



Speaker Therese M. Terlaje <speaker@guamlegislature.org>

GEB February 16, 2021 Regular Meeting - Reporting Requirements

Tia Lynn S. Salas <tssalas@gdoe.net>

Wed, Feb 24, 2021 at 11:15 AM

To: michael.weakley@guam.gov, speaker@guamlegislature.org

Cc: "Jon Fernandez (Superintendent)" <jonfernandez@gdoe.net>, Christie Lyn San Nicolas <clsannicolas@gdoe.net>

Hafa Adai,

Please see the attached documents for the Guam Education Board's Regular Meeting held on February 16, 2021.

Thank you.

Respectfully,

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Guam Department of Education
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Barrigada, GU 96913
Email: tssalas@gdoe.net
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36GL-21-0230
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

02-24-2021

Time: 11:15am
Received: [Signature]

Guam Department of Education

COMMITTEE ON RULES

RECEIVED:

FEBRUARY 25, 2021 at 8:00 A.M.

[Signature]

GEB Reporting Requirements February 16, 2021 Meeting.pdf
2077K

February 17, 2021

The Honorable Lourdes A. Leon Guerrero
Governor of Guam
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910

Honorable Therese M. Terlaje
Speaker
Thirty-Sixth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Governor Leon Guerrero and Speaker Terlaje:

Håfa Adai! Pursuant to Public Law 31-233, Section 38, *Reporting Requirements for Boards and Commissions*, attached are copies of the Guam Education Board's meeting agenda, approved minutes and other documents as discussed at the February 16, 2021 regular board meeting. The meeting was held via Zoom Conferencing.

Should you have any questions, please contact me at 300-1627.

Senseramente,



JON J. P. FERNANDEZ
Superintendent of Education

Attachments



GUAM EDUCATION BOARD

501 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone Number: (671) 300-1627
Facsimile Number: (671) 472-5003
Website Address: www.gdoe.net/geb



MARK B. MENDIOLA
Chairman

MARY A.Y. OKADA
Vice-Chair

Guam Education Board
REGULAR MONTHLY MEETING
Tuesday, February 16, 2021
6 PM
Zoom Conferencing
AGENDA

- I. Meeting Call to Order**
- II. Approval of Minutes**
 - ACTION 1. Minutes of January 19, 2021 Regular Meeting
 - ACTION 2. Minutes of January 26, 2021 Special Meeting
- III. Public Participation** (BP 125.6) Time Limit 3 minutes
- IV. Communications**
 - INFO 1. Correspondence
 - INFO 2. Superintendent’s Report and Communication
- V. Ex-Officio Member Reports**
 - INFO 1. IBOGS
 - INFO 2. GFT
 - INFO 3. Mayor’s Council of Guam
- VI. Unfinished Business/ Committee Reports**
 - 1. **Executive Committee**
 - INFO/ACTION a. 2021 GEB Standing Committee Assignments
 - 2. **Instructional & Academic Support Committee**
 - INFO a. Head Start Report
 - 3. **Safe & Healthy Schools Committee**
 - 4. **Organizational Efficiency and Development Committee**
 - 5. **Fiscal Management**
 - INFO a. Update on budgets
 - INFO b. USDOE Specific Conditions
 - INFO/ACTION c. Declaration of Financial Status Designation – August - September 2020

VII. New Business

VIII. Executive Session

The Board of Education reserves the right to go into executive session during any part of the meeting. Based on the Open Govt. Law specific matters can only be discussed. (Personnel Matters, Collective Bargaining Agreement, Contracts, and Litigation).

IX. Adjournment

Rescuers search for 125 missing after glacier burst in Himalayas



INDIA: Members of Indo-Tibetan Border Police search for survivors after a Himalayan glacier broke and swept away a small hydroelectric dam, in Chormi village in Tapovan in the northern state of Uttarakhand, India, on Sunday. Reuters

By Saurabh Sharma
Reuters

LUCKNOW, India — Hundreds of military personnel were deployed in the Indian Himalayas on Monday to help find at least 125 people unaccounted for after a part of a glacier broke away, setting off a torrent of water, rock and dust down a mountain valley. Sunday's violent surge swept away a small hydro electric project called Rishiganga and damaged a bigger one further downstream. Most of the missing were

people working on the two projects, one of the many the government has been building deep in the mountains of Uttarakhand state as part of a development push.

Rescue workers were focused on a 2.5 km (1.5 miles) long tunnel where workers were believed trapped.

Vivek Pandey, a spokesman of the Indo-Tibetan Border Police Force, said 30-35 workers were believed to be inside the tunnel and that rescuers were trying to open its mouth and get inside. There had been no voice

contact yet with anyone in the tunnel, another official said.

On Sunday 12 people were rescued from another tunnel.

Videos on social media showed water surging through a small dam site, washing away construction equipment and bringing down small bridges.

"Everything was swept away, people, cattle and trees," Sangram Singh Rawat, a former village council member of Raini, the site closest to the glacier, told local media.

Some 400 soldiers have been deployed to the site in the remote mountains, state authorities said.

"We expect to carry on operations for the next 24 to 48 hours," said Satya Pradhan, the chief of the National Disaster Response Force.

Haiti announces arrest of 23 people in alleged coup attempt

By Jacqueline Charles
Miami Herald

Haitian President Jovenel Moise announced Sunday the arrests of 23 people including a former presidential candidate, a high-ranking police inspector and judge on the country's highest court, all accused of plotting a coup to overthrow him and take his life as the nation's political crisis deepens.

Moise shared the news of the alleged coup in a Facebook Live video while standing on an airport runway with his wife as they prepared to board a flight to attend a carnival celebration. He said his presidential guard

had foiled an attempt to both remove and kill him.

"Twenty people whose only dream is to run the country without you," Moise said.

The alleged coup plotters were arrested during a four-hour police operation at a house, Haitian officials said. The house is near the U.S. Embassy in Tabarre area of Port-au-Prince and several were taken while still wearing their pajamas. Justice Minister Rockefeller Vincent said the group planned to infiltrate the National Palace and install a judge from Haiti's supreme court. A copy



Jovenel Moise

of a speech the judge, Yvcikel Dabresil, intended to deliver was found at the home.


"It was well-planned, poorly executed," Vincent said. "It's nothing other than a tentative coup d'etat."

The arrests came after months of mounting tensions between Moise and the nation's opposition, which contends the president's term ended Sunday and decried the detentions as a crack-down on dissent. Haiti's judiciary also sided with the opposition and civil society groups Sunday over the end of the president's term. The Superior

Council of the Judiciary Power said it was preoccupied by the grave threat that has resulted as a result of a lack of political accord in response to the expiration of Moise's constitutional mandate.


The embattled leader argues he has another year in office. The brewing constitutional crisis comes on the heels of an uptick in gang-driven crime, including kidnappings for ransom. Moise has been ruling by decree since last year, after dismissing most of the legislature.

While officials said 23 people had been arrested, a human rights group could only verify 18 detentions.



MARK B. MENDIOLA
Chairman

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MARY A.Y. OKADA
Vice-Chair

REGULAR MONTHLY MEETING
Tuesday, February 16, 2021
6 PM
Teleconference – via Zoom Conferencing
AGENDA

- I. Meeting Call to Order
- II. Approval of Minutes
- III. Public Participation
- IV. Communications
- V. Ex-Officio Member Reports
- VI. Unfinished Business/ Committee Reports
- VII. New Business
- VIII. Executive Session
- IX. Adjournment

The public is welcome to view the meeting via live stream at <https://www.facebook.com/DOEGuam>.



If you plan to provide public testimony please download the Zoom application on any of your devices and attend the meeting using this link: <https://gdoe.zoom.us/j/99867156102>. Individuals requiring special accommodations or information or wish to submit public testimony via email may contact Christie San Nicolas, Administrative Officer by email: csannicolas@gdoe.net.

Agenda to be available on GEB website at least 72 hours before the meeting. Doc. No. 36GL-21-0230.*
This advertisement was paid by GDOE local funds.

Dora Reyes Villa & Pedro Sahagon Villa

October 31, 1947 - December 10, 2020 May 19, 1950 - December 27, 2020

Family and friends, we would like to express the immense gratitude we have for all your prayers, love and support during the most difficult times of our lives, the loss of our parents. We don't know how we would've been able to take steps forward without your presence (physically & virtually), uplifting words, guidance and your continued support. You will forever be in our hearts. May our parents and our good Lord continue to watch over us. God Bless.

