

I Mina'trentai Sais Na Liheslaturan Guåhan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	COMMITTEE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	COMMITTEE REPORT FILED	DATE CONFIRMED	NOTES
36GL-21-0339	Lawrence Jay M. Alcairo	Member (General Public Representative)	Guam Academy Charter School Council	3/25/21	Three (3) Years:August 20, 2019 to August 19,2022	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation	3/31/21	5/11/21 10:00 a.m.	5/20/21 5:28 p.m.		



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
EDUCATION,
SELF DETERMINATION
AND HISTORIC
PRESERVATION,
INFRASTRUCTURE,
BORDER SAFETY,
FEDERAL AND
FOREIGN AFFAIRS,
AND
MARITIME
TRANSPORTATION

May 18, 2021

The Honorable Therese M. Terlaje
Speaker
I Mina'trentai Sais na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña Guam, 96910

VIA: The Honorable Tina Rose Muña Barnes 
Chairperson, Committee on Rules

RE: Committee Report on the Appointment of Lawrence Jay M. Alcairo

Hafa Adai Speaker Terlaje:

Transmitted herewith is the Committee Report on the appointment of Lawrence Jay M. Alcairo to serve as a Member (General Public Representative) of the Guam Academy Charter School Council, and which was referred to the Committee on Education, Historic Preservation and Self-Determination, Infrastructure, Border Safety, Federal and Foreign Affairs, Maritime Transportation.

Committee votes are as follows:

<u>5</u>	TO CONFIRM
<u> </u>	TO NOT CONFIRM
<u> </u>	TO REPORT OUT ONLY
<u> </u>	TO ABSTAIN
<u> </u>	TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES

RECEIVED:

May 18, 2021

4:04 P.M.



Sincerely,


Telena Cruz Nelson



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
EDUCATION,
SELF DETERMINATION
AND HISTORIC
PRESERVATION,
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BORDER SAFETY,
FEDERAL AND
FOREIGN AFFAIRS,
AND
MARITIME
TRANSPORTATION

COMMITTEE REPORT

Nomination of Lawrence Jay M. Alcairo

As a Member (General Public Representative) of the Guam Charter School Council for a term of three (3) years; August 20, 2019 August 19, 2022.



THE OFFICE OF SENATOR TELENA CRUZ NELSON


I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
EDUCATION,
SELF DETERMINATION
AND HISTORIC
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INFRASTRUCTURE,
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FEDERAL AND
FOREIGN AFFAIRS,
AND
MARITIME
TRANSPORTATION

May 17, 2021

MEMORANDUM

To: **All Members**
Committee Education, Self-Determination and Historic Preservation,
Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime
Transportation

From: **Senator Telena Cruz Nelson** 
Committee Chairperson

Subject: **Committee Report on the Appointment of Lawrence Jay M. Alcairo**

Transmitted herewith for your consideration is the Committee Report on the appointment of Lawrence Jay M. Alcairo to serve as a Member (General Public Representative) of the Guam Academy Charter School Council.

This report includes the following:

- Copy of COR Referral of the Appointment
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet & Supporting Documents
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING

163 CHALAN SANTO PAPA

HAGATÑA, GUAM 96910

TEL 671-472-2461

COR@GUAMLEGISLATURE.ORG

March 31, 2021

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Referral of Appointment

Buenas yan Håfa adai,

As Chairperson of the Committee on Rules, I am forwarding the referral of the following appointment:

Appointee: Lawrence Jay M. Alcairo

Position: Member (General Public Representative), Guam Academy Charter School Council

The appointee's nomination packet may be referenced in the Guam Legislature's website at <http://guamlegislature.com/index/messages-and-communications/>. Please refer to the follow document:

"36GL-21-0339 – Office of the Governor of Guam – Board Appointment and Supporting Documents for Lawrence Jay M. Alcairo, Member (General Public Representative), Guam Academy Charter School Council.*"

Please ensure that the aforementioned appointment is referred to the **Committee on Education, Self-Determination, and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation**, chaired by Senator Telena Cruz Nelson.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

I Mina'trentai Sais Na Liheslaturan Guåhan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
36GL-21-0339	Lawrence Jay M. Alcairo	Member (General Public Representative)	Guam Academy Charter School Council	3/25/21	Three (3) Years:August 20, 2019 to August 19,2022	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation	3/31/21				



LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

March 25, 2021

Honorable Therese M. Terlaje
Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

Doc Type: 36GL-21-0339
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

-03-30-2021

Time: 2:58pm
Received: [Signature]

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: Lawrence Jay M. Alcairo

POSITION: Member (General Public Representative)
Guam Academy Charter School Council

TERM LENGTH: **Three (3) Years; August 20, 2019 to August 19, 2022**

The appointment is subject to the consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

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

COMMITTEE ON RULES

RECEIVED:

March 31, 2021

8:00 A.M.

Attachments

cc: Lt. Governor of Guam



LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

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

March 25, 2021

MR. LAWRENCE JAY M. ALCAIRO



Dear Mr. Alcairo:

Pursuant to my authority under 17 GCA § 12111, I am appointing you to serve as a

MEMBER, GUAM ACADEMY CHARTER SCHOOLS COUNCIL

General Public Representative

Three (3) Years; August 20, 2019 to August 19, 2022

Appointing you to this position comes with great responsibility because you will have a vital role to perform which will place many demands on your time and energy. Integrity and honesty are virtues that I prioritize for my Administration to exemplify, and I know that you will do the same while in service to the people of Guam. Your responsibilities shall be significant and consequential. I trust that you will fulfill your duties and set a standard for others to follow.

I appreciate your willingness to serve in this position, and I am confident that your time will be spent in a manner to improve the island of Guam.

This appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. If you have any questions or concerns, please contact the Office of the Governor.

Senseramente,

A handwritten signature in black ink, appearing to read "Lourdes A. Leon Guerrero".

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan
Governor of Guam

cc: *Honorable* Joshua F. Tenorio, Lt. Governor of Guam
Chairperson, GACS Council

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM

Nomination and Appointment Information Sheet

The following information is required for submission to the
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

Last Name ALCAIRO	First Name LAWRENCE JAY	Middle Initial M
Mailing Address [REDACTED]		Apartment/Unit #
City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]
Phone [REDACTED]	E-mail Address [REDACTED]	
Position to which Appointment is Made Member, Guam Academy Charter School Council		
Are you a citizen of the United States? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
If no, are you authorized to work in the United States? Yes <input type="checkbox"/> No <input type="checkbox"/>		

EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
High School Father Duenas Memorial School, GU	2007 - 2011	High School Diploma	2011
College University of Guam	2014 - Present	BS - Biology & Chemistry	SP21 Expected
Graduate School			
Other Degree			

EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address Office of the Governor of Guam Guam State Clearinghouse Government of Guam	Position Title Program Coordinator II - Grant Specialist	
	Dates Held 1/2019 - Present	

Previous Employer and Mailing Address 2020 Census of Guam Century Plaza Tamuning, Guam	Position Title Enumerator	
	Dates Held 1/2020 - 10/2020	

Previous Employer and Mailing Address 35th Guam Legislature Office of Sen. TC Nelson Government of Guam	Position Title Research Analyst	
	Dates Held 10/2017 - 10/2017	

Previous Employer and Mailing Address MacTech Guam Tamuning, Guam	Position Title Operations Nerd	
	Dates Held 11/2016 - 10/2017	

Previous Employer and Mailing Address 34th Guam Legislature Office of Sen. MFQ San Nicolas Government of Guam	Position Title Policy Analyst	
	Dates Held 6/2016 - 11/2016	

PRIOR GOVERNMENT OF GUAM SERVICE

Agency or Department Name 34th Guam Legislature (Office of Sen. FB Aguon Jr.)	Position Title Legislative Analyst	
Address Government of Guam	Phone No.	Dates Held 4-9/2015 & 12/15-6/16

Agency or Department Name	Position Title	
Address	Phone No.	Dates Held

PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

TRAINING

INSTITUTE/SEMINARS/ON-THE-JOB TRAINING	DATE
Community Emergency Response Team (CERT) Trainer Training	Jan 2020
My Preparedness Initiative Instructor Training	Jan 2020
GCC Procurement Modules 1 - 4	March - August 2019

AWARDS

List all educational, professional, civic awards, and recognition for public service:
AGA Guam Chapter 50 UNDER 40: Emerging Leaders in the Government of Guam, 2020 Next Generation Leadership Award, Payu-ta, Inc., 2018 Pika's Best (Computer Services), MacTech Guam, PDN, 2017 Robert C. Byrd Honors Scholarship, USDOE, 2011 UOG Merit Award, GDOE, 2011

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level. List organizations, activities participated in, and offices held:
Member, Association of Government Accountants, Guam Chapter Member, Director of Youth Service, Rotaract Club of the Marianas Member, Director of Professional Development, Rotaract Club of the Marianas

COMMUNITY / CIVIC INVOLVEMENT

List organizations, activities participated in, and offices held:

Representative & Speaker, Guam Youth Congress, 29th & 30th
 Member, 9th Guam Education Board
 Member, Coordinating Committee, Festival of the Pacific Arts, 2016
 Member, Regent Nominating Council, Board of Regents, UOG
 Member, Guam First Commission
 Treasurer, GCC Council on Postsecondary Student Affairs
 Youth Congress Rep, UOG Student Government Association, 53rd - 55th

PUBLICATIONS AND PRESENTATIONS

List any published articles, papers delivered at professional meetings, etc.:

Create (Community Research for Action Team)-Guam, Empowering youth to drive tobacco control policy Conference Paper presented at the 141st APHA Annual Meeting and Exposition 2013 at the Boston Convention and Exhibition Center

Naval Hospital on Guam and the Impending Military Buildup presented at National History 2011 at the University of Maryland

MILITARY SERVICE (Please attach Form DD-214)

BRANCH	DATES OF SERVICE	RANK AT DISCHARGE	TYPE OF DISCHARGE

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes ☐ No ☒ If so, please specify in detail: _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?

