

I Mina'Trenni Kultura Na Lihelaturan Guahan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-20-1536	Jeanette R. Yamashita	Member (Retired School Administrator Representative)	Guam Academy Charter Schools Council	2/11/20	Three (3) Years; December 30, 2019 to December 29, 2022 To fill the seat of Ansilo Walter, whose term has expired	Committee on Education, Air Transportation, and Statistics, Research, and Planning	2/17/20	6/19/20 5:00 p.m.	7/13/20 11:47 a.m.		



THE OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

July 10, 2020

The Honorable Tina Rose Muña Barnes

Speaker

I Mina'trentai Singko na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña Guam, 96910

VIA: The Honorable Régine Biscoe Lee

Chairperson, Committee on Rules

RE: Committee Report on the Appointment of Jeanette R. Yamashita

Håfa Adai Speaker Barnes:

Transmitted herewith is the Committee Report on the appointment of **Jeanette R. Yamashita** to serve as a **Member (Retired School Administrator Representative)** of the **Guam Academy Charter Schools Council**, and which was referred to the **Committee on Education, Air Transportation, and Statistics, Research and Planning**.

Committee votes are as follows:

- 4 TO CONFIRM
- TO NOT CONFIRM
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES

RECEIVED:

JULY 13, 2020

11:47 A.M.

Sincerely,

Telena Cruz Nelson

Revisions Rec'd:

July 15, 2020 @ 12:15 P.M.

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910

Phone: (671) 989-7696/4678 Email: senatortcnelson@guamlegislature.org



**THE OFFICE OF VICE SPEAKER
TELENA CRUZ NELSON**

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

COMMITTEE REPORT

**Nomination of
Jeanette R. Yamashita**

As a Member (Retired School Administrator Representative) to the Guam Academy Charter Schools Council for a term of three (3) years; December 30, 2019 to December 29, 2022 to fill the seat of Ansito Walter.



THE OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

July 10, 2020

MEMORANDUM

To: All Members
Committee on Education, Air Transportation, and Statistics, Research and Planning

From: Vice Speaker Telena Cruz Nelson 
Committee Chairperson

Subject: Committee Report on the Appointment of Jeanette R. Yamashita

Transmitted herewith for your consideration is the Committee Report on the appointment of **Jeanette R. Yamashita** to serve as a **Member (Retired School Administrator Representative)** of the **Guam Academy Charter Schools Council**.

This report includes the following:

- Copy of COR Referral of the Appointment
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet & Supporting Documents
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910

Phone: (671) 989-7696/4678 **Email:** senatortcnelson@guamlegislature.org

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

February 17, 2020

Senator Clynton E. Ridgely,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlapan,
Member

Senator Therese M. Terlapan,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocols

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Referral of Appointment

Buenas yan Håfa adai.

As Chair of the Committee on Rules, I am forwarding the referral of the following appointment:

Appointee: Jeanette R. Yamashita
Position: Member (Retired School Administrator - Representative), Guam Academy Charter Schools Council
Term Length: Three (3) Years; December 30, 2019 to December 29, 2022. To fill the expired seat of Ansito Walter, whose term expired.

The appointee's nomination packet may be referenced in the Guam Legislature's website at <http://guamlegislature.com/index/messages-and-communications/>. Please refer to the follow document:

"35GL-20-1536– Office of the Governor of Guam – Appointment and Supporting Documents for Jeanette R. Yamashita; Member (Retired School Administrator-Representative); Guam Academy Charter Schools Council."

Please ensure that the aforementioned appointment is referred to the Committee on Education, Air Transportation, and Statistics, Research, and Planning, chaired by Vice Speaker Telen Cruz Nelson.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this matter.

Respectfully,

Senator Régine Biscoe Lee
Chair, Committee on Rules

I Mina' Trental Kaitro Na Lihelaturan Guahan
APPOINTMENTS

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UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

February 11, 2020

3566-20-1536
Speaker Tina Rose Muña Barnes

Honorable Tina Rose Muña Barnes
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

FEB 13 2020
Time 9:31 AM () PM
Received By: Mat

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE:	Jeanette R. Yamashita
POSITION:	Member Guam Academy Charter Schools Council (Retired School Administrator - Representative)
TERM LENGTH:	Three (3) Years; December 30, 2019 to December 29, 2022 To fill the seat of Ansito Walter, whose term has expired

The appointment is subject to the consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

JOSHUA F. TENORIO
Åkto Maga'låhen Guåhan
Acting Governor of Guam

cc: Lourdes A. Leon Guerrero, Governor of Guam

1536

2020 FEB 13 AM 10:40

UFISINAN I MAGA'HAGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LAHI • LIEUTENANT GOVERNOR

February 11, 2020

Jeannette R. Yamashita
[REDACTED]

Dear Ms. Yamashita:

Pursuant to my authority under 17 GCA § 12111, I am appointing you to serve as a

MEMBER, GUAM ACADEMY CHARTER SCHOOLS COUNCIL
Retired School Administrator – Representative
Term Length: Three (3) Years; December 30, 2019 to December 29, 2022
To fill the seat of Ansito Walter, whose term has expired.

Appointing you to this position comes with great responsibility because you will have a vital role to perform which will place many demands on your time and energy. Integrity and honesty are virtues that I prioritize for my Administration to exemplify, and I know that you will do the same while in service to the people of Guam. Your responsibilities shall be significant and consequential. I trust that you will fulfill your duties and set a standard for others to follow.

I appreciate your willingness to serve in this position, and I am confident that your time will be spent in a manner to improve the island of Guam.

This appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. If you have any questions or concerns, please contact the Office of the Governor.

Senseramente,

JOSHUA F. TENORIO
Åkto Maga'låhen Guåhan
Acting Governor of Guam

cc: Lourdes A. Leon Guerrero, Governor of Guam
Chairperson, GACS Council

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM Nomination and Appointment Information Sheet

The following information is required for submission to the
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

Last Name YAMASHITA	First Name JEANETTE	Middle Initial R
Mailing Address [REDACTED]		Apartment/Unit #
City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]
Phone [REDACTED]	E-mail Address [REDACTED]	
Position to which Appointment is Made Member, Guam Academy Charter School Council		
Are you a citizen of the United States? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
If no, are you authorized to work in the United States? Yes <input type="checkbox"/> No <input type="checkbox"/>		

EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
High School Academy of Our Lady of Guam		High School Diploma	1966
College University of Guam		BA	1974
Graduate School University of Guam		MA	1987
Other Degree University of Oregon, Eugene OR		Post Grad (Educ Ldrshp)	1979

EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address DEPARTMENT OF EDUCATION SPECIAL EDUCATION DIVISION GOVERNMENT OF GUAM	Position Title Consulting Resource Teacher
	Dates Held 2007 - 2011

Previous Employer and Mailing Address DEPARTMNET OF EDUCATION GOVERNMENT OF GUAM	Position Title Assoc. Superintendent - Elem Schools
	Dates Held 1988 - 2004

Previous Employer and Mailing Address DEPARTMENT OF EDUCATION ORDOT-CHALAN PAGO ELEMENTARY SCHOOL	Position Title Principal
	Dates Held 1982 - 1985

Previous Employer and Mailing Address DEPARTMENT OF EDUCATION YIGO ELEMENTARY SCHOOL	Position Title Acting Principal
	Dates Held 1981

Previous Employer and Mailing Address DEPARTMENT OF EDUCATION INARAJAN HIGH SCHOOL ESEA TITLE VII, BILINGUAL PROGRAM	Position Title Project Director
	Dates Held 1980

PRIOR GOVERNMENT OF GUAM SERVICE

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

Agency or Department Name ANDERSEN ELEMENTARY SCHOOL		Position Title Principal	
Address	Phone No.	Dates Held 1985 - 1988	

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

TRAINING

INSTITUTE/SEMINARS/ON-THE-JOB TRAINING	DATE

AWARDS

List all educational, professional, civic awards, and recognition for public service:
<ul style="list-style-type: none"> * Listed in "WHO'S WHO" among student in American Universities & Colleges, PHI DELTA KAPPA, 1974 * Recipient, Teacher Training Program Scholarship, 1972 - 1974 * Magna Cum Laude, UOG, 1974

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level. List organizations, activities participated in, and offices held:
<ul style="list-style-type: none"> * President, Teacher Training Program, 1974 * Member, NHS, CHI OMICRON GAMMA, 1974

COMMUNITY / CIVIC INVOLVEMENT

List organizations, activities participated in, and offices held:

Member, Guam State Rehabilitation Council, 2018
Member, Diocese Board of Education, Diocese of Agana, 1983 - 1986
President, Alumni Association, UOG, 1988 - 1992
Member, Yamashita Education Corp. Council

PUBLICATIONS AND PRESENTATIONS

List any published articles, papers delivered at professional meetings, etc.:

MILITARY SERVICE (Please attach Form DD-214)

BRANCH	DATES OF SERVICE	RANK AT DISCHARGE	TYPE OF DISCHARGE

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes No If so, please specify in detail: _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?

Yes No If so, please specify in detail the reasons and facts related to such declaration:

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?

Yes No

(4) Have you ever been confined to a mental institution for any reason?

Yes No If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.


Jeanette R. Yamashita

Print Name and Signature


Date



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

Fax (671) 472-2856

DANIELLE T. ROSETE
Clerk of Court

Name: **JEANETTE RIVERA YAMASHITA**

SS#:

ID#



Date of Birth:



CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

- A. No Case Found
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Criminal Record: Page 1 of 1

Civil Cases:

- A. No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Civil Record: Page 1 of 1

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 01/17/2020

DANIELLE T. ROSETE
Clerk of Court

BY: **CARLENE C. SANTOS**
Deputy Clerk

Prepared By: **CCS**



The absence of an original Court Seal invalidates this document



**Government of Guam
GUAM POLICE DEPARTMENT
RECORDS & IDENTIFICATION SECTION
P.O. Box 23909
Guam Main Facility, Guam 96921**



January 28, 2020

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Jeanette R. YAMASHITA		
DATE OF BIRTH:		FINGERPRINT#:	N/A
	The individual has no record of criminal conviction(s) in the Guam Police Department files that are subject to Guam law.		

*******NOTHING FOLLOWS*******

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.

