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

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

This is to certify that **Substitute Bill No. 117-31 (COR), "AN ACT TO *ADD* A NEW CHAPTER 8 T0 TITLE 5A, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE GUAM COMMISSION FOR EDUCATOR CERTIFICATION RULES & REGULATIONS",** was on the 2nd day of May 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 16th day of May, 2011, at 2:10 p o'clock P .M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 117-31 (COR)
As substituted by the Committee on Education
and Public Libraries, and amended on the Floor.

Introduced by: Judith T. Won Pat, Ed.D.
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
Aline A. Yamashita, Ph.D.
T. R. Muña Barnes
v. c. pangelinan
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Adolpho B. Palacios, Sr.
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron

AN ACT TO *ADD* A NEW CHAPTER 8 T0 TITLE 5A, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE GUAM COMMISSION FOR EDUCATOR CERTIFICATION RULES & REGULATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Approval of Administrative Rules and Regulations. The Administrative Rules and Regulations of the Guam Commission for Educator Certification submitted to *I Mina'Trentai Unu Na Liheslaturan Guåhan* (the 31st Guam Legislature) by the Guam Commission for Educator Certification on

February 18, 2011, as *amended* by *I Liheslaturan Guåhan* (the Guam Legislature) are hereby approved.

Section 2. A new Chapter 8 is hereby *added* to Title 5A, Guam Administrative Rules and Regulations, to read as follows:

"CHAPTER 8

GUAM COMMISSION FOR EDUCATOR CERTIFICATION

§8101. Introduction.

§8102. Definitions.

§8103. Organization and Function of the Commission.

§8104. Issuance of Certificates, General.

§8105. Certificates for Teachers, General.

§8106. Certificates for *Chamorro* Language and Culture Teachers.

§8107. Certificates for Preschool Teachers.

§8108. Certificates for Career and Technical Education Teachers.

§8109. Certificates for Reading Specialists.

§8110. Certificates for School Administrators.

§8111. Endorsements for School Librarians.

§8112. Certificates for School Counselors.

§8113. Extension on Certification.

§8114. Fees.

§8115. Disciplinary Action.

§8116. Code of Ethics.

§8117. Reinstatement of Certification After Suspension.

§8118. Severability.

§8119. Adoption and Amendment of Rules.

§8101. Introduction.

(a) **Purpose.** The purpose of adopting the rules of procedure is to ensure the proper performance of the duties of the Guam Commission for Educator Certification (hereinafter known as the Commission or GCEC) by the regulation of procedures, meetings, records, and conduct thereof.

(b) **Requirements for Adoption.** The adopted rules of procedure must be consistent with the Organic Act and the laws of Guam. The rules must be promulgated and approved by the Commission and they must be adopted in accordance with the Administrative Adjudication Law.

(c) **Authority of Rules.** Rules of procedure adopted by the Commission *shall* be binding upon persons issued certificates under Chapter 27 of Title 17, Guam Code Annotated (Public Law 29-73).

§8102. Definitions.

The following definitions and terms, when used in these rules and regulations, *shall* have the following meanings *unless* the context clearly indicates otherwise:

(a) *Accredited Institution* means a United States regionally accredited college or university or a foreign equivalent.

(b) *Acceptable Grades for Credit* means grades in courses to earn acceptable credit must be passing grades in accordance with the institution where the courses were taken.

(c) *GPA* refers to the acceptable Grade Point Average.

(d) *Administrator* means an educator whose primary duties involve: (1) program development, or (2) supervision or internal management of a school, school program, or school system.

(e) *Approved Program* means a program for preparation of professional educators, which is offered through an accredited institution

and has been approved by the commission for professional educator certification in which the program is provided and includes a supervised student teaching/internship field experience.

(f) *CACREP* (Council for Accreditation of Counseling and Related Education Programs) is an accrediting body for counseling and related programs.

(g) *Certification* is a license qualifying the recipient to practice as a professional educator on Guam.

(h) *Clock Hours* means actual time spent in professional development.

(i) *Commission* means the Guam Commission for Educator Certification, as established under Chapter 27 of Title 17 Guam Code Annotated (Public Law 29-73).

(j) *Course* means an instructional unit that has one (1) or more academic credits.

(k) *Continuing Education Unit* is a non-credit unit used by regionally accredited post-secondary institutions that are members of the International Association for Continuing Education and Training (IACET). Ten (10) contact hours is equivalent to one (1) CEU. The CEU credit *cannot* be used for degree credit requirements. For re-certification purposes, three (3) CEU credits will equal to one (1) semester credit.

(l) *Credential* refers to the documents that constitute evidence of training, licensure, experience, and expertise of a practitioner.

(m) *Educator* is a teacher, administrator, or support professional required by the Commission to hold a certificate.

(n) *Endorsement* is recognition of qualifications in a specialized field as indicated on the certificate.

(o) *Evaluation* indicates the most recent professional evaluation supplied by a supervisor.

(p) *Executive Director* refers to the Executive Director of the Office of the Guam Commission for Educator Certification, pursuant to Chapter 27, 17GCA (Public Law 29-73).

(q) *Guam Certification Office* means the administrative office of the Guam Commission for Educator Certification, pursuant to Chapter 27, 17GCA (Public Law 29-73).

(r) *IRA* means the International Reading Association.

(s) *Mentorship* refers to a program that provides peer guidance to a new educator or administrator, and is approved by Guam Department of Education *or* an accredited institution.

(t) *NCATE* is the National Council for Accreditation of Teacher Education. It is one of the U.S. accrediting bodies for teacher education colleges and institutions.

(u) *NASDTEC Interstate Agreement* means the contract sponsored by the National Association of State Directors of Teacher Education and Certification (NASDTEC) concerning reciprocal licensing of educational personnel among participating jurisdictions.

(v) *Praxis I* means the pre-professional skills test that measures basic academic skills in reading, writing, and mathematics from Educational Testing Service (ETS).

(w) *Praxis II* means a subject assessment from Educational Testing Service of knowledge in a specialty or content area.

(x) *Praxis II PLT* means an assessment of pedagogy (Principles of Learning and Teaching) from Educational Testing Service (ETS).

(y) *Professional Activities* refer to a variety of activities which meet a goal for educator improvement and professional growth, and may include college and university credits, attending or presenting workshops, seminars, conferences, action research, curriculum development, work experience, district or school committee work, advisorships, mentoring, presentations at conferences, publications, or work on special projects.

(z) *Professional Growth Plan* (PGP) is the component of the evaluation program completed by the educator, and approved by the site administrator. It is based on the educator performance standards, and professional activities and/or courses to fulfill the identified standards in the candidate's school/district. The Guam PGP information can be located at the websites for GCEC and the Guam Department of Education.

(aa) *Years of Experience* refers to acceptable determination for teacher or administrator length of service as per respective employment agreement.

§8103. Organization and Function of the Commission.

(a) **Composition and Function of the Commission.** The composition, duties, functions, powers and responsibilities of the Guam Commission for Educator Certification (Commission) *shall* generally be as provided and authorized in Chapter 27 of Title 17, Guam Code Annotated.

(b) **Ex-Officio Members.** The ex-officio members of the Commission *shall* be those identified in §27003 of Title 17, Guam Code Annotated. Ex-officio members shall *not* vote in the proceedings of the Commission, but may introduce and discuss motions in public meetings of the Commission.

(c) **Officers of the Commission.** The officers of the Commission, elected by the voting members, *shall* be a Chairperson, Vice-Chairperson,

and a Treasurer. The Executive Director *shall* serve as the Executive Secretary in accordance with §27019 of Title 17, Guam Code Annotated. Each officer *shall* have duties, functions, powers and responsibilities:

(1) as prescribed for such office by law;

(2) which, by general consent and parliamentary custom, pertain to such office, consistent with the law; and

(3) as are consistent with the foregoing and which, in addition, the Commission may prescribe.

