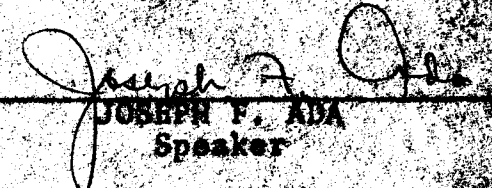


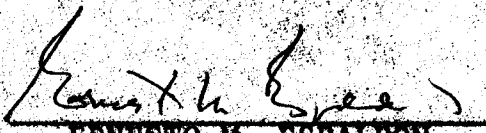
FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 304, "An Act to amend Section 11200 of the Government Code and to add Sections 11682, 11683, 11684 and 11685 to said Code, to require the teaching of Chamorro language and culture in the public schools of Guam and for other purposes", was on the 30th day of June, 1977, duly and regularly passed.


JOSEPH F. ADA
Speaker

ATTESTED:


ERNESTO M. ESPALDON
Legislative Secretary

This Act was received by the Governor this 5th day of July, 1977, at 12⁰⁰ o'clock A.M.


RUTH F. WON PAT
Assistant Staff Officer
Governor's Office

APPROVED:

/s/ RICARDO J. BORDALLO
RICARDO J. BORDALLO
Governor of Guam

DATED: July 16, 1977
11:43 A.M.

Public Law No. 14-53

FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

Bill No. 304
(Substituted by the
Committee on Education)

Introduced by

F. J. Quitugua
B. D. Ada
J. F. Ada
K. B. Aguon
F. F. Blas
E. M. Calvo
E. T. Charfauros
E. R. Duenas
J. R. Duenas
E. M. Espaldon
C. T. C. Gutierrez
A. M. Palomo
B. M. Palomo
J. M. Rivera
J. T. San Agustin
F. R. Santos
R. F. Taitano
T. V. C. Tanaka
H. Trapp
H. H. Underwood
A. R. Unpingco

AN ACT TO AMEND SECTION 11200 OF THE GOVERNMENT
CODE AND TO ADD SECTIONS 11682, 11683, 11684 AND
11685 TO SAID CODE, TO REQUIRE THE TEACHING OF
CHAMORRO LANGUAGE AND CULTURE IN THE PUBLIC
SCHOOLS OF GUAM AND FOR OTHER PURPOSES.

1 WHEREAS, the Board of Education is authorized by Section
2 11681 of the Government Code "to initiate and develop a bilingual,
3 bi-cultural education program emphasizing the language and culture
4 of the Chamorro people"; and

5 WHEREAS, the Department of Education implemented a Chamorro
6 Language and Culture Program in the Fall of 1973 in six elementary
7 schools by means of the Federal Emergency School Aid Act of 1965,
8 under program funded entirely with Federal monies; and

9 WHEREAS, the program is now serving 4,000 students in sixteen
10 (16) public elementary schools and it is projected to serve
11 6,700 students in eighteen (18) public and four private elementary
12 schools in the coming school year; and

WHEREAS, in 1974, the Department of Education administered a culture survey to cover 1,659 students in the elementary schools which showed that:

(a) Eighty-five per cent (85%) of the students want to learn to speak the Chamorro language;

(b) Eighty-five percent (85%) think it is important to learn Chamorro, if they are to live on Guam;

(c) 408 students speak Chamorro fluently as opposed to 894 who could speak a little Chamorro and 297 who do not know how to speak Chamorro at all;

(d) There were 1,409 children who wanted to learn to speak Chamorro;

(e) Of the children surveyed, 924 students claimed to be Chamorro while 427 said they were non-Chamorro and 298 students indicated they were part Chamorro; and

WHEREAS, the Department of Education also conducted a classroom teacher survey in 1975 of 90 elementary school teachers and the results showed that:

(a) Seventy-five percent (75%) of the teachers thought that the initial reaction of the students to the Chamorro language and culture instruction was positive;

(b) Forty-eight percent (48%) felt Chamorro studies were helpful in many of the academic areas of the curriculum, particularly in social studies, art, music, and language skills;

(c) Sixty-five percent (65%) stated that there was observable attitudinal change in their students since the onset of the Chamorro language and culture instruction, including improved self-confidence, more positive classroom participation, and generally a happier attitude; and

1 WHEREAS, the Federal government has given the Department of
2 Education definite assurances that the Chamorro language and cul-
3 ture project will be extended for another four (4) years with
4 100% Federal funding; and

5 WHEREAS, none of the five (5) elementary schools in the
6 southern area of Guam is being served presently by the Chamorro
7 Language and Culture Program with the result that the parents of
8 students in that part of the island feel discriminated against
9 and express strongly the need to provide their children instruc-
10 tional services in Chamorro language and culture; now, therefore,

11 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

12 Section 1. Section 11200 of the Government Code is amended
13 to read:

14 "Section 11200. English language required. All courses
15 of study shall be taught in the English language, except
16 courses in Chamorro and foreign languages."

17 Section 2. Section 11682 is added to the Government Code to
18 read:

19 "Section 11682. Chamorro language and culture courses
20 mandatory. The Department shall include courses in Chamorro
21 language and culture in its curriculum. Such courses shall
22 be mandatory upon the development of a complete Chamorro
23 Language and Culture Program but not later than the school
24 year 1980 for all elementary students but elective for
25 students in the junior and senior high schools."

26 Section 3. Section 11683 is added to the Government Code
27 to read:

28 "Section 11683. Incorporation of personnel. All
29 personnel recruited by the Department for the current
30 Chamorro Language and Culture Program are hereby designated

as regular employees of the Department of Education. All supplies, materials, and equipment purchased for this program shall become the property of the Department, in accordance with Federal regulations. Persons employed in a teaching capacity under the Chamorro Language and Culture Program shall not be required to comply with the certification requirements of Section 11300 of this Title."