By Direction: roque

The absence of an original GUAM POLICE seal invalidates this police clearance.
REVISED 04/26/19

**STEPHEN C. IGNACIO
Chief of Police**

1985-1988

PRINCIPAL, ANDERSEN ELEMENTARY SCHOOL

2007-2011

CONSULTING RESOURCE TEACHER FOR D.O.E., UNDER THE SPECIAL EDUCATION DIVISION (RETIREE CONTRACT TEACHER)

MAY 9TH, 1988 – SEPTEMBER 30TH, 2004

ASSOCIATE SUPERINTENDENT, ELEMENTARY SCHOOLS

- Assigned by Governor for one (1) year during this period as President of the Department of Chamorro Affairs.
- Oversaw the management of the Guam Museum, development of the Chamorro Dictionary, development of the Hale Ta' series and other federal grants
- Assigned periodically by the Board of Education as Acting Director during the absence of the Director of Education
- Dual role, as assigned by the Director of Education, to oversee the management of Secondary Schools in the absence of the Associate Superintendent of Secondary Schools
- Managed the overall operation of twenty-seven (27) elementary schools, and the Guam Headstart Program
- ***During my tenure, no elementary school was ever closed for health or safety reasons based on normal function/operation on a daily basis. Schools were closed only when a major earthquake (8.0 on the Richter Scale) caused damage to the schools or typhoon related damage. The Guam Headstart Program was always one hundred percent (100%) in compliance with Headstart regulations.***
- Assisted in the development of a salary schedule for the Department of Education School Administrators pursuant to Public Law 18-32
- Developed a plan with school administrators for water outages at all schools
- Planned, directed, and coordinated instructional programs in the elementary schools
- Prioritized fiscal responsibility focusing on student needs
- Directed emergency management procedures and recovery procedures during/after a disaster
- Monitored the availability of appropriated funds and cash flow to address pending shortage and to develop a plan of action
- Monitored non-appropriated funds and ensured that procedures were being followed
- Selected schools to be audited based on concerns/issues, etc.
- Participated in meetings with University of Guam regarding staff development training for school personnel
- Enforced policies, laws, Board Union Contract with School Principals
- Worked closely with other Division Heads to ensure that schools' needs were met
- Mentored principals to be good managers, and to provide leadership at their schools. Encouraged and expected principals to develop "ownership attitude" where they take responsibility for decisions geared to their school's success
- Supervised principals in administering the daily operations of the schools, to include planning, organizing and implementing programs in the schools
- Assisted the schools in developing program budget for their individual school. After compilation, I presented the overall elementary schools' budget to the Guam Legislature
- Coordinated the staff allocation to elementary schools. These usually require schools to maximize personnel positions to maximize funding
- Address grievance issues as the next level of response from the schools
- Developed Parental Involvement Programs with schools administrators' input

- Member, Child Abuse Committee, Department of Education, December 1985
- Member, Joint Board-Union Curriculum Textbook Adoption Committee, SY 86-87
- Member, Administrative Safety Task Force
- Vice President, Guam Public School Administrators Association, 1984 – 1986
- Member, Off-Island Teacher Recruitment
- Served on Accreditation Visiting Committee at various schools for Western Association of Schools and Colleges (WASC). The following schools are listed below:
 - Majuro Cooperative School, Majuro
 - Reyes Elementary School, Saipan
 - Mount Carmel School, Agat
 - Saint Anthony Catholic School, Tamuning
 - Bishop Baumgartner Catholic School, Sinajana

HONORS, AWARDS, & ACCOMPLISHMENTS

- 1966 - Graduated Top ten, Academy of Our Lady of Guam, Member of the National Honor Society

University of Guam Achievements

- 1974 - Graduated Magna cum Laude
- 1974 – Honor Society Member, CHI OMICRON GAMMA
- 1972-1974 – Recipient of the Teacher Training Scholarship
- 1974 – President, Teacher Training Program
- 1974 – Spearheaded December 1974 University of Guam graduation by circulating petition that gained close to 1,000 signatures. This was the very first time that University of Guam held commencement exercise in December other than the traditional May/June commencement. Since then, UOG has held December graduations.
- 1974 - PHI DELTA KAPPA, published in “WHO’s” WHO among students in American universities and colleges

COMMUNITY INVOLVEMENT

- Council member for Yamashita Education Corp. Council was responsible for hiring a director for the Yamashita Education Corp. Council also approved applicants to the Yamashita Education Corp.
- 1988 – 1992 University of Guam Alumni Association, President
- 1983 – 1986 Diocese Board of Education, Diocese of Agana, Member
- Volunteer at Our Lady of Guadalupe Church, Santa Rita
- 2011 April, Attended “Applied Suicide Intervention Skills” training. Received certificate qualifying to assist potential suicide persons
- 2018 - Appointed by Lt. Gov. Ray Tenorio as a member of Guam State Rehabilitation Council (SRC). The purpose of the SRC, in partnership with the Division of Vocational Rehabilitation (DVR) is to review, analyze, and advise the GDDC regarding the effectiveness of the DVR program in serving clients with disabilities; develop the State Plan for Guam as required by federal guidelines and laws to access federal funding for Guam; SRC provides clients of DVR with a mechanism to influence the direction of rehabilitation programs in Guam at the System Policy level
- Chairperson, Planning and Resource Committee, SRC



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

1st Notice Confirmation Hearing June 19, 2020

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Thu, Jun 11, 2020 at 2:50 PM
To: Tom Unsiog <sgtarms@guamlegislature.org>, phnotice@guamlegislature.org

FOR IMMEDIATE RELEASE

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Telena Cruz Nelson

Chairperson, Committee on Education, Air Transportation, and Statistics, Research, and Plans

Subject: First Notice of Virtual Confirmation Hearing - Friday, June 19, 2020 at 5:00 p.m.

Buenas yan Håfa adai! Please be advised that the Committee on Education, Air Transportation, and Statistics, Research, and Plans will convene a Virtual Informational Briefing on **Friday, June 19, 2020**, via Zoom Conference platform on the following:

Appointees:

- **William Li** (Member, Board of Directors, Guam Public Library System)
- **Felicitas Angel** (Member, Guam Education Board)
- **Jeanette Yamashita** (Guam Academy Charter School Council)

We ask that participants login to this Virtual Information Briefing 30 minutes early (4:30 pm) to confirm participants as well as to test and ensure smooth functionality of audios and videos of participants throughout the meeting. We will be sending the Zoom Conference link in the second notice.

The Virtual Informational Briefing will stream online via I Liheslaturan Guåhan's [live feed](#). Individuals wishing to participate in the Virtual Informational Briefing may contact the Office of Vice Speaker Telena Cruz Nelson via email at senatortcnelson@guamlegislature.org or 671 989- 7696.

Vice Speaker Telena Cruz Nelson

35th Guam Legislature



The Office of Vice Speaker Telena Cruz Nelson

*Committee on Education, Air Transportation,
and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



Confirmation Hearing June 19.pdf

300K



OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

FOR IMMEDIATE RELEASE

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Senator Telena Cruz Nelson
Chairperson, Committee on Education, Air Transportation, and Statistics, Research, and Plans

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Vice Speaker Telena Cruz Nelson
35th Guam Legislature

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910
Phone: (671) 989-7696/4678 **Email:** senatortcnelson@guamlegislature.org



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

CORRECTION: First Notice of Budget Hearing (Bill No. 310-35) on June 19 2020 @ 5:00 p.m.

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Fri, Jun 12, 2020 at 12:01 PM
 To: Tom Unsiog <sgtarms@guamlegislature.org>, phnotice@guamlegislature.org, @yahoo.com, Nan Li
 < @bankofguam.com>, 1 @yahoo.com

FOR IMMEDIATE RELEASE

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Telena Cruz Nelson

Chairperson, Committee on Education, Air Transportation, and Statistics, Research, and Plans

Subject: First Notice of Virtual Confirmation Hearing - Friday, June 19, 2020 at 5:00 p.m.

Buenas yan Håfa adai! Please be advised that the Committee on Education, Air Transportation, and Statistics, Research, and Plans will convene a Virtual ~~Informational Briefing~~ Confirmation Hearing on **Friday, June 19, 2020**, via Zoom Conference platform on the following:

Appointees:

- **William Li** (Member, Board of Directors, Guam Public Library System)
- **Felicitas Angel** (Member, Guam Education Board)
- **Jeanette Yamashita** (Guam Academy Charter School Council)

We ask that participants login to this Virtual ~~Informational Briefing~~ Confirmation Hearing ~~30~~ 15 minutes early (4:45 pm) to confirm participants as well as to test and ensure smooth functionality of audios and videos of participants throughout the meeting. We will be sending the Zoom Conference link in the second notice.

The Virtual ~~Informational Briefing~~ Confirmation Hearing will stream online via I Liheslaturan Guåhan's **live feed**. Individuals wishing to participate in the Virtual ~~Informational Briefing~~ Confirmation Hearing to provide testimonies may contact the Office of the Vice Speaker Telena Cruz Nelson via email at senatortcnelson@guamlegislature.org or 989-7696 no later than June 17, 2020, for further guidance.

If written testimonies are to be presented at the Virtual Confirmation Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to the Vice Speaker Telena C. Nelson. Testimonies may be submitted to our Office or via email at senatortcnelson@guamlegislature.org.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of the Vice Speaker Telena C. Nelson at senatortcnelson@guamlegislature.org.

Vice Speaker Telena Cruz Nelson

35th Guam Legislature



The Office of Vice Speaker Telena Cruz Nelson

*Committee on Education, Air Transportation,
and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



CORRECTION Confirmation Hearing June 19.pdf
285K



OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

FOR IMMEDIATE RELEASE

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Senator Telena Cruz Nelson
Chairperson, Committee on Education, Air Transportation, and Statistics, Research, and Plans

Subject: First Notice of Virtual Confirmation Hearing - Friday, June 19, 2020 at 5:00 p.m.

Buenas yan Håfa adai! Please be advised that the Committee on Education, Air Transportation, and Statistics, Research, and Plans will convene a Virtual ~~Informational Briefing~~ Confirmation Hearing on Friday, June 19, 2020, via Zoom Conference platform on the following:

Appointees:

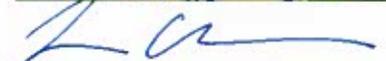
- William Li (Member, Board of Directors, Guam Public Library System)
- Felicitas Angel (Member, Guam Education Board)
- Jeanette Yamashita (Guam Academy Charter School Council)

We ask that participants login to this Virtual ~~Informational Briefing~~ Confirmation Hearing 30 15 minutes early (4:45 pm) to confirm participants as well as to test and ensure smooth functionality of audios and videos of participants throughout the meeting. We will be sending the Zoom Conference link in the second notice.