**Un Dànkulu Na
Si Yu'os Ma'ase'
REYES-VILLA
FAMILY**



MARIA A. GUTIERREZ
Chairwoman

GUAM EDUCATION BOARD

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MARK B. MENDIOLA
Vice-Chair

GUAM EDUCATION BOARD

REGULAR MEETING

Tuesday, January 19, 2021

6 pm

Zoom Conferencing

MINUTES

VOTING MEMBERS

Maria A. Gutierrez, Chairwoman
Mark B. Mendiola, Vice-Chair
Peter Alecxis D. Ada
Felicitas B. Angel
Lourdes M. Benavente
Karlyn RCG Borja
Robert A. Crisostomo
Ron L. McNinch, PhD
Mary A. Y. Okada, EdD

EX-OFFICIO MEMBERS

Elyssa Cuevas
IBOGS Representative

Doris A. Terlaje
GFT Representative

Mayor, Melissa B. Savares
MCOG Representative

EXECUTIVE SECRETARY

Jon J.P. Fernandez
GDOE Superintendent

I. MEETING CALL TO ORDER

Ms. Maria A. Gutierrez, Chairwoman, called the meeting to order at 6:00 p.m.

ROLL CALL OF MEMBERS

Mr. Fernandez, Superintendent and Executive Secretary, took the roll call. The following members were **present** for the meeting:

Voting Members:

Gutierrez, Maria A. – Chairwoman
Mendiola, Mark B. – Vice-Chair
Ada, Peter Alecxis D.*
Angel, Felicitas B.
Benavente, Lourdes M.
Borja, Karlyn RCG
Crisostomo, Robert A.
McNinch, Dr. Ron L.
Okada, Dr. Mary A. Y.

Non-Voting Members:

Babauta, Marina – IBOGS Representative
Savares, Melissa B. – MCOG Representative

Legal Counsel:

Stake, James

Absent:

Terlaje, Doris A. – GFT Representative

*arrived after roll call

The Superintendent announced that eight (8) members of the Board were present, constituting a quorum.

II. APPROVAL OF MINUTES

Mr. Mendiola motioned, seconded by Ms. Angel, to approve the minutes from the December 15, 2020 regular monthly meeting, subject to corrections. The Board voted by voice with a vote of 7-0 for the motion, motion passed.

Ms. Gutierrez stated that there were only minor corrections that needed to be made, such as the spelling of “Marble” to “Marbo” and “Dr. Hall” to “Dr. Hull,” which was already corrected by Ms. Christie San Nicolas.

Mr. Mendiola motioned, seconded by Ms. Angel, to approve the minutes from the December 22, 2020 special meeting, subject to corrections. The Board voted by voice with a vote of 7-0 for the motion, motion passed.

Dr. Okada requested to abstain from the vote because she was not present at the two meetings. She registered her abstention from the two meeting minutes.

III. PUBLIC PARTICIPATION – None.

**IV. COMMUNICATIONS
CORRESPONDENCE – None.**

SUPERINTENDENT’S REPORT – Mr. Fernandez welcomed the new members of the 10th Guam Education Board (GEB) and recognized that this is their first official board meeting. He informed all members that there is a communication from him in their packets for their review. Mr. Fernandez then recognized that today was the first day of face-to-face instruction for Simon Sanchez High School (SSHS), F. B. Leon Guerrero Middle School (FBLGMS) and Vicente S. A. Benavente Middle School (VSABMS). He stated that he was very happy to report that everything went very smoothly. It was very calm and quiet at the schools, which is what was anticipated based on the planning and based on the numbers of registered students to return. He shared that the school-based employees made sure there was an orderly process for students to arrive and enter the school to be temperature checked and then be able to safely go to their waiting areas for their start of the school day. He noted that there was not many students eating breakfast but expects that to change as they get more comfortable. Mr. Fernandez reported that as for the buses, they will see how it works in terms of the timing but noted that there were only between one to three bus riders per bus in the buses he observed and that was reported by the schools. He mentioned that Ms. Linda Ibanez from the Department of Public Works (DPW) was also circling to observe, and he would be happy to meet with DPW after this week to go over any adjustments that need to be made. He shared that he was aware of a circulated image of the conditions of one of the buses, which was forwarded to DPW for their response and stated that he hopes it was an isolated issue that DPW can address. Mr. Fernandez then shared that if there are any issues or complaints, he is thankful for it being forwarded to the department so that it can be forwarded to the other agencies and to the schools to ensure that it is addressed. In addition, he shared that all 41 schools will be opening tomorrow, and the concern is to ensure that the schools have the support and are able to proceed in an orderly fashion. He thanked the school administrators and the teachers and staff for their hard work and very good spirits with welcoming the kids knowing that it is a new day for the department to return to face-to-face instruction after 10 months of not seeing the students. Mr. Fernandez mentioned that the department relies very much on its employees and gave kudos to the administrators, teachers and staff of the three schools and shared that he knows the other schools will also do a good job tomorrow and he and his team will be out there to support them. He noted that other than that, the committee has been updated on most items and the focus for this week is the return to face-to-face instruction and the support for the schools. He also noted the upcoming budget that they will discuss with the board and they will be looking to get the board’s approval next week. He mentioned the work session that is scheduled for Friday and the board’s vote being the following week. With regard to other Guam Department of Education (GDOE) initiatives, the department expects to open up several of the community learning centers that the department has been planning for a while. The centers will allow for after school opportunities for students to avail themselves of access to technology and the internet at several school sites. He stated that if the board is interested in the listing or have any questions, it can be provided by Deputy Superintendent Joe Sanchez. Moreover, he shared

that the task force is in very active discussions on the testing and vaccination approach for GDOE. He stated that there was a meeting this morning that Deputy Superintendent Erika Cruz attended to represent GDOE with Guam Regional Medical Center (GRMC), American Medical Clinic (AMC) and representatives of the surgeon cell to talk about the logistics of an operation that would allow the department to move forward in prioritizing our school-based employees for vaccinations; however, it is still pending final approval by the vaccination committee. He does believe that it has the support of the Lieutenant Governor and Public Health as part of their latest discussion and noted that the department will not be able to proceed until final confirmation is received. The task force is developing a plan to execute it which is also in partnership with the Catholic schools. He stated that this is a priority for the department, and they will continue to advocate for the vaccinations. Additionally, the other item is that the department is still awaiting authorization for high school interscholastic sports, which was discussed with the Lieutenant Governor the need to determine whether the department would get authorization in order to proceed. He mentioned that the coaches, athletic directors and athletes have been mobilized to begin planning and preparing so that in the event that the authorization is given, the department will be a step closer to being ready to practice, tryout and eventually compete. He then informed the board that he would be happy to respond to any questions they may have.

Mr. Crisostomo asked Mr. Fernandez, as SEA-LEA, if he has visibility of all the charter schools as well because the department represents all students in his opinion. He stated that the board should be the governing board for all schools, public schools in Guam and asked if he is keeping track of their need for vaccinations as well.

Mr. Fernandez responded by asking Deputy Superintendent Erika Cruz if that has come up in the conversations since she has been tracking the planning.

Deputy Superintendent Erika Cruz responded "Yes, Mr. Francis Santos has reached out to the charter schools to avail themselves of the vaccinations, so they are aware as well as Harvest Christian Academy, St. John's School and Saint Paul Christian School."

Mr. Crisostomo asked Mr. Fernandez if that was being coordinated under him or are those schools fending for themselves.

Mr. Fernandez responded that this proposal is actually being shepherded by the clinics in their conversations with Public Health and the governor. The GDOE has been advocating for vaccinations for all educators and Public Health is primarily in charge as well as the vaccination committee. He stated that they were approached by GRMC and they have indicated, as well as AMC, that they are willing to set aside dedicated time to address the educators of private, charter, and GDOE public schools as long as they can get the necessary number of doses and then work with them to organize the days and times. He informed them that Deputy Superintendent Erika Cruz has been working directly with the clinics and once they get the green light, the department will be able to mobilize our employees. He noted that Dr. Juan Flores was also there, and he thinks the conversation with charters are happening separately between the clinic so they can organize their drive.

Ms. Gutierrez addressed Mr. Fernandez and stated that she knows that Mr. Crisostomo left the board when the law was changed regarding charter schools. She asked Mr. Fernandez to brief him on GDOE no longer being involved as far as charter schools.

Mr. Fernandez responded yes, and the clarity he can provide is that in the Guam law, there is the responsibility by GDOE to provide oversight over the charter school expenditures and that it was a limited set of tools that the GEB and the department had in that regard. He stated that given some of the challenges and actually the agreed upon position of GDOE and the charter schools, the position was to separate the finances so that they can report directly to their chartering body which is the charter school council and then directly to the

legislature. With regard to SEA responsibilities that Mr. Crisostomo mentioned, it is right that when it comes to federal funding and the state agency's responsibilities, the GDOE does oversee the funding and the oversight over the use of those funds. Mr. Fernandez stated that with this regard and because it is kind of a gray area, he just wanted to make sure to let Mr. Crisostomo know that the charter schools have been reached out to, but it is not a GDOE initiative, so the clinics and the hospital is working directly with them.