Yes ☐ No ☒ If so, please specify in detail the reasons and facts related to such declaration:

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?

Yes ☐ No ☒

(4) Have you ever been confined to a mental institution for any reason?

Yes ☐ No ☒ If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

LOURDES A. LEON GUERRERO

Governor



JOSHUA F. TENORIO

Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM

Statement of Financial Interests


(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero
Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

FROM: Lawrence Jay M. Alcairo

- ☒ I have no financial interest in any business
- ☐ I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST


Signature

3-26-21
Date

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.


Lawrence Jay M. Alcairo

Print Name and Signature

3-26-21

Date



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

Fax (671) 472-2856

DANIELLE T. ROSETE

Clerk of Court

Name: **LAWRENCE JAY M ALCAIRO**

SS#:

ID# **GU DL#**

Date of Birth:

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

- A. ☒ No Case Found
- B. 1. Criminal Case No.
2. Criminal Case No.
3. Criminal Case No.
4. Criminal Case No.
5. Criminal Case No.

Criminal Record: Page 1 of 1

Civil Cases:

- A. ☐ No Case Found
- B. 1. Civil Case No.
2. Civil Case No.
3. Civil Case No.
4. Civil Case No.
5. Civil Case No.

Civil Record: Page 1 of 1

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: **03/23/2021**

DANIELLE T. ROSETE

Clerk of Court

BY: **RODNEY-JOE P MANIBUSAN**

Deputy Clerk

Prepared By: **RJPM**



The absence of an original Court Seal invalidates this document



Government of Guam
GUAM POLICE DEPARTMENT
RECORDS & IDENTIFICATION SECTION
P.O. Box 23909
Guam Main Facility, Guam 96921



March 23, 2021

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Lawrence Jay M ALCAIRO		
DATE OF BIRTH:	[REDACTED]	FINGERPRINT#:	NONE
■	The individual has no record of criminal conviction(s) in the Guam Police Department files that are subject to Guam law.		

*****NOTHING FOLLOWS*****

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.

A handwritten signature, likely of the Chief of Police, written in black ink.

By Direction: pmtc

A handwritten signature, likely of the Chief of Police, written in black ink.

The absence of an original GUAM POLICE
seal invalidates this police clearance.
REVISED 04/26/19

STEPHEN C. IGNACIO
Chief of Police



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

FIRST NOTICE of CONFIRMATION Hearing and INFORMATIONAL Hearing on Tuesday, May 11, 2021 at 10:00A.M.

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Tue, May 4, 2021 at 9:08 AM

To: phnotice@guamlegislature.org

Cc: Ed Pocaigue <sgtarms@guamlegislature.org>, mis <mis@guamlegislature.org>, Audio / Video

<av@guamlegislature.org>

Bcc: Tihu Lujan <tihualujan@guamlegislature.org>, Calen Meno <calen.tcr@guamlegislature.org>, Leeana Borja

<leeana.borja@guamlegislature.org>, Lawrence Jay Alcairo <ljalcairo@guamlegislature.org>, bazacruz <bazacruz@guamlegislature.org>, Roberta Abaday

<msrabaday@guamlegislature.org>, Jon Fernandez <jonfernandez@gdoe.net>, Christie Lyn San Nicolas

<clsannicolas@gdoe.net>, joesanchez@gdoe.net, icsantos@gdoe.net

May 4, 2021

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media

From: Senator Telena Cruz Nelson

Subject: **FIRST NOTICE of CONFIRMATION Hearing and INFORMATIONAL Hearing on Tuesday, May 11, 2021 at 10:00 A.M.**

Buenas yan Håfa Adai! Please be advised that the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will convene a Confirmation Hearing and Informational Hearing on Tuesday, May 11, 2021 at 10:00 a.m., at *I Liheslaturan Guåhan* Public Hearing Room. The agenda includes the following:

Tuesday, May 11, 2021

10:00 A.M. Confirmation Hearing:

- Lawrence Jay M. Alcairo to serve as a member (General Public Representative) to the Guam Academy Charter School Council
- Dr. Lisa Baza-Cruz to serve as a member (Ed. D) to the Guam Commission for Educator Certification
- Leeana Lynn L. Borja to serve as a member (Guidance Counselor-Representative) to the Guam Commission for Educator Certification
- Roberta M. Abaday to serve as a member (Community-at-Large) to the Guam Commission for Educator Certification

Informational Hearing: Guam Department of Education

- Curriculum:
 - How are the schools determining what types of texts and media are appropriate for utilizing in the classroom;
- Status on dissemination of American Rescue Plan-Outlying Areas (ARP-OA) Funds to the schools:
 - What are the project narrative and budget narrative;
 - How are the federal funds going to be utilized to address capital improvement projects amongst the GDOE schools;
- Explanation for the delay in acquiring portable Wi-Fi devices for students that were funded by the ESF-SEA Funds.

Written testimonies may be delivered to the Office of Senator Telena Cruz Nelson at 173 Aspinall Avenue, Suite 202A, Ada Plaza Center, *Hagåtña*, Guam 96910 or via email to senatortcnelson@guamlegislature.org. The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing. In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact the Office of Senator Telena Cruz Nelson via phone call at 671-989-7696 or via email at senatortcnelson@guamlegislature.org.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation! *Si Yu'os Ma'åse'!*



The Office of Senator Telena Cruz Nelson

Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



FIRST NOTICE 5.4.2021 Confirmation & GDOE Info. Hearing.pdf
244K



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON

EDUCATION,

SELF DETERMINATION
AND HISTORIC
PRESERVATION,

INFRASTRUCTURE,

BORDER SAFETY,

FEDERAL AND
FOREIGN AFFAIRS,

AND

MARITIME
TRANSPORTATION

May 4, 2021

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media
From: Senator Telen Cruz Nelson *Telen Cruz Nelson*
Subject: **FIRST NOTICE of CONFIRMATION Hearing and INFORMATIONAL Hearing on Tuesday, May 11, 2021 at 10:00 A.M.**

Buenas yan Håfa Adai! Please be advised that the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will convene a Confirmation Hearing and Informational Hearing on Tuesday, May 11, 2021 at 10:00 a.m., at *I Liheslaturan Guåhan* Public Hearing Room. The agenda includes the following:

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- Roberta M. Abaday to serve as a member (Community-at-Large) to the Guam Commission for Educator Certification

Informational Hearing: Guam Department of Education

- Curriculum:
 - How are the schools determining what types of texts and media are appropriate for utilizing in the classroom;
- Status on dissemination of American Rescue Plan-Outlying Areas (ARP-OA) Funds to the schools:
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 - How are the federal funds going to be utilized to address capital improvement projects amongst the GDOE schools;
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Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

SECOND NOTICE of CONFIRMATION HEARING and Informational Hearing and on Tuesday, May 11, 2021 at 10:00A.M

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Fri, May 7, 2021 at 8:55 AM

To: phnotice@guamlegislature.org

Cc: mis <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>, Ed Pocaigue

<sgtarms@guamlegislature.org>

Bcc: Tihu Lujan <tihualujan@guamlegislature.org>, Calen Meno <calen.tcr@guamlegislature.org>, Leeana Borja

<leeana.borja@guamlegislature.org>, Lawrence Jay Alcairo <ljalcairo@guamlegislature.org>, bazacruz@guamlegislature.org, Roberta Abaday

<msrabaday@guamlegislature.org>, Jon Fernandez <jonfernandez@gdoe.net>, Christie Lyn San Nicolas

<clsannicolas@gdoe.net>, joesanchez@gdoe.net, icsantos@gdoe.net, Evangeline Cepeda

<vangcepeda26@guamlegislature.org>, Cel Babauta <celdaka@guamlegislature.org>, Jennifer Sanchez <jbsanchez@bankofguam.com>,

Yuka Oguma <yuka@guahanis.com>

May 7, 2021

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media

From: Senator Telena Cruz Nelson

Subject: **SECOND NOTICE of CONFIRMATION HEARING and Informational Hearing and on Tuesday, May 11, 2021 at 10:00 A.M.**

Buenas yan Håfa Adai! Please be advised that the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will convene a Confirmation Hearing and Informational Hearing on Tuesday, May 11, 2021 at 10:00 A.m., at *I Liheslaturan Guåhan* Public Hearing Room. The agenda includes the following:

Tuesday, May 11, 2021

10:00 A.M. Confirmation Hearing:

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- Roberta M. Abaday to serve as a member (Community-at-Large) to the Guam Commission for Educator Certification

Informational Hearing: Guam Department of Education

- Curriculum:
 - How are the schools determining what types of texts and media are appropriate for utilizing in the classroom;
- Status on dissemination of American Rescue Plan-Outlying Areas (ARP- OA) Funds to the schools:
 - What are the project narrative and budget narrative;
 - How are the federal funds going to be utilized to address capital improvement projects amongst the GDOE schools;
- Explanation for the delay in acquiring portable Wi-Fi devices for students that were funded by the ESF-SEA Funds.

