

**BRIEFING PAPERS ON SELECTED POLICIES
WITHIN THE COMPREHENSIVE DEVELOPMENT PLAN**

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INTRODUCTION

The following papers provide background information for some of the policies presented in the Comprehensive Development Plan (CDP). They provide factual information regarding past and current efforts which relate to the policies as well as an indication of their effectiveness in resolving the issues identified in the CDP. It is intended that these briefing papers will assist the Director and the staff in preparing for public discussions regarding the CDP. Moreover, they may facilitate future efforts geared toward updating the plan and assessing the effectiveness of its recommended policies.

To assist the reader, the papers follow a general format:

1. A restatement of the Policy(ies).
2. If appropriate, a definition of terms.
3. A summary of past and current efforts.
4. A general assessment of the policy's effectiveness in resolving issues and a discussion of potential problems in policy implementation.

Variations in the format among individual papers will be noted because of the nature of some policies and their level of detail.

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POLICY

Investigate the possibility of guaranteeing home mortgages in conjunction with the government's home loan program.

BACKGROUND

1. The Guam Housing Corporation is empowered to guarantee, insure, or provide direct loans to low and moderate income families (Section 20002). As of May, 1978, GHC had 865 outstanding loans, amounting to over \$12 Million with a delinquency rate ranging between 2.75% to 3.75%. All loans are direct loans.
2. Funding has been derived from General Fund subsidies totalling \$900,000 and a \$5.5 million loan in 1972 from the Chase Manhattan Bank. GHC has \$500,000 currently available for loans and expects to have an additional \$500,000 from the sale of a portion of their portfolio to Guam Savings and Loan. The remainder of GHC's portfolio is used as collateral for their \$5.5 million loan. Proceeds from outstanding loans are used to pay interest charges to Chase plus \$25,000 on the principal. Four point Nine Million Dollars (\$4.9M) is the principal balance.

CONCLUSIONS

1. Originally, it was felt that if GHC would guarantee or insure loans instead of providing direct loans, more families could be assisted since only a portion of GHC's working capital would have to be reserved in cases of default. The GHC could then provide a complimentary service to private lending institutions.
2. However, the amount of money received from guaranteeing or insuring loans would be substantially less than that received from the interest payments on direct loans. In guaranteeing or insuring loans, the bulk of the interest

payments would be obtained by the banks which are servicing the loans. Since GHC is an autonomous agency, they could not be self-supporting if they were to rely upon the fees collected from the guaranteed or insured loan. Until their financial situation is improved, the opinion of the GHC staff is that GHC cannot guarantee or insure loans for the next ten years. This is based on their feeling that Guam residents will now begin to concentrate on home improvements and not home construction.

SOURCE

1. Oscar Pablo, Guam Housing Corporation, June 1978.

POLICY

Encourage the expansion of public housing programs particularly through federally-assisted community development and rental subsidy programs.

BACKGROUND

1. In 1976 approximately 3,000 families were eligible for the subsidized rental programs whereas only 1,200 were given assistance. Four rental subsidy programs are available:
 - a. Low Income Public Housing: Eligible families pay no more than 25% of their adjusted income less utilities. Guam Housing and Urban Renewal Authority owns 350 units and is assisting (as of June 1978) 332 families. 195 units are planned for construction in the South.
 - b. Section 8: Housing Assistance Payments Program: Housing assistance payments are provided on behalf of families renting in the private market. The difference between the contract rent and 25% of the family's income is paid to the landlord by GHURA. 787 slots are available under the Existing Units Program while 754 families are being assisted (June 1978). An estimated 900 additional slots will be needed over the next three years.
 - c. Guam Rental Corporation: Administers 114 rental units (Lada Gardens) at below market rents. No new units are expected.
 - d. Section 8: Set Aside Program: Currently, 296 units are available (276 Tumon Village Apartments and 20 at Ili, Guam). Only those apartments which were constructed with DHUD's assistance are eligible for participation in the Set Aside Program. Possible redistribution of the 20 units at Ili, Guam to Tumon Village due to the problems that the management of Ili, Guam has in complying with DHUD requirements. No additional units are expected.

2. Community Development Block Grant Program: Since 1975, over \$7 million in CDBG funds (Discretionary and Hold Harmless) have been allocated to Guam to fund the Sinajana, Yona and Asan projects and neighborhood facilities in Dededo, Tamuning, Agana, Mongmong-Toto-Maite, Yona, Santa Rita, Umatac, Inarajan and Talofofo. In FY 1979, over \$2 million is expected to continue the Asan project. However, the annual CDBG allocation for Guam is insufficient to initiate additional projects for the remaining villages at this time.

CONCLUSIONS

1. Basic problem in implementing policy is funding especially given the competition among grantees for HUD Region IX allocations (including the Northern Marianas). In 1978, Guam received \$636,000 in Hold Harmless funds as compared to \$978,000 for each year between 1975-77. While Hold Harmless funds are decreasing, discretionary funds have remained essentially constant at \$2 million per year.
2. Moreover, GHURA staff have indicated their need for accurate data especially concerning income. Experience has shown that HUD officials seriously evaluate funding requests on the basis of information provided them. Many times the information is not current. Future federal assistance could be increased if accurate data is available.
3. In implementing rental subsidy programs, greater emphasis should be placed on problems that clients have in adapting to multi-family living. In particular, many clients in existing programs are not accustomed to living under a set of rules established by the landlord or GHURA. Although many renting families have been counseled by GHURA staff regarding the up-keep of apartments, family budgeting, etc., some families continue to neglect maintenance or use their rent money for leisure activities.

SOURCES

1. Interviews with GHURA Division Heads, June 1978.
2. Oscar Pablo, Guam Housing Corporation, June 1978.
3. Ray Gota, FHA, DHUD, June 1978.

POLICY

Ensure that desirable cultural characteristics be retained through the proper design of cluster developments and by ensuring that social and environmental considerations are addressed in the design of multi-family units.

DEFINITION

Cultural, social and environmental considerations: Although many traditional customs are still practiced on Guam, the importance of these customs lie in the societal values they exhibit and protect. For example, fiestas emphasize the values of cooperation and personal interaction. Even though fiestas may no longer be held, the above values may be re-expressed in contemporary forms. Consequently, this policy refers more to the protection of societal values while recognizing that values change, rather than the protection of cultural or social traditions.

BACKGROUND

1. Public housing projects such as the Yona Community Development and the proposed elderly housing project have or are attempting to increase opportunities for social interaction through the provision of sidewalks which interconnect homes, more recreation areas and neighborhood facilities.
2. Certain cluster developments e.g. Perez Acres have provided recreational spaces so that residents of the area have opportunities for interaction and can develop a sense of community identity. However, numerous apartment complexes do not provide amenities such as recreational or common spaces where certain values can be practiced. In essence, they tend to alienate residents from each other.

CONCLUSIONS

1. The Territorial Planning Commission and the Subdivision and Development Review Committee should encourage developers, both public and private to include more recreational areas and common spaces in their proposals. The possibility of providing tax incentives should be explored as well as investigating the possibility of revising local recreational and common space requirements. More importantly however, the developer should be shown the advantages of including these amenities in their proposals especially in the light that their housing units would be more attractive to prospective buyers.

SOURCES

1. Guam Housing and Urban Renewal Authority.
2. Van der Poel, "Guam in Search of Its Own Identity."
3. Gayle, "An Analysis of Social, Cultural and Historical Factors Bearing on the Political Status of Guam."

POLICY

Encourage that the elderly reside in environments that assure the use of their talents in Guam's cultural growth.

BACKGROUND

1. Elderly heads and non-heads of households constitute approximately 8% of Guam's civilian population. Over 60% of the elderly heads of households earn household incomes of less than \$15,000 per annum and are in no position to purchase homes if they do not already own one.
2. Fifty elderly housing units are now under construction. In the future, GHURA expects to have an additional fifty units constructed throughout our villages.
3. The Extended Care Facility, GMH, no longer provides housing for the elderly. Elderly housing needs are now being accommodated by the GHURA Section 8 and Low Income Public Housing Programs.
4. Surveys have shown that a majority of youths and adults feel that their parents should reside with or near their children.
5. There appears to be a growing feeling (probably stronger among the youth) that a major function of the elderly is to help others learn more about the traditions, values, stories, arts, crafts and priceless memories of the old ways.

CONCLUSIONS

1. The policy recognizes that while some of the elderly may no longer want to become burdened with family obligations as characterized in the past, others may have an intense desire to contribute to Guam's growth. Moreover, it attempts to ensure that opportunities for leading different lifestyles depending upon the elderly's own desires are maintained. Currently, these opportunities

exist in such programs as CDBG and Section 8 where the elderly can reside in proximity to their children or in the Low Income Public Housing and Elderly Housing Programs where the elderly are physically separated from their children.

2. Although families should be encouraged to care for the elderly, if the elderly are to participate in public housing programs, participation should not only be based upon economic criteria but also upon which public program would best fit their needs.

SOURCES

1. "Profile of Elderly Persons and Households" September, 1977, Bureau of Planning.
2. Jesse Maanao, Guam Housing and Urban Renewal Authority.
3. "Guam In Search of Its Own Identity" Van Der Poel.
4. "Antigo" Guam Teacher Corps, May 1978.

POLICY

Revise the building code to eliminate unnecessary code requirements.

DEFINITION

Unnecessary code requirements: any regulation that does not protect the health and safety of Guam residents.

BACKGROUND

1. The Uniform Building Code (UBC) for Guam was adopted from the UBC as approved by the International Conference of Building Officials. In March 1978, P.L. 14-112 adopted the 1977 Supplement to the UBC as passed by the International Conference which relates to energy conservation concerns among others.
2. This policy was originally recommended in response to Senator Benigno Palomo's concern that housing costs are unnecessarily increased through the implementation and enforcement of requirements that do not relate to the protection of health and safety.
3. Subsequent information has revealed that there does not appear to exist any unnecessary requirements in the code. In many cases, the interpretation of the code by the building official is a major determinant in housing cost. For example, although the code does not restrict the use of six inch hollow blocks, an estimated 25% savings in material costs could be realized if six inch blocks were used (depending upon whether they meet structural requirements as determined by the building official).
4. Since most home-builders require financial assistance, many times they cannot build "shell houses" or homes that fit their own lifestyles because of FHA's Minimum Property Standards (MPS) which are based on the ability to resale the home in case of mortgage defaults. As such, FHA operates under the general rule that they will abide by whatever standards (i.e. in the UBC or MPS) are the more stringent.

5. The local chapter of the American Institute of Architects has been given a copy of P.L. 14-112 and the 1977 Supplement for their comments. However, we have not received their comments.

CONCLUSIONS

1. Unless the AIA has any substantive comments regarding unnecessary requirements in the Supplement, this policy should be revised to reflect a long-term position of the Government of Guam which ensures that unnecessary requirements are kept out of the UBC in the future.
2. Since most people interviewed suggest that FHA requirements unnecessarily increase housing costs, the Department of Public Works should investigate the similarities and differences between the local UBC and the MPS for public dissemination.

SOURCES

1. Staff, Guam Housing and Urban Renewal Authority.
2. Staff, Bureau of Planning.
3. Ray Gota, FHA, DHUD.

POLICY

Encourage the formation of private, non-profit home-owner organizations to utilize federal housing programs in conjunction with improvement district laws as a means of upgrading substandard houses.

BACKGROUND

1. Upgrading substandard homes is an eligible activity under the Community Development Block Grant Program (CDBG) and funds for this purpose can be given to non-profit organizations. However, subsequent clarifications from DHUD have shown that eligible areas include those areas that have been previously identified as villages, neighborhoods or areas with less than 25,000 population in planning documents or legislation. It does not appear that areas smaller than Guam's villages are eligible for CDBG funding.
2. On the other hand, the Improvement District Law, Title XLC of the Government Code of Guam emphasizes the construction or reconstruction of public facilities for areas with more than three lot owners with no two lot owners controlling 80% of the total land area. Apparently, the Improvement District Law focuses on the needs of areas smaller than the traditional villages.

CONCLUSIONS

1. Although the CDBG program has been implemented on Guam primarily through the efforts of GHURA, the program can be implemented through the initiatives of non-profit organizations. In general, for instance, residents of Barrigada could submit an application to GHURA to redevelop Barrigada using CDBG funds. Apparently however, residents of Lembang would not be eligible for CDBG funding if they wanted to redevelop Lembang. Consequently, it appears that CDBG funding cannot be used to upgrade houses in a locality smaller than the traditional villages on Guam.

2. Moreover, the Improvement District Law could probably not function at the village level due to the large number of residents involved and the lack of local funding. Smaller areas appear to be ideally-suited for the Improvement District Law.
3. Consequently, at the village level, CDBG funds could be used to fund redevelopment through the initiatives of non-profit organizations. However, funding problems could be experienced if CDBG funds have already been programmed by GHURA and if the new proposal does not correspond with established priorities. Moreover, since CDBG has funded public facilities, Improvement District funds would not be needed unless in the future the amount of CDBG funds for Guam is reduced. Although using CDBG will resolve the need to upgrade substandard homes (providing that funds remain available), the policy can only be effective at the village level. Home-owner organizations can be formed as special interest groups to lobby for upgrading their village but improvement districts would probably not be effective.

SOURCES

1. Federal Register, March 1, 1978 Part III, Community Development Block Grant: Eligible Activities.
2. Title XLC, Government Code of Guam, "Improvement District Law."

POLICY

Treat substance abuse as a social and medical problem as well as a criminal problem.

BACKGROUND

1. Heroin addiction itself is not a crime nor has it ever been a crime under federal law. The Supreme Court has struck down those state statutes which made addiction a crime. Heroin addiction has become a criminal problem because addicts have resorted to criminal activity to support their \$10 to \$50 a day habits. Unless the addict is a person of considerable means, it is difficult for him to escape becoming a criminal. Most addicts are involved in non-violent property crimes, such as burglary or larceny, to support their habits. National studies have concluded that the only effect incarceration has had upon a heroin addict is that the addict only remains drug free while incarcerated and quickly returns to the drug once released.
2. The process of becoming an addict and being an addict is a social process and condition. Usually, the individual who uses heroin frequently is an alienated individual who feels useless and powerless in the face of circumstances that have frustrated him. This feeling of powerlessness and sense of failure often are results of conditions imposed upon him by society. Failure in educational and occupational roles, and unmet expectations of parents or other authority figures often contribute to the feeling of being inadequate. Furthermore, heroin addicts do not go from non-drug use to addiction in one step, but as part of the socialization process. The individual first starts out experimenting with heroin because he is introduced to it by friends who are using it. Those individuals who feel inadequate continue to use the drug regularly because they find it relieves psychological pain.

3. Psychological profiles, which have been compiled after years of national and international study, describe addicts as being inadequate, immature, passive, and dependent. The addict is often unwilling to postpone immediate gratification and cannot accept responsibility. The use of heroin helps the addict maintain a serene appraisal of his present circumstances and future prospects in the face of conditions that would otherwise produce feelings of overwhelming frustration. Psychologists have also developed a pattern of symptoms which appear to exist among juveniles who use heroin and become addicted. These symptoms include:
 - a. Dysphoria, which is a characteristic mood verging on depression and involving feelings of futility and expectations of failure.
 - b. Disturbances of interpersonal relations, characterized by the inability to enter into prolonged, close, or friendly relationships with peers or adults.
 - c. Low tolerance of anxiety and frustration and are eager to use a support of any kind when available which will alter the feeling.
4. Studies examining the impact of rapid technological and social development and change on Guam have noted that there is a direct causal relationship between this transition and value conflict. Value conflict is the leading cause of heroin use and addiction. Many of the social conditions and personality disorders characteristic of heroin addicts have been found to be rapidly increasing on Guam. Specifically, value conflicts have led to increased personal insecurity and poor self-image.
5. Heroin is a psychologically and physiologically addicting drug which produces withdrawal symptoms and increases tolerance. Until recently, it was felt that once an individual's body was drug-free, psychiatric counseling would help control the physiological dependence on the drug and the person would remain drug free. The success rate of these programs is

approximately 85 percent for a period of months or a few years. However, follow-up studies of these addicts done over longer periods of time have found that no matter how long individuals remain drug free, they always return to heroin use. Only five percent of the treated addicts have remained drug free, either because they are now alcoholics, or because they were in the experimental stage of use when they sought therapeutic treatment.