Mr. Fernandez recognized the presence of Mr. Peter Ada.

Ms. Gutierrez responded about the bus situation. She stated that the other schools open tomorrow and hopes that they do not have another bus incident. She stated that DPW assured the department they were ready and asked that whoever is coordinating with DPW to tell them that the GDOE really means business and as customers, the department does not want these kinds of incidents. She expressed that she cannot accept isolated incidents because these are our kids. She then asked Mr. Fernandez to provide a report regarding the busing and how many students ride in the afternoon since most parents drop their children to school as well as how this week went.

Mr. Fernandez responded that they would gather an estimate of bus riders for the schools. He confirmed to Ms. Gutierrez and the rest of the board that the concerns raised have also been directed to DPW for their response and for them to address. He noted that there were two matters. One had to do with the temperature checks in the buses which DPW indicated they are unable to do so because there would need to be additional personnel on staff on the bus. He informed them that based on his observation of the buses is that they were very scarcely utilized, so they are hoping that the low numbers on the buses will contribute to continue safety. He shared that the average amount of students who got off the bus was three students and if that is the case, they know the buses can support distancing between the students and they will work to reinforce that. They will also work with them to monitor as he mentioned with regard to the conditions of the seating on the buses as seen on the photo and stated he will report back once they hear from DPW as to how they plan to address that situation.

Mr. Mendiola informed Ms. Gutierrez that the Special Education buses do temperature checks. This morning he was able to go into the bus and as a parent, he was very comfortable with the protocols that the department had with its special education buses. He thanked the Superintendent and his team for ensuring our sped students are getting the supports necessary.

Ms. Gutierrez thanked Mr. Mendiola. She then informed Mr. Fernandez that her concern is the elementary students starting classes tomorrow. She asked if the buses have extra face masks in case the students do not bring one and if they would be provided one before they enter the bus.

Mr. Fernandez responded yes, DPW indicated that they will have extra face masks for students who do not have. He stated that this would not necessarily be a support that they can provide all year, but they would be able to do it during the first weeks of return to face-to-face. He noted that GDOE will work with DPW to determine what supplies they will have for the remainder of the year. DPW indicated that they do have a supply, but they were unsure how long it would last but it would definitely be for the first weeks of school.

Mr. Mendiola motioned, seconded by Ms. Angel, to accept the Superintendent's Report as presented. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

V. EX-OFFICIO MEMBER REPORTS

IBOGS Report – Miss Babauta shared that the Island-wide Board of Governing Students (IBOGS) representatives officially took the oath of office on January 4, 2021. They extended their congratulations to the six elected members of the 10th GEB. She noted that they held their first official IBOGS virtual meeting on Friday, January 8th, where they discussed details of their social media takeover and the plans for the Annual

Student Exchange. She mentioned that they promoted social media events with board members Dr. McNinch and Ms. Gutierrez such as calling in during the K57 talk shows to share about IBOGS and promote the “IBOGS Takeover” as well as being guests on the KUAM Link show. They recognized and congratulated IBOGS member Jim Pamplona for receiving the GTA Youth Leader School Year 2020-2021 Tuition Scholarship Award. They recognized him for also being accepted into Embry-Riddle Aeronautical University Daytona Beach Campus for his academic and personal achievements and his rank as third place overall for the SSHS Class of 2021. They all wished him the best of luck!

Ms. Gutierrez recognized Jim Pamplona and asked that everyone congratulate him for his accomplishments. She congratulated him and encouraged him to keep it up and shared that they are so proud of him.

Mr. Fernandez echoed Ms. Gutierrez on behalf of the department and the leadership team. He thanked Jim for representing SSHS and all of the GDOE students as well. He informed him that they are all glad to hear the good news and wished him good luck with making the best with the opportunities given to him and congratulated him once again.

GFT Report – No report.

Ms. Gutierrez asked Mr. Fernandez if there was a Guam Federation of Teachers (GFT) Representative present. She stated that it is very important that they participate, especially during this time of the re-opening of the schools.

Mr. Fernandez responded that Ms. Terlaje indicated in the past that she had some difficulty due to her own personal reasons and she has reached out to Mr. Fedenko and Mr. Sharma to have a representative. He shared that they met with GFT last week prior to the opening of the schools and they indicated their full support for GDOE’s approach. He stated that unfortunately, they are not present today, but he will communicate with them to ensure that they have a representative consistently for the board meetings.

MCOG Report – Mayor Savares congratulated Jim on behalf of the mayor’s council and stated that they look forward to him getting his education in engineering and coming back to Guam to serve our people. She shared that the mayors throughout the villages continue to clean around the bus stops and clean around school zones making sure that areas where children are walking to and from school and bus stations are safe for them. She noted that Mayor Hoffman is working with the Island-wide Beautification Task Force to get more bus shelters adopted as well and they emphasize with the adoptees that the shelters adoption process is not just once a year and putting their name or their logo on the shelters, but that it is also to be checking it out on a regular basis to ensure it is safe for the children. She informed them that Okkodo High School is still being used for vaccinations and they are working closely with the Department of Public health and all their partners that they have in the process to make sure that when the students are ready, all the equipment being used will be removed. She thanked the GDOE food service for continuing to provide food commodities to the mayors’ offices. She shared that they continue to do traffic control and support help with the food commodities, “Grab and Learn” and “Grab and Go” meal distributions. Mayor Savares mentioned that they also participated in the visit with the Western Association of Schools and Colleges (WASC) for mid-term at Wettengel Elementary School last week and she knows the results were very successful with positive reviews from the WASC reviewers. She congratulated Mrs. Iglesias and her team for a great job that they did.

Mr. Fernandez asked Mayor Savares if she was aware of the schedule for the northern Public Health Center and if they were going to continue to do testing or vaccinations there.

Mayor Savares responded that that is where they are doing the testing for the contact tracers so anybody that came in contact with somebody who was positive may go to the northern Public Health Center. She noted that they held a mass testing this past weekend, last week in Yona on Thursday, and testing continues to

happen, but it is away from the community health center. The only ones that are going there are by appointment only because they were in direct contact with somebody who just recently tested positive.

VI. UNFINISHED BUSINESS/COMMITTEE REPORTS

1) Executive Committee

2021 NASBE Committees Nomination – Ms. Gutierrez informed the board that she forwarded to them an email she received from Dr. Robert Hull, NASBE President and Mr. Byron Ernest, NASBE Chair. Every year, the NASBE (National Association of State Boards of Education) would ask the state board to appoint and nominate members to two committees – the governmental affairs and the public education position. She shared that Dr. McNinch has encouraged everyone to participate in any way they can and noted that every year after the conference, the NASBE will ask for nominations and for anyone that is interested in joining.

Mr. Mendiola asked Ms. Gutierrez to remind everyone who currently sits in these positions in the board.

Ms. Gutierrez responded that these positions are for one year and after one year, NASBE asks for new members.

Mr. Mendiola asked who the members are currently.

Ms. Gutierrez responded that Dr. McNinch is on the Western Region Board of Directors and he represents all the states in the western region. She shared that at the last annual conference, she was nominated for the at-large nomination committee meaning she represents the whole members on the NASBE as an at-large nomination committee. She noted that in the 2020 nomination governmental affairs committee, Ms. Benavente had signed up to be appointed and it will be approved by the NASBE president and chair. She noted that she is the chair of the public education position committee and she will be giving it up to give others the opportunity since she is already in one committee. She shared that Ms. Benavente is already in the Early Childhood Workforce study group with NASBE and on December 30th, she sent the email out because Dr. Hull and Dr. Ernest emailed her to share this because they know that there are new board members.

Ms. Benavente asked if they are open for nominations now. She stated that she is willing to give hers up because Mr. Crisostomo expressed interest in the governmental affairs committee.

Ms. Gutierrez also stated that Mr. Crisostomo expressed interest in the governmental affairs and Mr. Ada expressed interest in the public education position committee.

Mr. Crisostomo stated for the record that he would like to withdraw his interest and concentrate and do the best he can for this board.

Ms. Gutierrez asked Dr. Okada if she was interested.

Dr. Okada responded that she would like to defer to other members first.

Dr. Okada motioned, seconded by Mr. Mendiola, to nominate Dr. McNinch for governmental affairs and Mr. Peter Alecxis Ada for the public education position.

