




Office of the Governor of Guam

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Office of the Speaker
Vicente C. Pangelinan

JUL 01 2004

TIME: 4:50 () AM () PM
RECEIVED BY: 

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

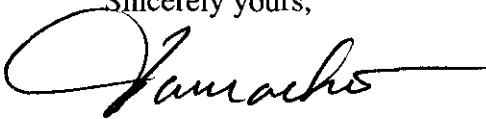
01 JUL 2004

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 287 (LS), "AN ACT TO AMEND CHAPTER 18 OF TITLE 17, GUAM CODE ANNOTATED, TO MAKE CERTAIN CHANGES TO THE DR. ANTONIO C. YAMASHITA EDUCATOR CORPS AND TO ADD AN ARTICLE TO CREATE A FIFTH-YEAR INDUCTION CORPS," which I signed into law on June 25, 2004 as Public Law No. 27-96.

Sincerely yours,



FELIX P. CAMACHO
I Maga' Låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary

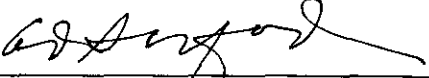
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 287 (LS), "AN ACT TO AMEND CHAPTER 18 OF TITLE 17, GUAM CODE ANNOTATED, TO MAKE CERTAIN CHANGES TO THE DR. ANTONIO C. YAMASHITA EDUCATOR CORPS AND TO ADD AN ARTICLE TO CREATE A FIFTH-YEAR INDUCTION CORPS," was on the 18th day of June, 2004, duly and regularly passed.

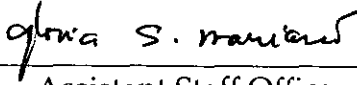
Attested:

vicente (ben) c. pangelinan
Speaker



Antoinette (Toni) D. Sanford
Senator and Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 21st day of June, 2004,
at 4:30 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: June 25, 2004

Public Law No. 27-96

**I MINA'BENTE SIETE NA LIHESLATURAN GUAHAN
2004 (SECOND) Regular Session**

Bill No. 287 (LS)

As substituted and amended
on the Floor.

Introduced by:

C. Fernandez
R. J. Respicio
J. A. Lujan
F. R. Cunliffe
F. B. Aguon, Jr.
J. M.S. Brown
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
v. c. pangelinan
T. R. Muña Barnes
J. M. Quinata
Toni Sanford
Ray Tenorio

**AN ACT TO AMEND CHAPTER 18 OF TITLE 17,
GUAM CODE ANNOTATED, TO MAKE CERTAIN
CHANGES TO THE DR. ANTONIO C. YAMASHITA
EDUCATOR CORPS AND TO ADD AN ARTICLE TO
CREATE A FIFTH-YEAR INDUCTION CORPS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan*
3 *Guåhan* finds that there is an extreme shortage of qualified teachers in
4 Guam and in particular a shortage of certain teacher specialists. The

1 Dr. Antonio C. Yamashita Educator Corps has played a pivotal role
2 in supporting Guam's teacher education needs.

3 *I Liheslaturan Guåhan* further finds that the best way to further
4 develop additional opportunities for teacher development programs
5 is by expanding the Dr. Antonio C. Yamashita Educator Corps. On
6 Guam, and across the nation, there are critical shortages in specialty
7 areas such as counseling, special education, math and science. In
8 addition, the University of Guam is in the process of creating a Fifth-
9 Year Teacher Induction and Mentoring Program. This Program will
10 provide new teachers with a positive, results-oriented transition into
11 classroom teaching. Currently, teachers go directly from the
12 University of Guam and into teaching after completing their
13 undergraduate degree. This Program would focus on assisting first-
14 year teachers in developing classroom skills and provide valuable
15 support from experienced educators.

16 *I Liheslaturan Guåhan* intends to further the Program founded
17 by the esteemed Dr. Antonio C. Yamashita and to ensure that Guam
18 maintains an adequate supply of teachers in all critical need areas.

19 **Section 2. §18101 of Article 1, Chapter 18 of Division 3, Title**
20 **17 of the Guam Code Annotated, is hereby *amended* to read:**

21 **"§18101. The Dr. Antonio C. Yamashita Educator Corps:**
22 **Creation.** There is hereby created 'The Dr. Antonio C. Yamashita
23 Educator Corps ('Educator Corps')' composed of the Guam Teacher
24 Corps, the Guam Counselor Corps, the Fifth-Year Induction Corps,
25 and the Guam Principal Corps."

