



OFFICE OF THE GOVERNOR
GUAM

Refer to
Legislative Secretary

AUG 03 1998

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuáttro na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>[Signature]</i>
Time	3:33pm
Date	8.4.98

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 671 (COR), "AN ACT TO AMEND §6104 OF ARTICLE 1, CHAPTER 6, DIVISION 2 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR EARLY ENTRANCE OF GIFTED CHILDREN INTO THE GATE PRESCHOOL PROGRAM", which I have signed into law today as **Public Law No. 24-223**.

This legislation allows gifted children to be allowed to enter the Gifted and Talented Education (GATE) Preschool Program, according to their age, up to the end of the month of the date that classes commence. Currently, the cut-off date for entrance into the program according to appropriate age is the commencement date of classes.

Very truly yours,

Madeleine Z. Bordallo
Madeleine Z. Bordallo
I Maga'láhen Guåhan
Acting Governor of Guam

00933

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 8/4/98
Time: 2:40pm
Rec'd by: *[Signature]*
Print Name: Janice Hesa

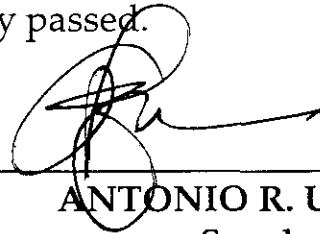
Attachment: copy attached for signed bill
original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 671 (COR), "AN ACT TO AMEND §6104 OF ARTICLE 1, CHAPTER 6, DIVISION 2 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR EARLY ENTRANCE OF GIFTED CHILDREN INTO THE GATE PRESCHOOL PROGRAM," was on the 31st day of July, 1998, duly and regularly passed.



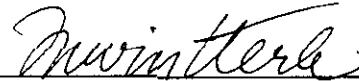
ANTONIO R. UNPINGCO
Speaker

Attested:



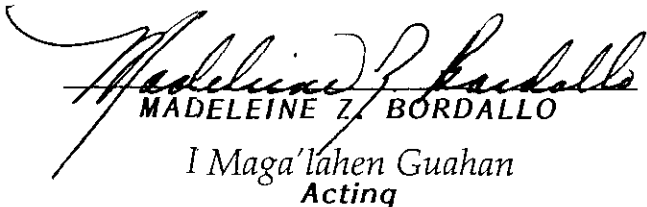
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 31st day of July, 1998,
at 2:00 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



MADELEINE Z. BORDALLO
I Maga'lahaen Guahan
Acting

Date: 8/3/98

Public Law No. 24-223

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session**

Bill No. 671 (COR)

As substituted by the
Committee on Education
and amended on the Floor.

Introduced by:

J. Won Pat-Borja
V. C. Pangelinan
W. B.S.M. Flores
F. B. Aguon, Jr.
T. C. Ada
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
L. A. Leon Guerrero
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco

AN ACT TO AMEND §6104 OF ARTICLE 1,
CHAPTER 6, DIVISION 2 OF TITLE 17 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
ALLOWING FOR EARLY ENTRANCE OF GIFTED
CHILDREN INTO THE GATE PRESCHOOL
PROGRAM.

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

2 **Section 1.** Legislative Findings and Intent. I Liheslaturan Guåhan
3 finds that, in some cases, public preschool testing has been negatively affected
4 by the recent decision of the Interim Governing Board to move up the school
5 calendar by approximately three weeks, causing an unintended form of
6 discrimination on children whose 4th birthdays do not meet current testing
7 age requirements. I Liheslaturan Guåhan further finds their needs to be
8 flexibility beyond that which currently exists in the eligibility requirements for
9 enrollment of children into the Gifted and Talented Education Preschool
10 Program. Variations from year to year in the starting date for the
11 commencement of classes makes it difficult for parents to plan for enrollment
12 of their children. Further, without such flexibility, changes in the starting date
13 of classes may result in the exclusion from the program of certain students
14 who would otherwise be eligible.

15 It is the intent, therefore, of I Liheslaturan Guåhan to ensure that ample
16 opportunity be afforded our children for participation in the GATE Preschool
17 Program.

18 **Section 2.** Section 6104 of Article 1, Chapter 6, Division 2 of Title 17 of
19 the Guam Code Annotated is hereby amended to read as follows:

20 “Section 6104. Early Entrance Date; Public Schools: Gifted Children.

21 The Board shall establish identification and enrollment policies for
22 children who are academically gifted. The policy shall provide that a child
23 who is academically gifted may be enrolled even though he or she has not
24 reached the age required by §6103 of this Title, but not lower than age four (4)

- 1 by the end of the month that classes actually commence of the year the child is
- 2 enrolled.”