Written testimonies may be delivered to the Office of Senator Telena Cruz Nelson at 173 Aspinall Avenue, Suite 202A, Ada Plaza Center, *Hagåtña*, Guam 96910 or via email to senatortcnelson@guamlegislature.org. The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing. In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact the Office of Senator Telena Cruz Nelson via phone call at 671-989-7696 or via email at senatortcnelson@guamlegislature.org.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation! *Si Yu'os Ma'åse'!*

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The Office of Senator Telen Cruz Nelson

Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



SECOND NOTICE 5.7.2021 CONFIRMATION & OVERSIGHT HEARING (1).pdf
244K



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON

EDUCATION,

SELF DETERMINATION
AND HISTORIC
PRESERVATION,

INFRASTRUCTURE,

BORDER SAFETY,

FEDERAL AND
FOREIGN AFFAIRS,

AND

MARITIME
TRANSPORTATION

May 7, 2021

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media
From: Senator Telena Cruz Nelson *Telena Cruz Nelson*
Subject: **SECOND NOTICE of CONFIRMATION HEARING and Informational Hearing and on Tuesday, May 11, 2021 at 10:00 A.M.**

Buenas yan Håfa Adai! Please be advised that the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will convene a Confirmation Hearing and Informational Hearing on Tuesday, May 11, 2021 at 10:00 A.m., at *I Liheslaturan Guåhan* Public Hearing Room. The agenda includes the following:

Tuesday, May 11, 2021

10:00 A.M. Confirmation Hearing:

- Lawrence Jay M. Alcairo to serve as a member (General Public Representative) to the Guam Academy Charter School Council
- Dr. Lisa Baza-Cruz to serve as a member (Ed. D) to the Guam Commission for Educator Certification
- Leeana Lynn L. Borja to serve as a member (Guidance Counselor-Representative) to the Guam Commission for Educator Certification
- Roberta M. Abaday to serve as a member (Community-at-Large) to the Guam Commission for Educator Certification

Informational Hearing: Guam Department of Education

- Curriculum:
 - How are the schools determining what types of texts and media are appropriate for utilizing in the classroom;
- Status on dissemination of American Rescue Plan-Outlying Areas (ARP-OA) Funds to the schools:
 - What are the project narrative and budget narrative;
 - How are the federal funds going to be utilized to address capital improvement projects amongst the GDOE schools;
- Explanation for the delay in acquiring portable Wi-Fi devices for students that were funded by the ESF-SEA Funds.

Written testimonies may be delivered to the Office of Senator Telena Cruz Nelson at 173 Aspinall Avenue, Suite 202A, Ada Plaza Center, *Hagåtña*, Guam 96910 or via email to senatortcnelson@guamlegislature.org. The Committee requests that testimonies be

submitted at least forty-eight (48) hours prior to the scheduled hearing. In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact the Office of Senator Telena Cruz Nelson via phone call at 671-989-7696 or via email at senatortcnelson@guamlegislature.org.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation! *Si Yu'os Ma'åse'!*



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Google Drive Links for Confirmation Hearing and Informational Hearing Tuesday, May 11, 2021 at 10:00 A.M.

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Tue, May 11, 2021 at 8:05 AM

To: "Speaker Therese M. Terlaje" <senatorterlajegum@gmail.com>, "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, Sabina Perez <sabina@senatorperez.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, "Office of Senator Clynton E. Ridgell" <sen.cridgell@teleguam.net>, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, "Frank F. Blas Jr." <office@senatorfrankblas.com>, Mary Camacho Torres <senatormary@guamlegislature.org>, "Senator V. Anthony Ada" <senatorvanthonyada@gmail.com>, "Office Of Senator Telo T. Taitague" <senatortelot@gmail.com>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Cc: Ed Pocaigue <sgtarms@guamlegislature.org>, mis <mis@guamlegislature.org>, Audio / Video

<av@guamlegislature.org>

Bcc: Leeana Borja <leeana@guamlegislature.org>, Lawrence Jay Alcairo <ljalcairo@guamlegislature.org>, bazacruz <bazacruz@guamlegislature.org>, Roberta Abaday <msrabaday@guamlegislature.org>, Jon Fernandez <jonfernandez@gdoe.net>, Christie Lyn San Nicolas <clsannicolas@gdoe.net>, joesanchez@gdoe.net, icsantos@gdoe.net, Evangeline Cepeda <vangcepeda26@guamlegislature.org>, Cel Babauta <celdaba@guamlegislature.org>, Jennifer Sanchez <jbsanchez@bankofguam.com>, Yuka Oguma <yuka@guahanis.com>

Buenas yan Håfa Ådai,

Please be advised that the Office of Senator Telena Cruz Nelson will convene for a Confirmation Hearing and Informational Hearing on Tuesday, May 11, 2021 at 10:00 A.M., at *I Liheslaturan Guåhan* Public Hearing Room.

On the agenda are the following items:

10:00 A.M. Confirmation Hearing:

- Lawrence Jay M. Alcairo to serve as a member (General Public Representative) to the Guam Academy Charter School Council
- Dr. Lisa Baza-Cruz to serve as a member (Ed. D) to the Guam Commission for Educator Certification
- Leeana Lynn L. Borja to serve as a member (Guidance Counselor-Representative) to the Guam Commission for Educator Certification
- Roberta M. Abaday to serve as a member (Community-at-Large) to the Guam Commission for Educator Certification

Informational Hearing: Guam Department of Education

- Curriculum:
 - How are the schools determining what types of texts and media are appropriate for utilizing in the classroom;
- Status on dissemination of American Rescue Plan-Outlying Areas (ARP- OA) Funds to the schools:
 - What are the project narrative and budget narrative;
 - How are the federal funds going to be utilized to address capital improvement projects amongst the GDOE schools;
- Explanation for the delay in acquiring portable Wi-Fi devices for students that were funded by the ESF-SEA Funds.

You can access files for this hearing at these shared links:

Confirmation Link:

[Redacted Link]

Informational Hearing:

[Redacted Link]

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112.4, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation.



The Office of Senator Telen Cruz Nelson

*Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety,
Federal and Foreign Affairs, and Maritime Transportation*

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
EDUCATION,
SELF DETERMINATION
AND HISTORIC
PRESERVATION,
INFRASTRUCTURE,
BORDER SAFETY,
FEDERAL AND
FOREIGN AFFAIRS,
AND
MARITIME
TRANSPORTATION

Confirmation Hearing

Tuesday, May 11, 2021
10:00 A.M.

Agenda

- I. Call to Order at 10:00 a.m.
- II. Opening Remarks by Senator Telena C. Nelson, Committee Chairperson
- III. Confirmation:
 - Lawrence Jay M. Alcairo to serve as a member (General Public Representative) to the Guam Academy Charter School Council
 - Dr. Lisa Baza-Cruz to serve as a member (Ed. D) to the Guam Commission for Educator Certification
 - Leeana Lynn L. Borja to serve as a member (Guidance Counselor-Representative) to the Guam Commission for Educator Certification
 - Roberta M. Abaday to serve as a member (Community-at-Large) to the Guam Commission for Educator Certification
- III. Testimonies
- IV. Closing Remarks
- V. Adjournment

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4 for Docomo customers without set top boxes, and stream online via I Liheslaturan Guåhan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation! *Si Yu'os Ma'åse'*



OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, SELF-DETERMINATION AND HISTORIC
PRESERVATION, INFRASTRUCTURE, BORDER SAFETY, FEDERAL AND
FOREIGN AFFAIRS, AND MARITIME TRANSPORTATION

Confirmation Hearing Sign-in Sheet

Tuesday, May 11, 2021 • 10:00 AM

Lawrence Jay M. Alcaino

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
1 Lawrence Alcaino	Gran Charter School Council	Support		✓	[REDACTED]	ljalcair@ [REDACTED]
2 Leeana Lynn Libby Borge	Guam Commission for Educator Certification	Support		✓	[REDACTED]	leeana.borge@ [REDACTED]
4 Dr. Lisa Borge-Cruz	GCEC	Support		✓	[REDACTED]	lborgec@ [REDACTED]
3 Roberta Abaday	GCEC	Support	✓ Prior Hearing	✓	[REDACTED]	robandal@ [REDACTED]
* Evangelina Cereda	GACSC	SUPPORT		✓		

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CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

CHAPTER 12
GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

SOURCE: This entire Chapter was added by P.L. 29-140:1 (Jan. 30, 2009).

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. The passage of P.L. 30-050:2 (July 14, 2009) reverted the name to the Department of Education.

- § 12101. Short Title.
- § 12102. Purpose.
- § 12103. Definitions.
- § 12104. Process for Filing Charter Petitions.
- § 12105. Contents of Petition.
- § 12106. Process for Approving or Denying Charter School Petitions.
- § 12107. Duties and Powers, and other Requirements, of Charter Schools.
- § 12108. Board of Trustees of a Charter School.
- § 12109. Academy Charter Schools; Admission Requirements.
- § 12110. Employees.
- § 12111. Guam Academy Charter Schools Council; Membership; Terms; Compensation.
- § 12112. Powers and Duties of the Guam Academy Charter School Council.
- § 12113. Academy Charter School Initial Term and Renewal.
- § 12114. Basis and Procedures for Academy Charter School Probation or Revocation.
- § 12115. Appeal Process.
- § 12116. Funding.
- § 12117. Transportation.
- § 12118. Academic Credits; Transfer.
- § 12119. Guam Academy Charter School Fund.
- § 12120. [Untitled Section].
- § 12121. [Untitled Section].