1 **Section 3. §18102 of Article 1, Chapter 18, Division 3, Title 17**
2 **of the Guam Code Annotated, is hereby *amended* to read:**

3 **“§18102. Educator Corps Council Composition.** The
4 Educator Corps shall consist of seven (7) members. These members
5 are: the administrative chair of the School of Education of the College
6 of Professional Studies or its successor in interest of the University of
7 Guam; the Personnel Administrator of the Department of Education
8 or its successor in interest; the Associate Superintendent for Special
9 Education of the Department of Education or its successor in interest;
10 a school principal from the Department of Education or its successor
11 in interest; a guidance counselor from the Department of Education
12 or its successor in interest; a secondary school teacher who has been a
13 master teacher for at least one (1) semester from the Department of
14 Education or its successor in interest or the Guam Community
15 College; and an elementary school teacher who has been a master
16 teacher for at least one (1) semester from the Department of
17 Education or its successor in interest. The principal, guidance
18 counselor and teachers shall be appointed by the Superintendent of
19 Education. The members of the Council shall elect a chairperson
20 among themselves to preside over all meetings of the Council. The
21 School of Education of the University of Guam shall provide logistics
22 and personnel necessary for the operation of the Council, and the
23 University of Guam shall serve as the custodian for the Program’s
24 funds and records. The Educator Corps Director shall serve in a non-
25 voting, ex-officio capacity as the Executive Secretary of the Council.”

1 **Section 4. §18102.1 of Article 1, Chapter 18, Division 3, Title**
2 **17 of the Guam Code Annotated, is hereby *amended* to read:**

3 **“§18102.1. Quorum and Vacancy in the Council.** Any four (4)
4 members of the Council shall constitute a quorum. A vacancy in the
5 Council shall not affect its powers.”

6 **Section 5. §18103 of Article 1, Chapter 18, Division 3, Title 17**
7 **of the Guam Code Annotated, is hereby *amended* to read:**

8 **“§18103. Same: Duties and Responsibilities.** The duties and
9 responsibilities of the Council shall include:

10 (a) appointment of the Educator Corps Director;

11 (b) establishing pursuant to the Administrative
12 Adjudication Law, rules, regulations and appropriate policies
13 to govern the Educator Corps;

14 (c) periodically assessing the professional staffing needs
15 of Guam’s public schools and the Guam Community College;

16 (d) establishing policies for prioritizing scholarship
17 awards based on the needs of the Department of Education or
18 its successor in interest and the Guam Community College;

19 (e) developing an annual program budget;

20 (f) establishing rules by which deferments of completion
21 of the degree programs may be granted;

22 (g) establishing rules by which deferments of repayment
23 through employment service may be granted;

24 (h) establishing criteria for the selection and awarding of
25 Educator Corps Scholarship Awards;

1 (i) reviewing and approving Educator Corps Scholarship
2 Awards;

3 (j) designate and compensate representatives within
4 Guam's high schools, such as the advisors for the Future
5 Educators of America, for promoting the Teacher Corps
6 Program among high school students;

7 (k) when deemed necessary because of the University of
8 Guam's inability to provide programs which permit the Council
9 to carry out its principal mission, enter into contractual
10 arrangements with accredited institutions of higher education
11 that can respond appropriately to the needs of the Educator
12 Corps;

13 (l) Any other function necessary for the effective and
14 efficient administration of the Educator Corps Program; and

15 (m) designate and compensate Mentors within the Guam
16 Department of Education, participating in the Fifth-Year
17 Teacher Induction Program in accordance with rules and
18 regulations promulgated pursuant to the Administrative
19 Adjudication Law."

20 **Section 6. A new §18107 is hereby *added* to Article 1, Chapter**
21 **18, Division 3, Title 17 of the Guam Code Annotated, to read:**

22 "**§18107. Severability.** *If any part or provision of this Chapter,*
23 *or the application of this Chapter to any person or circumstance, is*
24 *held invalid, the remainder of this Chapter, including the application*
25 *of such part or provisions to other persons or circumstances, shall not*

1 be affected by such a holding and shall continue in full force and
2 effect. To this end, the provisions of this Chapter are severable.”

3 **Section 7. §18202(b)(4) of Article 2, Chapter 18, Division 3,**
4 **Title 17 of the Guam Code Annotated, is hereby *amended* to read:**

5 **“(4) Employees of DOE.** Notwithstanding any other
6 provision of law, administrative rules and regulations, School Aides,
7 Library Technicians, Limited-Term Teachers with a bachelors degree
8 or higher who are seeking teacher certification, and *Chamorro*
9 Language Teachers whom do not have a bachelors degree, that are
10 employed by the Department of Education, may qualify for financial
11 assistance through the Guam Teacher Corps and may: (1) continue
12 such employment while enrolled in the Guam Teacher Corps; and (2)
13 enroll in the Guam Teacher Corps on a part-time basis. Those opting
14 for part-time enrollment must be enrolled in at least six (6) credit
15 hours per semester and are entitled to a stipend equal to fifty percent
16 (50%) of the stipends provided for in Item (1) of this Section. School
17 Aides enrolled on a full-time basis while maintaining employment in
18 such capacity with the Department of Education are entitled to the
19 full stipend amount as provided them by Item (1) of this Section.

