

**17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS**

**CHAPTER 4
CURRICULUM AND TEXTS**

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education. References to Guam Public School System have been changed to Department of Education pursuant to P.L. 30-050:3.

- § 4101. English Language Required.
- § 4102. Race, Color, Creed.
- § 4103. Freedom of Religion.
- § 4104. Standards for Curriculum and Textbook Adoption.
- § 4105. Same: Conformity.
- § 4106. Free Use of Textbooks.
- § 4106.1. Sufficient Textbooks and Other Supplies.
- § 4107. Lost and Damaged Textbooks.
- § 4108. Mandatory Course in Organic Act.
- § 4109. Mandatory Course in Drug Abuse.
- § 4110. Economic Education.
- § 4111. School Year, Length of.
- § 4112. Non-public School Students, Part-time Limited Attendance.
- § 4113. Curriculum, Testing, Pupil Records, Rights of Parents and Guardians.
- § 4114. Basic Education.
- § 4114.1. Basic Curricula.
- § 4114.2. Requirement.
- § 4115. Same: Evaluation.
- § 4116. Same: Same.
- § 4117. Implementation.
- § 4118. Full Approved Curriculum.
- § 4119. Family Living-Parenting Education.
- § 4120. School Libraries.
- § 4121. Character Education.
- § 4122. Title.
- § 4123. Mission.
- § 4124. Service-Learning Guidelines.

§ 4101. English Language Required.

**17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS**

All courses of study shall be taught in the English language, except courses in Chamorro and foreign languages.

SOURCE: GC § 11200, as amended by P.L. 14-53.

§ 4102. Race, Color, Creed.

No instruction shall be given, texts used, nor entertainment permitted in or about the schools, which in any way casts a derogatory reflection upon any person in Guam because of his race, color or creed.

SOURCE: GC § 11201.

§ 4103. Freedom of Religion.

The District Boards of Education shall adopt no policy intended to encourage or abridge the freedom of religion guaranteed to the people by the Constitution and the Organic Act. This Section shall not be construed to prohibit the keeping within the public schools of the Bible and other sectarian materials for use in teaching, history, literature, art and other courses whose content may be related to such materials. This Section shall not be construed to deny students from organizing religiously-motivated clubs, associations or organizations, provided, however, that such activities are conducted under the same rules and regulations applied to other extracurricular activities.

SOURCE: GC § 11202, as R/R by P.L. 12-139.

§ 4104. Standards for Curriculum and Textbook Adoption.

In order to ensure that the students of Guam's public and private schools receive adequate textbooks according to their varying scholastic abilities, the following curriculum and textbook adoption standards are prescribed:

(a) The Guam Education Policy Board adopt policies on the curricular needs of the school system, taking into account:

- (1) The varying scholastic abilities of students;
- (2) The varying vocational interests of students upon completing secondary education; and
- (3) The changing societal expectations of education.

The Board *shall* adopt policies pertaining to the review, adoption and procurement of instructional materials, equipment and supplies including textbooks and related materials for use by all students attending school in

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

Guam.

(b) The Board *shall not* delegate *or* negotiate the responsibility conferred in subsection (a) of this Section unless:

(1) The delegation of this duty is for expert *or* professional work activities leading up to and in preparation for the adoption of a multiple listing of textbooks; *or*

(2) The delegation of this duty is for expert or professional work activities leading up to curriculum adoption; *or*

(3) Duties are specified by law to be shared.

(c) The Board *shall* establish a standing committee of the Board called the Textbook Selection Committee (the *Committee*), which *shall* be chaired by a member of the appointed by the chairperson of the Board and *shall* consist of four (4) additional members, who may *or* may not be members of the Board appointed by the chairperson of the Committee. The chairperson *shall* make appointments from both the public and the private school sectors. The Board *shall* also establish two subcommittees, one of which *shall* be composed of educators from the public schools and the other of educators from the private schools. Each subcommittee *shall* examine textbooks and make recommendations thereon to the Committee, which will then make recommendations for adoption *or* disapproval of the proposals to the Board. Textbooks and other instructional materials adopted for each grade and subject field *shall* come from a multiple listing to meet the varying ability levels of elementary and secondary students in the territory. The Board *shall* also establish a textbook adoption calendar setting forth the subjects *or* courses for each grade level that are to be selected and ordered each year, on a rotation basis, *not to exceed* seven (7) years of continuous use for any one (1) textbook, and the critical dates to be met each year. In addition, the Board *shall* establish a similar but separate calendar for the textbook ordering process which will ensure that new and replacement textbooks are available in the classroom for the opening of school each year.

