

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session

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Bill No. 328(LS)

Introduced by:

J.T. Won Pat, Ed.D.

AN ACT TO REPEAL AND REENACT §3125 OF  
ARTICLE 1 TITLE 17 OF THE GUAM CODE  
ANNOTATED RELATIVE TO AUTHORIZING THE  
SUPERINTENDENT OF EDUCATION TO SELECT  
MEMBERS OF THE GUAM PUBLIC SCHOOL SYSTEM  
MANGEMENT TEAM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:  
2 **Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds that the  
3 structure of the Guam Public School System (GPSS) has not significantly  
4 changed for over three decades and as a result the people of Guam  
5 continue to see the same problems and issues arise time and time again.  
6 The legislature has determined that the system as established is not  
7 functioning practicably.  
8 *I Liheslaturan Guahan* further finds that the wider the span of control  
9 and span of management within an organization the greater the potential  
10 of managerial ineffectiveness leading to a decrease in organizational  
11 accountability and productivity.

1            *I Liheslaturan Guahan* further finds that the vertical organizational  
2 hierarchy of the Guam Public School System (GPSS) has twenty-one (21)  
3 direct reporting entities to the Superintendent of Education thereby  
4 limiting his or her ability to manage immediate subordinates effectively.  
5 Currently, there are fifteen (15) heads of divisions with an additional six (6)  
6 personnel of supervisory rank who report directly to the Superintendent  
7 (i.e., Legal Counsel, Chief Planner, Public Information Officer, Internal  
8 Audit, FMIP Project Manager, and Safety Administrator). Such a flat and  
9 wide span of control may negatively contribute to internal organizational  
10 apathy thereby adversely affecting productivity.

11            Further, it is well understood that no leader can change a large  
12 organization without an effective management structure and the right  
13 people in key slots. Current law gives the Superintendent little flexibility  
14 to change the way his or her management team is organized. The  
15 Superintendent should be given the authority to hire qualified executives  
16 and organize his or her management team to best fit the mission and vision  
17 of the Superintendent and the School System.

18            Therefore, *I Liheslaturan Guahan* hereby finds it necessary to permit  
19 the Superintendent to select members of his management team to serve in a  
20 senior capacity in an unclassified status.

21            **Section 2. Section 3125 of Title 17 of The Guam Code Annotated is**  
22 **hereby amended to read:**

23            **“§ 31 25. Management Team.**

24            **(a) Appointment.**

25            The Superintendent shall reserve the right to select individuals  
26 of his management team with full management responsibility

1 and authority as delegated unto him or her by the  
2 Superintendent. Such appointees may number from one (1) but  
3 shall not exceed four (4) unless otherwise approved by the  
4 Guam Education Policy Board. The appointed positions shall  
5 cover but not be limited to:

- 6 1) Finance and Administrative Services
- 7 2) Assessment and Accountability
- 8 3) Curriculum and Instructional Improvement
- 9 4) Educational Support and Community Learning

10 **(b) Unclassified Status.**

11 Notwithstanding any other provision of law, members of the  
12 management team may be selected through a contractual  
13 arrangement and may be terminated at will and without cause.  
14 Sole authority for selection and termination of management  
15 team personnel rests with the Superintendent of Education.

16 **(c) Compensation.**

17 Notwithstanding any other provision of law, personnel from  
18 the Guam Public School System who are selected as a  
19 management team member shall receive compensation at no  
20 more than the maximum salary established for the  
21 Superintendent of GPSS.

22 **Section 3. Elimination of Deputy Superintendent Position.** The  
23 position of Deputy Superintendent of Education in the Guam Public School  
24 System is hereby eliminated.

1           **Section 4. Elimination of Chief Financial Officer Position.** The  
2 position of Chief Financial Officer in the Guam Public School System is  
3 hereby eliminated.

4           **Section 5. Elemination of Associate Superintendent Positions.** The  
5 position of Associate Superintendent in the Guam Public School System is  
6 hereby eliminated.

7           **Section 6. Evaluation of Management Team.** The Superintendent of  
8 Education shall conduct a semi-annual evaluation of his management team  
9 and shall post the results of the evaluation on the school system's website.

10           **Section 7. Effective Date.** This provision of law shall take effect on  
11 September 1, 2008.