

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
113-37 (LS)	Chris Barnett Therese M. Terlaje Sabina Flores Perez	AN ACT TO AMEND §3103(p) OF ARTICLE 1, CHAPTER 3, TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE GUAM DEPARTMENT OF EDUCATION MANAGEMENT AUDIT REQUIREMENTS.	5/9/23 12:33 p.m.						

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

Bill No. 113-37 (LS)

Introduced by:

Chris Barnett *CB*
Therese M. Terlaje *TMT*
Sabina F. Perez *SFP*

AN ACT TO AMEND §3103(p) OF ARTICLE 1, CHAPTER 3, TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE GUAM DEPARTMENT OF EDUCATION MANAGEMENT AUDIT REQUIREMENTS.

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

2 **Section1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Public Law 31-91 was enacted as a result of the signing into law of Bill No. 150-
4 31. The intent of the original bill included improvements on the quality of managements
5 audits by establishing reviews of Board Policy, goal setting and goal achievement and
6 reports on findings on what recommendations of prior audits were or were not achieved
7 or implemented.

8 *I Liheslatura* further finds that the last management audit was *the Evergreen*
9 *Solutions LLC* audit of 2009.

10 *I Liheslatura* further finds that the version of Bill No. 150-31 that was passed by
11 *I Mina'trentai Unu Na Liheslaturan Guåhan* and signed into law differed from the
12 version that was introduced and the version that was reported out of committee in that
13 all references to the word “audit” were changed to “assessment” and there is no record
14 that a public hearing was ever conducted to justify or support this change. This change
15 in the management audit law may be the reason why no management audits were
16 conducted subsequent to 2009.

1 It is the intent of *I Liheslatura* to restore the provisions of the original management
2 audit law that was enacted with broad-based public support.

3 **Section 2.** § 3103(p) of Article 1, Chapter 3, Title 17 Guam Code Annotated, is
4 hereby *amended* to read as follows:

5 "(p) Conduct periodic management and curriculum ~~assessments~~ audits of the
6 Department of Education for the following purposes:

7 (1) to ascertain whether the Department is providing an adequate public
8 education as defined by Title 1 GCA 57 15;

9 (2) to evaluate the effectiveness of DOE administrators in implementing
10 board policy and in fulfilling assigned objectives;

11 (3) to evaluate the effectiveness of DOE instructional personnel and
12 their ability to meet curriculum goals;

13 (4) to recommend alternatives to correct systemic deficiencies and to
14 improve the ability of DOE personnel to fulfill assigned objectives;

15 (5) to evaluate board policies, practices and directives, and recommend,
16 if necessary, corrections and revisions necessary to improve the quality of public
17 education; and

18 (6) to ~~assess~~ audit a broad range of management functions, such as the
19 following: decision-making and evaluation processes, policymaking, resource
20 allocation, communication procedures, and goal setting and verification. The
21 ~~assessment~~ audit can also examine the school system's work environment,
22 improvement process, and relationship with the community.

23 Said ~~assessments~~ audits *shall* also identify and assess deficiencies in the DOE
24 organizational structure; compliance with federal and local laws, and with board
25 policies; physical and operational security; workflow designs and management; internal
26 controls; staffing levels and competencies; management levels and competencies;
27 management practices; training standards and practices; adequacy of facilities; physical
28 plant management; technical and administrative infrastructure; redundancy of systems

1 and procedures; productivity and quality standards; recruitment, certification and
2 training of teachers; and recruitment, training and staff development. Said ~~assessments~~
3 audits shall be conducted at intervals determined by the Guam Education Board of *not*
4 *more than* five (5) years. Each ~~assessment~~ audit shall also include a report and evaluation
5 on the degree of success that Department of Education has achieved in implementing
6 the recommendations and correcting the deficiencies identified in the *immediate prior*
7 *assessment audit*.

8 The *GDOE* Superintendent shall transmit, within forty-five (45) days upon
9 receipt, any ~~assessment~~ audit conducted pursuant to this Act to the Guam Education
10 Board members. Within ninety (90) days of receipt of such ~~assessment~~ audit findings,
11 the Guam Education Board members shall, in a regularly scheduled board meeting held
12 in compliance with the Open Government Law, vote to accept or reject the ~~assessment~~
13 audit findings, and shall take any necessary actions for the disposition thereof.

14 The Department shall post on its website and transmit to the Speaker of *I*
15 *Liheslaturan Guåhan* and the Chairperson of the Committee of Education the disposition
16 and plan of action of the ~~assessment~~ audit findings."