

*I Mina'trentai Siette Na Lihelaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
253-37 (COR)	Joe S. San Agustin	AN ACT TO AMEND § 3102.3 OF CHAPTER 3, TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION AND TERMS OF OFFICE FOR BOARD MEMBERS OF THE GUAM BOARD OF EDUCATION.	3/1/24 10:02 a.m.						

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

**Bill No. 253-37 (COR)**

Introduced by:

Joe S. San Agustin



**AN ACT TO AMEND § 3102.3 OF CHAPTER 3, TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION AND TERMS OF OFFICE FOR BOARD MEMBERS OF THE GUAM BOARD OF EDUCATION.**

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

**Section 1.** § 3102.3 of Chapter 3, Title 17, Guam Code Annotated, is hereby amended to read:

“The Board shall be composed and serve terms as follows:

(a) Three (3) Appointed Voting Members. ~~*I Maga'lahi*~~ *I Maga'håga* shall appoint, subject to the advice and consent of *I Liheslaturan Guåhan*, one (1) voting member from among each of the following to serve for a term of three (3) years:

(1) one (1) member who is employed in an upper level managerial position in a private business;

(2) one (1) member who is a parent of a student enrolled within the Guam Department of Education; and

(3) one (1) member who is a retired teacher or administrator of the Guam Department of Education.

(b) ~~Six~~Five (65) Elected Voting Members. ~~Six~~Five (65) voting members shall be elected at-large at each General Election. Each elected voting member shall serve for a term of ~~two~~four (24) years, commencing at 12:00 noon on the first Monday in

1 January following their election. A candidate for the Board must be at least twenty-  
2 five (25) years old, and a resident of Guam for at least five (5) years immediately  
3 proceeding the date on which the member takes office and continuing throughout  
4 the term.

5 ~~(1) Nomination of candidates for election to the Board shall be made~~  
6 ~~by petition on forms prescribed by the Guam Election Commission~~  
7 ~~(Commission) and initiated by the candidate. In order for a candidate's name~~  
8 ~~to be placed on the ballot for election to the Board, such petition must be~~  
9 ~~signed by not less than one hundred fifty (150) persons registered to vote in~~  
10 ~~Guam and must be filed with the Commission no later than the first Monday~~  
11 ~~after a Primary Election, unless such date is a holiday, in which it shall be~~  
12 ~~filed the day following the holiday, or sixty (60) days prior to a Special~~  
13 ~~Election. No defect in any nominating petition presented to the Commission~~  
14 ~~shall prevent the filing of another petition which is presented within the~~  
15 ~~allowed filing period.~~

16 ~~(21)~~ The election provided for within this Subsection (b) shall be non-  
17 partisan, and no political party shall directly or indirectly sponsor, nominate  
18 or endorse any of the candidates for such office.

19 (c) One (1) student voting member of the Board shall be elected by the Island-  
20 wide School Board of Governing Students. The student member shall be a junior  
21 or a senior at a public high school and maintain a grade point average of 2.5 or  
22 above; and the student member shall receive service-learning credits for the service  
23 hours on the Board; and

24 ~~(ed)~~ Non-Voting Members. The Board shall have the following non-voting  
25 members serving a term of one (1) year:

26 ~~(1)one (1) student voting member of the Board shall be elected by an~~  
27 ~~Island-wide School Board of Governing Students. The student member shall~~

1 ~~be a junior or a senior at a public high school and maintain a grade point~~  
2 ~~average of 2.5 or above; and the student member shall receive service-~~  
3 ~~learning credits for the service hours on the Board; and~~

4 (21) one (1) member appointed by the exclusive bargaining unit which  
5 represents teachers and other employees within the Department.

6 (d2) ~~Non-Voting Member of the Mayors Council of Guam.~~ One (1)  
7 member appointed by the Mayors Council of Guam who shall serve for a term  
8 of two (2) years, or for the remaining term of the appointed Mayor, whichever  
9 is longer.

10 (e) Notwithstanding any other provision of law, active employees of the  
11 Guam Department of Education are not eligible to serve on the Board.

12 **Section 2. Effective Date.** This Act shall be effective upon enactment.

13 **Section 3. Severability.** If any provision of this Act or its application to  
14 any person or circumstance is found to be invalid or inorganic, such invalidity shall  
15 not affect other provisions or applications of this Act that can be given effect without  
16 the invalid provision or application, and to this end the provisions of this Act are  
17 severable.