Ms. Gutierrez responded to Dr. Okada that she would like to ask Dr. McNinch if he would like to take the position because he is already a part of the Western Region Board of Directors and his responsibility covers 15 states.

Dr. McNinch thanked Dr. Okada for the nomination. He stated that he is on the Western, Major Board, and the NASBE board. He represents the west and he does have quite a number of subcommittees that he serves on. He informed his colleagues that these committees are fairly modest in their requirements, but they are extremely important that they have a voice on them. He informed them that the national committee loves to have Guam representatives on these committees and it really serves as a form of ambassadorship not only to NASBE but to the rest of the country, because quite often, secretaries of education and their assistants are directly involved with many of these kinds of boards and that gives them a profile within, which is very helpful.

Mr. Mendiola respectfully asked that if Ms. Benavente is still up for the governmental affairs and for Dr. Okada to make that nomination.

Dr. Okada amended her nomination.

Dr. Okada motioned, seconded by Mr. Mendiola, to nominate Ms. Lou Benavente for the governmental affairs and Mr. Peter Ada for the public education position. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Ms. Gutierrez shared that their meetings will be virtual, and they will be reporting back to the board of what is happening. She shared what the governmental affairs will be about and asked Mr. Ada if he was still interested in the public education position. She informed him that if he is interested, she would need to submit his information to NASBE to begin processing.

Mr. Ada responded that he is interested; however, if someone else is interested, he is willing to allow them the opportunity and if no one else, he will submit his name.

Ms. Gutierrez asked Ms. Borja and Ms. Angel if they were interested.

Ms. Borja responded that unfortunately the NASBE meetings conflict with her work schedule.

Ms. Angel apologized and stated not at this time, maybe in a few more years in the board.

Ms. Gutierrez informed her that every year it changes, so maybe by then she will be more comfortable. She informed everyone that NASBE will be coming out with more committees as they move forward. There will be a new structure with the new Secretary of Education. They will be working closely with NASBE because one of their colleagues from the California State of Education is in the transition team of President Biden. She stated that she thinks she put in a really strong word for the new secretary of education so they will have a really close working relationship with them.

2021 GEB Standing Committee Assignments – Ms. Gutierrez discussed that Mr. Crisostomo was asking about the board's goals. She stated that they have not changed and there are some standing committee chairs, and she would like to find out if anyone would like to serve in any of the sub-committees. She informed everyone what each committee is about, including the special committees, and who currently oversees some committees. Ms. Gutierrez informed them of her request to the Superintendent to schedule a board retreat to review the committee assignments and the possibility of combining some of the series. She informed them that she requested for that, followed by a boardmanship training, which is required for all new members within so many days. She informed them of the ethics training that is needed as well. She asked that they all study the committees and stated that the current chairs will continue until the board is able to make some changes.

Mr. Crisostomo asked if those committees are set by law or by the board. He stated that he would like to get some clarity before they go into the retreat and that the purpose of the retreat is to get them up to speed and establish goals. He stated that because they have a two-year term, he is looking at the strategic plan and he would like to work with the Superintendent and his team because he thinks the strategic plan drives what they are going to do for the next five years. He thinks the board has been very reactive in many things. If they have a five-year plan they should put that forward as a main committee. Then someone on the board with the Superintendent can send out orderly reports where they stand on their strategic plan, whether they are meeting their goals, and if they want to adjust their goals. He stated that is one of the things they should discuss during their retreat and thinks an overall committee on the strategic plan has to be formalized instead of being a subcommittee of another. He mentioned that a strategic plan should never be subordinate to curriculum or the board policies; it is overarching, and it drives the money and the goals of the department. He believes they should always report out maybe quarterly or semi-annually to their stakeholders on where they stand with the board's goals so that they know they are accomplishing something. He would like to move in that direction if that pleases the board.

Mr. Mendiola agreed with Mr. Crisostomo and stated they will ensure that that is on the top of discussion on the retreat agenda. He thinks that also on the policy, it is at the pleasure of the board to create committees at will and as a group, that is something they can consider. He thinks that organizing themselves as a board and then giving the Superintendent the directives based on what comes out of that will be very beneficial to the department. He stated that he looks forward to that meeting and getting that scheduled as soon as possible. He noted some of the biggest challenges they have right now is the opening of schools and the budget, so they are probably looking at the earlier part of February. He stated that he thinks Mr. Crisostomo is absolutely right about the strategic plan and revisiting the goals that were set a couple of years ago.

Ms. Gutierrez stated that after the new business, the leadership will make that arrangement with Mr. Fernandez.

Mr. Fernandez clarified that Mr. Mendiola is correct and the board can set the committee structure. He clarified there is a board policy that lays out the standing committees and it can also be amended. He noted that the ad hoc committees are special committees that are also created outside of the standing committees' structure. He informed them they have been in preliminary touch with University of Guam (UOG) and what they will do after this meeting is pull members after he has a chance to discuss how they want to do all those meetings with the retreat and the ethics and boardsmanship trainings. He shared that UOG is asking about the date and the timeframe for this training, and for a tentative agenda to be shared with them. Once they do that, they will pull members for their availability so they can come to a day and time that works for most. He noted that it has been scheduled on a Saturday in the past and if that works, they can definitely try to find the right date and get that conversation going.

2) **Instructional & Academic Support Committee**

Head Start Report – Ms. Schroeder stated that the major thing for Head Start is that they are beginning the cycle of writing their grant for next year and informed them that she added the funding guidance that they received from Region IX in their board packets. She shared that this year they will be receiving \$3,725,336, which is an accumulation of two years of (Cost-of-Living Adjustment) COLA. She informed the board that they will be working with their policy council starting tomorrow on the beginning process of the grant and they will be looking for at least one or two work sessions with the board as they complete the process of writing their third-year grant. The other critical information is that because of the turnover to the Biden administration, they currently do not have a Head Start director in Washington, D.C. and are awaiting the position to be appointed. She shared that they are currently losing their current program specialist Shirley Karrer due to her being transferred to Arizona and they will be getting the Arizona program specialist as her replacement. She noted as far as being ready for face-to-face tomorrow, Head

Start is following pretty much the same guidelines as the schools, but their focus is going to be on the children entering Kindergarten. She shared that they are following their selection procedure so that those that would be going to Kindergarten, they have time to increase and improve their skills for when they enter Kindergarten next year. She then stated that her report stands and asked if anyone had any questions.

Mr. Fernandez stated just as an orientation for new or returning board members, the Head Start report is a standing report every board meeting, because unlike other federal programs, Head Start requires a governing board that is the GEB and also works with the policy council which is made up of parents primarily. He discussed that Head Start will receive input from the policy council and lead the guidance and they will bring it to the governing board here with its update and approval. He informed them that this is just in case they are wondering why this is on the agenda every month. He stated that Ms. Schroeder is required to make this report so that she can acknowledge to the Head Start program that the governing board has been apprised of all issues related.

Ms. Schroeder informed everyone that there is a new training module for all board members, and she can forward that link to the board. She shared that it is an interactive module on governing Head Start and working with their parent council.

Dr. Okada motioned, seconded by Mr. Mendiola, to accept the Head Start Report as presented. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

3) Safe & Healthy Schools Committee

Update on District School Readiness Task Force (DSRTF) – Mr. Fernandez stated that most of these items were covered in his superintendent report. He thanked the board for its continuous support and guidance with regard to the School Readiness Task Force and the plans have been put in place. He noted that they are now seeing the execution of those plan and they will report back to the committee and to the board on how things are going these first couple of weeks.

4) Organizational Efficiency and Development Committee – No report.