(d) **Election and Term of the Chairperson of the Commission.** The Chairperson *shall* be that person so designated as the presiding officer for a term of two (2) years, in accordance with §27005 of Title 17, Guam Code Annotated. The Chairperson *shall* be elected from among the voting members of the Commission.

(e) **Election and Term of Other Officers of the Commission.** The Vice-Chairperson and the Treasurer *shall* be elected and *shall* serve a term in the same manner as the Chairperson.

(f) **Executive Secretary.** The Executive Director *shall* serve as the Executive Secretary of the Commission, appointed by the Commission in accordance with §27018 and §27019 of Title 17, Guam Code Annotated.

(g) **Duties of the Chairperson of the Commission.** The duties of the Chairperson *shall* be to call and preside at all meetings of the Commission; to call special meetings of the Commission; to serve ex-officio as a member of all standing, designated or advisory committees of the Commission; to appoint committees and to take such other action as is consistent with these rules or the laws. The Chairperson is entitled to vote on all matters before the Commission.

(h) **Duties of the Vice-Chairperson of the Commission.** The duty of the Vice Chairperson *shall* be to perform the duties of the Chairperson at his or her request or in case of his or her absence or incapacity.

(i) **Duties of the Treasurer of the Commission.** The duties of the Treasurer *shall* be to report to the Commission on the finances of the Commission at each regular meeting of the Commission; to present an annual budget to the Commission for approval; and to perform the duties of the Chairperson in case of the absence of both the Chairperson and the Vice Chairperson.

(j) **Duties of the Executive Secretary of the Commission.** The Executive Secretary of the Commission *shall* serve ex-officio as a member of the Commission and have the following duties: to give notice of all regular and special meetings of the Commission and to compile and distribute the agenda for each such meeting with the notice thereof; to record the proceedings of the Commission in a book or books to be kept therefore; to preserve all documents, papers and records determined by the Commission to be a part of its official records; to conduct correspondence as directed by the Commission and to certify official documents and proceedings; and to carry out all statutory responsibilities.

(k) **Executive Secretary Designees.** The Executive Secretary, with the written approval of the Chairperson, may designate an employee of the Commission to carry out the duties set forth in Subsection (j) of this Section under the direction of the Executive Secretary. During the absence or incapacity of the Executive Secretary, the duties of Executive Secretary *shall* be performed by such designee and, in the absence of such designee, by such other person as may be designated by the Chairperson.

(l) **Removal of Officers and Committee Chairpersons.** Four (4) affirmative votes of the Commission's membership *shall* be required for the removal of the Chairperson, the Vice Chairperson, the Treasurer or any Committee Chairperson.

(m) **Committees of the Commission.**

(1) **Practice of the Commission.** The Commission *shall* act upon matters considered, and upon recommendations made, by designated committees of the Commission, but any member may present matters to the Commission for consideration without prior reference to a committee.

(A) The Chairperson may appoint such committees of the Commission as may be deemed necessary, provided that each such committee *shall* be automatically discharged on completion of its assignment or otherwise as the Chairperson may designate.

(B) The Chairperson *shall* be a member ex-officio of each committee. Any member of the Commission may attend any meeting of any committee of the Commission.

(C) Temporary work assignments of a functional or project nature may be made by the Chairperson of the Commission to individual members of the Commission, each such assignment to terminate automatically upon the report to, and final action by the Commission on such project.

(D) Notice of all committee meetings *shall* be given to all members of the Commission. Such notice *shall* be *no less than* the minimum possible notice under the Open Government Law.

(n) **Meetings of the Commission.**

(1) **Requirements for Public Notice.** All meetings of the Commission *shall* be publicly noticed in accordance with Chapter 8 of Title 5, Guam Code Annotated, otherwise known as the Open Government Law.

(2) **Regular Meetings.** The regular meetings of the Commission *shall* be held *at least* quarterly, as mandated by law. All regular meetings *shall* be held on Guam.

(3) **Notice to Commission Members of Meetings.** Written notice of each regular meeting of the Commission *shall* be given to each member *at least* ten (10) days prior to the date fixed for the meeting, which notice *shall* state the time and place of the meeting and, in the case of special meetings, the purpose for which it has been called.

(4) **Agenda of Regular Meetings.** A written agenda of matters to be considered at each regular meeting shall be determined by the Chairperson, attested by the Executive Secretary, and given to each Commission member no *less than* ten (10) days prior to the date fixed for a regular meeting. Items to be included in the agenda for the regular meeting *shall* be submitted to the Chairperson by:

(A) committees of the Commission relating to their reports;

(B) any Commission member, given to the Chairperson twelve (12) days prior to the date of the regular meeting at which consideration is desired and containing a title and/or description of the agenda items.

(C) The Commission Chairperson will provide, on a timely basis, to other Commission members reason for removing an agenda item after it has been posted, in accordance to §27013 of Title 17, Guam Code Annotated.

(5) **Special Meetings.** Special meetings of the Commission may be held at any time and at any place on Guam. Special meetings may be called by the Chairperson *or* by a majority of the members then serving on the Commission by a written notice to the Executive Secretary in which the time, place and purpose of the meeting are set forth.

(6) **Quorum.** A quorum *shall* consist of four (4) voting members. Actions of the Commission *shall* be carried by a vote of *not less than* four (4) voting members, in accordance with §27013 of Title 17, Guam Code Annotated.

(7) **Rules of Order.** Unless otherwise specified in these rules, all meetings of the Commission *shall* be conducted in accordance with Robert's Rules of Order Revised.

(8) **Action at Commission Meetings.** *Except* in an emergency, the Commission *shall* take action on a matter of policy *only* when the matter has been discussed by the Commission at a previous meeting. This provision may be waived by a unanimous vote of the members present. For purposes of this Rule, an emergency *shall* first be declared by a vote of five (5) members.

(9) **Public Participation Policy.** It is the policy of the Commission to encourage and permit public comment on matters within the Commission's jurisdiction.

(A) **General Public Comment.** The Commission *shall* include general public comment as an agenda item at each regular meeting of the Commission.

(B) **Comment, Not Debate.** During public comment, speakers *shall* address their remarks to the Commission as a whole and *not* to individual Commission members, Commission personnel, or the audience.

(C) **Recording Commission Proceedings.** Members of the public may record Commission meetings while *not* under executive session with an audio or video recorder, or still or motion picture camera.

(o) **Compensation and Expenses.** A Commission member *shall* receive compensation for serving on the Commission in the amount of Fifty Dollars ($50.00) for each Commission meeting attended. A member is entitled to reimbursement for actual and necessary expenses incurred in performing functions as a member of the Commission, subject to any applicable limitation on reimbursement provided by the General Appropriations Act.

(p) **Executive Director.** The Commission *shall* employ and determine the compensation of an Executive Director, who *shall* be responsible to carry out all statutory responsibilities, the administration of the policies of the Commission, and to manage the daily operations of the Commission. The Commission *shall* annually evaluate the performance of the Executive Director.

(q) **Relationship of the Commission to Executive Director.** Pursuant to §27019 of Chapter 27, Title 17, Guam Code Annotated, although the relationship between the Executive Director and individual

Commission members is collegial, the relationship of the Commission to the Executive Director is hierarchical. The Executive Director is accountable *only* to the Commission as whole, and *not* to individual Commission members.

(r) **Employment of Personnel.** The Executive Director *shall* hire other staff according to the staffing pattern approved by the Commission. Employment of persons *shall* be in accordance with §27018 of Title 17, Guam Code Annotated.

(s) **Budget.** Prior to October 1st of each year, the Executive Director *shall* prepare, for approval and consideration by the Commission, a budget for the following fiscal year. Upon appropriation by the *I Liheslaturan Guåhan*, the Commission *shall* make expenditures from this budget for the purposes as stated.

