

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
48-37 (COR) As amended by the Committee on Human Resources, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, Technology and Federal and Foreign Affairs; and further amended on the Floor.	Jesse A. Lujan Joanne Brown Sabina Flores Perez William A. Parkinson Tina Rose Muña Barnes Dwayne T.D. San Nicolas Frank Blas, Jr. Joe S. San Agustin Chris Barnett Christopher M. Dueñas Telo T. Taitague Thomas J. Fisher Roy A. B. Quinata Amanda L. Shelton Therese M. Terlaje	AN ACT TO ADD A NEW §21196 <u>3134</u> TO CHAPTER 24 3, DIVISION 2, TITLE 40 17 GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE CONSISTENT ONLINE POSTING OF REPORTS FOR EVERY SCHOOL INSPECTION CONDUCTED, ON A DEDICATED GOVERNMENT WEBSITE.	2/16/23 11:55 a.m.	2/21/23 10:09 a.m.	Committee on Human Resources, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, Technology and Federal and Foreign Affairs	Request: 2/21/23 3/9/23	11/21/23 10:00 a.m.	1/8/24 4:28 p.m. As amended by the Committee on Human Resources, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, Technology and Federal and Foreign Affairs	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	2/19/24	AN ACT TO <i>ADD</i> A NEW § 3134 TO ARTICLE 1 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE CONSISTENT ONLINE POSTING OF REPORTS FOR EVERY SCHOOL INSPECTION CONDUCTED TO BE ON A DEDICATED GOVERNMENT OF GUAM WEBSITE.	2/23/24	2/23/24	3/6/24	37-67	3/6/24	Received: 3/6/24 Mess and Comm. Doc. No. 37GL-24-1739	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via email to: speaker@guamlegislature.org

March 6, 20204

The Hon. Therese M. Terlaje
Speaker, I Mina 'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Doc Type: 37GL-24-1739
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

MAR 06 2024

Time: 6:16
Received: [Signature]

Re: Bill No. 48-37 (COR) - AN ACT TO ADD A NEW § 3134 TO ARTICLE 1 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE CONSISTENT ONLINE POSTING OF REPORTS FOR EVERY SCHOOL INSPECTION CONDUCTED TO BE ON A DEDICATED GOVERNMENT OF GUAM WEBSITE

Håfa Adai Madam Speaker,

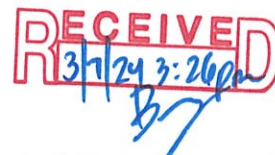
Bill No. 48-37 (COR) mandates the Guam Department of Education (“GDOE”) to post school inspection reports on a designated page on its website for public viewing within thirty (30) days of inspection. Bill No. 48-37 also mandates GDOE to post a school’s inspection grade near the entrance of a school’s main office, along with notification if such school has failed an inspection or if any part has been condemned.

By mandating the online posting of reports for every school inspection on a dedicated government website, parents, educators, and other stakeholders will be able to access the information concerning the state of our public schools necessary for them to better make decisions regarding the education of the children of Guam.

For this reason, I sign Bill No. 48-37 (COR) into law as **Public Law 37-67**.

Senseramente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam



Enclosure(s): Bill No. 48-37 (COR) nka P.L. 37-67

cc via email: The *Honorable* Joshua F. Tenorio, *Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

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

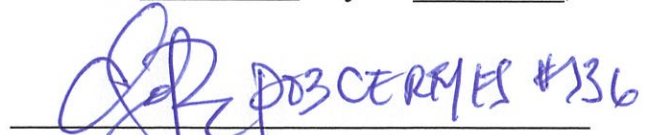
This is to certify that **Bill No. 48-37 (COR)**, "AN ACT TO *ADD* A NEW § 3134 TO ARTICLE 1 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE CONSISTENT ONLINE POSTING OF REPORTS FOR EVERY SCHOOL INSPECTION CONDUCTED TO BE ON A DEDICATED GOVERNMENT OF GUAM WEBSITE," was on the 23rd day of February 2024, duly and regularly passed.


Therese M. Terlaje
Speaker

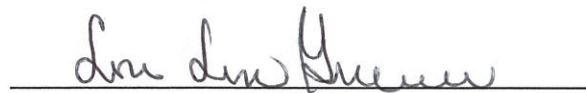
Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 23RD day of FEB,
2024, at 6:49 o'clock P.M.