6. Due to the high failure rate of therapeutic counseling, emphasis is now being placed on biochemical research. Biochemical research is showing that the opiate molecule has a long term effect upon the nervous system which causes an addict to relapse months or even years after withdrawal. Although research now shows that re-addiction is due to heroin's long term effect upon the nervous system, social and psychological factors also increase or decrease the likelihood of relapse and re-addiction.

CONCLUSIONS

1. Substance abuse occurs with both illegal and legal drugs. These drugs can include amphetamines, tranquilizers, barbiturates, alcohol, aspirins, marijuana, opiates, and caffeine. However, due to the magnitude of the heroin problem on Guam in comparison to other drugs, this paper has addressed itself only to heroin abuse.
2. Since law makers tried to end heroin addiction by making heroin illegal and treating it as a criminal problem there has been little effect upon its presence or use. Prolonged incarceration only removes the addict temporarily from society, and postpones the drug seeking behavior but does not alleviate the underlying syndrome. Release from prison and from treatment often releases intense feelings of anxiety, depression, and craving, followed by drug use, and renewed criminal behavior.

3. One major cause of heroin addiction on Guam is the value conflicts which have been brought about by rapid technological and social change. A balance between traditional and stateside values must be achieved in the economic, educational, religious, and political institutions. Steps will also need to be taken to strengthen and preserve the family structure before mental stability and healthy personality development can occur.
4. Until treatment models are developed from the biochemical research, continued support should be given to present therapeutic counseling programs. In addition, drug clinicians should be encouraged to develop new approaches to help heroin addicts deal with the psychological trauma and dependence that the drug produces even though his body may be drug free.

SOURCES

1. Consumers Union Report. Licit and Illicit Drugs; 1972.
2. Haskell, Martin R and Yablonsky, Lewis. Criminology: Crime and Criminality.
3. Coudell, William and Sen, Toung-yi, ed. Mental Health Research In Asia and Pacific; 1969.
4. Penningroth, Phillip E. "The Effect of Local Culture and Criteria of Deviance on the Delivery of Mental Health on Guam."
5. Kaipat, B.R. "Mental Health in the Trust Territory," 1967.
6. Van Der Poel, Cornelius J. "Guam, in Search of Its Own Identity."
7. Betances, Samuel. "Limits of Cross Cultural Education in Solving Ethnic/Race Conflict in Guam."
8. "The Social-Economic Impact of Modern Technology Upon A Developing Insular Region: Guam;" Vol. 111; 1975.

POLICY

Evaluate the feasibility of implementing a heroin maintenance program.

DEFINITION

Heroin maintenance - a program in which addicts can be given heroin legally and under close medical supervision to prevent overdose, hepatitis, or other complications.

BACKGROUND

1. Until 1920 in the U.S., at least 44 clinics legally dispensed morphine or heroin or gave addicts prescriptions for medicinal opiates at low cost or without charge. In 1920, the Narcotics Unit of the Treasury Department, the predecessor of the Federal Bureau of Narcotics, launched a successful campaign to close these clinics. Apparently, some addicts secured more morphine or heroin from clinics than needed, and sold the balance on the black market. Such problems arose because clinics were hurriedly set up, understaffed, and administered by physicians and laymen who knew little about addiction.
2. The British implemented a similar system in the early nineteenth century and have experienced the same problems as the U.S. clinics. However, the British have continued dispensing opiates legally because of the bludgeoning black market and the increase of crime.
3. Major proponents of heroin maintenance programs feel that:
 - a. The prohibition of heroin has encouraged the black market to flourish.
 - b. Since heroin use is forbidden, the use of heroin becomes an attractive method of challenging existing institutions, traditions and authority.
 - c. The prohibition has created the potential for more crime.

4. Major opponents feel that:
 - a. Heroin maintenance programs foster escapist attitudes and non-productive lifestyles.
 - b. The programs will be expensive to operate.
 - c. The programs could encourage others to try heroin which leads to increased addiction.
5. There are an estimated 782 heroin addicts on Guam. In 1977, approximately 52% of the reported robberies, homicides, burglaries and larcenies were drug-related.

CONCLUSIONS

1. Despite all the laws to prohibit the sale of heroin, addiction has increased. Moreover, despite the implementation of treatment programs no significant progress in curing addiction has been seen.
2. The chief aim of heroin maintenance programs is to reduce crime. The most serious destructive crimes associated with heroin are the crimes committed by addicts to support their habits which usually victimize millions of innocent persons each year and cost millions of dollars.

SOURCES

1. "Licit and Illicit Drugs," Consumers Union Report, 1972, Edward M. Brecher.
2. Criminology: Crime and Criminality, M.R. Haskell and Lewis Yablonsky, 1974.
3. Los Angeles Police Dept., "Heroin Maintenance," 1976.
4. Memorandum from David Sandler to the House Select Committee on Drug Abuse and Control Guam, Pacific Daily News 3/24/78.

POLICY

Prohibit smoking in all public offices and buildings.

BACKGROUND

1. It has been documented by the American Lung Association that respiratory diseases are increasing throughout the world today. Inhaling smoke makes the heart beat faster, the blood pressure rise, and the level of carbon monoxide in the blood increase. Smoke from a cigarette's burning end contains more tar and nicotine than inhaled smoke. Researchers have found that lung illness is twice as common in young children whose parents smoke as compared to those children with non-smoking parents.
2. Presently, Bill 830 is being reviewed by the Committee on Health, Welfare and Ecology relating to smoking in public places. The bill proposes to prohibit smoking or carrying a lighted cigar, cigarette, pipe or match in any of the following places owned and operated by the Government of Guam:
 - a. Enclosed meeting or conference rooms where persons gather.
 - b. Elevators, regardless of capacity.
 - c. Enclosed auditoriums or sports arenas.
 - d. Enclosed community centers where persons gather for meetings, parties or for other purposes.

CONCLUSIONS

1. Many people have allergies that are made worse by breathing smoke-filled air particularly cigarette smoke. People with asthma, hay fever, bronchitis, emphysema and other respiratory ailments, should have the right to be free from these man-made pollutants. Non-smokers have as much right to clean and wholesome air as smokers have to smoke.

2. Bill 830 was introduced to protect the health, comfort and atmospheric environment of the non-smoker by regulating smoking in places open to the public. Presently there are federal regulations which restrict smoking to certain areas in planes, busses and trains. However, the constitutionality of such laws and regulations has yet to be tested.

SOURCES

1. 14th Guam Legislature 1978.
2. American Lung Association 1976 "Non-smoker's Rights."

POLICY

Increase taxes on tobacco and alcohol to finance education programs concerning the effects of continued substance abuse.

BACKGROUND

1. The tax levied on tobacco and alcohol is called a sumptuary tax. The tax is intended to penalize abuse and should fulfill the sumptuary purpose of diminishing their consumption. Historically, the sumptuary taxes levied on tobacco and alcohol were based on moral and ethical grounds. These are no longer the bases today because research findings show the damaging effects of alcohol and tobacco on the human body and the resulting socio-psychological problems.
2. Statistical evidence establishing a relationship between cancer of the lung and cigarette smoking was first provided by Doll and Hill in 1950, in England and confirmed by E.L. Wynder in the U.S. Moreover, smoking has been found to have adverse effects on the cardiovascular system and other parts of the respiratory system.
3. According to William Pollin, M.D., Director of Research of the National Institute on Drug Abuse:
 - a. Fifty million Americans still smoke. However, smoking by girls between ages 12 to 18 nearly doubled between 1968 and 1974, eliminating the difference in smoking between males and females. The age at which many children begin regular smoking is 11 to 12 years.
 - b. The national annual average of the number of people who die prematurely from smoking is estimated at 300,000. For comparison, annual automobile fatalities are estimated at about 55,000, deaths attributed to barbiturate overdoses are estimated at about 1,400 and to heroin at

about 1,750. Over 37 million people (one out of every six Americans alive today) will die from cigarette smoking.

- c. If tobacco related deaths were eliminated, there would be:
- 300,000 Americans each year who would not die prematurely.
 - 1/3 fewer male deaths from 35 to 59.
 - 85 percent fewer deaths from bronchitis or emphysema.
 - 1/3 fewer deaths from arteriosclerosis.
 - 1/3 fewer deaths from heart disease.
 - 90 percent fewer deaths from cancer of the trachea and lungs.
 - 50 percent fewer deaths from cancer of the bladder.

4. GovGuam tobacco revenues increased from \$457,019 in FY 1972 to \$626,098 in FY 1977, an increase of thirty-seven percent (37%). In 1977, Guam imported an estimated 182 million sticks of cigarette or about 9.1 million packs.
5. Statistics from the Department of Public Health and Social Services indicates that, of the total number of people who died from cancer from 1970-76, 25-30% had died from lung cancer.
6. Alcohol abuse is America's largest drug problem. Showing that alcoholism is a form of addiction has led to the gradual acceptance of the idea that alcoholism is an illness and a medical problem rather than a form or willful deviancy to be dealt within the criminal justice system.
- a. The liver is the organ which is most significantly involved with processing alcohol in the body and is most often affected by heavy drinking and alcohol abuse. Alcoholic liver disease is one of the most serious consequences of alcohol abuse. Its progressively serious manifestations take the form of fatty liver, alcoholic hepatitis, and cirrhosis, a potentially fatal condition.

- b. A team of scientists headed by Dr. Melvin H. Knisely, Medical University of South Carolina in Charleston, made the astonishing finding that alcohol causes brain damage. Every time persons drink an alcoholic beverage, they permanently damage their brain.
 - c. Alcohol acts as a depressant, controlling and inhibiting the brain mechanism so that social inhibitions are significantly reduced. Moreover, alcohol lessens the efficiency of brain functions, so as to impair sensory, perceptual, and psychomotor functions all of which are necessary for safe driving.
7. No comprehensive study has been conducted locally to determine the extent of alcohol abuse among Guam's population. However, the limited data available can provide a perspective on the nature of the problem.
- a. In 1977 (excluding military), Guam imported 758 thousand gallons of beer, 72 thousand gallons of alcohol (scotch, vodka, burbon, etc.), and 10.7 thousand gallons of wine. Total revenue collected from the sale of alcoholic beverages was \$976,177.
 - b. In a survey of students from five local high schools conducted by Roy Chung (1975), alcohol was the number one form of drug use among those students who have used or continually use drugs.
 - c. A review of mortality statistics from 1970-76 shows that cirrhosis of the liver has been one of the ten leading causes of death on Guam. Eighty percent of those dying from this disease were males in the 45-64 age group.

CONCLUSIONS

- 1. Those knowledgeable in the area of tobacco and alcohol abuse feel that total elimination of tobacco and alcohol consumption is an unrealistic goal. The U.S. tried prohibition but was unsuccessful.

2. GovGuam has a responsibility not only to control consumption through taxation but also to educate the public concerning the effects of continued abuse. A public education program concerning the effects of continued tobacco and alcohol abuse could be implemented and the cost shouldered by those who abuse them. There are two ways in which this can be done:
 - a. A general increase in the tax rate on alcohol and tobacco. Theoretically, if people are willing to maintain the same level of consumption then more revenues will be collected. A percent of the alcohol and tobacco revenues can be used to finance educational programs.
 - b. A surcharge can be imposed above the existing alcohol and tobacco taxes and specifically earmarked for financing educational programs. The advantage of this approach is that the amount set aside will depend upon the level of consumption at any given time. If consumption of alcohol and tobacco increases then the amount of revenues will also increase.
3. The school system should include educational programs in the curriculum to teach children and young people about the dangers of acquiring or developing drinking and smoking habits. The mass media should also assist in curbing for every tobacco and alcohol abuse. Finally, the government could provide grants to local chapters of national organizations such as the lung and heart associations to conduct local educational programs.

SOURCES

1. Department of Commerce, Import Data on Alcohol and Tobacco for 1977.
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POLICY

Continue to support and expand the Neighborhood Patrol Program throughout the island.

BACKGROUND

1. Continuation and expansion of the Neighborhood Patrol and related crime prevention programs are essential on Guam as deterrents to increasing crime especially home burglaries and robberies of small businesses. In comparison to the states throughout the nation, based on the number of crimes reported per 100,000 population, Guam ranked sixth (6th) in 1975 for burglaries and twenty-first (21st) for robberies. The need to continue crime prevention programs can not only be demonstrated by the high crime rate on Guam but also the public's opinion of the Department of Public Safety. In a "1975 Community Survey," prior to any prevention programs, 3,762 people out of an estimated population of 84,000 were interviewed and 48.7 percent felt that the Department of Public Safety was doing an inadequate job. Since the inception of crime prevention programs, a survey done in 1977 showed that public opinion has improved with 24.6 percent of 1,400 individuals interviewed stating that they felt the Department of Public Safety's performance was poor. During July, 1977 a trial Neighborhood Patrol Program was initiated in five villages for two years. Unfortunately at this time there is no data by which to measure the success of the program, however, communities in the mainland with comparable programs are experiencing a noticable drop in crime rates.
2. The Neighborhood Patrol Program needs continued support and expansion for several reasons:
 - a. Usually the less time which elapses between the actual offense and the arrival of police, the higher the chances the individual will be apprehended. Unless law enforcement officers are familiar with the area, it is often difficult for them to locate homes and businesses due to

scattered development and the general lack of street names and address.

- b. Secondly, most officers in patrol cruisers have very little contact with people in the various villages because they travel primarily on the main roads and cover a large area. Such isolation not only prevents them from direct contact but also helps to foster distrust of officers among the citizenry. Since Neighborhood Patrol Officers are assigned to one area and travel more of the roads, they are more alert to something that appears suspicious, for example activity at a home where the occupants usually have gone to work. Moreover, as the citizenry becomes more familiar with officers they also become more willing to report suspicious activity and are more likely to allow officers to conduct security checks of their homes and businesses and take the recommended precautions. Thus, as citizens become more trustful they also become willing to take more active roles in crime prevention.

CONCLUSIONS

1. It should be noted that the Neighborhood Patrol Program will only have limited effectiveness in preventing crime. The prevention of crime must begin much earlier, as indicated by a national study:

"We will not have dealt effectively with crime until we have alleviated the conditions that stimulate it. To speak of controlling crimes in terms of the work of police, the courts and the correctional apparatus is to refuse to face the fact that widespread crime implies a widespread failure by society as a whole."

2. Currently, a study is being conducted to measure the effectiveness of the Neighborhood Patrol Program. If there is even the slightest correlation between the presence of the Neighborhood Patrol and the reduction of crime, officers should not only be placed in every village, but also the number of officers increased. The increase in manpower will allow officers to cover smaller areas and increase their familiarity of the village and village citizenry.
3. Although the Department of Public Safety would be responsible for assuring that adequate manpower is available, the Department of Public Safety and the Territorial Crime Commission should gather appropriate statistics to measure the effects of the program and to monitor it. Methods by which the effectiveness of the program is measured should not be limited only to victimization studies and the comparison of percent increase or decrease of crime rates among those villages with and without the Neighborhood Patrol Program in various years, but should also include local citizenry input and the actual number of crimes prevented due to crimes reported directly to officers or officers noticing something suspicious. We must note however, that any increases in crime rates given the presence of the Neighborhood Patrol may be explained by greater reporting of crimes.

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POLICY

Ensure the strengthening of family ties as deterrents to crime by evaluating proposals that weaken these ties.

BACKGROUND

1. A considerable amount of time and money has been spent nationally on studies which examine the role of the family in the socialization of children. These studies conclude that stress within the family often leads to delinquent behavior.
2. Locally, several studies have been conducted which focus upon the effect rapid social change has had upon the family's socialization process. These studies show that:
 - a. Rapid social change is facilitating the creation of nuclear as opposed to extended family structures.
 - b. Rapid social change has created sharp value differences between the older and younger generations, which often leads to conflict between the two groups.
 - c. Rapid social change has fostered personal insecurity and a lack of self-acceptance.
 - d. Deviant behavior including status offenses, involvement in criminal acts, and the use of drugs displayed by youth and young adults are due primarily to the present instability within the family structure on Guam.
3. Housing, economic development, employment, social services, health services and education proposals may affect family stability. In all of these areas the financial costs will have to be consciously weighed against the social costs before decisions are made. For example, in the area of housing, the majority of people are concentrated in urban areas because it is financially

more economical to provide the necessary infrastructure. However, concentrating people in urban areas also contributes to family instability because of rural to urban migration and the breakup of long-standing interpersonal relationships.

CONCLUSION

1. It is difficult to pinpoint exact policies or programs which contribute to the instability of the family. However, adequate studies have been conducted locally and nationally to provide insight to legislators and government agencies to assess the impacts of programs, policies and laws upon family stability. If economic development and social change is allowed to continue at the present rate without taking into consideration their long range impacts Guam will continue to experience a high crime rate.