(t) **Accounting Procedures.**

(1) **Cash Receipts.** A receipt *shall* be issued for all money received by the Commission. The Executive Director, or designated entity, *shall* oversee all money paid to the Commission. The Executive Director *shall* keep appropriate books on behalf of the Commission, and *shall* record in a cash receipt book a record of all money received as stated in the law.

(2) **Cash Disbursements.** All cash disbursements *shall* be supported by invoices or purchase orders. All cash disbursements *shall* be recorded in the cash disbursement book.

(3) **Financial Reports.** Financial reports *shall* be prepared and disseminated by the Executive Director in accordance to the current applicable General Appropriations Act. A copy of each report

shall be furnished to the Commission Treasurer on or before the next regular Commission meeting after submission.

(4) **Publications of the Commission.** The publications of the Commission *shall* include, but *not* be limited to:

(A) a roster showing the name of each certificate holder, which *shall* be revised annually;

(B) the complete current text of the laws, rules and regulations governing educator certification; and

(C) the Annual Report of the Commission, which *shall* be published *no later than* ninety (90) days after the end of the fiscal year.

§8104. Issuance of Certificates, General.

(a) **Certificates, General.** The Certificates issued by the Commission *shall* be those listed in these rules and regulations accompanied by their specific certification requirements and subject to the provisions of these rules and regulations.

(b) **Examination of General Knowledge.** All candidates for Guam Professional Educator Certification, *except* for those listed in Subsection (c) of this Section, *shall* take and pass the test of essential skills in reading, writing, and mathematics known as PRAXIS I. Applicants *shall* designate that the Guam Certification Office receive official test scores from ETS. Guam's passing scores for PRAXIS are those scores for Guam as published by ETS.

(c) **Exemption from Examination of General Knowledge Requirement.** Candidates for the following certificates, due to their unique specialization, *shall* be exempt from the Examination of General Knowledge Requirement under Subsection (b) of this Section:

(1) all Certificates for *Chamorro* Language and Culture under §8106 of this Chapter;

(2) all certificates issued for Basic Preschool provided under §8107 of this Chapter; and

(3) all certificates issued for Career and Technical Education under §8108 of this Chapter;

(d) **Examination of Specialization or Content Area Knowledge.** Where applicable, candidates for Guam Professional Educator Certification *shall* pass an appropriate test for content area knowledge. Where *no* content area test has been approved by the Commission, Guam's content test passing score *shall* be the Praxis II test passing score adopted by the State of Hawaii or a score reflecting eighty percent (80%) pass rate of the average maximum range respectively.

(e) **Examination of Pedagogical Knowledge.** Candidates for Guam Professional Teacher Certification *shall* pass a test for pedagogical knowledge.

(f) **Certification Validity Date**. A certificate *shall* be valid from the date that the certificate is issued by the Guam Certification Office. The length of certification of that particular certificate *shall* be specified by GCEC rule, unless revoked, suspended, or extended by the Commission.

(g) **Renewal of Expired Certification.** Any person holding an expired Guam Professional Certification is subject to the following:

(1) if such certification expired five (5) years *or less* from the date of application for reinstatement, such person *shall* complete the requirements for recertification specified in regulations in effect during the validity period of the expired certificate; *or*

(2) if such certification expired *more than* five (5) years from the date of application for reinstatement, such certificate *shall not* be eligible for renewal. The applicant must apply for initial certification pursuant to current requirements.

(h) **Recency of Study.** All applicants seeking professional certification must satisfy recency of study through one (1) of the following routes:

(1) completion of six (6) semester hours or equivalent credits in professionally related course work earned within five (5) years preceding the date of application; *or*

(2) completion of *at least* one (1) full year of acceptable school experience (teaching, administrative, or program specialist) within five (5) years preceding the date of application while working in one (1) of the fifty (50) states on a valid certificate issued by that state.

(i) **Basis for Certification.** College credits or degrees to be applied towards fulfilling certification requirements must be from accredited colleges or universities of the United States, or any of its administrative jurisdictions notwithstanding any provisions to the contrary contained in these rules.

(j) **Transcripts.** Official transcripts, furnished by the college or university, *shall* be the basis for determining the educational qualifications of an applicant for certification. Transcripts *shall* be forwarded from the university or college to the Guam Certification Office *or* by the applicant in an unopened, unaltered envelope sealed by the registrar.

(k) **Continuing Education Units.** Continuing Education Units (CEU) may be used for recertification. For re-certification purposes, three

(3) CEU will equal to one (1) semester credit. The CEU cannot be used for degree credit requirements. For Continuing Education Units to be counted for recertification, they must be acquired from a program affiliated with a regionally accredited institution.

(l) **Holders of Degrees from NCATE-Accredited Institutions.** Holders of degrees in teacher preparation awarded by an institution accredited by the National Council for Accreditation of Teacher Education (NCATE) *shall* be eligible for an Initial Educator Certificate.

(m) **Interstate Reciprocity.** Individuals holding a valid state teaching credential, such as a license or certificate, may qualify for an initial Guam certificate with comparable endorsement areas provided such license is issued by a state that has signed the NASDTEC Inter-State Agreement and is a full credential without deficiencies; or holds national certification from the National Board for Professional Teaching Standards (NBPTS).

(n) **Graduate of Foreign Institutions of Higher Learning.** Graduates of foreign institutions of higher learning, to be granted a certificate, must meet the Professional certification requirements of this policy. The applicant's transcripts must be evaluated by an agency that is capable of determining the country's educational system where the coursework was completed. The list of agencies is available at the Guam Certification Office. A credential evaluation report, including an equivalency summary, is required. A course-by-course evaluation, including the equivalency in United States semester credit hours and United States grade equivalent, is necessary. A detailed report is required for the GCEC to be able to determine if an equivalent teacher education program has been completed.

(o) **Related Work Experience.** A statement signed by an appropriate authorized official of a school district or other employing agency *shall* be the basis for determining the experience qualifications of an applicant for certification.

(p) **Guam History or Culture.** All persons issued an educational professional certificate and who have *not* completed a three (3) semester credit course in Guam history or culture *shall* complete one (1) such course during the first year after certification. Failure to meet this requirement *shall* constitute sufficient cause to cancel the certificate until the deficiency is corrected.

(q) **Special Policy for Incumbents as of the School Year 1953-54.** Holders of certificates by the Guam Department of Education as of the School Year 1953-54 *shall* be given credit for years of successful experience and for attendance at Guam Summer Institutes and normal school, provided they were of *at least* six (6) weeks duration, and were operated by the Department of Education. After that date, *only* college credits earned will be credited toward certificates.

(r) **Masters Degree Equivalent for Certain Incumbents.** Those incumbents of the Guam Department of Education who earned what is known as "masters degree equivalent" status under the policies of the Guam Education Policy Board between August 22, 1966 and August 8, 2007 *shall* retain such a status for certification purposes.

(s) **Alternative Certification (Fast Track).** Individuals participating in the concentrated course program focused on the Department of Education certification requirements known and referred to as the "Fast Track Teacher Certification Program" *shall* waive student teaching or internship teaching requirements with evidence of two (2) years of

documented and verifiable teaching experience. Teaching experience *shall* be scholastic in nature and include college/university, vocational, military, business sector, or any other related area. Both years of teaching experience must indicate satisfactory performance. *[Pursuant to P.L. 29-02].*

§8105. Certificates for Teachers, General.

(a) **Temporary Teaching Certificate.**

(1) **Minimum Qualifications.** A Temporary Teaching Certificate may be issued to an applicant who presents evidence that he or she has completed a Bachelor's degree and a passing score on Praxis-I.

(2) **Length of Certification.** The length of certification of a Temporary Teaching Certificate *shall* be two (2) years.

