

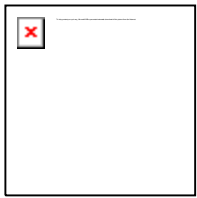
**From:** Committee on Rules 36GL <cor@guamlegislature.org>  
**Sent:** Wednesday, August 25, 2021 8:00 AM  
**To:** Clerks; Rennae Meno  
**Cc:** Speaker Therese M. Terlaje  
**Subject:** Messages and Communications for Doc. No. 36GL-21-1007\*  
**Attachments:** 36GL-21-1007.pdf

*Håfa Adai* Clerks,

Please see attached M&C Doc. No. 36GL-21-1007 for processing:

36GL-21-1007	GEB Reporting Requirements for Boards and Commissions*	Department of Education
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*Si Yu'os Ma'åse',*



## COMMITTEE ON RULES

Vice Speaker Tina Rose Muña Barnes  
36th Guam Legislature  
*I Mina'trentai Sais Na Liheslaturan Guåhan*  
163 Chalan Santo Papa Hågatña Guam 96910  
Email: [cor@guamlegislature.org](mailto:cor@guamlegislature.org)

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----- Forwarded message -----

**From:** **Speaker Therese M. Terlaje** <[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)>  
**Date:** Tue, Aug 24, 2021 at 4:39 PM  
**Subject:** Messages and Communications for 36GL-21-1007  
**To:** Legislative Secretary Amanda Shelton <[officeofsenatorshelton@guamlegislature.org](mailto:officeofsenatorshelton@guamlegislature.org)>, Committee on Rules 36GL <[cor@guamlegislature.org](mailto:cor@guamlegislature.org)>

*Håfa Adai,*

Please see attached M&C Doc. No. 36GL-21-1007.

36GL-21-1007	GEB Reporting Requirements for Boards and Commissions.*	Department of Education
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*Si Yu'os Ma'åse',*

Maria Abante  
Legislative Assistant

**Office of Speaker Therese M. Terlaje**

# Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

----- Forwarded message -----

From: **Tia Lynn S. Salas** <[tlssalas@gdoe.net](mailto:tlssalas@gdoe.net)>

Date: Tue, Aug 24, 2021 at 2:06 PM

Subject: GEB August 17, 2021 Regular Meeting - Reporting Requirements

To: <[michael.weakley@guam.gov](mailto:michael.weakley@guam.gov)>, Speaker Therese M. Terlaje <[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)>

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

Hafa Adai,

Please see the attached documents for the Guam Education Board's Regular Meeting held on August 17, 2021.

Thank you.

Please confirm receipt of this email.

Respectfully,

Tia Salas

Office of the Superintendent

Guam Department of Education

501 Mariner Avenue

Barrigada, GU 96913

Email: [tlssalas@gdoe.net](mailto:tlssalas@gdoe.net)

Tel: (671)300-1627/1536

Guam Department of Education



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

## GEB August 17, 2021 Regular Meeting - Reporting Requirements

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

Tue, Aug 24, 2021 at 2:05 PM

To: michael.weakley@guam.gov, "Speaker Therese M. Terlaje" <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 August 17, 2021.


Thank you.

Please confirm receipt of this email.

Respectfully,  
Tia Salas  
Office of the Superintendent  
Guam Department of Education  
501 Mariner Avenue  
Barrigada, GU 96913  
Email: tssalas@gdoe.net  
Tel: (671)300-1627/1536

36GL-21-1007  
**OFFICE OF THE SPEAKER  
THERESE M. TERLAJE**

~~08~~ 24 2021

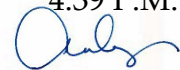
Time: 2:05 pm  
Received: 

Guam Department of Education

 **GEB Reporting Requirements August 17, 2021 Meeting.pdf**  
1568K

**COMMITTEE ON RULES  
RECEIVED:**

August 24, 2021  
4:39 P.M.





# DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT



www.gdoe.net

501 Mariner Avenue  
Barrigada, Guam 96913

Telephone: (671) 300-1547/1536 • Fax: (671) 472-5003

Email: jonfernandez@gdoe.net

**JON J. P. FERNANDEZ**  
Superintendent of Education

August 19, 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, ad, approved minutes and other documents as discussed at the August 17, 2021 regular board meeting. The meeting was held in the 3<sup>rd</sup> floor conference room, GDOE Building B, Tiyan.

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

*Senseramente,*

Handwritten signature of Jon J. P. Fernandez.