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POLICY

Decriminalize all offenses in which there are no victims.

DEFINITIONS

1. Decriminalize - to lower the statutory classification of an offense, for example lowering an offense from a felony to a misdemeanor.
2. All offenses in which there are no victims-includes offenses which are based on morality norms and have willing victims for example, prostitution, fornication, adultery, and distribution of obscene material, but does not include those offenses classified as white collar crimes, for example, income tax evasion.

BACKGROUND

1. On January 1, 1978, Guam's revised penal code, The Criminal and Correctional Code of Guam, became operative. The revised code made several major revisions to those laws in the proceeding code which governed morality. The following changes were instituted:
 - a. In the case of those offenses in which willing adults are involved such as fornication, homosexuality, adultery, copulation and cohabitation, the statutes governing these practices were removed.
 - b. In both codes, violations of statutes governing obscene material, prostitution, and gambling are classified as misdemeanors. However, due to the vague wording in the previous code, these statutes were difficult to enforce. The revised code has redefined the statutes such that they are applicable to present day situations and can be enforced.
 - c. Although the revised code has decriminalized those offenses which have willing victims, it also has provisions to protect unwilling victims. Statutes which protect unwilling victims not only include those offenses which subject individuals to perform sexual acts against their will and to "pander," (exploiting the weaknesses of others), but also include

offenses which expose the general public and minors to behavior which violate morality norms. (Examples: an advertising photo showing an illicit sexual act in front of a movie theatre for general public view or non-government sanctioned gambling in a public building). In both codes, these offenses are classified as misdemeanors. In addition to clarifying offenses, the revised code raised the age of minors from 16 to 18 and made it legal for a parent or legal guardian to expose a minor to obscene materials. One of the major changes in the revised code is the inclusion of offenses which have the element of force or pander. These offenses are classified as third degree felonies.

- d. The revised code has decriminalized the classification of three offenses: engaging in prostitution, incest and bigamy. Incest and bigamy, which were classified as felonies, have been lowered to misdemeanors and engaging in prostitution has been lowered from a misdemeanor to a petty misdemeanor.
- e. The revised code has removed specific penalties which were assigned to the various offenses in the previous code and now allows the judge to impose a maximum sentence of imprisonment not to exceed one year and/or a fine not to exceed \$5,000.

- 2. National studies and reports on the enforcement and administration of morality laws have concluded that excessive investigation and prosecution of violators of morality laws tie up the police and clog the courts, often at the expense of their capacity to deal with more threatening criminals. Studies have also concluded that the enforcement of obscenity laws which have willing victims often raise troublesome legal issues for the court. In terms of being a deterrent, national studies note that incarceration, fines or probation rarely reform persons engaged in behavior which violates morality norms.

Furthermore, studies also conclude that the prosecution of offenders does not appear to deter potential offenders.

CONCLUSION

1. Legislatively, statutes governing morality norms have been decriminalized or removed when there are willing victims. However, since the revised code has become operative, law enforcement activities directed at those offenses with willing victims have been increased. Due to the limited and adverse effects that enforcement of these laws have, law enforcement officials should redirect detection, arrest and prosecution efforts geared toward those activities with willing participants to misdemeanors with unwilling victims and felonies.

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POLICY

Re-evaluate plea bargaining practices in the light of the number of crimes repeatedly committed individual criminals.

DEFINITION

Plea bargains--Negotiations between the prosecuting attorney and the defense lawyer in which, for the plea of guilty, the prosecution drops all other charges and reduces the classification of the crime.

BACKGROUND

1. At least 90 percent of all persons convicted of crime in the United States are convicted by their plea of guilty. Less than 10 percent of the persons accused of a crime are convicted as a result of trial by either a judge or a jury. Plea negotiations are the means for maintaining a constant percentage of guilty pleas necessary to keep from swamping the courts with work.
2. Trials are time-consuming and costly. To try every offender, the courts would have to be enlarged by at least 50 to 60 percent to handle the increased load. There is a national concern among criminal justice experts that, for financial reasons, the adoption of a no-plea-agreement system would stimulate some abbreviated form of trial or other simple procedure for the disposition of cases that are not seriously contested. The major effect would be that defendants would be agreeing to an abbreviated trial rather than demanding his right to a full one.
3. In 1971, President Nixon's Advisory Commission on Criminal Justice Standards and Goals recommended total abolition of guilty plea negotiations by 1978. Due to the harm criminal justice experts saw in the Commission's recommendation, it was never formally or informally adopted as a national goal. However, in 1973, at the urging of Governor Rockefeller and based on the

Commission's recommendation, the New York Legislature passed a law to punish narcotic offenders more severely and prohibited plea bargaining for reduced charges. During this time, arrests and charges decreased for the stipulated offenses because police and prosecutors were reluctant to participate in the injustice of dealing with minor offenders, who made up to most of the cases. The New York Legislature has since modified and softened the law.

4. The Supreme Court, President Johnson's National Crime Commission, the American Bar Association, and the Los Angeles Superior Court, the largest felony trial court in the nation, have supported plea bargaining as a legitimate practice when conducted openly. In 1974, the Supreme Court published a number of amendments to the Federal Rules of Criminal Procedure, which is applicable to all federal courts. One amendment brings the plea agreement out into the open court and provides a method for the court to accept or reject the plea argument. Recently, Guam revised its Rules of Criminal Procedure which is part of the Criminal and Correctional Code of Guam, and has adopted the nationally recognized plea agreement procedures.
5. The practice of plea bargaining has been criticized nationally due to serious abuses. Critics of plea bargaining point to the pressures placed upon an individual to plead guilty and feel that it may negatively affect the innocent since he may be pressured into pleading guilty to a crime he did not commit. A low-income person may be pressured into pleading guilty because he is made to fear a vigorous prosecution and severe sentence while being financially unable to adequately defend himself. Finally, individuals who insist on their right to a trial may antagonize the prosecutor and judge and thus risk serious consequences. On the other hand, others are critical of plea bargaining because it works to the advantage of the guilty. Offenders with good lawyers may manipulate the system to obtain leniency.

CONCLUSIONS

1. Many of the criticisms hurled at plea bargaining practices are due to the secrecy of the plea bargaining process. However, Guam has taken precautions to ensure the rights of accused individuals and to ensure that society's best interests are protected. When the Criminal and Correctional Code of Guam became operative, it mandated that plea negotiations be open. Furthermore, if a negotiated agreement to plead guilty is reached, upon the plea of guilty in open court, the terms of the agreement are fully stated on record. It is then left to the judge's discretion, based on the terms of the agreement and the pre-investigation report, to accept or reject the plea bargain.
2. As long as plea bargain agreements are openly discussed, they should not be curtailed or abolished even in the case of those individuals who repeatedly commit crimes. It is an important technique and without it, providing a full trial to every individual could burden the justice system to the point they could no longer ensure justice.

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POLICY

Investigate the advantages and disadvantages of requiring minimum sentences on all major criminal offenses.

DEFINITIONS

1. Minimum sentence - the least amount of time which must be spent in prison before an individual is eligible for parole.
2. Major criminal offenses - those offenses which the Criminal and Correctional Code of Guam lists as felonies or first degree misdemeanors.

BACKGROUND

1. It has become nationally recognized that states should update and revise their penal codes. The American Law Institute and the Council of Judges of the National Council on Crime and Delinquency have written model penal and sentencing codes, which are nationally recommended for state implementation. Like many of the states, Guam has also revised its code and has incorporated many of the recommendations from the Model Penal Code and the Model Sentencing Code. Guam's revised code, the Criminal and Correctional Code of Guam, established by Public Law 13-185, was approved September 2, 1976, and became operative on January 1, 1978.
2. In May 1978, Public Law 14-125 was passed which amended Chapter 80, Section 80.7 such that those convicted of first degree murder would be sentenced to life imprisonment and would not be eligible for parole.
3. Prior to the revision of Guam's penal code, the use of minimum and maximum sentences were often indiscriminately applied. The revised code however, now reduces all crimes into three grades of felonies and two grades of misdemeanors with each grade carrying a stiffer maximum penalty. For example, in the case of a felony in the first degree, a judge can set a

a maximum prison term not to exceed 20 years and may fix a minimum term not to exceed 5 years whereas in the case of a felony in the second degree, the maximum prison term cannot exceed 19 years and the judge may fix a minimum term not to exceed three years. The revised code not only has standardized sentencing criteria but also allows judges the necessary flexibility to prescribe a sentence which best fits the circumstances of a particular case. The code clearly defines the use of minimum sentences, circumstances by which minimum and maximum terms can be extended, and the circumstances when probation can be granted. In addition to providing judges the needed flexibility to determine a proper sentence, the code also provides the Parole Board with flexibility needed to determine when an inmate is rehabilitated and can be released. For example, in the case of an individual who the Parole Board feels is rehabilitated and should be released but has not served the minimum time required by the court, the Parole Board can petition the court for the individual's release.

4. It has become a national concern that large numbers of individuals are being sentenced to imprisonment who do not need to be placed within a prison to protect society. Evidence shows that probation, fines, public service requirements which are less costly than incarceration are consistently producing lower rates of recidivism. One study stated that is practical for 60-70 percent of all court adjudications to favor immediate probation, 15 percent needing short-term confinement and 15% needing longer periods of confinement. It should be noted that at this time, there are no studies on recidivism rates on Guam by which to compare local rates to national rates.

CONCLUSIONS

1. Requiring minimum sentences on all major offenses at least from the financial aspect is not practical because it would be a great burden to taxpayers to incarcerate every individual who commits a major offense. Furthermore, national studies have pointed out that probation is often more of a deterrent to future crimes than incarceration for some individuals. In 1976, it cost tax payers \$8,984 to incarcerate one individual where it cost \$924 to supervise an individual placed on probation, a difference of over \$8,000 per individual. Some individuals are more receptive to correctional programs, and therefore retaining them until they serve their minimum sentence would needlessly burden taxpayers.
2. Circumstances vary among cases and a minimum sentence which may be practical in one instance may not be in another. What is needed, is not to revise the code to require that all major offenses carry a minimum sentence, but to develop an information system to improve the sentencing capabilities of judges, including information about how different kinds of individuals are likely to react to correctional programs and about the deterrent effects on the criminal process.

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POLICY

Construct a minimum-security prison facility for criminals convicted of less serious crimes.

DEFINITIONS

1. Less serious crimes: There is a great deal of difficulty in determining what constitutes a less serious offense due to the fact that sentencing considers more than the mere fact that the individual committed a criminal act. However, for the purpose of the CDP, less serious crimes include misdemeanors and first-time offenders of third degree felonies.
2. Misdemeanors: A crime which is less serious in nature and are generally punishable by fine or imprisonment in a facility other than the penitentiary.
3. Felony: A crime which is more atrocious in nature than those designated as misdemeanors, generally punishable by imprisonment in a penitentiary.
4. Minimum - security prison: This paper is not necessarily discussing a form of prison architecture but a facility in which less serious criminals are separated from individuals who are more committed to criminal values.

BACKGROUND

1. Presently, the Adult Correctional Facility is overcrowded. However, this may not necessarily be a major factor why judges are reluctant to impose prison sentences. National studies show that a prison sentence alone is not a deterrent to crime. In determining the appropriate sentence, judges must take into consideration the extent or degree of threat to the public and commitment to criminal values, personal stability, personal deficiencies (education, psychological characteristics of the individual), and the general lack of appropriate rehabilitative programs at the prison. National studies also show that, "for adult felony offenses, it is practical for 60-70 percent of court

adjudications to favor immediate probation ... Probation grants in excess of 50 percent are producing success at the 75 percent level where there is minimal post-sentence service."

2. Before the decision to build a minimum security complex can be made, several factors need to be considered and unfortunately at this time appropriate data is not available for Guam. First, there is no data which demonstrates the percentage of cases that judges impose the sentence of probation due to the present overcrowding at the penitentiary or due to the present national judicial philosophy that probation is more of a deterrent to crime than a prison sentence for persons who commit lesser offenses. Secondly, there is no data by which a comparison of the recidivism rate among those sentenced to a prison term and those given probation can be made. Finally, there is no data which demonstrates the court's reluctance to place an individual in the penitentiary due to the need to separate less serious offenders from those more committed to criminal values.
3. There is no appropriate facility on Guam designed to rehabilitate and detain individuals convicted of less serious crimes. For instance, in addition to individuals more committed to the values of crimes, individuals are also placed in the penitentiary for not paying traffic violation fines and non-support of children. Individuals convicted of more serious misdemeanors, for example, larceny, who are placed at the penitentiary may graduate into felons. Moreover, there is no facility in which marginal first-time felons, who need more continuous supervision than a probation officer can provide, can be placed. In these cases, a rehabilitative facility, preferably separate from the penitentiary and community-based which is designed to meet special needs would be advantageous. Multnomah County, Oregon has established such a facility which includes a work release program in addition to counseling, psychological testing and other rehabilitative programs. Their recidivism rate has been estimated at less than 20 percent.

4. Public Law 14-133, created a Guam Penitentiary Task Force consisting of the Director of the Department of Corrections, the Department of Public Safety, Territorial Crime Commission, Department of Land Management, Department of Public Health and Social Services, the Attorney General, the Public Defender, two members of the Territorial Planning Commission and two members of the Parole Board. According to the law, the Task Force is to choose a site for a new location of the penitentiary, preferably on government-owned land, isolated and large enough for future expansion. The legislation appropriated \$30,000 to the Department of Public Works to defray the cost of the feasibility study and authorized \$250,000 to be appropriated for an architectural and engineering design plan for the penitentiary. An article in the Pacific Daily News noted that the penitentiary is to accommodate the projected number of inmates until the year 2000, to segregate the maximum security area, have a women's section, have outpatient services and be designed such that escape will be impossible. The article lists possible locations, none of which include the present site.
5. It should be noted that the Task Force created by Public Law 14-133 is not the first one. A task force in 1973 was also organized but was disbanded in 1974 due to government financial difficulties. However, in 1975 the Relocation Plan was completed by the Director of Corrections. It should also be noted that in the Capital Improvement Requests for FY 1980 to the Department of the Interior, two million dollars is requested to renovate and expand the penitentiary at the present Mangilao site.

CONCLUSIONS

1. There is presently a need to establish a facility which is designed to accommodate lesser offenders such as misdemeanants and first-time marginal offenders, but not individuals considered more hard core but near parole. A great deal of concern is presently being displayed by government that there is a need for a new penitentiary, whether renovated or relocated, and that the thrust of their

concern is directed toward a medium to maximum security complex that is designed to separate hard-core and women offenders from the general prison population, but it appears that very little or no concern has been displayed to also separate lesser offenders from the general prison population.

2. Once the feasibility of a minimum security facility is established, a Task Force should be established to develop rehabilitative programs. Members could include individuals representing the Department of Corrections, the Court, the Territorial Crime Commission, the Bureau of Budget and Management Research, the Behavioral Clinic, the Community Mental Health Center, Drug and Alcohol Abuse Unit, the Department of Vocational Rehabilitation, the Chamber of Commerce, ex-felons and any other necessary individuals. It would not only be the task force's responsibility to design rehabilitative programs but to monitor the implementation of programs once the facility becomes a reality.
3. In addition to the aforementioned committees it would be the Territorial Crime Commission's responsibility to gather statistics on recidivism rates with assistance from the Attorney General's Office and the Department of Corrections. It would also be their responsibility to monitor the effectiveness of the facility, using a comparison of recidivism rates as one of the tools used to measure its effectiveness.

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POLICY

Decriminalize status offenses.

DEFINITIONS

1. Status Offenses - offenses if committed by an adult would not be considered a crime, for example: truancy, smoking, curfew.
2. Felony - any crime for which an adult can be punished, for example: burglary, robbery, and possession of a controlled substance.

BACKGROUND

1. A formal agreement was signed in November 1977 by the directors of the Department of Public Safety, Public Health and Social Services, Sanctuary and by the presiding Judge of the Superior Court, which diverts status offenders from the courts or the juvenile detention facility to community-based programs. Even though this formal agreement does exist, the Code of Civil Procedure still permits status offenders to come into contact with the judicial system and be placed in detention.
2. In a nationally recognized study on crime, it was recommended that, "any act when committed by an adult should continue to be, when charged against a juvenile, the business of the juvenile court, however, ... serious consideration should be given to complete elimination of the court's power over children for non-criminal conduct."
3. Often when status offenders go through the judicial process they are labeled as "juvenile delinquents." This label in itself can be a critical determinant of subsequent deviant behavior. Additionally, when status offenders are placed in the same facility as non-status offenders, criminal behavior is often learned through personal interaction. The learning includes techniques of committing criminal acts, the motives, drives, rationalizations, and attitudes favorable to the commission of crimes.