20 **Section 8. A new Article 5 is hereby *added* to Chapter 18,**
21 **Division 3, Title 17 of the Guam Code Annotated to read:**

22 **“Article 5. THE FIFTH-YEAR INDUCTION CORPS.**

23 **§18501. Authorization for the Dr. Antonio C. Yamashita**
24 **Corps to Provide Financial Assistance to Enrollees**
25 **in the Fifth-Year Induction Program.**

1 **§18502. Composition of the Fifth-Year Induction Corps.**

2 **§18503. Fifth-Year Induction Corps Scholarship and**
3 **Financial Assistance Program.**

4 **§18501. Authorization for the Dr. Antonio C. Yamashita**
5 **Corps to Provide Financial Assistance to Enrollees in the Fifth-Year**
6 **Induction Program.** The Dr. Antonio C. Yamashita Corps may
7 provide financial assistance for new Department of Education
8 teachers to participate in any program designed to assist new
9 teachers offered by the University of Guam and approved by the Dr.
10 Antonio C. Yamashita Educator Corps Council.

11 **§18502. Composition of the Fifth-Year Induction Corps.**
12 The Fifth-Year Induction Corps may enroll first-year Department of
13 Education teachers who meet the following criteria:

- 14 (a) are bona fide residents of Guam;
- 15 (b) are citizens or permanent resident aliens of the United
16 States;
- 17 (c) are either graduates of a baccalaureate degree program
18 through an accredited college or university or must complete
19 the Fifth-Year Teacher Mentoring and Induction Program to
20 obtain their baccalaureate degree and have an overall grade
21 point average of not less than 2.5 on a 4.0 scale;
- 22 (d) have been admitted to the University of Guam Fifth-
23 Year Mentoring and Induction Program in accordance to its
24 admissions policies;

1 (e) maintain an overall grade point average of 3.0 or better
2 during the term of assistance under this Program;

3 (f) The length of commitment of service to Guam shall be
4 one (1) year of service or pro-rated fraction thereof for every
5 eighteen (18) semester hours of classes that the student has
6 received the scholarship and financial assistance.

7 Any deferment of repayment through services shall
8 conform to rules adopted by the Council under the provisions
9 of §18103(f) of this Chapter.

10 **§18503. Fifth-Year Induction Corps Scholarship and**
11 **Financial Assistance Program.**

12 (a) Students in the Program must complete an application
13 form provided by the Council and satisfy all the requirements
14 set out in §18101, supra.

15 (b) Registration, tuition and other related fees normally
16 assessed by the University, and an allowance not to exceed the
17 amount of Two Hundred Fifty Dollars (\$250.00), shall be
18 allowed per regular semester, and One Hundred Dollars
19 (\$100.00) per summer session in which a person is enrolled to
20 cover costs of textbooks and supplies.”

21 **Section 9. Severability.** If any provision of this Law, or its
22 application to any person or circumstance is found to be invalid or
23 contrary to law, such invalidity shall *not* affect other provisions or
24 applications of this Law which can be given effect without the invalid

1 provisions or application, and to this end the provisions of this Law
2 are severable.



FILE COPY

I MINA'BENTE SIETE NA LIHESLATURAN GUAHAN

SENATOR CARMEN FERNANDEZ

CHAIRPERSON

Committee on Education and Housing

MEMORANDUM

TO: Senator Lou Leon Guerrero, Chairperson
Committee on Rules & Health

FROM: Senator Carmen Fernandez

DATE: Thursday, May 27, 2004

Handwritten initials

The Committee on Education & Housing, to which was referred Bill 287 (COR): "AN ACT TO AMENDED CHAPTER 18, TITLE 17, GUAM CODE ANNOTATED TO MAKE CERTAIN CHANGES AND ADD AN ARTICLE TO CREATE A TEACHER SPECIALIST CORPS AND AN ARTICLE TO CREATE A FIFTH YEAR INDUCTION CORPS." has had the same under consideration, and now wishes to report back the same with the recommendation to do pass.

Transmitted herewith for your consideration and action is our Committee Report on the above subject matter.