**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](http://www.gdoe.net/geb)



**MARK B. MENDIOLA**  
Chairman

**MARY A.Y. OKADA**  
Vice-Chair

**Guam Education Board  
REGULAR MONTHLY MEETING  
Tuesday, August 17, 2021**

**6 PM**

**3rd Floor Conference Room, Bldg. B, Tiyan**

**AGENDA**

- I. Meeting Call to Order**
  - II. Approval of Minutes**
  - ACTION** 1. Minutes of July 20, 2021 Regular 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**
  - INFO/ACTION** 1. **Executive Committee**
  - INFO/ACTION** 2. **Instructional & Academic Support Committee**
    - a. Head Start Report
  - INFO** 3. **Safe & Healthy Schools Committee**
    - a. DSRTF Updates
  - INFO** 4. **Policy Review & Strategic Planning Committee**
    - a. Update on Strategic Planning Process
  - INFO** 5. **Fiscal Management**
    - a. Updated Financials
    - b. USDOE Specific Conditions
  - INFO/ACTION** c. Declaration of Financial Status Designation – April & May 2021
  - 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**

**VOTING MEMBERS:** Mark B. Mendiola, Chairwoman, 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 (SSHS) - IBOGS Representative, Timothy Fedenko - GFT Representative, Mayor, Melissa B. Savares, MCOG Representative

**EXECUTIVE SECRETARY:** Jon J. P. Fernandez, GDOE Superintendent

# San Agustin says revenue, not ARP, will determine FY22 budget

## Fellow senators want spending plan from Adelup

By John O'Connor  
john@postguam.com

As lawmakers are set this week to begin the work of determining funding levels for government of Guam operations next fiscal year, there is still no definitive information on how the governor plans to spend the hundreds of million in State and Local Fiscal Recovery Funds received through the American Rescue Plan.

A spending plan is on hold as Adelup waits on the final rules from the U.S. Department of the Treasury.

Senators have until the end of the month to submit to the governor a budget for next fiscal year. Some senators have said creating a budget to fund operations is difficult already considering the state of the economy and the primary engine – tourism. When you add to that the \$600 million in ARP funds that some directors said they're relying on to help fund their operations, makes creating a balanced budget that much harder, according to some senators.

Gov. Lou Leon Guerrero has spoken about wanting to partially fund the construction of a new hospital and hire new personnel for agencies shorted



**BUDGET:** Sen. Joe San Agustin speaks in support of a bill at a legislative session on Aug. 2. Senators will be called into session on Wednesday to discuss the fiscal 2022 budget year, which start in October. Post file photo

under the current budget law.

What is more definite so far, after receiving assurances from the Treasury, is that the governor plans to use some funding to pay out the All RISE stimulus program, which is currently capped at \$30 million.

Lawmakers haven't spent this time without trying to get a solid answer on ARP spending. Speaker Therese Terlaje invited the governor to discuss her ARP plans, only to be denied a personal meeting. The governor said representatives from financial agencies should suffice.

And on Monday, Sen. James Moylan submitted a Freedom of Information Act request for spending plan related

documents, due in part to the upcoming budget season.

But Sen. Joe San Agustin, chairman of the legislative appropriations committee, said the spending priorities for the ARP isn't necessary to develop the budget for fiscal 2022. What matters is the revenue projection, he added.

"The ARP has nothing to do with the budget. I don't know why other senators believe that it is. The budget is based on projection on revenue coming in. ARP is not a steady revenue base," San Agustin said. "We need to know where the ARP is standing? No, we need to know what is our projection like we do every year."

With that said, it appears the budget proposal for next fiscal year is staying largely in line with the governor's proposal.

If the ARP funds would all go to the people of Guam, then that would ultimately return in the form of taxes, fees and other spending that generates revenue for the government, and could factor into the budget.

But as San Agustin noted, even the Legislature's proposed ARP spending priorities is geared more towards funding agencies than the community.

"I just want to make it clear, because every time I read the news, hear the news, 'Oh, the ARP is going to determine our budget.' Wrong, wrong statement," San Agustin said. "We've done a budget with or without ARP, so why would this make a difference today?"

Some agencies, such as the Department of Public Health and Social Services, submitted conservative requests but said they are seeking ARP money to augment their budgets for fiscal 2022.

For example, Public Health is otherwise looking to enter the new fiscal year \$17.8 million short of funding needs without ARP money. San Agustin said the Legislature tries to work based on what agencies ask and he believes the budget proposal to be presented Wednesday will be sufficient for the government to run.

But he is also hoping that when the ARP is spent, it used in a way to restart the economy and is given to agencies for one-time needs, but not to hire more people in classified positions, as the money may not be there to maintain those positions at a later time.

"But it has nothing to do with my budget," San Agustin added.



**GUAM ECONOMIC DEVELOPMENT AUTHORITY**  
590 S. MARINE CORPS, DR., SUITE 511 ITC BLD TAMUNING, GUAM 96913  
TEL (671) 647-4332 FAX (671) 649-4146 www.investguam.com

### REQUEST FOR PROPOSALS NO. 21-009

#### FOR UNDERWRITING SERVICES FOR THE GUAM POWER AUTHORITY'S BOND FINANCING PROJECTS

The Guam Economic Development Authority (GEDA) on behalf of the Guam Power Authority is soliciting proposals for firms interested in providing bond underwriting services to Guam Power Authority.