5) Fiscal Management

Update on budgets – Mr. Mendiola informed his colleagues that they had their board work sessions on the 13th, 14th and 15th of January and for those who were not able to attend, they asked Ms. Christie to send out the recordings of those meetings. He informed them that on Friday, Mr. Fernandez provided some responses to some of the questions that were posed over the 13th and 14th and then what they decided is that they would give more time for their colleagues to review the documentation and some of the recommendations and provide an opportunity for the superintendent to scrub the numbers and ensure the numbers are jiving the way that it is supposed to. He informed them that they are looking at this Friday, January 22nd, to hold the final work session before they forward the resolution to the board for the board’s full consideration for action with respect to the 2022 budget. He informed them that as they can see on the agenda, the department is also in the midst of the current 2021 budget. He noted that they are looking at the cash flow in terms of the funds that are coming in, they know that the budget is very tight. He thanked Deputy Superintendent Dr. Zeny Asuncion for assuring that she will provide them the reports so they can see the cash flow from the different funds that are supposed to be funding the department’s operational costs. He stated that one of the things they also need to look at and watch is the Territorial Education Facilities Funding and usually the exposure for this year’s budget is \$16 million. Usually the month of March or April is when the department can get to know what those numbers are and if that is a significant reduction in revenue collection and that fund, the exposure to that will mean significant hardship for the GDOE. He informed them that they will continue to review that and ensure that they monitor it, work with the legislature and the governor’s office to ensure that the department

gets the necessary funds to continue its operational costs. He noted that the department is still meeting its payroll and he thanked the Department of Administration for their timely allotment. He mentioned the only issue the department is having aside from paying utilities, the food service, ground maintenance, Third Party Fiduciary Agent (TPFA) and the audit fees is putting vendor payments on hold until the revenue is received to pay down some of the debt. He noted that they have been paying down the debt significantly and then it caught up. One of the things that they are looking at as part of their discussion in 2022 budget was the hiring of personnel for critical and essential. Those requests were coming to the Superintendent and it has to be attached with the cash behind it in order for the department to fill those critical positions. He stated that it is going to get pretty tough for the department but the management of it is left up to the Superintendent to ensure that the GDOE is living within its mean and it is going to be a difficult balance for him as long as he reports to the board as to how he is going to manage that. One of the other issues was the supports fund. He shared that when they met with the legislature, he thinks it was 350,000 is where they have to look at where they are going to find that fund for the athletic program. He stated that Dr. Okada and their chairwoman were a part of that with Interscholastic Sports Association (ISA) and the Guam National Olympic Committee (GNOC) partnership where they were talking about the types of activities that are going to happen with the sports. He thanked Mr. Al Garrido for inviting the board to that and the Superintendent because they are well into the planning of ensuring that once the department is given the green light for a lot of these activities, the GDOE will be ready to stand up for its sports program. He stated that is it the funding that is definitely going to be the big challenge. Prior to the budget being passed last legislative body, the department got a commitment that they were able to submit a supplemental budget request with these specific items that they would like the legislative body to consider. He noted that at their roundtable discussion with Senator Telena Nelson, they raised that issue with her and informed her the department is definitely going to need the funding for that. Where they find that funding is where the department has to brace itself for the financial impact with other issues with the special funds that the department may not get those revenues.

USDOE Specific Conditions – Mr. Mendiola reminded the board of the transition going on in Washington, D.C. that they are all aware of. He informed them that he spoke to the Superintendent and there is a new Secretary of Education, but believes Christine Jackson and Mark Robinson are still a part of the group that serves as the liaison between U.S. Ed and the Department of Education. He stated that if he can recall correctly, January is when they review the probationary status with some of the conditions to review but with what is going on in Washington, D.C., he is pretty sure that it will be tough for them, but he will ask the Superintendent to continue to communicate with them or if he has anything to report to the board. Once the Secretary of Education is installed, the department will have to make contact with them possibly through a Zoom meeting. He shared that a blessing for the department that he saw on the news is that Congressman Gregorio Kilili from Saipan is a ranking member on the education committee and when they traveled to Washington, D.C., they had the opportunity to meeting with them along with Guam’s congressman. He mentioned that because of Congressman Kilili’s position, they can revisit with him to remind him of some of the challenges that the department is facing on the high-risk status. Congressman Kilili was committed to assisting the department with Congressman San Nicolas, so there is more to come from that area. He asked Mr. Fernandez to inform the board should anything come from Washington, D.C. and they will address it immediately. He then stated that he looks forward to their final work session on the 2022 budget on Friday. He informed them that the notice was sent out and it will be recorded for those who are unable to attend. He informed them that a resolution will be formulated for their board meeting so they can vote on that and forward the budget to the legislative body.

VII. NEW BUSINESS

- 1) Election of 10th GEB Officers** – Ms. Gutierrez briefly explained the rules and regulations. She then expressed her appreciation for serving as the GEB Chairwoman and assured the Board, the ex-officio members, the superintendent and staff, as well as the GDOE stakeholders that she would still be here to

serve as a board member. She thanked them for the many ways they continue to support and their hard work each day to provide for our students, especially during this most difficult time of our island.

Nominations for Chair

Dr. McNinch nominated Mr. Mark Mendiola as Chairman for the 10th Guam Education Board. Mr. Crisostomo seconded the nomination. Dr. McNinch motioned to close nominations for Chair. The Superintendent took roll call, the Board voted by voice and approved the motion with a vote of 9-0. The motion for Mr. Mendiola to be Chairman passed.

Ms. Gutierrez then turned over the chair-ship to Mr. Mendiola.

Mr. Mendiola thanked his colleagues and stated that he appreciates their support and looks forward to working with everyone. He thanked Ms. Gutierrez for everything she has done for the leadership for the board for the past year.

Nominations for Vice Chair

Ms. Gutierrez nominated Dr. Mary Okada as Vice Chairwoman for the 10th Guam Education Board. Ms. Benavente seconded the nomination. Ms. Gutierrez motioned, seconded by Dr. McNinch, to close nominations for Vice Chair. The Superintendent took roll call, the Board voted by voice and approved the motion with a vote of 9-0. The motion for Dr. Okada to be Vice Chairwoman passed.

Mr. Mendiola congratulated Dr. Okada and thanked their colleagues for their support. He informed them that they will set the agenda for their board retreat where they will meet to set up a strategic plan for the GDOE.

- 2) **Virtual Board Meetings** – Mr. Mendiola informed everyone that moving forward, they will possibly have hybrid board meetings where they will return to face-to-face and have the option for the members who are not comfortable with face-to-face to join the meeting via Zoom. It will also be the same for work sessions for others convenience because of the travel time and other things they are dealing with. He informed them that they will continue to maintain the virtual meetings and that the next regular board meeting may be a hybrid meeting with virtual and face-to-face.

Ms. Gutierrez requested for consideration since the island is still in Pandemic Condition of Readiness (PCOR) 2 and until we return to PCOR 3, that they can then return to in-person meetings.

Mr. Mendiola responded that when they have their board retreat, they will add this for further discussion at the pleasure of the board, but the hybrid board will allow for those who want to do face-to-face and those who want to do virtual.

Mr. Fernandez gave a sense of logistics for returning to face-to-face. He shared that he had Ms. Christie and Ms. Tia take a look at the rooms for holding the board meetings and it is not likely that they will be able to use the Gallery because they would have to account for about 20 normal attendees including the nine board members, the IBOGS, the ex-officio members. He informed Mr. Mendiola that they are looking at the main conference room to be used and they could organize it accordingly and work out the logistics. He informed him that the main conference room is being used to stage the distribution, but it can be figured out if it's the board's desire to return to face-to-face meetings and due to the configuration and the physical distancing requirements, that is the likely venue for the meetings. He stated that he looks forward to that discussion and will work with him on the logistics to make sure the board's wishes are accommodated.

Mr. Mendiola stated that the key is to first ensure the safety and comfort level of everyone, so he does know that there are many things to consider. He stated that is something they will discuss during their board retreat prior to their next meeting. He is aware they have a special meeting coming up so the requirement to do the announcement may be too soon for them. He mentioned possibly taking the discussion offline with vice chairwoman Dr. Okada and then they will discuss with the other board members.

Mr. Fernandez responded that for clarity purposes, the latest version of the executive order still waives a lot the requirements relative to the open government laws. It gives the flexibility as needed regarding the venues and the notice of having virtual meetings, and if the executive order does withdraw that, they will have to examine the authority and make sure that they are operating in line with that.

Mr. Mendiola responded that perhaps maybe an official memo to the board just to let the board know legally if that is something for them to consider. He stated that they will have this discussion offline so they can formalize it and get the board to give their input and figure it out from there.

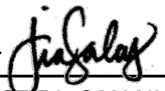
VIII. EXECUTIVE SESSION – None.

IX. ANNOUNCEMENTS AND ADJOURNMENT –

Ms. Gutierrez motioned, seconded by Ms. Angel, to adjourn the meeting. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Mr. Mendiola adjourned the meeting at 7:20p.m.