(3) **Renewability.** A Temporary Teaching Certificate may be renewed one (1) time provided the applicant presents evidence of the following:

(A) earned twelve (12) semester hours applicable to the requirements of an Initial Educator Certificate, within the certification validity period; and

(B) satisfactory performance evaluation.

(4) **Holders Issued Certificates Known as "Emergency" by the Department of Education.** A holder of a certificate known as an "Emergency" teaching certificate issued under Guam Education Policy Board Policies 1000.21, 1000.22, 1000.24, 1000.25, 1000.27, 1000.144 or 1000.20(B) may be issued a Temporary Educator Certificate under §8105(a) of this Chapter provided they meet the minimal qualifications of the Temporary Educator Certificate and met the applicable renewal requirements of the certificate issued under the

respective policies of the Board. Holders of Temporary Educator Certificates issued under this Sub-rule *shall* be subject to renewal requirements of the Temporary Educator Certificate.

(b) **Initial Educator Certificate.**

(1) **Minimum Qualifications.** An Initial Educator Certificate may be issued to an applicant who presents evidence of the following:

(A) earns a degree from an approved Educator Preparation Program from an accredited college or university, or from an approved Educator Preparation Program from a recognized foreign institution of higher learning recognized by the U.S. Council for Higher Education Accreditation (CHEA) or its successors;

(B) for non-education preparation program graduates, presents evidence of successfully completing the following requirements: earns a degree from an accredited college or university; or completion of an approved program (in content area) from an accredited college or university; and completes educational program aligned with Guam Professional Teacher Standards;

(C) grade point average of 2.70 or higher; and

(D) successfully passes Praxis I and Praxis II Principles of Learning (PLT) tests.

(2) **Length of Certification**. The length of certification for an Initial Educator Certificate *shall* be three (3) years. The certificate holder *shall* be required to work as an Initial Educator for two (2) years in order to qualify for a Professional Educator Certificate.

(3) **Renewability.** An Initial Educator Certificate *shall not* be renewable.

(c) **Professional Educator Certificate.**

(1) **Minimum Qualifications**. A Professional Educator Certificate may be issued to an applicant who presents the following evidence:

(A) fulfillment of all educational requirements for the Initial Educator Certificate or the Initial Educator *Chamorro* Language and Culture Teaching Certificate and provides evidence of the following:

(B) completion of requirements related to Guam History or Guam Culture;

(C) completion of sixty (60) clock hours of professional activities;

(D) satisfactory performance evaluation and/or completion of Professional Growth Plan as approved by on-site administrator;

(E) completion of a one (1) year mentorship in a Guam school; and

(F) completion of two (2) years as an Initial Certificate Holder.

(2) **Length of Certification**. The length of certification for a Professional Educator Certificate *shall* be five (5) years.

(3) **Renewability.** A Professional Educator Certificate *shall* be renewable for any number of times. Within the length of certification provided herein, a person issued a Professional Educator

Certificate *shall* be considered in good standing to retain such certificate by presenting evidence of the following:

(A) completion of ninety (90) clock hours of professional activities to include semester hours, Continuing Education Units, or Professional Growth Plan requirements as acknowledged by administrator on-site; and

(B) satisfactory performance evaluation.

(4) **Holders of Professional I Certificates Issued by the Department of Education**. Notwithstanding Subsection (c) of this Section, a Professional Educator Certificate may be issued to a holder of a valid or recently expired "Professional I" Certificate issued under Guam Education Policy Board Policies 1000.21, 1000.22, 1000.24, 1000.25 and 1000.27 who provides evidence of satisfactory teaching and ninety (90) clock hours of professional activities within the Professional I certification period.

(d) **Master Educator Certificate.**

(1) **Minimum Qualifications**. A Master Educator Certificate may be issued to an applicant who presents evidence of the following:

(A) he or she meets all educational requirements for the Initial Educator Certificate and the Professional Educator Certificate;

(B) has a minimum of at least five (5) years of satisfactory teaching experience; and

(C) has earned a Master's Degree and/or is a National Board Certified Teacher.

(2) **Length of Certification.** The length of certification for a Master Educator Certificate *shall* be ten (10) years.

(3) **Renewability.** A Master Educator Certificate *shall* be renewable for any number of times. Within the length of certification provided herein, a person issued a Master Educator Certificate *shall* be considered in good standing to retain such certificate by presenting evidence of the following:

(A) completion of one hundred twenty (120) clock hours of professional activities, to include semester hours, Continuing Education Units, or Professional Growth Plan requirements as acknowledged by administrator on site, and

(B) satisfactory performance evaluation.

(4) **Holders of Professional II Certificates Issued by the Department of Education.** A Master Educator Certificate may be issued to a holder of a "Professional II" Certificate issued under Guam Education Policy Board Policies 1000.21, 1000.22, 1000.24, 1000.25 and 1000.27 who provides evidence of satisfactory teaching and ninety (90) clock hours of professional activities within the Professional II certification period. No Master Educator Certificate issued under this rule shall be renewed for an applicant who *does not* provide evidence of having completed a Master's degree.

(e) **Professional Endorsement for Specialty Areas**. Educators wishing to certify in multiple content areas, or to add an additional area, are able to apply for an endorsement on their existing certificate. To qualify for an endorsement, the applicant must provide evidence of the successful completion of fifteen (15) credit hours in the field. There will be an additional charge for the endorsement which will last the term of the existing

certificate. Specialty areas for consideration are library science, instructional technology, visually impaired, orientation and mobility, deaf and hearing impaired, speech, media specialist, or other specialty areas as approved by GCEC.

§8106. Certificates for *Chamorro* Language and Culture Teachers.

(a) **Temporary *Chamorro* Language and Culture Teaching Certificate.**

(1) **Minimum Qualifications.** A Temporary *Chamorro* Language and Culture Teaching Certificate may be issued to an applicant who presents evidence of completing thirty (30) semester hours of college credit, to include *at least* six (6) semester hours of *Chamorro* language; and proficiency in the language as established by the *Chamorro* Studies Division of the Guam Department of Education.

(2) **Length of Certification.** The length of certification of the Temporary *Chamorro* Language and Culture Teaching Certificate *shall* be two (2) years.

(3) **Renewability.** The Temporary *Chamorro* Language and Culture Teaching Certificate may be renewed one (1) time provided that evidence of satisfactory performance evaluation and proof of having earned twelve (12) semester hours applicable to Initial Educator and/or *Chamorro* Language & Culture Teaching Certificate requirements within the certification validity period.

(b) **Basic Educator *Chamorro* Language and Culture Teaching Certificate.**

(1) **Minimum Qualifications.** Basic Educator *Chamorro* Language and Culture Teaching Certificate may be issued to an applicant who:

(A) presents evidence of completing sixty (60) semester hours of college credit to include at least twelve (12) semester hours of *Chamorro* language; *and*

(B) demonstrates proficiency in the *Chamorro* language as established by the Chamorro Studies Division of the Guam Department of Education.

(2) **Length of Certification.** The length of certification of the Basic Educator *Chamorro* Language and Culture Teaching Certificate *shall* be two (2) years.

(3) **Renewability.** Basic Educator *Chamorro* Language and Culture Teaching Certificate may be renewed any number of times provided the certificate holder submits:

(A) evidence of satisfactory performance evaluation; and

(B) evidence of six (6) or more semester hours of college credit applicable to Initial Educator and/or *Chamorro* Language and Culture Teaching Certificate requirements within the validity of certificate.

(c) **Initial Educator *Chamorro* Language and Culture Teaching Certificate.**

(1) **Minimum Qualification.** The Initial Educator *Chamorro* Language and Culture Teaching Certificate may be issued to an applicant who, in addition to meeting such certificate's minimum experience and *Chamorro* Language requirements, presents evidence

of completing a Bachelor's degree and fulfilling the requirements for educational credits.