RFP 21-009 (RFP) packets may be obtained at the GEDA office, ITC Building, Suite 511, 590 South Marine Corps Drive, Tamuning, Guam 96913, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays. A copy of the RFP may also be found on the GEDA website at [www.investguam.com](http://www.investguam.com).

The deadline for the receipt of proposals by GEDA is 4:00 p.m. Monday, August 30, 2021, Chamorro Standard Time. Proposals submitted in response to this solicitation must comply with the instructions and procedures provided in the RFP. Any questions must be submitted to the attention of Antoinette Leon Guerrero, at (671) 647-4332 or via email at [procurement@investguam.com](mailto:procurement@investguam.com).

This ad was paid for by GEDA General Fund.

/s/ JOANN G. CAMACHO,

GUAM ECONOMIC DEVELOPMENT AUTHORITY ACTING CEO/ADMINISTRATOR



MARK B. MENDIOLA  
Chairman

### 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/gb](http://www.gdoe.net/gb)



MARY A.Y. OKADA  
Vice-Chair

## REGULAR MONTHLY MEETING

Tuesday, August 17, 2021

6 PM

3rd Floor Conference Room, Bldg. B, Tiyan

## 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>.

Individuals requiring special accommodations or information or wish to submit public testimony via email may contact Tia Salas by email: [tssalas@gdoe.net](mailto:tssalas@gdoe.net).

Agenda to be available on GEB website at least 72 hours before the meeting.

This advertisement was paid by GDOE local funds.





# GUAM EDUCATION BOARD

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**MARK B. MENDIOLA**  
Chair

**MARY A. Y. OKADA**  
Vice Chair

**GUAM EDUCATION BOARD  
REGULAR MEETING  
Tuesday, July 20, 2021  
6 pm**

**3rd Floor Conference Room, GDOE Building B  
MINUTES**

**VOTING MEMBERS**

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

**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 B. Mendiola, Chairman, 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:***

Mendiola, Mark B. – Chairman  
Ada, Peter Alecxis D.  
Angel, Felicitas B.\*  
Benavente, Lourdes M. – via Zoom video conference  
Borja, Karlyn RCG  
Crisostomo, Robert A. – via Zoom video conference  
Gutierrez, Maria A. – via Zoom video conference  
McNinch, Dr. Ron L.

***Non-Voting Members:***

Cuevas, Elyssa – IBOGS Representative – via Zoom video conference  
Fedenko, Timothy – GFT Representative

***Legal Counsel:***

Stake, James

***Absent:***

Okada, Dr. Mary A.Y. – Vice-Chair (excused)  
Savares, Melissa B. – MCOG Representative

\* Arrived after roll call

The Superintendent announced that seven (7) members of the Board were present, constituting a quorum.

**II. APPROVAL OF MINUTES**

**Mr. Ada motioned, seconded by Ms. Borja, to approve the minutes from the June 29, 2021, regular monthly meeting, subject to corrections. The Board voted by voice with a vote of 7-0 for the motion, motion passed.**

**III. PUBLIC PARTICIPATION – None.**

**IV. COMMUNICATIONS**

**CORRESPONDENCE** – Mr. Mendiola noted that he received two letters from the Guam Federation of Teachers (GFT) regarding the negotiations for the Collective Bargaining Agreement (CBA) for the GDOE support staff and the CBA for GDOE teachers. He stated that he would refer this item to the Executive Committee of the Board and from there the Board will appoint six members to the negotiating committee. He stated that if any of the Board members are interested in participating in this discussion to please inform the Superintendent. He commented that in the past, the superintendent usually has a negotiation team that he assigns to meet with the GFT and then when the negotiations come forward, it comes through the board liaison that would become from the Executive Committee.

Mr. Fernandez stated that he would like to seek the input of Mr. Fedenko on behalf of the GFT. He noted that Mr. Fedenko indicates that the support staff contract did expire, obviously we are in a pandemic situation but we do want to get negotiations back on track. He stated that he would ask the board if they would consider the possibility of extending that contract until such time that they have the chance to renegotiate - maybe for a year or two years - just so that there is no gap. Right now, because the contract has expired, the contract doesn't exist.

Mr. Mendiola responded that he would like to consider that option. He asked the Superintendent if there is any clause in that portion of the agreement that says the contract will continue on in the event of a pandemic.

Mr. Fernandez responded that what he would like to do by the next board meeting, if he could have the chance to research what the options are. He noted that it usually takes time to negotiate but if extending the contract is something that we cannot do he will inform the board.

Mr. Mendiola stated that we will go in that direction and he just wants to make sure that when we are ready to inform the board it will come from the Executive Committee. He asked whether there were any comments.

Ms. Gutierrez commented that the board will have to take action on this and noted that in the past the contract had expired and they were able to extend the contract in good faith. She recommended that during the next board meeting, that the board take action to extend the contract because of the pandemic but noted that both parties would have to agree.

Mr. Mendiola commented that it is the direction he would like to take and asked the Superintendent to take note.

