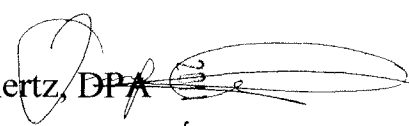


**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) REGULAR SESSION**

Bill No. 248-31(COR)

Introduced by:

Judith P. Guthertz, DPA



JUN 24 PM 2:32

An Act To Repeal Chapter 11 of Title 17 Guam Code Annotated Relative To Abolishing the Office of the Adequate Education Suruhanu.

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

2 **Section 1.** Legislative Statement: The Office of the Adequate Education
3 Suruhanu was created to monitor the basic tenets of the “Every Child is Entitled to an
4 Adequate Public Education Act,” and ensure the Department of Education’s
5 fulfillment of the provisions of law.

6 After almost one (1) full term of office, an appointment of three (3) years, by
7 the incumbent, through no fault of his own, it has become apparent that the intent and
8 vision of the Office has not come to fruition. By the admissions of the incumbent, the
9 powers of the Education Suruhanu have evolved, in practice, simply to entertain
10 complaints and proffer reports based on those complaints. The position lacks any
11 specific enforcement authority.

12 *I Liheslaturan Guahan* finds that the Office in most cases serves a redundant
13 role and in fact possesses less power than agencies that already have regulatory,
14 compliance and enforcement oversight over the Department of Education as the entity
15 strives to provide the schoolchildren of Guam with an adequate education. Moreover,
16 remedies exist for our students and parents through the Office of the Attorney General
17 of Guam and the Guam Education Board.

1 **Section 2.** “Chapter 11 of Title 17 Guam Code Annotated is hereby repealed in
2 its entirety.”

3 **Section 3.** Any position/s currently occupied in the classified service of the
4 government of Guam, that have been assigned and budgeted for the Office of the
5 Adequate Education Suruhanu, and any associated funding as approved and subjected
6 to provisions of this Act, including the position of Administrative Assistant, are
7 hereby transferred from the Office of the Adequate Education Suruhanu to the Office
8 of the Attorney General of Guam.

- 9 • Any employee/s transferred through provisions of this Act shall retain
10 full personnel status, benefits and entitlements as specified in the
11 approved annual budget for the Office of the Adequate Education
12 Suruhanu.
- 13 • The Office of the Attorney General, if necessary, shall submit to *I*
14 *Liheslaturan Guahan*, a supplemental budget request for Fiscal Year
15 2012 that reflects its absorption of any positions in the classified service
16 transferred to its division as a result of provisions of this Act.

17 **Section 4.** All unexpended funds allocated for the Office of the Adequate
18 Education Suruhanu, inclusive of all funding for positions that remain vacant for
19 Fiscal Year 2011 and not expended as a result of provisions of this Act, shall be
20 reallocated to the Guam Public Library System for the specific operations of the
21 Branch Libraries in respective villages in Guam.

22 **Section 5.** Effective Date: Provisions of this Act shall take effect upon
23 enactment into law.