(d) It *shall* be the duty of the Committee to:

(1) Establish the criteria for the selection of texts for use by students attending public and private schools in Guam and ensure that such criteria are met;

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

(2) Review the curriculum changes and textbook adoption proposals submitted to it by the subcommittees, and make recommendations to the Board to adopt *or* disapprove proposals of the subcommittees, and state the reasons therefore;

(3) Review the list of textbooks requested by the public and private schools for the next school year to ensure that the textbooks were selected from the multiple listing of textbooks adopted by the Board;

(4) Recommend to the Board the amount of advance appropriation necessary to purchase the textbooks; and

(5) Ensure that the textbook adoption calendar and the textbook ordering calendar established by the Board are adhered to.

(e) No school official or member of any committee or subcommittee created by the Board *shall* accept any emolument, money, *or* other valuable thing, *or* any inducement to directly *or* indirectly introduce, recommend, vote for, *or* otherwise influence the adoption *or* purchase of any textbooks *or* other instructional materials. Anyone who violates any of these prohibitions *shall* be guilty of a misdemeanor and *shall* be removed from the position occupied.

(f) The Board *shall* select and adopt a multiple list of textbooks for use by elementary and secondary grades. The list of textbooks *shall* be based on the recommendations of the subcommittees established pursuant to subsections (c) and (d) of this Section. The list *shall* consist of textbooks for each subject matter *or* course that address the varying scholastic abilities of students in Guam's schools. The Board *shall* act on the recommendation of the subcommittees and Committee within thirty (30) days after submission.

(g) It is the policy of the Board that no public funds *shall* be expended to purchase religious *or* sectarian books, *or* books used for religious *or* sectarian purposes.

SOURCE: GC § 11203, as R/R by P.L. 18-23:1. Amended by P.L. 18-32:29(e). Amended by P.L. 20-126:1. Amended by P.L. 29-002:VI:47 (May 18, 2007).

§ 4105. Same: Conformity.

Textbooks and courses of study in the public schools shall conform to such minimum standards when adopted. All textbooks shall be adopted by

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

the District Boards of Education for a period of not less than three (3) years. After the first such adoption has been made, no more than one third (1/3rd) of the original list of textbooks shall be changed during anyone year.

SOURCE: GC § 11204.

§ 4106. Free Use of Textbooks.

(a) The District Boards of Education shall provide for the use in public elementary and secondary schools of Guam without charge.

(b) The District Boards of Education shall provide for use of adopted textbooks to students in private elementary and secondary schools in Guam without charge. Textbooks for use shall be requested by the school for the students and shall be selected from the multiple adoptions approved by the Textbook Selection Committee and the Territorial District Boards of Education of Education.

(c) The pro rata share for public schools and for private schools of the total budgetary allocation for textbooks for each school year shall be an equitable amount based upon the total enrollment of students in kindergarten through the 12th grade (grades K-12) of both the public and private schools. The amount apportioned for private school students shall be the ratio of the total enrollment of students in grades K-12 in both public and private schools for the school year in which the textbooks are to be used, to the enrollment of students in grades K-12 in private schools for that school year. The amount to be apportioned for public school students shall be calculated in the same manner using the enrollment of students in public schools.

(d) The District Boards of Education may sell such textbooks to any students wishing to purchase them.

(e) The term Textbook as used in this Section shall include exercise books commonly known as workbooks.

(f) Students, or their parents, guardians or other persons having control or charge over them, shall be responsible for all books loaned to them, ordinary wear and tear excepted, and the District Boards of Education may adopt reasonable rules and regulations pertaining thereto and assess charges, not exceeding replacement cost, for any book which is lost, destroyed or otherwise damaged.

