



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

August 4, 2011

31-11-783

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina Trantai-unu na Liheslaturan Guahan
155 Hesler Street
Hagåtña, Guam 96932

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 8/10/11
Time 2:15P
Received by [Signature]

Transmitted herewith is **Substitute Bill No. 257-31 (COR)**, "AN ACT TO APPROPRIATE FUNDS FOR THE OPERATIONS OF THE GUAM DEPARTMENT OF EDUCATION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2012, AND TO PROVIDE FOR THE EFFICIENT OPENING OF ALL SCHOOLS, INCLUDING F.Q. SANCHEZ ELEMENTARY SCHOOL, BY PROVIDING FINANCING FOR WORKING CAPITAL EXPENDITURES FOR THE 2011-2012 SCHOOL YEAR; AND FOR OTHER PURPOSES", which I signed into law on August 4, 2011 as **Public Law 31-75**.

As you are aware, the \$1,568,000 in Additional Rents (Insurance and Maintenance) for the newly built John F. Kennedy High School was not addressed in this bill. I am thankful *I Liheslaturan Guahan* publicly stated this funding will be addressed in Bill No. 145-31 (COR), "AN ACT MAKING BIENNIAL APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2012 AND FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS". Failure to authorize the funding for the Insurance and Maintenance component may result in a default of the Lease between GDOE (Lessee) and CAPFA (Lessor), but I am confident the Legislature will keep its promise and appropriate this money to the Department of Education.

Sincerely,

EDDIE BAZA CALVO

2011 Aug 11 10:31 AM

CC: Central Files
Pacific Islands Development Bank Board of Governors

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

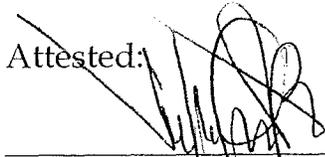
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 257-31 (COR), "AN ACT TO APPROPRIATE FUNDS FOR THE OPERATIONS OF THE GUAM DEPARTMENT OF EDUCATION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2012, AND TO PROVIDE FOR THE EFFICIENT OPENING OF ALL SCHOOLS, INCLUDING F.Q. SANCHEZ ELEMENTARY SCHOOL, BY PROVIDING FINANCING FOR WORKING CAPITAL EXPENDITURES FOR THE 2011-2012 SCHOOL YEAR; AND FOR OTHER PURPOSES," was on the 3rd day of August 2011, duly and regularly passed.



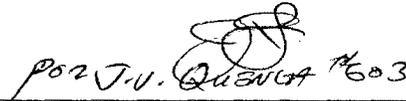
Judith T. Won Pat, Ed.D.
Speaker

Attested:



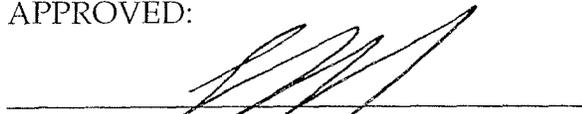
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 3 day of ~~August~~^{August}, 2011, at
10:00 o'clock P. M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J. B. CALVO
I Maga'lahaen Guåhan

Date: AUG 04 2011

Public Law No. 31-75

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 257-31 (COR)

As substituted by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land;
further substituted on the Floor; and amended in the Committee of the Whole.

Introduced by:

Dennis G. Rodriguez, Jr.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Duenas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO APPROPRIATE FUNDS FOR THE
OPERATIONS OF THE GUAM DEPARTMENT OF
EDUCATION FOR FISCAL YEAR ENDING
SEPTEMBER 30, 2012, AND TO PROVIDE FOR THE
EFFICIENT OPENING OF ALL SCHOOLS,
INCLUDING F.Q. SANCHEZ ELEMENTARY SCHOOL,
BY PROVIDING FINANCING FOR WORKING
CAPITAL EXPENDITURES FOR THE 2011-2012
SCHOOL YEAR; AND FOR OTHER PURPOSES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Short Title.** This Act *shall* be known as the “Guam
3 Department of Education Appropriations Act for Fiscal Year 2012 (School Year
4 2011-2012).” *Except* as otherwise provided by this Act, the appropriations made by
5 this Act *shall* be available to pay for obligations incurred on or after October 1,
6 2011, but *no later than* September 30, 2012. The appropriations contained in this
7 Act, with the exception of Sections 10, 17, and 20, shall be funded by Fiscal Year
8 2012 General Fund, Territorial Education Facilities Fund, Public Library
9 Resources Fund, Indirect Cost Fund, School Lunch/Child Nutrition Meal
10 Reimbursement Fund, and Healthy Futures Fund revenues. If any appropriation in
11 this Act is found contrary to federal law, all other portions of this Act *shall* remain
12 valid.

13 **Section 2. Legislative Findings and Intent.** The Fiscal Year 2012 budget
14 for the GDOE in this Act represents a status quo budget with the exception of
15 organic payroll growth and an increase in appropriations for utilities. Therefore, it
16 is the finding of *I Liheslaturan Guåhan* that the GDOE has adequate funding in
17 Fiscal Year 2012 to provide a safe and conducive learning environment at all
18 public schools, including F.Q. Sanchez Elementary School.

19 Since the FY 2011 authorized operational level includes the fully funding of
20 F.Q. Sanchez Elementary School, *I Liheslaturan Guåhan* finds that presenting the
21 FY 2012 GDOE budget, with appropriation levels consistent with that of FY 2011
22 authorized levels inclusive of the estimated organic growth in personnel and utility
23 costs, is the most fiscally responsible approach to adopt.

24 *I Liheslaturan Guåhan* finds that the Fiscal Year 2012 revenue projections
25 submitted by *I Maga'lahaen Guåhan* in the Biennial Budget for Fiscal Years 2012-
26 2013 are sufficient to provide the necessary funding to the GDOE as outlined in
27 this Act. For Fiscal Year 2012, the General Fund and Special Fund revenue

1 projections are Six Hundred Eighty-One Million Seven Hundred Seven Thousand
2 Three Hundred Ninety-Six Dollars (\$681,707,396). The GDOE required
3 appropriations for Fiscal Year 2012 represent thirty-one and six tenths percent
4 (31.6%) of the FY 2012 projected revenues. In Fiscal Year 2011, GDOE
5 appropriations represented thirty percent (30%) of the FY 2011 projected revenues.

6 The increase in support to the GDOE represents *I Liheslaturan Guåhan's*
7 priority toward education.

8 *I Liheslaturan Guåhan* finds that there is a need to address the educational
9 needs of the students of Guam system-wide, and at the same time provide an
10 opportunity for the communities to reflect their commitment to their schools.

11 *I Liheslaturan Guåhan* finds that there is strong community support by
12 southern residents of *Umatac*, who have repeatedly stated their strong support for
13 the continuing operation of the historically significant F.Q. Sanchez Elementary
14 School in *Umatac*.

15 It is, further, the intent of *I Liheslaturan Guåhan* to ensure that the Guam
16 Department of Education (GDOE) continues to have the requisite resources
17 necessary for the proper education of the students, consistent with the intent and
18 mandates of this Act.

19 *I Liheslaturan Guåhan* also takes due note that the basis for the closure of
20 F.Q. Sanchez Elementary School was premised in part upon the Seven Hundred
21 Thousand Dollars (\$700,000) cost to the GDOE of running the school, combined
22 classes for different grade levels, safety issues, and the 2009 Evergreen Report
23 recommendations, which stated that the closure would save the GDOE the sum of
24 One Hundred Fifty-Seven Thousand Dollars (\$157,000). After legislative review
25 by the sponsor of Bill 257-31 of the GDOE FY 2012 budget submission, it appears
26 that at most the only possible savings the Department will realize with the closure
27 of F.Q. Sanchez Elementary School is approximately One Hundred Thousand

1 Dollars (\$100,000). This calculation, however, does *not* take into consideration the
 2 additional financial expenses the Department will incur to preserve and maintain
 3 an abandoned school facility. This calculation also does *not* take into
 4 consideration the additional expenses in busing requirements to transport students
 5 from *Umatac* to *Merizo* Elementary School or *Marcial Sablan* Elementary School,
 6 as well as the additional costs to parents for the purchase of new school uniforms.

7 *I Liheslaturan Guåhan* finds that F.Q. Sanchez Elementary School is fully
 8 funded through September 30, 2011 in accordance with Public Law 30-196, as
 9 amended by Public Laws 30-224 and 31-74. As such, *I Liheslaturan Guåhan* finds
 10 that addressing an individual school’s budget through FY 2012 would *not* be
 11 fiscally prudent and responsible without addressing the school system budget in its
 12 entirety.

13 **Section 3. Appropriation.** Pursuant to §§52101 and 52102 of Chapter 52,
 14 Division 2 of Title 11, Guam Code Annotated, the amounts specified in the
 15 Summary of Base Operational Appropriation in this Section are appropriated out of
 16 the General Fund, Special Funds, and Federal Matching Grants-in-Aid as specified
 17 in the Summary of Base Operational Appropriation Funding Source to the GDOE
 18 Operations Fund for Fiscal Year 2012. This appropriation *shall* be expended in
 19 accordance with the cash disbursement schedules required by §52101(b), and in
 20 accordance with the program, department or divisional object class allocations
 21 outlined below:

22 SUMMARY OF BASE OPERATIONAL APPROPRIATION

23	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
24	REG SALARIES	111	\$121,330,804	\$2,280,862	\$123,611,666
25	OT/SP	112	\$0	\$0	\$0
26	BENEFITS	113	\$37,703,856	\$660,195	\$38,364,051

1	TRAVEL/MILE	220	\$0	\$0	\$0
2	CONT. SERV.	230	\$7,332,437	\$11,073,956	\$18,406,393
3	OFF. RENTAL	233	\$0	\$0	\$0
4	SUP. & MAT.	240	\$1,454,000	\$1,095,091	\$2,549,091
5	EQUIPMENT	250	\$0	\$652,440	\$652,440
6	WORK. COMP.	270	\$100,000	\$0	\$100,000
7	DRUG TEST	271	\$0	\$0	\$0
8	SUBGRANT	280	\$0	\$0	\$0
9	MISC	290	\$1,250,395	\$0	\$1,250,395
10	POWER	361	\$0	\$13,641,896	\$13,641,896
11	WATER/SEWER	362	\$0	\$1,804,089	\$1,804,089
12	PHONE/TOLL	363	\$361,561	\$0	\$361,561
13	CAP. OUTLAY	450	\$0	\$227,324	\$227,324
14	GRAND TOTAL		\$169,533,053	\$31,435,853	\$200,968,906

15 School Lunch Program-Federal Sources \$10,069,218 (230-\$10,069,218)
16 School Lunch Program Cash Collection \$1,095,091 (240-\$1,095,091)
17 Public Library Resources Fund \$652,440 (240-\$652,440)
18 Territorial Educational Facilities Fund \$19,619,104 (111-\$2,280,862; 113-
19 \$660,195; 230-\$1,004,738; 361-\$13,641,896; 362-\$1,804,089; 450-
20 \$227,324)

21	SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING				
22	SOURCE				
23	GENERAL FUND				\$169,533,053
24	FEDERAL MATCHING GRANTS-IN-AID				\$0

1	SPECIAL FUNDS		<u>\$31,435,853</u>
2	TOTAL		\$200,968,906

3 **Section 4. Increments and Promotions.** The amount below in this
4 Section is appropriated from the General Fund to Object Category 111 to the
5 GDOE and *shall* be used to fund all increments and reclassifications in Fiscal Year
6 2012 for eligible classified employees funded within this Section for satisfactory
7 performance pursuant to §6202, Chapter 6 of Title 4, Guam Code Annotated.

8	INCREMENTS AND PROMOTIONS	111 Total	\$1,094,173
9	RECLASSIFICATIONS	111 Total	\$987,540

10 **Section 5.** The sum of Three Hundred Eighty One Thousand One Hundred
11 Twenty Dollars (**\$381,120**) is appropriated from the General Fund to the *Chamoru*
12 Studies Division administered by the GDOE to be expended for personnel salaries
13 and benefits, contractual services, supplies and materials, and equipment for the
14 support and the implementation of the Content Standards and Performance
15 Indicators of the course syllabi for the emphasis of fluency and for the promotion
16 of the proficiency skills in the areas of listening, speaking, reading, and writing in
17 the *Chamoru* language.

18 **Section 6. GDOE Miscellaneous Funding.** The following amounts reflect
19 non-base operational funding appropriated to the GDOE:

20 (a) Interscholastic Sports Fund. (1) The sum of Six Hundred
21 Twelve Thousand Dollars (**\$612,000**) is appropriated from the Healthy
22 Futures Fund to the Interscholastic Sports Fund administered by the GDOE
23 to be expended pursuant to §7108, Title 17, Guam Code Annotated.
24 Appropriations made herein *shall* be available to fund the outrigger canoe,
25 rugby, and other sports programs, to include the payment of head coaches,
26 assistant coaches, league fees, and other expenses normally associated with
27 interscholastic sports programs. (2) The sum of Ninety Two Thousand

1 Dollars (**\$92,000**) *shall* be allocated from the appropriation in Section
2 6(a)(1) specifically for busing services for interscholastic sports programs.

3 (b) Health and Physical Education Activities. The sum of Two
4 Hundred Seventy Nine Thousand Seven Hundred Fifty Four Dollars
5 (**\$279,754**) is appropriated from the Healthy Futures Fund to the GDOE for
6 Health and Physical Education programs, intramural sports, and similar
7 activities.

8 **Section 7. JROTC Funds.** The GDOE is hereby authorized to expend
9 funds from the JROTC Fund for the sole purpose of expenditures related to the
10 operations for the JROTC program.

11 **Section 8. Support to Eliminate “High-Risk” Status.** The sum of Two
12 Hundred Fifty Thousand Dollars (**\$250,000**) is appropriated from the Indirect Cost
13 Fund (ICF) to the GDOE for the sole purpose of removing the GDOE from “high
14 risk” grant status. The funds *shall* be expended in accordance to a statement of *pro*
15 *forma* expenditures submitted, in writing, by the Deputy Superintendent of
16 Administration and Finance of GDOE to the Speaker of *I Liheslaturan Guåhan*.
17 The statement of *pro forma* expenditures *shall only* include expenditures related to
18 this Section.

19 **Section 9. Summer School.** From the Summer School Fund established
20 pursuant to §6119 of Article 1 of Chapter 6 of Division 2 of Title 17, Guam Code
21 Annotated, such sums as are necessary to fund the operations of the 2012 Summer
22 School Program are appropriated to the GDOE. The Superintendent of GDOE
23 *shall* submit a detailed report to *I Maga’lahen Guåhan* and the Speaker of *I*
24 *Liheslaturan Guåhan* regarding the receipt and expenditure of said funds *no later*
25 *than* thirty (30) days after the close of summer school and post the same on the
26 GDOE website. Such report *shall* include the following:

- 1 (a) Total revenues received, including identification of each revenue
- 2 source;
- 3 (b) Total expenditures and encumbrance by object classification and by
- 4 school; and
- 5 (c) The fund balance.

6 **Section 10. Textbooks and Collateral Materials.** The following are
7 appropriations to the GDOE for the purchase of textbooks, e-book readers, and
8 collateral materials, to include software, musical instruments, sheet music, and
9 music books in accordance with the following terms and conditions:

10 (a) Notwithstanding any other provision of law, the sum of Two
11 Million Dollars (**\$2,000,000**) is appropriated from the General Fund from
12 Fiscal Year 2013 revenues to the GDOE for the purchase of textbooks, e-
13 book readers and related classroom instructional materials to include
14 software, musical instruments, sheet music, and music books. The
15 Superintendent of GDOE may, if necessary, through agreements with
16 textbook vendors, defer payment for said materials until after October 1,
17 2012, but *no later than* December 31, 2012, with the full faith and credit of
18 the government of Guam.

19 (b) The Superintendent of GDOE *shall* order materials funded by
20 this Section for Fiscal Year 2013 *no later than* March 1, 2012. The Bureau
21 of Budget and Management Research *shall* release such allotments as are
22 necessary to ensure that said materials are ordered by March 1, 2012. The
23 Superintendent of GDOE *shall* receive said materials and distribute them to
24 schools *no later than* thirty (30) days before the start of the school calendar
25 established pursuant to Title 17, Guam Code Annotated, §4111. All funds
26 appropriated for said materials *shall not* be used for any other purpose.

1 (c) On the first (1st) day of each fiscal quarter of FY 2012, the
2 Superintendent of GDOE *shall* provide to *I Maga'lahaen Guåhan* and the
3 Speaker of *I Liheslaturan Guåhan*, and post on the GDOE website, a
4 detailed report regarding all receipts and expenditures for textbooks, e-book
5 readers and collateral classroom instructional materials to include software,
6 musical instruments, sheet music, and music books. Said report *shall* be
7 accompanied by the certified list of textbooks approved by the GEB and a
8 list or copies of all purchase orders issued. The report *shall* summarize:

9 (1) purchases by allotment account number, unit cost, and
10 the total cost of books charged against an appropriation account, the
11 vendor, quantity, title, copyright date, and ISBN of books ordered, the
12 allocation of such books by school and grade, whether books are for
13 teachers or students, and whether books are textbooks, e-books or
14 workbooks; and

15 (2) other information that may be useful or that is requested
16 by *I Liheslaturan Guåhan* regarding the funds appropriated and
17 authorized herein.

18 **Section 11. Website Posting.** The Superintendent of GDOE *shall* post and
19 maintain on the GDOE website:

20 (a) All payments for prior year obligations to be paid by current
21 appropriations when authorized, including the funding source to be used.

22 (b) Salary adjustments by position, effective date of adjustment and
23 the funding source for each, by month.

24 (c) Mandated Cash Disbursement Schedules.

25 (d) Number of filled FTEs, costs and funding sources by school
26 and division by month.

1 **Section 12. Reports.** The Superintendent of GDOE *shall* electronically
2 report the following to *I Maga'lahañ Guåhan* and the Speaker of *I Liheslaturan*
3 *Guåhan*:

4 (a) Within fifteen (15) days after the start of Fiscal Year 2012, the
5 Superintendent of GDOE *shall* provide a copy of the GG-1 or contract of
6 employees hired for School Year 2011-2012.

7 (b) Thirty (30) days after the start of Fiscal Year 2012 and monthly
8 thereafter, the Superintendent of GDOE *shall* provide a copy of the GG-1 or
9 contract of each employee hired to fill any vacancy or new position.

10 **Section 13. Utilities Reduction Incentive.** Each School Principal of the
11 GDOE is encouraged to practice energy conservation within their respective
12 schools. Any school whose Principal and staff is able to reduce their annual utility
13 consumption (kilowatts or gallons) by *at least* fifteen percent (15%) of their prior
14 annual billing, measured each quarter for each utility type, *shall* have that dollar
15 value of savings transferred from the utility pool to their respective school to
16 supplement the needs of that school and *shall* be available to be spent to support
17 school activities for students and staff. The savings *shall* be available to the school
18 within thirty (30) days of the close of each quarter.

19 **Section 14. Budgetary Transfer Authority for the Guam Department of**
20 **Education (GDOE).** The Superintendent of the GDOE may transfer funds from
21 the appropriations made to GDOE within object classes, except that *no* funds *shall*
22 be transferred into the Personnel Services category, *except* as otherwise provided
23 herein. The Superintendent of the GDOE *shall not* transfer any appropriation for
24 Increments and Promotions and Reclassifications as provided within Section 4 of
25 this Act to supplement or support salaries. If a surplus in funding exists within the
26 appropriation for Increments and Promotions and Reclassifications, such amount
27 may be used to support payment of prior year obligations.

1 The Guam Education Board (GEB) may submit, via a duly adopted
2 resolution of the Board, a request to the Education Financial Supervisory
3 Commission (EFSC) to transfer existing appropriations into the Personnel Services
4 category *only* to alleviate a CODE “C” or a CODE “RED”; *provided* that the GEB
5 notifies *I Maga’lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* *no later*
6 *than* fifteen (15) working days before the transfer is made.

7 The EFSC *shall* vote in the first scheduled meeting after a request to transfer
8 existing appropriations into the Personnel Services category from the GEB.
9 Transfer of any existing appropriations into the Personnel Services category
10 requires a two-thirds vote of EFSC members in which a quorum of voting
11 members is established.

12 **Section 15.** §3103(15) of Chapter 3 of Title 17, Guam Code Annotated, is
13 hereby *amended* to read:

14 “(15) Adequate Public Education Reporting Requirements. The
15 Superintendent of Education *shall* submit a monthly budget status report of
16 all local and federal funds available to the Department, whether or not their
17 resources require appropriations by *I Liheslaturan Guåhan*. The monthly
18 budget status report *shall* be designed by the Educational Financial
19 Supervisory Commission and at a minimum contain all appropriations,
20 transfers and adjustments, revised appropriations, expenditures to date,
21 outstanding encumbrances and unencumbered balances. The data for the
22 monthly budget status report *shall* be provided *no later than* fifteen (15)
23 calendar days after the end of each month, and be used by the Educational
24 Financial Supervisory Commission for its monthly Financial Status
25 Designation Reports. The Educational Financial Supervisory Commission
26 *shall* design an Adequate Public Education Report to reorganize the
27 expenditures in the monthly budget status report to the criteria established in

1 Title 1, GCA §715, and the status of compliance with the Adequate
2 Education Act. The Monthly Budget Status report and Adequate Public
3 Education reports are to be completed *no later than* twenty five (25)
4 calendar days after the end of each month and *shall* be certified by the
5 Superintendent, acknowledging compliance or non-compliance with Title 1,
6 GCA §715 and in meeting the objectives of §3125 of this Chapter. The
7 reports *shall* be submitted to the Board, the Speaker of *I Liheslaturan*
8 *Guåhan*, and *I Maga'lahaen Guåhan*.”

9 **Section 16. Cost Saving Incentive.** The Superintendent of the GDOE is
10 encouraged to implement a Cost Savings Plan to include, but *not* be limited to,
11 consolidation of programs and entities, maximizing on student-teacher ratios, and
12 practicing energy conservation. If the Superintendent is able to implement any
13 cost savings within the GDOE authorized appropriations level, the Superintendent
14 *shall* have that dollar value of savings available for payments of prior year
15 obligations and the purchase of supplies and materials.

16 **Section 17. Appropriation for Equipment for Certain GDOE Schools.**

17 (a) **Transfer of Funds from the Autonomous Agency Collections**
18 **Fund.** Notwithstanding any other provision of law, the sum of Five Hundred
19 Twenty-Five Thousand Dollars (**\$525,000**) is hereby transferred from the
20 Autonomous Agency Collections Fund to the Supplemental Appropriations
21 Revenue (SAR) Fund.

22 (b) **Appropriation to the Guam Department of Education.** The sum of
23 Five Hundred Twenty-Five Thousand Dollars (**\$525,000**) is hereby appropriated
24 from the Supplemental Appropriations Revenue (SAR) Fund to the GDOE for the
25 payment of air conditioning equipment and maintenance, and collateral equipment
26 for George Washington High School, and for collateral equipment for Simon
27 Sanchez High School, Southern High School, and Agueda Johnston Middle

1 School. The funds appropriated in this Section *shall* be allocated to each school as
2 follows:

3	George Washington High School:	\$328,000
4	Simon Sanchez High School:	\$87,000
5	Southern High School:	\$70,000
6	Agueda Johnston Middle School:	<u>\$40,000</u>
7	Total	\$525,000.

8 (c) **Continuing Appropriation.** The appropriations made in Section
9 17(b) of this Act *shall not* lapse and *shall* continue until fully expended for the
10 purposes of this Act. However, the funds *shall* be obligated within ninety (90)
11 days of enactment, *not* counting those days that lapse in order to dispose of any
12 valid procurement protest.

13 **Section 18.** Notwithstanding any other provision of law, the GEB may
14 authorize the use of shared human resources for school populations below three
15 hundred twenty-five (325) in Fiscal Years 2011 and 2012.

16 **Section 19. Temporary Budgetary Transfer Authority for the Guam**
17 **Department of Education for FY 2011.** Upon enactment of this Act, the
18 Superintendent of the GDOE may transfer funds from the appropriations made to
19 GDOE in Public Law 30-196, as amended by Public Laws 30-224 and 31-74, from
20 Object Classes 220, 230, 233, 240, 250, 270, 271, 280, 290, 361, 362, 363, 450 and
21 the appropriation in Chapter II, Part I, Section 9 (a) of Public Law 30-196 into
22 Object Classes 111 and 113 up to a limit of Six Million Dollars (**\$6,000,000**) *only*
23 to cover shortfalls in Object Classes 111 and 113 that the GDOE may have in FY
24 2011.

25 **Section 20. Reprogramming and Appropriation of Funds for F.Q.**
26 **Sanchez Elementary School in Umatac.** Upon enactment of this Act, the sum of
27 One Hundred Thousand Dollars (**\$100,000**) is hereby reprogrammed from the

1 available funds of the 2007 Tobacco Bond Proceeds account, managed by the
2 Guam Economic Development Authority, and appropriated to the GDOE for the
3 *sole* purpose of financing working capital expenditures for F.Q. Sanchez
4 Elementary School in *Umatac*, as has been determined to be necessary so as to
5 provide an offset of the potential financial savings the GDOE might otherwise
6 have realized as a result of shutting down the school.

7 **Section 21. Maintenance of Personnel, Educational Opportunities and**
8 **Resources.** Upon enactment of this Act, the requisite staffing and resources as are
9 necessary for the proper education of the students are made available, and to that
10 end, educational programs and the provision of resources are provided in the
11 annual budget of the GDOE, including F.Q. Sanchez Elementary School, for the
12 duration of the term of the 2011-2012 School Year.

13 **Section 22. Continuing Appropriation.** Upon enactment of this Act, the
14 appropriations made pursuant to Section 20 *shall not* lapse and *shall* continue until
15 fully expended.

16 **Section 23. School to Reopen.** Notwithstanding any other provision of
17 law, upon enactment of this Act, the GEB *shall* have the authority to explore and
18 implement alternative measures to feasibly maintain the operations of F.Q.
19 Sanchez Elementary School for the School Year 2011-2012. Such measures may
20 include, but *shall not* be limited to, the sharing of human resources between other
21 schools; the transfer, reassignment, recruitment, or retention of personnel; or the
22 contracting of private entities to deliver such services at F.Q. Sanchez Elementary
23 School. As provided for in Section 3 and Section 20 of this Act, *I Liheslaturan*
24 *Guåhan* hereby provides the necessary funding for the staffing and operations of
25 F.Q. Sanchez Elementary School.

26 **Section 24. I Maga'lahi Authorized Keep School Open.** If the GEB does
27 not reopen F.Q. Sanchez Elementary School, *I Maga'lahi* is authorized by the

1 issuance of an Executive Order detailing the conditions, to keep the School open
2 for the School Year 2011-2012.

3 **Section 25.** Notwithstanding any other provision of law, the appropriations
4 made in this Act *shall not* be subject to transfer authority by *I Maga'lahi* (the
5 Governor). However, *I Maga'lahi* (the Governor) is authorized to transfer any
6 amounts from FY 2012 executive branch agency appropriations, *not to include*
7 GDOE appropriations, into any non-personnel GDOE object classes.

8 **Section 26. Severability.** *If* any provision of this Act or its application to
9 any person or circumstance is found to be invalid or contrary to law, such
10 invalidity *shall not* affect other provisions or applications of this Act which can be
11 given effect without the invalid provisions or applications, and to this end the
12 provisions of this Act are severable.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUĀHAN

2011 (FIRST) Regular Session

Date: August 3, 2011

VOTING SHEET

SBill No. 257-31(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.					EA
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette					EA
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.				✓	EA
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

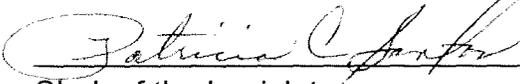
TOTAL

12

1

3
2

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 03 2011

2011 AUG -3 AM 10:28

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 257-31 (COR), As Substituted

Transmitted herewith for your consideration is the Committee Report on Bill No. 257-31 (COR), As Substituted, "An Act to appropriate for the Operations of the Guam Department of Education for Fiscal Year Ending September 30, 2012 and to provide the efficient opening of all schools, including F.Q. Sanchez Elementary School by providing financing for working capital expenditures for the FY-2011-2012 School Year and for other purposes", sponsored by Senator Dennis Rodriguez.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy Bill No. 257-31 (COR)
4. Copy Bill No. 257-31 (COR), As Substituted
5. Public Hearing Sign-in Sheet
6. Written Testimonies
7. Fiscal Note
8. Copy of COR referral Bill No. 257-31 (COR)
9. Notices of Public Hearing
10. Copy of the Public Hearing Agenda

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

Si Yu'os Ma'ase'

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

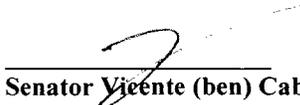
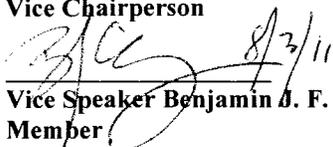
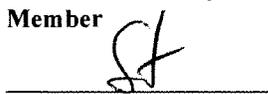
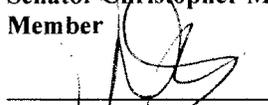
Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

**Committee on Appropriations, Taxation, Banking, Public Debt, Insurance,
Retirement, and Land**

Bill No. 257-31(COR), As Substituted, An Act to Appropriate for the Operations of the Guam Department of Education for Fiscal Year Ending September 30, 2012 and to provide the efficient opening of all schools, including F.Q. Sanchez Elementary School by providing financing for working capital expenditures for the FY-2011-2012 School Year and for other purposes.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	✓				
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	✓				
 Vice Speaker Benjamin B. F. Cruz Member	✓				
_____ Senator Tina Rose Muña-Barnes Member					
_____ Senator Judith P. Guthertz Member					
_____ Senator Dennis Rodriguez, Jr. Member					
 Senator V. Anthony Ada Member			✓		
 Senator Christopher M. Duenas Member	✓				
 Senator Mana-Silva Taijeron Member			✓		



Committee Report

Bill No. 257-31, As Introduced, "An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2011-12 school year by reprograming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education."