CONCLUSIONS

1. By revising laws to decriminalize status offenses there will be little impact upon present juvenile delinquency rates due to the present agreement. It is also too early to determine what kind of impact the agreement is currently having upon delinquency; however, decriminalizing status offenses and diverting status offenders will have a significant effect in preventing status offenders from becoming felons.
2. It is the Legislature's responsibility to revise the laws regarding status offenders in the Code of Civil Procedure. In revising these laws the Juvenile Court, the Juvenile Justice Division, Sanctuary and the Department of Public Health and Social Services should be contacted for their input. The only major problems in implementing the policy are changing society's conception of a status offender as a juvenile delinquent and ensuring that appropriate community-based programs are available for status offenders.

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POLICY

Improve the effectiveness of prevention and rehabilitation programs by encouraging adults and children to participate in counseling programs.

BACKGROUND

1. The family is the first and most basic institution in society for developing a child's potential. It is within the family that the child learns to respect authority, accepts rules and learns to curb desires. A child can not be treated as a separate entity due to the vital role the family plays in his socialization process. Among those who work with juveniles in the territory, there is a consensus, although no statistics to prove or disprove their theory, that the primary causes of juvenile delinquency are related to the family situation.
2. Youths are presently being socialized in a system that their parents are often totally unfamiliar with. Because most parents do not participate in or understand this new social system they are often unable to provide proper guidance and counseling. Due to the conflict of the two systems, parents often find themselves unable to control their children. Counselors at Sanctuary, a non-profit agency which works exclusively with status offenders, attributes the differences in the socialization process to a large number of their cases.
3. Greater emphasis must be placed on preventative counseling including programs which are designed to improve parenting skills. Although a large number of parents could profit by participating in programs designed to improve parenting skills, parenting classes should be made available to families whose first child is born to a woman under the age of 18. In 1976, 159 per 1,000 live births were to women aged 18 and younger. Although care for children for the most part has been undertaken by the extended family, there is presently a shift from the extended family to the nuclear family where mothers under the age of 18 will be expected to take greater responsibility for raising their children.

4. Although there are no studies regarding Guam, national studies show a direct correlation between delinquent behavior patterns and inconsistent discipline and children who are physically or psychologically abused by their parents. It can be assumed that a significant percentage of abused children on Guam will also engage in some form of delinquent behavior.
5. Presently, the number of existing preventative and rehabilitative counseling programs which are available to youths and their parents are extremely limited. In addition, the number of individuals who can participate in these programs are also limited due to inadequate manpower. Agencies which are currently providing limited counseling services to youths and their parents include Sanctuary, Community Mental Health Center and the Superior Court. Programs such as YOU (Youth of Umatac) and Impact '76, do provide limited counseling services to youth but seldom include their parents.

CONCLUSIONS

1. Counseling programs by themselves may not be successful deterrents, however, when combined with other preventative and rehabilitative programs they become valuable tools. Although in theory, counseling should provide insights to the child and parent, in actuality it will probably provide more insight to the caseworker in developing a treatment plan.
2. One of the major problems in implementing the policy will be getting the parents to participate, either they are "too busy," apathetic or they see the behavioral problem totally as the child's and they themselves are not contributors. In many cases, just the mere encouragement of parents to participate will not be enough and more forceful encouragement may be needed through court orders or agency policies. However, due to the already high case loads, parents and youths can not be encouraged to participate more fully until programs are expanded.

3. Counseling programs should continue to be provided by those public and non-profit agencies which are working with status and non-status offenders.

Additionally, the Department of Public Health and Social Services should be providing parenting classes to parents whose child is a Protective Service case and to young parents. If it is not feasible for them to provide the service, it should be contracted out to Mental Health. Lastly, because it is becoming increasingly difficult for government to provide all social services, churches on Guam should also be encouraged to provide specialized counselors.

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POLICY

Protect the rights of victims of crime by enacting legislation that requires convicted criminals to compensate victims in both crimes against property and bodily injury.

BACKGROUND

1. The concept of victim-compensation is fairly new within the United States so literature on the subject is extremely limited. Some states, such as California and New York, have passed victim-compensation laws. However, the state provides compensation to victims who have limited financial resources and who suffer injury in violent crimes. On the federal level, bills have been introduced, but to date no federal legislation on victim-compensation has been passed.
2. The crimes in which one suffers property loss or personal injury have been rapidly increasing. Reported offenses have increased from 3,171 in 1970 to 5,708 in 1976, per 100,000 population. The number of reported personal crimes, which include homicide, rape, robbery and assault, have risen from 110 in 1970 to 368 in 1976, and reported property crimes, which includes burglary, vandalism and larceny have increased from 2,369 in 1970 to 4,399 in 1976, per 100,000 population. More specifically, reported burglaries have risen from 760 to 2,369; assaults, from 757 to 1,117; motor vehicle theft, from 248 to 652; rape, from 11 to 32; larceny, from 1,360 to 2,110; and homicide, from 19 to 30 from 1970 to 1976 per 100,000 population. There are no statistics on the cost to individuals who suffer personal injury; however, during 1976, almost \$4 million in personal property was reported stolen and only 11.6 percent of that total was recovered.

3. In 1976, twice as many convictions resulted in probation rather than a prison sentence, whereas only one individual was required by the court to make restitution and he was given a suspended sentence. Convicted individuals are seldom required to make restitution, although some victims, as in the case of assault, can sue in civil court to recover their financial losses. Probation is usually granted in the case of first time offenders because it is felt to be more a deterrent to future crimes. The only stipulations placed on the individual are that he sees his probation officer and lives a crime-free life. Although there are presently no statistics available on the recidivism rates among those granted probation, it appears that the recidivism rate is high, especially among those convicted of burglary.

CONCLUSION

1. According to judicial philosophy, a convicted criminal is considered to have paid his debt to society whether granted probation or given a prison sentence. Even though a convicted individual repays society, it does not negate the fact that the victim suffers the financial consequences and inconveniences of that convicted individual's actions. Steps should be taken by the legislature to pass a law which would require convicted individuals to be liable for their actions. Such legislation should not only make those granted probation liable but should also include those sentenced to prison terms. Such legislation may also prove to be a deterrent to crimes.

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POLICY

Develop and administer a literacy test to all students prior to high school graduation.

DEFINITION

Literacy test: This test attempts to evaluate reading and comprehension skills. However, in the CDP, "literacy" should be changed to "competency" since the original intent was that the education system assess whether students are performing at certain predetermined levels in all basic areas prior to high school graduation.

BACKGROUND

1. In the State of California, competency testing is available as an alternative to the regular high school program. If students feel that they can benefit more by apprenticing in a trade, they can skip high school grades by passing the "California Proficiency Examination."
2. Proponents of "competency testing" hold the position that the American education system is time rather than product-oriented. They believe that students can go through the 12 years of formal schooling without actually learning skills commensurate with each grade level. Moreover, "competency testing" will not necessarily require any changes in the school curricula or affect ordinary students.
3. Presently, Guam laws do not specify the level of competence or specific requirements that students should meet prior to graduation from high school. Under existing educational laws, the Territorial Board of Education is responsible for establishing graduation requirements. These requirements consist of successful completion of 15 credits including 3 credits in English, 3 in Social Studies, 3 in Mathematics and Science, 2 credits in Physical Education, and 4 Elective credits. A student is considered to have successfully.

completed a course by attaining a grade of "D" or better. The assignment of students' grades is the responsibility of each respective teacher.

4. The Public School System conducted an experimental educational accountability project in language arts and mathematics at the third, sixth, ninth, and twelfth grades in 1973 which would have provided the DOE with the tools to assure whether the students were performing at levels commensurate with the objectives of their grade level. However, the project was never implemented on an island-wide basis probably because it lacked the necessary support within and outside of the DOE.
5. The DOE, through the Teacher Corps Project, has developed competency-based curriculum guides for Reading K-6, Math K-12, Language Arts, Social Studies and Science 7-12. Curriculum guides for Home Economics, Physical Education, and Music 7-12 are in the process of being developed and plans are being made to write curriculum guides for Science, Social Studies and Language Arts K-16. These curriculum guides will provide the basis for implementing a competency-based curricula which means that before students can be promoted to the next grade level they must at least attain the competency level required.

CONCLUSIONS

1. It is imperative that the Guam Public School system strengthen the requirements for graduation in order to safeguard against any student slipping through the system without at least attaining minimal competency in the desired skills and knowledge. The existing requirements are too broad and loosely defined. Furthermore, there is evidence that local students are not performing at a level commensurate with their grade equivalency. The island should follow the initiatives taken by other states in requiring students to take a competency examination prior to high school graduation.

2. The development of a competency test to be administered in the public school system will take several years. In the meantime, however, the school system can utilize the General Educational Development Test (GED) as a screening mechanism.
3. The most difficult task that will be encountered in the development of this test will be to determine what is the minimum competency level that students should possess prior to high school graduation. In order to ensure the success of this recommendation, all interested parties (students, teachers, public officials, parents, and general public) should be consulted in all stages of test development. Moreover, an extensive public education program will be needed to foster an understanding among the general public concerning the test.

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POLICY

Increase emphasis on the development of basic skills in all levels of the education system.

BACKGROUND

1. The Guam Department of Education Needs Assessment Study undertaken in 1972 identified the following educational needs for Guam:
 - a. Students must learn basic English communication skills in the elementary schools.
 - b. Students must learn basic English communication skills in the secondary schools.
 - c. Students need to learn mathematics concepts and computational skills.
2. In 1975, the 13th Guam Legislature enacted Public Law 13-101 to develop and implement a Basic Education Program. Section 11220 of this law states that:

"The Board shall implement an educational program with a curriculum for grades one through twelve that provides for the development of competency 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."
3. Prior to school year 1973-74, the Guam Public School System had been using the nationally recognized and accepted Stanford Achievement Test (SAT) to compare the ranking of the students of Guam to students in the U.S. mainland. The SAT results have consistently shown Guam students to be below the national average. However, a temporary suspension was placed on the SAT in school year 1973-74 as a result of the accountability system project being

developed by the Department of Education in consultation with the EPIC Diversified Corporation. One phase of the accountability system project was the development of the Guam Criterion Reference Test (CRT) instruments for all grade levels. The purpose of the CRT was to evaluate student performance in terms of local norms rather than national norms using standardized test instruments similar to the SAT. Full development of the CRT instruments would necessitate several refinements and would probably take several years to become a viable testing instrument.

4. In 1977, the SAT was again administered in the public schools on an island-wide basis. It showed that:
 - a. At the elementary level, vocabulary and listening comprehension, reading and math scores were below U.S. norms.
 - b. At the junior high level, the test showed a progressive deterioration in relation to national norms from the seventh to ninth grades primarily in reading and vocabulary.
 - c. At the senior high level, greatest deterioration was shown in reading with substandard performance in Math and English.
5. The high attrition rate among students entering the University of Guam stems from two sources: linguistic problems and the cultural gap they must invariably bridge. In the Spring 1977 placement test, 57% of the 122 Guamanian students as compared to 23% of the 86 English students were placed in EN101A. EN101A is the development English Program.
6. Because of the language problems faced by entering students, the University has responded with a multi-level language development program. Students are required to take reading classes until they reach a score of 10.5 on the California Reading Test (CRT). In addition, they are required to take specialized writing and audio-lingual classes until their proficiency in English has met pre-determined, testable objective standards.

7. The public system, through the assistance of the federal government, has been developing, testing, and implementing a number of programs designed to meet the educational needs of local students and the adult population. However, such programs are intended only to supplement local efforts. Foremost among these programs, is Title I of the Elementary and Secondary Education Act (ESEA) which enables the Department of Education to provide supplementary, basic skills instruction to children in selected island schools. Presently, remedial reading, math, and Teaching English as a Second Oral Language (TESOL) programs are being funded under Title I. The programs have been successful in increasing the reading and language, oral communication ability, and knowledge of math of participating students. However, because Title I is a supplementary program, participation in the program is limited to target schools and selected students within each of the target schools.
8. A bilingual-bicultural project, funder under ESEA Title VII, was implemented in Inarajan Junior High and in five elementary schools. One goal of the program is to facilitate the mastery of English by children who enter school with good conversational skills in Chamorro but with less than adequate capability in English. The project is in its second year of operation.
9. The Guam Teacher Corps, funder under the Title V of the Higher Education Act, has enabled the University of Guam and Department of Education to develop and implement teacher training programs to meet the unique set of educational circumstances facing the island schools.
10. The Department of Education is participating in other federal programs such as ESEA Title II-School Library Resources and Other-Instructional Materials; ESEA III-Supplementary Educational Centers and Services, Guidance, Counseling and Testing; Emergency School Aid Act-Special Programs; and Adult Education.

CONCLUSIONS

1. The Department of Education has become significantly dependent upon the federal government for many of its programs. Although these programs are intended to supplement local efforts, the lack of local funds has made these programs a vital part of DOE. There is the danger that should funding for these federal programs be terminated or reduced, DOE could no longer implement them. Moreover, should the pilot programs prove successful, the lack of local funding could prohibit the DOE from implementing them on an island-wide basis.
2. In pursuance of this policy, the education system should continue implementing or pursue the following suggestions which were recommended in the DOE Needs Assessment Study:
 - * TESL (Teaching English as a Second Language) and remedial reading teachers should be available in all elementary schools.
 - * Regular elementary school teachers should be capable to teach English as a second language.
 - * English and reading texts developed for American schools should not be used to instruct non-native speakers in basic English communication skills.
 - * Experts in the Chamorro language should be used to make teachers aware of the language patterns in English that native students will have the most difficulty in mastering.
 - * Teachers should be screened to make sure that they know how to speak good, clear English.
 - * Class discussion and oral participation on the part of the students should be encouraged in all grades.

- * Remedial and TESL programs should be available at the Junior High level to those students who lack adequate English communications skills regardless of whether they are non-native speakers of English.
 - * The teaching of writing skills should be emphasized at the junior and senior high levels.
 - * Remedial Math programs should be available to those students who are weak in math concepts and/or computational skills.
 - * Emphasis should be given to vocational math and to consumer-personal math in the high school math program.
 - * Math teachers should be able to individualize and personalize the instruction of mathematics.
 - * Continue to implement the Adult Basic Education Program.
3. It is recognized that this problem cannot be resolved overnight. However, the public school system must set interim objectives to evaluate the progress that has been made. The formulation of the evaluation criteria should be the responsibility of educators.

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POLICIES

1. Emphasize vocational education as an essential component of the individual's education.
2. Improve the education system's capability to anticipate both the kinds and quantities of future manpower requirements.
3. Provide training in job entry skills for each individual before formal schooling is completed.
4. Encourage early job/career selections.

DEFINITION

Vocational Education: Consists of organized programs which are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than baccalaureate or advanced degrees.

BACKGROUND

1. As of December 1977, 1,960 or 6.9% of the labor force were unemployed, while the unemployment rate of teenagers is the highest. However, as of March 1977, non-immigrant aliens constituted 3,938 (12.8%) of the 30,816 persons employed while 2,986 or 74.3% of these were employed in the construction industry.
2. The Department of Education (DOE) created the Division of Careers and Occupations, which was responsible for the administration, supervision, and development of career and occupational-oriented educational programs. Included within the Division are the Career Education Section, the J.F. Kennedy Occupational Center, and the Guam Vocational Technical High School.
 - a. During the 1977-78 school year, the Career Education section focused on implementing the elementary, secondary and adult education components of the career model; conducting research and modifying career programs to meet specific population needs.

- b. The J.F. Kennedy Occupational Center was established in 1977, to provide a wide variety of vocational experiences to students, so that they could find immediate employment or pursue further studies. Distributive Education, Health Careers, and Electronics/Electrical subjects were offered.
 - c. The Guam Vocational Technical High School (Voc.Tech.) offers a combination of academics and 23 vocational subjects to secondary students (10-12 grades).
3. The number of students graduating from Voc-Tech. has been increasing, however, only 24% of the total number of graduates from the public high schools graduate from Voc-Tech. During the 1977-78 School Year, Voc-Tech. enrolled a total of about 960 students, 19% of the total public high school enrollment.
 4. To graduate from Voc-Tech., a student must complete seventeen (17) credits in the following areas: English 3, Math 2, Science 1, Shop Areas 9, and Social Studies 2.
 5. The Cooperative Education program at Voc-Tech. provides students with on-the-job experience. The program is well thought of in the business community. However, it has not been utilized in most of the vocational areas that are taught. Often, students in this program are employed permanently by the cooperating employees after graduation.
 6. Public Law 14-77 created the Guam Community College (GCC) which transferred the Division of Careers and Occupations, including the Guam Vocational Technical High School, to the GCC. Although the Division's activities and programs are legally under the GCC there will not be any drastic changes to existing programs.