§ 12101. Short Title.

This Chapter shall be known and may be cited as the “Guam Academy Charter School Act of 2009”.

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§ 12102. Purpose.

The Guam Academy Charter School Act of 2009 is enacted to provide opportunities for teachers, parents, guardians, students and community members to establish and maintain schools that operate independently from the Department of Education as a method to:

- (a) improve student learning;
- (b) increase learning opportunities for all students, with special emphasis on expanded learning experiences;
- (c) encourage the use of different and innovative teaching methods;
- (d) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
- (e) provide parents, guardians and students with expanded choices in the types of educational opportunities that are available within the public school system; and
- (f) hold the schools established under this Chapter accountable for meeting measurable student educational standards.

§ 12103. Definitions.

- (a) Board means the Guam Education Policy Board;
- (b) Academy Charter School means schools acknowledged as Charter schools by the Guam Academy Charter Schools Council under Chapter 12 of Title 17 GCA;
- (c) Chamorro Language Immersion Program is a method of teaching the Chamorro language. Using the Chamorro language as the teaching tool, surrounding or immersing students in the Chamorro language in class activities such as math, science, social studies, history, and other class subjects.
- (d) Council means the authorizing chartering entity known as the Guam Academy Charter Schools Council.
- (e) Eligible applicant means an individual, a group of individuals, teachers, parents, guardians or a non-profit

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organization authorized under the laws of Guam to do business;
and

(f) Trustees means the Board of Trustees, the governing structure of an Academy Charter School as set forth in the Academy's Charter.

(g) Appeals Board means the ad hoc Appeals Board composed of the Public Auditor, the Attorney General, the Director of the Department of Administration, the Director of the Department of Revenue and Taxation, or their respective designees, and one (1) member of the general public appointed by and to serve at the pleasure of *I Maga'hågan Guåhan*, with a Bachelor's degree or higher and a background in the education field for a minimum of fifteen (15) years. **SOURCE:** Added by P.L. 30-176:2 (July 16, 2010). Subsection (g) amended by P.L. 35-029:2 (July 19, 2019).

§ 12104. Process for Filing Charter Petitions.

(a) Existing public school. An eligible applicant seeking to convert a public school into an Academy Charter School:

(1) shall prepare a petition to establish an Academy Charter School that meets the requirements of § 12105 of this Chapter;

(2) shall provide a copy of the petition to:

(A) the parents and guardians of minor students attending the existing public school;

(B) adult students attending the existing public school;

(C) employees of the existing public school;

(D) parents and guardians of minor students who attend the school grade immediately lower than the first school grade which is served by the public school which is the subject of the conversion petition; and

(E) each Mayor which represents an area within the attendance area of the public school which is the subject of the conversion petition; and

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(3) shall file the petition with the Council for approval after the petition:

(A) is signed by not less than sixty percent (60%) of the sum of:

(i) the total number of parents and guardians of minor students attending the public school; and

(ii) the total number of adult students attending the public school; and

(iii) the total number of full-time teachers currently assigned to the public school.

(B) New School. An eligible applicant seeking to establish an Academy Charter School, but not converting an existing public school, shall file with the Council for approval a petition to establish an Academy Charter School that meets the requirements of § 12105 of this Chapter.

(C) Limitations on multiple petitions. An eligible applicant may not file more than one (1) petition to establish an Academy Charter School during a calendar year.

(D) A petition to establish an Academy Charter School, or to convert a public school, is a public document.

§ 12105. Contents of Petition.

A petition under § 12104 of this Chapter to establish an Academy Charter School shall include the following:

(a) a statement defining the mission and goals of the proposed Academy Charter School and the manner in which the Academy Charter School will conduct any district-wide assessments required by the Department of Education;

(b) a statement of the need for the proposed Academy Charter School;

(c) a description of the proposed instructional goals and methods for the proposed Academy Charter School,

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which shall include, at a minimum:

- (1) the area of focus of the proposed Academy Charter School, such as mathematics, science, the fine arts, language, technology, agriculture, vocational training, Chamorro language immersion program, high school academy, information technology or criminal justice, if the Academy Charter School will have such a focus;
- (2) the methods that will be used, including classroom technology, to provide students with the knowledge, proficiency, and skills needed:
 - (A) to become nationally and internationally competitive students and educated individuals in the Twenty First (21st) century; and
 - (B) to perform competitively on any district-wide assessments; and
- (3) the methods that will be used to improve student self-motivation, classroom instruction, and learning for all students;
- (d) a description of the scope and size of the proposed Academy Charter School's program that will enable students to successfully achieve the goals established by the Academy Charter School, including, the grade levels to be served by the Academy Charter School and the projected and maximum enrollment of each grade level;
- (e) a description of the plan for evaluating student academic achievement at the proposed Academy Charter School and the procedures for remedial action that will be used by the Academy Charter School when the academic achievement of a student falls below the expectations of the Academy Charter School;
- (f) an operating budget for the first two (2) years of the proposed Academy Charter School that is based on anticipated enrollment;
- (g) a description of the proposed rules and policies for

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governance and operation of the proposed Academy Charter School;

(h) a description of the method for conducting annual audits of the financial, administrative, and programmatic operations of the proposed Academy Charter School;

(i) an identification of a facility for the proposed Academy Charter School, including a description of the site where the school will be located;

(j) the names and addresses of the members of the proposed interim Board of Trustees and the procedures for selecting trustees:

(k) a description of the student enrollment, admission process, suspension, expulsion, and other disciplinary policies and procedures of the proposed Academy Charter School, and the criteria for making decisions in such areas;

(l) a description of the procedures the proposed Academy Charter School plans to follow to ensure the health and safety of students, employees, and guests of the school and to comply with applicable health and safety laws, and all applicable civil rights statutes and regulations of the Federal Government and the government of Guam;

(m) an explanation of the qualifications that will be required of employees of the proposed Academy Charter School;

(n) a description of how parents, guardians, teachers, and other members of the community have been involved in the design and will continue to be involved in the implementation of the proposed Academy Charter School:

(o) a description of how parents, guardians, teachers and staff will be provided an orientation and other training to ensure their effective participation in the operation of the proposed Academy Charter School;

(p) an assurance the proposed Academy Charter School will seek, obtain, and maintain accreditation from an accrediting body deemed appropriate by the Council;

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(q) an explanation of the relationship that will exist between the Academy Charter School and the school's employees; and

(r) a description of how the proposed Academy Charter School plans to meet the transportation and food service needs of its students; and

(s) a description of the facilities the Academy Charter School plans to use.

§ 12106. Process for Approving or Denying Charter School Petitions.

(a) Schedule. An eligible applicant seeking to establish an Academy Charter School *shall* submit a petition pursuant to § 12105 of this Chapter to the Council no later than the first Monday of August. However, it is recommended that an eligible applicant consult with the Council prior to submitting the petition. All petitions submitted no later than the first Monday in August *shall* be for the following school year. The deadline to submit a petition to establish a non-converted public school into an Academy Charter School or convert a public elementary school into an Academy Charter School for the School Year 2010-2011 *shall* be March 8, 2010.

(b) Public Hearing. Not later than forty-five (45) days after a petition to establish an Academy Charter School is filed with the Council, the Council shall hold a public hearing on the petition to gather the information that is necessary for the Council to make the decision to approve or deny the petition.

(c) Notice. Ten (10) days before the scheduled time of the public hearing on a petition to establish an Academy Charter School, the Council shall:

(1) send a written notification of the public hearing to the eligible applicant;

(2) post notice of the public hearing at a place convenient to the public in the administrative office, cafeteria, and the classrooms of the public school which is subject to be converted into an Academy Charter School;

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(3) post notice of the public hearing at a place convenient to the public in the administrative office, cafeteria and the classrooms of the public school which is school grade lower than the first school grade which is served by the public school which is subject to conversion; and

(4) post notice of the public hearing at a place convenient to the public in the Mayor's office which represents an area within the attendance area of the public school which is the subject of the conversion petition.

(d) The Council shall approve a petition to establish an Academy Charter School, if:

(1) the Council determines that the petition satisfies the requirements of this Chapter;

(2) the eligible applicant who filed the petition agrees to satisfy any condition or requirement, consistent with this Chapter and other applicable law that is set forth in writing by the Council as an amendment to the petition;

(3) the Council determines that the Academy Charter School has the ability to meet the educational objectives outlined in the petition; and

(4) the approval will not cause the Council to exceed a limit under subsection (g) of this Section.

(e) The Council shall approve or deny a petition to establish an Academy Charter School not later than sixty (60) days after the conclusion of the public hearing on the petition.

(f) Denial explanation. Written notice of the Council's action shall be sent to the eligible applicant. If the petition is not approved, the reasons for the denial and suggested remedial measures, if any, shall be clearly stated in the notice sent by the Council to the eligible applicant. If the petition is not approved, the eligible applicant may amend the petition to address objections and any suggested remedial measures and resubmit the petition to the Council. The Council shall approve or disapprove the resubmitted petition within twenty (20) days after receiving it. If the petition is not approved, the eligible applicant

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may appeal the decision of the Council to the Appeals Board.