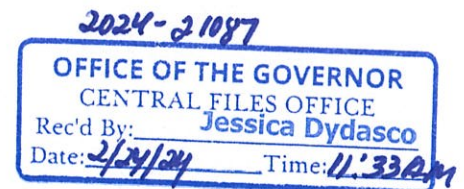

Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 3/6/2024

Public Law No. 37-64



I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 48-37 (COR)

As amended by the Committee on Human Resources,
Hagåtña Revitalization, Regional Affairs,
Public Libraries, Telecommunications, Technology
and Federal and Foreign Affairs;
and further amended on the Floor.

Introduced by:

Jesse A. Lujan
Joanne Brown
Sabina Flores Perez
William A. Parkinson
Tina Rose Muña Barnes
Dwayne T.D. San Nicolas
Frank Blas, Jr.
Joe S. San Agustin
Chris Barnett
Christopher M. Dueñas
Telo T. Taitague
Thomas J. Fisher
Roy A. B. Quinata
Amanda L. Shelton
Therese M. Terlaje

**AN ACT TO *ADD* A NEW § 3134 TO ARTICLE 1 OF
CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED,
RELATIVE TO MANDATING THE CONSISTENT
ONLINE POSTING OF REPORTS FOR EVERY SCHOOL
INSPECTION CONDUCTED TO BE ON A DEDICATED
GOVERNMENT OF GUAM WEBSITE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is not one central location for school inspection reports to be viewed and
4 accessed by the public. Due to the lack of timeliness and inconsistency, the Guam

1 Department of Education school inspections are disconcerting. Creating
2 accessibility to school inspection reports via a dedicated website will improve
3 accountability and reinforce compliance. Pursuant to Title 10, Guam Code
4 Annotated, Division 2, Chapter 21, § 21102 the Department of Public Health and
5 Social Services (DPHSS) was granted the authority to establish rules and regulations
6 governing all schools concerning health and safety standards, and in doing so carry
7 out the provisions of Chapter 25, Title 10, Guam Code Annotated. In July of 2019,
8 DPHSS passed “The Rules and Regulations for School Building Sanitation.”

9 *I Liheslaturan Guåhan* further finds that with the poor past grades of school
10 inspections conducted between 2019 and 2023, it is clear that more must be done to
11 aid in the enforcement of the “Rules and Regulations for School Building
12 Sanitation.” The families of Guam deserve better, and the education of our children
13 on Guam is vital to the success and sustainability of our island. As the social and
14 economic welfare of our island depend on the training and instruction of Guam’s
15 children, it should be in the government’s best interest to ensure that the conditions
16 of such training and instruction are acceptable and adequate to foster the right
17 learning environment for each and every child; and the Organic Act of Guam
18 demands such an educational environment of the Guam public school educational
19 system.

20 *I Liheslaturan Guåhan* further finds that schools of the Guam public school
21 system have not met the standard that is set in the Organic Act of Guam and in the
22 Adequate Education Act. With the state of the public schools being deemed
23 inadequate relating to the safety of our institutional facilities, sanitation and
24 maintenance, and certified instructors in each classroom, the need for accountability
25 and transparency within the DPHSS and GDOE administrative rules and regulations
26 has never been greater.

1 Therefore, it is the intent of this legislation to address these issues by
2 mandating that each and every school inspection that is conducted to be reported and
3 posted on a central government of Guam website to be created and established for
4 public viewing and tracking of all inspections, with reports, and the progress on each
5 issue to be audited by the general public. The provision within this legislation defines
6 categories of online reporting to include the categories of “permitting documents,
7 grounds, building, ventilation, lighting, plumbing, water supply, handwashing
8 facilities, showers, toilet facilities, garbage and refuse disposal, food protection,
9 safety, and existing facilities,” as designated in the “Rules and Regulations for
10 School Building Sanitation.” In addition to the previously stated categories, this
11 legislation requires inclusion of the categories: “Accessibility and
12 Accommodations,” and “Certified Instructors” to the online reporting of school
13 inspections. The speed and manner of said reports shall be timely and forthcoming
14 in the nature of updates, progress, and announcements.