CONCLUSIONS

1. Although the Public School System is committed to making available vocational education to students, it has not been emphasizing the importance of such education. As presently administered, it seems like vocational education is provided as an alternative to those students who can not adequately perform in the academic high schools.
2. Although one of the main obstacles to vocational education is the negative attitude that children/students hold regarding vocational training, efforts to change this attitude have not been pursued. Counselors at Voc-Tech. often complain that it is useless to counsel students in vocational education because they have been convinced of the need for academic training.
3. Career Education has been designed to make students aware of career and occupational opportunities. It does not emphasize any particular vocational area.
4. The Guam Public School system has just graduated approximately 1,350 students of which 265 or 19% were products of Voc-Tech. high school. Assuming that the majority of recent graduates will not immediately attend college and would be seeking jobs, chances are that they will join the ranks of the unemployed or leave the island.
5. Available data indicates that there will be about 5,500 students in high school next year while GCC expects to enroll 1,220 at Voc-Tech. Moreover, since the GCC is under pressure to show evidence that it can be effective, the college has increased the admission requirements at Voc-Tech. Consequently, about 200 students who were attending Voc-Tech last year will have to be placed in the academic high schools.
6. People who are knowledgeable about future employment trends are saying that 20 out of 100 jobs will require college degrees in 20 years while our school system is still oriented toward preparing students for college.

7. If the vocational programs are to be geared toward the employment needs of the community, adequate and accurate data on present and future manpower requirements are essential. Unless such data are available, there is no assurance that the present and future vocational programs will be relevant to actual employment needs.
8. Craft communities, which consist of a group of people who are actually involved in the trade being taught, should be more fully utilized to advise and validate the course curriculum. Moreover, the Cooperative Education program should be expanded to include those vocational areas which are not currently represented.
9. Even if the existing deficiencies in the secondary vocational education program were corrected it will not provide the necessary skilled craftsmen to replace H-2 workers. At most, vocational education programs can only be expected to train students for entry-level positions.

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POLICIES

1. Develop, implement, and update a comprehensive plan for education.
2. Centralize all educational planning activities within the education system.

BACKGROUND

1. Existing educational planning activities within the DOE are oriented toward meeting the requirements for participation in federally-funded educational programs. Moreover, the responsibility for the development and preparation of Five-Year State Plans and Annual Programs Plans, required by the different federal programs, are fragmented among the divisions within the department. The Office of Federal Programs Administration is responsible for coordinating DOE activities relative to federal educational programs. However, the Division of Special Education and Careers and Occupations (now with Guam Community College) are the State designated agencies for their particular programs.
2. The Associate Superintendent for Buildings and Grounds is the designated individual for coordinating and monitoring planning activities relative to school facilities. Usually the associate superintendent seeks the assistance of the associate superintendents for elementary and secondary education or any other designated staff person.
3. The Statistical Services Unit, which is responsible for compiling the data generated by the educational system, is presently under the Division of Curriculum and Instruction. The unit is primarily geared toward compiling enrollment and other descriptive data.
4. A planner has recently been employed within the Director's Office to assist the director with planning matters. A planning workshop for DOE's administrators and middle-managers was held recently relative to the development and preparation of a "Five-Year Plan for Education." The workshop was conducted with staff from the University of Guam and coordinated by the staff planner from the Director's office.

5. The Department of Education Needs Assessment Study was an attempt to systematically identify the most critical needs of education for Guam. This study was undertaken in December 1972 and published in February 1973 with the assistance of Worldwide Educational and Research Institute, Salt Lake City, Utah. Data gathered was broadly representative of the opinions of citizens, teachers, pupils, and parents. The study could have provided the initial groundwork for the development of a comprehensive plan for education. The findings of the study are frequently used by the DOE to substantiate and justify its request for federal funds.
6. In 1975, the Office of Federal Programs, Planning and Evaluation (now the Office of Federal Programs Administration) planned to update and re-validate the findings of the 1973 Needs Assessment Study. However, it never got out of the planning stages.

CONCLUSIONS

1. The apparent lack of direction within the DOE can be attributed to the absence of a comprehensive plan for education (both short and long-range). Presently, the DOE reacts to situations and crises as they occur rather than anticipating needs and potential crises in order to effectively deal with them. Moreover, the Board of Education, which is the policy-making body of the education system, has abandoned its policy-making role in favor of participating in the day-to-day operations of the DOE. Many of the decisions that need to be made within the DOE has to be routinely approved by the Board.
2. The DOE should utilize the planning capabilities it presently has toward the development of a comprehensive plan for education. Ideally, a central planning function with adequate staff should be established preferably within the Director's Office. However, since planning capabilities already exist within each of the divisions, a comprehensive plan for education could be developed

through the formation of an Adhoc Committee. It must be noted that, although a comprehensive education plan should identify the resources necessary to implement it, the plan should place greater emphasis on the future direction of education on Guam.

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POLICIES

1. Budget the education system on a bi-ennial basis to encourage operating stability.
2. Provide flexibility within the budget to enable the education system to meet varying needs.

DEFINITION

Bi-ennial is every two years.

BACKGROUND

1. The Office of the U.S. Comptroller for Guam made the following comments in an Audit Report of the Department of Education:
 - a. The GovGuam budgeting procedures and practices have placed the DOE in a fiscal condition that may adversely affect providing education to the students in Guam.
 - b. Both the legislative and executive branches of the GovGuam have not met the needs of education in a manner that would assure an efficient and effective discharge of the responsibility to provide quality education to the students of Guam.
2. In 1976, the Department of Defense (DOD) requested the U.S. Commissioner of Education (USCOE) to establish Section six schools on the island for military dependents partly because in their view, the GovGuam was not funding the education system at a level that would assure its proper operation. Although the fact-finding team that was sent by the USCOE did not recommend the establishment of Section six schools, it acknowledged that the crisis was brought about by the inadequacy of the existing funding system.

3. The annual appropriation for the operation of the DOE prior to the beginning of the fiscal year is usually insufficient to cover expenditures for the entire fiscal year. It is a common practice of the DOE to request for a supplemental appropriation usually during the 3rd or 4th quarter of the fiscal year.
4. The DOE must request the legislature for an advance appropriation (usually in February or March) to enable the department to place orders for textbooks and supplies and start recruiting for off-island personnel. Although the legislature would approve such appropriations, the funds cannot be released prior to July 1st of the fiscal year against which funds were appropriated. This situation creates difficulties with mainland suppliers or potential off-island teachers.
5. In recent years the legislative appropriations have been line-item appropriations which do not provide enough flexibility to enable the DOE to meet unexpected needs or reprioritize expenditures in periods of critical cash flow. A legislative re-appropriation is needed to reallocate the funds from one category to another. The FY 1979 budget even included restrictions on the number of personnel within each division of the department.
6. Budget preparation is an all-year-round activity within the DOE. Administrators and Associate Superintendents are so busy worrying about next year's budget that managing and evaluating school programs are neglected. Furthermore, these activities are complicated by the fact that the DOE is accountable to two separate elected bodies, the Territorial Board of Education and the Guam Legislature.

CONCLUSIONS

1. The following advantages could be derived from the bi-ennial budget approach:
 - a. Operational stability will be built into the funding system.
 - b. Political interference in the administration of the education system will be minimized.

- c. DOE's budgeting capabilities will be improved.
 - d. DOE could be encouraged to consider all possible alternatives available to the department in striving to accomplish its purpose.
 - e. Economizing rather than spending will be encouraged because the department will not be compelled to expend their full appropriations.
2. Although the DOE must be fully accountable for all public funds, it must have the flexibility to meet varying needs and circumstances. The legislature's desire to exercise greater administrative control over the education system has resulted in strict line-item appropriations and limitations on personnel. These restrictions will impede the capability of the department to meet unanticipated needs and costs.
 3. If the legislature does not provide a lump-sum appropriation for a two year period in the near future, it should at least give the DOE partial authority for re-allocating funds.

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6. Interviews with DOE Business Office Administrators.

POLICY

Maintain funds earmarked for public education separate from the General Fund.

BACKGROUND

1. In all other states except Hawaii, the funding of primary and secondary education is the responsibility of the school districts within each state. Funding is usually tied into the local real-property tax structure. Generally, the level of funding is dependent on the rate approved by the school district taxpayers. Federal and state grants supplement the funds generated locally.
2. The Department of Education's (DOE) expenditures increased from \$14.8 million to \$41.6 million between Fiscal Years 1970-75 (an increase of 174%), while total enrollment increased by 29% during the same period. In general terms, this can be stated as an increase from \$680 per pupil to \$1,400 per pupil in the six year period.
3. The public school system's budget was reduced from \$44.4 million in Fiscal Year 1975 to \$35.7 million in Fiscal Year 1976 because of decreasing revenues. The Department of Education actually expended only \$33.3 million of its authorized Fiscal Year 1976 budget because the Bureau of Budget and Management Research could not release the appropriated funds.
4. The General Accounting Office commented that Government of Guam's financial deficit has resulted from its failure to operate within available financial resources.

CONCLUSIONS

1. There are three objectives to this policy: (a) to compel the DOE to operate its educational programs within the constraints of the resources allocated for such purposes; (b) to ensure that the funds can be expended as needed; and (c) to give the DOE control over the utilization of funds.
2. Although education will continue to be one of Government of Guam's top priorities, a decision has to be made on how much the Government of Guam

of Guam can realistically spend for public education taking into consideration its other responsibilities and obligations. Although new and innovative educational programs should be implemented locally, available resources are limited. Moreover, although educational expenditures have increased, few improvements in basic skills, vocational training, social skills, etc. have been seen.

3. There is an urgent need to develop a funding set-up which restrains the increasing cost of education. One desirable approach is to tie-in the funding of education to a tax source. The amount collected from such a tax would set the limit on how much can be spent for education. Another approach could be to utilize a formula for the allocation of General Fund monies for education.
4. The DOE should be responsible for making sure that expenditures will be based on the actual amount of funds available at any given time. This means that if DOE spends more than it can afford or the funds available are insufficient, then they have to make hard decisions regarding the programs to be eliminated.

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POLICY

Seek support for the construction of critically needed new facilities and the replacement of out-moded school facilities.

BACKGROUND

1. Three-fourths of the school facilities were built with funds that were made available to Guam through the Rehabilitation Act. In the aftermath of Typhoon Pamela (1976), the federal government authorized more than \$3 million for school repairs. The Department of Defense (DOD) donated temporary buildings to be used as classrooms.
2. J.F. Kennedy (J.F.K.) and George Washington (G.W.) were designed to house 1,600 and 1,900 students respectively. Enrollment at J.F.K. is now approximately 1,900 and 2,300 at G.W. Many problems such as violence and lack of discipline, are encountered because of overcrowding.
3. The need for a third high school (not including Voc.Tech) has resulted in two proposals.
 - a. The construction of a combination Junior-Senior high school in Agat-Santa Rita. This school will accommodate high school students from the Southern part of the island and eliminate the double session at Inarajan Junior High due to the closing of Agat Junior High. Architectural and engineering plans for this proposal have been completed. Construction can begin immediately if funding can be secured.
 - b. Renovating and converting the Andersen South complex into a high school facility. This proposal is tentative and no specific plans are available. Furthermore, since the complex is owned by DOD, the Government of Guam has to secure a lease from the federal government.

4. Although there has been no significant increase in overall enrollment at the elementary level during the last five to seven years, the shift in enrollment patterns has resulted in overcrowding in Northern schools - (M. Ulloa, F.B. Leon Guerrero, Harmon Loop, Finegayan, Andersen, Wettengel, and Yigo). The GHURA 500 Housing project, the 300 Air Force units under construction at South Andersen, and other housing developments such as Latte Heights, Perez Acres, and Ypapao have brought and will continue to bring more families into the area from other parts of the island. Extensive busing is now necessary to prevent any one school from becoming severely overcrowded. The re-districting committee with the approval of DOE's Director recommended the immediate construction of a new elementary school in the Astumbo area to relieve the enrollment pressure on existing facilities and to accommodate new students.
5. Presently, there is a study being undertaken to determine the extent of structural deficiencies in school buildings. The result of this study will enable the Government of Guam to determine which facilities should be replaced or renovated. Available data indicates that Inarajan, Old Piti, J.P. Torres, and a section of Agat elementary have exceeded or are close to reaching their estimated useful-life.

CONCLUSIONS

1. The main problem that will prevent the implementation of this policy is the lack of funds. Sources which should be investigated include:
 - a. GovGuam can continue to request for Federal funds.
 - b. Raise taxes overall to increase general funds.
 - c. The selling of bonds.
 - d. Long-term loans from financial institutions.
 - e. A special levy to raise the necessary funds.

2. DOE must complete the study on structural deficiencies so that an accurate estimate of capital needs can be developed.

SOURCES

1. DOE, Educational Program, FY '78 Budget, and Impact of Andersen South Proposal. 2/25/77.
2. DOE's AdHoc Committee Report on Redistricting in the Northern Area, chaired by Mr. Bob Dunn.
3. Interview with Donisio Dacanay, former Associate Superintendent of Buildings and Grounds.
4. Interview with Garland Willhite, Associate Superintendent Secondary Division.
5. DOE Statistical Table, 1950-76.

POLICIES

1. Develop a long-range capital improvement plan for education facilities.
2. Design new facilities compatible with Guam's physical and cultural environment.

BACKGROUND

1. Many school facilities are not functionally located in relation to the communities which they serve since the availability of government land within the general area was the overriding concern in site selection. The lack of proper planning in site selection has resulted in a number of problems: students have to be bussed to school when otherwise they could be within walking distance, the community's use of school facilities (playgrounds, meeting halls, etc.) is hindered and adverse impacts on the area's land-use pattern are created. Moreover, poor site selection has an escalating effect on the cost of some facilities. For example, it cost the Government of Guam almost one million dollars to improve San Miguel Elementary (Toto), because the facility was located in an area where costly infrastructure had to be constructed. Furthermore, the school is inaccessible during heavy rains because the surrounding area is usually flooded.
2. Many of the present school facilities may become non-functional as a place of learning in the future as a result of their inability to be adapted to changing learning situations. If the school facilities are to meet the long-range needs of the educational system, they should be able to accommodate the changes in the learning processes brought about by educational change and development.

3. In the design of school facilities there is lack of consideration of Guam's physical and cultural environment. Although schools must be designed to withstand typhoons and other natural disasters there is no need to disregard the island's climate. Many schools need air conditioning to make them functional. Air conditioning not only increases the construction cost of a facility but also operation and maintenance costs.
4. The Department of Education has prepared a number of Five Year Capital Improvement Plans, however, these plans represent a dream list of schools that DOE appears to need but do not include a justification for each school.
5. Capital Improvement planning within the DOE has largely been the responsibility of the Associate Superintendent for Buildings and Grounds, who never had the necessary staff to effectively prepare adequate long-range plans. The hiring of a planner will hopefully improve this situation.

CONCLUSIONS

1. Long-range planning for school facilities development is needed if adequate, functional facilities are to be available when and where needed; if costly errors based on hasty decisions generated by emergency situations are to be minimized or eliminated; and if the long-range development of school facilities is to be coordinated with Government-wide capital improvements plans.
2. Presently, the Department of Education lacks the capability to prepare a long-range capital improvement plan for education facilities. This problem stems from the lack of a centralized planning function within the Department of Education with the responsibility for comprehensive long-range educational planning. Furthermore, there is no established procedure for conducting an on-going evaluation of existing school facilities even though the Department of Education maintains a listing of its physical inventory. There is a need to make valid judgements regarding the educational function and physical condition of each

school facility. Detailed studies of the useful life of existing school facilities need to be undertaken in the interest of timely replacement of existing structures.

3. The Department of Education has to work closely with other agencies, particularly those responsible for planning within the Government of Guam in developing a long-range capital improvement plan for education facilities. Educational facility standards have to be adopted by the Board of Education as part of its overall educational policies. The minimum and maximum size of facilities, optimum enrollment capacities, walking distances, and design specifications for facilities have to be determined. Unless the Department of Education improves its long-range planning capability, we may not have adequate school facilities in the next 20 to 25 years.