Mr. Mendiola then informed the board that he received a letter that was addressed to him and the Vice-Chair from the International Royal Inc., Mr. Bic. He noted that the letter basically stated that the International Royal Inc. is committed to assisting parents by providing uniform vouchers for those who cannot afford to purchase uniforms.

Moving on, Mr. Mendiola then informed the board that the Superintendent received a letter from the Department of Administration (DOA) and the board was cc'd in the letter. He stated that the letter was regarding the disbursement of cash and the letter highlighted the Territorial Educational Facilities Fund. Mr. Mendiola noted that the Superintendent would update the board once they come to the budget section of the meeting.

Mr. Mendiola also informed the board that he had just signed the Superintendent's Personnel Action.



## **SUPERINTENDENT'S REPORT –**

The Superintendent provided highlights from his report.

**Summer School Nearly Complete.** Summer school for elementary and middle school students ended on Friday, July 16, 2021. The fourth session of summer school for high school ends July 22, 2021. For high school students who were able to attain sufficient credits to graduate, Rainbow Graduation details are as follow: Rainbow Graduation (for all high school summer graduates), drive-through graduation ceremony Southern High School, Monday, July 26, 2021, 9:00am to 11:00am

**Grab-and-Go School Meal Services.** The last Grab-and-Go school meal distribution took place Friday, July 16, 2021. In preparation for returning to full face-to-face instruction next school year, school meal operations will shift to in-school meal services only. Since March 2020 to July 2021, more than seven million school meals were distributed to eligible children on Guam.

**Preparation for School Year 2021-22.** The U.S. Centers for Disease Control issued updated guidance on July 9, 2021. Under the new guidance, in-person instruction is prioritized as are efforts to vaccinate all eligible individuals, including students aged 12 and above. Face masks continue to be encouraged in enclosed, congregate settings, including school facilities, and 3-foot physical distancing is still recommended. Importantly, the guidance stresses that the physical distancing requirement should not be used to prohibit in-person instruction, but other layered mitigation strategies (masking, temperature checks, ventilation, etc.) should remain in place. GDOE is working with the Governor's office and DPHSS to ensure that updated DPHSS guidance is consistent with the new CDC guidance, which will allow GDOE to open for in-person instruction five days a week for all students.

**Ms. Gutierrez motioned, seconded by Ms. Benavente, to approve the Superintendent's Report. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.**

Ms. Borja asked the Superintendent to follow up; she noted that she recalls that DPW has plans to restripe some of the roads but some of our schools and the areas right in front of our schools, need a little bit of work before school starts because people cannot see where the sidewalk and easement are. She commented that it is really critical especially in high traffic areas. She noted that Mayor Savares did say that they were working with DPW to help but unfortunately the mayor isn't present to provide an update. She asked the Superintendent if we could follow up on that issue.

Mr. Mendiola agreed that Ms. Borja made a good point and commented that he knows that some mayors do assist with traffic control at the beginning of the school year.

Mr. Crisostomo asked whether there are any changes in the bus protocol. He asked with the now relaxed restraints from the Governor's Office, will Bus Operations be filling up the buses or are they still going to have only one person per seat?

Mr. Fernandez responded that Bus Operations is working with DPHSS and they should have updated guidance by or before Friday. He stated that he reviewed the executive orders and the Public Health guidance relative to school bus transportation as well as CDC guidance and they don't have limits on the capacity of the buses at that level. Unless DPHSS comes in and sets a limit, their recommendation is to maximize distancing as much as possible but it doesn't give any clearer guidance than that. He noted that the other guidance that is typically given in the school bus setting is mandating the use of a mask as well as if possible, opening up the windows for ventilation. He stated that those are the recommendations of which he is aware. He noted that DPHSS is working with DPW and he was informed today that by Friday, they should have DPHSS's input. He commented that he doesn't believe that there will be any incorporation of temperature checks as part of the operation for reasons stated earlier but we will stand by and wait for DPHSS's final guidance.

## V. EX-OFFICIO MEMBER REPORTS

**IBOGS Report** – No report.

**GFT Report** – Mr. Fedenko acknowledged that the letters were sent out regarding the CBA and commented that Ms. Gutierrez was correct when she commented on what happened in the past when the contract had expired. He stated that the GFT and the GDOE have a good working relationship and the GFT does not want a repeat of what happened in the past. Mr. Fedenko also announced that they would be providing PPD testing for the teachers and that the information would be posted on their website.

**MCOG Report** – No report.

## VI. UNFINISHED BUSINESS/COMMITTEE REPORTS

1) **Executive Committee** – No report.