The Committee votes are as follows:

| | |
|----------|----------------------|
| <u>5</u> | TO PASS |
| <u>0</u> | NOT TO PASS |
| <u>0</u> | ABSTAIN |
| <u>0</u> | INACTIVE FILE |

A copy of the Committee report and other pertinent documents are attached for your immediate reference information.

Should you have any questions on the narrative report and the accompanying documents, please do not hesitate to call my office at 472-GUAM(4826). *Si Yu'os ma'ase.'*

Attachments



I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN

COMMITTEE ON EDUCATION & HOUSING
SENATOR CARMEN FERNANDEZ, CHAIR

Bill No. 287 (COR)

AN ACT TO AMENDED CHAPTER 18, TITLE 17, GUAM CODE ANNOTATED TO MAKE CERTAIN CHANGES AND ADD AN ARTICLE TO CREATE A TEACHER SPECIALIST CORPS AND AN ARTICLE TO CREATE A FIFTH YEAR INDUCTION CORPS.

VOTING SHEET

| | TO PASS | NOT TO PASS | ABSTAIN | INACTIVE FILE |
|---|--|--------------------|---------|---------------|
| Carmen Fernandez, Chair | <i>[Signature]</i> | <i>[Signature]</i> | | |
| vicente 'ben" c. pangelinan, Vice Chair | <i>[Signature]</i> | <i>[Signature]</i> | | |
| Frank B. Aguon, Jr., Member | <i>[Signature]</i> | <i>[Signature]</i> | | |
| Lou Leon Guerrero, Member | | | | |
| Rory J. Respicio, Member | <i>[Signature]</i> | <i>[Signature]</i> | | |
| Larry F. Kasperbauer, Member | <i>Report out only</i> <i>[Signature]</i> | | | |
| Jesse A. Lujan, Member | <i>[Signature]</i> | | | |



I Muna' Bente Siete Na Liheslaturan Guåhan
27th Guam Legislature

155 Hesler Street, Hagåtña, Guam 96910 • Office (671) 472-GUAM (4826) • Fax (671) 472-4827

SENATOR CARMEN FERNANDEZ

MEMORANDUM

TO: Committee Members
FROM: Carmen Fernandez, Chair
DATE: Monday, May 24, 2004

RE: BILL 287 (COR) - AN ACT TO AMENDED CHAPTER 18, TITLE 17, GUAM CODE ANNOTATED TO MAKE CERTAIN CHANGES AND ADD AN ARTICLE TO CREATE A TEACHER SPECIALIST CORPS AND AN ARTICLE TO CREATE A FIFTH YEAR INDUCTION CORPS.

Transmitted herewith for your consideration and action is our Committee Report on the above subject matter.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your kind attention and cooperation in this matter is greatly appreciated.

Should you have any questions on the narrative report and the accompanying documents, please do not hesitate to call my office at 472-GUAM(4826).

Si Yu'os ma'ase.'

Attachments

COMMITTEE CHAIR

- Education & Housing

COMMITTEE VICE-CHAIR

- Utilities & Land

COMMITTEE MEMBER

- Appropriation & Budgeting, General Government Operations, Reorganization & Reform
- Youth & Senior Citizens, Federal & Foreign Affairs, Military & Veteran Affairs, Human Resources & Natural Resources

MAJORITY WHIP



I MINA'BENTE SIETE NA LIHESLATURAN GUAHAN

COMMITTEE ON EDUCATION & HOUSING

SENATOR CARMEN FERNANDEZ, CHAIR

COMMITTEE REPORT

Bill 287 (COR):

AN ACT TO AMENDED CHAPTER 18, TITLE 17, GUAM CODE ANNOTATED TO MAKE CERTAIN CHANGES AND ADD AN ARTICLE TO CREATE A TEACHER SPECIALIST CORPS AND AN ARTICLE TO CREATE A FIFTH YEAR INDUCTION CORPS.



I MINA'BENTE SIETE NA LIHESLATURAN GUAHAN

SENATOR CARMEN FERNANDEZ

CHAIRPERSON

Committee on Education and Housing

TESTIMONY SIGN IN SHEET

Thursday, May 13, 2004 3:00 P.M.