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on July 22, 2011 at 2:00 pm in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on July 14, 2011 (5-Day Notice), and again on July 20, 2011 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente "ben" Cabrera Pangelinan, Chairman
Speaker Judith Won Pat, Vice Chair
Senator Tina Muna Barnes, Member
Senator Dennis Rodriguez, Member
Senator Tony Ada, Member
Senator Chris Duenas, Member
Senator Mana Silva Tajeron, Member
Senator Rory Respicio
Senator Tom Ada

(b) Appearing before the Committee

Mr. Bobing Welford
Mr. Talajeru Fejeran
Mr. Victoriano Camacho
Mr. George Quinata
Mayor Dean Sanchez
Mr. Juan P. Diaz
Mr. Galo Camacho
Mrs. Gloria Nelson
Mr. Vicente Meno

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Mr. Ben Garrido
Mr. Frank Munoz
Dr. Thomas Shieh
Ms. Pacita Smith
Ms. Shirley Brooks
Mr. Frank Acfalle
Mr. Francisco Sanchez
Ms. Cecilia Morrison
Mr. Robert Benavente
Ms. Trinie Torres
Ms. Rosario Quinata
Dr. Jose Q. Cruz
Ms. Linda Edward
Mr. Phil Cruz
Mr. Albert T. Topasna, Jr.

(c) Written Testimonies Submitted

Mr. Frank Acfalle
Ms. Cecilia Morrison
Ms. Trini Torres
Dr. Jose Q. Cruz
Mr. John Rios, Acting Director of the Bureau of Budget Management & Research
Dr. Nerissa Bretania Underwood, Superintendent of the Department of Education
Ms. Benita Manglona, Acting Director of the Department of Administration

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator Vicente Pangelinan. [Translated from Chamoru to English] The Committee on Appropriations is here today to address the funding aspect of proposed Bill 257-COR which has been introduced by Sen. Dennis Rodriguez giving a \$157,000 amount from the 2007 Tobacco Bond Proceeds to the Department of Education. This is what it is asking for. Before we begin, I would like to give salutations to all of you for being here today to let the legislature know your positions and thoughts regarding this bill. On my left at this time is Sen. Chris Duenas, we might as well just go down the line, Sen. Aline Yamashita and Sen. Mana Silva Taijeron and walking in just now is Sen. Dennis Rodriguez.

[English] Good afternoon, Ladies and Gentlemen. We're here this afternoon to hear public testimony on Bill 257, "An act to provide \$157,000 from the Tobacco Settlement Bond Proceeds to the Department of Education."

We have, just for the record, invited members of the administration and this government that are all involved with regards to this bill that we feel they would have an interest since it falls under a portion of their purview. We invited the Governor and the Lieutenant Governor of Guam to come

forward to present their testimony or any comments that they may have. We also sent formal letters to the Attorney General's Office, to the Bureau of Budget and Management Resources, to the Dept. of Administration, to the Office of the Public Accountability. We also sent a letter to the Mayor of Umatac, Mayor Dean Sanchez. We also sent letters and notified the Guam Department of Education management of this public hearing this afternoon. We also sent letters to the Guam Board of Education, to the Guam Economic Development Authority, which has purview over the tobacco settlement and funding, to the Chamber of Commerce and to Mr. Stan Dirks, which is the bond counsel for the government of Guam.

We're going to go ahead and begin receiving public testimony based upon the sign-up sheet that we have here. There are still sign-up sheets available and we'll just proceed after receiving a short synopsis from the author of the bill. Prior to doing that, though, I'd like to also recognize and thank the chairman of the Committee on Education and Speaker of the Guam Legislature, Speaker Judi Won Pat who is to my immediate right. We also have joining us this afternoon, the majority leader of the Legislature and Chairman of the Committee on Rules, Senator Rory Respicio. Thank you very much for being here this afternoon.

Once again as I mentioned, we'll proceed with the order of the witnesses who have expressed an interest in testifying by signing our witness sheet. We'll start with Mr. Bobing Wolford, Mr. Talayeru, Mr Victoriano and Mr. George Quinata.

[Translated from Chamoru to English] There are a substantial number of witnesses that have signed on to testify and we extend that courtesy but we'll give consideration to those who are following us and would like to speak and let the legislature know of their positions so we will allow them. Therefore, let us begin and give a chance to those who have signed here to speak. Mr. Bobing Wolford is the first one. Oi, before we go on, let me give the opportunity to the sponsor of the bill, Sen. Dennis Rodriguez to explain his intentions.

Senator Dennis Rodriguez. Si Yu'os ma'ase', thank you. Thank you very much Mr. Chairman. I'll try to keep this very short, but before I go on I'd just like to thank you, Speaker Ben for agreeing to hold this hearing expeditiously. Si Yu'os ma'ase'.

Bill Number 257 is an Act to maintain the continuing operations of a successfully performing elementary school, an historic social landmark - F. Q. Sanchez Elementary School. The available funds identified for reprogramming an appropriation are from the 2007 Tobacco Bond Proceeds. The Bill also ensures that the use of the funds also include educational programs relative to promoting healthy lifestyles inclusive of programs encouraging the avoidance of smoking and the use of alcohol or drugs and to that end, such educational opportunities shall be included in the F. Q. Sanchez curriculum or if it currently exists, that it shall continue.

Mr. Chairman, overall, I am seeking to insure equitable consideration for southern residents by maintaining the continuing operation of the school for their children who, are equally deserving. I find it unacceptable that although numerous new schools are being provided for the children of northern residents, no new schools are being built in the south. To the contrary, the Guam Education Policy Board (GEPB) is closing this school in the south in direct contrast to the wishes and heartfelt desires of southern residents. The proposed closure of F. Q. Sanchez Elementary School has been a subject of

grave concern for the residents of Umatac. In a short period, they have gone from being elated over the GEPB's decision to keep the school open to despair and anger over the surprising decision to close it. This needless on and off flipflop has been extremely painful.

Bill 257 is an exercise in equity. Just as we want our children to play fairly, we, too, must play fairly by the children of Umatac. The residents of southern Guam should not have to continue to endure being the last to realize improvements in facilities and programs, but are the first to be cut off.

The current contentious debate revolves around the desire by the GEPB to realize the cost-savings of \$157,000. The June 30, 2011 decision is reportedly based upon a recommendation in the 2009 Evergreen Report. This decision, however seems to ignore certain realities, which are glossed over within a meretricious argument of cost-savings.

The projected savings to be realized within the FY2012 budget of 864,427,000 is \$157,000. But is it really? Not according to the Guam DOE budget documents that I have been provided. Regardless of whether we close the school, the teachers will still teach somewhere and receive their salaries, increments and benefits. Likewise, the librarian and nurse will still serve their functions somewhere within the DOE system. Books and other resources will still be required. And they will all continue to drink water and flush toilets at the same rate regardless of which school they are next being assigned. Many object categories costs will be transferred. When you subtract the continuing expense from FY2012 projected budget, prepared by DOE, you see a different figure than the one proffered for public consumption. Personnel services total up \$727,000, supplies and materials \$5,030, equipment at \$6,089. Continuing contractual services (solid waste only) is \$4,892. You still have an approximate continuing cost of \$743,588, plus or minus with a debatable estimated savings of \$120,839. Please note, I have not fully included certain contractual categories, a percentage of which I believe will likely be transferred to bolster another school. However, in all likelihood, the extent of funds for contractual and other services being transferred elsewhere within DOE would bring down the savings to less than \$100,000.

Another consideration, Mr. Chairman and continuing expense, would be the FQ Sanchez facility and grounds, which must still be maintained so as to not allow this valuable historic asset to deteriorate or be vandalized. If it is neither protected nor maintained, the grounds could easily become an attractive nuisance inviting trespassers, as well as pose potential public health and safety issue contrary to law. To prevent the spread of vectors (rats and snakes), grounds maintenance will have to be continued - most likely within the contractual service category of an approximate figure of \$7,200 plus or minus per fiscal year.

Now, we would have to consider as well, the additional cost of busing the Umatac children. What is the number of buses required, their availability and how does it affect scheduling for pick up and return? Will these children have to get up early and come home later? Is it often stated that ideally the more rest they have, the better they do in school.

The issue of cost savings to be realized by DOE is one-sided and ignores the financial burden being inflicted upon the parents of Umatac, who must now buy new school uniforms. Certainly, they cannot use the current uniforms. Even if their new school were to allow for such an accommodation, they would stand out and apart and separate from other children. At an average of \$115 for a set of

five uniforms, the families for the fifty four students are collectively seeing the financial impact of \$6,210. Has the GEPB considered this within an economic impact statement?

Many southern residents are of the opinion that in making the decision to close the school, the GEPB has ignored the significant fact that the performance of the Umatac Elementary students has been mid-range to above average within certain grades and programs, which directly correlates with the quality of teaching and the higher teacher to student ratio. It is the hope of the residents of Umatac, that with continuing support for their school, their children might be able to consistently achieve above average performances in the years to come. I want them to have this chance.

Mr. Chairman, last, but certainly not the least, proponents of the closure proffer an argument that approximately \$16,008 is being spent per FQ Sanchez student, as compared to \$6,542 elsewhere in DOE. Interestingly, they even tossed in the consideration the National Center for Education statistics figure of \$10,297 per student. So, in the interest of providing the children of Umatac with a rather unique concept of educational equity within the DOE system, they are going to bring them down below the national standard. Is there a cost benefit analysis for an acceptable coinciding drop in the Umatac students' performance versus monies to be saved by DOE?

Although I fully recognize we are experiencing funding difficulties, which necessitates reprioritizing throughout the government, I firmly believe this would be money well spent and respectively encourage my colleagues to support the passage of Bill 257. Thank you very much, Mr. Chairman.

Senator Vicente Pangelinan. Thank you, Sen. Rodriguez. Mr. Wolford, you may begin.

(b) Testimonies

1). Mr. Bobing Wolford. [Translated from Chamoru to English] Good afternoon, all of you up there, the ten of you because I am here today to present to the people of Umatac and their children who are here who are present and I am Bobing Francis Harlan Wolford. I am living in Malojloj, Inarajan at Wolford Heights. I will begin from the north with Sen. Tony Ada but I don't know what "DB" if it means "BA" or "BD" but I like you, friend. Mr. Respicio, where is Respicio? Gone? Lost? You Mr. Rodriguez, Dennis Rodriguez. I approve of inviting us here and I will present also the people of Umatac with their children about the school that is being closed.

Don't close because of that place is of historical significance and I am hurt about this because the children there and their parents are that of my wife Barbara Jesus Wolford Aguon and her father is Lucas Jesus. I am hurting but that's why I'm here to save the people of Umatac and the children about the school which is what you are pushing to close and there's no money. There should be money so you should open but don't do this because they are Christians those children of the people because we are all the same people. I don't know if you have children of your own and I have children who are bigger than me. (Voice of Ben Meno) It is already closed. Already closed? My goodness you are so quick early on to close the school.

Senator Vicente Pangelinan. [Translated from Chamoru to English] Before we continue, I'd like to recognize the arrival of Sen. Tom Ada and Sen. Tony Ada.

Mr. Bobing Wolford. [Translated from Chamoru to English] Good because it's red and I thought there was ... Ben, this is not going to bother my thoughts but there is something I wanted to share which is to make you laugh at this time. I forgot my scissors and barber clippers so we can be both bald but I like you Ben! You are doing well and you should continue and you can't allow the closure of the school and why you should not wait. I am hurt for the children who are from the south in Umatac which is beautiful at that place. You have heard of what they say...

When Magellan came he turned around because the good people were there? And they began to pull away. You, Sen. Duenas, Chris, are you right because we both owned the submarine because we're from Atlantis. Aline Yamashita, you are my niece, we are here now, sis, about the school which is being closed and you all said that you've already closed it and you didn't wait for me to lock it. Mana Silva, you are my niece because your husband is from the Taijeron family and they are all there in Talofoyo. I don't know what you will all do now when we are all here. Consider please, the people of Umatac, the children, because they are from here as people and they have families like my wife from there. Not because I am Wolford, I can always change my name. You Sen. Ada, I really like you and I am looking at you over there but did you search for the effort for all of you to make Umatac livable and there is money or not. I can scatter the money at the bank and I will give you to pass around so you can open the school.

A great big thank you and you will be guided, Ben, by God so you can change your minds all of you up there. I don't know if there's ten or twelve. Aside from me, I am saving the children of Umatac and all the people there and that's why we're all here at this moment as you can see that it is packed. Imagine if all the Marines are here, there will be more. Thank you, sir.

Senator Vicente Pangelinan. [Translated from Chamoru to English] Same to you, Sir. Mr. Talayeru Fejeran?

2) Mr. Talayeru Fejeran. [Translated from Chamoru to English] Hello all of you Senators. I have something to ask you all if the value of money is first and foremost than our children. I am also asking you which direction you came from during the election when you continued playing politics and for what reason that the education decision first came about. Why is this moment happening for us to be here, we the people, the children, the people of the land and you who have been given the power, where is this value? Is the value of the money going to chase out the children and is this where your conscience lies? That is what you should all consider. All the things that you have been saying of value and you are appropriating for whatever there is. What is our island asking? Just look at what's behind me.

We aren't supposed to be here at this moment. No matter what time, there is no reason to be. If the children of our people come first, where are your conscience? If you consider the respect in your souls, the soul of life for the land and everyone what do we need for us the people of the land to struggle, and to be united and to think about praising everything that guides our sentiments, the daily thoughts, and this is why this moment I am asking you all this. How much money will be spent to appropriate as this is where we are at this moment about why the school is going to close? Is this right? The salary, it's okay for you to get a raise but remember the money that is happening that is being given to you should not allow you to just sit there and analyze what attempts of service will be

beneficial? When I look at this moment where we are just going to sit and observe, it seems as if the parents are behind the children and you are for a reason there as ... as the saying goes in the United States.

You are managers of the money. What is the 157,000? Have you ever looked at all of your salaries combined as senators? It passes it, right? Evaluate the funding for the operation of the school. That is where I cannot understand time after time through the year, there is a problem with a school. All of us have family. All of us have children. Some can afford the ...school. Some cannot afford it and so they have their children in the public school. But where is your direction with the value of money? You cannot lie to us about there being no money. BJ Cruz was correct when he said we cannot count on ... or whatever ... that is pushing for funds. You are who I am looking at. At this moment that we're here, we shouldn't be. You are where the response lies when you know what is shameful and what is not shameful. I've been saying this for the longest time. The man who asks about this and that, ask yourself if it is the same when you ponder about the cost for clothing when you purchase it not thinking of its costly value because it's pretty so where is the consideration for the children? Where?

We are elders and we think about living our lives for our children under our roofs and, most especially their schooling. Education, all of you. When campaign season comes, you stand up straight and what comes first? Why are we here at this time? What for? Where are your conscience in your heart? Because for me, all of you who are here now, I cannot understand that this is the system that we will allow to stand here or sit down and those who don't account for their actions to this bill and all that we see we consider, who will come first, our children or money? Do you need my blessings to give you and you will measure where the money should go to save our souls? Why have we forgotten to ask each other as elders and all the children where we can stay united and we'll raise the money at whatever means we have? Where are you at on this? If the load is heavy then we'll work together because the load will become much lighter. It is the same with our thinking. This general thought and respect of the CHamorus, it is not necessary to be CHamoru, it doesn't matter who. Respect. Respect is what is at the very top that leads us into the direction of our land. That is important.

We are here, we have a problem here. We know about the value of money and where we will look for to find it. But what is the time for us to close the school? Is this right, my friend? Why do we continue to play word games for our struggles to save our school? I don't know how many ... there are who are here for the school but I believe that if we follow what is done in our house and all that you do for your family then everyone of us will get together to save what we have. This is not difficult. If we can play about culture which is a natural thing, and action is what we're after and we ask one another every time dealing with our culture then we'll be as one, when will we look for this because this is where your responsibility lies to look for monies and for the reason to keeping the school open. There is no reason for the children to leave the school for whatever actions made because your conscience should speak based on when you ran. That is why we are asking about respect from your actions on our island because the value of money is what everyone knows. Everyone knows about the value of money. When you go to the store and they say that you've found something like \$16.99 or \$74.99 or whatever price it's being sold for, we have to pay.

Where is the money coming from? Please senators, many of you are education people, many of you are ... people and many of you are carrying the title in your minds based on your education,

why aren't you working together to address a response for this mindset, action and effort about what to do to save our children's school. If we get together we stand together. Every time I look at the American flag and I look again, there is no value to me if the money comes to help us here. Where are we at because now we are swimming. It is like there is no proa where we can ride. Why will the children ride when there is no proa and to go down to another school? Would you like it if your child is sent to another school that you don't want? That is where your direction lies as senators, your conscience is important because that's where you will validate what money will ascertain whatever issue comes if it's the hospital or school. If a school is not working and it is ineffective, what is the reason? Where did this reason come about that makes it so? The value of money, no?

You took that and you sang praises of the monetary value. There are fifteen of you. And I can't understand that you can sit still about it, sitting there and nothing is done for the children based on their feelings. It is important for you now, paying heed to the actions of our island and for our children. That is your responsibility. If you say that the value of money is first and this is what is going to be taken away will you still stick to the \$157,000 appropriation? And why just \$157,000? Is this possible for a dog. Tell me now that you will give appropriations for a dog. Where is your conscience about this value of money? All that we are saying now, I believe about respect if one gives another your respect all the time on their island that is when you can enter.

But if you are taking the monetary value, and you don't appear honest and are disrespectful, then your door will not open. No door of yours will open because they'll know what kind of person you are. We have forgotten the CHamorus and what they are about here. This is important and you, Sen. Pangelinan, I want that all of you place on your conscience as well as the other senators a law where you will seek and stand for this because I know that you can do it. We know what you will do. This is the last that you can do. Show us people that you can do this that the school be open and stop the flipflop. Let's move forward and if you all need our help allow us to help. Stop this no money.

Please, we are asking for your help. Sen. Won Pat, it's been a long time my friend, what bothers me, I want to see you speak to your fifteen constituents and so that you will stand up for the children and that you all will correct the actions about the school and its needs. Call us elders and we'll help. That is important. That is heart. That is culture. Then, thank you to all of you and I'm asking for your help.

Senator Vicente Pangelinan. [Translated from Chamoru to English] Same to you, Sir. Mr. Victoriano?

3) Mr. Victoriano Camacho. [Translated from Chamoru to English] Good day and salutations to all of you. First, I would like to take off my hat to Sen. Dennis Rodriguez. He is pushing this proposal of 257. Look at the Umatac children. You are shameless that the elderly, the children, and their parents are here. This is not the first time. At first at Adelup, every elderly got down from the bus really early in the morning and I was standing there with Talayeru and Fa'et. We were quiet. Disabled, elderly, someone was barely able to walk, he was escorted because they were going to protest Bill 257. Gee whiz, \$157,000 from the tobacco and alcohol.

Dear Ben! Dearest Sen. Pangelinan. Look at your 255 because,... 525 thousand for your ... But I'll equate that because it's about money. Two fifty seven is not necessary if you knew that there

is 255. Yes? All of you, you are contradicting ... 28-45. All of you, when you speak and stand up, you said, education, the children, stop the abuse, the abuse, the use for an excuse about the children so that you can sit down, and to be elected again. You are committing a sin, all of you. When you sit and get elected again, you forget what you've said about education, Guam's children. Then you turn around and give yourselves a raise. Silently in this fashion, secretly, five thousand for each one of you, five of whom do not deserve it and they haven't even gotten their feet into the door yet. They haven't even gotten wet behind the ears yet. Money. Money. Look at the children behind me and do you see nothing with your eyes. Don't you have feelings in your heart?

I have come here to present a testimony. I am not here to seek trouble, a job or whatever. I am disabled.....I will fight our flag, I will spill my blood for the rights of the CHamoru, the natives. I am hurt. They celebrated yesterday the sixty seventh year of the liberation. They closed FQ Sanchez. What is there to celebrate, my friend. Tell me. Judi Won Pat, ...Answer me if this is true. There has been talk going out that you've said that if they open FQ Sanchez Elementary School, all the people of Umatac have to pay the school. Aren't we the ones paying you? Is this true, Speaker? Please.

Speaker Judith Won Pat. That is not true at all.

Mr. Victoriano Camacho. Okay, all right. [Translated from Chamoru to English] Yes, this went into 257.

Senator Vicente Pangelinan. [Translated from Chamoru to English] Like you said you aren't here to cause trouble. There are many after you. If you want, turn around and I'll sit and still listen to you. When you finish...

Mr. Victoriano Camacho. [Translated from Chamoru to English] Wait and I'll finish it in this fashion.

Senator Vicente Pangelinan. [Translated from Chamoru to English] No, we'll give respect to the others too.

Mr. Victoriano Camacho. [Translated from Chamoru to English] Yes. Let's hear sincerity, wisdom.

Senator Vicente Pangelinan. [Translated from Chamoru English] And Fa'et is still left here, of course.

Mr. Victoriano Camacho. [Translated from Chamoru to English] No, I didn't say salty but sincerity.

Senator Vicente Pangelinan. [Translated from Chamoru to English] I know that.

Mr. Victoriano Camacho. [Translated from Chamoru to English] That is loyalty which is a dignified word. This is all I have to say. FQ Sanchez is closed because of money. FQ Sanchez was closed because of ... 29-140 for the Guåhan Academy Charter School. There will also be a Culture, Language and CHamoru history. But who is it for, my friend? Even ... 21-23, the Chamorro

Mandate, there is still no classroom for Chamorro up till now, for the teachers. Then Sen. Taijeron proposed ... 28-24, and no money. Up till now there's still no classroom. No money? And you will close FQ Sanchez. You have already closed it!

Senator Vicente Pangelinan. [Translated from Chamoru to English] We didn't close it, please.

Mr. Victoriano Camacho. I board.....

Senator Vicente Pangelinan. [Translated from Chamoru to English] That's why we are here because it's to consider this....

Mr. Victoriano Camacho. [Translated from Chamoru to English] Then what. What is the resolution, now? Open. Open it back.

Senator Vicente Pangelinan. [Translated from Chamoru to English] That is what is being asked for and that's why we are here to listen.

Mr. Victoriano Camacho. [Translated from Chamoru to English] Let's not have too many words here, friend. Open. Open back FQ Sanchez. Another proposal that truly bothers me, Sen. Rodriguez, most especially you ... 30-182,.....It says here,And what is our problem today. This is the truth. FQ Sanchez is closed. It's best to close off GW,and it's supposed to hold 2,300 only. JFK, 2,700 are there and 2,400 capacity only. Gee whiz, Okkodo which has recently opened, about two years already and its packed with kids, 1,475, at 1,200. We have yet to hear from you regarding 257, what is your plans for the ...(military buildup). What is your plan for Money? Where is that, huh? And what is this Is this about the..... or the money? I like.... I can spend I can smoke. Where is that And what is(Sodexo)?.....Who did these? You? Then, was it outsiders? Gee whiz it's done by outsiders? All of you up there senators, are servants to us. You are tremendous servants to our children here. Look at the children, friend. Look. It's been said that I could have gone and harvest yam or sweet potatoes. They said it's not the season for yam yet, don't kid me. It is always ready for harvesting. Elderly thanks.

Senator Vicente Pangelinan. [Translated from Chamoru to English] More to you, Sir. Mr. Quinata?

4) Mr. George Quinata. [Translated from Chamoru to English] Hello, all of you who are up there. I know how to speak CHamoru but I'm better at English.

[English} Anyway, my testimony today is short and to the point and I want everybody to listen carefully. I learned this from my speech class at the Guam Community College that when you begin a speech or begin to write a speech, you brainstorm. You write it you think. Not write it and then you write differently. So this is what I did and I did this this morning.

My name is George Topasna Quinata. I am from the beautiful village of Humatak. I went to FQ Sanchez Elementary School in the early '50's, completed sixth grade, went to Inarajan Junior High School and finally graduated from George Washington Senior High in 1969. I am also a college

graduate from Guam Community College. The closure of our school that was dedicated to an educator from our village caught all of us with dismay and with total disappointment.

First board meeting at Untalan Middle School gave our community some sigh of relief when there was a motion by Barry Mead not to close the school. The next meeting that was held at the DOE Conference, and I was there, was to discuss ways to cut costs in order for the school to be able to continue. And it was tabled until further notice. The following week, the board met and finally decided to close the school regardless of the financial burden the Guam Public School System was facing. The board, in my personal opinion, lied to the students and staff of FQ Sanchez, in particular, the parents and the people of Guam. Why are they closing that school? Yet, they are spending millions of dollars fixing other schools and at the same time planning to build other schools as well. It is discriminatory and very unfair.

On the other hand, we are trying hard to educate our people about preserving history and culture but at the same time killing it and placing it under extinction. Why? We are already on the verge of losing our language, the respect and the things our parents and grandparents taught us and what are we waiting for? For the sake of our children, the staff and parents and the people of Umatac. I am asking, begging, pleading all of you senators, the board, the governor to reconsider opening our school and place the children as a priority in your heart and your mind. In closing, I want to thank Sen. Rodriguez for coming to our rescue and all those who have been calling the radio station to support the destiny and future of our children at Francisco Q. Sanchez School. Your decisions today will definitely make a difference tomorrow. Thank you very much and God Bless all of you.

Senator Vicente Pangelinan. Thank you, Mr. Quinata. Any questions from the panel? If not, we'll then proceed with hearing the other public testimony.

Before I call the next panel, I see the mayor is here and I'd like to offer him a chance to either come before his other constituents or wait; it's up to him. So, Mr. Mayor, please join us. In addition, I'd like to go ahead and call Mr. Juan P. Diaz to join the mayor, Ms. Gloria Nelson, and then I'd like to extend an accommodation to Mr. Galo Camacho, if he wishes to testify earlier since I understand he may have some other limitations here. Mr. Camacho? Once again, I would ask that you identify yourself for the record and make sure the microphone is on and then proceed with your testimony. We'll be here until we hear every individual that wish to make a public statement in regards to this bill, but we also ask for your consideration to those that are waiting to testify after you present your testimony. Thank you and si Yu'os ma'åse'. Mr. Mayor.

5) Mayor Dean Sanchez. Thank you sirs, Senators. I am Dean Sanchez, the Mayor of Umatac. I'm also Dean Quinata, the mayor of Umatac. I'm also Dean Aguon, Dean Santiago, every family I represent down there. That is my pride. These are my people. The mayor can be called the father of the community but I feel I'm not the father since I've lost my kids and who do we blame? We blame other fathers, other mothers, who took a vote against children, against teachers, against counselors, against librarians for their very existence of what they truly admired in doing: to teach, to educate the kids that I own and I say it with a strong belief. They are mine, much like the other parents. We are theirs.

Ladies and gentlemen, this is perhaps the most emotional time I can say because entrusted in my speech is in your hands the ability to correct a wrong. A wrong that was done to kids of innocence. Kids who cannot speak on their behalf yet we allowed adults, adults to make a decision for them to deter the future that, of course, validates their very existence. Every obstacle that DOE has thrown to these kids, thrown to the teachers, thrown to the librarians, thrown to the counselors and thrown to the parents. We took it and we succeeded. We succeeded much to the expectations of the glorious leader, Nerissa Bretania Schafer Underwood. She, of course, I mention, has taken a personal prejudice in closing the school and it started fifteen plus years ago and we still put up the fight by acknowledging the closure of the school. She has succeeded in her endeavor to do this. I dare say, Senators, it is time to change the wishes of one person's admiration and prejudice and determination to close the school in front of people who took on the challenge and forcibly succeeded.