The Virtual ~~Informational Briefing~~ Confirmation Hearing will stream online via I Liheslaturan Guåhan's live feed. Individuals wishing to participate in the Virtual ~~Informational Briefing~~ Confirmation Hearing to provide testimonies may contact the Office of the Vice Speaker Telena Cruz Nelson via email at senatortcnelson@guamlegislature.org or 989-7696 no later than June 17, 2020, for further guidance.

If written testimonies are to be presented at the Virtual Confirmation Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to the Vice Speaker Telena C. Nelson. Testimonies may be submitted to our Office or via email at senatortcnelson@guamlegislature.org.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of the Vice Speaker Telena C. Nelson at senatortcnelson@guamlegislature.org.


Vice Speaker Telena Cruz Nelson
35th Guam Legislature

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGATÑA, GUAM 96910
Phone: (671) 989-7696/4678 Email: senatortcnelson@guamlegislature.org



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Second Notice of Virtual Confirmation Hearing - Friday June 19, 2020

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Tue, Jun 16, 2020 at 1:44 PM

To: phnotice@guamlegislature.org

Cc: @yahoo.com, Nan Li <@bankofguam.com>, Tom Unsiog <sgtarms@guamlegislature.org>, @yahoo.com

FOR IMMEDIATE RELEASE

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker Telena C. Nelson

Chairperson, Committee on Education, Air Transportation, and Statistics, Research, and Plans

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Appointees:

- **William Li** (Member, Board of Directors, Guam Public Library System)
- **Felicitas Angel** (Member, Guam Education Board)
- **Jeanette Yamashita** (Guam Academy Charter School Council)

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of Vice-Speaker Nelson by phone call at 989-7696 or via email at senatortcnelson@guamlegislature.org. Si Yu'os Ma'åse'!



The Office of Vice Speaker Telen Cruz Nelson

*Committee on Education, Air Transportation,
and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature
173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



Second Notice Confirmation Hearing June 19, 2020.pdf

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OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

FOR IMMEDIATE RELEASE

MEMORANDUM

To: All Senators, Stakeholders, Media

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Chairperson, Committee on Education, Air Transportation, and Statistics, Research, and Plans

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173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910

Phone: (671) 989-7696/4678 **Email:** senatortcnelson@guamlegislature.org



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

PLEASE CONFIRM: Virtual Confirmation Hearing - Friday, June 19, 2020 at 5:00 p.m.

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Tue, Jun 16, 2020 at 4:46 PM

To: senators@guamlegislature.org

Bcc: "Maria A. Gutierrez" <magutierrez@gdoe.net>, @yahoo.com, @gmail.com, @gmail.com, Nan Li <@bankofguam.com>, @gmail.com, nicole.nelson@otech.guam.gov, @gmail.com

Håfa Adai Senators,

Please find below the link to participate in the Virtual Confirmation Hearing via the Zoom Conference platform, scheduled for Friday, June 19, 2020 at 5:00 p.m.

Please do not share the following hearing link with persons who have not confirmed participation with the Office of the Vice Speaker Telena Cruz Nelson. Please direct them to register via email at senatortcnelson@guamlegislature.org or call 989-7696. All others may watch the broadcast live on GTA Channel 21, Docomo Channel 117/60 and live-streamed via the Guam Legislature YouTube Channel.

Guam Legislature is inviting you to a scheduled Zoom meeting.

Topic: Virtual Confirmation Hearing - Vice Speaker Telena Cruz Nelson
Time: Jun 19, 2020 05:00 PM Guam, Port Moresby

Join Zoom Meeting

Meeting ID:

Password:

Any and all documents relative to the hearings will be made available via Google Drive and emailed to you prior to the meeting.

We kindly ask that Senators wishing to participate in the Virtual Informational Briefing to **please confirm your attendance with the Committee by replying to this email as soon as possible.**

We ask for your cooperation and assistance in order to ensure a smooth and productive hearing by following the virtual guidelines:

1. Please LOG IN **no later than 4:45 p.m.** We will go live at 5:00 p.m.;
2. Please ensure that your VIDEO remains ON and you are visible throughout the hearing;
3. Participants must be visible at all times and as much as possible, not engaged in other activity during the hearing;
4. As much as possible, log in from an area with good lighting and little to no background noise and good internet connectivity;
5. Please MUTE your AUDIO unless called upon to present, respond or to ask questions;
6. Further hearing protocol and decorum requirements will be announced at the beginning of the hearing;

7. If you are having technical difficulties, kindly log off and return using the same link, we will work toward reconnecting you.
8. You may contact the Guam Legislature MIS Division at mis@guamlegislature.org if you are having technical issues.
9. Further hearing protocol and decorum requirements will be announced at the beginning of the hearing.

Please let me know if you have any questions.

--



The Office of Vice Speaker Telen Cruz Nelson

*Committee on Education, Air Transportation,
and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Virtual Confirmation Hearing June 19, 2020 @ 5 PM

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Fri, Jun 19, 2020 at 1:59 PM
To: [REDACTED]@gmail.com

Håfa Adai Senators,

Please find below the link to participate in the Virtual Confirmation Hearing via the Zoom Conference platform, scheduled for Friday, June 19, 2020 at 5:00 p.m.

Please do not share the following hearing link with persons who have not confirmed participation with the Office of the Vice Speaker Telena C. Nelson. Please direct them to register via email at senatortcnelson@guamlegislature.org or call 989-7696. All others may watch the broadcast live on GTA Channel 21, Docomo Channel 117/60 and live-streamed via the Guam Legislature YouTube Channel.

Guam Legislature is inviting you to a scheduled Zoom meeting.

Topic: Virtual Confirmation Hearing - Vice Speaker Telena Cruz Nelson
Time: Jun 19, 2020 05:00 PM Guam, Port Moresby

Join Zoom Meeting

[REDACTED]

Meeting ID: [REDACTED]

Password: [REDACTED]

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The Office of Vice Speaker Telena Cruz Nelson

*Committee on Education, Air Transportation,
and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

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Second Notice Confirmation Hearing June 19, 2020.pdf

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Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Virtual Confirmation Hearing Documents and Zoom Link - June 19, 2020 at 5pm

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Fri, Jun 19, 2020 at 8:41 AM
 To: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Speaker's Office <speaker@guamlegislature.org>, "PhD." <office.senatorKelly@guamlegislature.org>, Régine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Senator Clynton E. Ridgell" <clyntridgell@guamlegislature.org>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator William Mendiola Castro <sen.wilcastro@gmail.com>, "Senator Louise B. Muna" <senatorlouise@gmail.com>, "Senator Telo T. Taitague" <senatortelot@gmail.com>, James Moylan <senatormoylan@guamlegislature.org>, "Mary C. Torres" <senatormary@guamlegislature.org>

Buenas yan Hafa Adai,

Documents for the public hearing scheduled for today June 19, 2020 at 5 pm can be accessed at the following link:

[REDACTED]

Guam Legislature is inviting you to a scheduled Zoom meeting.

Topic: Virtual Confirmation Hearing - Vice Speaker Telean Cruz Nelson
 Time: Jun 19, 2020 05:00 PM Guam, Port Moresby

Join Zoom Meeting

[REDACTED]

Meeting ID: [REDACTED]

Password: [REDACTED]

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The Office of Vice Speaker Telena Cruz Nelson

*Committee on Education, Air Transportation,
 and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature

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COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

Confirmation Hearing

via Virtual Platform
Friday, June 19, 2020
Beginning at 5:00 p.m.

Agenda

5:00 p.m. – Confirmation Hearing

- Nan “William” Li to serve as a Member (Business Representative) Board of Directors of the Guam Public Library System
- Felicitas B. Angel to serve as a Member (Retired Teacher/School Administrator Representative) of the Guam Education Board
- Jeanette R. Yamashita to serve as a Member (Retired School Administrator Representative) of the Guam Academy Charter School Council

The hearing will air live on TV Channel 21GTA or Channel 117/60.4 Docomo; or via http://www.guamlegislature.com/live_feed.htm. You can also view the hearing on the Guam Legislature’s YouTube Channel. A recording of the hearing will be available on YouTube at Guam Legislature Media after the hearing.

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910

Phone: (671) 989-7696/4678 **Email:** senatortcnelson@guamlegislature.org

Testimony on Appointment as Council Member to the Guam Academy Charter Schools Council

35TH CONFIRMATION TESTIMONIES 35TH GUAM ACADEMY CHARTER SCHOOL COUNCIL (GACS)



Jeanette Yamashita

Fri, Jun 19, 9:00 AM

to me

Honorable Speaker Tina Rose Muna Barnes, Speaker

Honorable Vice-Speaker Telena Nelson, Chairperson of the Committee on Education, Air Transportation, Statistics, Research, and Planning

Honorable Senators of the 35th Guam Legislature

A wonderful Hafa Adai to all of you!

My name is Jeanette R. Yamashita. I am here today as an appointee to Guam Academy Charter School Council , to fill the vacancy of Retired School Administrator.

I served in the Department of Education from 1974 until my retirement in September 2003. My career in the Department I'd Education started as a Substitute Teacher at Agat Junior High School and served as a spring board for a life long passion in education . That passion led to pursuing a degree in education with a minor in English. My teaching career included teaching in grades K to 8 grade, Project Director for ESEA Title VII (Bilingual Cultural Education for High School); ESEA Title I, Math Teacher; assignment as Assistant Principal at J.Q. San Miguel Elementary to PRINCIPAL AT Ordot Chalan Pago Elementary , Andersen Elementary School, Yigo Elementary School where I had my first experience in dealing with the first teacher strike. That assignment subsequently placed me in successful administrative assignments in various schools throughout the island .

Allow me to clarify that my career in education was not my original choice , but I was destined to be involved in teaching when I was approached by Mr. Pete Aguon, Principal of Agat Junior High , to substitute for almost six (6) months . It was that experience that discerned my career in teaching !

Although I retired in 2003 because of challenging health issues, my passion for education is still "on fire" to this day! Retirement does not stop one's involvement in education . As the old adage, " Once a teacher, always a teacher" continues to resonate for me in educational issues confronting our community. I feel that my background as a teacher to my experience as the Associate Superintendent of Elementary Education , qualifies me to serve as a council member of the Guam Academy Charter School Council.