(2) **Length of Certification.** The length of certification of the Initial Educator *Chamorro* Language and Culture Teaching Certificate *shall* be three (3) years.

(3) **Renewability.** The Initial Educator *Chamorro* Language and Culture Teaching Certificate is non-renewable. The holder of a *Chamorro* Language and Culture Teaching Certificate, on or before expiration date, *shall* apply for Professional Certificate as per the requirements in §8105 (c) of this Chapter.

§8107. Certificates for Preschool Teachers.

(a) **Basic Educator Preschool Certificate.**

(1) **Minimum Requirements.** An associate degree in early childhood education; or an associate degree in a field related with equivalent to a major relating to early childhood education, with one (1) year experience teaching preschool-age children, or a baccalaureate degree or advanced degree in early childhood education, and has not taken and /or passed the PRAXIS I, or a baccalaureate or advanced degree in a related field and coursework equivalent to a major related to early childhood education and experience teaching preschool-aged children and has not taken and/or passed PRAXIS I. The degree must be from a U.S. regionally accredited post-secondary learning institution.

(2) **Length of Certification.** The length of certification of a Basic Educator Preschool Certificate *shall* be three (3) years.

(3) **Renewability.** The Basic Educator Preschool Certificate may be renewed any number of times with evidence of satisfactory

performance evaluation; by the administrator; and fifteen (15) clock hours of Head Start specific in-service professional development that is classroom focused and regularly evaluated by the Head Start program of the Guam Department of Education. The holder of a Basic Educator Preschool Certificate, on or before the expiration date, may apply for Initial Educator Certificate as per the requirements in §8105 (c) of this Chapter.

§8108. Certificates for Career and Technical Education (CTE) Teachers.

(a) **Temporary Career and Technical Education (CTE) Teaching Certificate.**

(1) **Minimum Requirements.** The Temporary CTE Teaching Certificate may be issued to an applicant who presents evidence of graduation from high school or a GED equivalence, and must have completed eight (8) years of full-time employment in a recognized trade in the area of specialty.

(2) **Length of Certification.** The length of certification of a Temporary CTE Teaching Certificate *shall* be two (2) years.

(3) **Renewability.** The Temporary CTE Teaching Certificate may be renewed one (1) time with evidence of satisfactory performance evaluation and completion of six (6) semester hours in career and technical education.

(b) **Basic Career and Technical Education Teaching Certificate.**

(1) **Minimum Requirements.** The Basic CTE Teaching Certificate may be issued to an applicant who presents evidence of either of the following educational qualifications: completion of an Associate Degree in the area of specialty and *at least* twelve (12)

semester hours of credit in CTE teaching methods, CTE curriculum, CTE Assessment, CTE philosophy and CTE laboratory management; *or*

completion of an Associate Degree in Education with at least eighteen (18) credit hours in area of specialty and twelve (12) semester hours in career and technical education.

(2) **Length of Certification.** The length of certification of a Basic Career and Technical Education Teaching Certificate *shall* be three (3) years.

(3) **Renewability.** The Basic Career and Technical Education Teaching Certificate may be renewed any number of times with evidence of satisfactory completion of at least twelve (12) semester hours towards a Bachelor's degree in Basic Career and Technical Education or in the area of specialty and satisfactory performance evaluations.

(c) **Professional Career and Technical Education Teaching Certificate.**

(1) **Minimum Requirements.** The Professional **Career and Technical Education** Teaching Certificate may be issued to an applicant who:

(A) presents evidence of a Bachelor's Degree in a technical area of specialty, such as Industrial Technology, Career and Technical Education, Technology Education, Industrial Arts, or Engineering, and including *at least* twenty four (24) semester hours in Career and Technical Education; and

(B) presents evidence of either of the following: one (1) year verifiable work related technical experience beyond the apprenticeship or learner level in the area of the technical specialty to be taught; *or* one (1) year recent successful teaching experience in the technical specialty area for which the candidate was professionally trained.

(2) **Length of Certification.** The length of certification of a Professional Career and Technical Education Teaching Certificate *shall* be five (5) years.

(3) **Renewability.** The Professional Career and Technical Education Teaching Certificate may be renewed any number of times by providing evidence of either of the following:

(A) six (6) graduate credits or six (6) professionally related undergraduate semester hours; and satisfactory performance evaluations; *or*

(B) eighteen (18) Continuing Education Units (CEU) or a combination of academic credits and CEU completed within the validity period of certificate and two hundred forty (240) hours of relevant industry experience; and satisfactory performance evaluations.

§8109. Certificates for Reading Specialists.

(1) **Minimum Qualifications.** A Reading Specialist Certificate may be issued to an applicant who presents evidence that he or she has passed the Praxis II (Reading Specialist -0300) exams assessment; completed a Master's Degree in Language and Literacy/Reading as aligned with International Reading Association (IRA) standards; completed three (3) years of successful teaching

experience in the area of reading and/or language arts; and successfully earned ninety (90) semester hours of supervised internship or practicum within the Pre K – 12 levels.

(2) **Length of Certification.** The length of certification of a Reading Specialist Certificate *shall* be five (5) years.

(3) **Renewability.** The Reading Specialist Certificate may be renewed any number of times provided the holder presents evidence of a satisfactory performance evaluation and the following within the certification validity period:

(A) earned six (6) graduate credits related to the field of literacy (i.e. reading, writing, English Second Language (ESL), linguistics) that meet state-approved standards for graduate level literacy courses; or

(B) ninety (90) clock hours of Professional Growth activities aligned with IRA standards verified by site administrator; or

(C) any combination of credits and professional activities equivalent to ninety (90) clock hours.

§8110. Certificates for School Administrators.

(a) **Initial Administrator Certificate.**

(1) **Minimum Qualifications.** An Initial Administrator Certificate may be issued to an applicant who presents evidence that he or she has completed a Master's Degree; five (5) years of full-time classroom teaching experience; completion of an approved school administration program; and a passing score on the School Leaders Licensure Assessment (SLLA). The passing score *shall* be determined by the Commission.

The approved school administration program includes skills for K-12 school level principal; and that it is aligned with the Guam School Administrator Standards; or the program is from a college or university within any of the fifty (50) states or administrative jurisdictions, and whose advance degree has been awarded by an institution accredited by the National Council for Accreditation of Teacher Education.

(2) **Length of Certification.** The length of certification for an Initial Administrator Certificate *shall* be three (3) years.

(3) **Renewability.** The Initial Administrator Certificate is *not* renewable.

(4) **Mentorship Requirement.** During the certification period and to be eligible for the Professional Administrator Certificate, the holder of an Initial Administrator Certificate *shall* provide evidence of completing a mentorship of *not less than* one (1) year, during the initial certification period, in a Guam school.

(b) **Professional Administrator Certificate.**

(1) **Minimum Qualifications.** A Professional Administrator Certificate may be issued to an applicant who presents evidence that he or she has successfully completed all Initial Administrator requirements; has completed three (3) years of school level administrative experience; presents evidence of satisfactory performance evaluation by the administrator; and has completed sixty (60) hours of professional activities.

(2) **Length of Certification.** The length of certification for a Professional Administrator Certificate *shall* be five (5) years.

(3) **Renewability.** The Professional Administrator Certificate is renewable any number of times. The applicant *shall* complete ninety (90) hours of professional growth activities; or provide a Professional Growth Plan concurred by the appropriate superintendent or immediate supervisor and/or satisfactory performance evaluation by supervisor.

(4) **Special Policy for Holders of "Professional I" Certificates Issued through the Guam Department of Education.** All holders of certificates known as the "Professional I" Certificate issued under the Guam Education Board's policy known as "1000.41 Administration and Supervision Certification" *prior to* April 21, 2009 *shall* be considered to have met the pre-requisite requirements for a Professional Administrator Certificate under these rules, *provided* they met the renewal requirements of the Board's said policy.

