

Memorandum to File: December 18, 2025

From: Angel R. Sablan

Title 5 of the Guam Code Annotated, Government Operation, Chapter 8: Open Government Law states:

§ 8104. Definitions.

- (a) (1) Public agency includes any board, commission or comparable unit of government, any of whose members are elected, appointed by I Maga'lāhen Guāhan or appointed by I Liheslatura; any non-profit corporation created by one (1) or more public agencies or I Liheslatura, and whose board of directors is appointed by such public agencies or by I Maga'lāhen Guāhan or I Liheslatura, and which is formed to acquire, construct, reconstruct, maintain or operate any public work project, or any board, commission, committee or other body on which officers of a public agency serve in their official capacity as members and which is supported in whole or in part by funds provided by such agency, whether such board, commission, committee or other body is organized and operated by such local agency or by a private corporation.
- (b) Meeting means the convening of a governing body of a public agency for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. Meeting does not include any on-site inspection of any project or program.
- (c) Action taken means a collective decision made by a majority of the members of a public agency, a collective commitment or promise by a majority of the members of a public agency to make a positive or a negative decision, or an actual vote by a majority of the members of a public agency when sitting as a body or entity, upon a motion, proposal, resolution or order.

§ 8108. Special Meeting.

The five (5) days notice and the forty-eight (48) hours notice may be waived in the event of an emergency certified to in writing by a public agency. A public agency may also consider all necessary business in the event of an emergency. This Section shall not require a public agency to give notice of its meetings by paid advertisements in any newspaper or over any broadcasting station. Written notice may be dispensed with as to any member who at, prior to or subsequent to the time the meeting convenes, files with the clerk or secretary of the public agency a written waiver of notice. Such written notice may be dispensed with as to any member who is actually present at a meeting at the time it convenes.

As a public agency, the Guam Education Board has deemed it necessary to call an emergency meeting of the Board.

This statement serves as the necessary information needed to allow for a convening of the Guam Education Board on December 23, 2025.