Should I be confirmed, it would be a privilege to serve on the GACS Council. I intend to serve the people of Guam with the best of my ability and to do so with integrity and the fullest commitment in carrying out Guam Charter School Law.

Thank you for your time today!

Jeanette R. Yamashita

Retired Associate Superintendent of Elementary Schools, Guam Department of Education

Letter of Support; Jeanette R. Yamashita, Council member Nominee for Guam Academy Charter School



Teri Mantanona <[REDACTED]>

Mon, Mar 16, 4:31 PM

to me

I am Teresita M. Mantanona, resident of Guam and a retiree of the Guam Department of Education.

I am writing in support of Mrs. Jeanette R. Yamashita's nomination to be a Council member of the Guam Academy Charter School.

I had the honor of working with Mrs. Yamashita for eight (8) years in her capacity as the Associate Superintendent of Elementary Schools with the Guam Department of Education.

During that period, she served as my immediate supervisor during my tenure as School Principal of Wettengel Elementary School in 1989 and School Principal of Inarajan Elementary School in 1993.

While working under her guidance and supervision, I acquired tremendous respect and admiration for her dedication and commitment to the students, parents, teachers and administrators.

As a strong educational advocate, she promoted student learning by collaborating with teachers, parents, administrators and needed personnel to address issues and concerns. She facilitated sound communication and assisted administrators and teachers in developing effective strategies for instructional implementation and improvement in targeted areas as needed.

Mrs Yamashita worked hard with other education department personnel and community leaders to ensure that student learning objectives were met, that learning took place and department goals were achieved.

Mrs. Yamashita was well liked and respected by school community members and it was a great privilege to have worked with her. The knowledge she possess, her enormous educational experience, talents and leadership skills will help her be an incredible asset to any educational board or council.

With enthusiasm, I strongly support Mrs. Jeanette R. Yamashita to be a Council member of the Guam Academy Charter School.

Si Yu'os Ma'ase,

Teresita M. Mantanona
GDOE Retiree





Accredited by the Western Association of Schools & Colleges

F.B. Leon Guerrero Middle School

Building #533 Juan Jacinto Road
Yigo, Guam 96929
Tel: (671) 653-2080



Jon J.P. Fernandez
Superintendent of Education

Melissa D. Mafnas
Principal

June 19, 2020

To Whom It May Concern,

Hafa Adai! It is with great pleasure and honor to submit a Letter of Support for Mrs. Jeanette Yamashita. Mrs. Yamashita has been an inspirational instructional leader and mentor. As the Associate Superintendent for Elementary, her greatest strength was having the ability to trust her School Administrators while still providing guidance and support when needed.

Her ability to be compassionate, knowledgeable and focused on the vision of effective teaching and learning within our schools. Mrs. Yamashita has made a great impact as an Associate Superintendent of Elementary Schools by recruiting and identifying teacher leaders to take on the roles as School Administrators. I was one of those potential teacher leaders she asked to step up and make a difference with Education. Seventeen (17) years ago, she encouraged me to expand my knowledge as a school administrator, because of her confidence in me I have attended numerous off-island training, and I am nationally certified as an Administrator Mentor through NAESSP and have moved up within the ranks as a School Administrator within the Department. Through her leadership, support and guidance, I have had the ability to strengthen my skills as a School Administrator. Without her support and guidance, I would not be in the position I am in presently.

I fully support and encourage your organization to allow Mrs. Yamashita to be a part of your team. She will continue to keep education at the forefront of her mission. The impact of her knowledge and experience will provide your organization with the much ideas to move forward.

I have every expectation that Mrs. Yamashita will continue to be a great asset to your organization. She possesses the intra and interpersonal skills needed to interact with others. She has the ability to communicate with others, empathize, be a great listener, be positive and encourages others to seek guidance as needed.

It is without reservation and with great pleasure that I endorse this letter of support for Mrs. Jeanette Yamashita. *Si Yu'os Ma'ase!*

A handwritten signature in black ink, appearing to read "Melissa D. Mafnas".

MELISSA D. MAFNAS

F.B. Leon Guerrero Middle School's mission is to respond to the unique needs of our students while exploring areas of individual potential and cultivating lifelong learning skills.



IMS M.I.T.Y. WARRIORS

GUAM DEPARTMENT OF EDUCATION
INARAJAN MIDDLE SCHOOL
500 Mariner Avenue
Barrigada, GU 96913
TEL: 671-475-0673



Jon J.P. Fernandez, Superintendent of Education

Derrick Santos, Principal
Silvino Quinene, Assistant Principal

March 16, 2020

Buenas Yan Hafa Adai!

It is with great pleasure and an honor to write this letter of support for Ms. Janet Yamashita as she continues to be involved in education. Ms. Yamashita has made a great impact to the Department of Education with all the school leaders she has brought on board during her tenure as the Associate Superintendent of Elementary to continue the fight for a good education. As an administrator having the opportunity to work under her supervision and guidance, it has been a wonderful experience to learn much from her work ethics and wisdom on how to be an effective leader and manager. To this day, we continue to communicate whenever we meet to discuss the progress being made to educate the thousands of students in the department. Her continuous genuineness to check in on her protégé's has been an inspiration to me and to others as well. I have enormous respect for her huge heart and dedication to this profession. As an inspirational leader, she has been a person we can go to for guidance and support. It would be in your organizations best interest to allow Ms. Yamashita to be a part of your team as you proceed in improving the academic success at your institution.

Very Sincerely & Respectfully,

Derrick R. Santos

Principal

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

CHAPTER 12
GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

SOURCE: This entire Chapter was added by P.L. 29-140:1 (Jan. 30, 2009).

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. The passage of P.L. 30-050:2 (July 14, 2009) reverted the name to the Department of Education.

- § 12101. Short Title.
- § 12102. Purpose.
- § 12103. Definitions.
- § 12104. Process for Filing Charter Petitions.
- § 12105. Contents of Petition.
- § 12106. Process for Approving or Denying Charter School Petitions.
- § 12107. Duties and Powers, and other Requirements, of Charter Schools.
- § 12108. Board of Trustees of a Charter School.
- § 12109. Academy Charter Schools; Admission Requirements.
- § 12110. Employees.
- § 12111. Guam Academy Charter Schools Council; Membership; Terms; Compensation.
- § 12112. Powers and Duties of the Guam Academy Charter School Council.
- § 12113. Academy Charter School Initial Term and Renewal.
- § 12114. Basis and Procedures for Academy Charter School Probation or Revocation.
- § 12115. Appeal Process.
- § 12116. Funding.
- § 12117. Transportation.
- § 12118. Academic Credits; Transfer.
- § 12119. Guam Academy Charter School Fund.
- § 12120. [Untitled Section].
- § 12121. [Untitled Section].

§ 12101. Short Title.

This Chapter shall be known and may be cited as the “Guam Academy Charter School Act of 2009”.

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

§ 12102. Purpose.

The Guam Academy Charter School Act of 2009 is enacted to provide opportunities for teachers, parents, guardians, students and community members to establish and maintain schools that operate independently from the Department of Education as a method to:

- (a) improve student learning;
- (b) increase learning opportunities for all students, with special emphasis on expanded learning experiences;
- (c) encourage the use of different and innovative teaching methods;
- (d) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
- (e) provide parents, guardians and students with expanded choices in the types of educational opportunities that are available within the public school system; and
- (f) hold the schools established under this Chapter accountable for meeting measurable student educational standards.

§ 12103. Definitions.

- (a) Board means the Guam Education Policy Board;
- (b) Academy Charter School means schools acknowledged as Charter schools by the Guam Academy Charter Schools Council under Chapter 12 of Title 17 GCA;
- (c) Chamorro Language Immersion Program is a method of teaching the Chamorro language. Using the Chamorro language as the teaching tool, surrounding or immersing students in the Chamorro language in class activities such as math, science, social studies, history, and other class subjects.
- (d) Council means the authorizing chartering entity known as the Guam Academy Charter Schools Council.
- (e) Eligible applicant means an individual, a group of individuals, teachers, parents, guardians or a non-profit

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

organization authorized under the laws of Guam to do business;
and

(f) Trustees means the Board of Trustees, the governing structure of an Academy Charter School as set forth in the Academy's Charter.

(g) Appeals Board means the ad hoc Appeals Board composed of the Public Auditor, the Attorney General, the Director of the Department of Administration, the Director of the Department of Revenue and Taxation, or their respective designees, and one (1) member of the general public appointed by and to serve at the pleasure of *I Maga'hågan Guåhan*, with a Bachelor's degree or higher and a background in the education field for a minimum of fifteen (15) years. **SOURCE:** Added by P.L. 30-176:2 (July 16, 2010). Subsection (g) amended by P.L. 35-029:2 (July 19, 2019).

§ 12104. Process for Filing Charter Petitions.

(a) Existing public school. An eligible applicant seeking to convert a public school into an Academy Charter School:

(1) shall prepare a petition to establish an Academy Charter School that meets the requirements of § 12105 of this Chapter;

(2) shall provide a copy of the petition to:

(A) the parents and guardians of minor students attending the existing public school;

(B) adult students attending the existing public school;

(C) employees of the existing public school;

(D) parents and guardians of minor students who attend the school grade immediately lower than the first school grade which is served by the public school which is the subject of the conversion petition; and

(E) each Mayor which represents an area within the attendance area of the public school which is the subject of the conversion petition; and

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(3) shall file the petition with the Council for approval after the petition:

(A) is signed by not less than sixty percent (60%) of the sum of:

(i) the total number of parents and guardians of minor students attending the public school; and

(ii) the total number of adult students attending the public school; and

(iii) the total number of full-time teachers currently assigned to the public school.

(B) New School. An eligible applicant seeking to establish an Academy Charter School, but not converting an existing public school, shall file with the Council for approval a petition to establish an Academy Charter School that meets the requirements of § 12105 of this Chapter.

(C) Limitations on multiple petitions. An eligible applicant may not file more than one (1) petition to establish an Academy Charter School during a calendar year.

(D) A petition to establish an Academy Charter School, or to convert a public school, is a public document.

§ 12105. Contents of Petition.