Section 4. Section 11684 is added to the Government Code to read:

"Section 11684. Receipt of Federal funds. The Department is hereby authorized to continue receiving Federal funds for a Chamorro Language and Culture Program as long as the Department of Health, Education and Welfare permits. Appropriation of local funds is hereby authorized at any time that the Federal assistance terminates provided the Department of Education develops a cost estimate for continuation of the program and presents it to the Legislature for approval ninety (90) days prior to termination of Federal funds."

Section 5. Section 11685 is added to the Government Code to read:

"Section 11685. Staff development. A staff development program shall be established to include pre-service and in-service training of employees and the expansion of undergraduate and graduate courses in Chamorro language and culture at the University. This program shall be funded by either Federal or local grants, or both, as identified by the Department with the advice of the Project Director for the Chamorro Language and Culture Program."

Section 6. Sections 1 through 5 of this Act shall be effective upon enactment and shall be fully implemented no later

1 Section 6. Sections 1 through 3 of this Act shall be
2 effective upon enactment and shall be fully implemented no later
3 than the school year ending June, 1980.

4 Section 7. The Superior Court of Guam shall pay all jury
5 fees and the fees of attorneys for indigent defendants incurred
6 during fiscal year ending June 30, 1977, but not to exceed
7 Twelve Thousand Dollars (\$12,000).

8 Section 8. There is appropriated effective July 1, 1977,
9 from any available funds in the Unappropriated Surplus of the
10 General Fund the sum of One Hundred Ninety Thousand Dollars
11 (\$190,000) to the Judicial Branch of the government of Guam
12 for the payment of jury fees and the fees of attorneys for
13 indigent defendants during the fiscal year ending June 30, 1978.

14 Section 9. Night differential pay for certain employees of
15 the Judicial Branch for fiscal year 1977. Notwithstanding the
16 provisions of Public Law 13-149 or any other provision of law
17 to the contrary, the Superior Court of Guam is hereby authorized
18 to pay all employees of such court except judges and employees
19 employed at pay range 28 or higher night differential pay, as
20 such pay is defined and at the rate set in Section 4110.4 of
21 the Government Code, for all hours worked by such employees to
22 which such pay applies during the fiscal year ending June 30,
23 1977.

24 Section 10. The payments authorized by Sections 7 and 9 of
25 this Act shall be made from lapse funds appropriated to the
26 Judicial Branch of the government of Guam by Public Law 13-149
27 which shall be deemed to not have lapsed or reverted to the
28 General Fund on June 30, 1977, but shall have been earmarked for
29 the purpose of making the payments authorized by Sections 7
30 and 9.

1 Section 11. Part One, Section 1, XIII. of Public Law 14-43
2 is amended to read by deleting:

3 "11. Dept. of Education \$ 187,069."

4 Section 12. Part One, Section 1, VI. C4. of Public Law
5 14-43 is amended by the addition of Item No. 15 to read:

6 "15. Accounting services \$ 187,069."

7 Section 13. Part Four, B. of Public Law 14-43 is amended to
8 read as follows:

9 "B. Consistant with the intent of the 'early retire-
10 ment' act and in keeping with single purpose for retirement
11 from government of Guam service, and notwithstanding other
12 laws, rules or regulations to the contrary, no position
13 funded by this Act may be used to employ government of Guam
14 retirees except when positions with the Department of
15 Education and University of Guam have been duly advertised
16 and announced and no applicant is found to be qualified,
17 the Department of Education and University of Guam may then
18 hire retirees on a part-time, temporary basis under a
19 contractual arrangement. Employment in violation of this
20 provision shall void the appropriation for the position and
21 no funds may be expended for the salary of the incumbent
22 of such position."

23 Section 14. Part One, Section 1, VI. C14. (Secondary
24 Education) of Public Law 14-43 is amended by adding a new Sub-
25 section h. to read:

26 "h. Contractual Services for payment of
27 referees, umpires, timers, scorekeepers
28 and bus transportation of Inter-
29 scholastic Sports \$ 46,093."

1 Section 15. Part One, Section 1, VI. C. 9a. of Public
2 Law 14-43 is amended to read:

3 "a. Personal Services \$ 231,730."

4 Section 16. Part One, Section 1, VI. C. 13a. of
5 Public Law 14-43 is amended to read:

6 "a. Personal Services \$11,390,897."

7 Section 17. Part Four, E. of Public Law 14-43 is amended
8 to read:

9 "E. Any authorized position funded by this Act which
10 is vacant subsequent to the passage of this Act, shall re-
11 main vacant unless such position contributes to the health
12 or safety of Guam residents and is found to be essential to
13 such program area or is otherwise critical to the operation
14 of the government; provided that any vacant position which
15 is in the Department of Education, or any position which
16 will be revenue producing and will directly cause more
17 revenues to be realized by the government of Guam may also
18 be filled."

19 Section 18. Part Four, I. of Public Law 14-43 is amended
20 to read:

21 "I. No professional or semi-professional and skilled
22 or semi-skilled position authorized in the budget may be
23 underfilled by less than entry level positions in the same
24 position classification except in the Department of Educa-
25 tion and the University of Guam. Recruitment in violation
26 of this provision shall void the action and no funds shall
27 be expended for the salary of the incumbent of the position."

28 Section 19. Part I, Section 1., I., J., 5a. of Public
29 Law 14-43 is amended to read:

30 "J. Department of Public Works

31 5. Building Maintenance Division

32 a. Personal Services

33 (not to exceed 62

34 positions) \$ 507,162."