(g) The total number of Academy Charter Schools operating on Guam under this Chapter at any one (1) time *shall not* exceed seven (7). At least two (2) Academy Charter Schools *shall* be an elementary school; at least one (1) Academy Charter School *shall* be a middle school; and, at least one (1) Academy Charter School *shall* be a high school. An Academy Charter School applicant *shall* submit a written request to the Superintendent or the Guam Education Board to determine whether an available or suitable facility exists within the Department before the applicant submits its application to the Council. If a response is not provided within thirty (30) days of receipt of the request, the applicant *may* submit its application without said determination to the Council. **SOURCE:** Subsection (a) amended by P.L. 30-091:1 (Feb. 8, 2010) amended by P.L. 35-029:2 (July 19, 2019). Subsections (a), (e) and (f) amended by P.L. 30-176:3,4,5, respectively, (July 16, 2010). Subsection (g) amended by P.L. 35-028:2 (July 19, 2019).

§ 12107. Duties and Powers, and other Requirements, of Charter Schools.

(a) An Academy Charter School shall comply with all of the terms and provisions of its Charter.

(b) An Academy Charter School shall be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race creed, color, gender, national origin, religion, ancestry or need for special education services.

(c) Each power conferred upon an Academy Charter School under this Chapter can only be used for the sole purpose of operating the Academy Charter School. An Academy Charter school shall have the following powers:

(1) to adopt a name and corporate seal, but only if the name selected includes the words “Academy Charter School”;

(2) to acquire real property for use as the Academy Charter School's facilities, from public or private sources,

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but Academy Charter Schools shall not have the power to acquire property by eminent domain;

(3) to receive and disburse funds for Academy Charter School purposes;

(4) to secure appropriate insurance and to make contracts and leases, including agreements to procure or purchase services, equipment, and supplies subject to Chapter 5, Title 5, Guam Code Annotated;

(5) to incur debt in reasonable anticipation of the receipt of funds from the general fund of the government of Guam or the receipt of Federal or private funds;

(6) to solicit and accept any grants or gifts for the Academy Charter School's purposes, if the Academy Charter School:

(A) Does not accept any grants or gifts subject to any condition contrary to law or contrary to its Charter; and

(B) Maintains, for financial reporting purposes, separate accounts for grants or gifts;

(7) to be responsible for the Academy Charter School's operation, including preparation of a budget and personnel matters; and

(8) to sue and be sued in the Academy Charter School's own name.

(d) An Academy Charter School shall not charge an application fee and tuition.

(e) An Academy Charter School may impose reasonable fees or otherwise require payment, at rates established by the Trustees of the school, for any field trips or similar activities not funded in whole or part through appropriation by *I Liheslaturan Guåhan*.

(f) An Academy Charter School shall exercise control over its expenditures subject to Chapter 5, Title 5, Guam Code Annotated, and over administration, personnel, and instructional

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methods independent of the Guam Department of Education, within the limitations imposed in this Chapter.

(g) An Academy Charter School shall be exempt from Guam Department of Education policies, rules, regulations, and collective bargaining agreements, except as otherwise provided in the Academy's Charter or this Chapter.

(h) An Academy Charter School shall comply with all federal and Guam health and safety requirements applicable to public schools.

(i) An Academy Charter School shall be governed by the Trustees in a manner consistent with the Charter granted to the school and the provisions of this Chapter.

(j) No employee of the Department of Education shall be required to accept employment with, or be assigned to, an Academy Charter School.

(k) No student enrolled in a public school shall be required to attend an Academy Charter School:

(l) An Academy Charter School shall not levy taxes or issue bonds.

(m) An Academy Charter School seeking to revise its Charter shall prepare a petition for approval of the revision and file the petition with the Council. The provisions of § 12105 of this Chapter shall apply to such a petition in the same manner as such provisions apply to a petition to establish an Academy Charter School.

(n) An Academy Charter School *shall* submit an annual report no later than thirty (30) days after the end of the fiscal year to the Council, *I Liheslaturan Guåhan*, and *I Maga'hågan Guåhan*. The Academy Charter School shall permit the public to review any such report upon request. A report *shall* include the following data: (1) a report on the extent to which the school is meeting its mission and goals as stated in the petition for the Academy Charter School;

(2) student performance on any district-wide assessments;

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(3) grade advancement for students enrolled in the Academy Charter School;

(4) graduation rates, college admission test scores, and college admission rates, if applicable;

(5) types and amounts of parental involvement;

(6) official student enrollment;

(7) average daily attendance;

(8) annual financial audit and subsequent fiscal year annual financial audits, and a financial statement audited by the Public Auditor, pursuant to § 1908, Chapter 19, Title 1, Guam Code Annotated, under Subsection (z) of this Chapter.

(9) a report on school staff indicating the qualifications and responsibilities of such staff; and

(10) a list of all donors and grantors that have contributed monetary or in-kind donations having a value equal to or exceeding Five Hundred Dollars (\$500) during the year that is the subject of the report.

(11) Data described in items (1) through (8) of this Subsection shall not identify the individuals to whom the data pertain.

(o) An Academy Charter School shall provide to the Department of Education student enrollment data.

(p) An Academy Charter School shall establish a formal complaint resolution process.

(q) An Academy Charter School shall provide a program of education, which shall include any grade or grades from kindergarten through grade twelve (12).

(r) An Academy Charter School shall be nonsectarian and shall not be affiliated with a sectarian school or religious institution.

(s) An Academy Charter School shall not be home based.

(t) An Academy Charter School shall not be converted from

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any existing private or parochial school.

(u) An Academy Charter School *shall* initiate the process for accreditation within the first one hundred twenty (120) days of opening and attain accreditation within six (6) years of opening.

(v) An Academy Charter School shall not hire a for-profit management company to operate the school.

(w) An Academy Charter School shall provide instruction each year for at least the same number of days required of the Department of Education.

(x) An Academy Charter School, and its incorporators, Trustees, officers, employees, and volunteers, shall be immune from civil liability, both personally and professionally, for any act or omission within the scope of their official duties unless the act or omission:

- (1) constitutes gross negligence;
- (2) constitutes an intentional tort; or
- (3) is criminal in nature.

(y) Upon termination of the Charter, all assets of the Academy Charter School shall revert to the Department of Education.

(z) Pursuant to § 1908, Chapter 19, Title 1, Guam Code Annotated, the Public Auditor is authorized to supervise audits, or at the Public Auditor's discretion, exercise his or her authority to make the selection of the auditing firm or organization, and the scope of audit; and the audits are to be at the cost of the charter school, which said costs *shall* be included in its annual budget.

SOURCE: Subsection (n) amended by P.L. 31-233:XII:29 (Sept. 7, 2012), amended by P.L. 35-029:4 (July 19, 2019). Subsection (n)(8) amended by P.L. 35-029:4 (July 19, 2019). Subsection (c)(4) amended by P.L. 32-125:1 (Feb. 10, 2014). Subsection (f) amended by P.L. 32-125:2 (Feb. 10, 2014). Subsection (g) amended by P.L. 32-125:3 (Feb. 10, 2014). Subsection (u) amended by by P.L. 35-029:4 (July 19, 2019). Subsection (z) added by P.L. 35-030:2 (July 19, 2019).

§ 12108. Board of Trustees of a Charter School.

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(a) There is established the Board of Trustees. The Trustees of an Academy Charter School *shall* be elected or selected pursuant to the Charter granted to the Academy Charter School. The Board of Trustees *shall* consist of not less than five (5) members and not more than nine (9) members. At least one (1) member *shall* be a parent or guardian of a student attending the Academy Charter School. At least one (1) member *shall* be from the general public with an accounting or finance background. The Principal of the Academy Charter School *shall* be a non-voting member. Employees of any Academy Charter School *shall* not serve as voting members on any Board of Trustees..

(b) In the case of the first Trustees of an Academy Charter School to be elected or selected after the date on which the school is granted a Charter, the election or selection of the members under subsection (a) of this Section shall occur on the earliest practicable date after classes at the school have commenced. Until such date, any other members who have been elected or selected shall serve as interim Trustees. Such an interim Board of Trustees may exercise all of the powers, and shall be subject to all of the duties, of a Board of Trustees.

(c) The Trustees of an Academy Charter School shall be fiduciaries of the school and shall set overall policy for the school. The Trustees may make final decisions on matters related to the operation of the school, consistent with the Charter granted to the school, this Chapter, and other applicable law.

(d) Meetings held by the Board of Trustees shall be in compliance with the Open Government Law of Guam.

SOURCE: Added by P.L. 29-140:1 (Jan. 30, 2009). Subsection (a) amended by P.L. 35-029:5 (July 19, 2019).

§ 12109. Academy Charter Schools; Admission Requirements.

(a) An Academy Charter School shall enroll all students who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. An Academy Charter School shall give enrollment preference to students returning to the Academy Charter School

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in the second or any subsequent year of its operation and to siblings of students already enrolled in the Academy Charter School. If capacity is insufficient to enroll all students who submit a timely application, the Academy Charter School shall select students through an equitable selection process such as a lottery. A public school converted to an Academy Charter school shall give enrollment preference to students attending the public school prior to conversion and students who reside within the former attendance zone of that converted public school.

(b) Except as provided in subsection (c), an Academy Charter School shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability.

(c) An Academy Charter School may limit admission to students within a given age group or grade level.

(d) An Academy Charter School may refuse to admit any student who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.

(e) For schools preparing students for specific professions, admissions may be limited to students who meet Bona Fide Occupational Qualifications (BFOQ) selection criteria for the profession. the profession exists in an equivalent government position, the admissions criteria may be based on the government of Gum's employment selection criteria.

§ 12110. Employees.