SOURCES

1. Education Specifications for Elementary Schools, DOE by Haver, Nunn and Nelson, Architects.
2. Educational specifications for New High Schools, DOE, 1973.
3. Five Year Capital Improvement Requirements: 1974 Actual and 1975-79 Protected. DOE, 1973.
4. Master Plan of Schools, Planning Division, Department of Land Management, 1966.
5. "Planning for New Schools," Marvin R.A. Johnson, Design Consultant, Division of School Planning, North Carolina Department of Public Instruction.

POLICIES

1. Develop and implement an effective preventive maintenance program.
2. Improve and upgrade existing facilities on a continuing basis.

DEFINITION

Preventive maintenance is a program of periodic inspection, service, and correction which is planned for the purpose of preventing expensive repairs and malfunctions before they occur.

BACKGROUND

1. The Department of Education estimated that \$11.6 million will be needed to carry out necessary repairs and improvements. However, if the DOE can not get the entire \$11.6, they are hoping to get at least \$2.8 million to carry out the top priority repairs and improvements. The legislature recently appropriated \$1.8 million under P.L. 14-109 for the repair and improvement of Simon Sanchez Jr. High, B.P. Carbullido, Barrigada Junior High, Agana Heights Elementary, C.L. Taitano, P.C. Lujan, Tamuning, Adelup, J.B. Torres, Old Piti, New Piti, Wettengel, and other schools which the Director of Education determines to be in need of emergency repair.
2. The maintenance and improvement of school facilities is presently the responsibility of the Associate Superintendent for Buildings and Grounds. However, under an agreement with the Department of Public Works, routine repairs and minor improvements are being performed by DOE maintenance staff, while the Department of Public Works is responsible for major repairs and improvements. This arrangement is not working well as evidenced by the condition of many facilities and the continuing argument between DOE and DPW on who is to blame for the situation.

3. In an audit report of May 1976, the Office of the U.S. Comptroller for Guam stated that:
 - a. The Office of Buildings and Grounds is not effectively meeting its responsibility of providing necessary maintenance and upkeep of the costly school buildings, grounds, and collateral equipment on a timely basis due, in part, to the lack of an established maintenance program.
 - b. Schools facility improvements need to be better planned and managed to assure proper utilization of various resources. The cause of the problem is that the management has not developed and implemented guidelines and standards for planning and managing improvements of school facilities that cost several million dollars.
4. A former high ranking official within the Division of Buildings and Grounds stated that the basic problem is the lack of trained personnel and money. However, the internal politics within DOE and the highly political environment in which DOE operates further compounds the problem.

CONCLUSIONS

1. The preventive maintenance program should be able to meet the following criteria:
 - a. Protect the public investment in school facilities.
 - b. Assure continued use of facilities by making certain that they are used each day as needed.
 - c. Protect the health and safety of all people who use the buildings and grounds.
 - d. Enhance the value of facilities as learning laboratories.
 - e. Minimize costly repairs and replacements.
2. An evaluation instrument must be developed so that school officials can systematically evaluate the adequacy of school facilities in meeting the requirements of educational programs. For example, the New Jersey State Department of Education has developed, field tested, and implemented such a school facilities evaluation instrument.

3. Although there are number of problems encountered with the present organizational set-up of maintenance activities, the problem stems from the lack of effective coordination between DPW and DOE. A joint DPW and DOE committee should be established to facilitate coordination. The alternative of contracting for such services outside of the Government of Guam should be investigated.
4. In order to implement these policies, the DOE must have the required resources including funding, staff, materials and supplies. There are indications that funding for maintenance activities has a low priority within the DOE budget. A systematic allocation of funds for maintenance activities should be established. For example, the amount of money budgeted for maintenance could be a fixed percentage of the depreciation value of each facility.

SOURCES

1. Public Law 14-109.
2. DOE's FY 1979 Minor Capital Improvement Request Document.
3. Office of U.S. Comptroller for Guam. Audit Report of the DOE, May, 1976.
4. Interview with Donisio Dacanay, former Associate Superintendent for Buildings and Grounds.
5. New Jersey State Department of Education. "School Facilities Evaluation Instrument."

POLICY

Provide incentives which will attract students from the Western Pacific to attend the University of Guam.

BACKGROUND

1. Presented below are some incentives presently being offered by UOG which attract students from the Western Pacific.
 - a. Students from the Northern Marianas are allowed to pay a resident undergraduate tuition of \$10.00 per credit hour as compared to non-resident undergraduate tuition of \$25.00 per credit hour which Micronesian students must pay.
 - b. UOG dormitories have just recently been provided with Cable T. V., new carpets, and constant hot running water.
 - c. UOG offers a College Work Study Program which allows 60 Northern Marianas and 160 Micronesian students to work 20 hours per week and earn up to \$500 per semester. This program has a total of 340 recipients.
 - d. UOG offers Basic Educational Opportunity Grants (BEOG) providing 101 Northern Marianas and 315 Micronesian students up to \$1400 in aid per annum. A total of 946 students are under the BEOG program.
 - e. A Supplementary Educational Opportunity Grant (SEOG) provides 10 Northern Marianas and 60 Micronesian students grants up to \$1500 per year if they are ineligible for the Work Study Program or the BEOG. A total of 98 students use this program. However, at present, the maximum students have received is \$504.

- f. A federally Guaranteed Loan is also available to UOG students offering up to \$1500 per annum. The loan has to be repaid 10 months after graduation. Two students from the Northern Marianas and 30 from Micronesia are currently participating in this program.
2. Senators from Micronesia and Northern Marianas visited the U.S. mainland in December 1977 in search of colleges willing to give them a "better deal" as far as education and tuition.
3. Micronesian students make-up 20% (567) of UOG's total enrollment of 2,837 students (Spring 1978). Between 150-200 Northern Marianas students are attending the UOG.

CONCLUSION

1. The incentives that UOG is presently providing to attract students from the Western Pacific can be expanded. Examples of incentives to further attract students from the Western Pacific are:
 - a. Provide students from Micronesia with resident tuition status.
 - b. Provide adequate library facilities, in terms of physical space, staff, and up-to-date books.
 - c. An English Language Center would greatly benefit students from these islands since many of them speak English as their second language.

SOURCES

1. J. R. Blas, Student Body Association President.
2. Pacific Daily News Editorial, December 2, 1977.
3. Paul Carano, UOG.
4. Financial Aid Programs Statistical Analysis, July 30, 1977 - June 30, 1978.

POLICY

Remove legal barriers that prevent the University of Guam from becoming a regional institution.

BACKGROUND

1. At the present time, there are no federal or local laws which prevent students from the Commonwealth of the Northern Marianas and Micronesia from attending the University of Guam.
2. One item however, which can be thought of more as a legal requirement than a legal barrier, is the I-20 Visa. This visa is required of all students from the Northern Marianas and Micronesia planning to attend the University of Guam. In order to qualify as an F-1 student, or one with an I-20 Visa, three requirements must be fulfilled:
 - a. The applicant must present complete and adequate documents including all health forms and transcripts.
 - b. The applicant must have the financial backing to account for the required \$3,500 to be used for tuition and room and board.
 - c. The applicant must provide proof of his acceptance by University of Guam.
3. Micronesian students are also required to obtain passports.

CONCLUSION

1. If the University of Guam is to become a regional institution some time in the future, it would be more advantageous for the University as well as for students, if the I-20 Visa requirement, and especially the passport requirement demanded from Micronesia students, are eventually eliminated. Since the Northern Marianas and Micronesia are becoming more a part of the U.S., such a suggestion could easily be implemented.

SOURCES

1. Paul Carano, Professor Emeritus.
2. J.B. Guerrero, Trust Territory of the Pacific Liaison Office.

POLICIES

1. Encourage the participation of the region's governments in the development of the University of Guam.
2. Change the name of the University of Guam to reflect its regional character.
3. Seek financial support from other funding sources including other islands in the Western Pacific.

BACKGROUND

1. The President of UOG feels that a pooling of resources among governments in the Western Pacific will not necessarily "produce effective programs, and it will be productive of chaos and the loss--or at least the erosion--of the University's autonomy and integrity resulting in political impositions on academic matters."
2. Because UOG just received their autonomy two years ago, its full potentials and capabilities have not been reached.
3. Funding support from the islands in the Northern Marianas and Micronesia will be coming mostly from the U.S. Government.
4. Funds set aside for building universities in Micronesia and in the Northern Marianas can be allocated to UOG if they decide to change its name to reflect its regionalism. The funds in question amount to about \$8 million.
5. According to the 1978 accreditation reports, "Financial support of the University must be strengthened. The contribution of the Government of Guam appears to be declining rather than increasing."
6. The accreditation team views any attempts to launch additional four-year colleges in the Northern Marianas or Micronesia, under present conditions, as unnecessary efforts which would weaken the University of Guam, and dissipate limited resources.

CONCLUSIONS

1. If UOG is to become a bonafide regional institution, participation by other governments has to occur in the form of financial assistance and/or in the design of academic programs. Without regional participation, students from other islands will continue to feel strongly resented and be poorly represented. With the help of the Northern Marianas and Micronesian governments, federal money will rapidly flow into UOG, money that would otherwise be used to develop proposed institutions on Saipan and Ponape. In this way everyone will be able to share the benefits of designing academic programs to fit their respective needs.
2. If UOG becomes a regional institution, it is only fitting that its name reflects its regionalism, especially if other governments share in its development. Although many Guam residents will resent this proposal, they are going to have to choose between having a mediocre university named after them, or a highly developed institution of higher learning which is more capable of serving them and the Western Pacific.

SOURCES

1. J. R. Blas, Student Body Association President.
2. 1978 UOG Accreditation Reports.
3. Paul Carano, UOG.
4. Memorandum to Paul Souder from the President of UOG, March 31, 1978.

POLICY

Seek Federal recognition and support for the University of Guam as a regional institution.

DEFINITION

Regional Institution - An institution serving all students in the regional with funding provided by the governments within the region.

BACKGROUND

1. Congressman Won Pat favors an expanded regional role for UOG and feels that one step towards accomplishing this goal is through the establishment of a "Pacific Center" at UOG (similar to the East-West Center at the University of Hawaii).
2. There are no Congressional or Federal requirements which prevent the UOG from becoming a regional institution, it is a unique situation for which there are no guidelines.
3. Governor Bordallo gave his recognition and support for UOG becoming a regional institution by stating that the future function of the University will be as the center of information and higher learning in the Western Pacific.
4. The 1978 Accreditation Report on UOG stated that the financial support of the University must be strengthened. The contribution of the Government of Guam appears to be declining rather than increasing.

CONCLUSIONS

1. The Federal Government should support the establishment of a regional institution because it will play a major role in supporting the overall development of the Western Pacific.

2. The Federal Government would probably rather fund one institution of higher learning in the Western Pacific instead of holding the burden of supporting two or even three separate ones. One well-built, equipped, and maintained University would better serve the people of the Western Pacific than two or three mediocre ones.
3. If UOG becomes a regional institution funded by the governments within the region, they would most likely want to share in its control. Although it would be ideal to have an institution on Guam under local control but funded by regional governments, these governments would probably reject this arrangement. A regional composition of the Board of Regents would be a more realistic approach to the situation.

SOURCES

1. Telecopy memo from Congressman Won Pat 7/26/78.
2. The Governor's Letter to Speaker Ada 6/19/78.
3. 1978 UOG Accreditation Reports.
4. Congressman Won Pat's UOG Commencement Address, 1978.

POLICY

Include faculty and students in policy and decision making.

BACKGROUND

1. P. L. 14-135 allows a student from the University of Guam to become a member of the Board of Regents. J. R. Blas, UOG's Student Body President was appointed to the Board of Regents but has not been confirmed by the Legislature.
2. The University Academic Affairs Committee, responsible for University-wide academic affairs and for those matters for which its subcommittees are responsible, contains among its members, a faculty member elected from each college as well as two student representatives elected by the Student Body Association Senate.
3. The Service Committee is responsible for recommending policies, providing advisory services for faculty and administrators, areas under the jurisdiction of the Vice-President of Business Affairs, bookstore and physical facilities, and areas under the jurisdiction of the Dean of Student Affairs. It has a faculty member from each college including two students elected by the SBA Senate, the SBA President, and the Dean of Student Affairs.
4. The Registration and Admissions Committee, responsible for recommending policies pertaining to these two areas, for registration procedures, and hearing student appeals concerning policies enforced by Registration and Admissions, includes a faculty member from each college, and one student elected by the SBA Senate.
5. The Budget Committee is responsible for coordinating the preparation of the total University budget and presenting a proposed budget to the President. The SBA President and an elected member of the Federation of Teachers (not synonymous with GFT) are on the committee.

6. The Academic Affairs Committee (within colleges) is responsible for making recommendations regarding major and minor degree requirements, scheduling, budgeting, professional standards, curricula, and all other matters pertaining to the affairs of the college. The committee contains among its members, the Dean of each College as well as two students with majors in that college.
7. The College Promotions Committee, whose function is to receive, act upon, and make recommendations on all cases of promotion has five faculty members, and one Federation representative. There are no student representatives in this committee.
8. The Tenure Committee, responsible for reviewing and recommending teachers for tenure, has six faculty members elected by the faculty at large and three alternatives, and one student elected by the Student Body Association Senate and one alternative.

CONCLUSION

1. Students and faculty are included in UOG's major policy and decision making committees with the exception of the Promotions Committee which lacks a student representative. It would benefit the student body if they were represented in the Promotions Committee by allowing direct involvement in the recommendation process. Student involvement in promotion procedures via an evaluation questionnaire is insufficient.
2. A member of the faculty should sit on the Board of Regents. A faculty member's contribution would be an asset to the Board as well as guarantee that faculty interests are recognized on all policy and decision making functions.

3. The University of Guam should include a student representative on the Promotion's Committee and a faculty member on the Board of Regents while continuing to maintain student and faculty involvement in all other policy and decision making committees. By accomplishing these two tasks, students and faculty will be assured of complete participation in all major policy and decision making functions of the University of Guam.

SOURCES

1. Board of Regents/UOG Federation of Teachers Contract.
2. Registrar's Office, UOG.
3. P. L. 14-135.

POLICY

Improve the system to evaluate the quality of the faculty's performance before and during employment.

BACKGROUND

1. The University of Guam is presently utilizing two forms of faculty evaluation systems.
 - a. The first system is an evaluation committee composed of various faculty members. This committee has the responsibility of "studying" their fellow teachers in order to make recommendations to the deans of the various colleges concerning promotion and tenure. These recommendations are then presented to the dean of each college whose faculty member is up for promotion or tenure. The next step consists of passing on these recommendations to the Vice-President of Academic Affairs and then to the President of the University for approval on faculty promotions; decisions regarding tenure are made by the Board of Regents.
 - b. The second type of faculty evaluation involves university students answering a questionnaire which rates a teacher's style and effectiveness. The College of Education (COE) and the College of Arts and Sciences (COAS) are presently utilizing this system; the other 3 colleges have discontinued using it or any other form of faculty evaluation because of questions regarding the questionnaire's effectiveness. Since teachers administer the questionnaire, students tend to give them very good ratings. Such results stem from the notion that a bad teacher rating will result in the

student receiving a low grade for the course. Approximately 90% of UOG teachers normally receive very good ratings. The results of the questionnaire evaluation can be examined by a teacher along with the dean to try to work out some of the problems identified by the evaluation; otherwise, evaluation results go straight to the dean of each college to help determine their recommendations. As far as the deficiencies of a teacher pointed out by the questionnaire, the University does not have any commitment to correct deficiencies because the sole purpose of the evaluation is to help the Dean determine if the teacher should be promoted.

2. At the present time, the University Academic Affairs Committee (UAAC) has set up an adhoc committee with the intent of studying the present questionnaire evaluation system the two colleges are using. This committee is studying and comparing UOG's evaluation system with those administered by mainland institutions of comparable size. The following questions are being considered by the committee:
 - a. How is the evaluation being used?
 - b. Does the evaluation assist in improving the instructor?
 - c. What effects will occur if the evaluation results are made available to the students?
 - d. Are the results that mainland institutions obtain better or worse than UOG's and why?

CONCLUSIONS

1. A teacher Evaluation System which produces top ratings for 90% of the faculty certainly raises question regarding its accuracy or effectiveness. It is doubtful that the UOG is staffed with some of the finest teachers available

in the nation. Perhaps such results can be attributed to poor and unclear questions, or unfair and biased administrative procedures.

