUCATION AS A CRITICAL NEED AREA UNDER THE GUAM TEACHER CORPS PROGRAM AND TO ALLOW STUDENTS WITH EXISTING DEGREES TO OBTAIN FINANCIAL ASSISTANCE FOR CERTIFICATION COURSES TO BECOME COUNSELORS OR PRINCIPALS.

Friday, June 01, 2001 - 9:00 a.m.
 I Libeslatura Public Hearing Session Hall

WITNESS SIGN-IN SHEET

Name: Jane Kanger and	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address: Mipi Elementary	K Teachers		Oral	Written	For	Against
			X			X

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against

Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against

COMMITTEE ON EDUCATION
Mina' Bente Sais na Libeslaturan Guåhan

Bill No. 92 (LS) AN ACT TO AMEND §6103 AND 6103.1 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE ENTRANCE INTO KINDERGARTEN.

Friday, June 01, 2001 - 9:00 a.m.
I Libeslatura Public Hearing Session Hall

WITNESS SIGN-IN SHEET

Name: <i>Ferra Reyes</i>	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address: <i>Chief Bente Elen</i>			Oral	Written	For	Against
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment	
Address:			Oral	Written	For	Against



For immediate release:

May 23, 2001

**VICE SPEAKER TO HOLD HEARING ON BILL
TO ALLOW FOR TESTING INTO KINDERGARTEN**

A bill introduced by Vice Speaker Kasperbauer will be heard Friday which would allow entry of children into kindergarten who have not made the age requirement for admission. Currently, only children who have attained the age of five are eligible to participate in the program.

Bill No. 92 amends the law so that the Department of Education would set up procedures for children who's parent(s) request screening for entrance into kindergarten. Upon passing a test, a child shall be deemed eligible to be admitted into kindergarten on a space available basis.

The hearing will be held Friday morning beginning at 9:00 a.m. at / *Liheslatura* Session Hall. Also to be heard that morning is Bill No. 93, relative to defining Early Childhood Education as a critical need area under the Guam Teacher Corps program.

For more information, contact the office of Vice Speaker Kasperbauer at 475-5437.



Wednesday • May 30, 2001

Kindergarten not accepting children under 5

By Robert Q. Tupaz
Variety News Staff

CHILDREN under the age of five will not be allowed to enroll into the Public School System this coming year, stated education officials.

According to Department of Education spokesperson Tony Diaz, previously, students turning five within the regular calendar year were eligible to enroll at the discretion of the school principal.

"It used to be, principals on a case by case basis, could decide if they would accept early entrance kindergartners- children who are not age five, but perhaps the parents felt that they were ready for school and they were turning five within the year. That won't happen this year," explained Diaz.

This year, the department's

policy will insist that all students enrolled at the kindergarten level must be five years old by the starting date of this 2001- 2002 school year, said Diaz.

The start date for traditional school calendars is on August 7, and year round schools are scheduled to open on August 5.

"We want to stress to parents of children that are of kindergarten age, that would be age five, on or before August 7th for those on the traditional school calendar, please go to your respective school now and register," encouraged Diaz.

"That way we can plan for the number of kindergarten teachers we'll be needing. We know that every year that number increases, but we also know that some families will wait for the last minute to

Continued on page 22

Kindergarten...

Continued from page 1

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Diaz stated that parents should not wait for the last minute. "For Kindergarten, you already know that your child needs to go in, so please follow through. The schools are already accepting reg-

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Diaz said the steps are necessary in order to ensure that the department is ready and adequately staffed for the upcoming school year.

"We are going to have to work and live within our means, as far as kindergarten is concerned. For the past many years we've been accepting early entrance. But,

by law, we are only required to take in take in children who are age five by the start of each school year," explained Diaz.

He stated, "We don't have the luxury to continue to add more and more kindergarten teachers, in other words, we're living within our means. This year we will definitely have openings as we do every year."

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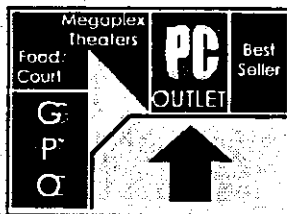
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on Department of Public Health and Social Services, May 31, 1 Liheslaturan Guahan, Hagåtña. Call 472-3342/5.

CIVIL SERVICE COMMISSION BOARD: 5:30 p.m. May 31, CSC conference room, 490 Chalan Palasyo, Agaña Heights. Adverse action appeal of Ricky Carbullido vs. DOE, motion hearing; continuation of hearing on merits in adverse action appeal of Anthony C. Santos, vs. DOL; new general business; executive session. Call 475-1330/01.

WORKERS' COMPENSATION COMMISSION: Special meeting 2 p.m. May 31, Department of Labor director's conference room, 110 C St., Tiyon. Agenda copies available at commission's office upon prior request only. Call 475-0151/2.

COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES: Public hearing and oversight hearing 9 a.m. May 31, 1 Liheslaturan session hall, Hagåtña. Appointment of Doreen T. Crisostomo to serve as member of GMHA board of trustees; hearing on Department of Integrated Services with individuals with Disabilities. Call 472-4040/4518.