Our kids for the last two years have made it known. Nationwide, we succeeded as one of the schools who achieved high SAT-10 scores. We are proud parents. We are proud Umatac. We are proud Chamorros. We are also proud Americans. Entrusted in your hands, ladies and gentlemen, is to challenge every ounce of what brings to our island, the ability to provide a home for others who may find themselves in less livable terms. We took them on only not realizing that the land of the free is not free. It has to be paid by somebody, much like Sen. Blas' attempt to get Compact-Impact money: \$501M. Whew! That's a lot of money and it's not going to go to Evergreen. This should come back to our people. This should come back to our students whose very belief in what we do as Chamorros is to succeed and become leaders like you. Become leaders like me. Become leaders like the Governor so we can protect our island, protect our livelihood, but, most of all, protect the most precious gift that we have; the gift when we say we're Chamorros, we're Guamanians and we stand and we'll fight for what we believe in, not some crooked reason to close the school for the little money that they ask. DOE has a seven million dollar shortfall. How does a \$157,000 would account for seven million dollars? Balance the budget. Tell us the real reason why you're closing FQ.

FQ was singled out in the Evergreen report but what it really meant was, the entire school system has to contribute to the lessening of the budget. The entire school system. But FQ was specifically named because somebody took it as a prejudicial concern that they put FQ out there in the forefront so that they can take us out. Who is that person? I believe it is the superintendent herself. My father and many fathers of us told her right then and there the first time she made the attempt and excuse my language, but get the H-E-L-L out of Umatac. How could she even dare to attempt to close the school when the mission of DOE is to educate. How could they close the school when the mission is their responsibility to our children - our children, your children. Even the children of those who come from the outer islands. Their purpose/responsibility is to take care of everybody and not just the few, not just the ones that's got silver or golden spoon in their mouth, but for the very poor. The original Chamorros - if we take it in account who are Chamorros overall. You will find that Umatac contains almost ninety eight percent Chamorros.

I am not prejudice against the other communities. I am saying what is true and what is fact. But, to take away the future of young people and their admiration for the achievement that is already done surpassing every other school is almost heinous in itself. You actually told them they're worthless by taking away a school that has succeeded in achieving in all the obstacles. They took away teachers, we succeeded. They took away federal programs, we succeeded with the barest of

amount of teachers. We succeeded and achieved and overcame. If that is not the spirit of a Chamorro, I don't know what else you are going to call it but, it sure isn't another nationality.

Senators, you're supposed to represent the island itself, Guam. Spiritually and in your conscience to make the right decision. The people of Humatak didn't just come here. We pleaded for our other Chamorros around the other districts to help us in our plight because if we're the first one, imagine who's next. Hundred fifty seven? Where are they going to get the \$6.2M to finish off the budget? Start with Umatac, go to Merizo then Inalåhan then Hågat so we can continue to build more schools in the northern side? I find that almost discriminatory in itself, the practice to say, let's build more schools up north, let's close the southern schools first.

How is that justification when you take certain concerns purely on your own judgment, but never considering the other people's feelings, other people's views. Hita ni' south, kada biåhi, they put us down. I can name ten different problems right now that the government has failed to the people of Umatac, but it seems pointless to even say it now because they are closing the school. That's a crime in itself. To take away something that belongs to the very innocent, but for now, sirs, I humbly respect you, I ask you, and madams, it is not for myself that I ask. It is for the future of our island that we create leaders without discrimination. That is the very crime that this board members have committed, especially Mr. Santos, who outright, the first time he got appointed, "I'm going to close FQ." If you're going to be that type of leaders who accept reasoning like that, then you can kiss Guam good-bye.

Esta, they change the name, instead of Guam now it's Guahån. What else they going to call us? Ladies and gentlemen, I thank you, but more than that, I ask for your respect, respect as people from the island, from the islands because we got a whole bunch of nationals around here who are willing to take over the island. We are the first ground of the US - the first stepping stone to get into the US and if we let our island go, well, the US can kiss themselves good-bye. But, I respect you, Sen. Pangelinan, Sen. Rodriguez. I admire you that you have taken this first step. Senators, I am not saying that there's only a few who's committed because you took an oath to serve the people of the island, not to serve yourself, or not for us to serve you. Succeed in this. You will change the validity of what senators really mean. You have come to the rescue rather than few people who haven't taken any oath of commitment to the government much like myself. Sirs and madams, I thank you.

Senator Vicente Pangelinan. Thank you and si Yu'os ma'åse', Mr. Mayor. Mr. Diaz.

6) Mr. Juan P. Diaz. Thank you, Mr. Chairman, and members of the panel. My name is Juan Diaz and I support this bill. However, I want to see a provision somewhere down the road, which provides for the authority and processes for the closing of schools. I don't see this anywhere. I would like a defined and clear authority and process.

First, my testimony is very short, even though I'm a little bit of a tall guy. I'd like to express first my bias before I say a few comments in regards to my testimony here. The reason for my presence here is because I have an involuntary lifetime investment on the education on Guam.

Secondly, I believe in the ratio of investment to product correlation. This is the greatest interest, my greatest interest, product of investment - I mean ratio between the investment and product.

Now, regarding this bill. It is my belief that the decision of the board would be null and void if this bill is enacted into law. Further, if there is a need to close the school for poor performance or funding, I think a good move might be in order if we organize the school or realign the organization – however you want to do it is up to you. But, I don't see how you can close one school with good performance and not follow with the rest of the school and it might be the case with one closure and, I believe, someone should come forward and reorganize or whatever.

I'm very concerned with the way this government operates specifically with this Legislature. Where we venture to pass a law today and tomorrow we enact a law and abolish the previous law. I don't understand this. I would like to see a Legislature that enact a law and stand the test of time. I don't know if you understand this, but I understand that you can enact a law and then the next day you change it and then you enact another law. Can we pass a law where it stands the test of time?

Lastly, I don't know why I read books, but between 1922 and 1927 - in the Philippines, the Philippines is an independent country. The percentage of interest or expansion of school enrollment is five hundred percent - 1922 to 1927. Can we match this here? Can we match it here? Thank you, panel.

Senator Vicente Pangelinan: *Thank you and si Yu'os ma'ase'*, Mr. Diaz. Mrs. Nelson? [She yielded to Mr. Galo Camacho] Okay, then, we'll go ahead and give Mr. Camacho the opportunity to precede Mrs. Nelson. Mr. Camacho?

7) Mr. Galo Camacho. [Translated from Chamoru to English] My name is Galo Eclavea Camacho. My father was called Tun Josen Humatak. I am proud that he got the name Humatak. I think he wasn't born in Umatac. I'm not sure, but there is a reason. My father married twice. His first wife was Ritan Oting, maybe Duenas, but when she died of ...(influenza), he remarried again to my mother, Catalina....., my mother had ten children. The eldest boy and my brother, was killed during the war when he was defending us. He wasn't militia but a photographer and he was called to help where the was because there was someone who was shot by a gun and he was called byHe was also shot but he didn't die quickly as the story goes that I heard, my brother wassix times. But it is not this that pains me but rather than no one in my family ever knew where ...(Roman), my brother was buried as well as the other four or five men who were also killed during thein front of the church at the plaza.

But what brought me here today is because I'm not known to be a showoff but that I'm very proud when I'm referred to as the son of Tun Josen Humatak and there never was a question if it was true that my father lived there. I know very little about the history of our island but that Umatac and Merizo were the first, I think, to be recognized because they say that the blessed mother, Santawas carried by two crabs and she ended up, I think, in Umatac. Good. But, I believe that they should continue to let the school be opened in Umatac. My mother-in-law,as she was known..... She was the principal at one time in Umatac and Merizo, these two schools she managed and she never complained about funds because she would use her car to and from work and she was highly respected by her colleagues at the school.

In 1966 when I came back to Guam, I learned about her going up to Merizo and Umatac to attend to the two schools and she was well respected. Even I truly respected her because I married her

daughter. Rita and I were married for sixty six years. She was the daughter ofshe died. She suffered for a long time with her illness and even I myself, I've suffered as well especially without a job since 1997 or 1998 because I have poor eyesight and I am a diabetic. I also haveand they said that it's from my heart at one time but I don't believe it up till now because I still feel good in my heart. All that I'm asking you senators, please open the school and this one I'll promise to put money which I'm able to so you can return your increased raises and with my promise.....I don't have much material possessions but I'm still able to borrow money and I willI will give to the Umatac school, five thousand dollars from my pocket if you return your raises so that the school will be open.

Senator Vicente Pangelinan. Thank you very much, Mr. Camacho. Mrs. Nelson?

8) Mrs. Gloria Nelson. [Translated from Chamoru to English] I am Gloria....., also.....The nameis borrowed. I've been with Galo for a long time. If you had seen that there was a plan ahead of all this....about this. I don't believe this because I know by being in a Guam department for a long time, I am the longest, two months less to make it five years. Only two months. Si (Galo) he was...There is no (guarantee) about this (bill 257) Five voted,...Five. What made it possible from the ...(appointed)... From the....and I know this again because of that.....There were nine maybe ten in all. This was not necessary for ten brains for that. It wasn't necessary. There's no.....that will open the school. .(Galo) when we are authorized we'll go and....I am not blind because I am the eyes. I can't say that Iabout this bill. There is no plan, a good plan that will (involve) the people of Umatac, the school personnel,and the.. They didn't work together.....for us to be here. It's not necessary. It's not necessary for a demonstration in the hot sun. It's not necessary for the children to go through hardship. They say there is a bathroom, they wouldn't go to the bathroom at another school. Even at your house, you'd use your own bathroom at home rather than going someplace (public).

[English] The new school will be more or less public to adjust. And I am very familiar with all the reprogramming and high performance people, under achievers. Even more important, to take care of them. Don't give them that hit and run. They were given hit and run, Sen. Rodriguez. And you're hitting and running because I understand the tobacco fund money is for cancer.

I just got out from my cancer check-up. And I'm okay compared to the others and I can wait and you can give all the money away, but it's not right and this problem is not you Senators, really. There's a combination when it came to the public hearing and when their final budget was submitted. Why wasn't that located? To put a stop to the board to make that lousy decision. To hurt 57 children. I'll tell you. I got a call long before that and I said, let me know but they depended on getting \$157,000. There's no guarantee and you people know it - that this is going to open it.

Senators, intervene! Work with the Governor. Get those five. You know who are the five that voted? The appointed. The appointed. And there were all kinds of stories because the Speaker wants it for charter school. That place doesn't belong with the charter school. I know what charter school is all about. I know what DI is all about. There's no guarantee, people. So here are these real nice Umatac people clapping. Clapping for what? I didn't clap because you didn't intervene with the governor. Get those furniture back. Get the staff back. And let's open the school for the kids.

Speaker, get them to work out a plan that will close or open, but they have to work together. And I'm telling you this because I closed Adelup Elementary School, people. It took me almost two years to dillydally with everybody. But, it worked. You didn't hear one complaint. What is it? Real good planning. And involve those that are going to be affected. So, Senators, if you don't intervene, tell them you cannot because I strongly feel, you shall intervene. Sen. Rodriguez, intervene and don't get fourteen votes this time with a No. Don't. Thank you very much.

Senator Vicente Pangelinan. We'll go ahead and call the next panel. Thank you. This panel is dismissed. The next panel that signed up is Mr. Vicente Meno. We have former vice-speaker, Sen. Ted Nelson. We also have Mr. Frank Muñoz and I'm going to call up Dr. Shieh also who, he says, he has a Umatac client that he has to go see. Mr. Garrido, you may come up. Come on up. Just sit. Mr. Meno?

9) Mr. Vicente Meno. [Translated from Chamoru to English] Hello. God is dawn means.....I am, from Inarajan. I was born during the war and yesterday was my birthday. Thank you but I am not too happy at my birthday because when I watched what they referred to as peace and liberty, Island Girl and the Sinajana Vice-Mayor were speaking entirely in English. We should practice the belief, the culture, the language. Good, I truly appreciate. Look up at how handsome he is, nice shirt and when I came this morning to caress his back, I was going to say, please, please, for mercy's sake, for mercy's sake, mercy to Sen. Rodriguez's proposal for the school, for the education of our children, the children of Umatac, the native people, people of the land, blood of the land, skin of the land, air of the land, water of the land, Umatac people. Everything has been said about what I was going to say. The point that I want to explain and I will put the message before you, the question, what is education? Let me explain to you what is education because in its entirety, not many understand us. Education is not only and no, I'm not mocking all of you. Please, wax your comprehension. Education is not only the election about Democrats and Republicans that ride on a pick-up and furiously shake hands and scream with their signs I amand their signs and brochures are then passed around. They say They say we will educate the children, educate the people of the land which Sen. Pangelinan,.....it was their (platform) for which I have everyone'sand you know what, I read them often. I want to know and understand your basic promise and the sentiments from your hearts. Among everything, all of you raised up your hands.....

Senator Vicente Pangelinan. [Translated from Chamoru to English] I love it. I like it.

Mr. Vicente Meno. [Translated from Chamoru to English] I know everything..... How does it end? What ends with embarrassment, pain, and tears. Why must I stand in line at Adelup and then come here and then go real early towhere I had to sleep in Yigo in order to catch thefor you to listen to the radio this morning. I invited the people of the land. If you look at this there are people from Yigo, from Dededo, Talofofu. I pleaded with the people of the land today to come and face all of you, to hear the song, the air, the sea, the skin of the land, the blood of the land.What is education? Education starts at home. Both parents who reared their children, man and wife, they taught, they created the good for all. They told them that once they wake up from bed, do the sign of the cross and to give grace to God for eyesight, hearing, good health. Then, they say, go and wash your face on the wash basin, go and brush your teeth then ready yourself and eat breakfast then go to school. Both parents educated their children on this. Know how to follow directions and obey, but don't forget (breakfast). And don't talk back. This is from the home. When the child arrives at school, there is

another rule, but that is part of education. Then I'm asking the point here that I'm trying to say. The people of Umatac deserve this. They deserve to have the point here..... my real point and my real issue here, who have the power to close the school down? Mr. Speaker, Madam Speaker, Senators, do you know? Can you answer me that? Who have the power to close the school down?

Senator Vicente Pangelinan. [Translated from Chamoru to English] That decision falls on the part of the law now, the power rests withwho makes that decision.

Mr. Vicente Meno. [Translated from Chamoru to English] You didn't answer my question.

Senator Vicente Pangelinan. [Translated from Chamoru to English] It is there. It is in the law that the power and authority to follow that question to open or to close. That is the part of the law for the Board of Education.

Mr. Vicente Meno. [Translated from Chamoru to English] Then thecan close the school?

Senator Vicente Pangelinan. [Translated from Chamoru to English] That is my understanding.

Mr. Vicente Meno. [Translated from Chamoru to English] Because I know that the governor has the authority tothe....I was a part ofin 1998 when we were torched.

Senator Vicente Pangelinan. [Translated from Chamoru to English] I was there when you were

Mr. Vicente Meno. [Translated from Chamoru to English] Yes. (Lola Nelson) was alsoWe were (fired).

Senator Vicente Pangelinan. [Translated from Chamoru to English] Yes.

Mr. Vicente Meno. [Translated from Chamoru to English] Well then. I know and heard lots of testimonies from Umatac. I ask for patience. I ask for consideration. I ask for peace. (Lola) said that she and (Siñot Camacho) will help you. Even me, I want to help even though it's to mop the floor, I will join. (Lola), let me join because there's lots of towels that are broken.This doesn't even go pass Leader's Bridge. Before we surge ahead, we will sink.because that school was the first that was built and a huge sign....village, beautiful Umatac is the same as the land and its people. Please. Thank you. God is dawn.

Senator Vicente Pangelinan. [Translated from Chamoru to English] God is dawn everyone.

10) Mr. Ben Garrido. [Translated from Chamoru to English] I am Vicente Garrido, better known as Salty. We have the same name...

Senator Vicente Pangelinan. [Translated from Chamoru to English] Count me in

Mr. Ben Garrido. [Translated from Chamoru to English] You too since we have the same name. Respect to.....

Senator Vicente Pangelinan. Thank you Sen. Tina Muña Barnes for joining us.

Mr. Ben Garrido. [Translated from Chamoru to English] When I looked t the name it said, An Act to Save FQ Sanchez Elementary School. An Act to Save....shoot, what, what is FQ Sanchez burning/ Is it on fire? That we already have an act to save FQ Sanchez Elementary School? Is it falling down or is it closed? Like Ben said that the Board can close or is it true that the school is already closed Is this true? I just want to know. Is it already closed? No student can go there from Umatac?

Senator Vicente Pangelinan. [Translated from Chamoru to English] I'm not sure, quite honestly. I don't know because it's not open yet. I believe it's to my understanding the decision we made by the Board that when the new school year opens that the children of Umatac will be going to school in Males so'. If I understand correctly.

Mr. Ben Garrido. [Translated from Chamoru to English] This school, you know, you are right....This school has been around since our ancestors and at that time even myself I will ask for respect for permission to them but this closure of the school shows lack of respect to the ancestors. Those five commissioners that voted and were appointed, they have no respect to the ancestors and I don't know whether they'll get sick about this because they should ask for respect every time they go to the land of the ancestors and this school has been around since their time. It has gone beyond reasoning that thisschool, yes,since the time to before when no student would go there and attend school and then grow up, all the way up.already, this school has gone far enough and it should not be closed. There is no reason for theNo reason for theto close this school. It's not that there's no money, there is money, friend. But there is a specialwhat is the reason for its closure because when these leaders stop listening to thewe won't be like this.

This has gone far enough like the type of food cooked from toasted ground rice and corn or whatever. All of this. A small school is not bad. It's all children of the land that attend this school, I am from the Umatac branch also because.....I am then supporting all of this at this time and whoever said that those going to vote, only Umatac people can vote. You are wrong because I am living in Dededo. You are wrong that it's only those people who won't vote for you. There are others everywhere where wrongdoing is commonplace even those that are sitting on theIt is correct that if you close the school the same harm will come to face you and it will be lost on theUntil every Umatac resident stops breathing even though you close the school but as long as they are breathing they will still be there and even I will not allow the closure of that school. I have respect for the board but that's the kind of preference that I'd want for you to, instead, close theIt's what they want that prompts it to be closed. Outsiders attend that school up north where I live.

There is a small number of CHamorus only. If it's a school that you want to close then it's that school that should be closed. Don't close the one down there in Umatac. Then, to me, this is my testimony as I support thisAgain, thatwith the five appointed members that chose to close the school have gone far enough with disrespect to our ancestors. It is shameful that they chose to do this

and we are already here so that we can save the school which should be opened. Thank you and may the elders thank you all.

Senator Vicente Pangelinan. [Translated Chamoru to English] May the elders thank you, sir. Mr. Munoz?

11) Mr. Frank Muñoz. [Partially Translated from Chamoru to English] I've heard all the testimonies senators. Good, especially Mrs. Nelson to clarify and all the others, Mayor Dean of Umatac and everybody else that gave testimony here. I see the clear picture now but my two cents here was to start off with, Mr. Chairman and Madam Speaker and senators the ways and means to save, resolve and maintain and serve FQ Sanchez Elementary and not to rob the people of Umatac was part of my, but what I'm looking at here is how are we gonna save the school when somebody there has already decided to shut down FQ Elementary. I know that it's not, I'm not pointing fingers here but right now I want to see the governor of Guam. I want to see him here because he's got the board. I'm tired of this crap, man. I love you all but I want to see the governor here. I don't care if it's the lieutenant governor. There's too much, we're being targeted right now.

Forgive me, I'm tired. People are tired. We are being targeted all over this damn island. We have to stand now. We have to fight. We have to protect our people. Or else, it's gonna happen, Mr. Chair. It's gonna happen. We are going to retaliate. We're trying to hold back. We depend on you. I have confidence. Stand. Stand up and fight, I don't care who you fight. Defend the island of the people. I'm going to make it real short. I love you all. I don't hate anyone among you but it has come this close, it's going to break loose, the CHamorus have gone through so much where we've been pushed too far.

We're not gonna take it anymore. My dear Senators. We're not gonna take anymore! I'm telling you right now out of respect. My sibling....for you all, we've put up with enough and have held back. We are not afraid anymore. But se cry. We are angry and crying even you. I love you all. I am taking this out because I know that you will forgive me but I wanted you to know, asall that has not been brought up like this. I was told that whenwas born and he was sleeping, I was told he was a good man but thank you that I released my pent up feelings to you like this. We have not been treated right or the same as the others. It's mostly the outsiders, and I don't mean disrespect here. Many have come here and avoid communism and we don't say anything....The heart of the CHamoru....that is the heart. Whoever we see who's hungry we feed him. When a Chinese comes or someone from another country I will be shot. Fifteen minutes in the Philippines is how long I'll last because they'll kill me. I will not be fed. Only Guam is where I can. Then, thank you and I hope you'll forgive me but again, I wanted you to know the rope is starting to break and I will trust that you will ensure fixing this matter quickly. Thank you, please, please.

Senator Vicente Pangelinan. Thank you very much. Dr. Shieh?

12) Dr. Thomas Shieh. Good afternoon, honorable senators. Thank you for allowing me to come up here and I apologize for those who are waiting. I do have patients I got to get back to see. I can share the passion of the gentleman to the right of me. I can't help but look at some of the kids in the audience who probably don't know what's going on - what is the argument about? But, I see a

patch on their uniform. It's a nice patch. I look over and it does say FQ Sanchez Elementary and there's a seahorse. Is that their mascot?

It's interesting because the seahorse comes from a genus which means "hippo campus". Hippo means horse and campus means sea monster, so I guess someone has woken up the sea monster. It's just an interesting note. But on a more serious note, I want people to understand that I'm here voluntarily, nobody asked me to come. I've driven down to the southern village and I've given a lot of talks down there on alcohol abuse, tobacco cessation, drug abuse, etc. and I see the kids and talked to their parents.

It is a nice village and I can see how passionate they are. I'm here as a physician in support of the bill. I don't know whether the bill would be enough to sustain the school, but if it's what it takes or it's going to cost more, then you can amend the bill and work with the Department of Education to make it happen. I don't doubt that this bill will pass. I'll be quite surprised if it doesn't pass. But if the school was open back in 1953, I guess, 1953 right? At least that's what the Wikipedia says. It's one of the oldest schools here on Guam.

Now, back in Honolulu, one of the older schools there was probably reserved as a historical site. So, you may want to tap into some historical funding and grants to preserve the school as a historical place because it is one of the first schools that opened. The second school to open, I think, is the one at Inarajan. So, those are the first two schools that opened here on Guam so it is a historical place. I did write a letter to all of you and I did e-mail and hopefully you can submit that as part of my testimony.

But, I think, I do agree that small schools frequently binds the small community. It's a small community, but taking away that school does affect the culture and the civic center for their everyday interaction. It does tear the heart out of the village, so we need to try to find ways to support that school for its existence. There's a letter I just picked up - this is from the Department of Administration (DOA) and in the letter, I find a little puzzling because they said they support the intent of the Bill 257, but there not the available funding. Basically, what it says is that it's a temporary fix, but I would probably challenge DOA and take a look at the letter and give it to the Board of Education as perhaps closing the school is a temporary fix for their budget problem.

I think there's an overall bigger picture than just closing the school that is going to solve their problem. It's a temporary fix, but it's a temporary fix for the Department of Education, not for the village of Umatac. It's a permanent scar - that's my personal opinion. One of the other historical part about all of this and part of my personal interest is that the village of Umatac holds a very special place for me as well. If you all recall back in 2003, there's a little girl Justice Taitague who inspired thousands of people to come out and donate for bone marrow. This was the specific village where she was playing and a park that was dedicated to her by the Legislature was the "Justice Taitague Memorial Park". We're working to replace the playground, so there's already one playground taken away so we're going to replace that, of course with private funding.

To take away the school - that's a public educational aspect of the education department. I think the board actually erred on this. They need to take it back and I think the board should reconsider in keeping the school open. I think regardless of the number of schools they have, I think they need to look at the structure of the school, especially in the village like Umatac, which is a very

rural area. We need to provide funding. If it costs twice as much to keep the school, then I think they should consider that because I think it's important. If you take away that educational facility, you are gonna ask them to take away the badge of their uniform and what's that gonna tell you. I still have my badge from a long time ago in elementary school so to take that away badge off is like tearing something off and how do you explain that to a little kid. It's very very difficult.

I'm going to end it with one flash note: the hobbit effect and it's why small schools work. I e-mailed that to each of the senator's office so you can read it on-line. But I think it's important that I'm here because it's part of the tobacco bond issue and I think part of the tobacco bond settlement. Whatever is involved in tobacco education, keeping the school open has an indirect effect and prevention of tobacco cessation and it keeps the community safer and it's for the children of the future. Thank you.

Senator Vicente Pangelinan. Thank you. We'll go ahead then and call the next panel. We have Vice-Speaker Nelson, Mr. Franklin Taitano, Mr. Frank Acfalle, former Mayor Mr. Frank Sanchez and Ms. Pacita Smith and Shirley Brooks, Terrie Gofigan. We'll go ahead and begin with Mr. Taitano? He's not here. Mr. Acfalle? We will start with Ms. Pacita Smith. Very important, just press the button if the red light is on, identify yourself and you can begin speaking.

13) Ms. Pacita Smith. My real name is Pacita Babauta Aguon Smith. Got it, Ben? I want to thank you for giving us the opportunity to speak today. Sen. Judy Won Pat, speaker, thank you. Anthony Ada, thank you, nice to see you again. And Sen. Rory Respicio, thank you for listening. Our favorite senator, Dennis Rodriguez. Sen. Duenas, thank you. I skipped on you Ben Pangelinan, thank you. Yamashita, thank you. And I don't know if you remember me during the fiesta, I was the one who introduced you to my family when you were running for senator. Sen. Mana Silva Taijeron, thank you. Thank you girlfriend and boyfriend Tom Ada and cousin Tina Quinata Muña. It's such a wonderful testimony earlier and I guess I don't have to repeat myself. All I'm asking today is for each and every one of you to open your hearts and understand how we feel, our community, our family in Umatac.

FQ Sanchez really mean a lot to us. We have a lot of history and that is the main history for our generation to come. I hope that you understand what effect on them on the school board closing the school. It's sad to say - it was sad that only you, Senators, can intervene the decision they made. I want to thank each and every one of you for listening and I hope that God will open your heart and share our hearts, our feeling of Umatac. Thank you.

Senator Vincente Pangelinan. Thank you very much. Ma'am, please identify yourself for the record.

14) Ms. Shirley Brooks. Hi, good afternoon. My name is Shirley Quinata Brooks. I'm here to testify on behalf of my children and my grandchildren. Back in 1996, I had a daughter who was a valedictorian at FQ Sanchez Elementary School. Now, I'm raising her three kids. On the SAT 10, two of my grandchildren received an award or certificate from the Governor himself. My grandson received five or six certificates. We're are very close. We are very tight in that village. Umatac School hasn't been vandalized. Okkodo High School, a new school, already has been vandalized. Down there in Umatac we watch out for each other. We make sure that school is secured. They are going to

take that school away from my children. They're already hurting because they're telling me they do not want to go to another school because they're going to be teased - "Why don't you guys have school? Why are you guys in our school?" They were merged to Merizo way back when my children were still [young] and every time they come home complaining - "I don't want to go to that school because we're being teased to go back to your school".

So, right now my grandkids are asking me to fight to make sure that they don't go to another school. And one thing: I bought a \$99.99 tent at K-Mart. I'm going to take me and my grandkids and we're gonna camp out at that school in that tent. Thank you.

Senator Vicente Pangelinan. Thank you very much. Mr. Mayor?

15) Mr. Frank Acfalle. Mr. Chairman. Senator, I'll think I'll start with the ladies. Speaker Won Pat, Dr. Yamashita, Sen. Tajeron, Sen. Barnes and my dear friend, Sen. Rodriguez, Sen. Ada, Respicio, Sen. Ada and Sen. Duenas. Before I really start my testimony, I'd like to comment on what Mrs. Nelson said - I agree with her, I believe in her. But if it wasn't for this young man's bill, this would not have happened. I don't think the Senators will ever listen. And I would like to say this on record, I have personally called each and every one of Senator's office and either you're not there or I spoke to staffers and they'll rightly out rightly say, I'm sorry but the Senators cannot do anything about it and that's why I'm happy that this bill has come into light and has brought us over here so that finally the senators themselves can listen to us.