PL24-223



TWENTY-FOURTH GUAM LEGISLATURE
COMMITTEE ON EDUCATION

215-A Chafan Santo Papa, Suite 106-F
Ada's Professional & Commercial Center
Agaña, Guam 96910

Telephone (671) 475-KIDS
Fax (671) 475-2000
e-mail lk4kids@ite.net

Senator
Lawrence F. Kasperbauer
Chairman

July 25, 1998

Senator
John C. Salas
Vice Chairman

The Honorable Antonio R. Unpingco
Speaker, 24th Guam Legislature
Agaña, Guam

Speaker
Antonio R. Unpingco
Ex-Officio

via: Committee on Rules

Senator
Thomas C. Ada
Member

Dear Mr. Speaker:

Senator
Frank B. Aguon
Member

The Committee on Education to which was referred **Bill No. 671**: "AN ACT TO AMEND §6104 OF CHAPTER 6, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING BOARD POLICY THA SHALL PROVIDE FOR THE IDENTIFICATION AND ENROLLMENT OF A CHILD WHO IS ACADEMICALLY GIFTED, ALLOWINT HIM OR HER TO ENROLL EVEN THOUGH HE OR SHE HAS NOT REACHED THE AGE REQUIRED BY §6103 OF THIS TITLE, BUT NOT LOWER THAN AGE FOUR (4) BY THE END OF THE MONTH THAT CLASSES ACTUALLY COMMENCE OF THE YEAR THE CHILD IS ENROLLED," herein reports back with the recommendation **TO DO PASS Substitute Bill No. 671.**

Senator
Elizabeth Barrett-Anderson
Member

Vice Speaker
Anthony C. Blaz
Member

Votes of the committee members are as follows:

Senator
Joanne M.S. Brown
Member

7 To Pass

Senator
Felix P. Camacho
Member

_____ Not To Pass

Senator
Frank P. Camacho
Member

_____ To The Inactive File

_____ Abstained

Senator
Edwardo J. Cruz
Member

Sincerely,

Senator
Mark Forbes
Member

LAWRENCE F. KASPERBAUER

Senator
Angel L.G. Santos
Member

Attachments

Senator
Judith Won Pat-Borja
Member



**TWENTY-FOURTH GUAM LEGISLATURE
COMMITTEE ON EDUCATION**

215-A Chalan Santo Papa, Suite 106-F
Ada's Professional & Commercial Center
Agaña, Guam 96910

Telephone (671) **475-KIDS**
Fax (671) **475-2000**
e-mail **lk4kids@ite.net**

Senator
**Lawrence F.
Kasperbauer**
Chairman

Senator
**John C.
Salas**
Vice Chairman

Speaker
**Antonio R.
Unpingco**
Ex-Officio

Senator
**Thomas C.
Ada**
Member

Senator
**Frank B.
Aguon**
Member

Senator
**Elizabeth
Barrett-
Anderson**
Member

Vice Speaker
**Anthony C.
Blaz**
Member

Senator
**Joanne M.S.
Brown**
Member

Senator
**Felix P.
Camacho**
Member

Senator
**Frank P.
Camacho**
Member

Senator
**Edward J.
Cruz**
Member

Senator
**Mark
Forbes**
Member

Senator
**Angel L.G.
Santos**
Member

Senator
**Judith
Won Pat-
Borja**
Member

July 25, 1998

**TO: All Members
Committee on Education**

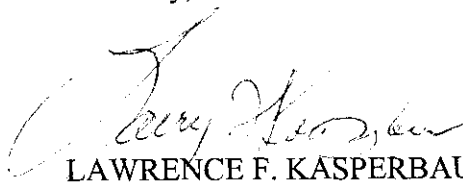
FROM: Chairman

SUBJ: Voting Sheet

Transmitted herewith is the voting sheet and committee report for **Substitute Bill No. 671:**
"AN ACT TO AMEND §6104 OF CHAPTER 6, TITLE 17, GUAM CODE ANNOTATED,
RELATIVE TO ALLOWING FOR EARLY ENTRANCE OF GIFTED CHILDREN INTO
THE GATE PRESCHOOL PROGRAM."

Your attention to this matter is greatly appreciated.

Sincerely,



LAWRENCE F. KASPERBAUER

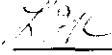
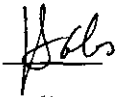





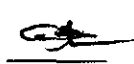
Attachments

COMMITTEE ON EDUCATION
TWENTY-FOURTH GUAM LEGISLATURE
 155 Hesler Street, Agana, Guam 96910

Chairman: Senator Lawrence F. Kasperbauer Vice Chairman: Senator John C. Salas Ex-Officio Member: Speaker Antonio R. Unpingco

VOTING SHEET ON:

Substitute Bill No. 671: "AN ACT TO AMEND §6104 OF CHAPTER 6, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR EARLY ENTRANCE OF GIFTED CHILDREN INTO THE GATE PRESCHOOL PROGRAM."