(g) The District Boards of Education shall adopt policies by means of rules if necessary with respect to the collection of fines from public and

**17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS**

private school students and the disbursement of funds as authorized in § 4107 of this Chapter no later than March 15, 1990. The District Boards of Education shall report the total amount of fines collected to the Legislature no later than June 30 of each year.

SOURCE: GC § 11205, as amended by P.L. 11-133 and R/R by P.L. 18-23:2. Subsections (c) amended by P.L. 126:2; subsection (g) amended by P.L. 20-126:3.

§ 4106.1. Sufficient Textbooks and Supplies.

Pursuant to the authority and power established by §§ 3120(a) and 3118 of Chapter 3, the Board shall provide textbooks adopted by the Board in sufficient quantities so as to assure that each student is assigned a textbook for the use of each student in each subject in which the student is enrolled and in which textbooks are used for classroom instruction, and such subjects shall include, but not be limited to, Chamorro Language and Culture. This requirement is inapplicable to pilot programs or other pilot projects of the Department of Education. Sufficient laboratory equipment and supplies shall also be provided for science, physical education, music, business, and Chamorro Language and Culture courses so as to achieve full implementation of those courses in the curriculum.

SOURCE: 17 GCA § 3120.1, added by P.L. 17-68:1, amended by P.L. 17-81:8. Amended by P.L. 24-107:2.

§ 4107. Lost and Damaged Textbooks.

There is hereby created a '*Lost and Damaged Textbook Fund*' kept separate from other funds of the government of Guam, to be administered by the Superintendent of Education. All funds received by schools for lost or damaged textbooks shall be deposited into the Lost and Damaged Textbook Fund and used to purchase new textbooks and collateral classroom instructional materials.

SOURCE: GC § 11126, as added by P.L. 16-85, effective 10/01/82. Repealed by P.L. 23-128:IV:12. Added by P.L. 27-29:IV:9(b).

§ 4108. Mandatory Course in Organic Act. [Repealed]

SOURCE: GC § 11206. Repealed by P.L. 23-32:5.

§ 4109. Mandatory Course on Drug Abuse. [Repealed]

SOURCE: GC § 11207, as added by P.L. 14-108. Repealed by P.L. 23-32:6.

§ 4110. Economic Education. [Repealed]

SOURCE: GC § 11208, as added by P.L. 16-76. Repealed by P.L. 23-32:7.

§ 4111. School Year; Length of.

The District Boards of Education shall establish a school calendar.

SOURCE: GC § 11207, as added by P.L. 13-9. Repealed/reenacted by P.L. 23-32:9.

§ 4112. Non-public School Students, Part-time Limited Attendance.

The District Boards of Education shall provide a policy for the part-time limited attendance of non-public school students in public schools for the purpose of exposing said students to specific subjects not generally available in the non-public schools. This Section shall be liberally construed to achieve its objective of providing maximum educational opportunity for all students regardless of whether they attend public or non-public schools.

SOURCE: GC § 11207, as added by P.L. 13-60.

§ 4113. Curriculum, Testing, Pupil Records, Rights of Parents and Guardians.

(a)(1) Since it is the responsibility of parents and guardians to provide for and insure the health, education and general well-being of their children, this Section affirms and defines the rights of parents or guardians to decide through their representative, what the pupils learn and how they are taught.

(2) The provisions of this Section are designed to define the roles and responsibilities of parents, guardians, teachers, school personnel and schools; to provide for better cooperation between parents and the school system; and to encourage mutual understanding and confidence in an effort to secure a better education for all children enrolled in the public schools of this Territory.

(3) A child may not be placed in an experimental or pilot program without the prior knowledge and written consent of the parent or guardian. All instructional materials, which will be used shall be made available to parents on request prior to the child's being placed in such program.

(4) Parents may view all instructional materials upon reasonable request.

(5) Employees of a school may not require proof of registration to vote or party affiliation as a prerequisite for obtaining a grade or enrollment in a class.