My name is Frank Acfalle, former mayor of Asan-Maina, now a naturalized resident of Humatak for over thirty years. As a former elected leader, I find it my obligation to stand up on issues that concerns our children's welfare, education and the community as a whole. It is for this reason that I am here today to testify in favor of Bill 257-31, an act to save FQ Sanchez Elementary School introduced by our good senator, Dennis Rodriguez.

I'd like to enlighten you with a brief history of our educational process in our village of Humatak. In 1521, March 6th, a stranger by the name of Ferdinand Magellan, despite the dispute whether he landed in Humatak or Tumon, there are clear evidence of historical sites and even when Father San Vitores and the Spanish missionaries came back in the 1600's, they came right back to Humatak Bay. No where else but Humatak. There, the Spanish missionaries settled and began their mission starting within the village of Humatak. Although only to a few educational process started all the way to the 1800's, learning Spanish religion and agriculture in order to survive. The church was the only building and the Spanish priests were responsible for the education of the residents.

In 1914, a permanent building was built and the first formal education process embarked but to a limited degree. The teachers were selected on the basis of their working knowledge of the English language. The school was named Magellan in honor of Ferdinand Magellan and was later changed to Humatak School. Among those appointed to teach were Francisco Q. Sanchez, Vicente Q. Santiago, Baltazar Charfauros, Maria Santiago and Gregorio Gofigan. Because of his leadership ability and knowledge of the village problems and great understanding of young people, Mr. Francisco Q. Sanchez was appointed the first principal of the school. From his appointment as principal until his death, FQ Sanchez led the people of Humatak in education and greatly influenced the spirit of cooperation among the people that even today, Humatak residents are noted for their community spirit.

In 1945, just after the war, Humatak School re-opened and the educational process continued. Classes were taught under great disadvantages with a very few instructional supplies and equipment. Rooms were not properly divided and classrooms had limited spaces. However, with the many limitations, Humatak School was the first on the island, to be awarded the E flag for excellence in housekeeping. In the mid-1950's, the island leaders declared the old Humatak School to be inadequate, to facilitate modern instructional programs and to compensate for these deficiencies, a new school was built. This was the first school to be built on the island of Guam after the war. Yes, the very same school that is being phased out on the island of Guam, the school whose students scored high on their SAT test.

My dear Senators, by closing FQ Sanchez Elementary School they have killed the spirit of the people of Humatak, our learning institution and the legacy of a man who has devoted his life in promoting the importance of education to the people of Humatak. Senators, our children do not want to go to Merizo for their education. They want to continue their education in their community's learning institution. Like the old saying, "there's no place like home." We don't want a Charter School. We want to participate in the public education program. In closing, I ask each and every one of you to find it in your hearts and listen to our cry. Please act on Bill 257-31 or find a solution like what Mrs. Nelson said. Thank you.

Senator Vicente Pangelinan. Thank you, Mr. Mayor. Mr. Sanchez?

16) Mr. Francisco Sanchez. Håfa Adai, my fellow Senators. As a product of FQ Sanchez Elementary School, for the record Madam Chair, my name is Francisco Quinata Sanchez also resident of Humatak. It is ironic that even my name, my parents gave me that name so that we can be able to remember the identity of Mr. Sanchez. In the passing of the late Mr. Sanchez, he was the product, he's a pioneer in education and that's the reason why we're here today. Today, I seek your support of Bill 257-31 to save FQ Sanchez Elementary School. That's the very reason why we're here today. Again, please find it in your heart to support this bill introduced by Sen. Rodriguez. And today, (gathered children around him) this is the reason why we're here today to support these kids. Please find it in your heart to helping out FQ Sanchez Elementary School. Thank you.

Senator Vicente Pangelinan. Thank you and si Yu'os ma'ase'. The panel is hereby dismissed.

We'll continue with the other individuals who have signed up to testify. We have former mayor, Cecilia Morrison. Is she still here? We have individuals who have expressed support for the bill, but do not have any testimony to present. (He announced names of people who wrote their names only in support but not to testify). Ray Quinata, Mrs. Erin Joy, Mandy Santiago, Ceferino N. Sanchez who submitted written testimony that are in favor of the bill. We also have Mr. Kurt C. Sanchez and indicated that they are in support. We have Elizabeth, I'm sorry I can't read the last name but she is indicating support. There is also Bernie Sanchez in support. And, that I think, is the last indication of support in the sign-in sheet. Is there anyone who may want to come forward? So, we have Rosario Quinata, Jose Q. Cruz who submitted written testimony, did you want to.....? Also, I'm sorry, I see Trinie Torres, Robert Benavente and we have one more seat. And, then, we still have a couple of other people who signed up. Madam Mayor?

17) Ms. Cecilia Morrison. Thank you very much, Mr. Pangelinan and all of the honorable Senators here today. My name is Cecilia Aguon Quinata Morrison. I am a former mayor of the southern municipality of Umatac, Guam. I have a little cold so please forgive me, as sometimes I'm not coming across very well. I'm here on behalf of my relatives, friends and family and most especially all of my children, all alumni of Francisco Quinata Sanchez Elementary School.

I support Bill 257, an Act to save FQ Sanchez Elementary School in Umatac. First and foremost, I extend my utmost gratitude to Sen. D. G. Rodriguez for his compassion in addressing the plight of the residents of the municipality of Umatac, for his foresight in introducing this bill, for his letters of July 6, 2011 to Mr. Francis Santos, Chairman of the Guam Education Policy Board (copied to all Senators and GEPB members) and to you sir, Honorable Vicente B. Pangelinan, Chairman on the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Sen. Rodriguez's letters listed comprehensively the basic points upon which, I, and residents of Umatac, also find atrocious by GEPB's proposal to close FQ Sanchez Elementary School. Second, I respectfully extend my appreciation to the Hon. Judith T. Won Pat, Ed. D., Speaker of the 31st Guam Legislature and all the senators from both sides of the aisle who expressed their support early on. Our profound gratitude to you all for your encouragement and in giving us hope and confidence in our unending pursuit to keep open Sanchez Elementary School. Third, I want to acknowledge the help of families and friends from throughout the island who took time out to call our local radio stations to express views and their support. You will never know how your kind thoughts and deeds boosted our spirits and to press on with our efforts.

As with fellow residents of the municipality of Umatac, I am here to reiterate our long stance and our quest to finally put to rest these preposterous attempts to close FQ Sanchez Elementary School with the most recent GEPB action of June 30, 2011. We ask for the full backing of all Senators. There is just no "going around" this unbelievable, unfair, flipflop and just downright discriminatory action of the GEPB. I was off-island for work and for personal business during the GEPB meeting around late May 2011 held at FQ Sanchez Elementary School. I would repeat, for the most part, my testimony submitted electronically on May 18, 2011 to be presented to the GEPB on my behalf. A copy of this testimony was given to the school principal subsequent to that meeting. What is the vision, mission, goals and objectives of the Guam's education system? What are the mandates upon which schools are to operate and/or function in order that these are addressed? If, the mandate of local schools is to help students reach the level of educational achievements in accordance with scholastic standards, why has GEPB taken the action to close FQ Sanchez Elementary School?

Year in and year out, our students continue to excel. They continue to demonstrate exemplary performances. Contrary to some puny thoughts, our students have proven, over and again, that scholastic achievement is not a monopoly by geography. Sanchez Elementary School has been producing students in island-wide spelling bee contests, receive national presidential awards, receive high SAT 10 scores, topping the list over other island schools; as an example, in reading, math, spelling and environment, skip several grade levels as a result of exceptional academic achievements, transfer to mainland high schools and are published in Who's Who in American High Schools for their academic accomplishments with less than a year to adapt to a totally new school environment, etc. I can go on and on as I am sure many others from other schools can talk about their own exceptional scholars.

The only point I'm making here is FQ Sanchez Elementary School's experience should be used as a model by other schools. It is utterly unbelievable that GEPB elected instead to close the school. Shouldn't this success be further harnessed for added expansion to other schools? At one time, our village was putting out a high ratio in the field of education where almost every two other households produced teachers, principals and other support staff. In the not too distant past when Guam had only two Chamoru pharmacists, one was a product of our village. We put out our share of men and women in the US Armed Forces with quite a number attaining officer ranks. We turned out Ph.D.'s, engineers, managers, directors, administrators, nurses, social workers, lawyers, biologists, local/federal law enforcement officers, firemen, utility workers, electricians, high-ranked federal civil service workers - you name it, we have them.

Indeed, something is working at FQ Sanchez Elementary School. And, to be sure, there are some problems with resources and some of their uses. But, in the end, the school is demonstrating meaningful and significant successes in its primary responsibility to educate the students who set foot at its doors. I am astonished about the glaring conflict between FQ Sanchez Elementary School's annual report cards and the 2009 Evergreen Report. The recommendation of the latter is beyond incomprehensible! Instead of being rewarded for its successes that are on the record, our school and our students are treated to this unjustifiable action by the GEPB.

Why am I not surprised that I'm not hearing much conversation about the social impacts and the associated costs that would surely occur with the closure of the school? What about the historical value and significance of our school in the overall social framework of our small community and citizenry? I likened the proposed closure of our school to be that of a dejavu of sorts. Not too many people know that a long time ago, our beautiful and historic village was the capital of Guam. Is our silence—perhaps apathy on a few of our fellow villagers—expected again?

We're not without our own problems, but our young and old, even senior alumni of FQ Sanchez Elementary School continue to show outstanding returns on investment. From various fields of professions, all give credit to this solid academic foundation received from our humble school. No doubt, it has assisted in laying the foundation and charting the path for alumni to compete successfully in various fields of discipline in the world of work. I offer a few examples, going as far back in our academia history as I can.

In the early days before Guam even had a college or university, one of our Sanchez Elementary alumni received a merit scholarship to attend college at a US university. It is even laughable that in developed countries of the world, education is sought as almost a cure for all things. And there have been remarkable successes. Yet, here in our little village, year in and year out, we're exhibiting successes and instead of a reward like maybe one more computer for our kids, we're to be closed. Talk about taking away student/community ownership – our sense of empowerment.

For over five years, millions upon millions have been spent into building a number of schools in the north with no new school for southern Guam. But, instead of using Sanchez Elementary successes to model for other schools, GEPB opts to close it. Simply put, I would venture to say that our school is probably way out in front with certain national standards, such as those that are family-centered school systems that call for the support of the total family with each child in mind. Again,

the record speaks for itself. We're not asking for a penny more. We're simply calling for fair and equitable treatment and I ask for your favorable assistance because it is simply the right thing to do!

In this vein, I humbly ask for the leadership of this August body to take a review of the disparities between survey results of board member knowledge in the Guam Public School System and School Districts in Evergreen's Survey Database, Exhibit 2-5, page 2 to 11. The stark contrast between the Guam Public School System and Evergreen's Survey Database leaves much to be desired. I would be very cautious about basing decisions on this report. Its recommendation to close FQ Sanchez Elementary School is inconsistent with its own view and definition about school success. In closing, I ask, once again for your help to stop this unfair and discriminatory treatment of our school and ultimately, of our students. Thank you very much.

Senator Vicente Pangelinan. Thank you very much, Madam Mayor. At this time, I'd like to call upon Robert Benavente.

18) Mr. Robert Benavente. [Translated from Chamoru to English] Thank you.....Let me speak momentarily in CHamoru. I just came from the jungle and I was asked and they said, gee whiz, can you come down and throw in yourI said, brother, I quit the politics for one reason, if there truly is sincerity as to what they are doing in there, I really don't care even if you are aregardless as a senator or even a governor, it is necessary that you are sincere in your hearts because the children are our....here, notice because there are children you are protecting. What comes out on our island, ends right as you are looking. So help your children, all of us. At this moment as I look around we continue to fall. During my time in school, there werethere were all kinds and now today,we are smarter and we know where we are at now. Must we need to be more smart so we can know more about what needs to be opened? Or let's take the natural route so we can be as one as we forge ahead and we help one another with time because that is the CHamoru race. I am hearing from many theabout our culture, our direction and many others things. That's why I ran into do what needed to be done that you are now doing today. I am not much for talk. You know whatI am running on. ...we look at this matter and....what do you think because ...from Inarajan.....You who have been there a long time, you know that there is money

[English] I don't give grades to a Senator, a Governor or a Board without completing his essay. And I don't give kudos yet until I've seen it happen. Believe me. The thing right now I heard - the Evergreen. Who hired the Evergreen? I don't know. And how much did it cost to make that decision. Those are the factors that we need to study - why Evergreen made that assumption to the Board? This is my understanding; they are some off-island business people that were hired here for how much? A million dollars or what? I don't know what's the idea, but as a Senator, the allocation of money, that's where you guys are at, making laws. Now, to open up a school or re-open a school and for funds you know - we're gonna look for funds. How much? A hundred and fifty some thousand? They closed down the election commission for primary election. Those are unnecessary for the last couple of election and that hundred and fifty is the people's money. Let's just go directly to the general and let's deal with whoever wins.

Right now, I'm very serious in this situation. We're not going backwards because backwards is a lot better than today. When I was growing up, we had all the supplies that we can and we want. You know, today, [everything is] high tech. I think we're all - everybody up there is well educated.

Let's treat it equally, not just by north and central. It's south, too, because my family is from the south (from Inarajan). I want to be equal because we're all human here. And if we're going to live like a society, let's live as one. Let's prove to everybody in the other world that we can deal with this situation. We do have money. Everybody knows that the government has money. What they do about it, we don't know as a community. Where do they spend it and how they go about it, we don't know.

You guys appropriate funds for bills into law that's not been exercised and there's no money on the rear? That's senseless. It is occupying everybody's time and money here. I feel for the Sanchez kids right now. I am a great grandfather right now and I want to see things happen for the future. This is our assets, Senators, Mr. Speaker. It's just that growing older, I wish I could still be young and try to support more. You guys do something. Do something to reverse the polarity around and if the Governor steps in, support the Governor into re-opening the school. If something is not working right, then take them out. Take them out. If that shoe doesn't fit that feet, take it out. You can't force it, so if the board is the problem, take out the board. We're serious here. We're not messing around.

You know this bill, I support this bill. I hope all of you wrote the same bill that we will support you as a whole. Let's get to reality. It's our kid's future. This is our asset and if we want, just like the former mayor here, with all this historical - you just listened to - run with it and support it. This is our legacy and our future.

I'll be a proud CHamoru or Guamanian at that, to support this guy. Let's put it this way, I'd rather grow up in a school that has fifty than a thousand. The thousand, they won't recognize you but, fifty they will and teach you a lot better. You understand where I'm coming from, Senators. A private school is very few, not like public. [In] private schools, they make you learn. Now Sanchez School, they make you learn and all this education that they did - if I was a Senator today, I'll go down there and make sure things happen and I hope you guys do that. I don't care if you are Republican or Democrat or Independent. I really don't care. I don't care about the parties. I care about working with the community. That's why we put leaders in there and if the Board of Education is the problem, then deal with it cause I ain't about to get out from my ruffraff jungle and deal with this kind of issue because it's embarrassing for our community that we will close up our very historical school. Thank you very much and I hope you reconsider today to make sure that you guys work as a team. Again, thank you.

Senator Vicente Pangelinan. Thank you. We have Ms. Trinie Torres.

19) Ms. Trini Torres. [Translated from Chamoru to English] Hello....Are you all alright and are you not bothered by your decision to close the FQ Sanchez School. No, we aren't alright for we have come here because you closed FQ Sanchez Elementary School in Umatac. You didn't make us happy and we are all hurt, that we have come here together with our elderly, the parents, the children, and other people of the land, and again the people who are living in Umatac and the island of Guam. Everyone is affected and surely hurt especially our children, our parents, and the grandparents of the children. I don't know, I'm sorry maybe I scared someone away because he's supporting Charter School. I am Trinie Torres. I wear many hats because I am an activist...chiefess of...chiefess....the Guam Legislature.

[English] I have a Master's in Education with specialties in culture and critical studies from the University of Utah and leader of Taotaomo'na Native Rights, the elder leader of Chamoru Nation and I'm a certified master Educator and teacher for secondary science, 6 to 12 grade. I've been teaching public schools here as well as private schools. I had attached a letter that I wrote to the Board of Education and I'll read some portions of it to you, but first I'd like to go through the bill which Sen. Dennis Rodriguez wrote.

I want to say thank you to all of you, Chairman Ben Pangelinan, Sen. Rory Respicio, Sen. Chris Duenas, Dr. Sen. Aline Yamashita, and Sen. Silva Taijeron and Sen. Tom Ada. He's an old face here, I know. Bill 257 - I'm here to support it and also explain what I would like to see revised or added and amended to it.

Page 2, line 6: I'd like to add in, instead of direct contrast, to put in, "contradiction". Page 2, line 15: the intent of *I Liheslatura Guåhan* - I would like for line 14 to continue and explain, for instance, you can add in; "that there are numerous research studies that had been done that reveal that the smaller number of students per teacher are more successful in academic achievement and in later careers and professions." These have proven that studies, all the way to these kids grown up, are participating in the community as adults. I'd like to see that added on or something like that. Page 3: Also, I'd like to see after line 5 and 6, that the impacts of the students, the community, and the school goals need to be assessed here as well. They haven't done any assessments on the impacts or what it would have done to the students, the community as well as parents and the later future academic achievement of the students.

And also, number 11: I'd like for it to continue of this Act comma, while solutions particularly financial resources are appropriated for the school operations for school year 2012 and onwards. I don't want it to stop on 2012, it should continue. We don't want the school to be closed, right? Page 4, line 3: Resources as are necessary so that the proper education of the children are maintained. It's more grammatically correct to say, "so that the proper." Line 8: School year 2013 and continuing into the future. We cannot just stop in year 2012, because you mentioned somewhere here that for two years. Line 10: Which funds of the tobacco funds should apply? 2007 and others because you just can't stop right there. You have to give some recommendations as to where else to get the funds. That is to cover the two years, at least. Line 14: Grammatical error - just says "explore alternatives measures". Just take off the "s" after "alternatives". Line 16 says "a quality curriculum and education instruction. Can you continue that story because curriculum could be just what to follow and they might not follow it, but it really is an education instruction. That has to go with the curriculum.

I'm a teacher and all that, too. Twenty-one and the use of alcohol and drugs, instead of or/and alcohol and drugs. We want both of them not to be used. Because a student will say, "I'm not using drugs but I'm using alcohol". No, they are pretty smart. Page 5, line 1: Given effect without. You need to really identify why because they haven't really been giving us any reasons, so please add "without identified" and clearly stated invalid provisions or applications. I'd like to read portions of the letter when I went before the board, wrote to them asking them to reconsider their position because I know their the ones really responsible.

Let me read out the names of these people who are really responsible: Ronald Ayuyu, Mae Camacho, Dr. Jose Cruz (he voted not to close the school), I know that. Anita Enriquez - oh, yes, she's

one of the guilty party. Barry Mead, Paul Pineda, Joe San Agustin, Francis Santos - he's the Chairman (who said he'll close it, right?) and Rosie Tainatongo. She wasn't at the meeting but she said she voted not to close it. I'd like to read excerpts to the board because I did a lot of thinking when I put this on paper.

(Entire contents of letter written here are from her written submission to the board and subsequently to the legislature as part of her testimony).

To the Guam Education Board:

Hafa Adai yan Buenas, to you Honorable Chairman Francis Santos of the Guam Education Board, to all the Voting Members of the Board, to the Non-Voting Members, and to the Executive Secretary of the Board, Superintendent Dr. Nerissa Bretania Underwood. Ku man mamaolek ha' hamyu, ya ti maninestotba hamyu ni decision miyu na inhichom I Eskuelan F. Q. Sanchez. Ahi, ti manmamaolek hami ni' man matu guine sa' inhichom I F. Q. Sanchez Ilimentario Eskuela gi Humatac. Ti un na'fan manmagof ham ya un na' piniti ham todus, ni manmatu guini pio't i mannamko, i mannaina, i famaguon, yan pumalu na taotaotano, yan ta'lo lokue i pumalu na taotao ni manngasaga gi Humatac yan i Islan Guahan. Todu ha' maninifefekta yangin un na piniti pio't i famaguon, i mannaina, yan i bihun yan i bihan niha i famaguon-ta.

The reports that we hear coming of these Humatak elementary students are that they scored above average of the U. S. National SAT 10 Test. They have demonstrated to us that they learned what our schools and teachers expected of them. The alternative is to have a DI Charter School in Humatak to take over the F. Q. Sanchez Elementary School does not qualify as a good solution, because these Humatak students have demonstrated by their above average SAT 10 tests that they can do without DI instructions. To bus these students to another school and replace them with another group of students will be the same as kicking them out of their school and village – because they're not worth it! Every day that these kids would be riding the school bus to the next village, they would have to pass by and see their own F. Q. Sanchez School situated awfully close by the same road that they travel to their would-be-assigned school. And, then they ride back home after school, they travel, again on the same road, on a daily basis. As these students ride pass their F. Q. Sanchez School and leave their Humatak village to the "other school" in another village, they have no choice but to look at their F. Q. Sanchez School. They would ponder such things as: 1. Are the students of Humatak not worth it enough to be kept in their own village school? 2. Do the other group of students who replaced them own the school, or do they have more wealthy and powerful connections? 3. Did the decision-making leaders know what they were doing when they removed the Humatak students from their F. Q. Sanchez Elementary School?

As for the shortfall in the operating costs to keep F. Q. Sanchez Elementary School open, the Govt. of Guam and its Dept. of Education need to keep their priorities straight and give the appropriate attention and financial obligations towards educating our kids.

There are numerous laws that are directed towards the upkeep of our children's education. But most of the Govt of Guam's revenues for public schools are found at the top plane level of an upside down pyramid. The top management and administrators get real huge salaries and benefits which reduces slightly towards the bottom of the upside down pyramid in lesser monetary and benefit amounts. The image of the narrow bottom of the upside pyramid represents the operating costs of running the schools for the students. These students are supposedly the recipients of the invested resources of our

education system. Prioritizing and slimming down the Govt.'s resources are necessary in order to achieve our schools' objectives and goals to educate our children. We may need to streamline those top management and administrators' salaries in our education system in order to push the quantity of financial resources down towards the level of the students who are being educated. Those people at the top management and administrative positions are already educated. It's the kids who now need to be educated.

With the passages of numerous federal and state government laws and mandates throughout history for compulsory education, the children of compulsory education ages now become the properties of the government, both federal and state governments. Therefore, the government in its entirety become obligated to educate these children. This means that the federal and local governments must provide the financial and moral obligations, as well as other resources necessary for achieving the education of these children.

From his accumulated work on science, De Boer (A History of Ideas in Science Education; 1991) points out that: "Humanistic education was advocated by a number of science educators who believed that science teaching should do a better job of portraying science as a human activity and should be more concerned about the emotional response of learners. Humanism is a belief in the importance of human beings, especially those qualities that make each person distinctly human and enable individuals to experience meaningful lives. As such, a humanistic orientation is one that considers the feelings and emotions of people to be just as important as their knowledge and intellectual skills." This tells us that we, as responsible adults, should not disappoint our F. Q. Sanchez Elementary students but instead respect their feelings and emotions, because as De Boer says, they are "just as important as their knowledge and intellectual skills."

It is important for us to keep reminding ourselves that our children are all that important to us. Some things are drastically wrong here, in our Guam education system, and they surely drastically need fixing now, yesterday, and for the future! Let's all be supportive of our children's education! After all, they are our future.

Thank you for hearing me out. Please reconsider your decision. Thank you.

Senator Vicente Pangelinan. Thank you. We'll continue on. We have Dr. Cruz, Ms. Quinata.

20) Ms. Rosario Quinata. Good afternoon, Speaker Won Pat, Tom Ada, Rory Respicio, Ben Pangelinan, Chris Duenas, Dr. Yamashita, Sen. Mana Silva Taijeron and Tom Ada. My name is Rosario Quinata, a resident of Umatac.

I am a teacher for twenty-five years at Inarajan Elementary School. I am here to support Bill 257-31 to save FQ Sanchez Elementary School in funding the school to now re-open it because the board closed it. FQ Sanchez Elementary School is the center of our village learning institution. The children in the village will be empowered to learn and grow within a family centered school system that is supported in a sense of ownership and the stakeholders of the community that always support them all. There is a uniqueness between the community's stakeholders and Umatac's community in a

working relationship. They work cooperatively in order to function well to succeed and instill our student's working and learning environment.

However, when things are broken down at the schools' building, it takes almost forever for downtown - and I know the system. You request for maintenance, it goes to procurement, it goes to BBMR or wherever the finance arrow travels goes to. In order to fix it, it takes a long time - for maintenance or repair of anything. The faculty, staff and maintenance including the Mayor's office usually work together as a unit. If it's broken and it hasn't been fixed in two weeks, the principal calls down and he says, "next week we'll come down". I think his name is Mr. Bill, and next week doesn't come. The students continue to attend the school even with the broken down air condition, flooding behind the school; it's not the maintenance people from DOE that fix it, it's our community that come to help fix it. I went to school there almost forty years ago and I'm one of those student alumni that left Guam because of Typhoon Pamela in '76.

I came back in '85 hoping that I would teach at FQ Sanchez but because it was a small school - I'm a new person when I first applied and Mrs. Nelson was a Director at the time. I tried to see if I could teach at FQ Sanchez and [at the time] it only had five or six teachers. I was number seven. So, Inarajan Elementary School was open and I've been there ever since. I am proud to say that whenever I see the SAT 10 scores, I always compare it with my school, Inarajan Elementary School and every now and then, wow, they did better than my school. I am proud to say that I am a product of FQ Sanchez and even though I don't teach there, I always wish I can go back there to teach. But, with this challenge for the last five years, there's always a bill or proposal from the board to close FQ Sanchez.

At the time [former] Senator Aguon and [former Senator] Matt Rector came down to our village and wanted to hear testimony on how to save our school. One of Senator Aguon's comments to most of us that attended the hearing was, "it will never happen." In reality, he really lied because it happened last month. Now, I support Bill 257-31 to save the school in funding the school to re-open. FQ Sanchez Elementary School is the - I'm kind of nervous because I don't know if I'll get in trouble for speaking for FQ Sanchez when I work at Inarajan Elementary School. I think I found my way.

In the Evergreen Report completed in 2009, one of the findings of the report that states "that it's a dangerous environment." I disagree with that. In the fifty-eight years of existence, I've yet to hear or see to this day if there was any tragic accident of any sort. I have spoke to Mrs. Rodriguez, she was a former principal at the time and haven't met up with Mr. Santos. Mrs. Rodriguez confirmed to me that there was never any accident that caused the environment of FQ Sanchez to be dangerous at all. It is a historical site. Yes, the main street is right by the school. To my knowledge, just like at my school, teachers, staff and faculty usually are responsible in monitoring the safety of the children when they have recess across the street, at the community center, or to play kickball at the basketball court. They do have equipment for the younger children, kindergarten, first and second grade when they have recess at the main part of the school. It used to be there when I was there.

The Guam Board of Education decided to close FQ Sanchez Elementary because it would cost \$157,000 to keep it open. With this bill, it will surely help re-open the school. Now I hear from the Buzz that the amount of keeping FQ Sanchez - and Senator Rodriguez was there - they seem to be coming up with more and the price continues to grow. When they closed it, they said they needed \$157,000 as of Wednesday, from the discussion between former Senator Jesse Lujan and Senator

Rodriguez. I think the price continues to grow. In closing, something to think about; In the last few years, five schools were open: Liguan, Adacao, Okkodo, Astumbo Middle School and next month, JFK High School opens its door. Of those five northern schools that were opened, they have vandalism going on from weekend to weekend, sometimes three or four times a week, especially Astumbo Middle School and Adacao. The school that's making the headlines is Okkodo and their own student vandalized their own school. Where is the ownership there? The cost to repair or to replace what was damaged is very costly and the Board states that it will cost \$157,000 to just keep FQ Sanchez open. If that is their only cost, we have our community that work together both stakeholders, students, parents, faculty and staff members.

They all work combined with the Mayor's office, their maintenance people and if it doesn't reach the Mayor's office, the school then goes to our church. They usually announce something that is going on. Whereas at FQ Sanchez in the fifty eight years since it was opened, there was probably one or two that I can remember where vandals broke into our school. Where is it the most costly? A little tiny school with fifty-six students or those five new schools and when JFK opens, I'm sure they will be vandalized to get their heavy equipment, computers. Before JFK was opened, the wires for computers were stolen. How much is that going to cost? Is it less than \$157,000 or more than \$157,000? The southern residents have yet to have a new school.

What is to happen with this historical school? It will cost more than \$157,000 to maintain the school when the students are no longer there. So, who is to take care of the school? I thank you for the opportunity to testify in support of Bill 257-31 and most of all, I thank Sen. Rodriguez for your efforts. Thank you.

