

CHAPTER 55
GUAM PUBLIC SCHOOLS ADA COMPLIANCE ACT OF 2023

SOURCE: This entire Chapter added by P.L. 37-069:1 (Mar. 6, 2024) effective upon enactment pursuant to P.L. 37-069:2.

2024 NOTE: Pursuant to 2 GCA § 1101, the Guam Legislature shall be known and designated as *I Liheslaturan Guåhan*.

- § 55101. Short Title.
- § 55102. Legislative Findings and Intent.
- § 55103. Definitions.
- § 55104. Implementation of ADA Compliance Plan.
- § 55105. Accessibility Training and Education.
- § 55106. Reporting and Accountability.
- § 55107. Conflicts with the ADA, the IDEA, or any other Federal Law.

§ 55101. Short Title.

This Act shall be known as the “Guam Public Schools ADA Compliance Act of 2023.”

§ 55102. Legislative Findings and Intent.

(a) *I Liheslaturan Guåhan* finds that accessibility is a fundamental right for all individuals, including students with disabilities, in order to ensure equal access to educational opportunities. *I Liheslatura* further finds that most public schools in Guam are not compliant with the accessibility requirements of the Americans with Disabilities Act (ADA) and its amendments, resulting in barriers to access and inclusion for students with disabilities.

(b) The purpose of this Act is to establish a comprehensive framework to ensure that all public schools in Guam are fully compliant with the accessibility requirements of the ADA, and to promote inclusive and accessible educational environments for all students.

2024 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.

§ 55103. Definitions.

As used in this Chapter:

(a) ADA means the Americans with Disabilities Act of 1990, as amended.

(b) Public schools means all public schools in Guam, including primary, middle, and high schools.

§ 55104. Implementation of ADA Compliance Plan.

(a) Within one hundred eighty (180) days of the enactment of this Act, the Guam Department of Education (GDOE) shall develop and implement a comprehensive plan to ensure that all public schools in Guam are fully compliant with the accessibility requirements of the ADA. The plan shall include, but not be limited to, the following:

(1) a thorough accessibility audit of all public schools in Guam conducted by qualified accessibility experts to identify areas of non-compliance;

(2) a timeline for addressing identified areas of non-compliance, including prioritization based on severity and urgency;

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(3) detailed specifications for modifications and improvements necessary to achieve ADA compliance, including architectural modifications, installation of accessibility features and equipment, and training for school staff on ADA requirements and disability awareness;

(4) a plan for ongoing monitoring and reporting on progress towards ADA compliance, including regular progress updates, to *I Liheslaturan Guåhan* and the public; and

(5) a plan for ensuring that any new construction or renovation of public schools in Guam shall comply with the accessibility requirements of the ADA and other applicable federal and local accessibility standards.

(b) The GDOE shall allocate adequate financial resources to implement the ADA compliance plan, which may include seeking federal grants, partnerships with local or federal agencies, American Rescue Plan funds, and other funding sources.

§ 55105. Accessibility Training and Education.

(a) The GDOE shall provide regular training and education for all school staff, including teachers, administrators, and support staff, on ADA requirements, disability awareness, and best practices for promoting inclusive and accessible educational environments.

(b) The GDOE shall collaborate with disability advocacy organizations and experts in the field of accessibility to develop and implement training programs for school staff, as well as educational materials and resources for students and parents on disability awareness and inclusion.

§ 55106. Reporting and Accountability.

The GDOE shall provide regular progress reports *I Liheslaturan Guåhan* and the public on the implementation of the ADA compliance plan, including updates on the status of accessibility audits, modifications and improvements made, and progress towards achieving full ADA compliance in all public schools in Guam.

§ 55107. Conflicts with the ADA, the IDEA, or any other Federal Law.

Any provision of this Chapter that is found to be in conflict with the Americans with Disabilities Act, the Individuals with Disabilities Education Act, or any other federal law, rule or regulation is void.