(a) An employee of an Academy Charter School who transferred from the Department of Education shall be considered to be on three (3) years leave of absence from the Department of Education. The leave of absence shall commence on the initial date of employment at the Charter School. Upon request of the employee, the three (3) years leave of absence shall be renewed for up to two (2) additional one (1)-year periods, absent good cause.

(b) The time during which an employee is on a leave of absence shall be counted for service credit on the Department of

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Education's salary schedule.

(c) During the period of time that an employee is on a leave of absence from the Department of Education and is actively employed by the Charter School, the Academy Charter School as the employer shall continue the retirement or other benefits previously granted to the employee make applicable retirement contributions.

(d) A leave of absence shall not be considered a break in service with the Department of Education with which and employee was previously employed.

(e) An employee who is on leave of absence and actively teaching at an Academy Charter School and who submits a notice of intent to return to a public school in which the employee was employed immediately prior to employment in the Charter School shall be given employment preference by the Department of Education if:

(1) the employee's notice of intent to return is submitted to the Department of Education within three (3) years after ceasing employment with the Department of Education; and

(2) if the employee is a teacher, a position for which the teacher is certified or is qualified to become certified is available. If the employee is not a teacher, a position for which the employee is qualified is available.

(f) An employee who is on leave of absence and employed by an Academy Charter school and is discharged or terminated for just cause by the Academy Charter School may be considered discharged or terminated by the Department of Education.

§ 12111. Guam Academy Charter Schools Council; Membership; Terms; Compensation.

(a) There is established the Guam Academy Charter Schools Council. The Council *shall* consist of seven (7) voting members, and *shall* include:

(1) one (1) retired teacher;

(2) one (1) retired school administrator;

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(3) two (2) members with accounting or finance background; and

(4) three (3) members from the general public.

(b) Members shall be appointed by *I Maga'hågan Guåhan*, subject to confirmation by *I Liheslaturan Guåhan*. Members shall serve a term of three (3) years.

(c) The Council shall each year elect a chairman and other officers as it deems necessary among its membership.

(d) Members of the Council *shall* be paid Fifty Dollars (\$50) per meeting, not to exceed One Hundred Fifty Dollars (\$150) per month.

(e) Clerical and administrative support shall be provided by the Guam Certification Office.

(f) The Council shall utilize the Office of the Attorney General of Guam as its legal counsel, unless the Attorney General, in writing, authorizes the Council to utilize private counsel.

(g) Four (4) members *shall* constitute a quorum.

(h) No member of the Council *shall* be an employee of a Guam Academy Charter School, to include any member sitting on the Board of Trustees.

SOURCE: Subsection (e) amended by P.L. 30-176:6 (July 16, 2010). Subsection (f) added by P.L. 30-176:7 (July 16, 2010). Amended by P.L. 31-233:XII:30 (Sept. 7, 2012). Subsections (a), (b), and (d) amended by P.L. 35-029:6 (July 19, 2019). Subsections (g) and (h) added by P.L. 35-029:6 (July 19, 2019).

§ 12112. Powers and Duties of the Guam Academy Charter School Council.

(a) The Council:

(1) may grant Academy School Charter status to qualifying applicants pursuant to this Chapter;

(2) shall monitor the operations of each Academy Charter School;

(3) shall monitor that each such Academy Charter

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School complies with applicable laws and the provisions of the charter granted to such school;

(4) shall monitor the progress of each school in meeting student academic achievement expectations specified in the charter granted to such Academy Charter School; and

(5) shall monitor that each Academy Charter School complies with the annual reporting requirements, including, submission of the audited financial statement.

(b) The Council may require an Academy Charter School to produce any book, record, paper, or document, if the Council determines that such production is necessary for the Council to carry out its functions under this Chapter.

(c) The Council shall charge an eligible applicant or an Academy Charter School a non-refundable application or renewal fee of Five Hundred Dollars (\$500). All such application or renewal fees shall be deposited to the Guam Academy Charter School Fund.

(d) The Council shall be immune from civil liability, both personally and professionally, for any act or omission within the scope of their official duties unless the act or omission:

- (1) constitutes gross negligence;
- (2) constitutes an intentional tort; or
- (3) is criminal in nature.

(e) Meetings held by the Council shall be in compliance with the Open Government Law of Guam.

(f) The Council shall promulgate Administrative Rules and Regulations consistent with the provisions of Title 5, GCA, Chapter 9. Such Rules and Regulations may be revised as needed consistent with the provisions of Title 5, GCA, Chapter 9.

SOURCE: Subsections (a)(3), (a)(5) amended by P.L. 30-176:8, 9, respectively, (July 16, 2010). Subsection (f) added by P.L. 30-176:10 (July 16, 2010).

§ 12113. Academy Charter School Initial Term and Renewal.

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(a) A Charter granted to an Academy Charter School *shall* remain in force for a six (6) year period, unless revoked as authorized in § 12114 of this Chapter.

(b) A Charter may be renewed an unlimited number of times, each time for a six (6) year period.

(c) The Council shall review a Charter at least once every year to determine whether the Charter should be revoked for the reasons described § 12115 of this Chapter in accordance with the procedures for revocation established under § 12115 of this Chapter.

(d) In the case of an Academy Charter School that desires to renew its charter, the Trustees of the school shall file an application to renew the charter with the Council not later than one hundred twenty (120) days nor earlier than three hundred sixty-five (365) days before the expiration of the charter. The application shall contain the following:

(1) a report on the progress of the Academy Charter School in achieving the goals, student academic achievement expectations, and other terms of the approved Charter; and

(2) all audited financial statements for the Academy Charter School for the preceding four (4) years, if applicable.

(e) The Council shall approve an application to renew the Charter that is filed in accordance with subsection (b) of this Section, except that the Council shall not approve such application if the Council determines that:

(1) the Academy Charter School committed a material violation of applicable laws or a material violation of the conditions, terms, standards, or procedures set forth in its Charter, including violations relating to the education of children with disabilities; or

(2) the Academy Charter School failed to meet the goals and student academic achievement expectations set forth in its Charter.

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(3) the Academy Charter School failed to attain a minimum of candidacy status towards its accreditation.

(f) In an application to renew a Charter filed by the Trustees in accordance with this Chapter, the Council shall provide written notice to the Trustees of the public hearing on the application not later than fifteen (15) days after the date on which the Council received the application.

(g) Not later than thirty (30) days after the date on which the Trustees receive a notice under subsection (e) of this Section, the Trustees may request, in writing, a public hearing on the application before the Council.

(h) Upon receiving a timely written request for a public hearing under subsection (f) of this Section, the Council shall set a date and time for the public hearing and shall provide notice of the date and time, as well as the procedures to be followed at the public hearing, to the Trustees.

(i) A public hearing under this subsection shall take place not later than thirty (30) days after the Council receives a timely written request for the public hearing under subsection (f) of this Section.

(j) The Council shall render a final decision, in writing, on an application to renew a Charter not later than thirty (30) days after the date on which the public hearing is concluded.

(k) A decision not to renew the Charter of an Academy Charter School may be appealed to the Appeals Board as described by § 12115 of this Chapter.

SOURCE: Subsections (a), (k) amended by P.L. 30-176:11,12, respectively, (July 16, 2010). Subsections (a) amended by P.L. 35-030:3 (July 19, 2019). Subsection (b) amended by P.L. 35-030:4 (July 19, 2019). Subsection (e)(3) added by P.L. 35-030:7 (July 19, 2019).

§ 12114. Basis and Procedures for Academy Charter School Probation or Revocation.

(a) The Council *shall* place an Academy Charter School on probation or revoke the Academy Charter School's Charter if the Council determines that the Academy Charter School:

(1) committed a violation of applicable law or material

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violation of the conditions, terms, standards, or. procedures set forth in the Charter, including violations relating to the education of children with disabilities;

(2) has failed to meet the goals and student academic achievement expectations set forth in the Charter;

(3) has engaged in a pattern of non-adherence to generally accepted accounting principles;

(4) has engaged in a pattern of fiscal mismanagement;
or

(5) is no longer economically viable.

(6) has failed to maintain or attain a minimum of candidacy accreditation.

(b) Procedures for consideration of probation or revocation:

(1) The Council shall provide to the Trustees a written notice stating the reasons for the probation of the Academy Charter School or the revocation of the Academy Charter School's Charter. The notice shall inform the Trustees of the right to have a public hearing.

(2) Not later than fifteen (15) days after the date on which the Trustees receives a notice under (b)(1) of this Section, the Trustees may request, in writing, a public hearing on the probation of the Charter School or the revocation of the Academy Charter School's Charter before the Council.

(3) Upon receiving a timely written request for a public hearing under this Section, the Council shall set a date and time for the public hearing and shall provide reasonable notice of the date and time, as well as the procedures to be followed at the public hearing, to the Trustees.

(4) A public hearing under this Section shall take place not later than thirty (30) days upon written request for a public hearing under this subsection.

(c) The Council shall render a final decision no later than thirty (30) days after the conclusion of the public hearing. The vote of two-thirds (2/3) of all the members of the Council shall

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be required to revoke the Charter.

(d) The Council *may* place an Academy Charter School on probation, rather than revoke its Charter, in order to allow for the implementation of a remedial plan approved by the Council. If after *no more than* one hundred eighty (180) days, or such longer period as the Council may specify, said plan is unsuccessful in remedying the problem or alleviating the causes of the probation, the Council *shall* revoke the Charter.