PAROLE BOARD: 8:30 a.m. May 31, Department of Correction's Parole Services Division conference room, Tiyon. Jerry D. Ausec, first PED after revocation; Marc Shishido, second PED after revocation; Ernesto Jimenez, continued final revocation hearing; Albert T. Tedaotao, Kenneth G. Mariano, John W. Fejeran, Faustino Domingo, Daniel K. Santos, first parole desirability hearing; Roland V. Borja, second parole desirability hearing; Jesus F. Borja, third parole desirability hearing; Eric I. Fortes, Woodrow V. Mendiola, Carl M.F. Celes, Melvin Naputi, Don P. Lastmoza, Joey Q. Perez, Robert J.N. Chargualaf, first PED after revocation; Ruben J. Cruz, Edward L.A. Jones, James W.A. Pangelinan, Gerard T. Sablan, Ivan H. Holmes, Peter A.C. Santos, James Sam, Roy R. Agustin, Benjamin U. Charfauros, Raymond V. Santos, preliminary revocation hearing; Leslie L. Gay, Elizabeth Leon Guerrero, request for ACF visitation with inmate; Bryant F. Boardman, request for off-island supervision; Melchor R. Laxamana, Alfredo Alvarez, Stephen F. Moritok, Tanya Caldwell, Jose S. Evangelista, first PDH/waived; Martin Meno, second PDH/waived; Francisco J. Pangelinan, Rickey McIntosh, Michael R. Cepeda, Isidro Pangelinan, Joseph Salas, Leyton Borja, Jeffrey Taisacan, Robert Bordallo, first PED after revocation/waived.

BOARD OF ALLIED HEALTH EXAMINERS: Noon June 1, Health Professional Licensing office, 1302 E. Sunset Blvd., Tiyon. Agenda copies available at 1304 E. Sunset Blvd. Call 475-0251/2.

GUAM ANCESTRAL LANDS COMMISSION: 6 p.m. June 1, Building 111, A St., Tiyon. Those who need special accommodations should call 473-5263.

BOARD OF EDUCATION: 9 a.m. June 1, 1 Liheslaturan session hall, Hagåtña. Public hearings on Bills 92 and 93. Those who need special accommodations should call 475-5437.

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MUNDAY, MAY 28, 2001 11:00 PM



For immediate release:

May 23, 2001

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TO ALLOW FOR TESTING INTO KINDERGARTEN**

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Variety News Staff

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Continued on page 22

Kindergarten...

Continued from page 1

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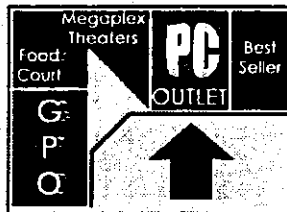
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on 2002 budget hearings on...
on Department of Public Health and Social
Services, May 31, 1 Liheslaturan
Guahan, Hagåtña. Call 472-3342/5.

CIVIL SERVICE COMMISSION BOARD:
5:30 p.m. May 31, CSC conference room,
490 Chalan Palasya, Agaña Heights. Ad-
verse action appeal of Ricky Carbullido vs.
DOE, motion hearing; continuation of
hearing on merits in adverse action appeal
of Anthony C. Santos, vs. DOL; new, gen-
eral business; executive session. Call 475-
1330/01.

**WORKERS' COMPENSATION COMMISS-
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Department of Labor director's conference
room, 110 C St., Tiyán. Agenda copies
available at commission's office upon pri-
or request only. Call 475-0151/2.

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES:** Public
hearing and oversight hearing 9 a.m.
May 31, 1 Liheslaturan session hall,
Hagåtña. Appointment of Doreen T.
Crisostomo to serve as member of GMHA
board of trustees; hearing on Department
of Integrated Services with individuals with
Disabilities. Call 472-4040/4518.

PAROLE BOARD: 8:30 a.m. May 31, De-
partment of Correction's Parole Services Di-
vision conference room, Tiyán. Jerry D.
Ausec, first PED after revocation; Marc
Shishido, second PED after revocation;
Ernesto Jimenez, continued final revoca-
tion hearing; Albert T. Techotao, Kenneth
G. Mariano, John W. Fejeran, Faustino
Domingo, Daniel K. Santos, first parole de-
sirability hearing; Roland V. Borja, second
parole desirability hearing; Jesus F. Bor-
ja, third parole desirability hearing; Eric
I. Fortes, Woodrow V. Mendiola, Carl
M.F. Celes, Melvin Naputi, Don P. Last-
moza, Joey Q. Perez, Robert J.N. Char-
gualaf, first PED after revocation; Ruben
J. Cruz, Edward L.A. Jones, James W.A.
Pangelinan, Gerard T. Sablan, Ivan H.
Holmes, Peter A.C. Santos, James Sam,
Roy R. Agustin, Benjamin U. Charfauros,
Raymond V. Santos, preliminary revoca-
tion hearing; Leslie L. Gay, Elizabeth Leon
Guerrero, request for ACF visitation with
inmate; Bryant F. Boardman, request for
off-island supervision; Melchor R. Laxa-
mana, Alfredo Alvarez, Stephen F. Mari-
tok, Tanya Caldwell, Jose S. Evangelista,
first PDH/waived; Martin Mena, second
PDH/waived; Francisco J. Pangelinan,
Rickey McIntosh, Michael R. Cepeda,
Isidro Pangelinan, Joseph Solas, Leyton
Borja, Jeffrey Taisacan, Robert Bordallo,
first PED after revocation/waived.