A petition under § 12104 of this Chapter to establish an Academy Charter School shall include the following:

(a) a statement defining the mission and goals of the proposed Academy Charter School and the manner in which the Academy Charter School will conduct any district-wide assessments required by the Department of Education;

(b) a statement of the need for the proposed Academy Charter School;

(c) a description of the proposed instructional goals and methods for the proposed Academy Charter School,

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

which shall include, at a minimum:

(1) the area of focus of the proposed Academy Charter School, such as mathematics, science, the fine arts, language, technology, agriculture, vocational training, Chamorro language immersion program, high school academy, information technology or criminal justice, if the Academy Charter School will have such a focus;

(2) the methods that will be used, including classroom technology, to provide students with the knowledge, proficiency, and skills needed:

(A) to become nationally and internationally competitive students and educated individuals in the Twenty First (21st) century; and

(B) to perform competitively on any district-wide assessments; and

(3) the methods that will be used to improve student self-motivation, classroom instruction, and learning for all students;

(d) a description of the scope and size of the proposed Academy Charter School's program that will enable students to successfully achieve the goals established by the Academy Charter School, including, the grade levels to be served by the Academy Charter School and the projected and maximum enrollment of each grade level;

(e) a description of the plan for evaluating student academic achievement at the proposed Academy Charter School and the procedures for remedial action that will be used by the Academy Charter School when the academic achievement of a student falls below the expectations of the Academy Charter School;

(f) an operating budget for the first two (2) years of the proposed Academy Charter School that is based on anticipated enrollment;

(g) a description of the proposed rules and policies for

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

governance and operation of the proposed Academy Charter School;

(h) a description of the method for conducting annual audits of the financial, administrative, and programmatic operations of the proposed Academy Charter School;

(i) an identification of a facility for the proposed Academy Charter School, including a description of the site where the school will be located;

(j) the names and addresses of the members of the proposed interim Board of Trustees and the procedures for selecting trustees:

(k) a description of the student enrollment, admission process, suspension, expulsion, and other disciplinary policies and procedures of the proposed Academy Charter School, and the criteria for making decisions in such areas;

(l) a description of the procedures the proposed Academy Charter School plans to follow to ensure the health and safety of students, employees, and guests of the school and to comply with applicable health and safety laws, and all applicable civil rights statutes and regulations of the Federal Government and the government of Guam;

(m) an explanation of the qualifications that will be required of employees of the proposed Academy Charter School;

(n) a description of how parents, guardians, teachers, and other members of the community have been involved in the design and will continue to be involved in the implementation of the proposed Academy Charter School:

(o) a description of how parents, guardians, teachers and staff will be provided an orientation and other training to ensure their effective participation in the operation of the proposed Academy Charter School;

(p) an assurance the proposed Academy Charter School will seek, obtain, and maintain accreditation from an accrediting body deemed appropriate by the Council;

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(q) an explanation of the relationship that will exist between the Academy Charter School and the school's employees; and

(r) a description of how the proposed Academy Charter School plans to meet the transportation and food service needs of its students; and

(s) a description of the facilities the Academy Charter School plans to use.

§ 12106. Process for Approving or Denying Charter School Petitions.

(a) Schedule. An eligible applicant seeking to establish an Academy Charter School *shall* submit a petition pursuant to § 12105 of this Chapter to the Council no later than the first Monday of August. However, it is recommended that an eligible applicant consult with the Council prior to submitting the petition. All petitions submitted no later than the first Monday in August *shall* be for the following school year. The deadline to submit a petition to establish a non-converted public school into an Academy Charter School or convert a public elementary school into an Academy Charter School for the School Year 2010-2011 *shall* be March 8, 2010.

(b) Public Hearing. Not later than forty-five (45) days after a petition to establish an Academy Charter School is filed with the Council, the Council shall hold a public hearing on the petition to gather the information that is necessary for the Council to make the decision to approve or deny the petition.

(c) Notice. Ten (10) days before the scheduled time of the public hearing on a petition to establish an Academy Charter School, the Council shall:

(1) send a written notification of the public hearing to the eligible applicant;

(2) post notice of the public hearing at a place convenient to the public in the administrative office, cafeteria, and the classrooms of the public school which is subject to be converted into an Academy Charter School;

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(3) post notice of the public hearing at a place convenient to the public in the administrative office, cafeteria and the classrooms of the public school which is school grade lower than the first school grade which is served by the public school which is subject to conversion; and

(4) post notice of the public hearing at a place convenient to the public in the Mayor's office which represents an area within the attendance area of the public school which is the subject of the conversion petition.

(d) The Council shall approve a petition to establish an Academy Charter School, if:

(1) the Council determines that the petition satisfies the requirements of this Chapter;

(2) the eligible applicant who filed the petition agrees to satisfy any condition or requirement, consistent with this Chapter and other applicable law that is set forth in writing by the Council as an amendment to the petition;

(3) the Council determines that the Academy Charter School has the ability to meet the educational objectives outlined in the petition; and

(4) the approval will not cause the Council to exceed a limit under subsection (g) of this Section.

(e) The Council shall approve or deny a petition to establish an Academy Charter School not later than sixty (60) days after the conclusion of the public hearing on the petition.

(f) Denial explanation. Written notice of the Council's action shall be sent to the eligible applicant. If the petition is not approved, the reasons for the denial and suggested remedial measures, if any, shall be clearly stated in the notice sent by the Council to the eligible applicant. If the petition is not approved, the eligible applicant may amend the petition to address objections and any suggested remedial measures and resubmit the petition to the Council. The Council shall approve or disapprove the resubmitted petition within twenty (20) days after receiving it. If the petition is not approved, the eligible applicant

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

may appeal the decision of the Council to the Appeals Board.

(g) The total number of Academy Charter Schools operating on Guam under this Chapter at any one (1) time *shall not* exceed seven (7). At least two (2) Academy Charter Schools *shall* be an elementary school; at least one (1) Academy Charter School *shall* be a middle school; and, at least one (1) Academy Charter School *shall* be a high school. An Academy Charter School applicant *shall* submit a written request to the Superintendent or the Guam Education Board to determine whether an available or suitable facility exists within the Department before the applicant submits its application to the Council. If a response is not provided within thirty (30) days of receipt of the request, the applicant *may* submit its application without said determination to the Council. **SOURCE:** Subsection (a) amended by P.L. 30-091:1 (Feb. 8, 2010) amended by P.L. 35-029:2 (July 19, 2019). Subsections (a), (e) and (f) amended by P.L. 30-176:3,4,5, respectively, (July 16, 2010). Subsection (g) amended by P.L. 35-028:2 (July 19, 2019).

§ 12107. Duties and Powers, and other Requirements, of Charter Schools.

(a) An Academy Charter School shall comply with all of the terms and provisions of its Charter.

(b) An Academy Charter School shall be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race creed, color, gender, national origin, religion, ancestry or need for special education services.

(c) Each power conferred upon an Academy Charter School under this Chapter can only be used for the sole purpose of operating the Academy Charter School. An Academy Charter school shall have the following powers:

(1) to adopt a name and corporate seal, but only if the name selected includes the words “Academy Charter School”;

(2) to acquire real property for use as the Academy Charter School's facilities, from public or private sources,

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

but Academy Charter Schools shall not have the power to acquire property by eminent domain;

(3) to receive and disburse funds for Academy Charter School purposes;

(4) to secure appropriate insurance and to make contracts and leases, including agreements to procure or purchase services, equipment, and supplies subject to Chapter 5, Title 5, Guam Code Annotated;

(5) to incur debt in reasonable anticipation of the receipt of funds from the general fund of the government of Guam or the receipt of Federal or private funds;

(6) to solicit and accept any grants or gifts for the Academy Charter School's purposes, if the Academy Charter School:

(A) Does not accept any grants or gifts subject to any condition contrary to law or contrary to its Charter; and

(B) Maintains, for financial reporting purposes, separate accounts for grants or gifts;

(7) to be responsible for the Academy Charter School's operation, including preparation of a budget and personnel matters; and

(8) to sue and be sued in the Academy Charter School's own name.

(d) An Academy Charter School shall not charge an application fee and tuition.

(e) An Academy Charter School may impose reasonable fees or otherwise require payment, at rates established by the Trustees of the school, for any field trips or similar activities not funded in whole or part through appropriation by *I Liheslaturan Guåhan*.

(f) An Academy Charter School shall exercise control over its expenditures subject to Chapter 5, Title 5, Guam Code Annotated, and over administration, personnel, and instructional

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

methods independent of the Guam Department of Education, within the limitations imposed in this Chapter.

(g) An Academy Charter School shall be exempt from Guam Department of Education policies, rules, regulations, and collective bargaining agreements, except as otherwise provided in the Academy's Charter or this Chapter.

(h) An Academy Charter School shall comply with all federal and Guam health and safety requirements applicable to public schools.

(i) An Academy Charter School shall be governed by the Trustees in a manner consistent with the Charter granted to the school and the provisions of this Chapter.

(j) No employee of the Department of Education shall be required to accept employment with, or be assigned to, an Academy Charter School.

(k) No student enrolled in a public school shall be required to attend an Academy Charter School:

(l) An Academy Charter School shall not levy taxes or issue bonds.

(m) An Academy Charter School seeking to revise its Charter shall prepare a petition for approval of the revision and file the petition with the Council. The provisions of § 12105 of this Chapter shall apply to such a petition in the same manner as such provisions apply to a petition to establish an Academy Charter School.

(n) An Academy Charter School *shall* submit an annual report no later than thirty (30) days after the end of the fiscal year to the Council, *I Liheslaturan Guåhan*, and *I Maga'hågan Guåhan*. The Academy Charter School shall permit the public to review any such report upon request. A report *shall* include the following data: (1) a report on the extent to which the school is meeting its mission and goals as stated in the petition for the Academy Charter School;

(2) student performance on any district-wide assessments;

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(3) grade advancement for students enrolled in the Academy Charter School;

(4) graduation rates, college admission test scores, and college admission rates, if applicable;

(5) types and amounts of parental involvement;

(6) official student enrollment;

(7) average daily attendance;

(8) annual financial audit and subsequent fiscal year annual financial audits, and a financial statement audited by the Public Auditor, pursuant to § 1908, Chapter 19, Title 1, Guam Code Annotated, under Subsection (z) of this Chapter.

(9) a report on school staff indicating the qualifications and responsibilities of such staff; and

(10) a list of all donors and grantors that have contributed monetary or in-kind donations having a value equal to or exceeding Five Hundred Dollars (\$500) during the year that is the subject of the report.