15 **Section 2.** A new § 3134 is *added* to Article 1 of Chapter 3, Title 17, Guam
16 Code Annotated, to read:

17 **“§ 3134. Posting School Inspection Reports Online.**

18 (a) Online Posting. With the guidance of the Office of Technology,
19 the Guam Department of Education shall create and establish specific
20 webpages on the official website <https://gdoe.net> or create a separate website
21 dedicated solely to posting and announcing all school inspection reports and
22 related updates pertaining to the assessment, recommendations, progress, and
23 various other details indicated in each report. Within the central website,
24 viewers shall have the ability to view inspection by village, by district, by
25 school, and by the following categories identified in Subsection (e) of this
26 Section. All inspection reports must be submitted to the Guam Department of
27 Education Deputy Superintendent for Assessment and Accountability, or the

1 equivalent position should this job title change, who shall post all inspection
2 reports on the website, as well as ensure that the inspection reports are posted
3 on the inspected school's website, within thirty (30) days of the inspection for
4 public viewing and information gathering.

5 (b) Information Accessibility and Transparency. Inspection reports
6 provide insight on the condition of the inspected property, based on a
7 standardized observation checklist. These reports are imperative to assessing
8 risk factors and identifying issues and areas of concern that warrant an
9 immediate or specific course of action. The people of Guam deserve to know
10 if the government of Guam and the Guam Department of Education are taking
11 the appropriate steps to safeguard the public, especially when it pertains to the
12 health, and safety of our children. Therefore, it is the purpose this legislation
13 to comply with open government and facilitate a more transparent relationship
14 with the families in the Guam Public School System by establishing a direct
15 portal to the progress and process of maintaining Guam schools. This act
16 mandates all inspection reports performed by the Department of Public health
17 and Social Services (DPHSS) inspectors to submit their inspection report to
18 the Guam Department of Education Deputy Superintendent for Assessment
19 and Accountability, or the equivalent position should this job title change, for
20 posting on the official GDOE website or another website established
21 exclusively for the purpose of posting all school inspection reports.

22 (c) Physical Posting. The Department shall post in a conspicuous
23 place visible to the public, near the main entrance to the main office of the
24 school, the official status of the school's inspection grade that indicates the
25 status of the school, to include if the school has failed inspection or if any part
26 is condemned.

1 (d) Definitions. For purposes of this Section, the following terms
2 shall mean:

3 (1) *School* means an institution established for the care and
4 education of students.

5 (2) *Inspection Report* means a standardized observation
6 checklist that is used when assessing the state of the inspected school
7 to evaluate risk factors and learning conditions.

8 (3) *Permitting documents* mean the construction permit and
9 the sanitary permit for the inspected school.

10 (4) *Grounds* mean the location of the inspected school and the
11 state of the inspected school premises.

12 (5) *Building* means the rooms, floors, walls and ceilings,
13 doors and windows, classroom equipment, seating, maintenance and
14 housekeeping, as well as the design and construction of the inspected
15 school.

16 (6) *Ventilation* means the natural or mechanical circulation of
17 air available in a room or facility in the inspected school.

18 (7) *Lighting* means the natural or artificial light available in a
19 room or facility in the inspected school.

20 (8) *Plumbing* means the structural systems that convey
21 sewage and liquid waste from the inspected school to a public sewage
22 system or an approved individual sewage system.

23 (9) *Water supply* means the water to be dispensed through
24 drinking fountains, coolers, and cups in the inspected school.

25 (10) *Handwashing units* mean the stations that enable
26 handwashing in the inspected school.

1 (11) *Showers and locker rooms* mean the rooms or facilities
2 that enable showering and changing prior to or following athletic
3 activities in the inspected school.

4 (12) *Toilet facilities* mean toilet fixtures and facilities in the
5 inspected school.

6 (13) *Garbage and refuse disposal* mean the garbage and trash
7 containers in the inspected school.

8 (14) *Food protection* means the storage, preparation, and
9 serving facilities in the inspected school.

10 (15) *Safety* means first aid materials, first aid manuals, fire
11 extinguishers, and the risk factors present, if any, pertaining to school
12 premise structures, such as playground equipment, athletic equipment,
13 and the like.

14 (16) *Existing facilities* means the facilities in existence at the
15 time the “Rules and Regulations for School Building Sanitation” took
16 effect.

17 (17) *Accessibility and accommodations* means modifications or
18 adjustments in the inspected school that are made for students and
19 individuals with disabilities, such as braille systems, wheel chair-
20 accessible facilities, ramps, and programs to assist these students and
21 individuals.