BOARD OF ALLIED HEALTH EXAMINERS:
Noon June 1, Health Professional Licens-
ing office, 1302 E. Sunset Blvd., Tiyán.
Agenda copies available at 1304 E. Sun-
set Blvd. Call 475-0251/2.

**GUAM ANCESTRAL LANDS COMMISS-
SION:** 6 p.m. June 1, Building 111, A
St., Tiyán. Those who need special ac-
commodations should call 473-5263.

BOARD OF EDUCATION: 9 a.m. June 1,
1 Liheslaturan session hall, Hagåtña. Pub-
lic hearings on Bills 92 and 93. Those
who need special accommodations should
call 475-5437.

guampdn.com

MONDAY, MAY 20, 2001 11:20 AM




May 30, 2001

MEMORANDUM

To: Speaker
From: Vice Speaker
Subject: Waiver of Hearing Notice

Pursuant to Section 7.01. of the Standing Rules and as Chairman of the Committee on Education, I do hereby waive the Notice of Hearing requirements for the hearing I have called to convene on Friday, June 1, 2001 for the purpose of an emergency.

Thank you for your time and kind consideration.

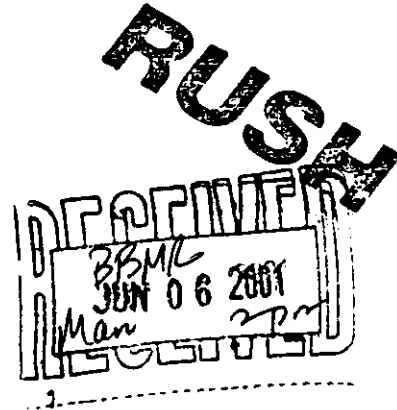

LARRY F. KASPERBAUER, Ph.D.

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 05-30-01
Time: 10:30
Rec'd by: [Signature]
Print Name: [Signature]



June 6, 2001

Mr. Joseph E. Rivera
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagatna, Guam 96932



Dear Mr. Rivera:

Buenas yan hafa adai!

Pursuant to Chapter 9 of Title 2, Guam Code Annotated, I respectfully request that your office issue Fiscal Notes for the attached bill(s):

- **Bill No. 92 (LS)**
- **Bill No. 93 (LS)**

Thank you for your time and consideration to this matter.

Sincerely,

Larry F. Kasperbauer, Ph.D.

Attachment

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

27
4:51pm
5-23-01

Bill No. 92(LS)

Introduced by:

L.F. Kasperbauer *LAK*
T.C. Ada *JA*
J.T. Won Pat *JP*

**AN ACT TO AMEND §6103 AND 6103.1 OF TITLE 17, GUAM
CODE ANNOTATED RELATIVE TESTING FOR UNDERAGE
ENTRANCE INTO KINDERGARTEN.**

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

2

3 **Section 1.** Section 6103 of Title 17 of the Guam Code Annotated is hereby
4 amended to read:

5 "**§6103. Children who Have Reached the Age of Five (5) Years Eligible**
6 **to Attend.** Any child whose fifth birthday falls on or before the commencement
7 date of classes may, in such year, enroll in the kindergarten of any public school
8 within the Territory which he is otherwise eligible to attend, except that any child
9 whose fifth birthday falls within one hundred twenty-five (125) days after the
10 beginning date of classes on the school calendar in the attendance area where they
11 live, and are designated to attend, may enroll in kindergarten, subject to the
12 approval of the principal of the school pursuant to the policy mandated by Section
13 ~~3 of this Act~~ §6103.1 of this Chapter.

14 The effective date of this Section shall be the start of school year 1998-1999."

1 **Section 2.** Section 6103.1 and Section 6103.2 of Title 17 of the Guam Code
2 Annotated are hereby amend to read:

3 "**§6103.1. Policy and Procedures.** The Department of Education shall,
4 ~~prior to the start of school year 1998-1999,~~ develop a policy and implement
5 procedures by which children, who will have reached the age of five (5) within
6 one hundred twenty-five (125) days after the beginning date of classes on the
7 school calendar in the attendance area where they live and are designated to attend
8 and whose parents or guardians so desire, will be screened to determine readiness
9 for school. Any such child whose parent(s) request screening for entrance into
10 kindergarten under the provisions of this section at least thirty (30) days prior to
11 the start of the school year shall be screened and upon passing, deemed eligible to
12 be admitted on a *space available* basis. Space availability shall be based on the
13 class size limits as determined by DOE policy. In the event that space is available
14 in a class but number of eligible students exceeds such space available, first
15 priority for admission shall determined based on the age beginning with the eldest.