(11) Data described in items (1) through (8) of this Subsection shall not identify the individuals to whom the data pertain.

(o) An Academy Charter School shall provide to the Department of Education student enrollment data.

(p) An Academy Charter School shall establish a formal complaint resolution process.

(q) An Academy Charter School shall provide a program of education, which shall include any grade or grades from kindergarten through grade twelve (12).

(r) An Academy Charter School shall be nonsectarian and shall not be affiliated with a sectarian school or religious institution.

(s) An Academy Charter School shall not be home based.

(t) An Academy Charter School shall not be converted from

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

any existing private or parochial school.

(u) An Academy Charter School *shall* initiate the process for accreditation within the first one hundred twenty (120) days of opening and attain accreditation within six (6) years of opening.

(v) An Academy Charter School shall not hire a for-profit management company to operate the school.

(w) An Academy Charter School shall provide instruction each year for at least the same number of days required of the Department of Education.

(x) An Academy Charter School, and its incorporators, Trustees, officers, employees, and volunteers, shall be immune from civil liability, both personally and professionally, for any act or omission within the scope of their official duties unless the act or omission:

- (1) constitutes gross negligence;
- (2) constitutes an intentional tort; or
- (3) is criminal in nature.

(y) Upon termination of the Charter, all assets of the Academy Charter School shall revert to the Department of Education.

(z) Pursuant to § 1908, Chapter 19, Title 1, Guam Code Annotated, the Public Auditor is authorized to supervise audits, or at the Public Auditor's discretion, exercise his or her authority to make the selection of the auditing firm or organization, and the scope of audit; and the audits are to be at the cost of the charter school, which said costs *shall* be included in its annual budget.

SOURCE: Subsection (n) amended by P.L. 31-233:XII:29 (Sept. 7, 2012), amended by P.L. 35-029:4 (July 19, 2019). Subsection (n)(8) amended by P.L. 35-029:4 (July 19, 2019). Subsection (c)(4) amended by P.L. 32-125:1 (Feb. 10, 2014). Subsection (f) amended by P.L. 32-125:2 (Feb. 10, 2014). Subsection (g) amended by P.L. 32-125:3 (Feb. 10, 2014). Subsection (u) amended by by P.L. 35-029:4 (July 19, 2019). Subsection (z) added by P.L. 35-030:2 (July 19, 2019).

§ 12108. Board of Trustees of a Charter School.

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(a) There is established the Board of Trustees. The Trustees of an Academy Charter School *shall* be elected or selected pursuant to the Charter granted to the Academy Charter School. The Board of Trustees *shall* consist of not less than five (5) members and not more than nine (9) members. At least one (1) member *shall* be a parent or guardian of a student attending the Academy Charter School. At least one (1) member *shall* be from the general public with an accounting or finance background. The Principal of the Academy Charter School *shall* be a non-voting member. Employees of any Academy Charter School *shall* not serve as voting members on any Board of Trustees..

(b) In the case of the first Trustees of an Academy Charter School to be elected or selected after the date on which the school is granted a Charter, the election or selection of the members under subsection (a) of this Section shall occur on the earliest practicable date after classes at the school have commenced. Until such date, any other members who have been elected or selected shall serve as interim Trustees. Such an interim Board of Trustees may exercise all of the powers, and shall be subject to all of the duties, of a Board of Trustees.

(c) The Trustees of an Academy Charter School shall be fiduciaries of the school and shall set overall policy for the school. The Trustees may make final decisions on matters related to the operation of the school, consistent with the Charter granted to the school, this Chapter, and other applicable law.

(d) Meetings held by the Board of Trustees shall be in compliance with the Open Government Law of Guam.

SOURCE: Added by P.L. 29-140:1 (Jan. 30, 2009). Subsection (a) amended by P.L. 35-029:5 (July 19, 2019).

§ 12109. Academy Charter Schools; Admission Requirements.

(a) An Academy Charter School shall enroll all students who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. An Academy Charter School shall give enrollment preference to students returning to the Academy Charter School

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

in the second or any subsequent year of its operation and to siblings of students already enrolled in the Academy Charter School. If capacity is insufficient to enroll all students who submit a timely application, the Academy Charter School shall select students through an equitable selection process such as a lottery. A public school converted to an Academy Charter school shall give enrollment preference to students attending the public school prior to conversion and students who reside within the former attendance zone of that converted public school.

(b) Except as provided in subsection (c), an Academy Charter School shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability.

(c) An Academy Charter School may limit admission to students within a given age group or grade level.

(d) An Academy Charter School may refuse to admit any student who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.

(e) For schools preparing students for specific professions, admissions may be limited to students who meet Bona Fide Occupational Qualifications (BFOQ) selection criteria for the profession. the profession exists in an equivalent government position, the admissions criteria may be based on the government of Gum's employment selection criteria.

§ 12110. Employees.

(a) An employee of an Academy Charter School who transferred from the Department of Education shall be considered to be on three (3) years leave of absence from the Department of Education. The leave of absence shall commence on the initial date of employment at the Charter School. Upon request of the employee, the three (3) years leave of absence shall be renewed for up to two (2) additional one (1)-year periods, absent good cause.

(b) The time during which an employee is on a leave of absence shall be counted for service credit on the Department of

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

Education's salary schedule.

(c) During the period of time that an employee is on a leave of absence from the Department of Education and is actively employed by the Charter School, the Academy Charter School as the employer shall continue the retirement or other benefits previously granted to the employee make applicable retirement contributions.

(d) A leave of absence shall not be considered a break in service with the Department of Education with which and employee was previously employed.

(e) An employee who is on leave of absence and actively teaching at an Academy Charter School and who submits a notice of intent to return to a public school in which the employee was employed immediately prior to employment in the Charter School shall be given employment preference by the Department of Education if:

(1) the employee's notice of intent to return is submitted to the Department of Education within three (3) years after ceasing employment with the Department of Education; and

(2) if the employee is a teacher, a position for which the teacher is certified or is qualified to become certified is available. If the employee is not a teacher, a position for which the employee is qualified is available.

(f) An employee who is on leave of absence and employed by an Academy Charter school and is discharged or terminated for just cause by the Academy Charter School may be considered discharged or terminated by the Department of Education.

§ 12111. Guam Academy Charter Schools Council; Membership; Terms; Compensation.

(a) There is established the Guam Academy Charter Schools Council. The Council *shall* consist of seven (7) voting members, and *shall* include:

(1) one (1) retired teacher;

(2) one (1) retired school administrator;

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(3) two (2) members with accounting or finance background; and

(4) three (3) members from the general public.

(b) Members shall be appointed by *I Maga'hâgan Guåhan*, subject to confirmation by *I Liheslaturan Guåhan*. Members shall serve a term of three (3) years.

(c) The Council shall each year elect a chairman and other officers as it deems necessary among its membership.

(d) Members of the Council *shall* be paid Fifty Dollars (\$50) per meeting, not to exceed One Hundred Fifty Dollars (\$150) per month.

(e) Clerical and administrative support shall be provided by the Guam Certification Office.

(f) The Council shall utilize the Office of the Attorney General of Guam as its legal counsel, unless the Attorney General, in writing, authorizes the Council to utilize private counsel.

(g) Four (4) members *shall* constitute a quorum.

(h) No member of the Council *shall* be an employee of a Guam Academy Charter School, to include any member sitting on the Board of Trustees.

SOURCE: Subsection (e) amended by P.L. 30-176:6 (July 16, 2010). Subsection (f) added by P.L. 30-176:7 (July 16, 2010). Amended by P.L. 31-233:XII:30 (Sept. 7, 2012). Subsections (a), (b), and (d) amended by P.L. 35-029:6 (July 19, 2019). Subsections (g) and (h) added by P.L. 35-029:6 (July 19, 2019).

§ 12112. Powers and Duties of the Guam Academy Charter School Council.

(a) The Council:

(1) may grant Academy School Charter status to qualifying applicants pursuant to this Chapter;

(2) shall monitor the operations of each Academy Charter School;

(3) shall monitor that each such Academy Charter

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

School complies with applicable laws and the provisions of the charter granted to such school;

(4) shall monitor the progress of each school in meeting student academic achievement expectations specified in the charter granted to such Academy Charter School; and

(5) shall monitor that each Academy Charter School complies with the annual reporting requirements, including, submission of the audited financial statement.

(b) The Council may require an Academy Charter School to produce any book, record, paper, or document, if the Council determines that such production is necessary for the Council to carry out its functions under this Chapter.

(c) The Council shall charge an eligible applicant or an Academy Charter School a non-refundable application or renewal fee of Five Hundred Dollars (\$500). All such application or renewal fees shall be deposited to the Guam Academy Charter School Fund.

(d) The Council shall be immune from civil liability, both personally and professionally, for any act or omission within the scope of their official duties unless the act or omission:

- (1) constitutes gross negligence;
- (2) constitutes an intentional tort; or
- (3) is criminal in nature.

(e) Meetings held by the Council shall be in compliance with the Open Government Law of Guam.

(f) The Council shall promulgate Administrative Rules and Regulations consistent with the provisions of Title 5, GCA, Chapter 9. Such Rules and Regulations may be revised as needed consistent with the provisions of Title 5, GCA, Chapter 9.

SOURCE: Subsections (a)(3), (a)(5) amended by P.L. 30-176:8, 9, respectively, (July 16, 2010). Subsection (f) added by P.L. 30-176:10 (July 16, 2010).

§ 12113. Academy Charter School Initial Term and Renewal.

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(a) A Charter granted to an Academy Charter School *shall* remain in force for a six (6) year period, unless revoked as authorized in § 12114 of this Chapter.

(b) A Charter may be renewed an unlimited number of times, each time for a six (6) year period.

(c) The Council shall review a Charter at least once every year to determine whether the Charter should be revoked for the reasons described § 12115 of this Chapter in accordance with the procedures for revocation established under § 12115 of this Chapter.

(d) In the case of an Academy Charter School that desires to renew its charter, the Trustees of the school shall file an application to renew the charter with the Council not later than one hundred twenty (120) days nor earlier than three hundred sixty-five (365) days before the expiration of the charter. The application shall contain the following:

(1) a report on the progress of the Academy Charter School in achieving the goals, student academic achievement expectations, and other terms of the approved Charter; and

(2) all audited financial statements for the Academy Charter School for the preceding four (4) years, if applicable.