2) **Instructional & Academic Support Committee**  
**Head Start Report** -

**Ms. Benavente motioned, seconded by Ms. Gutierrez, to approve the Head Start Report. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.**

Ms. Schroeder reported that there are two items on the action for the board. She noted that at the Head Start Policy Council meeting on Wednesday night, they discussed the requests that they were submitting to Region IV. The requests made to Region IV were for consideration to place shelters on some of the campuses which would allow them to have extended outdoor classrooms. She noted that because the costs for these shelters are over \$5,000, it requires approval from the Regional Office. She also noted that nothing would be done until the administrators at the schools agreed to have the shelters added to the campus and stated that it would be available for use by the entire school and not limited to just the Head Start class. The second item that was sent to Region IV for approval was to purchase a new shipping container. Ms. Schroeder noted that the container they have is 21 years old, rusty, and they are unable to move it from the Piti Warehouse and Head Start would like to move it to the Tiyan compound. She commented that they received permission from CoreTech to move it closer to the office so that they can store any excess furniture or records.

Ms. Schroeder then informed the board that they are requesting to move the start time of the limited-term, part-time aides up a week so that they can help set-up classrooms and if they're new, they could provide them with additional orientations. Ms. Schroeder stated that they do have funds for all of the proposals.

Mr. Fernandez asked Ms. Schroeder if she would need to amend her request for the shipping container if in fact it does not become an option. Mr. Fernandez stated that he understands she submitted her request for the shipping container and to locate it here onsite and has received approval from CoreTech but he hasn't had the opportunity to review and approve it. He stated that he's not saying he's not going to approve the request but he wants to make sure to consider all factors but he also does not want to delay it, if she can get approval and then we can make the decision later or if she wants to amend her request instead.

Ms. Schroeder responded that she agreed that Mr. Fernandez's suggestion would work, if they get approval then they know they can proceed with the other approvals being in place.

Mr. Fernandez agreed and stated at least it would get the approval of funds and then if something should happen to come back at least she would have the approval. Mr. Fernandez stated that he just wanted to inform the board that even though he understands Head Start's situation, we also are at a point where we're taking in an overview of the use of the facilities here and there might be other

things that move and are in place. He noted that he doesn't want to say that it isn't going to happen but he is okay if the board approves this so that it allows it to be authorized and then he can work with Ms. Schroeder as we go through the analysis and process.

Mr. Mendiola asked if anyone had any comments. He then agreed and instructed Ms. Schroeder to work it out with the Superintendent. He stated that he just wants to ensure that the funds will help with what she's really trying to accomplish.

Mr. Fernandez stated that he understands that there might be a purchaser on the site and would like to understand what's happening with all the property. We've had some temporary uses of some of CoreTech's property but in the event that they sell it off to another purchaser than we want to make sure that everything that we're doing is aligned with our access to the site.

Mr. Mendiola acknowledge the attendance of Ms. Felicitas Angel.

**Grading Policy** - Ms. Benavente reported that in the board packet, the board members would find the recently updated grading policy proposal from the Division of Curriculum and Instruction. She stated that the policy proposals were developed over the course of four months and involved numerous opportunities for input and revision by stakeholders. These proposals, if passed, will update the foundations in Board Policy 350 pertaining to the grading policy and will take effect in the upcoming fall semester 2021.

**Ms. Benavente motioned, seconded by Ms. Gutierrez, to adopt the proposed grading policies and related changes to Board Policy 350. The Board voted by voice and approved the motion with a vote of 8-0. The motion passed.**

Mr. Ada asked how the proposed changes differ from the current board policy.

Mr. Sanchez responded that with regards to the current COVID policy there was not much difference. It is basically taking the current COVID policies and making them permanent. There are minor additions. For example, the grading criteria scales are single numbers (1, 2, 3, and 4) but we've added point 5. He explained that we've added a procedure for teachers to come up with a composite score. All grades have to end up with a final single grade but because of the system, you're actually grading and testing multiple standards. During the current year, the COVID year, we didn't give teachers a formula to calculate the final grade, we just gave them the final grade levels. He continued to explain that the teachers asked for us to give them a formula so that they could consistently calculate the final grade. We actually gave them two options that they will be able to pull from. The third item was that the final grade was expressed in a number and parents asked if there was a way that we could convert it into a letter grade.

Mr. Ada asked whether it would be consistent amongst all grades.

Mr. Sanchez responded that it would not be consistent for high schools because the high schools have opted to stick to final percentage grades.

Mr. Ada asked numerical for high schools?

Mr. Sanchez responded, yes. He reiterated that elementary through middle school will have a final letter grade and high schools will have both a letter grade and a final percentage grade. Just because it's a percentage grade, it doesn't stop them from utilizing the tiered system like the elementary and middle schools but the difference is that the teachers still wanted to convert them to a percentage.

Mr. Ada asked whether they will be using a ten-point or seven-point grading system for the numerical grading system.

Mr. Sanchez responded neither. The numerical system is four points. He noted that they added a “zero” for the absence of understanding the standard and a “no grade” to the scale.

Mr. Ada asked if there was an “incomplete”.

Mr. Sanchez responded that no, there is no “incomplete”. Mr. Sanchez explained that the only time the student would receive no credit or no grade is if the teacher could not access the student at all.