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
Sen. Lawrence F. Kasperbauer <i>Chairman</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. John C. Salas <i>Vice-Chairman</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spkr. Antonio R. Unpingco <i>Ex-Officio Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Thomas C. Ada <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Frank B. Aguon, Jr. <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Anthony C. Blaz <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joanne M.S. Brown <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Felix P. Camacho <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Francisco P. Camacho <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Edwardo J. Cruz <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mark Forbes <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Angel L.G. Santos <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Judith Won Pat-Borja <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MINA' BENTE KUÅTRO NA LIHESLATURAN GUÅHAN
Committee on Education
Senator Lawrence F. Kasperbauer, Chairperson

Committee Report
on

Bill No. 671 (COR): AN ACT TO AMEND SECTION 6104 OF CHAPTER 6, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING BOARD POLICY THAT SHALL PROVIDE FOR THE IDENTIFICATION AND ENROLLMENT OF A CHILD WHO IS ACADEMICALLY GIFTED, ALLOWING HIM OR HER TO ENROLL EVEN THOUGH HE OR SHE HAS NOT REACHED THE AGE REQUIRED BY SECTION 6103 OF THIS TITLE, BUT NOT LOWER THAN AGE FOUR (4) BY THE END OF THE MONTH THAT CLASSES ACTUALLY COMMENCE OF THE YEAR THE CHILD IS ENROLLED.

I. OVERVIEW

The Committee on Education held a public hearing on Monday, July 20, 1998 at 9:00 a.m. at the Legislative Public Hearing Room. Public Notice of the hearing was announced in the July 13 issue of the Pacific Daily News.

Committee Members Present:

Senator Lawrence F. Kasperbauer, Chairperson
Senator John C. Salas, Vice Chairperson
Senator Frank B. Aguon, Jr., Member

Providing Testimony on the Bill:

Ms. Ginny Caceres, GATE Tester (Written)
Dr. Joseph L. De Torres, Chief of Staff, Sen. Won Pat Borja's Office (Oral)
Mr. Roland L.G. Taimanglo, Director of Education (written)
Mr. Dave Fegurur, Parent (Oral)

II. Testimony

Ms. Ginny Caceres, GATE Tester. Ms. Caceras testified in favor of the Bill noting the inequality caused by fluctuating school starting dates. She pointed out that moving up the school starting date in 1998 and pushing it back in 1999 would create a situation where certain children will be too young for the GATE Preschool Program in 1998 and too old for it in 1999. Ms. Caceres stated that the passage of the Bill would remedy this situation.

Dr. Joseph L. De Torres, Chief of Staff, Sen. Won Pat Borja's Office. Dr. De Torres testified in favor of the Bill.

Mr. Roland L.G. Taimanglo, Director of Education. Mr. Taimanglo testified in favor of the Bill. He noted that passage of the Bill would allow academically gifted students to be enrolled in the GATE Preschool Program.

Mr. Dave Fegurur, Parent. Mr. Fegurur testified in favor of the Bill. He explained that because of the starting date for school being moved up to August 4th of this year, his child would be ineligible for the GATE Preschool Program.

III. Findings and Recommendation

The Committee on Education finds in some cases, public preschool testing has been negatively affected by the recent decision of the Interim Governing Board to move up the school calendar by approximately three weeks, causing an unintended form of discrimination on children whose 4th birthdays do not meet current testing age requirements. The Committee further finds there needs to be flexibility beyond that which currently exists in the eligibility requirements for enrollment of children into the Gifted and Talented Education Preschool Program. Variations from year to year in the starting date for the commencement of classes makes it difficult for parents to plan for enrollment of their children. Further, without such flexibility, changes in the starting date of classes may result in the exclusion from the program of certain students who would otherwise be eligible.

It is the recommendation of the Committee on Education that Bill No. 671 (COR) As Substituted by the Committee on Education be reported out with the recommendation **TO DO PASS**

**21st Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs**

Senator Mark Forbes, Chairman



JUL 02 1998

MEMORANDUM

TO: Chairman
Committee on Education

FROM: Chairman ~~Mark Forbes~~
Committee on Rules, Government Reform and Federal Affairs

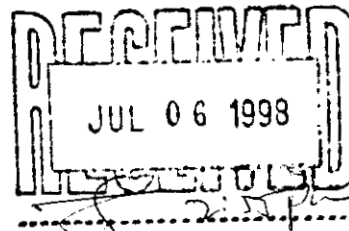
SUBJECT: Referral - Bill No. 671

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment



Witness Sign-In Sheet

BILL NO. 671

→ NOT PRESENT
 submitted
 via Fax on 7/19/98

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
GINNY CACERES	GATE Testel	789-1963		✓	✓	
ADDRESS:						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
DAVE FEGURGUR	PARENT	777-6549	✓		✓	
ADDRESS: BOX 2307 AGANA 96932						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
ADDRESS:						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
ADDRESS:						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
ADDRESS:						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
ADDRESS:						

COMMITTEE ON EDUCATION

TWENTY FOURTH GUAM LEGISLATURE

PUBLIC HEARING

Monday, July 20, 1998

9:00a.m.