(e) If the Council revokes a charter granted to an Academy Charter School, the Department of Education shall manage the Academy Charter School directly until alternative arrangements can be made for students at the Academy Charter School.

(f) If the Academy Charter School's Charter is revoked, the Trustees may appeal the decision of the Council to the Appeals Board.

SOURCE: Subsection (f) amended by P.L. 30-176:13 (July 16, 2010). Subsection (a) amended by P.L. 35-030:5 (July 19, 2019). Subsection (a)(6) added by P.L. 35-030:8 (July 19, 2019). Subsection (d) amended by P.L. 35-030:6 (July 19, 2019).

§ 12115. Appeal Process.

(a) The Appeals Board, upon receipt of a notice of appeal, shall review the decision of the Council.

(b) An eligible applicant or the Trustees of an Academy Charter School that wishes to appeal a decision of the Council concerning the denial, nonrenewal or revocation of an Academy Charter School shall provide the Appeals Board with a notice of appeal within thirty (30) days after the Council's decision. The eligible applicant or Trustees of the Charter School bringing the appeal shall limit the grounds of the appeal to the grounds for denial, nonrenewal or revocation specified by the Council. The notice shall include a brief statement of the reasons the eligible applicant or Trustees contends the Council's decision was in error. Within thirty (30) days after receipt of the notice of appeal, the Appeals Board shall hold a public hearing that may be held in the school district in which the proposed Academy Charter School has applied for or at the current location of the Academy Charter School. The Appeals Board shall review the decision of

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the Council and make its findings within ten (10) days after the completion of the public hearing. If the Appeals Board finds that the Council's decision was contrary to the best interests of the students, or community, the Appeals Board shall reverse the decision of the Council. The decision of the Appeals Board shall be final and not subject to appeal.

SOURCE: Amended by P.L. 30-176:14 (July 16, 2010).

§ 12116. Funding.

(a) The Trustees, in consultation with teachers and administrators, shall determine the school's curriculum and develop the school's annual budget. The Trustees of each Charter School shall submit to the Council a copy of its budget for each fiscal year.

(b) The Council *shall* submit, on a timely basis, the budgets of Academy Charter Schools and their respective enrollment data, to include the origin of each student, to *I Liheslaturan Guåhan* by June 15 of each year.

(c) The amount approved by *I Liheslaturan Guåhan* for the operation of each Academy Charter School *shall* be available for expenditure by the Trustees of such Charter School for any lawful purpose. In no case *shall* an Academy Charter School expend or incur obligations in excess of its approved budget; provided, however, that an Academy Charter School *shall* be authorized to spend federal grants and other funds received not accounted for in said Charter School's approved budget. The government of Guam will not subsidize any indebtedness accrued by the Charter Schools if the approved budget by the Charter School's Board of Trustees exceeds the appropriation amount set forth by *I Liheslatura* (the Legislature).

(d) Notwithstanding any other provision of this Chapter, no capital improvement funds *shall* be awarded to a non-converted public school for the purpose of constructing said school, with the exception of constructing temporary structures that can be removed and reverted to the government of Guam, with the approval of the Council.

(e) Academy Charter Schools *shall* be funded as follows: the Charter School *shall* receive a tuition amount from the

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General Fund equal to the number of students enrolled at the Charter School for the upcoming school year, multiplied by the per pupil cost. The Department of Administration is hereby authorized and directed to deposit said Charter School approved amount from the General Fund appropriation to the Guam Academy Charter School Fund.

(f) All Fiscal Year 2019 funds appropriated to the Charter School *may* be used to pay prior year obligations.

SOURCE: Subsection (b) amended by P.L. 30-176:15 (July 16, 2010).
Subsections (b), (c), (d), (e) and (f) amended by P.L. 35-029:7 (July 19, 2019).

§ 12117. Transportation.

Students attending an Academy Charter School shall be provided transportation to the Charter School by the Department of Public Works on the same terms and conditions as transportation is provided to children attending other public schools. In providing such transportation, the Department of Public Works shall accommodate the particular school day and school year of the Charter School; provided, however, that in the event that the Department of Public Works limits transportation for public school students, the Department of Public Works shall not be required to provide transportation to any Academy Charter School beyond said limitations.

§ 12118. Academic Credits; Transfer.

If a student who was previously enrolled in an Academy Charter School enrolls in a public school, the public school shall accept credits earned by the student in courses or instructional programs at the Academy Charter School in a uniform and consistent manner and according to the same criteria that are used to accept academic credits from other public schools. This reciprocity of acceptance for transfers of academic credits shall apply to students previously enrolled in a public school who enroll in an Academy Charter School, and students previously enrolled in an Academy Charter School who enroll in another Academy Charter School.

SOURCE: Amended by P.L. 30-176:16 (July 16, 2010).

§ 12119. Guam Academy Charter School Fund.

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There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the “Guam Academy Charter School Fund (Fund).” The Fund *shall not* be commingled with any other fund, and *shall* be kept in a separate bank account and administered by the Department of Administration for the operations of Guam Academy Charter Schools. The Guam Academy Charter School Council *shall* make quarterly reports of expenditures from the Fund and transmit said reports to *I Liheslaturan Guåhan* and the Office of Public Accountability.

SOURCE: Added by P.L. 29-140:1 (Jan. 30, 2009). Amended by P.L. 35-029:8 (July 19, 2019).

COMMENT: Reference to Office of Public Auditor changed to Office of Public Accountability pursuant to P.L. 30-027:2 (June 16, 2009).

§ 12120. [Untitled Section]. [Repealed.]

SOURCE: Repealed by P.L. 30-176:17 (July 16, 2010).

§ 12121. [Untitled Section].

The Guam Academy Charter Schools Council shall recommend changes to this Act to *I Liheslatura* within thirty (30) days of its first meeting at which a quorum is present.



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON

EDUCATION,

SELF DETERMINATION
AND HISTORIC
PRESERVATION,

INFRASTRUCTURE,

BORDER SAFETY,

FEDERAL AND
FOREIGN AFFAIRS,

AND

MARITIME
TRANSPORTATION

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Education, Self-Determination, and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation convened a public hearing on Tuesday, May 11, 2021 at 10:00 a.m., in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of the appointment of Lawrence Jay M. Alcairo to serve as a Member (General Public Representative) of the Guam Academy Charter School Council, and whose appointment history is as follows:

- Appointed by *I Maga'hågan Guåhan* on March 25, 2021, for a term of three (3) years, from August 20, 2019 to August 19, 2022;
- Appointment packet forwarded to *I Liheslatura* on March 30, 2021;
- Appointment packet forwarded to this committee for public consideration on March 31, 2021.

Public Notice Requirements

Notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on Tuesday, May 4, 2021 (5-Day Notice), and again on Friday, May 7, 2021 (48-Hour Notice). Today's hearing was also available on the Guam Legislature's website.

Senators Present

Senator Telena Cruz Nelson, Committee Chairperson

Senator Amanda L. Shelton, Vice-Chairperson

Senator Joanne Brown

Appearing before the Committee

Lawrence Jay M. Alcairo, Nominee

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at 10:23 a.m.

Senator Telena Cruz Nelson, Committee Chairperson: *Buenas yan Håfa Adai! Manana Si Yu'os*, everyone. Thank you for being here today. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will now convene this Confirmation Hearing. Today is Tuesday, May 11, 2021 and it is currently 10:23 a.m., in the morning.

For the record and in accordance with the open government law, public notices were sent out via email to all senators, stakeholders and all main media broadcasting outlets on Tuesday, May 4, 2021 and the second notice on Friday, May 7, 2021. Notice of today's confirmation hearing was also available on the Guam Legislature's website.

Joining me today is my colleague, Senator Amanda Shelton, who is also the Vice Chair of this Committee. Thank you, Senator for being here.

Before we proceed with the Confirmation Hearing, the Legislature has general rules of conduct that must be followed. All must abide by the rules of conduct and quality assurance standards. Questions and testimony shall be confined to the substance or nature of the agenda and personal inference as to the character of the motive of any Senator or individual testifying is not permitted. Each member will be allowed to give testimony and the panel will then be allowed to ask questions.

Forgive me, Senator Brown. Senator Brown is also present with us today, thank you, Senator Brown for being here.

On today's agenda, we have the confirmation hearing of Mr. Lawrence Jay Alcairo to serve as a Member-General Public Representative to the Guam Academy Charter School Council. We also have Dr. Lisa Baza-Cruz to serve as a Member-Ed.D to the Guam Commission for Educator Certification. We have Leeana Lynn Borja to serve as a Member-Guidance Counselor Representative to the Guam Commission for Educator Certification and Mrs. Roberta M. Abaday to serve as a Member-Community-At-Large Representative to the Guam Commission for Educator Certification.

I would like now to read those that are signed up to provide testimony – oral testimony. We have Mr. Lawrence Alcairo, Ms. Leeana Lynn Borja, Dr. Lisa Baza-Cruz, Roberta Abaday and our Chair of Charter Schools, Evangeline Cepeda.

Okay, Lawrence, do you have anyone that is here to give testimony on your behalf?

Lawrence Jay Alcairo, Nominee: Believe, Ms. Vangie Cepeda said that she would other than that, I have no one.

Senator Telenia Cruz Nelson, Committee Chairperson: So, it's just you?

Lawrence Jay Alcairo, Nominee: Myself and Ms. Vangie outside.

Senator Telenia Cruz Nelson, Committee Chairperson: Okay, so, go ahead and proceed with your statement as the nominated member.