2. Student evaluation of faculty performance should be given greater attention in matters concerning teacher promotions and tenure. Moreover, the UOG must demonstrate a greater commitment toward assisting teachers in resolving the professional problems identified by students.

SOURCES

1. J. R. Blas, Student Body Association President.

POLICY

Improve the quality of health care by establishing, implementing and monitoring a medical and nursing care quality assurance program.

BACKGROUND

1. The Government Code of Guam established License Examining Boards for nursing, acupuncturists, physicians, allied health professionals, and pharmacists. These boards ensure that health professionals are competent to practice on Guam by issuing licenses to individuals judged capable and by revoking, suspending, or annulling the licenses of those found incapable. However, once a license has been issued, the licensing boards have very little influence on assuring the quality of care given by health professionals unless there is a flagrant violation.
2. Individuals who have been licensed to practice in another state do not have to take Guam's licensing examination. Once issued the initial license, the health professional can continue to practice each year as long as he pays the renewal fee; otherwise, he would have to retake the board exam.
3. Increasingly, states are requiring that all health professionals submit evidence of professional growth in order to retain their license. At this time, on Guam the boards do not require applicants who are renewing their license to submit proof of professional growth. However, the Department of Public Health, the Guam Memorial Hospital, and the Guam Community Mental Health Center require their health professionals to complete a specific number of hours of in-service training to continue their employment. The Consumer Health Protection Act, P.L. 12-156, requires health maintenance organizations to require continuing education for all professionals engaged in the delivery of health care services. At this time, the Act has had a limited effect upon health maintenance organizations and no effect upon private clinics because the law is not being enforced.

4. On the federal level, P.L. 92-603, which amends the Social Security Act, requires the establishment of a Professional Standard Review Organization which reviews the services provided by physicians in institutions to patients who are receiving benefits under the Medicaid, Medicare, and Maternal and Child Health programs. The Professional Standards Review Organization is comprised of physicians from Guam and the Trust Territory, however, it is not part of the Guam Medical Society. The Organization primarily reviews the length of stay of those patients receiving social security benefits in the hospital and this review only occurs if the head nurse feels that a patient's stay is unwarranted.
5. The Consumer Health Act also requires that a committee of peers reviews a physicians performance (including health maintenance organization professionals). However, the peer review process has not been implemented because the members of the Health Commission have not been appointed.
6. Public Law 13-115, the Medical Malpractice Claims Mandatory Screening and Mandatory Arbitration Act provides a method to assure the resolution of malpractice claims as an alternative to court litigation.
7. The Legislature's Committee on Health, Welfare and Ecology is currently developing legislation which will assist in assuring quality health care. The proposed legislation, which has not been assigned a Bill number, is revamping the License Examining Boards into twelve separate boards so that each board can design appropriate rules and regulations to insure the practitioners are qualified and competent. The proposed legislation will also change the renewal practice such that all health professionals will have to submit evidence of professional growth in order to retain their license and it will require inactive professionals to retake the board exam before being allowed to practice once again. In addition, the proposed legislation will regulate the licensing of health facilities by insuring the facilities

meet environmental health standards. The licensing of facilities will not be based on the quality of health care services provided until the "Certificate of Need," which is currently being developed by Guam Health Planning and Resource Development Agency, is passed into law.

CONCLUSIONS

1. The Legislature's Committee on Health, Welfare and Ecology should re-evaluate and revise Public Law 12-156 to require professional standards review for all health professionals. The Committee should also reconsider who should be responsible for the enforcement of the statute and either re-establish the Health Commission or assign the Guam Health Planning and Resources Development Agency as the enforcement authority provided that they demonstrate effective enforcement capabilities.
2. The proposed bill which is presently within the Committee on Health, Welfare and Ecology, that will revamp the License Examination Boards is essential to assure that health professionals are qualified and competent to practice. The Legislature should insure that renewal practices are not just a matter of routine. The proposed legislation should require all health professionals to submit proof of professional growth and set a maximum number of years an individual can be inactive before having to retake the board examination.
3. Legislation requiring professional growth will be ineffective unless quality in-service training programs are made available to all health practitioners.

SOURCES

1. Government Code of Guam, 1970.
2. Government Code of Guam, Supplement 1974.
3. Committee on Health, Welfare and Ecology, Senator Ernesto Espaldon's Office.
4. Jim Gillan and Joaquin Camacho, Director, DPHSS.
5. Government Printing Office, PSRO Questions and Answers.
6. Blum, Dohn D.; Gertman Paul M.; Rabinow, Jean, PSRO and the Law.
7. Social Security Law.
8. Guam Memorial Hospital, Mike Cruz, Acting Director.
9. Public Law 13-115.

POLICY

Encourage greater use of employer-subsidized health insurance plans.

BACKGROUND

1. Health costs are rising faster than wages. In 1950, national per capita health expenditures were \$79; in 1960, \$145; and in 1970, \$324. Health expenditures have risen at a rate of approximately 7.3% a year whereas wages have risen at a rate of 4.3% a year.
2. In 1977, approximately 45% of Guam's population was covered by employer-subsidized prepaid health insurance and it is estimated that by 1990 only 48% of the population will be covered. Those that are covered are primarily Government of Guam employees, federal employees, and a few of the larger commercial corporation employees. For the most part, few of the employees in the private sector are covered.
3. It is roughly estimated that approximately 60% of the business in the private sector offer some type of health insurance plan to their employees. The type of health plan varies with the businesses as does the amount the employer and employee contribute; in some cases the employer pays none, half, or all, with the employee paying the difference to cover his family. The cost of the health plan also varies with the total number of employees to be covered; the fewer the employees the higher the cost of the insurance.
4. Individuals with low incomes are the least likely to participate in employer-subsidized health insurance plans because a larger percent of their disposable income will go to paying the premium. For example, if the yearly insurance premium is \$100, an individual with a disposable income of \$6,000 would spend 1.6% of his income to pay the premium. A person with a disposable income of \$10,000 would spend 1%, and a person

with a disposable income of \$20,000 would be spending 0.5% of his income. In addition, part-time and seasonal employees are often not covered by employer-subsidized health insurance plans.

5. There are no federal statutes or regulations which require employers with federal contracts to provide their employees with subsidized prepaid health insurance. However, Public Law 12-156 requires all employers to provide their employees with a prepaid health plan and pay at least one-half of the yearly premium. The employee is to contribute the other half and the additional cost to cover his family. By law, unemployed persons pay one-fourth of the total premium, which covers his family, and the Government of Guam is required to pay the other three-fourths.
6. Although Public Law 12-156 (Consumer Health Protection Act) does exist, it is not being enforced. The California law, after which the local statute was patterned, has been repealed due to unenforceable regulations and the implementation cost. Some of the major problems with Guam's statute are:
 - a. The Health Commission, which was established to regulate and enforce the Act, currently exists only on paper. Moreover, the Commission cannot enforce the statute until an actuarial study is completed and although the funds have been appropriated by Public Law 12-187, they have not been released.
 - b. The law designates specific services which health maintenance organizations are to provide. If all the services were provided, insurance premiums would be extremely costly to the consumer.
 - c. Federal funds are not available to help offset the cost of services to be provided or which will help the Government of Guam offset the insurance cost for those who are unemployed.

7. In addition to the Consumer Health Protection Act, there is also another statute which requires all employers to carry Workmen's Compensation Insurance. This statute is vigorously enforced by the Department of Labor.
8. Access to medical care is no longer seen as being a privilege but as a right. On the national level, a National Health Insurance Plan is being developed and is expected to be implemented sometime during the 1980's. There is a great deal of controversy surrounding the program so there is still much speculation as to the form it will take. However, it is expected that the legislation will place a ceiling on the cost of all health related services and goods, require that all employers provide insurance plans for their employees and pay a minimum percentage of the premium. Moreover, it is expected that the legislation will provide insurance for those who are ineligible for employer-subsidized plans.

CONCLUSIONS

1. The Consumer Health Protection Act should either be repealed or revised. In both cases, new regulations should be written to replace the present statute such that it would be enforceable and practical.
2. The revised statute should continue to require employers to provide insurance and pay a fixed percentage of their employees' health insurance plans. However, because it could affect the smaller businesses more than the larger ones, the legislation should also include a method by which smaller businesses can combine their employees under one insurance program so that the employers' and employees' contributions are not greater than that of a large corporation.
3. The cost of health insurance is the same for all employees although those with lower salaries spend a greater percentage of their disposable

income on premiums. Legislation should be developed, based on the number of members within the household which are to be covered, such that no individual has to contribute more than a fixed percentage of his total disposable income.

SOURCES

1. Committee for Economic Development, Building A National Health Care System; 1973.
2. Touche Ross and Company, Health Services for the Territory of Guam; 1977.
3. Interview: Health Maintenance Life Insurance Company.
4. Interview: Department of Public Health and Social Services, Jim Gillan.

POLICY

Avoid the adoption of conflicting values by realigning institutional programs to promote values consistent with resident desires.

BACKGROUND

1. Due to the present rapid economic and technological development, personal insecurity, especially among the younger generation, is rapidly increasing and cultural value conflicts are causing family cohesiveness to deteriorate. The primary reason for value conflicts is that the younger generation is being taught "stateside" or "European" values including individualism, self-determination and competitiveness, which differ from island cultures which emphasize the importance of family ties and mutual cooperation. These value conflicts contribute to the prevalence of mental illness.
2. It is estimated by the Community Mental Health Center that approximately 10% of Guam's total population will need mental health services. Some symptoms of poor mental health include:
 - a. Drug and alcohol abuse: The deterioration of family cohesiveness has created personal insecurity among the youth and young adults who turn to drugs to "forget their own misery."
 - b. Crime: Personal insecurity and poor self-images encourage youth and young adults to look to their peer group for approval rather than the family. A primary method of obtaining peer approval is through the ownership of material goods. However, since many individuals often cannot afford these items or have not developed those values needed to obtain them through legitimate means, they resort to crime.

- c. Status Offenses: Teenage pregnancies, and running away from home often occur in defiance of parents or as a way for a youth to draw attention to his own existence.
3. Although two primary socializing forces in a child's life are the school system and the family, these forces promote values which are contrary to each other. Due to value conflicts many of the younger generations have not developed the values to cope with academic inadequacy resulting in apathy and truancy from school.
4. Studies have shown that the Filipino population is able to adjust more easily to culture value conflicts than Guamanians because they have developed a "split-personality" which allows an individual to conform to what he thinks is expected of him but does not allow external pressures to penetrate his inner life.

CONCLUSIONS

1. The studies concerning the cultural dilemma as it relates to mental health identify numerous institutions outside the family which have contributed to the adoption of conflicting values by either promoting values which are inconsistent with "traditional" values or by not contributing to the adoption of values. Because the school system has the greatest impact upon the development of values outside the family, it has been criticized as a major contributor to the value conflict. On the other hand, it is also seen as being one of the major avenues to resolve the conflict. The education system should take affirmative steps to assist the younger generations find a balance between "stateside" and "traditional" values, and that it should be educating and orienting youths to resolve some of the personal and social problems which they will encounter.
2. Although many individuals want to retain their traditional values, in many cases a fusion of traditional and new values has already taken place. Very little is known about the cultural and traditional values that residents on

Guam want to retain. Before institutions can realign their programs to promote values which are consistent with resident's desires, a comprehensive study should be made to identify what they want. This study should be primarily limited to the Guamanian people rather than other ethnic groups; first, because they are the primary ethnic group on Guam and secondly, because most other ethnic groups come to Guam primarily for personal financial gain and usually do not plan to stay on Guam permanently.

3. It is universally recognized that economic and technological development can not take place without affecting social development. It is also difficult to set the clock back prior to the 1960's. However, before further economic and technological development takes place, impacts on the existing social order must be considered if the problems associated with poor mental health are to be resolved.

SOURCES

1. Van Der Poel, "Guam In Search of Its Own Identity: A Research Report on Human Cultural Values in a Time of Rapid Change." 1973.
2. Betances, Samuel, "Limits of Cross-Cultural Education in Solving Ethnic/Race Conflict in Guam." 1977.
3. Community Organization and Resources Task Force. "The Role of Education in Mental Health Services: Planning for Statewide Comprehensive Mental Health - Guam."
4. Penningroth, Philip, E. "The Effect of Local Cultural Values and Criteria of Deviance on the Delivery of Mental Health on Guam."
5. Guam Community Mental Health Center Staffing Grant Continuation Applications, FY 1978 and FY 1975.
6. Caudell, William and Son, Tsung-Yi, Editors. Mental Health Research in Asia and Pacific. 1969.
7. Kaipat, Ozarin, "Mental Health in the Trust Territory." 1967.

POLICY

Provide individualized treatment programs for patients so that release from in-patient care is possible.

BACKGROUND

1. The Community Mental Health Center's In-Patient Psychiatric Services, located at the Guam Memorial Hospital, is a 17 bed unit which provides continuous care to individuals who are mentally ill. However, because there is no other facility available on Guam to place four mentally retarded individuals, they are also housed in the unit. In 1976 there were 167 admissions and 172 discharges. (The discharges in 1977 included individuals who had been admitted in 1976.) Most admissions are voluntary and unless there is a court order preventing discharge, a patient can be released 48 hours after requesting to leave. There is no data on the average number of days spent by individuals in the unit. Upon admission to the unit, a multi-disciplinary team evaluates the patient and develops a treatment plan which consists of drug therapy when needed, and individual, group and occupational therapy. In addition, all patients participate in daily exercise programs and go on weekly outings.
2. A medical social worker is assigned to the in-patient unit, who acts as a liaison between the Mental Health Center, other social service agencies and other units of the Guam Memorial Hospital. The social worker develops a support system to help facilitate the rehabilitation and re-integration of patients about to be discharged. The medical social worker also develops alternatives for appropriate placement and alternatives for further medical and financial assistance when the patient is discharged.
3. The Community Mental Health Center offers Partial Care Services for patients who no longer need 24 hour supervision but who still need a structured program. The Partial Care Service is available both during

the day and evening hours and helps individuals with psychiatric disorders develop socialization and work skills. Individualized treatment plans are developed which can be comprised of occupational, individual and group therapy, a sheltered work program, and medication.

4. After-care services are provided by the Mental Health Center to patients who have been released. Psychiatric nurses visit these patients, monitor their progress and intervene if signs of relapse should occur. The number and frequency of the home visits are based on the patient's condition. Since the program was initiated in 1971, it has reduced the re-admission rate by approximately 50% and has reduced the total number of days in the psychiatric unit from 642 in 1971 to 241 in 1975.
5. Progress House is a therapeutic residential center which is available to individuals who need a structured environment to help work out their psychiatric, emotional, or social problems. The Center provides individual and group therapy, and educational and vocational sessions. Individuals live at the center until they can function in the community by themselves.

CONCLUSION

1. The Guam Community Mental Health Center has developed a range of programs with individualized treatment plans so that individuals can be released from in-patient care. Since the development of the programs, patients have been able to return to their homes and families. In addition, the programs have helped to reduce the number of days spent in the psychiatric unit and have helped to reduce the number of re-admissions. Continued support should be given to the Community Mental Health Center's programs.

SOURCE

1. Community Mental Health Center Operations Grant Applications. Fiscal Year 1978 and 1979.

POLICIES

1. Continue assistance for disabled persons while providing assistance to able bodied persons, as necessary, on a short-term basis.
2. Require that all able-bodied recipients utilize employment counselors and public training programs.
3. Require able-bodied persons to attend career, adult and vocational education programs while receiving welfare benefits.

BACKGROUND

1. Presently all able-bodied persons considered non-exempt who apply for the Public Assistance Programs (PAP) are required to register for work at the Department of Labor (DOL). Non-exempt persons are anyone who does not qualify under federal guidelines for 3 of the 4 programs under the Social Security Act which are: Aid to the Blind (AB), Old Age Assistance (OAA), and Aid to the Permanently and Totally Disabled (APTD).
2. Recipients of the fourth program, Aid to Families with Dependent Children (AFDC), are required to register under the federally-funded Work Incentive Program (WIN) which is designed to assist AFDC recipients obtain full-time employment. Unless exempt by reasons of health, incapacity, home responsibility, student status or geographic location, all AFDC recipients at least 16 years of age must register for WIN. If recipients have problems of any kind, they are usually referred to the Separate Administrative Unit (SAU) which is essentially a social worker that counsels and informs them of the various types of services available. After an initial evaluation of the recipient. SAU may certify them as job-ready and refer them to them to the WIN program.