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

(b) Pupils may be tested only for proficiency in a basic skills and academic subject matter without the need of parental permission. Any testing pertaining to pupil attitudes, parent attitudes or personal information pertaining to the pupil and his family, or as concerns their habits or values, including personality inventories, value appraisals, psychological inventories (which include intelligence testing for academic changes), or individually-administered intelligence tests shall be given only after receiving written parental permission. Test results shall be made available to a parent or guardian upon request.

(c) A parent or legal guardian is entitled to inspect a student's entire accumulative folder by appointment. At the time of such inspection it shall be the responsibility of the guidance counselor to be present and to prevent misinterpretation of the records and to answer questions. Access to the permanent accumulative folder is limited to the student, his parents or legal guardian and appropriate school personnel except when the student, parent or legal guardian gives written permission to allow other persons access or when a court subpoenas such accumulative folder. The accumulative folder should be open to challenge by the student and/or parent or legal guardian, but this right of question does not of itself imply an obligation upon school personnel to make changes in the accumulative folder. Each student also has the right to respond to material in his folder and to have such response filed in said folder.

(d) It shall be standard practice to inform parents in instances when their child has been referred for counseling in areas of social, emotional, mental or personal problems. An exception shall be made when a student seeks out help on his own initiative or when the student requests confidentiality.

SOURCE: GC § 11207, as added by P.L. 13-139.

§ 4114. Basic Education.

The District Boards of Education shall implement an educational program with a curriculum for grades one (1) through twelve (12) that provides for the development of competence and mastery of the basic skills of reading, writing and mathematics. The curriculum shall define in specific and measurable terms the competency levels and learning outcomes which students are expected to achieve. The curriculum shall also contain appropriate evaluation procedures to assess student performance in the basic skills at the beginning and ending of each academic year in any grade level.

**17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS**

SOURCE: GC § 11220, as added by P.L. 13-101.

§ 4114.1. Basic Curricula.

The District Boards of Education shall develop and implement two (2) general curricula of studies in Guam's public high schools:

(1) Job entry level. A curriculum which prepares high school graduates to directly enter the Guam job market upon graduation by providing them with appropriate classroom and laboratory programs that will develop occupational skills at least at the job entry level. Such programs shall teach and develop competency levels at the various skills, both current and projected, to meet the demands of Guam's social and economic growth.

(2) College entry. A curriculum which prepares high school graduates for entry into colleges and universities. Such curriculum shall adhere to the guidelines of the various associations of colleges and universities of the United States.

SOURCE: Added by P.L. 21-132:1 (May 1992)

§ 4114.2. Requirement.

No high school diploma or certificate of completion shall be issued by a public high school to any student unless he or she shall have satisfactorily completed either of the curricula described in § 4114.1 of this Title.

SOURCE: Added by P.L. 21-132:2 (May 1992).

NOTE: Section 3 of P.L. 21-132 added the following uncodified section:

The provisions of this Act shall be implemented no later than one year from its enactment.

§ 4115. Same: Evaluation.

The District Boards of Education shall develop procedures for systemically evaluating the extent to which all intended outcomes are being achieved.

SOURCE: GC § 11221, as added by P.L. 13-101.

§ 4116. Same: Same.

The District Boards of Education shall evaluate the efficiency of the instructional program in contributing to the achievement of the basic skills and shall continually revise both outcome statements and instructional procedures on the basis of evaluative data.

SOURCE: GC § 11222, as added by P.L. 13-101.

§ 4117. Implementation.

The basic education program shall be implemented in at least one school to be designated by the District Boards of Education.

SOURCE: GC § 11223, as added by P.L. 13-101.

§ 4118. Full Approved Curriculum.

It is the policy of the territory of Guam that public school students' access to educational programs should not be restricted by the size or location of the school they attend. Therefore, the Director shall assure that the full approved curriculum is offered at each public school. This assurance shall be made in writing no later than September 15 of each year and shall be submitted to the Governor and the Speaker of the Legislature.

SOURCE: Added by P.L. 17-68:2 (date implementation 17-68:3).