Senator Vicente Pangelinan. Thank you Ms. Quinata. Dr. Cruz?

21) Dr. Jose Q. Cruz. Thank you and Good Afternoon. I will read my testimony but in-between I'll be doing, what we say bilingual, huh? Hon. Dennis Rodriguez, author of this bill, Sen. Pangelinan, Madame Speaker, my former colleague, Dr. Aline Yamashita, thank you for being with us, and for all of you who are here in your presence, thank you for being with us and sticking with us.

My name is Dr. Jose Q. Cruz and a Luchan representative to the Guam Education Policy Board. I am happy to support Bill 257-31, an Act to save FQ Sanchez Elementary School subject to amendments. My position is the same as when I was defeated, when it was voted to close the school. I come ethically based on the provision that it was a legitimate avenue that may arise contrary to the Guam Education Board. I believe this is a legitimate policy body that will allow me the ethical privilege. I come also because I find the action of my board to be flippant, when based on an early signal to the residents of Umatac that the school may not be closed.

The sum of \$157,000 is not sufficient to keep the school open under the present circumstances. I'm afraid that the policy of keeping the school open for two years presents even a greater challenge altogether. I believe in a more concrete plan and I believe it should not be limited to school closures, but also new schools projected and planned altogether. I have cautioned that the proposed military buildup has added to this urgency. The challenge of sustaining quality achievement is one that FQ Sanchez has presented to us.

We, at the Board did not address that, even as a preliminary major consideration. The consequence of a threat to the school's accomplishment needs to be articulated for the sake of the children and the continuing support of the parents. I am piqued by this dimension of parental support and accomplishment. There are other considerations that need attention and I will support not closing the school at least for one year until all elements, especially all of the elements that was presented during this hearing, of a plan for continued success of students at FQ Sanchez and clear transition are legitimately addressed.

[Translated from Chamoru to English] With respect and help, I offer these thoughts. I am Jose Q. Cruz. Thank you.

[English] The Evergreen was an element that was passed by the Legislature and I know that Speaker Won Pat, you were there when we had a summit in regard to this. We seem to be laggard in regards to the matter we presented in how to address and what to address in the Evergreen solution. It still is being addressed. I'm a bit concerned that Dr. Underwood was going to leave without making it clear what all of the elements that Evergreen made. I know the costs ...that we have an obligation in addressing. The Board can only urge and I stand on record that I've been asking for a clear progress and evidence of performance in regards to that - that has not been clearly articulated forward to the Board even up until now. The issue of what has happened at FQ Sanchez really has, like I said, piqued my imagination.

[Translate from Chamoru to English] I will tell you that ...has been mentioned a lot, for all of you who are here...There are children who stand out exceptionally well for their passage of the SAT 10 test scores....It is important that we look at them closely...My friends on the ...in education didn't really pay special attention and respect, please, for the children and their parents who have supported them....

[English] We have always been mentioning that the parents really are very important. I've noticed that even during the hearing and even these deliberations, the community appears to be really together.

[Translate from Chamoru to English] I was really touched when we were down at when I came, they seem to be very loud, I don't know if because you were there with authority that you were yelled at but when we were in the community they were silent and veryI must tell you that it really infected me with a bad taste because without.....among our people, and because it came to my mind and coming from Merizo, the people of Umatac are prettyand it was this.....that allowed them to be inand.....I truly appreciated that form of respect. Through our action because there weren't a lot of discussion about this and you didn't appear respectful upon arrival, you must have not noticed and you must give praises to the children when their parents hastily sustained all hopes of accomplishing a task...

[English] That is actually the major reason why I'm saying that it is going to be impacted by the closing of FQ Sanchez. There is the cultural dimension, which I really appreciated, especially when it was told that that property there was given by the people, by a resident of Humatak. It is not public property and that was news for me and I was very touched by that. The identity is something that is now creeping into my attention because I feel that yes, it's really very true, that is our school,

that is Umatac school and in a sense [Translate from Chamoru to English] to contradict what we are pushing for without regards, without attention, without little more than attention that we can say come and we'll talk more...

We appreciated all that you have done. There was nothing that was noted down about this. We appreciate all that is needed and it was just a few minutes ago that Rosario mentioned that there were only two cases of ...that was done in the community. The children, most likely when done with school know all too well that coming back to school must be protected. It's not just protection by the policeman, nor the guard that they are allowed in, but to not protect so that money can come in continuously so that we can pump in more money so that repairs, remediation are inevitable. To my understanding, we alienate or maybe alienate the community's merits, the heart, what the community call theirs will simply affect their souls. No, you will not make it bleed in order to kill, the history. For history, we can probably give a little more money or ask for money to protect that. No, it is not necessary for the children of Umatac solely for the children and our children's children who are CHamoru because that is the beginning of hostile confrontation with the outsiders. This problem facing us includes other problems of the outsiders whom we have opened to our people but when we go to Umatac, when we go to FQ Sanchez, this place will be the first place the outsiders will look at. What we do when we are done will be said that indeed the Island of Thieves is understood to be not of our culture. When I can help you, please depend on me to help myself also as small as it can be and maybe helping myself will elicit laughter from our people who will cast their stones much like how traitorous the Spaniards were who didn't appreciate what we have given them and without respecting their resources as we have given of ourselves, we were very generous in giving them and I really plead for that and I say, at least for one year, at least that would give a signal that yes, one of the dimensions of the bill that I admire is that we really should have a policy to the closures of schools. We really don't have a clear policy of opening of schools.

We only have numbers, you know, and there's really nothing. The children were just dissipated and "you're gonna go there, you're gonna go there, you're gonna go there." Sinajana was the only one that rose up and said...not me because there is not much...because they'll most likely say the people of the south will go back and they will be the only ones who will understand what they are saying, why, because I am from the south and they are not from anywhere. But, we from the south we have always opened up to understanding from the hearty when we do that I'll tell you as a picture, imagining that we have been giving of ourselves yester for today and for tomorrow which will not be calm, similar to thethat hit Japan. Thank you.

Senator Vicente Pangelinan. Thank you, Dr. Cruz. [Translate from Chamoru to English] The time has come to let you go and you can get up now and we'll call what may be the last ones here. These people signed here such as ...there is also another Francisco Sanchez, I'm not sure whether he is the same one or it's another, someone wants to, I didn't see the name on the list of a Mr. Topasna...Please make sure the light is on.

[English] I just also want to state for the record, since this may be our last panel that written testimony was also submitted. The Department of Education submitted written testimony outlining its position on the school closure and its decisions. They addressed issues such as the elimination of combination classes and how that may be better for the students, effective use of hard-to-fill positions, placement of support staff and school shortages, and the financial savings of the decision that they

made. If anybody wants to get a copy of this, I'm sure we can make some copies available. The Department of Administration submitted testimony outlining that the available funding from the 2007 Tobacco proceeds is a temporary solution and will not be available in the next year and that it would then have to rely on the general fund. They also noted that the general fund closed the FY2010 year with the operational deficit of \$71.M.

The Bureau of Budget and Management also submitted written testimony on their comments on Bill 257. They indicated and made some technical suggestions on the body of the bill to insure that if the bill should pass, if the proceeds can be used currently without these technical amendments. There may be limitations on the expenditure of these funds. They also noted that currently the programming and appropriation request totals for the proceeds of the Tobacco Funds are identified for reprogramming and appropriation for this bill and other measures. Bill 257 would reserve \$157,000 for the school at FQ Sanchez. Bill No. 258, as introduced would appropriate \$477,000 of the Tobacco Settlement Funds to the Guam Memorial Hospital and Bill No. 259 would appropriate money in the amount of \$149,000 for the Talofofu gym. The total amounts of these bills total \$783,000, but the total amount available is only \$618,000, which would leave a shortfall of a \$168,000 if all three bills were considered by the Legislature and so they noted that, for the record, and submitted that testimony for the record. We'll go ahead then and begin.

22) Ms. Linda Edward. [Translated from Chamoru to English] Hello, my name is Linda Aguon Teodosio Edward, from Yigo but my heart is in Umatac. My mother is from Umatac. I am a CHamoru teacher in the public school and I have come today when I heard there was going to be atoday....

I wanted to come here, being in the public school system for the past twenty some years. I have worked at schools where overcrowding and having to have classes where, at times, were doubled and the environment, to me, really we're shortchanging our students, our children in schools. To hear that having the amount of students in Umatac and the ratio of the students to teacher, that would be my ideal dream. I wanted to say that we've always been looking at statistics and data and there are statistics that show that the students from FQ Sanchez are excelling in their SAT 10 tests and so, why do we want to stop that? We should all be looking actually at what they're doing right there and so closing the school down, we should be applauding the people of Umatac and the parents. In our school systems, we're always looking for parental involvement and it shows how many parents are coming out to support their school. So, we should give thanks to our parents from FQ Sanchez for being there to support their school and showing up today and past meetings that have been held, as well.

If you're looking at data and statistics, FQ Sanchez is doing a darn good job so why close the school down? I look at all of you as I was sitting in the back. I look at your tired faces and I thank each of you for being here today. Also for coming and listening to all these emotional testimonies. You hear it from their hearts and I'm hoping that you will find it all in your conscience to do what is right. To do what the people here on Guam and from the village of Umatac who have come forth and voted for a lot of you to sit as their Senators - to make decisions and to do your job to the best of your ability. I thank you for that. I'm hoping that you will continue to fight and that you will support this bill. Thank you.

Senator Vicente Pangelinan. *Thank you and si Yu'os ma'ase'.* Mr. Cruz?

23) Mr. Phil Cruz. Thank you. I know you've been up there so long, so I'm not going to take your time. I'll try to get to the point.

I want to thank, congratulate or kudos to Sen. Rodriguez. I truly believe that each and every one of you will not allow the students of Umatac, FQ Sanchez to fail. Now, I'm just going to provide facts and talk numbers and dollars. We have a school with fifty- six students that have exceeded or made good with SAT score. We have a student to teacher [ratio that] could be envied byand yet we chose to close the school. Fifty-six students costing \$157,000. Fifty-six students and we shut the school down for that amount of dollars. Yet we had three hundred students with food poisoning and that business still operates.

One hundred fifty-seven thousand with fifty-six students and we shut the school down. Yet we have a debt that's owed to us from Compact-Impact and they're still not paying....still operating. We've got millions of dollars to pay for the lawsuits against the doctors but they're still operating, they're still working. Fifty-six students and \$157,000 and we shut down the school. There's a difference between a right and a privilege. It is a right for a child, any person to have an education. It is a privilege to decide what school they want to go to. So, why don't we kill two birds with one stone and give the students and people of Umatac at FQ Sanchez the right to an education and the privilege to stay where they're at because they are exceeding better than any other school.

I am from Yigo but as a parent I cannot sit back and allow this because the education that we give these kids now may be the same people who's going to carry the torch for us when we are all gone to fight for the war reparations. I know. I know when I leave here you are going to get kudoswhy should anyone else when this is not a racist comment. Be their supervisors and we're failing the students so when they come up they'll work for the military as laborers. There's nothing much to say but thank you for your time.

Senator Vicente Pangelinan. *Thank you and si Yu'os ma'ase'.* Mr. Topasna?

24) Mr. Albert T. Topasna, Jr. I did not prepare anything written, but I'll just get to the point. Ladies and gentlemen, Senators and my Umatac folks, Mr. Nelson and Mrs. Nelson. You've traveled far and assist this walkout, loss of the land and debate history, budgeting, management. I think we all understand each other and where we are coming from. We are here again not to debate different subject matters because it gets very boring sometimes, but to ask for your help.

I'm going to tell you a little story about Umatac. If you look behind you, there's the American flag. To the right is the Guam flag. Four people are not here today for very special reasons: Jose Aguon, George Sanchez, Jesus Quidachay and the former Mayor of Umatac, Albert T. Topasna. My name is Albert S. Topasna, the "S" doesn't stand for Sgambelluri, it stands for Sanchez, okay? I know Mr. Nelson will talk to me about this later, but they're very good people. Yesterday was a very interesting day because I had lunch with Mrs. Gloria Nelson and I'm going to quote what she said to me. She said, "puru ha' este fina'ga'gas." Right, Mrs. Nelson? Why do you have to involve children? But the conversation got a little heated and I asked Mrs. Nelson, "What is the solution?" I looked at Mr. Nelson as Mr. Nelson looked very quiet and Mrs. Nelson said, "I'm not going to be

there tomorrow because puru ha' este fina'ga'ga'." But then, I see Mrs. Nelson here. It must be very important because it must be true that puru ha' este fina'ga'ga' - meaning that all of you up there.....

Why do you have to listen to Francis Santos and let him dictate this Legislature? I got into three very close battles with close friends of mine because I was defending Judi Won Pat and these are people from Umatac, who are really hostile towards the Speaker. And then, what broke out was when Sen. Pangelinan was not at his office last week and I had to defend him again. Because Ben Pangelinan is a good person and the Speaker is a good person. What we need, Senators, is we need answers. Why is this thing going on?

I'm very good at asking questions and very good at producing answers, but why is this so important that you folks are not really thinking that there are two Sanchez's involved here? FQ Sanchez and Simon Sanchez. Hafa adai, what is so important about Simon and you're forgetting about Francisco? And the history behind my presentation today is that I went to FQ Sanchez in the second grade, I got a "C" in cooperation because my mom was my teacher. I got an "A" in physical education because I was a fast runner and then when I got to the 6th grade I thought I was going to be retained because I couldn't pass my English test. But I got a "B." So, what happened when I got a "B?" I went to attend Inarajan Junior High. I got an "A" in Inarajan, right? So that tells you that Umatac must have a tough curriculum.

So, we're back again. We don't want to debate history, we don't want to debate management. I want to ask you folks to help the kids. This is not about history anymore. If you know anything about Umatac history, then tell me what the word Umatac stands for and if you can't find that, then you are not conscious of what your intentions are for. And I don't want this to be a joke, but if you look at the word Umatac, we're supposed to be the meanest people. They're supposed to be the meanest people, you know why? If you break that down in syllables, Senator, "you may attack!" You don't want that to happen, do you Senators? Why do we have to divert into some kind of conflict when this is not necessary. Look at that money spent for the bus to come here. Is that necessary? Do you feel sorry for the Mayor? That man is disabled. He's not supposed to be here begging.

Maybe for the next meeting, can you all show up down there? It's good. Umatac is very attractive, right Senator Ada? Umatac is attractive when it comes to parties. And who cooks the food down there, the parents, right? And those kids are going to go into parenthood and the old saying goes, "an esta tãya' I Evergreen po cho'gue, then tell Evergreen to stay back in the mainland." Umatac is not for sale. And, Sen. Rodriguez, if there's an election today maybe all of Umatac might vote for you. I don't know about that but I feel that you did succeed when you showed up down there. You made a good point. I was hoping you folks, you Senators, will come down one more time before you make that decision. Try to make the course of history. Chris, you love Umatac. If you change Umatac into a conglomerate or some kind of hotel, you'd better not go fishing down there. We're going to cut you off.

You're not going to get into Cetti Bay into Merizo. That's where the good fish are. Sen. Ada, I need your help. Dr. Yamashita, this is the first time I met you, I've seen you. Thank you, ma'am, Sen. Ada, Chris Duenas, Sen. Pangelinan, Sen. Won Pat, Speaker, Dennis Rodriguez, Senator, Sen. Rory, Sen. Ada. Look at the people behind you and you are still going to make Francis Santos more important than them? No, the answer is No.

We don't have to be here facing each other in pre-hostility conditions. I'm surprised the Umatac people have not attacked, the slogan of "you may attack". But then again Sen. Pangelinan since you have the chair here, I really would likeso that the Governor can say yes to the Umatac and remove that school. But, you know the problem of the school board? It's just a board. They want to be Senators, but if you are the Senators, don't let that group of people dictate you. It is not workingdebate politics. Calvo versus the Legislature and things like that. That is not necessary. [

Then comes Liberation We are against each again.

We celebrate the manamko'. We forgot to invite someone from Washington who has the money. Try doing that. In fact last month and she was a teacher down in Umatac. Mrs. Nelson will vouch to that. And my mother said to me before she died, I said mom, you need to forgive me before you leave, before you go to another course of life and she held my hand, and this is real, I said, Mom, what do you think? Do you think we should change FQ Sanchez to another project or another structure? She said, "No." I said, Can you hold my hand and tell me why we should not move FQ Sanchez?" She said, look at yourself. I looked at myself in the mirror and I said to myself, "I gotta give myself some credit."

Mrs. Nelson always tells me, Albert, you're [*banidosu!*] You know why I'm banidosu? Because, in 1970, I'm the first person to receive the presidential award in physical fitness; the first winner of the presidential award for the fastest runner in the island, in the United States of America. Secondly, I'm the first CSI. You know what CSI stands for? Crime Scene Investigator. But, when you become really good at it, it's really called Crime Scene Intellect. Number three, I'm proud to be the son of Albert T. Topasna. Thank God my dad is not here. But, my other dad is here, Mr. Nelson.

Bottom line is this: we need to continue this course of action and not change FQ Sanchez. Please. My wife and I don't have any kids. And I always respond, maybe in a silly way, when they ask me, how come you don't have any kids? Because I have that mindset that I got to defend myself. But every time they ask me the question. So don't change FQ Sanchez. Speaker Won Pat, this will be my fourth fight with you because everybody is blaming you for this charter school. My nephew asked me one time, "Uncle, what is a charter school?" I said, hold on, I have the answer to that. I picked up the phone and I called Mrs. Gloria Nelson, former director of education and I said, Mrs. Nelson, you're so brilliant, you're so smart, can you conduct a lecture please?

Please, when you go home tonight, none of you ever attended Umatac Elementary. None of you have the last name Sanchez, Rodriguez, Respicio, Ada, puru ha' high class na nã'an so treat Umatac people like high class. Stop treating us like a bunch of balonies down there because we're not balonies down there.

Senators, again before I close, let me end it in an upbeat moment. Mana Silva, oh, my God, thank you, ma'am, Aline Yamashita, Dr. Yamashita, you know, if it takes two beauties and a speaker to say yes, do not close Umatac. We need that now. We don't have to beg anymore. You folks know the meaning of begging and the difference it takes to say no to Francis Santos and those guys that are voting against the school.

Chris, you better know that if you close FQ Sanchez, you're not allowed in Umatac waters. Go fishing somewhere else. Go to Rota. You're not allowed down there. Someone's going to throw a banana on the water and your propeller is going to crack. Thank you very much, Senators. Thank you for listening.

Senator Vicente Pangelinan. Thank you very much. This panel is hereby dismissed.

I think we've exhausted the witness list here. Those individuals that have indicated... I'm going to give a chance then to have members of the panel here to make any statements that they may want to make in regards to [Bill 257]. I'm sure they all want to express their appreciation to all of you for taking the time to come down here and testify. I certainly want to do just that - to express my appreciation for taking the opportunity that's been provided by this hearing on bills that come to this Legislature, to come down and let us know the position and sentiments of the communities. From myself as the Chairman of the Committee, thank you and si Yu'os ma'ase' for your participation this afternoon. I'll go ahead and give an opportunity for the Speaker. The Speaker will yield to the author.

Senator Dennis Rodriguez: Thank you, Mr. Chair and Mr. Speaker. Just several things I want to make clear. I realize and understand that the \$157,000 is not enough to keep the school going because the budget of the school is over \$800,000. However, we've/I've addressed this concern in the bill to offset any savings that the board was to realize for the closure of FQ Sanchez and it was done to negate the need to close FQ Sanchez. I understand DOE submitted a budget that included the operations of FQ Sanchez and for the following year. I'm hoping that, at least, it's included again because even if we had that provision here that says - and I understand that we need to make some amendments - I'm not saying we're going to close FQ Sanchez in two years. I'm saying that, if anytime we're going to close the school, then we must give the community, the school two years notice and not decide today we're gonna close it and tomorrow it's closed.

It's just like the board member says, there has to be an exit plan in place and so those are the things that I wanted to address. I'm going to be addressing the concerns of the other agencies (BBMR and DOE), but I wanted to make sure that that was made very clear. I realize \$157,000 is not going to keep the school operating, but it was done to offset the savings of what the board was thinking would be realized if the school is closed. So, thank you very much, Mr. Chair.

Senator Vicente Pangelinan. Thank you very much, Sen. Rodriguez. Speaker Won Pat?

Speaker Judith Won Pat. Thank you very much, Mr. Chairman. Thank you for this opportunity and I would like to thank, of course, the people of Umatac for coming here and voicing their concerns about their school. I'd like to basically set the record straight here with Mr. Victoriano Camacho. When you hear these rumors, I hope that, I think you know me better, that if you come and call me and speak to me personally rather than chastising me or condemning me on KUAM.

The second is about the Charter School. The way the bill was written, it was written to be a public school. I've actually gone down to the community and met with the community, spoke to the community when the writing was already on the wall at that time. But, how do we save the school because the community being such a close knit community, that the community could really take over and run the school with government funds and here we are today. But, the Legislature has been very

sympathetic to the cause, and I hate to have to say, of course, what I heard in Congress just last week, when we talk about where we are financially and Mrs. Nelson is right. We've been working very closely with the Department to try to see where are the lapses. How could we find money to be able to keep the school open, not just that school but to even keep Southern High School with its three-by-three block. Too keep Brodie Elementary School that has three hundred students that could very well even go elsewhere.

We started out with a \$70M shortfall just for DOE and sent through Sen. Pangelinan's office and working with DOE, we were able to bring that dollar amount down to about \$10M to \$16M. So, it's not as if we were not finding and working really hard to find where we'd be able to get the money because, yes, ideally, we're not going to argue against the fact that the data shows that smaller communities are always the best. So, everything that you've brought before us as educators, we all know that. We don't argue the data. The only thing we can argue here right now, really, is the dollar figure. That's the only thing and Sen. Pangelinan knows that every time before we even address any budget for the government of Guam, DOE is always the first to be considered before any other department. And, if even if we're going to, let's say, try to have to pay \$16,000 per child when you multiply that by thirty-one thousand children, the entire amount of money that the government brings in is the amount exactly to run the Department of Education; the entire amount. Yes, all the revenues brought into the government of Guam is basically what it would take to run DOE. I can pledge to you, and I'm sure every one of my colleagues will do the exact same thing; is that when we start to look at the entire budget of the government of Guam, we always put DOE first. Education first. Thank you, Mr. Chairman.

Senator Vicente Pangelinan. Thank you, Madam Chair. Majority Leader?

Senator Rory Respicio. Thank you very much, Mr. Chairman. I understand you've invited the administration here and not a single person has shown up. I understand that you've asked the members of the Board to attend and we only have the elected board member here. The ones who are appointed, they didn't show up.

Mr. Chairman, we need to hear from the administration, really, to see what their plans are. I know during the last campaign, there was a stump speech that said they would support the opening or the continuation of FQ Sanchez and they would not have that school closed. After all is said and done, that's not where we find ourselves this afternoon.

FQ Sanchez is on the list of historic sites. I have a form here from the National Registry of Historic Places. dated April 6, 1998. As Mrs. Nelson aptly pointed out, the Department of Education should be a little bit more innovative and creative and try to find ways for funding of this historic site, like the Guam Preservation Trust or other funding mechanisms, rather than simply saying we're gonna close the school because this is the smallest community and this is the least amount of political consequence, if you are thinking of it in that way. None of us ever think of it that way here in the Legislature. That's why this bill is a vehicle to find a way to keep the school open.

There is no plan put out by the Department of Education and that's unfortunate. When Evergreen came out with its report, it said that you close FQ Sanchez, you save \$157,000 and then the Board of Education came out with the motion that said if FQ Sanchez can keep the school open on a

cost per student ratio, they'll consider it. I know you guys went back to the drawing board, you've identified \$140,000 worth of savings and apparently that wasn't enough and we're now faced to accept a decision that would only mean \$17,000 in savings to close an entire school.

If the board is wanting to fund you on a cost per student ratio, how come they're not wanting to do the same for the other larger schools. That's something that I recognize with the appointed board members that if they're really true to their word, that they were going to fund you dollar per dollar, then why did they shortchange Southern High School? Why did they shortchange John F. Kennedy High School? George Washington High School is having to experience the possibility of double session. They said they're not going to do that, but they're experiencing the overcrowding and so I think that the board needs to be consistent and whatever standard they applied to FQ Sanchez certainly they should apply it across the board.

I believe that you guys have been targeted and you may not attack because there's no need to attack anyone whether it's the Legislature, even the Administration. I'm sure that we can figure a way out of this through continued dialogue but, you may not attack. Cease and desist. I want to thank you for your participation. Thank you, Mr. Chairman.

Senator Vicente Pangelinan. Thank you, Senator Respicio. I'm gonna go to my extreme left to hear Sen. Tom Ada. Senator Ada? [nod no] Senator Taijeron?

Senator Mana Taijeron. I want to thank all of you for staying; it's been a long four hours and you sat through it. But, it goes beyond hearing. Your diligence and persistence throughout this entire process. I appreciate your willingness to come together as a community and that speaks volumes of what it's like to be from the south. When the trouble happens, the community comes together to fight for what they want and what they believe. So, I thank you for continuing to have that heart for the village of Umatac, but throughout the south as well.

Now, Senator Rodriguez and I were together when we went to visit FQ Sanchez and we met with the students that morning and we looked at the students and they expressed their desire to keep their school open and we heard from the students themselves that they wanted their school to stay open. Senator Rodriguez and I told them that we will do what it takes to fight for their school. So, I support the effort in this bill and I support Senator Rodriguez's desire. I can't speak for my colleagues, but we will come together to do what it takes to try and keep your school open. Thank you.

Senator Vicente Pangelinan: Thank you and si Yu'os ma'ase. Sen. Yamashita?

Senator Aline Yamashita. Thank you very much, Speaker Ben. I echo what Senator Mana just said. Any time you have families spending the time to come and speak to find the courage to come together, we applaud that. We need that to continue to happen. No matter how emotional and no matter how at odds it seems to be.

I think the issue of money is important because it's a fact of life. I think, for me, what is of importance as well, is something that you've raised – some of you raised - is the idea that we have public laws in place, that has a board structure in place and so these board members are doing what they think they're supposed to be doing. And so, while I've not been at any of the board meetings that

you have been at, or when you've opened your doors, they've come and listen to you. That is what I think is really important. Currently, that is the law and currently the whole notion of you've got some elected and some appointed and they're supposed to be listening and doing what is in the best interests of our students. That, at this point, is what I respect and I uphold. I have to and I will.

Believe me, my personal history of boards of education - at least three times on a personal level - I totally disagreed with a decision that they've made. But over and over again, I've had to understand that there were reasons for why they made that decision. And it was very personal, but I get it. And so, you coming forward and pushing this issue, you are saying you are not happy with what the board has decided. You are right, the school has been closed. You are right, the staff has already been re-assigned. You are very correct. But, you're also right that you still have a place in your village that upholds what you are about and you are very right in saying to everyone, "we don't agree with this decision." And for you to make that statement over and over again and somebody, I believe Sen. Respicio has said, and Speaker Ben has said, perhaps the Governor can do something about it. I do know in the campaign he did say he'll keep it open but I also know that he said that he will support the Board of Education as it is a hybrid board right now.

So, if you're not liking what I'm saying right now because you want me to come out and say that we will find that money. I can't tell you that we will. I can't because I'm a newbie to this, but I sit and listen. I have been to the majority of the work sessions, public hearings, and there is a lot of issues on our island. So, I can't say to you that...I won't say that to you and mislead you. But, what I will say to you is that I do know that the people of Umatac are very sincere and are very, very committed to their community. Anytime that conversation if this session will hear this bill, I will represent that.

We have a concern of our board and you say get rid of the board, if that's what we want to do, we want to change the structure, then that's an issue we need to throw on the table. But, currently this board has made this decision and I, as a lawmaker am in support that kind of decision because that's what they made and that's why they were put there. It's not what you want to hear, but I will not shade the truth and that's how I feel right now. I do want you to know that your children should be very proud to have you as their families because your standing for what you believe is right. Speaker Ben, thank you very much.

Senator Vicente Pangelinan. Thank you, Senator Yamashita. Senator Duenas?

Senator Chris Duenas. Thank you. Thank you, all of you who showed up today and, obviously your passion is intense and well heard. First of all, Mr. Topasna, I want to be very clear; not now and not ever would I advocate for the closure of a school. Not only for corporate reasons, but for any reason at all. I want that on the record here and now, today.

I also want to say that in a representation as the good Chairman and Mr. Speaker mentioned earlier, there were five key reasons under the current Superintendent of Education's signature of why the school should be closed. There's an additional four to five reasons that I've heard represented in the board meeting of why the school should be closed. I guess what I'm disappointed about more than anything else is that there appears to be a lack of communication and a coherent decision other than the dollars and cents. Believe me, I understand the dollars and cents and all of us do here. Probably

not more so than this Chairman who's got a lot of struggles in the next several weeks as we prepare to pass a budget.