(e) The Council shall approve an application to renew the Charter that is filed in accordance with subsection (b) of this Section, except that the Council shall not approve such application if the Council determines that:

(1) the Academy Charter School committed a material violation of applicable laws or a material violation of the conditions, terms, standards, or procedures set forth in its Charter, including violations relating to the education of children with disabilities; or

(2) the Academy Charter School failed to meet the goals and student academic achievement expectations set forth in its Charter.

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

(3) the Academy Charter School failed to attain a minimum of candidacy status towards its accreditation.

(f) In an application to renew a Charter filed by the Trustees in accordance with this Chapter, the Council shall provide written notice to the Trustees of the public hearing on the application not later than fifteen (15) days after the date on which the Council received the application.

(g) Not later than thirty (30) days after the date on which the Trustees receive a notice under subsection (e) of this Section, the Trustees may request, in writing, a public hearing on the application before the Council.

(h) Upon receiving a timely written request for a public hearing under subsection (f) of this Section, the Council shall set a date and time for the public hearing and shall provide notice of the date and time, as well as the procedures to be followed at the public hearing, to the Trustees.

(i) A public hearing under this subsection shall take place not later than thirty (30) days after the Council receives a timely written request for the public hearing under subsection (f) of this Section.

(j) The Council shall render a final decision, in writing, on an application to renew a Charter not later than thirty (30) days after the date on which the public hearing is concluded.

(k) A decision not to renew the Charter of an Academy Charter School may be appealed to the Appeals Board as described by § 12115 of this Chapter.

SOURCE: Subsections (a), (k) amended by P.L. 30-176:11,12, respectively, (July 16, 2010). Subsections (a) amended by P.L. 35-030:3 (July 19, 2019). Subsection (b) amended by P.L. 35-030:4 (July 19, 2019). Subsection (e)(3) added by P.L. 35-030:7 (July 19, 2019).

§ 12114. Basis and Procedures for Academy Charter School Probation or Revocation.

(a) The Council *shall* place an Academy Charter School on probation or revoke the Academy Charter School's Charter if the Council determines that the Academy Charter School:

(1) committed a violation of applicable law or material

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

violation of the conditions, terms, standards, or. procedures set forth in the Charter, including violations relating to the education of children with disabilities;

(2) has failed to meet the goals and student academic achievement expectations set forth in the Charter;

(3) has engaged in a pattern of non-adherence to generally accepted accounting principles;

(4) has engaged in a pattern of fiscal mismanagement;
or

(5) is no longer economically viable.

(6) has failed to maintain or attain a minimum of candidacy accreditation.

(b) Procedures for consideration of probation or revocation:

(1) The Council shall provide to the Trustees a written notice stating the reasons for the probation of the Academy Charter School or the revocation of the Academy Charter School's Charter. The notice shall inform the Trustees of the right to have a public hearing.

(2) Not later than fifteen (15) days after the date on which the Trustees receives a notice under (b)(1) of this Section, the Trustees may request, in writing, a public hearing on the probation of the Charter School or the revocation of the Academy Charter School's Charter before the Council.

(3) Upon receiving a timely written request for a public hearing under this Section, the Council shall set a date and time for the public hearing and shall provide reasonable notice of the date and time, as well as the procedures to be followed at the public hearing, to the Trustees.

(4) A public hearing under this Section shall take place not later than thirty (30) days upon written request for a public hearing under this subsection.

(c) The Council shall render a final decision no later than thirty (30) days after the conclusion of the public hearing. The vote of two-thirds (2/3) of all the members of the Council shall

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

be required to revoke the Charter.

(d) The Council *may* place an Academy Charter School on probation, rather than revoke its Charter, in order to allow for the implementation of a remedial plan approved by the Council. If after *no more than* one hundred eighty (180) days, or such longer period as the Council may specify, said plan is unsuccessful in remedying the problem or alleviating the causes of the probation, the Council *shall* revoke the Charter.

(e) If the Council revokes a charter granted to an Academy Charter School, the Department of Education shall manage the Academy Charter School directly until alternative arrangements can be made for students at the Academy Charter School.

(f) If the Academy Charter School's Charter is revoked, the Trustees may appeal the decision of the Council to the Appeals Board.

SOURCE: Subsection (f) amended by P.L. 30-176:13 (July 16, 2010). Subsection (a) amended by P.L. 35-030:5 (July 19, 2019). Subsection (a)(6) added by P.L. 35-030:8 (July 19, 2019). Subsection (d) amended by P.L. 35-030:6 (July 19, 2019).

§ 12115. Appeal Process.

(a) The Appeals Board, upon receipt of a notice of appeal, shall review the decision of the Council.

(b) An eligible applicant or the Trustees of an Academy Charter School that wishes to appeal a decision of the Council concerning the denial, nonrenewal or revocation of an Academy Charter School shall provide the Appeals Board with a notice of appeal within thirty (30) days after the Council's decision. The eligible applicant or Trustees of the Charter School bringing the appeal shall limit the grounds of the appeal to the grounds for denial, nonrenewal or revocation specified by the Council. The notice shall include a brief statement of the reasons the eligible applicant or Trustees contends the Council's decision was in error. Within thirty (30) days after receipt of the notice of appeal, the Appeals Board shall hold a public hearing that may be held in the school district in which the proposed Academy Charter School has applied for or at the current location of the Academy Charter School. The Appeals Board shall review the decision of

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

the Council and make its findings within ten (10) days after the completion of the public hearing. If the Appeals Board finds that the Council's decision was contrary to the best interests of the students, or community, the Appeals Board shall reverse the decision of the Council. The decision of the Appeals Board shall be final and not subject to appeal.

SOURCE: Amended by P.L. 30-176:14 (July 16, 2010).

§ 12116. Funding.

(a) The Trustees, in consultation with teachers and administrators, shall determine the school's curriculum and develop the school's annual budget. The Trustees of each Charter School shall submit to the Council a copy of its budget for each fiscal year.

(b) The Council *shall* submit, on a timely basis, the budgets of Academy Charter Schools and their respective enrollment data, to include the origin of each student, to *I Liheslaturan Guåhan* by June 15 of each year.

(c) The amount approved by *I Liheslaturan Guåhan* for the operation of each Academy Charter School *shall* be available for expenditure by the Trustees of such Charter School for any lawful purpose. In no case *shall* an Academy Charter School expend or incur obligations in excess of its approved budget; provided, however, that an Academy Charter School *shall* be authorized to spend federal grants and other funds received not accounted for in said Charter School's approved budget. The government of Guam will not subsidize any indebtedness accrued by the Charter Schools if the approved budget by the Charter School's Board of Trustees exceeds the appropriation amount set forth by *I Liheslatura* (the Legislature).

(d) Notwithstanding any other provision of this Chapter, no capital improvement funds *shall* be awarded to a non-converted public school for the purpose of constructing said school, with the exception of constructing temporary structures that can be removed and reverted to the government of Guam, with the approval of the Council.

(e) Academy Charter Schools *shall* be funded as follows: the Charter School *shall* receive a tuition amount from the

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

General Fund equal to the number of students enrolled at the Charter School for the upcoming school year, multiplied by the per pupil cost. The Department of Administration is hereby authorized and directed to deposit said Charter School approved amount from the General Fund appropriation to the Guam Academy Charter School Fund.

(f) All Fiscal Year 2019 funds appropriated to the Charter School *may* be used to pay prior year obligations.

SOURCE: Subsection (b) amended by P.L. 30-176:15 (July 16, 2010).
Subsections (b), (c), (d), (e) and (f) amended by P.L. 35-029:7 (July 19, 2019).

§ 12117. Transportation.

Students attending an Academy Charter School shall be provided transportation to the Charter School by the Department of Public Works on the same terms and conditions as transportation is provided to children attending other public schools. In providing such transportation, the Department of Public Works shall accommodate the particular school day and school year of the Charter School; provided, however, that in the event that the Department of Public Works limits transportation for public school students, the Department of Public Works shall not be required to provide transportation to any Academy Charter School beyond said limitations.

§ 12118. Academic Credits; Transfer.

If a student who was previously enrolled in an Academy Charter School enrolls in a public school, the public school shall accept credits earned by the student in courses or instructional programs at the Academy Charter School in a uniform and consistent manner and according to the same criteria that are used to accept academic credits from other public schools. This reciprocity of acceptance for transfers of academic credits shall apply to students previously enrolled in a public school who enroll in an Academy Charter School, and students previously enrolled in an Academy Charter School who enroll in another Academy Charter School.

SOURCE: Amended by P.L. 30-176:16 (July 16, 2010).

§ 12119. Guam Academy Charter School Fund.

17 GCA EDUCATION
CH. 12 GUAM ACADEMY CHARTER SCHOOLS ACT OF 2009

There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the “Guam Academy Charter School Fund (Fund).” The Fund *shall not* be commingled with any other fund, and *shall* be kept in a separate bank account and administered by the Department of Administration for the operations of Guam Academy Charter Schools. The Guam Academy Charter School Council *shall* make quarterly reports of expenditures from the Fund and transmit said reports to *I Liheslaturan Guåhan* and the Office of Public Accountability.

SOURCE: Added by P.L. 29-140:1 (Jan. 30, 2009). Amended by P.L. 35-029:8 (July 19, 2019).

COMMENT: Reference to Office of Public Auditor changed to Office of Public Accountability pursuant to P.L. 30-027:2 (June 16, 2009).

§ 12120. [Untitled Section]. [Repealed.]

SOURCE: Repealed by P.L. 30-176:17 (July 16, 2010).

§ 12121. [Untitled Section].

The Guam Academy Charter Schools Council shall recommend changes to this Act to *I Liheslatura* within thirty (30) days of its first meeting at which a quorum is present.



THE OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Education, Air Transportation, and Statistics, Research and Planning convened a public hearing on Friday, June 19, 2020 at 5:00 PM in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of the appointment of Jeanette R. Yamashita to serve as a Member (Retired School Administrator Representative) of the Guam Academy Charter Schools, and whose appointment history is as follows:

- Appointed by *I Maga'hågan Guåhan* on **February 11, 2020**, for **three (3) years; December 30, 2019 to December 29, 2022**, to fill the expired term of Ansito Walter;
- Appointment packet forwarded to *I Liheslatura* on **February 11, 2020**;
- Appointment packet forwarded to this committee for public consideration on **February 17, 2020**.

Public Notice Requirements

Notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on Thursday, June 11, 2020 (5-Day Notice), and again on Tuesday, June 16, 2020 (48-Hour Notice).