3. In order for a household to be eligible for food stamps, all able-bodied members between 18 - 65 years of age with the exception of those with physical and mental disabilities, students, and mothers with incapacitated adults or children under 18 years of age, must register at the local Food Stamp Office and accept suitable employment. Members must register for work; failure to do so results in disqualification for food stamp benefits. After an initial interview at the Food Stamp Office, those recipients which are considered able-bodied, are referred to Department of Labor for employment. From January to July 20, 1978, there were 1,615 people registered for work under the Food Stamp Program. Of this total, 270 reported for interviews 124 were referred for employment, and 116 were hired (including some applicants from the previous year). About 50% of those hired were employed in the CETA Program.
4. There are no work registration requirements in the GHURA Section 8 Program, although participants are encouraged to obtain jobs. In most cases, participants of this program are members of one or both of the programs mentioned above.

CONCLUSIONS

1. Although most Welfare programs require work registration, the rolls of welfare are continually increasing. In most instances, welfare benefits outweigh the benefits of menial jobs. Most welfare recipients lack the basic educational or skill requirements to obtain suitable employment. By requiring able-bodied recipients to utilize employment counselors, public training programs, or attend career, adult and vocational education programs, welfare rolls may be reduced.

2. In obtaining a job, especially in the private sector, low wages and the lack of fringe benefits increase the burden on a typical AFDC recipient. Once recipients obtain a job, they are allowed extended Medicaid services for only four months, unless their status changes such as through remarriage or the return of an absent parent. However, in most cases the amount of food stamp benefits is lowered. Social workers feel that the inadequacy of medical benefits is a major reason why most AFDC recipients return to welfare after employment in the WIN programs. There seems to be a need to evaluate the WIN program in terms of adequate medical coverage for its participants.
3. The intent of welfare programs is to provide the needy with assistance in meeting their basic needs for food, clothing and shelter. Unless physically or mentally handicapped, assistance should only be on a temporary basis. According to DOL however, the lack of transportation and job qualifications are major reasons identified by able-bodied applicants for not obtaining employment.
4. There will always be a need for public welfare programs on Guam, even though assistance should primarily be a family responsibility. However, welfare programs must be designed to not only provide assistance but to encourage economic self-sufficiency. Consequently, greater emphasis must be placed on enforcement of the work registration requirements and in interviewing clients for possible job placement. Moreover, in attaining self-sufficiency, transportation, medical and skill-related deficiencies must be addressed prior to placing welfare recipients in public or private employment.

SOURCES

1. Assistance Payments Section, DPH & SS
2. The Food Stamp Program, August 1975
3. Bruce Santos, DOL
4. Section 8 Program, GHURA

POLICY

Seek legislation to raise the federal contribution to Guam's Public Assistance Program (PAP) to at least 50% of actual costs.

BACKGROUND

1. Our representative in Congress has sought removal of the present \$1.1 million ceiling and the extension of the Supplemental Security Income (SSI) program to Guam through H.R. 7200. The section in H.R. 7200 which sought removal of the ceiling and extension of SSI for Guam, Puerto Rico and the Virgin Islands was deleted and replaced by increasing the current ceiling to \$3.3 million for Guam (pending Senate approval).
2. The Northern Marianas administers the same Public Assistance Programs however, on a 50/50 matching basis.
3. Local PAP officials have toyed with the idea of replacing all programs under the PAP (since the \$1.1 million accounts for only 25% of their total expenditures) with a 100% locally-funded program with greater restrictions in order to decrease welfare rolls and expenditures. Some possible restrictions include:
 - a. A 15 year residency requirement.
 - b. Unwed mothers residing with parents are ineligible.
 - c. Divorced mothers must receive one-half of the standard amount they qualify for from their ex-husbands.

These requirements could reduce PAP expenditures by 50%.

CONCLUSIONS

1. Local PAP officials feel that H.R. 7200 will not pass the Senate in view of the numerous amendments within it already.

2. The fact that the word ceiling persists is cause for discouragement. For some reason, the federal government does not equate Guam with the states or the Northern Marianas in terms of funding provisions.
3. Even with the increase in the ceiling to \$3.3 million, PAP officials except to seek legislation in three years to increase federal assistance for the programs.
4. Based upon the possible eligibility restrictions, we do not recommend that a 100% locally-funded program replace the federal welfare programs for the following reasons:
 - a. Residency requirements are unconstitutional.
 - b. Public assistance should supplement not replace family assistance.
 - c. The Support Enforcement Unit of DPHSS has had tremendous difficulties in obtaining child support payments from ex-parents.

SOURCES

1. Public Assistance Amendments of 1977 (Reports of the Committee on Finance U.S. Senate on H.R. 7200).
2. Assistance Payments Section (DPHSS).

POLICY

Investigate the feasibility of implementing the Supplemental Security Income (SSI) Program.

BACKGROUND

1. SSI is a 100% federally-funded program under the Social Security Administration that pays monthly checks to people in financial need who are 65 or older and to the blind and disabled. A basic monthly cash income for one person is \$177.80 as compared to the monthly average of \$75.00 for an individual under the Public Assistance Programs, DPHSS.
2. Presently, this program is not available to the Territory of Guam. It is available though, to all states and the Commonwealth of the Northern Marianas.
3. This program has the potential of raising the benefits to 639 elderly and 217 handicapped citizens presently on public assistance. In addition to these recipients, there are approximately 9,811 who are potentially eligible for this program.
4. Congressman Won Pat has submitted legislation for local implementation of SSI which eventually was eliminated from H.R. 7200 and replaced by raising the ceiling for PAP from \$1.1 million to \$3.3 million. This legislation is pending Senate approval.

CONCLUSIONS

1. With the local implementation of SSI, more people will benefit. However, implementation would only reduce PAP's payments by 1/4 because AFDC recipients, who are ineligible under SSI, account for three-fourths of PAP's current outlays. Local implementation of SSI is recommended so that the PAP can focus on the financial needs of current and future AFDC recipients.

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2. The reason the Northern Marianas is eligible for SSI and other territories are not, is unknown. Possible reasons include:
 - a. Guam does not pay federal income taxes. (However, the Commonwealth does not either but still participates.)
 - b. Congressman Russell B. Long has opposed extending SSI to all territories.
 - c. The impact of President Carter's Welfare Reform package on the territories is unknown and therefore, actions which may change welfare programs in the territories are being withheld.

SOURCES

1. Social Security Administration Brochures.
2. Governor's Correspondence to Secretary of HEW, March 28, 1977.
3. Won Pat's Office.

POLICY

Revise laws and program requirements which discourage extended-family participation in addressing the assistance needs of individuals.

BACKGROUND

1. Prior to the establishment of Public Welfare Programs on Guam, the extended-family was the main source of assistance for many Guamanians. Today, providing assistance is becoming a public responsibility.
2. The Public Assistance Programs (PAP), Department of Public Health & Social Services, do not discourage extended-family participation in accommodating the needs of family members.
3. Programs under the Guam Housing and Urban Renewal Authority (GHURA) also do not discourage extended-family participation.
4. Although the Food Stamp Program allows families to reside together and still receive food stamps, these families must prove that they are "separate economic units" which is operationalized as "not sharing cooking facilities." Since this is difficult to prove, food stamp benefits are usually reduced because the total household income determines eligibility as well as the amount of food stamps actually received.

CONCLUSIONS

1. The extended-family system is still very much in existence today. The reciprocal form of sharing within the extended-family can serve an effective economic function as well as provide physical and emotional support.

2. Since the Food Stamp Program is 100% federally funded, the revision of its requirements which currently hinder extended-family participation in providing assistance, would be difficult to initiate. At the very least, a clearer and more operational definition of a "separate economic unit" must be established. The definition, as well as other program requirements, must be consistent with and encourage the continuation of desirable cultural characteristics and in particular the extended-family system.
3. The PAP and GHURA programs should continue to encourage extended-family participation in assisting those family members in need.

SOURCES

1. Program manual, Food Stamp Program, Department of Public Health and Social Services.
2. Public Assistance Programs, DPHSS.
3. Section 8 and the Low Income Public Housing Programs, GHURA.
4. Ron K. Limek, "The Family on Guam," Social-Economic Impact of Modern Technology Upon a Developing Insular Region; Vol. III.

POLICIES

1. Reduce future increases in welfare rolls by providing family planning courses in the school system.
2. Encourage the availability of birth control measures and methods.

BACKGROUND

1. Family Planning services are presently available at five area health centers in addition to the Central Public Health Facility in Mangilao. Such services can also be received through most private clinics on island. Except in private clinics, family planning services are free of charge to anyone of legal age (18 and above) who requests for them. AFDC recipients are continually informed of family planning services through their social workers. There have been presentations on television which describe the medical reasons behind family planning, the various methods and safety of such methods. A seminar in family planning was held in December of 1977 through the coordination of DPHSS and the University of Hawaii.
2. As long as the male is not more than three years older than the female, 14-18 year old females can consent to sexual intercourse without the male becoming accused of statutory rape. However, 14-18 year old females still need parental consent to use birth control methods.
3. Presently Bill No. 731 has been introduced in the Legislature which proposes to amend that section of the Civil Code of Guam concerning the legal capacity of a minor to contract for medical care and services. With the passage of this bill, any minor would have the legal capacity to request for family planning services.

4. Currently, in public schools, family planning information (films, lectures) can be provided to students upon the request of their teacher and upon obtaining parental consent for each student.
5. Pregnancy, particularly among teenagers, is a very serious health problem. The statistics listed below dramatize the need for family planning services on Guam.
 - a. Teenage pregnancies increased 146.5% between 1975 and 1976.
 - b. Teenage pregnancies now account for approximately 15% of all pregnancies on Guam.
 - c. The fetal death rate is $2\frac{1}{2}$ times greater in teenage pregnancies than adult pregnancies.
 - d. Abortion rates (performed in clinics or hospitals) are 2.6 times greater in teenage than adult pregnancies. (According to most high school counselors, "coat hanger" abortions among teenagers are also very common).
 - e. The premature birth rate is six times greater in teenage pregnancies than adult pregnancies.
 - f. The illegitimate birth rate among teenagers is almost $4\frac{1}{2}$ times greater than that of adults.

CONCLUSIONS

1. The problem is not so much the availability, but the accessibility of birth control measures and methods by minors to legally use family planning services. The fact that over 50% of all babies born to teenage mothers are illegitimate reflects not only a health problem, but also serious social problems such as increases in our welfare rolls.

2. The need to place family planning courses in the school system is of utmost importance, especially in the light that most male-female relationships are established in school.

SOURCES

1. Fourteenth Guam Legislature.
2. Department of Public Health and Social Services.
3. Guam Family Planning Program.

POLICY

Seek federal clarification of the local government's responsibility in providing for the needs of Permanent Resident Aliens (PRA).

BACKGROUND

1. Most locally-funded programs are being hampered by local budgetary constraints. Public Assistance Programs (PAP), which get better than 70% of its budget from the local government, are already handicapped by the present standard of assistance which is based on the 1969 cost of living. Presently, 13% of PAP's recipients are PRA's and this figure is expected to increase due to the high rate of alien entry into Guam over which the local government has no control. However, it is unconstitutional to deny PRA's assistance.
2. Another area of concern is the Indochinese Refugee Assistance Program (IRAP) which is presently 100% federally funded. However, with the passage of Public Law 95-154 there will be a gradual reduction of federal support. For FY 1979, the federal share will be 75%; FY 1980, 50%; and in FY 1981, 25%. In FY 1978, the average monthly expenditure in this program was \$15,000 with an average of 246 recipients. The federal strategy is to transfer IRAP cases to AFDC and Medicaid programs. If these IRAP costs are charged to AFDC and Medicaid, the local share would constitute about 75% of these programs.

CONCLUSIONS

1. In the initial preparation of the CDP, the Supreme Court ruling against denying assistance to PRA's was not known. However, the background information lends support to the need for local input in decisions relating to immigration.

2. Although unintentional (since the federal government covers at least 50% of welfare costs in the states), reducing the federal share in IRAP and eventually transferring IRAP clients to AFDC and Medicaid will increase the financial burden on territorial coffers.
3. Local immigration control appears to be the best long-term solution in reducing welfare expenditures. In the meantime however, increased federal financial support is required to accommodate the needs of the welfare population.

SOURCE

1. Fact Sheet, Public Assistance Programs, DPHSS.

POLICY

Encourage and support an interpretation of Guam's history which reflects the actual experiences of the Chamorro people.

BACKGROUND

1. Much of the history and culture of Guam and her people have been written by people who were not from Guam. As such, appraisals of the history and culture are often presented in terms of foreign standards. Some examples are:
 - a. "The Chamorros are seriously handicapped and do not always learn quickly."
 - b. "The responsibility to the Guamanians was to guide them from disease-ridden medieval peonage to the dignity and demeanor of a healthy, self-reliant citizenry in the modern world."
 - c. "A population (Chamorros) so abused and oppressed over the centuries, so disease-infested, so isolated from the world, so haunted by superstition, that is was a listless, ambitionless, unorganized mass of humanity. . ."
2. Even highly recognized books such as Carano and Sanchez's A Complete History of Guam, only partially reflect the experiences of the Chamorro people. A major portion of this book is devoted to historical events in which foreigners were the major participants.

CONCLUSIONS

1. When "outsiders" evaluate Guam, they tend to apply their own cultural standards to the events, characteristics, and beliefs of Guam. The results are value-laddened statements which are usually adopted as factual information. When highly impressionable school children, for instance, absorb this information, they tend to develop negative impressions of the people and the island's past.

2. The recommended policy does not suggest that all foreign documents be destroyed. Rather, it encourages that the Government of Guam supports and encourages greater research and documentation of experiences by local people in striking a balance between outside interpretations and local interpretations.
3. Moreover, the policy attempts to assure that the Chamorro people are emphasized as primary actors in Guam's future development and not just "extras" as apparently suggested in historical documents.

SOURCES

1. "U.S. Navy Report on Guam, 1899 - 1950."
2. C. Reid, "Education in Guam" Chapter V.
3. P. Carano and P. Sanchez, A Complete History of Guam.
4. R. Underwood, UOG.

POLICY

Promote functional bilingualism in the schools based on the philosophy that bilingual ability is worthwhile.

BACKGROUND

1. Public Law 14-53 requires that the Chamorro language be taught in public schools. Private schools are exempted.
2. The Department of Education currently administers two Chamorro-related programs:
 - a. The Chamorro Language and Culture Program, which was initiated in 1973, offers courses in the Chamorro language and culture as part of the regular curriculum of students in grades 4-6.
 - b. The Elementary and Secondary Bilingual Programs, established in 1970 and 1976 respectively, utilizes the Chamorro language as a medium of instruction to assist Chamorro speaking students in learning basic (e.g., English, math, etc.) skills.
3. The University of Guam offers the Bilingual/Bicultural Training Program for teachers and students. Implementation began in 1976.
4. Major criticisms have been voiced, especially at the national level, regarding the goals of bilingual/bicultural education. Originally, the intent behind bilingual/bicultural education was to teach students basic skills by using their native language in order to facilitate their transition into American mainstream. On the other hand, opponents of this philosophy feel that bilingual/bicultural education should strive to maintain native languages and cultures and not destroy them in the interest of becoming fully assimilated into the American way of life.

5. Proponents of the transitional philosophy feel that:
 - a. Bilingual/bicultural education is compensatory education which should facilitate the use of economic opportunities by those persons who have not been able to fully utilize these opportunities because of their English language deficiencies.
 - b. The maintenance philosophy promotes segregation.
 - c. The maintenance of native languages and cultures impedes the acquisition of a second language and culture (e.g., English).

CONCLUSIONS

1. Although bilingual/bicultural education programs should continue to be supported to assist students in making use of and opening opportunities, these programs must be based on the philosophy that different languages and cultures should be maintained because they contribute to a rich and unique society on Guam.
2. The maintenance philosophy as implemented in the programs should not polarize ethnic groups as long as there is an understanding among groups that ethnic differences should not contribute to feelings of superiority.
3. Moreover, bilingual/bicultural programs should not be construed as poverty programs but rather as enrichment programs which do not restrict the learning of other languages and cultures but expands the learning capabilities of students.

SOURCES

1. Noel Epstein, "The Bilingual Battle."
2. Enrique Trueba, "Issues and Problems in Bilingual Bicultural Education Today."
3. Dr. Elaine Condon, "Bilingual, Bicultural Education."
4. Robert Underwood, University of Guam.