What I will commit to you today is keeping an open mind and insuring, and I think with working with the Chairman and the rest of the senators, that we have to have another and higher level of dialogue instead of playing cat and mouse on who will commit to what based on one board's decision. I think after this testimony, there has to be more discussion and commitments have to be put on the table. Are we committed to this? Can we find the money for this because of all the reasons that you've put up forward today. So, I don't think this is over and that will be my commitment to you is to follow through and to work with the Chairman and the rest of the folks here in the Legislature to push through that dialogue along because it's been a hot potato. I don't think that's fair to anyone. So, that's my commitment to you to continue the dialogue and I support your position initially but we'll have to see what happens with the rest of the body. Thank you.

Senator Vicente Pangelinan. Thank you and si Yu'os ma'ase, Senator Duenas. Senator Tony Ada?

Senator Tony Ada. I'd like to thank all the families of Umatac for coming out. You know, a couple of week ago, Mr. Morrison called me up and he asked me for my support to keep the school open. I told Mr. Morrison that I keep an open mind and that's what I will keep as an open mind. Mr. Acfalle asked me the same thing to please keep an open mind when I make a decision. I know it's not an easy decision to make whether you want to close it or to go open it but I think I don't want to do is to find ourselves here next year finding out that there's no money again. I think working with the administration, working with the Chairman, Mr. Pangelinan, in finding funds to keep the school open and to continually keep the school open, because I don't think it's anyone's intention to close any schools. I think when we start looking at the finances and the budget, let's find the money to keep the school open and not come back here every year or every five years to find out whether we have that money or not.

To all of you, I applaud your plight to keep the school open and I will keep an open mind. I hope we find that money so that we can continue to keep FQ Sanchez open. Thank you, Mr. Chairman.

Senator Vicente Pangelinan. Thank you very much. First of all, I want to apologize to the people of Umatac who came to my office last week to visit with me. I was at home, I wasn't feeling well. I was going get up to come down to, but, you know, I get taklalo' when I'm sick, so I figured I'd just better wait until the right time in order to listen to you rather than to get cranky because I wasn't feeling well.

I want to thank all of you for being here. As every member of this body said, they are going to weigh heavily on all the presentations made today. I want to reiterate, I think, the majority leader's position that, while you may have to convince fifteen people up here right now to avert the closure of Sanchez with this bill and there's not even a guarantee that this bill, if it's passed, is going to avert the closure. But, you can convince one person today that has the power on the board and outside of the board to keep the school open and that is the Governor. You just need one man there. He doesn't even need the Lieutenant Governor to keep it open. He just needs himself.

All of us here have our different approaches, different positions, different considerations and we all have to reconcile that as fifteen members to act on this proposal. It is our duty to do so and we will do so. I think if we can get to the Governor that can happen tomorrow and so we encourage continued dialogue and we will certainly express and that was what really our intention in sending a personal letter of invitation to the governor and the Lieutenant Governor to come down and assure the people of what their position is and what they will support.

We could pass this bill and the Governor will veto it. We don't know those kinds of things so there is uncertainty in terms of the actions taken by this body on getting it implemented into the law. We certainly encourage and we'll continue to plead personally from ourselves, I'm sure, to the Governor to try and act quicker than is the deliberative process of Legislation.

We want to thank all of you and express our *dangkolo na si Yu'os ma'ase'* for taking the opportunity here presented by the introduction of this bill to once again present the community sentiments and position with regards to the closure of FQ Sanchez Elementary School. Mr. Acfalle, I noticed you stepped up, did you want to say something?

Mr. Frank Acfalle. Senator, I gave testimony, as a matter of fact, about the history of the school. Listening to..... I have great respect for all of you. As a matter of fact, I voted for every single one of you up there. But, I'm not very happy with the response that you guys are giving us, especially Senator Yamashita. You know, ma'am, you just introduced a bill last month trying to create another position in the Department. You're going to hire a private manager to teach the Department how to work. Those are the cost savings that you guys should be looking at.

The Director's salary - that's a cost savings so if you guys can cut down the Director's salary. I mean Gloria Nelson ran that Department several years ago at \$45,000 a year. Why is it that they cannot look at that as a savings to begin with at a time like this. Lower those salaries down, you eliminate the two extra bodies that are there. If the person that is being hired as a Director can't run the Department by himself or herself, then he shouldn't be in there.

Another thing that's coming up, they just hired a new Director. Now, this Director is retired. Is he going to be receiving his retirement salary again and be given another salary in there as a present Director? The *Suruhãnu* - those are basically where you guys should be looking at. The phone system that these people are hooked up to is an expensive phone system. Like our Mayor said, if you call the school and you know the extension number, you may dial it now. Where are all the old days basic way of doing things? Because at a time like this, there are a lot of things that you can cut. I'm sorry but even you guys can even rescind your salaries, we can see monies coming in. I'm sorry to be harsh at the end but, I just can't buy what you have all told us now in the closing statement. I ask that everyone that is here [in the audience] that we regroup again and come up with a plan. So whoever is here, please join us and we'll let you know when. Thank you very much.

Senator Vicente Pangelinan. Mr. Acfalle, we certainly hear you. I'm sure one of the members of the board that's here is still here. He's interested, of course, in the sentiments of the community and I saw him taking some notes when you were talking about some cost savings, so I'm sure he'll relay that to the other board members who have the control. We are looking at the budget at the Department of Education because the current operating expenditure of DOE, just to run the schools

at this level is almost \$16M less than what the administration's presentation as being reserved for next year. So, we really do the many challenges that you have identified in terms of finding the operational requirements and it is a mistake, as everybody knows, to say that that it only takes \$157,000 to keep FQ Sanchez open. That's not what it takes. It takes more money than that. We want to insure that we can sustain it and it becomes a part and integrated into the operating budget of DOE, so that it doesn't face threats in future years.

It's a question of should we keep a community school open as a service to the community, as a service to the students, as a sense of educational philosophy of this government on its approach to community schools. I think that is the basic question. If we say yes, then you're right, we will find the money because that's the answer to insuring that the educational philosophy and approach of this government towards its community schools is followed and supported. So, we will commit ourselves to that. Speaker Won Pat?

Speaker Judith Won Pat. I'm really happy to hear when you said that you're going to go back and regroup and talk. I think that's important. I would hope that when you leave us here [you will share with us] exactly who are the individuals we can sit and talk about other types of alternatives. It may not be at the full scale in which the FQ Sanchez is operating at because I remembered that when the amendment was made, a motion was made by Barry Mead to try and keep the school open at a per pupil cost of what the entire Department is spending on every child. We immediately - my staff and I - sat down and we started to look at the numbers to see if that motion was to carry, how and what recommendations we could make to them. We made the recommendations. We sent it in already with what I thought, was a viable recommendation. Then I heard what had happened. The proposal is still on the table and I'd like to continue this dialogue with you, whoever the stakeholders that you may want to really sit at the table and look at what other options there are that's open that could work for the community, keeping FQ open and, at the same time, more importantly, for the government to be able to afford it.

Speaker Pangelinan has been looking at many areas in the government to try to reduce to be able to fund DOE. We even sent the board back to the Governor's Office and said, "Governor, you have shortchanged us right now in our current operations for next year because the recommendation for education, not just DOE, GCC and UOG have been reduced." They're all reduced and whereas other areas in the executive branch has increased. As a matter of fact, you've even heard the courts say that they, too, have been shortchanged by \$3M. Ultimately, yes, and Sen. Yamashita has a point, it's money. How much money are we are able to bring? What can we do? What sacrifices can we make? Several people in your community called my office and were making recommendations about as a community as a whole who feel that they are totally empowered to be able to run the school and to keep the school open. They were offering alternatives and based on those alternatives that's when we came up with some dollar figures. So, we'd like to eventually share that with you as well. Thank you very much, Mr. Chairman.

Senator Vicente Pangelinan. Thank you very much. We're gonna ask Mrs. Nelson and the Mayor to give the last closing remarks. Please talk into the mike, it's going to be part of the record.

Mrs. Gloria Nelson. We have to be realistic. Very good point, Speaker. You have a divided board. There's four elected and the five that decided on this, are appointed. No matter what we say to

Dr. Cruz right here, they don't listen to him. It's very clear already. He can go back and report everything that went in here. He's not going to be heard. Mr. Frank Acfalle used to be an attendance officer. Mr. Frank Acfalle has a point and he's going to be making the announcement to people that are here to regroup. Why couldn't you, Senator Pangelinan and probably the Speaker, and anybody that the Speaker wants to take along, meet with the Governor. Meet with the Governor. The Governor has spoken through the paper that I read, that he has the organic act power. That organic act power, if I were Governor, I'll interfere and take over and make the decision to take it away from the board on that decision. Not necessarily to take the board completely out.

The other appointees, based on that, to really make it powerful, Senators can make the amendment in no time and take it away like they took it away from us. Was it in 1998? We were all kicked out. I'll just tell you we were all kicked out because there were certain things where politically they wanted us to do and we maintained the position that as long as it was not for the good of the system and the children deserve, the hell with the Governor. There are many ways to skin a cat and I just told one of these guys, I think it was between a Senator and one of these gentlemen here (he's my relative, I just found out he's Camacho). By the way, most of you don't know it, but all the Quinatas of Umatac are our relatives. My mother's only sister, Ana was married to Juan Quinata of Umatac before the war.

I want to hear a commitment on your part. You always get the hard point along with the Speaker, because of your responsibility with the budget. They think you're Obama that you can call the Congress and let's talk about more money or borrow more money. All we hear is that money is lacking. It's very clear that the Governor is holding the throne. Fine time to meet with the Governor and let's stop coming back and forth because if it has been planned earlier, Speaker and Senator Pangelinan, I could really have done something, but I didn't know until it was too late. I could have through program through program movements. It was done in the past. We can do it again.

You know what else the Governor can do that happened? He came up with an executive order to give the Department of Education employees that have that background to assist in the classroom, central office and the business, and when you do that, you don't have to fill those positions that are vacant. Let it lapse. They are getting paid by the other departments not our agencies. Take that money and put it along with what Senator Rodriguez. Senator Rodriguez, you took away the cancer money. Yes, I checked it out. But, I'd rather you take it for the children than for the cancer patients because they go through chemotherapy. Thank you very much.

Senator Vicente Pangelinan. Thank you, Mrs. Nelson. Mayor Sanchez, we'll go ahead and give you an opportunity to give closing remarks.

Mayor Dean Sanchez. Thank you. Senators, you deserve all the respect from the people of the island. You also deserve all the criticism as well and I admire you for sustaining that service to the people.

In closing, you only have until Aug. 9 before the school actually opens. That is a deadline that we, the people of Humatak, feel very much dread. I can only tell you just a few notes just to end this discussion. The few notes linger right there in you, in your hearts. The people of Humatak came. We came, we called our relatives and this is not yet over. This issue will continue. As Mrs. Nelson

mentioned, it is in your hands. It is in your hands to take it to the Governor. I tried calling the Governor. I supported the Governor. I called on every staff assistant, including the assistant to the assistant to the assistant. I have not received a call. I told them, we supported you with monies, with grace, with honor and this is what I receive? The same applies to you, the Senators. Though you may not feel in your hearts that we voted for you but, nay, here you are. Nay, you sit before us with the power to do justice for us.

We cannot speak to the Governor, it seems like. Are we to have another Columbus? Let's end this charade of being representatives of the people and represent us, please. I am only one Mayor. I carry a patch, much like my students. But it is meaningless if I cannot even bring it to your hearts. You carry a patch up there. That represents the lawmaking body of you. You are close to God. I am just a line agency, under God. How do you distinguish the value of what you represent versus what I represent? There's no distinguishing. You are there. You are empowered and you can make that decision tomorrow. We cannot. We are members of the community who are silent at this very moment because in our hearts, our anger cannot display what we really feel.

Thank you Senator Respicio for saying, hold back. But, like the gentleman here, there are some of us who may not do what you ask. This is a reminder of the war that we celebrated. To say, as the Governor put it, a legacy? You're destroying that legacy. You are allowing it to evolve. Thank you. If you can do something, now is the time. Senators, you carry a title. That means a lot to us because we voted for you and we placed that checkmark there to know that you, of all people, gave a platform to protect the one people, the one persons that we value most; they are the children. If you said education is your continued and first priority, it is time to prove it. Right there. They sit outside. They just left. I had to feed them. Where does my paycheck go? Quite the same as yours. It goes to feed your family. And that's why I say this, if we are not your family, I don't know what else to ask. I am the father but you are the godfathers. Thank you.

Senator Vicente Pangelinan: Thank you, Mr. Mayor. It is indeed sad and I my disappointment that you have not been able to reach the Governor. I want thank all my colleagues that have made themselves available today to listen to you. So, si Yu'os ma'ase. This hearing is adjourned.

III. FINDINGS & RECOMMENDATIONS

Executive Summary

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land (Committee) Report regarding the FY 2012 Guam Department of Education (GDOE) Budget formulation and recommendation involved a process of analyzing and signifying the importance of providing adequate funding for the GDOE. The Governor's Executive Budget Request reduced the FY 2011 authorized operational levels by almost \$10 million, which prompted numerous correspondences and meetings to take place since the Governor's Executive Budget submission on April 8, 2011.

The Committee Report will attempt to outline important factors that the Committee considered during the budget process, explain significant figures and numbers that are relevant, and re-prioritize the finances of the education agency above what the Governor had prioritized in his Executive Budget Request. In order to achieve these goals, the Committee Report will:

1. Begin with the effects of the **American Recovery and Reinvestment Act of 2009** on the FY 2011 Budget and the significant events, policies, and future outlook surrounding these funds in FY 2011 and FY 2012;
2. Discuss the **GDOE's FY 2011 Appropriation Levels** to provide a historical perspective on the GDOE budget;
3. Analyze the **Governor's FY 2012 GDOE Executive Budget Request** for comparison purposes;
4. Provide a **Chronological List of Events** that occurred with the submission of **GDOE's FY 2012 Budget Request** and the Committee's attempts to resolve the discrepancies between the Governor's GDOE Budget Ceiling in his Executive Budget Request and the GDOE's Budget Request.
5. Explain what the **Educational Financial Supervisory Commission (EFSC)** is, its intent and importance in the budget process, and the utilization of the reports produced; and
6. Provide the Committee's (as recommended by the Office of Finance and Budget) **Recommended GDOE budget level for FY 2012.**

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land hereby reports out Bill No. 257-31 (COR), As Substituted by the Committee, with the recommendation TO REPORT ONLY.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) REGULAR SESSION

Bill No. 257-31 (COR)

As substituted by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement,
and Land

Introduced by:

D.G. RODRIGUEZ, JR.

**AN ACT TO APPROPRIATE FOR THE OPERATIONS OF
THE GUAM DEPARTMENT OF EDUCATION FOR FISCAL
YEAR ENDING SEPTEMBER 30, 2012 AND TO PROVIDE
THE EFFICIENT OPENING OF ALL SCHOOLS, INCLUDING
F.Q. SANCHEZ ELEMENTARY SCHOOL BY PROVIDING
FINANCING FOR WORKING CAPITAL EXPENDITURES
FOR THE FY-2011-2012 SCHOOL YEAR AND FOR OTHER
PURPOSES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Short Title.** This Act *shall* be known as the “Guam Department
3 of Education Appropriations Act for Fiscal Year 2012 (School Year 2011-2012).”
4 Except as otherwise provided by this Act, the appropriations made by this Act
5 *shall* be available to pay for obligations incurred on or after October 1, 2011 but no
6 later than September 30, 2012. If any appropriation in this Act is found contrary to
7 federal law, all other portions of this Act *shall* remain valid.

8 **Section 2. Legislative Findings and Intent.** The Fiscal Year 2012 budget
9 for the GDOE in this Act represents a status quo budget with the exception of
10 organic payroll growth and an increase in appropriations for utilities. Therefore, it
11 is the finding of *I Liheslaturan Guåhan* that the GDOE has adequate funding in
12 Fiscal Year 2012 to provide a safe and conducive learning environment in all
13 public schools including F.Q. Sanchez Elementary School.

1 Since the FY2011 authorized operational level includes the fully funding of
2 F.Q. Sanchez Elementary School, *I Liheslaturan Guåhan* finds that presenting the
3 FY2012 GDOE Budget, with appropriation levels consistent with that of FY2011
4 authorized levels inclusive of the estimated organic growth in personnel and utility
5 costs, is the most fiscally responsible approach to adopt.

6 *I Liheslaturan Guåhan* finds the Fiscal Year 2012 revenue projections
7 submitted by *I Maga'låhen Guåhan* in the Biennial Budget for Fiscal Years 2012
8 are sufficient to provide the necessary funding to the GDOE as outlined in this Act.
9 For Fiscal Year 2012, the General Fund and Special Fund revenue projections are
10 \$681,707,396. The GDOE required appropriations for Fiscal Year 2012 represent
11 31.6% of projected revenues. In Fiscal Year 2011, GDOE appropriations represent
12 30% of projected revenues.

13 The increase in support to the GDOE represents *I Liheslaturan Guåhan's*
14 priority toward education.

15 *I Liheslaturan Guåhan* finds there is a need to address the educational needs
16 of the children of Guam system-wide and at the same time provide an opportunity
17 for the communities to reflect their commitment to their schools.

18 *I Liheslaturan Guåhan* finds that there is strong community support by
19 southern residents of Umatac, who have repeatedly stated their strong support for
20 the continuing operation of the historically significant F.Q. Sanchez Elementary
21 School in Umatac.

22 It is, further, the intent of *I Liheslaturan Guåhan* to ensure that the Guam
23 Department of Education (GDOE) continues to have the requisite resources
24 necessary for the proper education of the children, consistent with the intent and
25 mandates of this Act.

26 *I Liheslaturan Guåhan* also takes due note that the basis for the closure of
27 F.Q. Sanchez Elementary School was premised upon the 2009 Evergreen Report

1 recommendations, which stated that the closure would save the GDOE the sum of
2 One Hundred Fifty-Seven Thousand Dollars (\$157,000). After legislative review
3 by the sponsor of Bill 257-31 of the GDOE FY 2012 budget submission, it appears
4 that at most the only possible savings the department will realize with the closure
5 of F.Q. Sanchez Elementary is approximately One Hundred Thousand Dollars
6 (\$100,000). This calculation, however, does not take into consideration the
7 additional financial expenses the department will incur to preserve and maintain an
8 abandoned school facility. This calculation also does not take into consideration
9 the additional expenses in busing requirements to transport students from Umatac
10 to Merizo Elementary School or Marcial Sablan Elementary School, as well as the
11 additional costs to parents for the purchase of new school uniforms.

12 *I Liheslaturan Guåhan* finds that F.Q. Sanchez Elementary School is fully
13 funded through September 30, 2011 in accordance with Public Law 30-196 as
14 amended by Public Laws 30-224 and 31-74. As such, *I Liheslaturan Guåhan* finds
15 that addressing an individual school's budget through FY2012 would not be
16 fiscally prudent and responsible without addressing the school system budget in its
17 entirety.

18 **Section 3. Appropriation.** Pursuant to §§52101 and 52102 of Chapter 52,
19 Division 2 of Title 11 Guam Code Annotated, the amounts specified in the
20 Summary of Base Operational Appropriation in this Section, are appropriated out
21 of the General Fund, Special Funds, and Federal Matching Grants-in-Aid as
22 specified in the Summary of Base Operational Appropriation Funding Source to
23 the GDOE Operations Fund for Fiscal Year 2012. This appropriation *shall* be
24 expended in accordance with the cash disbursement schedules required by
25 §52101(b), and in accordance with the program, department or divisional object
26 class allocations outlined below:

27 SUMMARY OF BASE OPERATIONAL APPROPRIATION

1	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
2	REG SALARIES	111	\$121,330,804	\$2,280,862	\$123,611,666
3	OT/SP	112	\$0	\$0	\$0
4	BENEFITS	113	\$37,703,856	\$660,195	\$38,364,051
5	TRAVEL/MILE	220	\$0	\$0	\$0
6	CONT. SERV.	230	\$7,332,437	\$11,073,956	\$18,406,393
7	OFF. RENTAL	233	\$0	\$0	\$0
8	SUP. & MAT.	240	\$1,454,000	\$1,095,091	\$2,549,091
9	EQUIPMENT	250	\$0	\$652,440	\$652,440
10	WORK. COMP.	270	\$100,000	\$0	\$100,000
11	DRUG TEST	271	\$0	\$0	\$0
12	SUBGRANT	280	\$0	\$0	\$0
13	MISC	290	\$1,250,395	\$0	\$1,250,395
14	POWER	361	\$0	\$13,641,896	\$13,641,896
15	WATER/SEWER	362	\$0	\$1,804,089	\$1,804,089
16	PHONE/TOLL	363	\$361,561	\$0	\$361,561
17	CAP. OUTLAY	450	\$0	\$227,324	\$227,324
18	GRAND TOTAL		\$169,533,053	\$31,435,853	\$200,968,906
19	School Lunch Program-Federal Sources \$10,069,218 (230-\$10,069,218)				
20	School Lunch Program Cash Collection \$1,095,091 (240-\$1,095,091)				
21	Public Library Resources Fund \$652,440 (240-\$652,440)				
22	Territorial Educational Facilities Fund \$19,619,104 (111-\$2,280,862; 113-				
23	\$660,195; 230-\$1,004,738; 361-\$13,641,896; 362-\$1,804,089; 450-				
24	\$227,324)				

1 SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING
2 SOURCE

3	GENERAL FUND		\$169,533,053
4	FEDERAL MATCHING GRANTS-IN-AID		\$0
5	SPECIAL FUNDS		<u>\$31,435,853</u>
6	TOTAL		\$200,968,906

7 **Section 4.** Increments and Promotions. The amount below in this
8 Subsection is appropriated from the General Fund to Object Category 111 to the
9 GDOE and *shall* be used to fund all increments and reclassifications in Fiscal Year
10 2012 for eligible classified employees funded within this Subsection for
11 satisfactory performance pursuant to §6202, Chapter 6 of Title 4, Guam Code
12 Annotated.

13	INCREMENTS AND PROMOTIONS	111 Total	\$1,094,173
14	RECLASSIFICATIONS	111 Total	\$987,540

15 **Section 5.** The sum of Three Hundred Eighty One Thousand One Hundred
16 Twenty Dollars (**\$381,120**) is appropriated from the General Fund to the Chamoru
17 Studies Division administered by the GDOE to be expended for personnel salaries
18 and benefits, contractual services, supplies and materials, and equipment the
19 support and the implementation of the Content Standards and Performance
20 Indicators of the course syllabi for the emphasis of fluency and for the promotion
21 of the proficiency skills in the areas of listening, speaking, reading, and writing in
22 the Chamoru language.

23 **Section 6. GDOE Miscellaneous Funding.** The following amounts reflect
24 non-base operational funding appropriated to the GDOE:

25 (a) Interscholastic Sports Fund. (1) The sum of Six Hundred
26 Twelve Thousand Dollars (**\$612,000**) is appropriated from the Healthy
27 Futures Fund to the Interscholastic Sports Fund administered by the GDOE

1 to be expended pursuant to §7108, Title 17, Guam Code Annotated.
2 Appropriations made herein *shall* be available to fund the outrigger canoe,
3 rugby, and other sports programs, to include the payment of head coaches,
4 assistant coaches, league fees, and other expenses normally associated with
5 interscholastic sports programs. (2) The sum of Ninety Two Thousand
6 Dollars (**\$92,000**) *shall* be allocated from the appropriation in Section
7 6(a)(1) specifically for busing services for interscholastic sports programs.

8 (b) Health and Physical Education Activities. The sum of Two
9 Hundred Seventy Nine Thousand Seven Hundred Fifty Four Dollars
10 (**\$279,754**) is appropriated from the Healthy Futures Fund to the GDOE for
11 Health and Physical Education programs, intramural sports, and similar
12 activities.

13 **Section 7. JROTC Funds.** The GDOE is hereby authorized to expend funds
14 from the JROTC Fund for the sole purpose of expenditures related to the
15 operations for the JROTC program.

16 **Section 8. Support to Eliminate “High-Risk” Status.** The sum of Two
17 Hundred Fifty Thousand Dollars (**\$250,000**) is appropriated from the Indirect Cost
18 Fund (ICF) to the GDOE for the sole purpose of removing the GDOE from “high
19 risk” grant status. The funds *shall* be expended in accordance to a statement of *pro*
20 *forma* expenditures submitted, in writing, by the Deputy Superintendent of
21 Administration and Finance of GDOE to the Speaker of *I Liheslaturan Guåhan*.
22 The statement of *pro forma* expenditures *shall* only include expenditures related to
23 this Section.

24 **Section 9. Summer School.** From the Summer School Fund established
25 pursuant to §6119 of Article 1 of Chapter 6 of Division 2 of Title 17, Guam Code
26 Annotated, such sums as are necessary to fund the operations of the 2012 Summer
27 School Program are appropriated to the GDOE. The Superintendent of GDOE

1 shall submit a detailed report to *I Maga'låhen Guåhan* and the Speaker of *I*
2 *Liheslaturan Guåhan* regarding the receipt and expenditure of said funds no later
3 than thirty (30) days after the close of summer school and post the same on the
4 GDOE website. Such report shall include the following:

- 5 (a) Total revenues received, including identification of each revenue
6 source;
- 7 (b) Total expenditures and encumbrance by object classification and by
8 school; and
- 9 (c) The fund balance.

10 **Section 10. Textbooks and Collateral Materials.** The following are
11 appropriations to the GDOE for the purchase of textbooks, e-book readers, and
12 collateral materials, to include software, sheet music, and music books in
13 accordance with the following terms and conditions:

14 (a) Notwithstanding any other provision of law, the sum of Two
15 Million Dollars (**\$2,000,000**) is appropriated from the General Fund from
16 Fiscal Year 2013 revenues to the GDOE for the purchase of textbooks, e-
17 book readers and related classroom instructional materials to include
18 software, sheet music, and music books. The Superintendent of GDOE may,
19 if necessary, through agreements with textbook vendors, defer payment for
20 said materials until after October 1, 2012 but no later than December 31,
21 2012 with the full faith and credit of the government of Guam.

22 (b) The Superintendent of GDOE shall order materials funded by
23 this Section for Fiscal Year 2013 no later than March 1, 2012. The Bureau of
24 Budget and Management Research shall release such allotments as are
25 necessary to ensure that said materials are ordered by March 1, 2012. The
26 Superintendent of GDOE shall receive said materials and distribute them to
27 schools no later than thirty (30) days before the start of the school calendar

1 established pursuant to Title 17, Guam Code Annotated, §4111. All funds
2 appropriated for said materials *shall not* be used for any other purpose.

3 (c) On the first (1st) day of each fiscal quarter of FY 2012, the
4 Superintendent of GDOE *shall* provide to *I Maga'låhen Guåhan* and the
5 Speaker of *I Liheslaturan Guåhan*, and post on the GDOE website, a
6 detailed report regarding all receipts and expenditures for textbooks, e-book
7 readers and collateral classroom instructional materials to include software,
8 sheet music, and music books. Said report *shall* be accompanied by the
9 certified list of textbooks approved by the GEB and a list or copies of all
10 purchase orders issued. The report *shall* summarize:

11 (1) purchases by allotment account number, unit cost, and
12 the total cost of books charged against an appropriation account, the
13 vendor, quantity, title, copyright date, and ISBN of books ordered, the
14 allocation of such books by school and grade, whether books are for
15 teachers or students, and whether books are textbooks, e-books or
16 workbooks; and

17 (2) Other information that may be useful or that is requested
18 by *I Liheslaturan Guåhan* regarding the funds appropriated and
19 authorized herein.

20 Non-compliance with these reporting requirements by the Superintendent of
21 GDOE *shall* result in the sanctions and penalties imposed by this Act.

22 **Section 11. Website Posting.** The Superintendent of GDOE *shall* post and
23 maintain on the GDOE website:

24 (a) All payments for prior year obligations to be paid by current
25 appropriations when authorized, including the funding source to be used.

26 (b) Salary adjustments by position, effective date of adjustment and
27 the funding source for each, by month.

1 (c) Mandated Cash Disbursement Schedules.

2 (d) Number of filled FTEs, costs and funding sources by school
3 and division by month.

4 **Section 12. Reports.** The Superintendent of GDOE *shall* electronically
5 report the following to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
6 *Guåhan*:

7 (a) Within fifteen (15) days after the start of Fiscal Year 2012, the
8 Superintendent of GDOE *shall* provide a copy of the GG-1 or Contract of
9 employees hired for School Year 2011-2012.