§ 4119. Family Living-Parenting Education. [Repealed]

SOURCE: Added as § 4118 by P.L. 21-114:1. Renumbered by Compiler. Section 2 of P.L. 21-114 placed the effective date for the implementation of the above course as "no later than the school year 1984-1985." That same uncodified section also provides that this course "shall be a condition of graduation for school year 1995-1996." Repealed by P.L. 23-32:8.

NOTE: P.L. 23-32:11 states, with respect to the repeal of sections on mandatory courses:

Nothing in this Act shall prevent or preclude the District Boards of Education from implementing courses on Drug Abuse, on the Organic Act, on Economic Education, or on Family Living-Parenting, or from implementing a Crime Prevention Program.

§ 4120. School Libraries.

(a) The librarians and administrators of the elementary schools shall formulate proposed rules for elementary school libraries, including, but not limited to, fines for lost books, late return of books and other misuses of library resources; management of donations for the purchase of books and other resource materials and procedures for receipt of gifts of books and other resource materials. The proposed rules shall be submitted to the Director for approval. The Director shall submit the proposed rules after acting on them to the District Boards of Education. The Rules shall become effective upon approval of the District Boards of Education, subject to the provisions of the Administrative Adjudication Law.

(b) The librarians and administrators of the junior high schools shall formulate proposed rules for junior high school libraries including, but not

**17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS**

limited to, fines for lost books, late return of books and other misuses of library resources; management of donations for the purchase of books and other resource materials and procedures for receipt of gifts of books and other resource materials. The proposed rules shall be submitted to the Director for approval. The Director shall submit the proposed rules after acting on them to the District Boards of Education. The Rules shall become effective upon approval of the District Boards of Education, subject to the provisions of the Administrative Adjudication Law.

(c) The librarians and administrators of the high schools shall formulate proposed rules for senior high school libraries, including, but not limited to, fines for lost books, late return of books and other misuses of library resources; management of donations for the purchase of books and other resource materials and procedures for receipt of gifts of books and other resource materials. The proposed rules shall be submitted to the Director for approval. The Director shall submit the proposed rules after acting on them to the District Boards of Education. The Rules shall become effective upon approval of the District Boards of Education, subject to the provisions of the Administrative Adjudication Law.

(d) Funds received by school libraries as fines, as donations or from fund-raising activities shall not be deposited in the General Fund but shall be deposited in a savings and loan association account or a commercial bank account to be used for purchase of books and resource materials by the library which collected the fund. The District Boards of Education, subject to the provisions of the Administrative Adjudication Law, shall establish procedures for school libraries to hold and expend funds collected from fines, received as donations or through fund-raising activities. The District Boards of Education's procedures shall provide that the funds may be expended upon order of the school's administrator or acting administrator and the school librarian. The District Boards of Education's procedures shall require the school or the librarian to maintain financial records of all funds received by the library and expenditures thereof. The school administrator and librarian shall submit an annual report no later than July 31 on the library's funds to the Director of Education and the Public Auditor.

SOURCE: Added as GC § 111245 by P.L. 15-124:3 (4/22/1980).

CROSS-REFERENCES: See § 4107 dealing with Lost Books. Since § 4107 was enacted after this section, it effectively repealed references in this section to the use of funds derived from fines for lost books.

§ 4121.1 Public School Library Resources Fund.

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the *Public School Library Resources Fund (Fund)*." The Fund shall not be commingled with the General Fund and shall be kept in a separate bank account and administered by the Guam Education Policy Board. All monies deposited into the Fund shall be expended exclusively for enhancement of learning resources and technology within the Public School Libraries, including, but not limited to, the purchase of computer equipment for the direct use of students, resources, subscriptions, periodical materials and other library supplies and materials that directly benefit the students.

SOURCE: Added by P.L. 27-05:III:6 as § 41201.1 renumbered by Compiler to § 4120.1 to fit harmoniously within this Chapter. Original began with subsection (a), but since there is no subsection (b), Compiler omitted reference to (a).

§ 4121. Character Education.

(a) It is the policy of this government that Guam's public schools be the best and safest possible. To that end, each school is encouraged to instill the highest character and academic excellence in each student in the public school system, in close cooperation with the student's parents, and with input from the community and educators.