(c) **Master Administrator Certificate.**

(1) **Minimum Qualifications.** A Master Administrator Certificate may be issued to an applicant who presents evidence that he or she has successfully completed all Professional Administrator requirements; has completed thirty (30) graduate credits in school leadership or a related field beyond the Master's Degree; presents evidence of satisfactory performance approved by the administrator; and has completed ninety (90) hours of professional activities.

(2) **Length of Certification.** The length of certification for a Master Administrator Certificate *shall* be ten (10) years.

(3) **Renewability.** The Master Administrator Certificate is renewable any number of times. A certificate holder *shall* provide evidence of completing one hundred twenty (120) hours of

professional growth activities during the certification period; and present evidence of satisfactory performance approved by the administrator.

(4) **Special Policy for Holders of Master Certificates Issued through the Guam Department of Education.** All holders of certificates known as the "Professional II" or "Professional III" certificate issued under the Guam Education Board's policy known as "1000.41 Administration and Supervision Certification" *prior to* April 21, 2009 *shall* be considered to have met the pre-requisite requirements for a Master Administrator Certificate under these rules, *provided* they met the renewal requirements of the Board's said policy.

§8111. Endorsements for School Librarians.

(a) **Temporary School Librarian Endorsement.**

(1) **Minimum Qualifications.** A Temporary School Librarian Endorsement may be issued to an applicant who presents evidence that he or she is a certified teacher with a minimum of five (5) years of full-time teaching experience and has completed six (6) semester hours in library science.

(2) **Length of Endorsement.** The length of endorsement for a Temporary School Librarian Endorsement *shall* be two (2) years.

(3) **Renewability.** A Temporary School Librarian Endorsement may be renewed two (2) times, *provided* that evidence of satisfactory evaluations as a school librarian and an official transcript which indicates six (6) semester hours toward professional school librarian endorsement has been acquired.

(b) **Professional School Librarian Endorsement.**

(1) **Minimum Qualifications.** A Professional School Librarian Endorsement may be issued to an applicant who presents evidence that he or she is a certified teacher; has completed *at least* twenty-four (24) semester hours of library science courses aligned with American Library Association (ALA) and/or American Association of School Librarians (AASL) standards (in classification and cataloging; selection and acquisition of library materials; library/media administration; reference services; application of library automation and information access; internship or practicum) or has received a certificate of completion from a certified library science program from a regionally accredited university; presents evidence that he or she has completed five (5) years of teaching experience; and presents evidence of a satisfactory evaluation from the administrator.

(2) **Length of Endorsement.** The length of endorsement for a Professional School Librarian Endorsement *shall* be the same as the educator certificate held by the applicant.

(3) **Renewability**. A Professional School Librarian Endorsement may be renewed any number of times, *provided* that he or she presents evidence of satisfactory service as a school librarian; completion of ninety (90) hours of professional activities, to include semester hours in courses that will enhance the school librarian's work (such as courses in specific content areas, education courses, and library science courses); and Continuing Education Units, or Professional Growth Plan requirements, as approved by the administrator that have been acquired within the preceding five (5) years.

§8112. Certificates for School Counselors.

(a) **Temporary School Counselor Certificate.**

(1) **Minimum Qualifications.** A Temporary School Counselor Certificate may be issued to an applicant who presents evidence that he or she has completed the following requirements:

(A) earned a Bachelor's degree from a state approved college/university in Education, Psychology, Social Work, or field related to School Counseling; and

(B) successfully passed Praxis I (PST).

(2) **Length of Certification**. The length of certification for a Temporary School Counselor Certificate *shall* be two (2) years.

(3) **Renewability.** A Temporary School Counselor Certificate *shall not* be renewable.

(b) **Initial School Counselor Certificate.**

(1) **Minimum Qualifications.** An Initial School Counselor Certificate may be issued to an applicant who presents evidence that he or she has completed the following requirements:

(A) earned a Bachelor's degree from a state approved college/university in Education, Psychology, Social Work, or field related to School Counseling;

(B) successfully passed Praxis I (PST) *and* Praxis II (Counseling);

(C) completion of an approved graduate level program in School Counseling as aligned with CACREP Common Core Areas and School Counseling Domains; and

(D) internship in School Counseling with ninety (90) hours of University/College supervised field-based counseling experiences in K-12 settings.

(2) **Length of Certification.** The length of certification for an Initial School Counselor Certificate *shall* be three (3) years.

(3) **Renewal Requirement.** An Initial School Counselor Certificate *shall not* be renewable.

(c) **Professional School Counselor Certificate.**

(1) **Minimum Qualifications.** A Professional School Counselor Certificate may be issued to an applicant who presents evidence that he or she has completed the following requirements:

(A) earned a Master's Degree in School Counseling; *or* meets all Initial School Counselor prerequisites and have an advanced degree;

(B) successfully passed PRAXIS I (PST);

(C) two hundred (200) hours of supervised field-based experiences in K-12 settings;

(D) two (2) years satisfactory School Counseling;

(E) a Professional Growth Plan acknowledged by a site administrator; and

(F) one (1) year of satisfactory classroom teaching, *or* three hundred sixty (360) hours of K-12 counseling related classroom teaching/sessions.

(2) **Length of Certification.** The length of certification for a Professional School Counselor Certificate *shall* be five (5) years.

(3) **Renewal Requirement.** A Professional School Counselor Certificate may be renewed with the completion of ninety (90) hours of professional counseling related activities within the five (5) year period; a Professional Growth Plan acknowledged by a site administrator; and a satisfactory performance evaluation.

(d) **Master School Counselor Certificate.**

(1) **Minimum Qualification.** A Master School Counselor Certificate may be issued to an applicant who presents evidence that he or she has completed the following requirements:

(A) earned a Master's Degree in School Counseling;

(B) seven (7) years satisfactory counseling in K-12 setting;

(C) two (2) years satisfactory classroom teaching in K-12 settings, *or* seven hundred twenty (720) hours of K-12 counseling related classroom teaching/sessions; and

(D) fifteen (15) categorical graduate credits beyond the Master's Degree in Counseling and/or related field (i.e. education, psychology, etc.).

(2) **Length of Certification.** The length of certification for a Master School Counselor Certificate *shall* be ten (10) years.

(3) **Renewal Requirement.** A Master School Counselor Certificate may be renewed upon completion of one hundred twenty (120) hours of professional counseling related activities within the ten (10) year period; a Professional Growth Plan acknowledged by a site administrator; and a satisfactory performance evaluation.

§8113. Extension on Certification.

(a) **Time Extension, General.** The Executive Director may grant a one (1)-time extension of *up to* one (1) year in the time validity of an educator certificate, in accordance with Subsections (b) and (c) of this Section, to provide relief from the strict application of the terms of requirements relating to educator certification renewal. However, the Executive Director *shall not* grant an extension under this policy for the

requirements to complete a three (3) semester credit course in Guam history, or Guam Culture, within the first year after the person's certification, pursuant to §5105 of Title 17, Guam Code Annotated. Nor shall the Executive Director grant extensions under this policy that are contrary to any other law. Any individual granted an extension under this Section *shall* complete all the requirements for recertification within the extension period.

(b) **Standing Committee on Appeals.** The GCEC *shall* establish a standing committee on appeals for extension of certifications. The GCEC chair *shall* appoint three (3) members to this committee.

(c) **Processing of Extension Requests.** All requests for extensions must be submitted in writing to the GCEC Office.

(1) If the request is within his purview, the Executive Director will act on it within five (5) working days.

(A) If recommended for approval, the Executive Director will report the action to the Standing Committee on Appeals. The approval must be countersigned by the GCEC chair.

