

**17 GCA EDUCATION
CH. 5 TEACHING**

**CHAPTER 5
TEACHING**

SOURCE: This Chapter amended by P.L. 24-142 and in part by P.L. 24-299. Repealed and reenacted in its entirety by P.L. 26-26:3; and again by P.L. 26-104. Later amended where indicated.

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.

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§ 5101. Teachers: Qualifications.

Persons employed in a teaching supervisory capacity in the public schools of Guam shall be permanent residents of the United States of good moral character, and shall hold a qualifying certificate issued by the

Superintendent.

§ 5102. Same: Certificates.

The Superintendent shall grant appropriate certificates:

(a) to holders of diplomas issued by an institution of higher learning where the applicant holder has completed a teacher training course prescribed by the Department of Education; *and*

(b) to applicants who, to the satisfaction of the Superintendent, meet the *minimum* qualifications prescribed by the Department of Education, pursuant to § 5103.

§ 5103. Same: Same: Qualifications.

The Department of Education shall prescribe by general regulation the qualifications upon which the certificates may be granted:

(a) to teach in senior high schools, four (4) year high schools, middle schools, vocational schools, elementary schools, supplementary schools for adults and kindergartens;

(b) to supervise instruction and to administer schools as supervisors, principals and superintendents;

(c) to act as school librarians;

(d) to act as school attendance officers; *and*

(e) to supervise the physical development of pupils.

§ 5104. Same: Same: Content.

Each certificate issued shall clearly state the kind of service that it authorizes, the grades of classes, or the types of schools, in which it authorizes service, and *if* a teacher's certificate, the subjects it authorizes the holder to teach.

§ 5105. Same: Same: Requirement.

Any person issued a Qualifying Certificate shall complete a three (3) semester credit course in Guam history, or Guam culture, within the first year *after* the person's certification. Failure to satisfy this requirement shall constitute sufficient cause to suspend that person's certification until the deficiency is corrected.

§ 5106. Same: Same: Expiration.

Certificates shall expire at such time as the Department of Education, by general rule and regulation, may prescribe.

§ 5107. Same: Suspension and Revocation of Certificate.

Certificates granted by the Superintendent of Education may be revoked or suspended for immoral or unprofessional conduct, evident unfitness for teaching, persistent defiance of, and refusal to obey the laws and regulations which prescribe the duties of persons serving in the public school system.

§ 5108. Same: Same: Hearing.

No certificate shall be revoked or suspended, *except* upon the written request of its holder, until after a hearing before the Board, and then only upon the affirmative vote of at least four (4) members of the peer review committee.

§ 5109. Same: Same: Charges.

All charges made against a person serving in the public school system which might lead to suspension or revocation of such person's certificate, shall be presented to the Superintendent, in writing, and shall be verified under oath.

§ 5110. Same: Same: Notice.

Notice of the time of hearing and a full and complete copy of the charges shall be furnished to the accused *at least* ten (10) days before the hearing.

§ 5111. Same: Same: Right of Accused.

The accused shall be given a fair and impartial hearing, and shall have the right to be represented by counsel.

§ 5112. Same: Same: Rules of Hearing.

The hearing shall be governed by and conducted under the rules of the Department of Education.

§ 5113. Same: Duty.

Every teacher in the public schools shall enforce the course of study, the use of duly authorized textbooks, and the rules and regulations prescribed for the schools.

§ 5114. Same: Maintenance of Discipline.

Every teacher in the public schools shall hold pupils to strict account for their conduct while on the school premises and when on authorized off-campus school activities.

§ 5115. Same: Purpose.

Each teacher shall endeavor to impress upon the minds of the pupils the principles of morality, truth, justice and patriotism; to teach them to avoid idleness, profanity and falsehood; to inculcate a due and proper respect for duly constituted authority; to instruct them in the principles of a free government; and to impress upon them a true comprehension of the rights, duties, responsibilities and dignity of American citizenship.

§ 5116. Para-professional Employees and Teachers Aides.

The Superintendent of Education is authorized to employ para-professional employees and teachers' aides to help in the supervision of instruction and administration in the public schools of Guam. The Board, upon recommendation of the Superintendent, shall prescribe by general regulations the services to be performed by such employees and their qualifications for employment.

Personnel employed by the government of Guam as para-professional employees, teachers' aides or cafeteria workers shall be employees of the government of Guam, and the conditions of their employment shall be in all respects the same as other employees of the government of Guam, Department of Education.

§ 5117. Same: Duty Hours.

The Board shall establish duty hours for all teachers.

§ 5118. Assessment Program.

The Board shall cause to be annually administered a pre- and post-assessment program to all pupils using *both* National Standard Achievement Tests based upon norm criteria and criterion referenced tests, and a comparative analysis made thereof in accordance with the Department of Education's Comprehensive Accountability Plan. The purpose of such tests shall be to assist the Department in the continuing evaluation of the overall curriculum, performance of teachers and academic achievement of pupils so that the Department may take such steps as it deems warranted in order to improve the total educational climate of Guam.

§ 5119. School-Year Pay for Teachers.

Persons employed as teachers and school health counselors shall, at their option, be paid on either twenty-one (21) or twenty-six (26) bi-weekly payments beginning on November 1, 1983.

§ 5120. Job Sharing.

NOTE: Former § 5120, Job Sharing, was omitted from the re-enactment made by P.L. 26-104.

§ 5121. Bonuses, Rewards and Incentives Program.

Notwithstanding any other provision of law, the Department of Education is hereby authorized to create a '*Bonuses, Rewards and Incentives Program*' for the recruitment and retention of teachers, school administrators, licensed healthcare professionals, and critical positions under Special Education employed at the Department of Education. The *Bonuses, Rewards and Incentives Program* shall be consistent with the Department of Education's District Action Plan as authorized by 17 GCA §3217 and shall be subject to the availability of funds. The criteria, rules and regulations for the *Bonuses, Rewards and Incentives Program* shall be established by the Guam Education Policy Board."

SOURCE: Added by P.L. 26-167:2. Amended by P.L. 28-085:2 (Dec. 9, 2005).

§ 5122. Applicability of this Chapter for Certification of DOE Educators.

The Commission *shall* be the Educator Certification authority for all Department of Education Educators *no later than* the earlier of the completion of a transition period following the enactment of this Chapter *or* October 1, 2008.

SOURCE: Added by P.L. 29-073:2 (May 9, 2008).

§ 5123. Training for Substitute Teachers.

Beginning with the 2010-2011 School Year and subsequent years, all substitute teachers hired by DOE shall undergo annual training prior to being placed in any classroom. The training *shall*, at a minimum, consist of classroom management and student discipline and topics to include, but *not* limited to: Health and Safety Issues, Child Abuse, Harassment / Sexual Harassment, Relationships with Students, Confidentiality / Tort Liability, Substance Abuse, Non-discrimination, and any other topics identified by the Superintendent.

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SOURCE: Added as an uncodified law by P.L. 30-054:2 (July 14, 2009). Codified by the Compiler.