Lawrence Jay Alcairo, Nominee: Håfa adai, Madam Chair Senator Nelson, Madam Vice Chair Senator Shelton and Senator Brown. My name is Lawrence Jay Alcairo and I come before you seeking the legislature's confirmation as a Member of the Guam Academy Charter School Council. I want to first thank the Governor, Lieutenant Governor for their confidence in appointing me to this council. I also want to thank the legislature's Committee on Education for the opportunity to present myself for consideration.

As many of you know, I was before this committee less than a year ago seeking to fulfill the last few months of a term on the Guam Education Board. Although my time on the board was short, I was able to participate in countless meetings with the GDOE Management Team and see how the best school system in the nation was run.

Though not perfect, the heart and dedication of the employees of the Guam Department of Education is second to none; especially through this pandemic. I did seek to retain that seat through the General Election and although unsuccessful, I have always retained a commitment to serve the people of Guam in any way that I can.

And I believe this is just one of those ways. I was never a student of the charter school system. As the first one opened shortly after I graduated but I do have family that are currently enrolled and I'm acquainted with a few of the staff of those schools as well.

That said, I do hope to see the charter schools on Guam succeed as I hope to see all schools on this island succeed. As an island there are only so many of us and it would be in the best interest of everyone if we lifted each other up rather than tear each other down. I hope to be a part of the continued success of the charter school council thus far.

I hope to build on that success and also address any issues that get in the way of any future successes. The Guam Academy Charter School Council is still young compared to the numerous government entities and there's still a lot of opportunity to be had. With regards to the charter school community on Guam, I look forward to being part of that process and look forward to any questions you may have. Thank you.

Lawrence Jay Alcairo, Nominee: Thank you, Mr. Alcairo.

Senator Telen Cruz Nelson, Committee Chairperson: Thank you, Mrs. Abaday. So, now I will offer the opportunity for my colleagues to ask any questions or if they have any or to make comments. We'll start with Senator Shelton, the Vice Chairperson.

Senator Amanda Shelton: *Si Yu'os ma'åse'*, Madam Chair. *Buenas yan Håfa adai*, ladies and gentleman, thank you for being here today. The appointees of the teacher certification council, thank you for being here and for your willingness to continue the work as all of you have been serving.

We're happy that you are so willing to do so and I know that it is not a group that we hear much about in the news or out in the community but we know how vital your role is to ensure that we are providing the best education to our children in the school system and so, we thank you for all that you do.

And to Mr. Alcairo, I know were here just a few months ago too and we were very excited to have you on the Guam Education Board and now to see you move onto the charter school council. Thank you very much for your willingness to do so and we look forward to your service. I know you're no stranger here in the legislature as a former Speaker of the Guam Youth Congress and employee here and we thank you for your service to Guam and your willingness to now serve the children in the charter school. Thank you.

Senator Telen Cruz Nelson, Committee Chairperson: Thank you, Senator Shelton. Senator Brown?

Senator Joanne Brown: Thank you very much Madam Chairperson. Certainly, thank you to all of you that are coming here once again to offer your service to the education community. Not all our hearings are as pleasant but I don't really have any questions. I think all of you bring significant credentials to the table with regards to other work for the certification board. Yes, you're right a lot of people in the general community are not aware of the work that you do but it's very important certainly to ensure that our teachers that are out there in the community teaching our students meet the qualifications credentials that they need to in order to educate our children.

So, thank you for the work that you do and the years of experience that you collectively bring to that work so that from your professional perspective you certainly can have a better eye of looking at making sure that everyone else is meeting those credentials and working towards their goals as well.

And thank you to you as well. I just want to make sure I pronounce your name "Acairo", do I have that right?

Lawrence Jay Alcairo, Nominee: Alcairo?

Senator Joanne Brown: I'll think of Al Cairo. Thank you for your work in wanting to participate and sit on the charter school board. I think as the years are going by I look forward to seeing the continued role and expansion of our charter schools. Eventually in time it might overtake our department of education. If it can continue to provide the type of learning and quality of learning, I think that our community and our parents would like to see for our children.

So, good luck to you and thank you for all of you for your continued interest in serving our community. With that I appreciate the opportunity Madam Chairperson, thank you very much for the opportunity to comment.

Senator Telena Cruz Nelson, Committee Chairperson: Thank you, Senator Brown. I don't have any questions for the nominees for the Guam Commission for Educator Certification. It seems or it is apparent that you have done an outstanding job in your careers and also for the commission. And so, I'd like to thank you for your dedication and continued service to our island and our public.

We hope that's also that we can streamline processes to recruit more teachers locally to assist in the Guam Department of Education and also in our Charter Schools and Private Schools. I want to thank you for the great work that you're doing all of the policies that you helped implement and just the hard work and your amazing credentials that you do have is absolutely – it's huge.

You know I'm very grateful to see people who are competent and have the credentials behind them to show that you know a true merit system can be in place with the Government of Guam. So, thank you very much for your dedication, your perseverance especially during the time of the pandemic. And if there's anything that we can do at the legislature to assist you in your mission and vision. Please do not hesitate to reach out to us. So, thank you.

I do have a question for Mr. Alcairo because you're going to be a new incoming member for the council what other challenges do you see that the charter schools are having and how would you as a council member help them overcome these challenges?

Lawrence Jay Alcairo, Nominee: Thank you for the question, Madam Chair. I think the biggest challenge at the forefront from what I've observed on the outside is the financial issues in terms of being able to meet their obligations compared what expenditures they've committed themselves to.

I know that as Ms. Tamar was in here earlier saying that she wasn't eligible for federal funds as well as SiFA Charter School. I know that they have some issues in terms of their contracts being a little bit excessive in terms of their revenues. But I think the best way that we can resolve that issue is to look at the two previous charter schools and see what processes they took to make sure that they wouldn't find themselves in that kind of financial situation.

And so, upon confirmation if I should be so fortunate, I definitely hope immediately reach out to the Guam Academy Charter School and iLearn Academy Charter School and see what they did to make sure that they would be self-sustaining. Thank you.

Senator Telen Cruz Nelson, Committee Chairperson: Thank you, Mr. Alcairo. That was very good explanation of some of the challenges that they are having. I appreciate your willingness to serve the public and the charter school as a member.

And you have our support too as well as all of the members of the commission. So, thank you very much for coming out here today. We appreciate all the hard work that you do.

And we will conclude this confirmation hearing. It is now 10:46 a.m. and we will now conclude the confirmation hearing. Thank you very much everyone and God Bless.

Thank you.

The public hearing was adjourned at 10:46 a.m.

III. FINDINGS & RECOMMENDATIONS

The Committee on Education, Self-Determination, and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation, hereby reports on the appointment of Lawrence Jay M. Alcairo to serve as a Member (General Public Representative) of the Guam Academy Charter School Council, with the recommendation to do confirm



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUAHAN | 36th GUAM LEGISLATURE

COMMITTEE ON

EDUCATION,

SELF DETERMINATION
AND HISTORIC
PRESERVATION,

INFRASTRUCTURE,

BORDER SAFETY,







FEDERAL AND
FOREIGN AFFAIRS,

AND

MARITIME
TRANSPORTATION

COMMITTEE VOTE SHEET

Nomination of
Lawrence Jay M. Alcairo
to serve as a Member (General Public Representative), Guam Academy Charter
School Council
for a term of three (3) years; August 20, 2019 to August 19, 2022.

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Telena Cruz Nelson Chairperson 5/17/21						
Senator Amanda Shelton Vice Chairperson	e-vote 5/18/21					
Speaker Therese Terlaje Member						
Senator Sabina Perez Member						
Senator Clynton Ridgell Member	e-vote 5/18/21					
Senator Telo Taitague Member	e-vote 5/17/21					
Senator Mary Torres Member	e-vote 5/17/21					

ADA'S PLAZA CENTER, STE 202 A, 173 ASPINALL AVENUE HAGÁTÑA, GUAM 96910
TEL: (671) 989-7696 / 4678 | EMAIL: senatortcnelson@guamlegislature.org



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Request for E-Vote: Appointment of Lawrence Jay M. Alcairo to serve as a Member General Public Representative to the Guam Academy Charter School Council.

Senator Telo Taitague <senatortelot@gmail.com>

Mon, May 17, 2021 at 1:22 PM

To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To do confirm.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

36th Guam Legislature

Suite 309 DNA Building

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Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Request for E-Vote: Appointment of Lawrence Jay M. Alcairo to serve as a Member General Public Representative to the Guam Academy Charter School Council.

Senator Mary C. Torres <senatormary@guamlegislature.org>

Mon, May 17, 2021 at 4:26 PM

To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To do confirm.

--

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Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Request for E-Vote: Appointment of Lawrence Jay M. Alcairo to serve as a Member General Public Representative to the Guam Academy Charter School Council.

Clynt Ridgell <clyntridgell@guamlegislature.org>

Tue, May 18, 2021 at 3:13 PM

To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To do confirm

[Quoted text hidden]



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Request for E-Vote: Appointment of Lawrence Jay M. Alcairo to serve as a Member General Public Representative to the Guam Academy Charter School Council.

Office of Senator Amanda L. Shelton <officeofsenatorshelton@guamlegislature.org>

Tue, May 18, 2021 at 3:56 PM

To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To do confirm.

Respectfully,



Senator Amanda L. Shelton

Legislative Secretary

Chairwoman, Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth, and Senior Citizens

Office of the People • Senator Amanda L. Shelton

36th Guam Legislature

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