(B) If denied, the Executive Director will provide a written explanation of the denial to the applicant. The applicant can appeal to the GCEC Standing Committee on Appeals within ten (10) working days of receipt of notice of denial.

(2) If it is *not* within the purview of the Executive Director, it will be channeled to the Appeals Committee within five (5) working days. The GCEC Administrator will forward the file (the request, the rejection notice and any other pertinent information) to the Appeals Committee. It will act on it within twenty (20) working days at the Appeals Committee meeting and provide a recommendation to the

GCEC at the next regularly scheduled meeting. The Appeals Committee may request to meet with the applicant.

(3) The GCEC will act on the recommendation of the Appeals Committee at the next regular meeting following established agenda guidelines:

(A) If denied, the educator has ten (10) working days to exercise his/her right to a final reconsideration, by providing additional documentation to the Appeals Committee via the GCEC office.

(B) At the next regularly scheduled GCEC meeting, the educator can make a five (5) minute presentation to the GCEC that includes any additional factors that have *not* been presented.

(C) If *no* additional documentation is provided, the request for reconsideration is denied.

(D) The commission will vote on the final reconsideration. The request for reconsideration *cannot* be further appealed.

(d) **Reporting of Requests**. All actions by either the Executive Director or the Appeals Committee on requests for extensions of certificates must be reported at the regular GCEC meetings.

(e) **Length of Extensions**. All approved requests will follow the established policies for length of extensions.

(f) **Conditions for Extension.** Every effort *shall* be made to make the request within thirty (30) calendar days of the expiration of the certificate date. The time extension provided in Subsection (a) of this Section may be granted to any individual holding an educator certificate, *if*

one (1) of the conditions below applies to the certificate holder during the validity period of the certificate:

(1) The certificate holder suffered a medical condition which prevented him or her from satisfying the requirements for renewal of his or her certificate, and such individual provides written proof from a licensed physician that he or she suffered such medical condition, including the duration of the medical condition.

(B) The certificate holder has been on active duty in the military and provides his or her form DD-214 verifying dates of service preventing him or her from satisfying the requirements for renewal of his or her certificate.

(C) Personal or immediate family member medical expenses incurred by the certificate holder which were *not* covered under a plan of health insurance caused financial hardship on the certificate holder, preventing him or her from meeting the financial requirements (i.e. tuition for courses) for certificate renewal. For purposes of this Subsection, the holder *shall* maintain, for review by the Commission, records, receipts or letters from his or her insurance company, health care provider or any other relevant entity indicating such financial hardship.

(D) A Commission administrative problem prevented the certificate holder from complying with the requirements for renewal of his or her certificate, and the Executive Director of the Commission determines that the administrative problem is adequate to justify the extension.

(E) The certificate holder has been unable to secure employment or experience relevant to a specific employment or experiential requirement for renewal of his or her certificate, and such inability has prevented him or her from satisfying such requirement. For purposes of this Subsection, the holder *shall* maintain a list of schools or school districts contacted, including dates, and a detailed written explanation thereof.

(F) The certificate holder, because of extreme hardship *or* other circumstances beyond his or her control was unable to complete the requirements for renewal of certification. For purposes of this Subsection, the Commission may require from the certificate holder evidence of the extreme hardship.

§8114. Fees.

(a) **Disposition of Fees.** Fees collected for the issuance and maintenance of educator certificates *shall* be used to carry out the goals and objectives of the Guam Commission for Educator Certification, to include the daily operations of the Guam Certification Office. Such fees may be expended for, but *not* limited to; the following appropriation classifications: Personnel Services; Operations; Utilities; and Capital Outlay.

(b) **Application Fee.** Every application for a certificate hereunder *shall* be accompanied by an application fee. The application fee for review for certification *shall* be equal to the certification fee. If the applicant for initial certification fulfills all the requirements, the certification fee will be reduced by fifty percent (50%). If the applicant needs to complete additional requirements for certification, the application fee will be required upon resubmission of the application. Out-of-state application fees will incur an additional Twenty-Five Dollars ($25.00) for evaluation. The application fee

for renewal of certificates *shall* be equal to the certification fee, with *no* reduction in the certificate fee. The cost for the certificate will be Five Dollars ($5.00) per year regardless of the length of certificate. The application fee is non-refundable.

(c) **Endorsement Fee.** An endorsement of a second content area may be added to an educator certificate at any time during the term of the certificate. A temporary endorsement will be added to a certificate with evidence of six (6) credit hours in the content area and a payment of a Ten Dollars ($10.00) fee. To receive a professional endorsement, the applicant must provide evidence of successful completion of *at least* fifteen (15) credit hours in the content *or* twenty-four (24) credits in the case of library science. The professional endorsement fee will be Twenty-Five Dollars ($25.00) and will remain with the primary certificate through any renewal, with the payment of the additional fee.

Each certificate prescribed by this Rule *shall* be as follows:

CERTIFICATE CATEGORY	APPLICATION FEE	INITIAL CERTIFICATE	RENEWAL CERTIFICATE	LENGTH OF CERTIFICATE
Temporary	$10.00	$10.00	$10.00	2 years
Initial Educator	$15.00	$15.00	NONE	3 years
Professional Educator	$25.00	$25.00	$25.00	5 years
Master Educator	$50.00	$50.00	$50.00	10 years
Temporary *Chamorro*	$10.00	$10.00	$10.00	2 years
Basic Educator *Chamorro*	$10.00	$10.00	$10.00	2 years
Initial Educator *Chamorro*	$15.00	$15.00	NONE	3 years
Basic Educator Preschool	$15.00	$15.00	$15.00	3 years

Temporary CTE	$10.00	$10.00	$10.00	2 years
Basic Educator CTE	$15.00	$15.00	$15.00	3 years
Professional Educator CTE	$25.00	$25.00	$25.00	5 years
Reading Specialist	$25.00	$25.00	$25.00	5 years
Initial Administrator	$15.00	$15.00	NONE	3 years
Professional Administrator	$25.00	$25.00	$25.00	5 years
Master Administrator	$50.00	$50.00	$50.00	10 years
Temporary Library Endorsement	$10.00	$10.00	$10.00	2 years
Professional Endorsement	$25.00	$25.00	$25.00	Term of Teaching Certificate
Temporary Counselor	$10.00	$10.00	NONE	2 years
Initial Counselor	$15.00	$15.00	NONE	3 years
Professional Counselor	$25.00	$25.00	$25.00	5 years
Master Counselor	$50.00	$50.00	$50.00	10 years
Replacement			$10.00	

§8115. Disciplinary Action.

(a) **Complaints.** Proceedings to suspend or to revoke an individual's certificate may be initiated by any person who may press or prefer charges of immoral or unprofessional conduct, evident unfitness for teaching; evident unsatisfactory performance; persistent defiance of, and refusal to obey laws, these rules and regulations, or the GCEC Educator Code of Ethics.

(1) Any and all charges presented against holder of a certificate must be made in writing, and *shall* be filed with the Secretary of the Commission.

(2) All charges made *shall* include the following: the name and address of the complainant and the accused, and a statement of the complaint with facts supporting the allegation.

(3) Prior to any disciplinary action being taken, the Commission may negotiate a settlement of the charges.

(b) **Summons and Complaint.**

(1) In the event the Commission determines that a probable cause exists, the Legal Counsel of the Commission *shall* be requested to prepare a summons and complaint.

(2) The summons and complaint *shall* be personally served or mailed to the last known address of the individual holding a certificate *at least* thirty (30) calendar days before the date fixed for hearing. If mailed, a return receipt *shall* be requested.

