



GUAM ETHICS COMMISSION

Kumision i Ginihan Areklamenton Guåhan

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Daphne May N. Leon Guerrero, Chairperson
Robert S. Jack, MD, Vice-Chairperson

Nico A.C. Fujikawa, Executive Director

Commissioners:
Margaret E.R. Tyquiengco
Christopher A. Cruz
Genevieve P. Rapadas, Esq.

May 7, 2026

FORMAL ADVISORY OPINION NO. AO-2026-001

Title 4 Guam Code Annotated Section 15401(a)(2) gives the Guam Ethics Commission authority to render advisory opinions upon the request of any employee or former employee as to whether the facts and circumstances of a particular case constitute or will constitute a violation of the code of ethics.

I. QUESTION PRESENTED

On January 24, 2026, a Government of Guam Department of Education employee (“requestor”) asked for an advisory opinion on whether holding a fundraising event, for an Elementary School Student Activity Group where they hold a leadership role and is also employed as a teacher, at their business in which the requestor has a financial interests, violates the Standard of Conduct for Public Employees of the Government of Guam.

II. BRIEF ANSWER

Title 4 G.C.A. § 15205 prohibits a government employee from taking any official action directly affecting “business or other undertaking in which the employee has a financial interest.” In the letter, the requestor indicated they are a partner and own a twenty-five percent (25%) interest in the subject venue.

III. FACTS PRESENTED

In this case, the requestor’s private business would receive a direct financial benefit from the fundraising event tied to their official government role as a teacher. Even if only “costs” are covered, this constitutes a financial transaction using the requestor’s position to drive revenue to their business. If the requestor is the one organizing or approving this fundraiser in their capacity as a teacher, the requestor is taking “official action” that directly affects a business in which the requestor has a financial interest.

In addition, **4 G.C.A. § 15204** also prohibits an employee from using their official position to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment, for himself or herself. Using the requestor's position as a teacher and leader, who heads the school's largest fundraising efforts for the elementary school, to promote, refer, and or funnel business to the requestor's company violates **§ 15204**.

Regardless of the intention, employees may not use their government position or government time, equipment, or resources to gain "unwarranted" benefits for themselves or their business. Organizing an event that directs students or school families to the requestor's business can be seen as an abuse of their professional access to these groups for private gain.

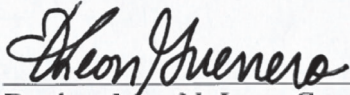
IV. JURISDICTION AND AUTHORITY

Based on the foregoing, the type of activity described is likely prohibited by **4 G.C.A. §§ 15204 and 15205** of the Standard of Conduct for Public Employees of the Government of Guam based on the requestor's leadership role and position as a teacher at the elementary school.

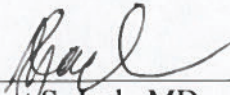
SO, ORDERED.

Dated: May 7, 2026.

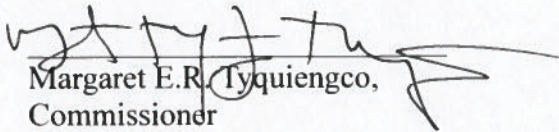
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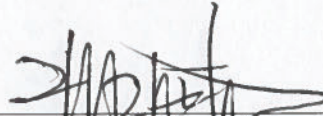
Daphne May N. Leon Guerrero,
Chairperson



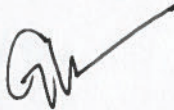
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