22 (18) *Certified instructors* mean instructors who hold a valid
23 educator’s certification at the time of the inspection.

24 (e) **Online Posting Categories.** This Section mandates all inspection
25 reports written by the Department of Public Health and Social Service
26 (DPHSS) inspectors to be submitted to the Guam Department of Education
27 Deputy Superintendent for Assessment and Accountability, or the equivalent

1 position should this job title change, for posting on the official GDOE website
2 or another website established exclusively for the purpose of posting all
3 school inspection reports.

4 The categories to be reported online in addition to the assessment and
5 grade given to the inspected school, include, but are not limited to:

- 6 (1) Permitting Documents; and
- 7 (2) Grounds; and
- 8 (3) Building; and
- 9 (4) Ventilation; and
- 10 (5) Lighting; and
- 11 (6) Plumbing; and
- 12 (7) Water Supply; and
- 13 (8) Handwashing Units; and
- 14 (9) Showers and Locker Rooms; and
- 15 (10) Toilet Facilities; and
- 16 (11) Garbage and Refuse Disposal; and
- 17 (12) Food Protection; and
- 18 (13) Safety; and
- 19 (14) Existing Facilities; and
- 20 (15) Accessibility and Accommodations; and under this

21 category the following must be posted to identify:

- 22 (A) the modifications and adjustments made by the
23 inspected school that comply with the Americans with
24 Disabilities Act (ADA), to ensure that students and individuals
25 with disabilities are not hindered by barriers in environmental,
26 academic, extracurricular, or athletic activities; and

1 (B) the programs facilitated by the inspected school
2 to ensure that students and individuals with disabilities in the
3 inspected school are provided with direct assistance in the event
4 that the necessary modifications and adjustments are not
5 available; and

6 (16) Certified Instructors

7 (A) under this category the following must be posted
8 to identify:

9 (i) the number of certified instructors
10 necessary so that each classroom has a certified instructor
11 in the inspected school; and

12 (ii) the number of classrooms without a
13 certified teacher in the inspected school; and

14 (iii) the estimated time a certified teacher shall
15 be hired and installed in the classroom lacking a certified
16 teacher in the inspected school.

17 (B) GDOE Certified Instructor Reporting. In
18 addition to posting school inspection reports conducted on a
19 single school, the Guam Department of Education must also
20 create a section on the central website to include the following
21 information regarding all schools in the Guam public school
22 system on a quarterly basis:

23 (i) the total number of certified instructors
24 needed in each school so each classroom has a certified
25 instructor teaching; and

26 (ii) the total number of certified instructors
27 lacking in the Guam public school system.

1 (f) Execution.

2 (1) The development and creation of the web pages referenced
3 in this Section shall be under the authority and guidance of the
4 Government of Guam Office of Technology.

5 (2) Furthermore, this Section is in addition to the current
6 procedure of providing a copy of the inspection report to the operator
7 of the institutional facility, who will then transmit a copy of the report
8 to the GDOE Deputy Superintendent for Assessment and
9 Accountability.

10 (3) The Department of Integrated Services for Individuals
11 with Disabilities (DISID) shall work with DPHSS and GDOE to
12 conduct an assessment and report if the inspected school is in
13 compliance with Subsection (e)(15)(A) of this Section.

14 (4) The GDOE Deputy Superintendent for Assessment and
15 Accountability, or the equivalent position should this job title change,
16 shall:

17 (A) review the inspected school to adhere to the
18 requirements of Subsection (e)(16)(A)(i) of this Section; and

19 (B) receive the inspection reports from DPHSS, DISID,
20 and GDOE, and subsequently carrying out the posting of each
21 and every school inspection report in accordance with the
22 categories listed in Subsection (e) of this Section on a designated
23 government of Guam website and the inspected school's website
24 within thirty (30) days of the inspection.”

25 **Section 3. Severability.** If any provision of this Act or its application to any
26 person or circumstance is found to be invalid or inorganic, such invalidity shall not
27 affect other provisions or applications of this Act that can be given effect without

1 the invalid provision or application, and to this end the provisions of this Act are
2 severable.

3 **Section 4. Effective Date.** This Act shall be effective six (6) months from
4 the date of enactment.