(3) The summons and complaint *shall* show the time, place and nature of the hearing, a statement of legal authority and jurisdiction under which the hearing is to be held, reference to the particular section of statutes and/or rules involved, and a short and plain statement of the matters asserted. The notice of the summons and complaint *shall* indicate that at any hearing the accused individual registrant or firm holding a certificate *shall* have the right to appear in person or be represented by counsel, or both, to cross-examine witnesses in his or her or its defense and to produce evidence and witnesses of his or her or its defense. If the accused person fails or refuses to appear, the Commission may proceed to hear and determine the validity of the charges. The notice *shall* be in substantial compliance with the requirements of the laws of Guam.

(c) **Evidentiary Matters.** The Commission *shall* follow the Administrative Adjudication Act on this matter.

(d) **Conduct of Hearing.** The Commission *shall* follow the Administrative Adjudication Act wherein the Legal Counsel *shall* hear the case and make recommendations to the Commission.

(e) **Decision of the Commission.** The Commission *shall* issue a decision within thirty (30) calendar days of receipt of recommendation from Legal Counsel

(f) **Discipline.** Upon order by the Commission in which the accused is found guilty of the charges, the Commission may issue a reprimand, suspend, or refuse to renew the individual's certificate; or revoke certification immediately. At its discretion, the Commission may stay, permanently or temporarily, the execution of its order conditioned on any provision that the Commission believes appropriate under the circumstances for the case.

§8116. Code of Ethics.

(a) **Educators.**

PRINCIPLE I: Commitment to the Students. The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. In fulfillment of the obligation to the students, the educator:

(1) *Shall* treat all students with respect and dignity.

(2) *Shall* provide students with opportunities for expansion of ideas and support their varying perspectives.

(3) *Shall* make reasonable effort to protect students from conditions harmful to learning, or to health and safety.

(4) *Shall* maintain a professional relationship with students.

(5) *Shall* maintain confidentiality of students obtained in the course of professional service, *unless* disclosure serves a compelling professional purpose or is required by law.

(6) *Shall not* deliberately suppress or distort subject matter relevant to students' progress.

(7) *Shall not* intentionally expose students to embarrassment or disparagement.

(8) *Shall not* on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly:

(A) exclude any student from participation in any program;

(B) deny benefits to any student; or

(C) grant any advantage to any student.

PRINCIPLE II: Commitment to the Profession. The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service. In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator *shall* exert every effort to raise professional standards; to promote a climate that encourages the exercise of professional judgment; to achieve conditions that attract persons worthy of the trust to careers in education; and to assist in preventing the practice of the profession by unqualified persons. In fulfillment of the obligation to the profession, the educator:

(1) *Shall* act with integrity and treat all colleagues with respect and dignity.

(2) *Shall* maintain the positive and professional image of educators in the community.

(3) *Shall* maintain confidentiality of colleagues obtained in the course of professional service, *unless* disclosure serves a compelling professional purpose or is required by law.

(4) *Shall not* knowingly make false or malicious statements about a colleague.

(5) *Shall not,* in an application for a professional position, deliberately make false statements or fail to disclose a material fact related to competency and qualification.

(6) *Shall not* misrepresent his/her professional qualifications.

(7) *Shall not* assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.

(8) *Shall not* knowingly make a false statement concerning the qualifications of a candidate for a professional position.

(9) *Shall not* accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

(b) **Sanctions.** A major violation of any of these principles *shall* subject the individual to revocation or suspension of the individual educator's certificate, or other sanctions as stipulated by law or GCEC rule.

(c) **Commissioners Code of Ethics.**

The Guam Commission for Educator Certification is responsible for ensuring the public that educators working in Guam's schools meet high standards. Therefore, the Commissioners confirm their commitment to this

goal through high standards of behavior, recognizing the responsibility they hold to the future of the island. The Code of Ethics is the guideline for the behavior of standards of the Commissioners.

(1) Commission members *shall* maintain the integrity of their position as representatives of the Guam Commission for Educator Certification.

(2) Commission members will make every effort to be prepared, punctual, in attendance at and participate in every Commission meeting.

(3) Commission members who are representing agencies will ensure that a representative will be designated to attend meetings; in addition, the choice of designee will be consistent to maintain continuity.

(4) Commission members will encourage the free expression of opinion by all Commission and committee members, and staff, while maintaining the confidentiality of personnel issues discussed in committee, *or* as a Commission.

(5) Commission members *shall* conduct meetings in an orderly manner, follow rules of order, and through their demeanor and words, maintain the dignity of all Commission members. In addition, any Commission member *shall* act as a spokesperson for the Commission when specifically authorized to do so.

(6) Commission members *shall* work together with a sense of collegiality and cooperation, both in their meetings as a whole, and in subcommittees.

(7) Commission members will *not* use their position on the Guam Commission for Educator Certification for personal

advancement or the advancement of those known to them.

(8) Commission members will maintain a spirit of cooperation and keep open lines of communication with the Executive Director and other personnel of the Guam Commission for Educator Certification; with the Guam school system, both public and private; and with the community at-large.

(9) Commission members will keep up-to-date on issues dealing with educator certification, staff development, and current educational research, in order to render decisions based on a review of all aspects of the issues, including a balanced consideration of state and local influences.

(10) Commission members will accept and abide by the Guam laws that impact the legal and fiscal responsibilities of the Guam Commission for Educator Certification.

§8117. Reinstatement of Certification After Suspension.

(a) **Petition for Reinstatement.** Upon petition of an individual formerly holding a certificate, which has since been suspended, the Commission may reissue a certificate, *provided* that a majority of the members of the Commission vote in favor of such reissuance.

(b) **Commission Action.** The Commission, for reasons it may deem sufficient, may reissue a certificate to any person whose certificate has been suspended. Such reissuance *shall not* supersede prior Commission decisions and recommendations as to any penalty, etc,. taken for disciplinary action.

(c) **Conflict and Bias.**

(1) A Commission Member *shall* be excused and *shall not* vote in any action, disciplinary or otherwise, *if* the Commission

Member may be biased for or against a Respondent, *or* there may exist a potential conflict of interest. If a potential conflict of interest or bias exists, such determination *shall* be made by a majority vote of the remaining Commission members.

(2) *If* a Commission member has a potential conflict, that Commission member is obligated to disclose such a potential conflict.

§8118. Severability. *If* any of the Rules and Regulations, or any part thereof, of the Commission promulgated under the provisions of the rule-making authority for government of Guam agencies are found by the courts to be invalid for any reason, the remainder *shall* continue in full force and effect. Each Rule and/or any portion thereof *shall* be severable.

§8119. Adoption and Amendment of Rules.

(a) **Adoption of Rules.** Rules or regulations are adopted by this Commission under the provisions of Chapter 27, 17GCA (Public Law 29-73) governing the practice of professional educators in K-12 which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. They must *not* be inconsistent with the U.S. Constitution, the Organic Act or the laws of Guam and *shall* be in compliance with the Administrative Adjudication Act.

(b) **Petition for Rule-Making.** Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule or regulation by the Commission *shall* address a petition to the Executive Director. The container of the petition *shall* clearly bear the notation: RULE-MAKING PETITION RE: and then the subject area. The petition must contain the following information:

(1) an indication of the subject area to which the petition is directed;

(2) either a draft of the proposed rule, or a summary of its contents;

(3) reasons for proposal;

(4) effect on existing rules or orders;

(5) any data supporting the proposal;

(6) effect of the proposed rule on existing practices in the area involved, including cost factors;

(7) names or a description of those most likely to be affected by the proposed rule; and

(8) name and address of petitioner.

(c) **Timelines.** The Executive Director *shall* transmit the petition to the Commission within ten (10) working days after receiving the petition. The Commission *shall* make a decision on whether to grant or deny the petition within fifty (50) calendar days. This Section *shall* be carried out in accordance with §9307 of Chapter 9, Title 5, Guam Code Annotated."

Section 3. Effective Date. This Act *shall* become effective upon its enactment into law.