BILL NO. 671: "Relative to establishing Board policy providing for the identification & enrollment of a child who is academically gifted, allowing him or her to enroll even though he or she has not reached the age required by §6103 of Chapter 6, Title 17, GCA, but not lower than age 4 by the end of the month classes commence."

Witness Sign-In Sheet

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
J. DeTorres	Senator Judith Won Pet-Borja	472-3444	✓		✓	
ADDRESS: Agana						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
M. Brochen.		6461502			✓	
ADDRESS: Y no.						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
Roland Terranglo	DOE			✓		
ADDRESS:						

NAME:	AGENCY OR INTEREST GROUP	TELEPHONE NUMBER	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
Vince Lem Guerrero	Special Education		✓			
ADDRESS:						



Roland L.G. Taimanglo
Director

DEPARTMENT OF EDUCATION

P.O. Box DE
Agana, Guam 96932
Tel: (671) 475-0457
Fax: (671) 472-5003



Aline A. Yamashita, Ph.D.
Deputy Director

July 14, 1998

Senator Larry Kasperbauer, Chairman
Committee on Education
Mina' Bente Kuattro Na Liheslaturan Guahan
155 Hesler Place
Hagatña, GU 96910

Dear Senator Kasperbauer:

Thank you for giving our department the opportunity to provide testimony on Bill 671 (COR).

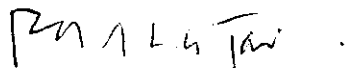
We are grateful to Senator Judith Won Pat-Borja, Senator Vicente Pangelinan, and Senator William Flores for introducing this bill. This bill was developed with direct input and involvement of the Department of Education, especially the Division of Special Education, Gifted and Talented Education (GATE) program personnel.

The problem is adequately enumerated in Section 1 of Bill 671 (COR) and thus does not need to be restated. This problem was created by the language of P.L. 24-26, which specified that to attend a pre-school program for academically gifted students, an eligible student must ***be four years of age by the opening of the school year.***

The simple amending language that is being proposed will meet the intent of P.L. 24-26 in that only students who are four years old will be eligible for this pre-school program for academically gifted students. By specifying that the eligible student must be four years old by the end of the month that classes actually commence on the year that the child is enrolled, we will have taken care of any future problems in relation to who is a four year old if the opening of the school year changes from the beginning of the month to the end of the month the following school year.

Thank you for the opportunity to provide this testimony.

Si Yu'os Ma'ase',


ROLAND L.G. TAIMANGLO

COMMONWEALTH NOW!



Testimony in Support of Bill 671 Relative to Changing the Cut-off Date for GATE Preschool Testing

July 15, 1998

From: Ginny Caceres, GATE Tester

I am testifying in writing in support of Bill 671 because I will be off-island from July 19-29, 1998. I believe Bill 671 remedies the inequality of having the cut-off date for GATE Preschool Testing tied to the first day of school, which fluctuates from year to year.

This school year, SY 1998-99, calls to attention the problem with the cut-off date being the first day of school. Let us say for argument's sake, that school in 1999 will begin August 24, and this year it begins August 4. The children who were born between August 5 and August 24, 1994 will never meet the age requirements to be tested for GATE Preschool. GATE often receives phone calls from parents of children who are too young for testing. To them we say, "Sorry. You'll have to wait a year to have your child tested for GATE.. Please call us back next year." This year, however, is another story. It is very difficult to tell these parents that their children will never be the right age for GATE Preschool testing, because this year they are too young (not yet four by August 4) and next year they'll be too old (they'll be five by August 24). I believe this bill remedies this inequality.

As the GATE Tester, I believe our program can handle this influx of children to be tested. I personally could test these children the first few days of school, and if they qualify, they could be accepted into the GATE Preschool immediately. (If there are no slots available, they would be placed on our waiting list.) GATE believes the number of children in this group would be 10-15, and perhaps only 4-6 might qualify after testing. We have kept a list of children born between August 4-31, 1994 in the hopes that the Legislature would remedy this particular inequality.

GATE is in full support of making an unfair situation fair for all those affected.

Senators, please ratify this measure.

Ginny Caceres
789-1963