10 (b) Thirty (30) days after the start of Fiscal Year 2012 and monthly
11 thereafter, the Superintendent of GDOE *shall* provide a copy of the GG-1 or
12 Contract of each employee hired to fill any vacancy or new position.

13 **Section 13. Utilities Reduction Incentive.** Each School Principal of the
14 GDOE is encouraged to practice energy conservation within their respective
15 schools. Any school whose Principal and staff is able to reduce their annual utility
16 consumption by at least fifteen percent (15%) of their prior annual billing,
17 measured each quarter for each utility type, *shall* have that dollar value of savings
18 transferred from the utility pool to their respective school to supplement the needs
19 of that school and *shall* be available to be spent to support school activities for
20 students and staff. The savings *shall* be available to the school within thirty (30)
21 days of the close of each quarter.

22 **Section 14. Budgetary Transfer Authority for Guam Department of**
23 **Education (GDOE).** The Superintendent of the GDOE may transfer funds from
24 the appropriations made to GDOE within object classes, except that no funds *shall*
25 be transferred into the Personnel Services category, except as otherwise provided
26 herein. The Superintendent of the GDOE *shall not* transfer any appropriation for
27 Increments and Promotions and Reclassifications as provided within Section 4 of

1 this Act to supplement or support salaries. If a surplus in funding exists within the
2 appropriation for Increments and Promotions and Reclassifications, such amount
3 may be used to support payment of prior year obligations.

4 The Guam Education Board (GEB) may submit via a duly adopted
5 resolution of the Board a request to the Education Financial Supervisory
6 Commission (EFSC) to transfer existing appropriations in to the Personnel
7 Services category only to alleviate a CODE “C” or a CODE “RED.”

8 The EFSC *shall* vote in the first scheduled meeting after a request to transfer
9 existing appropriations into the Personnel Services category from the GEB.
10 Transfer of any existing appropriations into the Personnel Services requires a two-
11 thirds vote of EFSC members in which a quorum of voting members is established.

12 **Section 15.** §3103, Section (15) of Chapter 3 of Title 17, Guam Code
13 Annotated, is hereby amended to read:

14 “§3103. (15) Adequate Public Education Reporting Requirements. The
15 Superintendent of Education *shall* submit a monthly budget status report of all
16 local and federal funds available to the Department, whether or not their
17 resources require appropriations by *I Liheslaturan Guåhan*. The monthly
18 budget status report *shall* ~~also contain a detailed accounting of expenditures of~~
19 ~~funds, be designed by the Educational Financial Supervisory Commission and~~
20 at a minimum contain all appropriations, transfers and adjustments, revised
21 appropriations, expenditures to date, outstanding encumbrances and
22 unencumbered balances. The data for the monthly budget status report shall be
23 provided no later than fifteen (15) calendar days after the end of each month
24 and be used by the Educational Financial Supervisory Commission for its
25 monthly Financial Status Designation Reports. The Educational Financial
26 Supervisory Commission shall design a Adequate Public Education Report to
27 reorganize the ~~relating such~~ expenditures in the monthly budget status report to

1 the criteria established in Title 1 GCA §715 and the status of compliance with
2 the Adequate Education Act. The Monthly Budget Status report and Adequate
3 Public Education reports ~~are~~ is to be completed no later than twenty five (25)
4 ~~fifteen (15)~~ calendar days after the end of each month and *shall* be certified by
5 the Superintendent, acknowledging compliance or non-compliance with Title 1
6 GCA §715 and in meeting the objectives of §3125 of this Chapter. The reports
7 *shall* be submitted to the Board, the Speaker of *I Liheslaturan Guåhan*, and *I*
8 *Maga'låhen Guåhan*.

9 **Section 16. Cost Saving Incentive.** The Superintendent of the GDOE is
10 encouraged to implement a Cost Savings Plan to include, but not limited to,
11 consolidation of programs and entities, maximizing on student-teacher ratios, and
12 practicing energy conservation. If the Superintendent is able to implement any cost
13 savings within the GDOE authorized appropriations level, the Superintendent *shall*
14 have that dollar value of savings available for payments of prior year obligations
15 and the purchase of supplies and materials.

16 **Section 17. Appropriation for Equipment for Certain GDOE Schools.**

17 (a) **Findings and Intent.** *I Liheslaturan Guåhan* finds that the Consolidated
18 Commission on Utilities (CCU) Resolution No. 2011-32 stated that the agreed-
19 upon "initial [payment-in-lieu-of-taxes] settlement of Two Million Six Hundred
20 Twenty-Five Dollars (\$2,625,000) proposed by the government [of Guam]" was to
21 be paid to the government of Guam after certain requirements are met by the Guam
22 Power Authority (GPA) and that Public Law 31-74 appropriates only Two Million
23 One Hundred Thousand Dollars (\$2,100,000) from this amount. Such a settlement
24 between the Executive Branch and the CCV, although discounted by almost \$10
25 million from the over \$12 million billed to the GPA by the DOA, is to be received
26 by the government of Guam which would absolve the GPA from any payment
27 prior to FY2011 in accordance with §22421 of Chapter 22 of Title 5 of the Guam

1 Code Annotated.

2 Therefore, I Liheslaturan Guåhan finds it prudent that the difference of Five
3 Hundred Twenty-Five Thousand Dollars (\$525,000) between what was agreed to
4 be paid to the government of Guam by the CCU and what was appropriated in
5 Public Law 31-74, be utilized toward the payment of air conditioner equipment and
6 maintenance and collateral equipment for GWHS and collateral equipment for
7 SSSHS, SHS and AJMS.

8 **(b) Transfer of funds from the Autonomous Agency Collections Fund.**
9 Notwithstanding any other provision of law, the sum of Five Hundred Twenty Five
10 Thousand Dollars (**\$525,000**) is hereby transferred from the Autonomous Agency
11 Collections Fund to the Supplemental Appropriations Revenue (SAR) Fund.

12 **(c) Appropriation to the Guam Department of Education.** The sum of
13 Five Hundred Twenty-Five Thousand Dollars (**\$525,000**) is hereby appropriated
14 from the Supplemental Appropriations Revenue (SAR) Fund to the Guam
15 Department of Education for the payment of air conditioner equipment and
16 maintenance and collateral equipment for George Washington High School and for
17 collateral equipment for Simon Sanchez High School, Southern High School, and
18 Agueda Johnston Middle School. The funds appropriated in this section *shall* be
19 allocated to each school as follows:

20 George Washington High School:	\$328,000
21 Simon Sanchez High School:	\$87,000
22 Southern High School:	\$70,000
23 Agueda Johnston Middle School:	\$40,000
24 Total	\$525,000

25 **(d) Continuing Appropriation.** The appropriations made to Section 17(c)
26 of this Act *shall not* lapse and *shall* continue until fully expended for the purposes
27 of this Act.

1 (Tumon Redevelopment; payment from the Tourist Attraction Fund,
2 pursuant to P.L. 24-111)

3 **5/ Tourist Attraction Fund**

4 **F. 2008 SHORT TERM FINANCING** **\$4,202,213 6/**

5 (Line of Credit; P.L. 29-69 amended by P.L. 29-82 & P.L. 29-87; due
6 FY 2012 as the final year; source of payment General Fund,
7 secondary Section 30 Funds)

8 **6/ General Fund**

9 **G. GENERAL OBLIGATION BONDS,** **\$7,874,700 7/**

10 **SERIES 2007 A**

11 (Partial refunding of GOB, 1993 Series A, funding capital projects
12 and certain obligations of the Government of Guam; due FY 2037 as
13 final year; P.L. 29-19, and P.L. 29-21)

14 **7/ Territorial Education Facilities Fund**

15 **H. LIMITED OBLIGATION (SECTION 30)** **\$7,135,019 8/**

16 **BONDS, SERIES 2009A**

17 (To finance cost for the new landfill and the closure of Ordot Dump;
18 P.L. 30-1 amended by P.L. 30-7; Due FY 2035 as final year).

19 **8/ Solid Waste Operations Fund**

20 **I. GENERAL OBLIGATION BONDS,** **~~\$23,278,492~~ 21,442,250 9/**

21 **2009 SERIES A**

22 (To finance certain expenses affecting General Fund Deficit; P.L. 29-
23 113 amended by P.L. 30-7; Due FY 2040 as final year)

24 **9/ General Fund**

25 **GRAND TOTAL DEBT SERVICE** **~~\$67,298,019~~ 65,461,777"**

26 **Section 19.** The sum of One Million Eight Hundred Thirty-Six Thousand
27 Two Hundred Forty-Two Dollars (**\$1,836,242**) from the General Fund is hereby

1 appropriated to the Guam Department of Education for Object Categories 111 and
2 113.

3 **Section 20.** Section 9, Part I, Chapter II of Public Law 30-196 as amended
4 by Public Law 30-224 is hereby *repealed*.

5 **Section 21.** Notwithstanding any other provision of law, the Guam Board of
6 Education may authorize the use of shared human resources for school populations
7 below 325 in Fiscal Years 2011 and 2012.

8 **Section 22. Temporary Budgetary Transfer Authority for the Guam**
9 **Department of Education for FY 2011.** The Superintendent of the GDOE may
10 transfer funds from the appropriations made to GDOE in Public Law 30-196 as
11 amended by Public Laws 30-224 and 31-74 from Object Classes 220, 230, 233,
12 240, 250, 270, 271, 280, 290, 361, 362, 363, and 450 in to Object Classes 111 and
13 113 up to a limit of Four Million Dollars (**\$4,000,000**) *only* to cover shortfalls in
14 Object Classes 111 and 113 that the GDOE may have in FY 2011.

15 **Section 23. Reprogramming and Appropriation of Funds for F.Q.**
16 **Sanchez Elementary School, Umatac.** Upon enactment of this act, the sum of
17 One Hundred Thousand Dollars (**\$100,000**) is hereby reprogrammed from the
18 available funds of the 2007 Tobacco Bond Proceeds account, managed by the
19 Guam Economic Development Authority, and appropriated to the Guam
20 Department of Education for the sole purpose of financing working capital
21 expenditures for F.Q. Sanchez Elementary School, Umatac, as has been
22 determined to be necessary so as to provide an offset of the potential financial
23 savings the GDOE might otherwise have realized as a result of shutting down the
24 school.

25 **Section 24. Maintenance of Current Personnel, Educational**
26 **Opportunities and Resources.** Upon enactment of this Act, the requisite staffing
27 and resources as are necessary for the proper education of the children are made

1 available, and to that end, educational programs and the provision of resources are
2 provided in the annual budget of the GDOE including FQ Sanchez Elementary
3 School for the duration of the term of the FY-2011-2012 school year.

4 **Section 25. Continuing Appropriation.** Upon enactment of this Act, the
5 appropriations made pursuant to Section 23 *shall not* lapse and *shall* continue until
6 fully expended.

7 **Section 26. School to Reopen.** Notwithstanding any other provision of law,
8 upon enactment of this Act, the GEB *shall* explore alternative measures to feasibly
9 maintain the operation of the school for School Year 2011-2012. As provided for
10 in Section 3 and in Section 2 of this Act, *I Liheslaturan Guåhan* hereby provides
11 the necessary funding for the staffing and operations of the GDOE schools
12 including FQ Sanchez.

13 **Section 27. Governor Authorized Keep School Open.** If the GEB votes to
14 maintain its decision to close FQ Sanchez, the Governor is authorized by the
15 issuance of an Executive Order, detailing the conditions, keep the school open for
16 School Year 2011-12.

17 **Section 28. Severability.** *If* any provision of this Act or its application to
18 any person or circumstance is found to be invalid or contrary to law, such
19 invalidity *shall not* affect other provisions or applications of this Law which can be
20 given effect without the invalid provisions or applications, and to this end the
21 provisions of this Law are severable.

**MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular**

Bill No. 257-31 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. 

**AN ACT TO SAVE F.Q. SANCHEZ ELEMENTARY SCHOOL,
UMATAC, BY PROVIDING FINANCING FOR WORKING
CAPITAL EXPENDITURES FOR THE FY-2011-2012 SCHOOL
YEAR BY REPROGRAMMING AND APPROPRIATING THE
SUM OF ONE HUNDRED FIFTY-SEVEN THOUSAND
DOLLARS (\$157,000) FROM THE 2007 TOBACCO BOND
PROCEEDS TO THE DEPARTMENT OF EDUCATION.**

ATTB
2011 JUL -5 AM 11:21

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that there is strong community support by southern residents of Umatac, who have
4 repeatedly stated their strong support for the continuing operation of the
5 historically significant F.Q. Sanchez Elementary School in Umatac.

6 *I Liheslaturan Guåhan* takes due note that F.Q. Sanchez Elementary has
7 become a historical cultural component of the village life and is an integral part of
8 the community of Umatac's social structure.

9 *I Liheslaturan Guåhan* finds that there is strong, widespread community
10 support by southern residents of Guam for the continuing operation of the
11 historically significant F.Q. Sanchez Elementary School in Umatac.

12 *I Liheslaturan Guåhan* further finds, that expenditure of the sum required to
13 maintain the continuing operation of F.Q. Sanchez Elementary School is a quality

1 of village life issue for southern residents and should be supported by the people of
2 Guam.

3 Further, *I Liheslaturan Guåhan* takes due note that although numerous new
4 schools are being provided for the children of northern residents, no new schools
5 are being built in the south. To the contrary, the Education Policy Board is instead
6 closing this school in the south, in direct contrast to the wishes and heartfelt desires
7 of southern residents.

8 It is the intent of *I Liheslaturan Guåhan* to ensure equitable consideration
9 for southern residents by maintaining the continuing operation of F.Q. Sanchez
10 Elementary School for their children who are equally deserving.

11 *I Liheslaturan Guåhan* takes due note of the significant fact that the test
12 scores of the Umatac elementary students has consistently been above average,
13 which directly correlates with the quality of teaching and the high teacher to
14 student ratio.

15 It is, further, the intent of *I Liheslaturan Guåhan* to ensure that the school
16 continues to have the requisite staffing pattern and resources necessary for the
17 proper education of the children, and to that end, the current staffing pattern,
18 educational programs and the provision of resources shall not be reduced or
19 redirected to other schools or utilized for other purposes not consistent with the
20 intent and mandates of this Act.

21 *I Liheslaturan Guåhan* takes due note that the children of southern Guam are
22 equally entitled to benefit from educational programs relative to promoting healthy
23 lifestyles, inclusive of programs encouraging the avoidance of smoking and/or the
24 use of alcohol or drugs, and to that end, it is further the intent of this Act that such

1 educational opportunities shall be included in the F.Q. Sanchez curriculum, or if it
2 currently exists, that it shall continue.

3 *I Liheslaturan Guåhan* also takes due note that the basis for the closure of
4 F.Q. Sanchez Elementary School was premised upon the 2009 Evergreen Report
5 recommendations, which stated that the closure would save the Guam Department
6 of Education the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000).

7 It is the intent of *I Liheslaturan Guåhan* to ensure that the children of F.Q.
8 Sanchez Elementary School in Umatac continue to have the quality of education
9 they have been receiving by providing funding, and a concurrent mandate that the
10 school remain open for a minimum period of two years from the date of enactment
11 of this Act.

12 **Section 2. Reprogramming and Appropriation of funds for F.Q.**
13 **Sanchez Elementary School, Umatac.** The **SUM of ONE HUNDRED FIFTY-**
14 **SEVEN THOUSAND DOLLARS (\$157,000.00)** is hereby REPROGRAMMED
15 from the available funds of the 2007 Tobacco Bond Proceeds account, managed by
16 the Guam Economic Development Authority, and APPROPRIATED, to the
17 Department of Education for the *sole* purpose of financing working capital
18 expenditures for F.Q. Sanchez Elementary School, Umatac.

19 **Section 3. Appropriation Not Subject to Governor's Transfer Authority**
20 **or Education Policy Board.** The funds reprogrammed and appropriated pursuant
21 to this Act shall only be expended for the purpose of financing working capital
22 expenditures for the continued operation of F.Q. Sanchez Elementary School for
23 the FY-2011-2012 school year, and *shall not* be subject to the transfer authority of
24 *I Maga'lahan Guåhan*, or the Guam Education Policy Board for other purposes.

1 **Section 4. Maintenance of Current Personnel, Educational**
2 **Opportunities and Resources.** The Guam Education Policy Board shall ensure
3 the requisite staffing pattern and resources as are necessary for the proper
4 education of the children are maintained, and to that end, the *current* staffing
5 pattern, educational programs and the provision of resources *shall not* be reduced
6 or redirected to other schools or utilized for other purposes not consistent with the
7 intent and mandates of this Act, without the express authorization pursuant to law,
8 for the duration of the term of the FY-2011-2012 school year.

9 **Section 5. Continuing Appropriation.** The appropriations made pursuant
10 to Section 2 of this Act shall not lapse and shall continue until fully expended.

11 **Section 6. Closure Prohibited.** Notwithstanding any other provision of
12 law, the Guam Education Policy Board shall not close F.Q. Sanchez Elementary
13 School for a minimum period of two years from the date of enactment of this Act.
14 The Guam Education Policy Board *shall* explore alternatives measures to feasibly
15 maintain the operation of the school, while continuing to maintain a quality
16 curriculum.

17 **Section 7. Educational Programs Promoting Healthy Lifestyles, and the**
18 **Avoidance of Tobacco, Alcohol and Drugs.** The Guam Education Policy Board
19 *shall* ensure that the F.Q. Sanchez Elementary School includes in its curriculum,
20 educational programs relative to promoting healthy lifestyles, inclusive of
21 programs encouraging the avoidance of smoking and the use of alcohol or drugs.

22 **Section 8. Severability.** *If* any provision of this Act or its application to
23 any person or circumstance is found to be invalid or contrary to law, such
24 invalidity shall *not* affect other provisions or applications of this Law which can be

1 given effect without the invalid provisions or applications, and to this end the
2 provisions of this Law are severable.

3 **Section 9. Effective Date.** This Act shall be immediately effective upon
4 enactment.



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND

Friday, July 22, 2011

Bill No. 257-31 (COR)

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Bobiny Wolford	Wolford Weisheit	789- 5806			✓		
TALAJEKU FEJERAA	4160	653-5500			✓	✓	
VICTORIANO CHAVEZ	AH TS	689-4910			✓	✓	
GEORGE QUIROGA	UMRAC	969-1057			✓	✓	



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

✓ Mayor Don Sanchez

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
✓ James P. Diaz	Box 2684 Hagatna, GU	787-1603			✓	✓	
✓ Gloria Nelsa	4190	6534773			✓	✓	
✓ Vicente menu Trujillo		989-1070			✓	✓	
✓ Ted Nelsa ygo		653-4773			✓	✓	

✓ Gato Cambo



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Frank M. Muñoz	D.H.	477-8593			✓		✓
Ben FLET GARRIDO	Dedeb				✓		✓
FRANKLIN J. TAITANO	ORDOT						✓
Frank Acoll	Umstee	969-8873		✓			



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

	NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
							Yes	No
↓	Frank C Sanchez	Umatac	777.4554				✓	
No Oral ←	Joe P. San Antonio		667-5552				✓	
↓	Pacita A. Smith	Umatac	678-0654				✓	
↓	Shirley D. Brooks	umatac	678-1680				✓	



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Terry Gotigson	Monroe	777-6254			-	✓	

6



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Aziannie Baker	umatac	828-1680					✓
Frank Muroz	Agana H.						?
Robert Benavente	mangibo						?
Philp Cruz	yigo				WAA		?

↓ Tom Shira
↓ Trini Torres

Tammy 6468496 doctor

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Trini Torres	GMF-P.O. Box 24295 Barrigada GU 96921	477-0638	trinct@ite.net	✓	✓	✓	
Galo E. Camacho							



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
↓ Cecilia Morrison	Umatac	475-9162	Cecibuck1@yahoo.com	✓	✓	✓	
↓ Carrie Quinata	Umatac	828-9322				✓	
↓ Agnes, Tony D.	Umatac	828-4646				✓	
↓ Mandy SANTIAGO	UMATAc	969-7650				✓	



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Friday, July 22, 2011

Bill No. 257-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
✓ Rosario A. Quinata	Umatac	828-8741 (C)828-8741	raquinata@gmail.com		Oral	Yes	
✓ Mayor Sanchez Umatac							
✓ Jose Q. Cruz	Tumon	844-9708	jquinate@gmail.com	✓		✓	
✓ Francisco Sanchez	UMATAc	828-2209			-	-	

Mr. Chairman, Senators, My name is Frank Acfalle, former Mayor of Asan-Maina, now a naturalize resident of the historical village of Umatac for over 30 years. As a former elected leader, I find it my obligation to stand-up on issues that concerns our children's welfare, education and the community as a whole. It is for this reason that I am here today to testify in favor of Bill 257-31 an act to save F.Q.Sanchez elementary school, introduce by our good Senator Dennis Rodriquez.

I would like to enlighten you with a brief history of our educational process in the village of Umatac. In the year 1521 March 6, a stranger by the name of Ferdinand Magellan despite the dispute whether he landed in Umatac or Tumon, there are clear evidence of historical sites, and when Father Sanvitores and the Spanish missionaries in the 1600's came back to Guam, they landed in the bay of Humatak, nowhere else but Humatak. There the Spanish missionary settled and began their mission starting within the village of Umatac.

Although only to a few educational process started all the way to the 1800s. Learning Spanish religion and agriculture was strongly emphasized. The church was the only building used to conduct instructions and the Spanish priest were responsible for the education of the

residences. In 1914 a permanent building was built, and the first formal education process embarked but to a limited degree. Teachers were selected on the basis of working knowledge of the English language. The school was named Magellan in honor of Ferdinand Magellan and was later changed to Umatac School. Among those appointed to teach were Francisco Q. Sanchez, Vicente Q. Santiago, Baltzar Charfauros, Maria Santiago and Gregorio Q. Gofigan.

Because of his leadership, ability, and knowledge of the village problems and great understanding of young people. Mr. Francisco Q. Sanchez was appointed the first principal of the school. From his appointment as principal until his death, F.Q. Sanchez led the people of Umatac in education and greatly influenced the spirit of cooperation among the people that even today Umatac residents are noted for their community spirit.

In 1945, just after the war Umatac school reopened and the educational process continued, classes were taught under great disadvantages, with a very few instructional supplies and equipment, rooms were not properly divided and limited class room spaces. However with the many limitations, Umatac school was the first on the island to be awarded the "E Flag" for excellent in its up-

keep. In the mid 1950, the island leaders declared the old Umatac School to be inadequate to facilitate modern instructional programs. To compensate for these deficiencies a new school was built. This was the first school to be build on the island after the war, yes the very same school that is being faced out on the island of Guam, the school whose students scored high on their SAT test.....

My dear senators by closing F.Q.Sanchez Elementary School they have killed the spirit of the people of Umatac, our learning institution and the legacy of a man who have devoted his life in promoting the importance of education to the people of Umatac.

Senators, our children do not want to go to Merizo for their education, they want to continue their education in their community's learning institution, like the old saying there's no place like home. We don't ^{want} a charter school, we want to participate in the public education program.

In Closing, I ask each and everyone of you to find it in your hearts and listen to our cry. Please act on Bill -257-31.

Thank-you,

Testimony

In support of Bill No. 257-31 (Cor)

22 July 2011

My name is Cecilia Aguon Quinata Morrison. I am a former Mayor of the southern Municipality of Umatac, Guam.

On behalf of my relatives, friends and family, and most especially all my children – all alumni of Francisco Quinata Sanchez Elementary School – I support Bill 257-31 (Cor), An Act to Save F. Q. Sanchez Elementary School, Umatac,

First and foremost, I extend my utmost gratitude to Senator D. G. Rodriguez, Jr., for his compassion in addressing the plight of the residents of the Municipality of Umatac; for his foresight in introducing this bill; for his letters of

July 06, 2011 to 1) Mr. Francis Santos, Chairman of the Guam Education Policy Board (GEPB), copied to all senators and GEPB members; and 2) to the Honorable Vicente C. Pangelinan, Chairman, Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land. Senator Rodriguez's letters listed comprehensively the basic points upon which I, and residents of Umatac, also find atrocious by GEPB's proposal to close F. Q. Sanchez Elementary School.

Second, I respectfully extend my appreciation to the Honorable Judith T. Won Pat, Ed.D., Speaker of the 31st Guam Legislature and all the senators from both sides of the aisle who expressed their support early on. Our profound gratitude for your encouragement – and in giving us hope and

flip-flop and just downright discriminatory action of the GEPB.

I was off-island for work and for personal business during the GEPB meeting, around late May 2011 held at F. Q. Sanchez Elementary School. I would repeat, for the most part, my testimony submitted electronically 5/18/2011 to be presented to the GEPB – on my behalf. (A copy of this testimony was given to the school principal subsequent to that meeting.)

What is the vision, mission, goals and objectives of the Guam's education system? What are the mandates upon which schools are to operate and/or function in order that these are addressed?

confidence in our unending pursuit to keep open Sanchez Elementary School.

Third, I want to acknowledge the help of families and friends from throughout the island who took time out to call our local radio stations to express views and their support. You will never know how your kind thoughts and deeds boosted our spirits and to press on with our efforts.

As with fellow residents of the Municipality of Umatac, I am here to reiterate our long stance and our quest to finally put to rest these preposterous attempts to close F. Q. Sanchez Elementary School with the most recent GEPB action of June 30, 2011. We ask for the full backing of all senators; there is just no “going around” this unbelievable, unfair,

spelling and environment (re. 2008-2009 SAT 10 Mean Scaled Scores, Grade 1), 4) skip several grade levels, as a result of exceptional academic achievements, 5) transfer to mainland high schools and are published in “Who’s Who in American High Schools” for their academic accomplishments (with less than a year to adapt to a totally new school environment), etc.

I can go on and on as I am sure others from other schools can about their own exceptional scholars. The only point I’m making here is F. Q. Sanchez Elementary School’s experience should be used as a model by other schools. It is utterly unbelievable that GEPB elected instead to close the school. Shouldn’t this success be further harnessed for added expansion to other schools?

If, the mandate of local schools is to help students reach the level of educational achievements in accordance with scholastic standards, why has GEPB taken the action to close F. Q. Sanchez Elementary School? Year in and out, our students continue to excel. They continue to demonstrate exemplary performances. Contrary to some puny thoughts, our students have proven, over and again, that scholastic achievement is not a monopoly by geography.

Sanchez Elementary School has been producing students who 1) outperform high school students in island-wide spelling bee contests, 2) receive national presidential awards, 3) receive high SAT 10 scores, topping the list over other island schools, as an example, in reading, math,

At one time, our village was putting out a high ratio in the field of education where almost every two other households produced teachers, principals and other support staff;

In the not too distant past when Guam had only 2 Chamorro pharmacists, one was a product of our village;

We put out our share of men and women in the U.S. Armed Forces with quite a number attaining officer ranks;

We turned out ph.ds, engineers, managers, directors, administrators, nurses, social workers, lawyers, biologists, local/federal law enforcement officers, firemen, utility workers,

We're not without of our own problems, but our young and old adults, even senior alumni of F. Q. Sanchez Elementary School continue to show outstanding returns on investment. From various fields of professions, all give credit to this solid academic foundation received from our humble school. No doubt, it has assisted in laying the foundation and charting the path for alumni to compete successfully in various fields of discipline in the world of work. I offer a few examples – going as far back in our academia history as I can:

In the early days before Guam even had a college or university, one of our Sanchez Elementary alumni received a merit scholarship to attend college at a U.S. university;

our students are treated to this unjustifiable action by the GEPB.

Why am I not surprised that I'm not hearing much conversation about the social impacts and associated costs that would surely occur with the closure of the school. What about the historical value and significance of our school in the overall social framework of our small community and citizenry?

I likened the proposed closure of our school to be that of a dejavu of sorts. Not too many people know that a long time ago, our beautiful and historical village was the Capital of Guam. Is our silence – perhaps apathy on a few of our fellow villagers – expected again?

electricians, high-ranked federal civil service workers; you name it, we have them.

Indeed, something is working at F. Q. Sanchez Elementary School. And to be sure, there are some problems with resources and some of their uses. But in the end, the school is demonstrating meaningful and significant successes in its primary responsibility to educate the students who set foot at its doors.

I am astonished about the glaring conflict between F. Q. Sanchez Elementary School's annual report cards and the 2009 Evergreen Report. The recommendation of the latter is beyond incomprehensible! Instead of being rewarded for its successes that are on the record, our school and

certain national standards such as those that are family-centered- school systems that call for the support of the total family with each child in mind. Again, the record speaks for itself!