(b) Public schools should make every effort, formally and informally, to stress character qualities that will maintain a safe and orderly learning environment, and that will ultimately equip students to be model citizens. These qualities include, but are not limited to, honesty; responsibility; respect and care for the person and property of others; self-discipline; understanding of, respect for, and obedience to law and citizenship; courage, initiative, commitment and perseverance kindness, compassion, service and loyalty; fairness, moderation and patience; and the dignity and necessity of hard work.

(c) The Department of Education shall establish a non-sectarian character education program to evaluate methods for incorporating positive character qualities into all levels of the existing educational programs within one hundred twenty (120) days after the enactment of this Act.

(d) The Department of Education shall assist public schools in accessing financial and curricular resources to implement programs stressing these character qualities. Public schools are encouraged to use their existing resources to implement programs stressing these qualities.

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

(e) The Department of Education shall seek Federal funds from the Partnership Grant for Character Education from the United States Department of Education authorized under Title X, Part A, § 10103 of the Improving American's School Act (P.L. No. 203-382).

(f) The Department of Education shall make an annual report to I Maga'lahaen Guåhan and I Liheslaturan Guåhan at the termination of each fiscal year, reporting upon the progress made and a detailed analysis of the non-sectarian character education program. Copies of such report shall be made available to the public.

SOURCE: Added by P.L. 26-44:1.

§ 4122. Title.

Sections 4122 through 4124 of this Chapter shall be known and may be cited as the 'Service-Learning Act of 2005'.

SOURCE: Added by P.L. 28-41:2.

§ 4123. Mission.

The mission of Service-Learning is to allow each student to gain knowledge of the community's needs, to expand learning beyond the four walls of the classroom, to provide opportunities for lifelong intellectual and personal growth, and to feel the intrinsic rewards associated with giving back to society.

SOURCE: Added by P.L. 28-41:3.

§ 4124. Service-Learning Guidelines.

The Department of Education ('DOE') is encouraged to offer students in grades kindergarten to twelve (12) an opportunity to engage in courses that include Service-Learning activities.

(a) For purposes of this Section, Service-Learning means a method of instruction under which students learn and develop through the integration of active participation in thoughtfully organized service and standards-based curriculum that complies with all of the following:

- (1) it meets the needs of a community;
- (2) it is coordinated with an elementary school and/or secondary school;

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

(3) it helps foster civic responsibility; and

(4) it is used to integrate and enhance the academic curriculum of the students, and to provide structured time for the pupils to reflect on their service experience.

(b) Beginning with the ninth (9th) grade class in the 2011 and 2012 School Year, and for every school year thereafter, each student *shall* complete seventy-five (75) hours of service learning as a requirement for high school graduation. Service hours earned shall be printed on each report card. The Superintendent, with the approval of the Board, *shall* establish the minimum number of hours of service learning required by the end of the student's eleventh (11th) grade year in order to be promoted to senior status. The Superintendent, with the approval of the Board, *shall* establish the prorated number of hours of service learning for students transferring into the Department of Education from off-island, or from private schools, after the start of their sophomore year to be promoted to senior status and high school graduation.

(c) DOE shall enact policies for Service-Learning including, *but not limited to*, the following:

(1) the Board shall establish policies for Service-Learning activities and how course credit will be assigned and permitted;

(2) no service assigned, or work performed, as a component of any penalty or disciplinary action, is eligible for Service-Learning credit pursuant to this Section;

(3) Service-Learning through religiously-affiliated organizations is permitted, provided the service rendered shall *not* be religious in nature, and participation in forms of worship or religious instruction shall *not* be counted towards the fulfillment of the Service-Learning requirement; and

(4) Students shall *not* receive monetary compensation for Service-Learning.

(d) Service-Learning activities may only be performed in cooperation with any of the following entities:

(1) governmental entities;

(2) non-profit organizations; and

17 GCA EDUCATION
CH. 4 CURRICULUM & TEXTS

(3) entities that the Board determines to be appropriate and consistent with this Section.

SOURCE: Added by P.L. 28-41:4. Subsection (b) amended by P.L. 30-053:1 (July 14, 2009).