Mr. Ada continued to ask for more clarification and Mr. Sanchez provided clarification.

Ms. Benavente thanked her colleagues for listening to the recordings from all the work sessions and thanked Mr. Ada for asking for further clarification. She also thanked her colleagues for their support for this matter.

Ms. Gutierrez stated that all the regional meetings that were held, they were sure to reach out to all the stakeholders. She noted that as board members, if they are unable to attend the work session, it’s important to listen to the recordings so that they can listen to all the input from stakeholders. She thanks Ms. Borja for attending all the work sessions and thanked Mr. Sanchez for all the work done for this item.

Mr. Sanchez added that he also wanted to highlight another feature aside from the academic component that is really important, the citizenship and life readiness skills section. He noted that he doesn’t remember a time when citizenship was ever clearly identified in department policy. He explained that what we’ve done is taken twenty-first century skills, life learning skills, and career readiness skills and put them into our citizenship and life readiness grade. He went on to explain the six components that will comprise the grade.

### **3) Safe & Healthy Schools Committee**

**DSRTF Updates** – Mr. Fernandez stated that he informed Ms. Gutierrez and the board that the critical factors for reopening schools was the three-foot physical distancing which he thinks was an improvement from the prior six-foot distancing, but still posed a problem for some of our school facilities. With the Center for Disease Control’s (CDC) updated guidance that the physical distancing is recommended but not required in order for us to promote in-person learning, that satisfies us so long as DPHSS and the Governor follow through with guidance that is aligned to the CDC’s. We are working with that and our plans are to continue to move forward with face-to-face instruction this coming school year. He noted that we will be putting out information for our stakeholders so that they are also updated and clear on what to expect this school year.

### **4) Policy Review & Strategic Planning Committee** – Mr. Crisostomo stated that he was going to back track to Ms. Lou’s committee. Addressing Mr. Mendiola he stated that he, Mr. Mendiola referred something to her committee from Dan Somerfleck. He asked if that was Ms. Lou’s committee.

Mr. Mendiola responded yes.

Mr. Crisostomo asked if they were going to get a readout before school starts.

Mr. Mendiola responded yes.

Mr. Crisostomo stated that with regard to the Strategic Planning Committee, Mr. Sanchez has been very busy, Mr. Superintendent and he is your one work horse in the Department. Please don’t burn

him out. He stated he needs him at least till September and then the Superintendent can burn him out all he wants. He stated that he needs Mr. Sanchez because they are falling behind on the Strategic Plan and he needs the priorities. He needs the different committees and priorities to turn in their templates to him so that he can start reviewing them but Mr. Sanchez is way too busy. He needs to sit with Dr. Zeni Natividad and iron out what he needs so that when he reports out in August to the Superintendent and the board, that they are prepared to unveil the full strategic plan. Everyone's been read into it. We just have to get back on track again.

Mr. Mendiola noted that he is aware that Mr. Crisostomo would be meeting with Mr. Sanchez tomorrow which is a holiday. He recognized Mr. Sanchez for his hard work and stated that it is appreciated and duly recognized by the board.

- 5) **Fiscal Management** – Chairman Mendiola stated in the board packets have our payables. A couple years ago, we were actually tracking and we were able to make payments. As he mentioned earlier, part of the exposure to the Territorial Educational Facilities Fund has put us in a position where some of our payments are behind but we have been managing the cash flow. The letter that we received from DOA solidifies the challenges that the Department faces when it comes to exposure to the Territorial Educational Facilities Fund. It noted that in the financial report, we are tracking pretty well from the releases from the DOA with respect to operations and some other line items areas. However, we won't truly know the extent of what those shortfalls are going to be because Territorial Educational Facilities Fund is tied to the tax collections for property. He noted that they had a busy day before the Legislature. He thanked his colleagues for tuning in and commenting. We resubmitted a revised version of our FY2022 budget and we were able to back out close to about \$80,000,000 from that to use the federal funds to remove some of the local appropriation requirements. The legislature was very open to it because they realized that the DOE is doing everything in its power to maximize its resources. There were some questions for the Superintendent and he will be providing responses. He noted that the one thing that they really pushed for was the Maintenance of Effort because it is our commitment as a local government so that we can have access to those funds. He commented that of course we want to maximize the use of those federal resources. He continued to report the different points discussed at the budget hearing. Mr. Mendiola noted that they asked about the High Risk Status designation, which we have been reporting out to the public. He stated that he has asked the Superintendent that within the next couple of weeks or months, they should go before the new administration out in Washington, D.C. He noted that they really need to push for this because we are budgeting about 2.5 million to pay the Third Party Fiduciary agent. We need to reintroduce ourselves to the new people who are coming in. We have the top level management's support to stop moving the goal post and we are sticking to the Re-evaluation Plan (REP). We want to firm up that commitment. Vice Chair Okada, he and the Superintendent want to push that effort so that we can build ourselves. We continue to meet the obligations of their special conditions letter. He stated that the superintendent and our team will probably be seeking the board's support to go make our case again in Washington, D.C. so that we can hopefully get ourselves off of this sooner than later.

