

Proposal: Temporary Designation of Guam DOE Public Schools as Charter Schools

Background

Due to federal policy changes under the Trump Administration, significant portions of education funding are being redirected from traditional public schools to charter and private schools. As a result, Guam's Department of Education (DOE) stands to lose millions in federal education dollars—a gap the Government of Guam may not be able to fill. A proposed strategy is to temporarily redesignate Guam's 41 public schools as charter schools, thereby becoming eligible for these diverted funds.

Pros and Cons

- **Access to Federal Funding:** Enables DOE schools to qualify for federal charter school grants, potentially recovering millions in education funding otherwise lost.
- **Financial Relief for the Government of Guam:** Reduces the burden on the local government to backfill education budgets with local funds.
- **Administrative Flexibility:** Charter status allows more local flexibility in curriculum, staffing, and operations—enabling schools to innovate while still serving the same student population.
- **Continuity with Adaptation:** Schools remain in place with existing staff and students, maintaining stability while adapting to funding realities.
- **Pilot Framework for Broader Reform:** A temporary, reversible change could serve as a pilot to explore long-term benefits of charter-like governance in Guam.

- **Complex Legal and Policy Transition:** Requires amendments to Guam statutes and DOE rules; may involve federal negotiations and compliance hurdles.
- **Labor and Union Concerns:** Teachers and staff may face contract renegotiations, job security concerns, or altered employment terms.
- **Community Resistance:** Some families and educators may see the move as undermining public education or paving the way for privatization.
- **Implementation Risks:** Inconsistent application of charter school principles across all 41 schools could lead to confusion or inequities.

- Temporary Fix: Without a long-term funding solution, redesignation may delay—but not prevent—future financial challenges.

Oversight by the Guam Board of Education

To ensure continuity and accountability, the Guam Board of Education (GBE) can retain oversight even if DOE schools are redesignated as charter schools, through the creation of a “Special Charter School” designation enacted by the Guam Legislature.

- Legislative Authorization: Guam Legislature passes legislation temporarily reclassifying DOE schools as charter schools for funding purposes only, without disrupting overall governance structure.
- Unified Governance Model: GBE is established as the sole authorizer and governing body for these special charter schools, ensuring alignment with current public education goals.
- Operational Continuity: Guam DOE retains management roles in curriculum, staffing, and operations, with reporting adjustments made only to meet federal charter school requirements.
- Sunset Clause: Legislation includes a 3–5 year time frame after which a formal review will determine whether to continue, revise, or end the charter designation.

Conclusion

Temporarily redesignating Guam’s public schools as charter schools is a strategic response to protect essential education funding under shifting federal priorities. If implemented with clear legislative authority and continued oversight by the Guam Board of Education, this approach offers a workable, temporary solution to safeguard educational opportunities for Guam’s students.

Appendices

AN ACT to Temporarily Redesignate Guam DOE Public Schools as Charter Schools

Section 1. Purpose. To ensure eligibility for federal charter school funding.

Section 2. Redesignation. All Guam DOE public schools shall be designated as Special Charter Schools for a period of five (5) years.

Section 3. Oversight. The Guam Board of Education shall remain the sole authorizer and oversight entity.

Section 4. Sunset. This Act shall expire five (5) years from enactment unless renewed.

Based on current DOE estimates and federal funding shifts:

- Estimated Federal Funding Loss Without Charter Status: \$8 million annually
- Potential Recaptured Funds via Charter Redesignation: \$6.5–7.5 million annually
- Net Recovery Gain: Approximately \$6.5–7.5 million

Note: Exact figures depend on federal charter school program eligibility and grant application outcomes.

- This redesignation is temporary and reversible.
- No schools will close, and all current staff remain in place.
- The change ensures access to federal funding that Guam DOE is currently being denied.
- Oversight remains under the Guam Board of Education.
- Charter status can support innovation and modernization in education delivery.

35th GUAM LEGISLATURE

Bill No. XXXX-35 (COR)

Introduced by:

[Name of Senator(s)]

AN ACT

To Temporarily Redesignate All Guam Public Schools as Special Charter Schools and Grant Full Governance Authority to the Elected Guam Board of Education

and to amend the Guam Department of Education Act, Title 21, Chapter 2101, to read:

§ 2101.01. Purpose.

The Legislature finds that the Department of Education (DOE) is facing significant federal funding reductions as a result of policy changes under the Trump Administration, which redirected funding streams from traditional public schools to charter schools.

The purpose of this Act is to (1) temporarily redesignate Guam's public schools as Special Charter Schools, enabling them to access charter-designated federal education funds, and (2) restore full governance authority to the elected Guam Board of Education, consistent with the democratic will of the voters and the Board's essential leadership role in shaping education policy.

§ 2101.02. Redesignation of Public Schools.

(a) All public elementary, middle, and high schools currently under the Guam Department of Education (DOE) shall be temporarily redesignated as Special Charter Schools for the sole purpose of accessing federal funds designated for charter schools.

(b) This redesignation shall not alter the physical facilities, instructional programming, employee contracts, or student enrollment policies, except as needed to comply with federal charter school eligibility guidelines.

(c) The Special Charter School designation shall remain in effect for five (5) years from the effective date of this Act.

§ 2101.03. Governance Authority.

(a) The elected Guam Board of Education shall serve as the sole governing authority and charter authorizer for all Special Charter Schools established under this Act.

(b) The Guam Board of Education shall exercise full authority over educational policy, strategic planning, budget oversight, school accountability, and federal program compliance.

(c) The Guam Department of Education shall continue as the operational and administrative agency for Guam's public education system, implementing the policies and directives set by the Board.

(a) The Guam Board of Education shall promulgate rules and regulations as necessary to implement the provisions of this Act, including charter school operational guidelines, accountability standards, and grant application procedures.

(b) All agencies of the Government of Guam shall cooperate with the Guam Board of Education in ensuring effective transition and ongoing support for the Special Charter School system.

(a) The Guam Board of Education shall submit an annual report to the Guam Legislature and the Office of the Governor detailing funding received, performance outcomes, community feedback, and any recommended policy adjustments.

(b) Within six (6) months prior to the expiration of the five-year term, the Board shall conduct a public hearing and provide a comprehensive assessment to the Legislature regarding whether to extend, modify, or sunset the Special Charter School designation.

If any provision of this Act or its application to any person or circumstance is held invalid, the remainder of the Act and the application of the provisions to other persons or circumstances shall not be affected.

This Act shall become effective upon enactment.