MINUTES SUBMITTED BY:


for 

CHRISTIE L. SAN NICOLAS
Administrative Officer

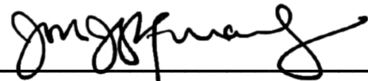
Date: February 6, 2021

MINUTES OF JANUARY 19, 2021 REGULAR BOARD MEETING:

- () Approved as submitted
- Approved subject to corrections
- () Other: _____



MARK B. MENDIOLA
GEB Chairman



JON J. P. FERNANDEZ
Executive Secretary/GDOE Superintendent

Date: February 16, 2021

Date: 2/23/2021



MARK B. MENDIOLA
Chairman

GUAM EDUCATION BOARD

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MARY A.Y. OKADA, Ed.D.
Vice Chair

GUAM EDUCATION BOARD

SPECIAL MEETING

Tuesday, January 26, 2021

3 pm

Zoom Conferencing

MINUTES

VOTING MEMBERS

Mark B. Mendiola, Chairman
Mary A. Y. Okada, EdD, Vice-Chair
Peter Alecxis D. Ada
Felicitas B. Angel
Lourdes M. Benavente
Karlyn RCG Borja
Robert A. Crisostomo
Maria A. Gutierrez
Ron L. McNinch, PhD

EX-OFFICIO MEMBERS

Elyssa Cuevas
IBOGS Representative

Timothy Fedenko
GFT Representative

Mayor, Melissa B. Savares
MCOG Representative

EXECUTIVE SECRETARY

Jon J.P. Fernandez
GDOE Superintendent

I. MEETING CALL TO ORDER

Mr. Mark Mendiola, Chairman, called the meeting to order at 3:00 p.m.

ROLL CALL OF MEMBERS

Mr. Fernandez, Superintendent and Executive Secretary, took the roll call. The following members were **present** for the meeting:

Voting Members:

Mendiola, Mark B. – Chairman
Okada, Dr. Mary A. Y. – Vice-Chair
Ada, Peter Alecxis D.
Angel, Felicitas B.
Benavente, Lourdes M.
Borja, Karlyn RCG
Gutierrez, Maria A.
McNinch, Dr. Ron L.

Non-Voting Members:

Cuevas, Elyssa* – IBOGS Representative
Fedenko, Timothy – GFT Representative

Legal Counsel:

Nasis, Jesse

Absent:

Crisostomo, Robert A. (excused)
Savares, Melissa B. – MCOG Representative

*arrived after roll call

The Superintendent announced that eight (8) members of the Board were present, constituting a quorum.

Mr. Mendiola informed everyone that the board received a letter from the Guam Federation of Teachers (GFT) appointing President Mr. Timothy Fedenko as the official representative to the board moving forward. He

welcomed Mr. Fedenko to the board and stated that they look forward to a rewarding and fulfilling year on discussions on education.

II. UNFINISHED BUSINESS

Adoption of GDOE FY22 Budget Request

Mr. Mendiola informed his colleagues that there were quite a number of work sessions that lead to this point, which is the presentation of the adoption of the Guam Department of Education's (GDOE) Fiscal Year (FY) 2022 budget requests. He informed the board that they were provided a draft resolution detailing the budget that is to be presented for their consideration today.

Ms. Gutierrez moved, seconded by Ms. Borja, to approve the Guam Education Board Resolution 2021-01, relative to the Fiscal Year 2022 Annual Budget Request for the Guam Department of Education, subject to amendments. The Superintendent took roll call, the Board voted by voice with a vote of 8-0. The motion passed.

Mr. Mendiola gave a brief background for the board. He stated that the board gave guidance to the Superintendent to look at some of the numbers that were presented to the board's work committee and this is some of the adjustments made prior to this meeting. He informed them that he would like to go through each colleague to see if they have any questions, noting that some of them indicated that most of their questions were answered and they had no issues. He informed them that if anyone had any specific issues that they want to address, this will be the time to do so before he calls for the vote.

Dr. Okada stated that she has some suggestions on the resolution. She proposed to separate the total cost of operations versus capital improvement projects (CIP), which is identified on page one at the very last "whereas" where it says, "the GEB has determined an aggregate of \$373,164,767 for FY2022 operation." She suggested having the operations read at \$329,799,961 and CIP at \$43,364,806 so the operations amount is clear, and the CIP is separate. She stated her second recommendation was on page two, the second "whereas" where it lists the different funding sources and the different breakdowns for the different areas. She suggested for that to be completely deleted because later in the resolution, the request is for a lump sum and because a lump sum is requested, she thinks it is not important to detail it because the Superintendent has the transfer authority for them to do it in a lump sum. She then informed them of the third component, which is on page three of six, the second "whereas" where it says "the GEB continues to be concerned about the residual impacts of perennial and cumulative cash shortfalls..." and then it talks about shortfalls in prior years. She explained that because this is a FY 2022 budget request, she recommended to delete that complete paragraph. She also stated that on the final "whereas" on page three, there is an additional letter where it says "GDOE has included \$5.5 milliond". She asked that the additional "d" on "milliond" be removed. She then stated on page five, where the 14 mandates is listed, her recommendation was to list the mandates but take out all the dollar amounts because that is already provided in the supplement.

Mr. Mendiola responded and asked Dr. Okada for clarification that on the "be it further resolved" on page four of six, was her suggestion to take out the dollar figures.

Dr. Okada responded to list the 14 mandates, but she thinks the details associated with it are already contained in the supplemental documents that are provided as part of the packets. She stated to list the 14 points so that the department is adhering to the 14 points.

Mr. Mendiola asked Dr. Okada to clarify the correction of where it shows two "d's".

Dr. Okada stated that it is on page three of six, on the last "whereas" on the bottom on the fourth line, it says "GDOE has included \$5.5 milliond". She requested to remove that the "d" on "milliond".

Mr. Mendiola asked if she said it was on the last "whereas" on page four of six.

Dr. Okada responded page three of six.

Mr. Fernandez asked Mr. Mendiola if he would like for him to open the resolution to track the changes that Dr. Okada mentioned.

Mr. Mendiola responded yes.

Mr. Fernandez shared the resolution for everyone to view for clarification. He went over Dr. Okada's first request on page one to separate the amount and be clear on what amount is for operations versus CIP funds and she specified the numbers are consistent with reducing the CIP amount from the \$373 million. He asked Mr. Mendiola if he wants him to go over the other changes.

Mr. Mendiola stated that he would like to go over each amendment to ensure there are no objections by any board members. He clarified the first request to separate the two and highlight the separations between operations and the CIP. He asked his colleagues if anyone had any objections to that amendment. No board members objected.

Mr. Fernandez asked to clarify that Dr. Okada's request was just to separate it, not to eliminate it.

Dr. Okada responded that was correct, to separate it.

Mr. Fernandez asked that the change was to clarify what part is operations and what part is CIP.

Mr. Mendiola responded that is correct. He then discussed the second amendment which was to delete in entirety the second "whereas" on page two of six, where it breaks down the whole entire \$273 million request. He stated that they will go ahead and dispose of that and asked his colleagues if there were any objections to the removal of that section. No board members objected. He then moved on to the third amendment on the second paragraph of page three of six where it states "the GEB continues to be concerned about the residual impacts..." which was to remove that in its entirety because it is a 2022 budget request and that should be the focus. He asked Dr. Okada if that was correct.

Dr. Okada responded yes, that is her recommendation to remove the "prior years." She stated that they could describe that in the transmittal of the budget to the legislature, and she thinks that in the resolution, it should focus on the title of FY 2022.

Mr. Mendiola responded that he was going to propose that they make the case in the transmittal letter to the legislature and put some of that verbiage in there. He then asked if any board members had any objection to that amendment. No board members objected. He then proceeded to the next amendment on page four of six.

Mr. Fernandez stated that the next one is the correction to the "\$5.5 milliond" and showed the board the highlighted area that will be corrected.

Mr. Mendiola then stated on page four of six, they will address the proposed amendment to remove the dollar figures and leave the mandates itself. He asked Dr. Okada if that is correct.

Dr. Okada responded yes, she suggested that it reads "BE IT FURTHER RESOLVED, that pursuant to Section 3121 of Title 17 of the Guam Code Annotated, the Guam Education Board does hereby approve the FY 2022 budget request as mandated in the 14 points outlined below".

Mr. Mendiola asked if any board members had any objection to that amendment. No board members objected.

Ms. Gutierrez stated that she has a question on the FY 2022 Summary and asked Mr. Mendiola if he wanted to call for the vote on the resolution.

Mr. Mendiola responded that they are in the discussion phase. He informed her that as long as their discussion remains to the resolution, he does not see any issue having the discussion but if she thinks it is something that can be taken to the committee specifically, they will be more than happy to do that. He stated he would like for the discussion to be kept to the resolution as much as possible.

Ms. Gutierrez noted her concern was to make sure that some of the positions are not to be zeroed out. She shared that she really needs to make it clear that she is not going to zero every position listed. She stated that she sent that question to the Superintendent about one of the positions that was listed before but now it is not there and she would like to know if it was filled or not. She informed Mr. Mendiola that she will wait if it has to go back to the committee.

Mr. Fernandez suggested that if there are any proposed amendments or changes to the underlined documents, it could affect the resolution. He suggested to proceed with any discussions of the documents underlying the resolution and then go back to approve it. If there are no intended changes and it is just discussion, then that would be another story.