Mr. Fernandez added that during the budget testimony there were questions about Simon Sanchez. He mentioned to the Legislature that within a months' time, sometime in August we will be ready for a more public presentation of the design progress. We thought it would be the right time to make sure the board is well up to speed and we're happy to inform our stakeholders as well. Right now the design is in progress but most of the discussion has been happening directly with Simon Sanchez stakeholders and the users of the facility to really guide that design. As he mentioned at the hearing, we remain on track and looking at a timeframe to break ground probably around May or June of next year.

Mr. Mendiola thanked everyone for their support and stated that they will continue to support the Superintendent and requested that update the board when necessary as things come across his desk that the board should be aware of.

Mr. Mendiola noted that the Superintendent was invited to provide congressional testimony on food security. He stated that the superintendent provided the testimony. He thanked Senator Mike San Nicolas for inviting him and Guam will be represented by the Superintendent.

Mr. Fernandez stated that it was before the Chairman of the House Rules Committee. He clarified that it was not necessarily a formal congressional hearing, it was more of a roundtable discussion. Chairman McGovern believes that hunger and food security issues are critical across the nation but especially coming out of a pandemic. This particular roundtable was focused on hunger in the territories. Congressman San Nicolas reached out through his staff to invite me to participate and it will take place tomorrow, July 21, 2021 at 5 am.

Dr. McNinch commented that school is about to start and they probably won't meet again before then, he asked the Superintendent if there is anything that the board can do between now and the opening of schools that they should be aware of.

Mr. Fernandez responded that the most important thing that the board is able to do is give us the leadership and guidance and really helping use to return to in-person instruction because that is really critical to our students coming out of this pandemic. He commented that he knows everyone is anxious but at the same time we know that education is important. He stated that there is a lot of work that still has to be done between now and the opening of the schools and he, the management team and operations team will focus on getting that done. He noted that what we're really trying to do and what we will look to the board to join us for are the parent sessions to update them on what to expect for the coming school year.

Mr. Crisostomo asked if the ACT Aspire results would be released to the public. He also mentioned that UOG wants to do a presentation for the leadership degree that they are going to offer and he stated that he would like to get them on the agenda. He noted that it falls under the leadership priority of the strategic plan.

Mr. Mendiola responded duly noted, and stated that he would refer the presentation from UOG to Ms. Lou Benavente's committee and they can provide information for that program. Regarding the Aspire results, he will have the superintendent provide that through the Curriculum Committee to have the discussion and layout the results of that.

Mr. Fernandez responded that he does want to respond to Mr. Crisostomo and joked about how the newspaper sometimes reports as if they're not having discussions as friends. He stated as Mr. Crisostomo knows, we do not bury it under the rug but we typically report it during the Annual State of Education Address at the very least but we would be happy to discuss it with him. He noted that we used to not get the results until later but now we're getting them earlier and we would be happy to discuss it with him in the Curriculum and Instruction Committee how we want to proceed with that. He noted to Mr. Crisostomo that sometimes people don't get his sarcasm.

**VII. NEW BUSINESS** – None.

**VIII. EXECUTIVE SESSION** – None.

**IX. ANNOUNCEMENTS AND ADJOURNMENT** – Ms. Gutierrez thanked her colleagues and the IBOGS team for their prayers noted that she will try her best to join the next meeting after her surgery and asked that we keep her in our prayers.

**Mr. Ada motioned, seconded by Ms. Gutierrez, 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 7:02 p.m.

**MINUTES SUBMITTED BY:**

For: Christie San Nicolas

Date: August 13, 2021

**TIA LYNN S. SALAS**  
Administrative Officer

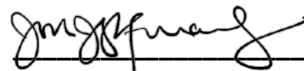
**MINUTES OF JULY 20, 2021, REGULAR BOARD MEETING:**

- ( ) Approved as submitted
- ( ) Approved subject to corrections
- ( ) Other: \_\_\_\_\_



**MARK B. MENDIOLA**  
GEB Chairman

Date: August 17, 2021



**JON J. P. FERNANDEZ**  
Executive Secretary/GDOE Superintendent

Date: August 17, 2021



**GUAM EDUCATION BOARD  
RESOLUTION NUMBER 2021-07**



**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 APRIL & MAY OF FISCAL YEAR 2021.**

**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 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 June 24, 2021 the EFSC issued Declarations of Financial Status Designation for the months ending April and May 2021, and that these EFSC FSDs were transmitted and received by the Guam Education Board (GEB) office August 12, 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 August 16, 2021 the Superintendent of Education provided to the GEB a CFRP to address the projected Code C-Watch shortfalls for the period ending April 30, 2021 and adjusted period ending May 31, 2021, indicating C-Watches in the categories of 111 Salary, 113 Benefits, and 362 Water; and

**NOW THEREFORE BE IT RESOLVED**, that the Guam Education Board approves the attached Corrective Financial Recovery Plan(s) submitted to the Board on August 16, 2021 by the Superintendent of Education; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution 2021-07 and the attached CFRP(s) be transmitted to the EFSC.