Senators Present

Senator Telena Cruz Nelson, Chairperson

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at 5:01 PM.

Vice Speaker Telena C. Nelson:

Now, we'll proceed to our next nominee, Mrs. Jeanette Yamashita, and we have with us today, Mr. Bill Cundiff, to give testimony on behalf of Mrs. Yamashita. So, Mr. Cundiff, would you like to proceed? You just need to unmute, sir?

Bill Cundiff:

There you are, is that okay now? Thank you.

My name is Bill Cundiff and I'm here in to testify come for the appointment of Jeanette Yamashita to the School Board of Charter, school board that is. It's an honor to be in front of you today and all the Senators to provide my testimony.

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910

Phone: (671) 989-7696/4678 **Email:** senatortcnelson@guamlegislature.org

I'm currently unemployed and my biggest job right now is to assist the veterans. Now, I am the Minority Council Committee at the VA. Right now, representing all the minority veterans in the Pacific during typhoon Katrina.

Mr. Michael Brown was appointed as the Chairman for FEMA prior to that, Mr. Brown was a lawyer and he was also the President of the Horse Association (International Arabian Horse Association). So, he did a good job as the President of the Horse Association. President Bush appointed (**inaudible**) and the people of New Orleans were very dissatisfied with his performance and they demanded that he step down. So, he was recalled by Homeland Security Director and requested that he's down and he did and the people requested that he stepped down because he's very incompetent doing his job. He wasn't getting the resources. The people were suffering, this is a clear example of the Peter Principle.

The Peter Principle of incompetency or people promote themselves into incompetency in any organization. Any organization it is very important that competency of the people they're selecting company of the people that are hiring or closely scrutinized. We must understand the educational back, front of those individuals must look at their (**inaudible**)...

I have known Jan Yamashita for the longest time. In fact, she's a member of the prestigious group called the (**inaudible**)...

One of the folks who have been together since eighth grade and Jan is providing leadership for us for the longest time. So, whoever appointed Jan or recommended Jan for this job did the right thing. That person scrutinized Jan's background. Jan is smart, very aggressive at getting things done. She is very educated. She has experience and she has the skills and definitely be the person to be a great board member for the charter school.

This is so important that we understand we've looked around our community, a lot of people were appointed to positions that sometimes we say how did that individual get there. So, I support Jan, she has all these experiences, a smart person just been in the educational system forever and she comes from a very smart family; who are into education. So, with all that Jan is the right fit again she is the right fit for this job and I support her and I think she's be a shoe-in. Thank you.

Vice Speaker Telena C. Nelson:

Thank you, Mr. Cundiff. Mrs. Yamashita, would you like to give your testimony now?

Jeanette Yamashita (Nominee):

Can you hear me now?

Vice Speaker Telena C. Nelson:

Yes.

Jeanette Yamashita (Nominee):

Okay, before I do that, Mr. Cundiff, I'm so humbled in your confidence in me. Thank you so much for that wonderful recommendation so, thank you very much for that, I'm very humbled.

Honorable Speaker Tina Rose Muña Barnes, Honorable Vice Speaker Telena Nelson and Senators of the 35th Guam Legislature. A wonderful Håfa adai to all of you.

Please see attached testimony.

Vice Speaker Telena C. Nelson:

Thank you, Mrs. Yamashita. We do have some challenges with our charter school and charter schools and one of them is being able to pay local business that have already provided service and materials to specific schools. How will you advocate to ensure that payments is made to these businesses?

You're going to have to unmute yourself again.

Jeanette Yamashita (Nominee):

Whether it was formally secured or someone just decided to do an oral agreement. Why the procurement won't go through to the vendors. We need to really examine what happened that there seems to be a hold and a lot of that will require for the council to dialogue with the Department of Administration, who handles the release of funds. We also need to sit down with the leaders at each of the charter schools and maybe the Board of Trustees to find out really what we can do to help make sure that funding is provided to the charter schools. As you know the charter schools depend greatly on funding and we thought that fund finding is going to be very difficult for them to succeed in their goals and objectives and their mission.

Vice Speaker Telena C. Nelson:

Thank you. How will the charter schools or how will the council address the impact of COVID-19 in response to the charter schools operations and providing curriculum for the students that will be attending.

You have to unmute it.

Jeanette Yamashita (Nominee):

I know that at least one (1) of the charter schools, I think iLearn has iPads for all their students with data already encrypted in there. I do know that none of the charter schools except career-tech because they're not fully established although they've been approved by the council.

No employee lost their job, everybody got paid. It's just that there was a shutdown for them but I do know that they continue to provide some activities well, everybody was at stay at home. So, that is something that I think we should say we're very proud of the charter schools continuing to provide for the students there but I would like to keep a close eye on how the funding is being used and if it's being used appropriately towards the goals and mission of the charter schools and what processes are they using to make sure that the money is used wisely and so, that when we go to the legislature, there's no kinks and no questions as to misuse or abuse of public funding.

Vice Speaker Telena C. Nelson:

Thank you, Mrs. Yamashita. Just so you know that we are having informational hearings coming up with the Guam Department of Education and also, we will be scheduling one (1) with the Charter School Council to see how we evolve from this global pandemic and how do we welcome our students back into the schools and how we balance it with the certain safety precautions.

I'd like to thank you for accepting this nomination Mrs. Yamashita, Mrs. Angel and Mr. Lee, thank you very much. Education is a very, very important part of a child's life even as an adult. We must always pursue knowledge and I'd thank you for really stepping up to this call – to this call to serve the people and to serve the children of Guam in this form.

It is an honor to have you here at this confirmation hearing and I would like to endorse my support for all of you now and so, thank you very much and hopefully we look forward to confirming all of you in our upcoming session. Okay, thank you.

The time is now 5:52 P.M. The Committee will continue to accept written testimony for the next ten (10) working days. Testimonies may be sent via email to senatortcnelson@guamlegislature.org or delivered to the Office of the Vice Speaker Telena Nelson of Suite 202A, 173 Aspinall Avenue, Hagatña Guam, 96910.

There were some other individuals that wanted to give oral testimony on some of your behalf, so, let them know if they want to submit their written testimony, can do it through this route, they have ten (10) working days to do so.

This concludes our confirmation hearing. It is now 5:53 P.M.

Thank you and God Bless You and Happy Father's Day to everyone. Have a great day. Thank you, all.

The public hearing was adjourned at 5:52 PM.

III. FINDINGS & RECOMMENDATIONS

The **Committee on Education, Air Transportation, and Statistics, Research and Planning** hereby reports on the appointment of **Jeanette R. Yamashita** to serve as a **Member (Retired School Administrator Representative)** of the **Guam Academy Charter Schools**, with the recommendation To Do Confirm.



THE OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, AIR TRANSPORTATION,
AND STATISTICS, RESEARCH, AND PLANNING

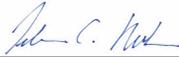
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN | 35th GUAM LEGISLATURE

COMMITTEE VOTE SHEET

Nomination of

Jeanette R. Yamashita

to serve as Member (Retired School Administrator Representative) to the Guam Academy
Charter Schools Council to serve of term of three (3) years; December 30, 2019 to
December 29, 2022 to fill the seat of Ansito Walter, whose term expired.

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Telena Cruz Nelson Chairperson		✓				
Senator Amanda L. Shelton Vice Chairperson on Education						
Senator Therese M. Terlaje Vice Chairperson						
Senator Tina Muña Barnes Member	e-vote	✓				
Senator Sabina Flores Perez Member						
Senator Clynton E. Ridgell Member	e-vote	✓				
Senator Mary Camacho Torres Member	e-vote	✓				

173 ASPINALL AVENUE, SUITE 202A ADA PLAZA CENTER HAGÁTÑA, GUAM 96910

Phone: (671) 989-7696/4678 Email: senatortcnelson@guamlegislature.org



RESCIND and REPLACE: Request for E-Vote for Ms. Jeanette R. Yamashita

6 messages

Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Wed, Jul 8, 2020 at 1:24 PM
To: Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Hon. Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Hon. Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Speaker Tina Muna Barnes <tinamunabarnes@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, "Senator Clynton E. Ridgell" <clyntridgell@guamlegislature.org>, "Mary C. Torres" <senatormary@guamlegislature.org>

Håfa Adai Committee Members,

Please see attached Committee Report for **Ms. Jeanette R. Yamashita** as a **Member (Retired School Administrator Representative)** to the **Guam Academy Charter Schools Council**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Ms. Jeanette R. Yamashita, which will be filed with the Committee on Rules.

--



The Office of Vice Speaker Telena Cruz Nelson

*Committee on Education, Air Transportation,
and Statistics, Research, and Planning*

I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org

Committee Report - Jeanette R. Yamashita_Guam Academy Charter Schools Council.pdf
11986K

Clynt Ridgell <clyntridgell@guamlegislature.org> Wed, Jul 8, 2020 at 2:17 PM
To: Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To confirm
[Quoted text hidden]

Senator Mary C. Torres <senatormary@guamlegislature.org> Wed, Jul 8, 2020 at 3:44 PM
To: Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To do confirm.

--

Office of Senator Mary Camacho Torres

Suite 807, DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
T: 475-6279 E:senatormary@guamlegislature.org
[Quoted text hidden]

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Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org> Fri, Jul 10, 2020 at 11:53 AM
To: Speaker's Office <speaker@guamlegislature.org>

Hafa Adai Speaker Barnes,

The Office of the Vice Speaker would like to address that the vote sheet for the committee report of Mrs. Jeanette Yamashita was sent to the wrong email address of the Speaker on July 09, 2020. Please see forwarded and attached the vote sheet and committee report for Mrs. Jeanette Yamashita. Kindly requesting your e vote.

[Quoted text hidden]

Committee Report - Jeanette R. Yamashita_Guam Academy Charter Schools Council.pdf
11986K

Speaker's Office <speaker@guamlegislature.org> Fri, Jul 10, 2020 at 1:19 PM
To: Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To adopt

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | [163 Chalan Santo Papa](http://163ChalanSantoPapa.com) | Hagatna, GU 96910
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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiatmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todú siha I kopian mensåhi. Si Yu'os ma'åse'.

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Speaker's Office <speaker@guamlegislature.org> Mon, Jul 13, 2020 at 2:46 PM
To: Office of Vice Speaker Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Rescind and replace vote - To do confirm

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