Mr. Mendiola stated that Ms. Gutierrez's point is taken, that it was not the zeroing out but there is a question about certain positions, and he thinks it is isolated to that. He stated that they can discuss that in a work session if it does not affect the numbers that they are presenting on the resolution. He stated that he does not think they are going to end the discussion with respect to this budget and the current budget and that they will have an ample opportunity to raise those concerns. He then asked Ms. Gutierrez if he was understanding her intent correctly.

Ms. Gutierrez responded yes, because there are some positions that she feels that continue to be carried on and not filled. She shared that she goes to the schools and does not only check whether they are social distancing or wearing face masks, she also looks at the facilities and she is concerned about that. She expressed that she wants to make sure that the school aides are not going to be zeroed out because school aides are at the school and need to remain budgeted. She noted that the kids are coming back, and a few students have expressed to her that they want to attend school every day. She reiterated that she wants to ensure the school aides are not zeroed out as well as facilities and maintenance, which should have the manpower.

Mr. Mendiola addressed Mr. Fernandez and stated that the position descriptions that he gave back to the board were not completely zeroed out and there were certain positions that the board gave guidance in terms of some areas that were highlighted. He asked Mr. Fernandez if it gives him the opportunity and flexibility to fill those critical needs especially when it comes to the health and safety of the kids.

Mr. Fernandez responded that today the budget numbers that are reflected in the resolution is what the board will be approving, and it encompasses all of the items that are costed out in the underlying schedules. He stated that the vacant and new positions are really a point in time that were taken earlier as they prepared the budget and over the course of time, positions were being filled and vacated on an ongoing basis. He noted there are some positions that may have already been filled and informed them that when it comes to particular policies and recommendations or guidelines that they have been discussing, he recommended that they do come back and discuss those items whether it is in the committee or another work session. He stated that he has shared the guidelines and they agreed upon this as they went through the budget situation, central

office hiring was going to be minimized as part of the \$15 million reduction. He informed them that the department is still in the early quarter and still have not yet received Territorial Educational Facilities (TEF) funds that will come after property taxes are paid, which will give the department the additional opportunity to fill additional positions. He commented that they need to be in communication as to the guidelines and keeping an eye on the needs and then help to provide jointly discussions of the direction of the department. He stated that he thinks that is the reason why they are seeing a lot of the vacant central office positions because of the fact that the department has to hold tight because of the resources available. He informed them that they will keep the board apprised as they go forward and noted that he thinks March is when they will see the first influx of property tax payments that might provide additional relief, and then the board can be apprised of where the department is at that time in terms of the hiring and other costs being tracked. He commented that Ms. Gutierrez makes a point though that the question was not necessarily about taking and eliminating positions and zeroing out positions, he thinks she meant to raise questions about the positions that were there, the prioritization of those positions, and the funding that would be associated with them. If the department is not going to be able to fund them, he thinks the suggestion was not to eliminate them but perhaps to keep them, as Mr. Ada mentioned, should the funding be available, then the department would have the option of filling those positions.

Ms. Gutierrez stated that this is personnel, and she is concerned because the department needs to fill the positions as they go forward because it has been vacant, noting the vacancy since Mr. Ada was last on the board. She then agreed to save her concerns for the personnel committee work session.

Mr. Mendiola thanked Ms. Gutierrez and stated that discussion is warranted for the personnel committee and of course it is tied to the budget. He informed her that it will be brought to the Superintendent's attention to address as part of the work session for personnel and they will try and figure out how to correct some of those areas. He then asked each board member if they had any questions or concerns.

Mr. Fernandez recognized the presence of Miss Elyssa Cuevas.

Mr. Mendiola thanked everyone and the budget team. He stated that he knows this is one of the toughest challenges that the department faces every year but it is not insurmountable when everybody works together. He noted that when the budget is formulated, it is tough, year after year, making large requests as the largest government agency with the largest customer base. He commented that it is very important that the department continues to advocate for the students. He thanked Dr. Okada for also providing some of her expertise in their guidance and noted that as they get closer to the legislative roundtables, they will be able to explain it more. He shared that this is probably the toughest time for the island community with this pandemic but there are additional resources that are coming in from the federal side that will be further discussed on how it is going to impact the local side of the budget requests. He also extended his appreciation to Senator Joe San Agustin and committee chair Senator Telena Nelson. He noted that they are also trying to meet with the speaker of the legislature about the process because the government of Guam is going to be going through some challenges in the next couple of months and weeks. It will give the GDOE the baseline discussion points so that it can move forward to ensure that the resources that the department receives goes directly to the classrooms and where it is needed most.

Mr. Fernandez responded to Mr. Mendiola and stated that a major issue that was brought up in their conversation, as well as with the board, is that they definitely appreciate the dialogue, and they hope to continue this as they prepare to present the budget to the legislature. He commented that he knows that on the minds of everybody are also the federal funds that are going to be made available and whether or not that will be able to assist the department in its needs, especially in a tight budget year, additionally, whether the local budget request would be impacted. He informed the board that they are going to be having input sessions with the schools, both public and private nonprofit, and the board will be invited to listen in on those discussions. He then informed them that should the department get the approval from the federal

government to use the budget for certain things that they have requested on the local side, they can then adjust the local budget request. He stated that they do look forward to the board's participation and input as well.

Mr. Mendiola responded to Mr. Fernandez that if the resolution passes, he would like for them to craft a transmittal letter to the legislature that will highlight some of the essence of the resolution that was removed. He stated that he thinks they will be afforded a lot of opportunity to go into detail with the legislature when it comes to the budget and the impact of federal dollars coming through. He noted that they do not know the true impact yet because the total amount is not known and what the additional guidance or restrictions that may be placed on those dollars will be.


III. ANNOUNCEMENTS AND ADJOURNMENT – Mr. Mendiola informed the board that a poll will be sent out to them regarding their board retreat, where they will hold discussions on organizing committee structure and other things they will look forward to in the next coming weeks and months.

Ms. Gutierrez informed Mr. Mendiola and the Superintendent that she will be calling for Personnel Committee and Safe and Healthy Schools Committee work sessions during the second week of February.

Ms. Gutierrez motioned, seconded by Mr. Ada to adjourn the meeting. The Board voted by voice and approved the motion with a vote of 8-0. The motion passed.

Mr. Mendiola adjourned the meeting at 3:33p.m.

MINUTES SUBMITTED BY:

for 

CHRISTIE L. SAN NICOLAS
Administrative Officer


Date: February 8, 2021

MINUTES OF JANUARY 26, 2021 SPECIAL BOARD MEETING:

- Approved as submitted
- Approved subject to corrections
- Other: _____



MARK B. MENDIOLA
GEB Chairman



JON J. P. FERNANDEZ
Executive Secretary/GDOE Superintendent

Date: February 16, 2021

Date: 2/23/2021

**GUAM EDUCATION BOARD
RESOLUTION NUMBER 2021-02**



Introduced by:

Guam Education Board Members

**RELATIVE TO APPROVING THE CORRECTIVE FINANCIAL RECOVERY PLAN PREPARED IN RESPONSE TO
THE CODE C-WATCH ISSUED BY THE EDUCATION FINANCIAL SUPERVISORY COMMISSION FOR THE
MONTHS OF AUGUST AND SEPTEMBER FISCAL YEAR 2020**

WHEREAS, 17 GCA Chapter 3 §3133 established the Education Financial Supervisory Commission (EFSC) to develop financial performance indicators that produce a monthly financial designation status for the Guam Department of Education (GDOE); and

WHEREAS, 17 GCA Chapter 3 §3133(d)(3) defines Code C-Watch as a negative variance report exceeding two percent (2%) of the approved budget amount when combining year-to-date actual and annualized projections at the time of reporting; and

WHEREAS, on November 24, 2020 and January 21, 2021 the EFSC issued Declarations of Financial Status Designation for the months of August and September, 2020, respectively, and that these EFSC FSDs were transmitted and received by the Guam Education Board (GEB) office on February 1, 2021; and

WHEREAS, 17 GCA Chapter 3 §3133(e)(3) requires that the GEB review, modify and approve by resolution the Corrective Financial Recovery Plan (CFRP) and submit it to the EFSC within fifteen (15) working days of receipt from the Superintendent of Education; and

WHEREAS, on February 12, 2021 the Superintendent of Education provided to the GEB a CFRP to address the projected Code C-Watch shortfalls for the period ending August 31, 2020 and September 30, 2020; and

WHEREAS, the following table reflects C-Watches for August 2020 and adjusted thru the year-end period ending September 2020 for object categories indicating needed corrections to the EFSC FSD reports on projected shortfall/lapses based on a re-validation performed by GDOE staff; corrections are part of the CFRP for the respective object categories; and