Legislative Public Hearing Room

Bill 287 (COR) An Act to Amend Chapter 18, Title 17, Guam Code Annotated To Make Certain Changes and Add an Article to Create a Teacher Specialist Corps and an Article to Create a Fifth Year Induction Corps. (C. Fernandez)

| NAME AND POSITION (PLEASE PRINT ALL INFORMATION CLEARLY) | REPRESENTING | WRITEN TESTIMONY PROVIDED? YES / NO | IN SUPPORT YES / NO | PHONE, CELL, PAGER, FAX, OR E-MAIL |
|---|---------------------------|--|------------------------|------------------------------------|
| Ronald T. Laguarda | Chamorro Language Teacher | NO | yes | rlaguarda@guam.gov |
| TARITANO Teresa | Chamorro Language Teacher | N | YES | ewy@ite.net |
| Antonia M. Salas | Chamorro Language Teacher | NO | yes | tonisalas57@hotmail.com |
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I. OVERVIEW

The Committee on Education and Housing held a public hearing on Thursday, May 13, 2004 at 3:00 P.M. in the Guam Legislature Public Hearing Room in Hagatña, Guam. Notice of public hearing was printed in the Pacific Daily News and Marianas Variety (see attached) and also disseminated throughout all local media.

Senators present were:

Senator Carmen Fernandez, Chair
Speaker, vicente (ben) c. pangelinan, Vice Chair
Senator Larry F. Kasperbauer, Committee Member
Senator Lou Leon Guerrero, Committee Member
Senator Rory Respicio, Committee Member
Senator Robert Klitzkie
Senator Tina Muña-Barnes
Senator Toni Sanford

II. SUMMARY OF TESTIMONY

The following bill was heard at the public hearing in which the following individuals presented testimony:

Bill 287 (COR): AN ACT TO AMENDED CHAPTER 18, TITLE 17, GUAM CODE ANNOTATED TO MAKE CERTAIN CHANGES AND ADD AN ARTICLE TO CREATE A TEACHER SPECIALIST CORPS AND AN ARTICLE TO CREATE A FIFTH YEAR INDUCTION CORPS.

1. Theresa "Ewy" Taitano

Mrs. Taitano is a Chamoru teacher at C.L. Taitano Elementary School. She provided oral testimony in support of the bill. She feels the bill will give many people a chance to further their education and obtain a higher degree.

2. Antonia M. Salas

Mrs. Salas is a Chamoru teacher at D.L. Perez Elementary School. She provided oral testimony in support of the bill. She states that there is a real need for Chamoru teachers. We need more people to carry on the program because there are current teachers that are near retirement. This bill will help to resolve this issue.

3. Ronald Laguana

Ronald Laguana provided oral testimony in support of the bill. He stated that this bill will help those who want to go to school during these difficult times. It also provides for those individuals who are school aides, but would like to attend school in order to become teachers.

Senator Sanford commented on how it seems we are losing our culture because the Chamoru language is not being spoken as much today. She stated that she will assist Chairwoman Fernandez to help move this forward so that we can insure the survival of the language. Senator Tina Muña-Barnes acknowledged that the Yamashita Corps officials worked closely with Chairwoman Fernandez in regards to making these amendments. She thanked them for their active support.

Senator Kasperbauer clarified that the original law was intended to alleviate the need to recruit educators from off-island. The program required a full-time status to assist the students in completing their degree in four years or less. He stated that over time there has been an expansion of this philosophy and that has led to the present day form of the Yamashita Corps. He also asked the panel of Taitano, Salas and Laguana, if their primary focus was the provision for Chamoru teachers. Laguana replied that he is in support of the bill in its entirety. However, he was particularly interested in the passage of the sections providing for Chamoru teachers and part-time students.

4. George Pereda, Yamashita Educator Corps

Mr. Pereda provided oral testimony in support of the bill. He would like to continue to strengthen the core program and expand its focus to allow for those individuals who currently work, but also want to attend school. Mr. Pereda also stressed the need for retention, which is what the fifth year induction corps is geared towards.

III. FINDINGS AND RECOMMENDATION

The Committee on Education and Housing finds that there is strong support for the intent and direction of bill 287. The Committee recognizes the importance of this bill and the need to expand this important program. This committee also understands this bill will insure teaching students have a way to finance the new fifth year induction program offered at UOG as well as education in speciality areas. This bill will assist Guam in obtaining an adequate supply of teachers for Guam's schools in hard to find speciality areas. The committee has taken note of the concerns presented by the senators and has incorporated changes to the bill that address the concerns and will allow for an effective implementation date. Accordingly, the Committee on Education and Housing does hereby submit its findings and recommendation to I Mina'Bente Siete Na Liheslaturan Guahan **TO DO PASS Bill 287 (COR): AN ACT TO AMENDED CHAPTER 18, TITLE 17, GUAM CODE ANNOTATED TO MAKE CERTAIN CHANGES AND ADD AN ARTICLE TO CREATE A TEACHER SPECIALIST CORPS AND AN ARTICLE TO CREATE A FIFTH YEAR INDUCTION CORPS.**