**DULY AND REGULARLY ADOPTED BY THE GUAM EDUCATION BOARD ON THIS 17<sup>th</sup> DAY OF AUGUST 2021.**

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**MARK B. MENDIOLA**  
Chair, Guam Education Board

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



# DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT



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**JON J. P. FERNANDEZ**  
Superintendent of Education

August 16, 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 2021 Fiscal Year to Date: YTD date month ending May 2021.

On June 24, 2021 the Education Financial Supervisory Commission issued Declarations of Financial Status Designation for the FY21 months ending April and May 2021. The documents were received by the Guam Education Board on August 12, 2021. The EFSC summary spreadsheets for the FY21 April and May 2021 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 FY21 Spending Plan as approved by GEB Resolution 2020-07, 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. As such, the GEB Resolution 2020-07 authorized the Superintendent to consider and implement austerity measures and budgetary cuts, inclusive of a hiring freeze; reductions in the scale and scope of locally funded programs/activities, essential contracts and services; a cross-leveling of all staffing to reduce personnel; maximizing and re-programming federal funding to supplement the needs of students, teachers and classroom instruction; requesting the Governor to earmark both local and federal funding under her authority for GDOE operational offsets, wherever applicable; and requesting the Legislature for a supplemental to GDOE appropriations.

In addition to implementing the above austerity measures and budgetary cuts authorized, The Corrective Financial Recovery Plan (CFRP) to remedy these C-Watches throughout the fiscal year is to also 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
Operations Plan Budget	Month	Account	Expenditure	Proj. Remaning	Proj. Lapse/Shortfall
\$ 115,709,055.00	Apr-21	111 Salary	73,602,417.00	\$ 52,680,667.00	\$ (10,574,029.00)
\$ 37,534,858.00	Apr-21	113 Bene	27,957,892.00	\$ 19,854,936.00	\$ (10,277,970.00)
\$ 115,709,055.00	May-21	111 Salary	83,698,226.00	\$ 42,641,463.00	\$ (10,630,634.00)
\$ 37,534,858.00	May-21	113 Bene	31,814,083.00	\$ 16,091,804.00	\$ (10,371,029.00)
\$ 3,428,088.00	May-21	362 Water	2,490,428.00	\$ 1,245,214.00	\$ (307,554.00)

### 111 Salary

The projected shortfall \$10,574,029 in April 2021 and adjusted \$10,630,634 in May 2021 incorrectly reflected Operations Plan at \$115,709,055. When corrected and recalculated, the projected shortfall results are as follows:

A	B	C	D	E	F
Operations Plan Budget	Month	Account	Expenditure	Proj. Remaning	Proj. Lapse/Shortfall
\$ 117,209,055.00	Apr-21	111 Salary	73,602,417.00	\$ 52,680,667.00	\$ (9,074,029.00)
\$ 117,209,055.00	May-21	111 Salary	83,698,226.00	\$ 42,641,463.00	\$ (9,130,634.00)

The corrected shortfall is the result of PPE expenditures that saddle FY20 and FY21; as well as one-time annual leave payments for retiring and severing employees. GDOE anticipates the shortfall will continue to diminish with austerity measure savings, journal adjustment entries and modifications to address any remaining shortfall balances from lapses in other categories as part of the year-end process.

### 113 Benefits

The projected shortfall \$10,277,970 in April 2021 and adjusted \$10,371,029 May 2021 incorrectly reflected Operations Plan at \$37,534,858. When corrected and recalculated, the projected shortfall results are as follows:

A	B	C	D	E	F
Operations Plan Budget	Month	Account	Expenditure	Proj. Remaning	Proj. Lapse/Shortfall
\$ 40,004,562.00	Apr-21	113 Bene	27,957,892.00	\$ 19,854,936.00	\$ (7,808,266.00)
\$ 40,004,562.00	May-21	113 Bene	31,814,083.00	\$ 16,091,804.00	\$ (7,901,325.00)

The corrected shortfall is the result of PPE expenditures that saddle FY20 and FY21; as well as one-time annual leave payments for retiring and severing employees. GDOE anticipates the shortfall will continue to diminish with austerity measure savings, journal adjustment entries and modifications to address any remaining shortfall balances from lapses in other categories as part of the year-end process.

### 362 Water

The projected shortfall, \$307,554 in May 2021 is the result of insufficient monthly allotments to cover late fees and will be addressed by a budgetary modification from austerity measure savings, lapses in other categories to address the FSD C-Watch and projected shortfall.

The corrective actions and responses of remediation of the EFSC Financial Status Designations (FSD) for the FY2021 months ending April and May 2021 have been addressed and are referenced in the attached draft Resolution No. 2021-007 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