A	B	C	D	E	F
YTD Operations Plan Budget	Month	Account	Expenditure	Proj. Remaning	Proj. Lapse/Shortfall
\$ 124,822,250.00	Aug-20	111 Salary	114,435,512.00	\$ 14,035,890.00	\$ (3,649,152.00)
\$ 10,000.00	Aug-20	112 OT	598,963.00	\$ 636.00	\$ (589,599.00)
\$ -	Aug-20	290 Misc	760.00	\$ 69.09	\$ (829.09)
\$ 10,240,000.00	Aug-20	361 Power	10,053,484.00	\$ 913,953.09	\$ (727,437.09)
\$ 2,949,507.00	Aug-20	362 Water	2,831,114.00	\$ 257,374.00	\$ (138,981.00)
\$ 129,614,187.00	Sep-20	111 Salary	130,752,723.00	\$ -	\$ (1,138,536.00)
\$ 3,988.00	Sep-20	112 OT	628,323.00	\$ -	\$ (624,335.00)
\$ 44,771,402.00	Sep-20	113 Bene	44,848,976.00	\$ -	\$ (77,574.00)
\$ -	Sep-20	290 Misc	760.00	\$ -	\$ (760.00)
\$ 8,336,096.00	Sep-20	361 Power	10,716,526.00	\$ -	\$ (2,380,430.00)
\$ -	Sep-20	450 Cap Outlay	19,749,812.00	\$ -	\$ (19,749,812.00)

NOW THEREFORE BE IT RESOLVED, that the Guam Education Board approves the attached Corrective Financial Recovery Plan(s) submitted to the Board on February 12, 2021 by the Superintendent of Education; and

BE IT FURTHER RESOLVED, that a copy of this Resolution 2021-02 and the attached CFRP(s) be transmitted to the EFSC.

DULY AND REGULARLY ADOPTED BY THE GUAM EDUCATION BOARD ON THIS 16th DAY OF FEBRUARY 2021.

MARK B. MENDIOLA
Chair, Guam Education Board

JON J.P. FERNANDEZ
Executive Secretary, Guam Education Board

February 12, 2021

MEMORANDUM

TO: Chairman and Members, Guam Education Board

FROM: Superintendent of Education

RE: EFSC Declaration of Financial Status Designations, Code C-Watch, Corrective Financial Recovery Plan for 2020 Fiscal Year to Date: ending August and September 2020.

On November 24, 2020 and on January 21, 2021 the Education Supervisory Commission issued Declarations of Financial Status Designation for the months ending August and September 2020, respectively. The documents were received by the Guam Education Board on February 1, 2021. The EFSC summary spreadsheets for the August and September 2020 FSDs are attached.

The Corrective Financial Recovery Plan as required by law follows. This plan must be provided to the Guam Education Board within twenty (20) working days of receipt of the EFSC issued Watch. The GEB shall review, modify and approve by resolution, the Financial Recovery Plan and submit it to the EFSC within fifteen (15) working days of receipt from the Superintendent of Education.

Code C-Watch Corrective Financial Recovery Plan

In summary and pursuant to the FY20 Spending Plan as approved by GEB Resolution 2019-17, GDOE began the fiscal year with a projected shortfall of \$33M and consequently, anticipated reoccurring C-Watches (projected shortfalls) in a number of operational object classes throughout the fiscal year.

The Corrective Financial Recovery Plan (CFRP) to remedy these C-Watches throughout the fiscal year is to transfer funding from personnel lapses and other object categories on a quarterly basis. We would note, GDOE anticipates a higher reimbursement rate for meals served under the federal Child Nutrition Program to generate lapses in to further address C-Watches throughout the fiscal year.

The follow table reflects the EFSC designated C-Watches:

A	B	C	D	E	F
YTD Operations Plan Budget	Month	Account	Expenditure	Proj. Remaining	Proj. Lapse/Shortfall
\$ 124,822,250.00	Aug-20	111 Salary	114,435,512.00	\$ 14,035,890.00	\$ (3,649,152.00)
\$ 10,000.00	Aug-20	112 OT	598,963.00	\$ 636.00	\$ (589,599.00)
\$ -	Aug-20	290 Misc	760.00	\$ 69.09	\$ (829.09)
\$ 10,240,000.00	Aug-20	361 Power	10,053,484.00	\$ 913,953.09	\$ (727,437.09)
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\$ 129,614,187.00	Sep-20	111 Salary	130,752,723.00	\$ -	\$ (1,138,536.00)
\$ 3,988.00	Sep-20	112 OT	628,323.00	\$ -	\$ (624,335.00)
\$ 44,771,402.00	Sep-20	113 Bene	44,848,976.00	\$ -	\$ (77,574.00)
\$ -	Sep-20	290 Misc	760.00	\$ -	\$ (760.00)
\$ 8,336,096.00	Sep-20	361 Power	10,716,526.00	\$ -	\$ (2,380,430.00)
\$ -	Sep-20	450 Cap Outlay	19,749,812.00	\$ -	\$ (19,749,812.00)

111 Salary

The projected shortfall \$3,649,152 in August 2020 and adjusted \$1,138,536 in September 2020 is the result of PPE expenditures that saddle FY20 and FY21. GDOE anticipates the shortfall to diminish with journal adjustment entries and modifications to address any remaining shortfall balances from lapses in other categories as part of the year-end process.

112 Overtime

The projected shortfall \$589,599 for the period ending August 2020 and adjusted \$624,335 in September incorrectly captured \$17,972.61 overtime expenditures (GDOE staffing at shelters); \$179,458 (GDOE staffing at Covid-19 PCOR Emergency Response centers) and \$397,544 (GDOE OT staffing during the summer months of Covid-19 Pandemic TEFAC and Grab and Go Meals to date) as authorized under the Federal CARES Act. No actual locally funded overtime expenses have been incurred since March. The calculation assumes this expenditure is reoccurring, when in fact, these are not. When recalculated -- for the period ending August 2020 YTD Budget \$10,000 less YTD Expenditure \$3,988 and adjusted for September 2020 YTD Budget \$3,988 less YTD Expenditure \$3,988 results in \$0 lapse shortfall does not require any corrective action.

113 Benefits

The projected shortfall \$77,574 in September 2020 is the result of PPE expenditures that saddle FY20 and FY21. GDOE anticipates the shortfall to diminish with journal adjustment entries and modifications to address any remaining shortfall balances from lapses in other categories as part of the year-end process.

290 Misc

The projected shortfall, \$829 for the period ending August 2020 and adjusted \$760 in September 2020 incorrectly captured \$760 in one-time, non-reoccurring bank fees under Fund 190 the First Generation Trust Fund which is not a part of GDOE's FY2020 appropriations, triggering an unwarranted C-Watch. Removal of this expenditure, which are offset by the available balances from the Trust Account with no negative variances address the C-Watch designation.

361 Power

The projected shortfall, \$727,437 for the period ending August 2020 and adjusted \$2,380,430 for the period ending September 2020 is the result of insufficient allotments for the months of August and September. A Budget modification in the amount of \$1,903,904 was processed from lapses in other categories to address the FSD C-Watch and the projected shortfall.

362 Water

The projected shortfall, \$138,981 for the period ending August 2020 and adjusted \$0 in September 2020 reflects the processing of a budget modification from lapses in other categories in the amount of \$137,484 to address the FSD C-Watch and projected shortfall.

450 Capital Outlay

The projected shortfall, \$10,113,927 for the period ending September 2020 reflects the booking of the Tiyan Lease Payment by DOA on behalf of GDOE, into GDOE’s financial ledgers. The September FSD report however, did not post this expenditure as a manual adjustment -\$10,113,927 which triggered erroneous C-Watch. When recalculated, \$19,749,812 YTD Expenditure against -\$19,749,812 Manual Adjustment results in \$0 projected shortfall/lapse. See table below:

	Lease Payment	Add'l Rents	Totals
JFKHS	5,131,550.00	1,568,000.00	6,699,550.00
OHS	2,286,335.00	650,000.00	2,936,335.00
TIYAN	10,113,927.33		10,113,927.33
		GRAND TOTAL:	\$ 19,749,812.33

The corrective actions and responses of remediation of the EFSC Financial Status Designations (FSD) for the FY2020 months ending August and September 2020 have been addressed and are referenced in the attached draft Resolution No. 2021-02 for the GEB approval in the next scheduled meeting Please let me know if you would like to discuss this matter in greater detail.



JON J.P. FERNANDEZ

Attachments

cc: Deputy Superintendent of Finance and Administrative Services