We're not asking for a penny more. We're simply calling for fair and equitable treatment and I ask for your favorable assistance because it is simply the right thing to do!

In this vein, I humbly ask for the leadership of this August body to take a review of the disparities between survey results of board member knowledge in the Guam Public System and School Districts in Evergreen's Survey Database, Exhibit 2-5, Page 2-11. The stark contrast between the Guam Public School System and Evergreen's

It is even laughable that in developed countries of the world, education is sought as almost a cure for all things. And there have been remarkable successes. Yet, here, in our little village, year in and out, we're exhibiting successes and instead of a reward (like maybe one more computer for our kids, we're to be closed). Talk about taking away student/community ownership – our sense of empowerment.

For over 5 years millions upon millions have been spent into building a number of new schools in the north with no new school for southern Guam. But instead of using Sanchez Elementary's successes to model for other schools, GEPB opts to close it. Simply put, I would venture to say that our school is probably way out in front with

Survey Database leaves much to be desired. I would be very cautious about basing decisions on this report. Its recommendation to close F. Q. Sanchez Elementary School is inconsistent with its own view and definition about school success.

In closing, I ask, once again, for your help to stop this unfair and discriminatory treatment of our school and ultimately — our students.

*Si Yuos Ma'asi, Thank You
Maraning Salamat Po.*

Trini Torres

G.M.F. - P.O. Box 24295
Barrigada, GU 96921

Email: trinit@ite.net
Tel.: 477-0638

Senators of the 31st Legislatura Guahan
Guam Education Board
P. O. Box DE
Hagatna, Guam 96932

July 18, 2011

SUBJECT: The F.Q. Sanchez Elementary Public School in Umatac

To the Guam Education Board:

Hafa adai yan Buenas, to you Honorable Chairman Francis Santos of the Guam Education Board, to all the Voting Members of the Board, to the Non-Voting Members, and to the Executive Secretary of the Board, Superintendent Dr. Nerissa Bretania Underwood. Ku man mamaolek ha' hamyu, ya ti maninestotba hamyu ni desision miyu na inhichom i Eskuelan F.Q. Sanchez. Ahi, ti manmamaolek hami ni man matu guine sa' inhichom i F.Q. Sanchez Ilimentario Eskuela gi Humatac. Ti un na' fan manmagof ham ya un na' piniti ham todus, ni manmatu guini pio't i mannamko, i mannaina, i famaguon, yan pumalu na taotaotano, yan ta'lo lokue i pumalu na taotao ni manngasaga gi Humatak yan i Islan Guahan. Todu ha' maninifefekta yangin un na piniti pio't i famaguon, i mannaina, yan i bihun yan i bihan niha i famaguon-ta.

The reports that we hear coming out of these Humatak elementary students are that they scored above average of the U.S. National Sat 10 Test. They have demonstrated to us that they learned what our schools and teachers expected of them. The alternative to have a DI Charter School in Humatak to take over the F.Q.Sanchez Elementary School does not qualify as a good solution, because these Humatak students have demonstrated by their above average SAT 10 score that they can do without DI instructions. To bus these students to another school and replace them with another group of students will be the same as kicking them out of their school and village--because they're not worth it! Every day that these kids would be riding the school bus to the next village, they would have to pass by and see their own F.Q. Sanchez School situated awfully closeby the same road that they travel to their would-be-assigned school. And, then they ride back home after school, again on the same road, on a daily basis. As these students ride pass their F.Q. Sanchez School and leave their Humatak Village to the "other school" in another village, they have no choice but to look at their F.Q. Sanchez School. They would ponder such things as: 1. Are the students of Humatak not worth it enough to be kept in their own village school? 2. Do the other group of students who replaced them own the school, or do they have more wealthy and powerful connections? 3. Did the decision-making leaders know what they were doing when they removed the Humatak students from their F.Q. Sanchez Elementary School?

As for the shortfall in the operating costs to keep F.Q. Sanchez Elementary School open, the Govt. of Guam and its Dept. of Education need to keep their priorities straight and give the appropriate attention and financial obligations towards educating our kids.

Guam Education Board; July 18, 2011, p. 2

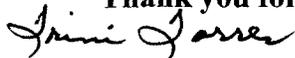
There are numerous laws that are directed towards the upkeep of our children's education. But most of the Govt of Guam's revenues for public schools are found at the top plane level of an upside down pyramid. The top management and administrators get real huge salaries and benefits which reduces slightly towards the bottom of the upside down pyramid in lesser monetary and benefit amounts. The image of the narrow bottom of the upside pyramid represents the operating costs of running the schools for the students. These students are supposedly the recipients of the invested resources of our education system. Prioritizing and slimming down the Govt.'s resources are necessary in order to achieve our schools' objectives and goals to educate our children. We may need to streamline those top management and administrators' salaries in our education system in order to push the quantity of financial resources down towards the level of the students who are being educated. Those people at the top management and administrative positions are already educated. It's the kids who now need to be educated.

With the passages of numerous federal and state government laws and mandates throughout history for compulsory education, the children of compulsory education ages now become the properties of the government, both federal and state governments. Therefore, the government in its entirety become obligated to educate these children. This means that the federal and local governments must provide the financial and moral obligations, as well as other resources necessary for achieving the education of these children.

From his accumulated work on science, De Boer (A History of Ideas in Science Education; 1991) points out that: "Humanistic education was advocated by a number of science educators who believed that science teaching should do a better job of portraying science as a human activity and should be more concerned about the emotional response of learners. Humanism is a belief in the importance of human beings, especially those qualities that make each person distinctly human and enable individuals to experience meaningful lives. As such, a humanistic orientation is one that considers the feelings and emotions of people to be just as important as their knowledge and intellectual skills." This tells us that we, as responsible adults, should not disappoint our F.Q Sanchez Elementary students but instead respect their feelings and emotions, because as DeBoer says, they are "just as important as their knowledge and intellectual skills."

It is important for us to keep reminding ourselves that our children are all that important to us. Some things are drastically wrong here, in our Guam education system, and they surely drastically need fixing, now, yesterday, and for the future! Let's all be supportive of our children's education! After all, they are our future.

Thank you for hearing me out. Please reconsider your decision. Saina ma'ase'.



Trini Torres, M.Ed. (Education, With Specialties in Cultural and Critical Studies);
Pilong Maga' Haga of Taotaomona Native Rights,

cc: To all Senators of 31 Legislaturan Guahan

Senator Dennis Rodriguez

31st Guam Legislature

Hagatna, Guam

Honorable Senator Rodriguez and other Senators here present. My name is Dr. Jose Q. Cruz, a resident of Tumon and a Luchan Representative of the Guam Education Board. I am present to support Bill 257-31, An Act to save F.Q. Sanchez School subject to amendments.

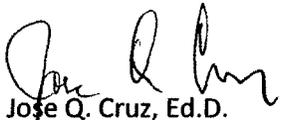
My position is the same as when I was defeated when voted on to close the school. I come ethically based on the principle of legitimate avenues that may be presented or arise contrary to the action of the Guam Education Board. I believe this is a legitimate policy body that would allow me the ethical privilege. I come also because I find the action of the Board to be flippant when based on an earlier signal to the residents of Umatac that the school may not be closed.

The sum of \$157,000 is not sufficient to keep the school open under the present circumstances. I'm afraid that the policy of keeping the school open for 2 years presents a big challenge altogether. I believe a more comprehensive plan is needed to include but not limited to school closures but also new schools projected and planned altogether. I have cautioned that the proposed military build-up has added to this urgency.

The challenge of sustaining quality achievement is one that F.Q. Sanchez has presented to us. We at the Board did not address that even as a preliminary if not major consideration. The consequence of a threat to the school's accomplishment needs to be publicly articulated for the sake of the children and the continuing support of the parents. I am piqued by this dimension of parental support and accomplishment.

There are other considerations that need attention but I will support not closing the school at least for 1 year until all elements of a plan for continuing success of the students at F.Q. Sanchez and clear transition are legitimately addressed.

Kon Respetu yan ayudu, I offer these thoughts.


Jose Q. Cruz, Ed.D.
7/22/2011



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JUL 12 2011

BENITA A. MANGLONA
DIRECTOR

STEPHEN J. GUERRERO
DEPUTY DIRECTOR

Honorable Vicente C. Pangelinan,
Senator and Chairman
Committee on Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement and Land
I Mina Trentai un na Liheslaturan Guåhan
Suite 101 Quan Building
324 W. Soledad Ave.
Hagåtña, Guam 96910



Dear Senator Pangelinan:

Thank you for the opportunity to provide written comments on Bill Nos. 255-31 (COR) and 257-31 (COR).

Bill No. 255-31(COR)

This proposed legislation seeks to appropriate the sum of \$525,000 to the Guam Department of Education (GDOE) for air conditioning equipment, maintenance and collateral equipment for various high schools and a middle school.

The Bill notes that the Consolidated Commission on Utilities (CCU) Resolution No. 2011-32 stated that the agreed-upon "initial [payment-in-lieu-of-taxes] settlement of \$2,625,000 proposed by the government was to be paid to the government of Guam after certain requirements are met by the Guam Power Authority (GPA) and the Public Law 31-74 appropriates \$2,100,000 from this amount. As such, the Bill intends to utilize the difference (or the remaining balance) of \$525,000 between what was agreed to be paid to the government of Guam by the CCU and what is appropriated in P.L. 31-74 to fund this appropriation measure.

The Bureau understands the intent of Section 2 of the Bill to transfer the \$525,000 from the Autonomous Agency Collections Fund to the Supplemental Appropriations Revenue (SAR) Fund created by P.L. 31-74 and then appropriates the amount from the SAR Fund to the Guam Department of Education for the respective schools as allocated and detailed under Section 3. In addition, Section 4 provides that the appropriation shall not lapse and shall continue until fully expended for the purposes intended.

The Bureau is not opposed to Bill 255-31(COR) provided that the full amount of \$2,625,000 is received by the government of Guam and deposited into the Autonomous Agency Collections Fund to support the appropriations made by P.L. 31-74 and this proposed measure. Lastly, it is our sincere hope that GDOE provides I Liheslaturan Guåhan an accounting of their FY 2011 year-to-date expenditures and a Budget to Actual Comparative Review prior to the passage of such a bill. It may well be determined that such a bill may be unnecessary should lapses be identified for such purposes.

Bill No. 257-31(COR)

Section 2 of Bill No. 257-31(COR) proposes to reprogram and appropriate \$157,000 from the available funds of the 2007 Tobacco Bond Proceeds account, managed by the Guam Economic Development Authority (GEDA) to the Guam Department of Education (GDOE) for the sole purpose of financing working capital expenditures for the continued operation of F.Q. Sanchez Elementary School, Umatac for the FY2011-2012 school year.

The Bill also provides for the Guam Education Policy Board (GEPB) to ensure the maintenance of current personnel, educational opportunities and resources, prohibits the closure of F.Q. Sanchez Elementary School. In addition, Section 5 provides that the appropriation shall not lapse and shall continue until fully expended.

The 2007 Tobacco Bond Proceeds was issued at tax-exempt status, and such any available balances for such reprogramming / appropriation and its appropriateness under the bond covenants are subject to the determination by GEDA and bond counsel. Pursuant to §221303, Chapter 22 of 5 GCA, proceeds of the sale and securitization of the Guam Allocation received by the Government of Guam shall be distributed to the following manner:

1. 50% into the Health Security Trust Fund,
2. 15% into the UOG Endowment Fund,
3. 15% into the GCC Endowment Fund,
4. 10% into the Youth Tobacco Education and Prevention Fund, and
5. 5% into the Health and Human Services Fund.

There are no “notwithstanding” provisions within the proposed bill to include GDOE in the distribution process of bond proceeds. Therefore such reprogramming of fund proceeds may be in-conflict with the existing statute.

Based on information from GEDA, the available funds under the 2007 Tobacco Bond Proceeds account are being identified for reprogramming and appropriation for the following measures:

1. Bill No. 257-31(COR) – for F.Q. Sanchez Elementary School (\$157,000),
2. Bill No. 258-31 (COR) – for Guam Memorial Hospital Authority (\$477,000)
3. Bill No. 259-31 (COR) – for the Talofof Gymnasium (\$149,000)

As such, the reprogramming & appropriation request totals \$783,000. According to GEDA the estimated balance under the 2007 Tobacco Bond Proceeds account is \$618,994.03. As such, the available funds are insufficient by \$164,005.97 to fund all three proposed bills. It may be possible to fund one or two of the proposed bills and possibly the third if the appropriated amounts are reduced.

The Bureau is not opposed to Bill 257-31(COR) provided that the concerns by GEDA on the available funds identified under the 2007 Tobacco Bond Proceeds account are addressed relative to other proposed appropriation measures identifying the same fund source, and that such proposed use of proceeds is in compliance with existing GCA statutes covering the Tobacco Bond Proceeds.

As required by 2 GCA §9102, the Bureau has prepared and attached the Fiscal Notes of Bill 255-31(COR) and Bill 257-31(COR) for your convenience.


JOHN A. RIOS
Acting Director

Attachment

cc:Sen Rory Respicio



DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT



www.gdoe.net

P.O. Box D.E., Hagatña, Guam 96932

Telephone: (671)475-0457 or 300-1547/1536 • Fax: (671)472-5003

Email: nbunderwood@gdoe.net

Nerissa Bretania Underwood, Ph.D.
Superintendent of Education

July 22, 2011

Honorable Vicente (ben) Cabrera Pangelinan
Senator and Chairman of the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,
Retirement, and Land
I Mina'trentai Unu Na Liheslaturan Guåhan
324 West Soledad Avenue, Suite 100
Hagãña, Guam 96910

RE: Bill 257-31 (COR): An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2001-12 school year by reprogramming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education

Hafa Adai Senator Pangelinan!

Thank you for this opportunity to testify on Bill 257-31 (COR): An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2001-12 school year by reprogramming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education

The Guam Department of Education welcomes additional resources to fund its many mandates. However, in its June 30, 2011 meeting, the Guam Board of Education voted to transfer the students from FQ Sanchez to Merizo Elementary. There were several reasons that guided this decision that would benefit the Department of Education and its students as a whole including:

Eliminate combination classes. To maximize class sizes, with the number of projected students at FQ Sanchez and Merizo Elementary, certain classes would be combined. For instance, the kindergarten and 1st grade classes would be combined under one teacher. Combination classes do not allow the teacher to focus on the curriculum objectives for each grade. Both FQ Sanchez and Merizo Elementary currently have student populations that require "combo" classes.

Effective Use of Hard to Fill Positions. Transferring the students from FQ Sanchez to Merizo Elementary will allow the Department to place the nurse, guidance counselor, librarian, and Chamorro teacher in existing vacancies. Schools that would have otherwise gone without these positions can now start the school year with these positions in place.

Placement of support staff in schools with shortages. The school aides and clerical staff will assist schools with current shortages. This will improve student safety in other schools as well as assist with internal controls.

Financial Savings. Closing FQ Sanchez in these times of financial constraints will reduce utility costs, trash pickup and custodial costs. These dollars can be redeployed to other schools. Additionally, the staff can be placed in vacancies in the Department, reducing the number of employees needed in the Department.

The transfer of the FQ Sanchez students will provide advantages to students and the Department as a whole. The 54 FQ Sanchez students will travel an additional 20 minutes by bus to Merizo Elementary and quickly adapt to their new environment. This transfer will be positive for both the students of FQ Sanchez and Merizo as the number of combination classes will be reduced or eliminated. The integration with other students will broaden experiences for all involved. Additionally, the entire Department will gain from the redirection of resources.

The community of Umatac will profit from the move as they will have a facility that can be used for a variety of purposes. These purposes are only limited by the imagination and may include use by the seniors, youth programs for after school and weekends, and GED and other trade or enrichment classes for the adults.

Thank you for this opportunity to comment on Bill 257-31. I encourage the Legislature to allow the Guam Education Board to do the job they are mandated to.

Senseramente,


NERISSA BRETANIA UNDERWOOD, Ph.D.

Handwritten initials

cc: Guam Education Board
Speaker Judith Won Pat, 31st Guam Legislature
Senator Dennis Rodriguez, Jr, 31st Guam Legislature





Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

Department of Administration
(DIPATTAMENTON ATEMENSTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)
Post Office Box 884 Hagatña, Guam 96932
Tel: (671) 475-1101/1250 Fax: (671) 477-6788



Benita A. Manglona
Acting Director
George A. Santos
Deputy Director

The Honorable Vicente C, Pangelinan
Chairman, Committee on Appropriations, Taxation
Banking, Insurance, Retirement & Land
31st Guam Legislature
Suite 101 Quan Building
324 W. Soledad Avenue
Hagatña, Guam 96910

July 22, 2011



Hafa Adai yan Buenas Dias Senator Pangelinan:

Thank you for the opportunity to submit written testimony on Bill 257-31:

An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the Fiscal Year 2011-2012 school year by reprogramming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education.

I support the intent of Bill 257-31; however the available funding from the 2007 Tobacco Bond Proceeds is a temporary solution and will not be available the following fiscal year. The decision whether to continue or close F.Q. Sanchez Elementary School will ultimately depend on funding. Future funding for the continued support of operations for the F.Q. Sanchez Elementary School will be reliant on the General Fund.

As you are aware, General Fund Fiscal Year 2010 closed with an **operational deficit of \$71.1 Million**. As of June 30, 2011, the revenue is tracking \$30.3 million below projection. Currently, we are requesting agencies to be proactive in cost containment measures and revenue enhancement to alleviate the projected shortfall in revenues. The Guam Department of Education Board's recommendation to close down the school is part of their efforts for cost containment.

It is our hope that our testimony provides useful information to your committee. Should you have any questions, please contact me at 475-1221 or Mrs. Kathy Kakigi, DOA Deputy Financial Manager, at 475-1211.

Once again we thank you for allowing us the opportunity to provide testimony on this proposed legislation

Si yu'os ma'ase.

Senseramente,

BENITA A. MANGLONA
Acting Director

Bureau of Budget & Management Research
Fiscal Note of Bill No. 257-31 (COR)

AN ACT TO SAVE F.Q. SANCHEZ ELEMENTARY SCHOOL, UMATAc, BY PROVIDING FINANCING FOR WORKING CAPITAL EXPENDITURES FOR THE FY-2011-2012 SCHOOL YEAR BY REPROGRAMMING AND APPROPRIATING THE SUM OF ONE HUNDRED FIFTY-SEVEN THOUSAND (\$157,000) FROM THE 2007 TOBACCO BOND PROCEEDS TO THE DEPARTMENT OF EDUCATION.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Education	Dept./Agency Head: Nerissa Bretania Underwood
Department's General Fund (GF) appropriation(s) to date:	162,471,522
Department's Other Fund (Specify) appropriation(s) to date: Public Library Resources Fund (PLRF), Healthy Futures Fund (HFF), Territorial Educational Facilities Fund (TEFF), School Lunch Program Cash Collections, School Lunch Child Nutritional Meal Fund	22,159,795
Total Department/Agency Appropriation(s) to date:	\$184,631,317

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Economic Development Authority	Dept./Agency Head: Karl A. Pangelinan
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$0

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund): 2007 Tobacco Bond Proceeds 1/	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund): 2007 Tobacco Bond Proceeds 1/	\$0	\$157,000	\$0	\$0	\$0	\$0
Total	\$0	\$157,000	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? // Yes // No
- Is amount appropriated adequate to fund the intent of the appropriation? // N/A // Yes // No
 If no, what is the additional amount required? \$ _____ // N/A
- Does the Bill establish a new program/agency? // Yes // No
 If yes, will the program duplicate existing programs/agencies? // N/A // Yes // No
 Is there a federal mandate to establish the program/agency? // Yes // No
- Will the enactment of this Bill require new physical facilities? // Yes // No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes // No
 // Requested agency comments not received by due date // Other: _____

Analyst: Angela Flores Date: 7/11/11 Director: JOHN A. RIOS, Acting Date: 7/12/11

Footnotes:
 1/ Attached are the Notes to Financial Statements, September 30, 2009 (Audited) relative to the Tobacco Settlement Asset-Backed Bonds, 2007 Series A (original issue - \$33,575,000) and the Tobacco Settlement Asset-Backed Capital Appreciation Bonds, 2007 Series B (original issue - \$3,407,077). The Bill's proposed reprogramming of \$157,000 for appropriation to the Department of Education is for the sole purpose of financing working capital expenditures for F.Q. Sanchez Elementary School, Umatac. The 2007 Tobacco Bond Proceeds was issued at tax-exempt status, and as such any available balances for such reprogramming / appropriation and its appropriateness under the bond covenants are subject to determination by the Guam Economic Development Authority and bond counsel.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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Rory J. Respicio
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MAJORITY LEADER

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Judith P. Guthertz
VICE CHAIRPERSON
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Senator
Christopher M. Duenas

July 06, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio

Subject: Referral of Bill Nos. 257-31 (COR) through 261-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 257-31 (COR) through 261-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

(4) Attachment

2011 JUL 9 - 6 PM 1:19

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

July 05, 2011

Page 1 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
257-31 (COR)	D. G. Rodriguez, Jr.	AN ACT TO SAVE F.Q. SANCHEZ ELEMENTARY SCHOOL, UMATAC, BY PROVIDING FINANCING FOR WORKING CAPITAL EXPENDITURES FOR THE FY-2011-2012 SCHOOL YEAR BY REPROGRAMMING AND APPROPRIATING THE SUM OF ONE HUNDRED FIFTY-SEVEN THOUSAND DOLLARS (\$157,000) FROM THE 2007 TOBACCO BOND PROCEEDS TO THE DEPARTMENT OF EDUCATION.	07/05/11 11:21 a.m.	7/6/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 14, 2011

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **2:00 pm, Friday, July 22, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Bill No. 257-31 (COR): An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2011-12 school year by reprograming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education.

Yanggen un nisisita spesiåt na setbision, put fabot ågang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com. Yanggen para un na'hålom testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net



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Public Hearing - First Notice



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to phnotice@guamlegislature.org
date Thu, Jul 14, 2011 at 2:21 PM
subject Public Hearing - First Notice
mimeid-by guamlegislature.org

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Hafa Adai,
Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Friday, July 22, 2011 at the Guam Legislature Public Hearing Room beginning at 2:00pm. The agenda is as follows:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diha 22 gi Hulio, 2011 (Friday, July 22, 2011)

Kuátton Inekungok Pubbleko gi i Liheslaturan Guáhan (Guam Legislature Public Hearing Room)

alias dos gi despues di talaáni (2:00 PM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 257-31 (COR): An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2011-12 school year by reprogramming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education.

Yanggen un nisista espesial na setbision, put fabot ágang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisista kopian i priniponi siha ginen este na tareha, hálom gi i ucsait i Liheslaturan Guáhan gi www.guamlegislature.com. Yanggen para un na 'három testigu-mu, chule' para i ifisinan-mámi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapási nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net.

Lisa Cipollone
Chief of Staff
Office of Senator ben o. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 14, 2011

Memorandum

To: Media

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **2:00 pm, Friday, July 22, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Bill No. 257-31 (COR): An Act to save F.Q. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2011-12 school year by reprogramming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education.

Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com. Yanggen para un na'hålom testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

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Public Hearing - First Notice

from **Lisa Cipollone** cipo@guamlegislature.org 2:23 PM (30 minutes ago) Reply

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date: Thu, Jul 14, 2011 at 2:23 PM
subject: Public Hearing - First Notice
related-by: guamlegislature.org

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gi Betnes, gi diha 22 gi Hulio, 2011 (Friday, July 22, 2011)

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alas dos gi despues di taloáni (2:00 PM)

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Office of

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 20, 2011

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
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Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
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Human Services, Senior
Citizens, Economic
Development, and Election
Reform

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Public Hearing - SECOND Notice

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Lisa Cipollone
Over to Staff
Office of Senator Vicente (ben) Cabrera Pangelinan
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cipo@guamlegislature.org

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 20, 2011

Memorandum

To: Media

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
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Member
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Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
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Public Hearing - SECOND Notice

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Sports Notes

▲ Continued from Page 38

have a TB skin test, police clearance, U.S. District and Superior Court of Guam clearances, drug test and know first-aid and CPR. Info: Annette Spindel at 472-6785.

George Washington High School is accepting applicants for coaching positions for school year 2011-12. Pick up applications from the main office between 8 a.m. and 2 p.m. Submit applications to GWHS main office. Info: Linda Taitano at 727-3651.

Guam Ultimate Frisbee Association meets 5:15 p.m. Mondays and Wednesdays at the P.C. Lujan Elementary School field. Info: Email netoit@yahoo.com.

Guam Ultimate Players Association has pickup games of Ultimate Frisbee 5:30 p.m. Tuesdays and Thursdays at Sampson Softball Field on Naval Base Guam, next to the swimming pool. Info: Email mthorn3478@aol.com.

John F. Kennedy High School is looking for professionals to assist in developing table tennis, bowling, water polo, swimming and cheerleading programs. JFK is also looking for alumni to assist in the development of a JFK Alumni Athletic Booster Club. Interested individuals may inquire with athletic director Jack Hattig III. Info: Athletic direc-

tor Jack Hattig III at 642-2100 (work) 787-7557 (cell) or email jackvampire007@hotmail.com.

Okkodo High school is accepting coaching application for the following sports, cross country, football, golf, girls' volleyball, wrestling, girls' soccer, boys' volleyball. Info: Athletic director Dean Rivera at 300-1870 (work) or 888-5136 (cell).

Model aircraft

Aeromodelers Club of Guam RC model aircraft airshow-style flying and free pilot training for beginners available 3 p.m. every Sunday at RC field located across from the Abundant Life Church in NCS Dededo. Info: Albert at 788-4041 or email guamrcpilots@gmail.com.

Rugby

Women rugby players are currently being accepted for the Guam Rugby Club's development program for women. Players of all ages and levels are welcome to join. Info: Shannon Siguenza at jellybeanish@letterboxas.org.

Shooting

Practical shooting training and practice by the Guam Shooting Sports Federation 10 a.m. to 2 p.m. every Sunday at the Chamorro Shooting Range in Piti. New shooters are welcome. Info: Bert Silos at 727-6660.



Interested applicants must be a high school graduate and possess a Guam Driver's License. Shift work required. Punctuality a must.

Ground Service Agents

- Able to lift in excess of 50lbs

Passenger Service Agents

- Computer Experience
- Outgoing personality and motivated
- Japanese, Korean, and Chinese speaking a plus.

Fueling Supervisor

- 2 years college or equivalent work experience in the operation and maintenance of a fuel storage and distribution facility (receiving and transferring of petroleum products).
- Specialized supervisory experience in fuel facility operations with emphasis in maintenance, operations, and environmental compliance.
- Proficiency in verbal and written communications.

GSE Supervisor

- Experienced in PM and repair of industrial equipment.
- Experienced in scheduling work.
- Maintain equipment records.
- Proficient in verbal and written communications.

Please apply in person at the ASIG Administration Office located at the new Airport Guam Integrated Air Cargo Facility. Monday thru Friday (8:00am-12:00pm, 1:00pm-5:00pm)

Office of the People
Website: www.senbenp.com

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Bill No. 257-31 (COR): An Act to save F.O. Sanchez Elementary School, Umatac, by providing financing for working Capital Expenditure for the FY2011-12 school year by reprogramming and appropriating the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000) from the 2007 Tobacco Bond Proceeds to the Department of Education.

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Notice of Temporary Job Opening
W/ 2 yrs. Exp.

04 Carpenters: \$13.56/Hr.

Duties: Constructs, erects, installs and repairs structures and fixtures of wood, Plywood and wallboard using carpenter's hand tools and power tools and conforming to local building codes. Reads blueprints, sketches or building plans to determine the type of wood required and materials needed. Prepares layout, using ruler, framing square and calipers. Marks cutting and assembly lines on materials, using pencil, chalks, and marking gauge. Shapes materials to prescribed measurements, using saw, chisel and planes. Verifies trueness of structure with plumb bob and carpenter's level. Fits and installs prefabricated window frames, door frames. Fits and installs partitions and cabinet work.

1 Project Supervisor: \$13.83/Hr.

Supervise, coordinates, and schedule the activities of construction workers. Read specifications such as blueprints, to determine construction requirements and to plan procedures. Examine and inspect work progress, equipment, and construction sites to verify safety and ensure that specifications are met. Record information such as personnel, production, data specified on forms and reports. Assigns work to employees on materials, worker requirements to specified jobs.

BENEFITS: Free round trip airfare for off island hires. Food & lodging at \$320/mo., local transportation to/from job site.

Interested applicants should apply at Guam Employment Services at the One-Stop Career Center located at the GCIC Bldg., 1st Flr. 414 W. Soledad Ave., Hagatna, Guam. The job offer is open to all qualified U.S. workers without regards to race, color, national origin, age, sex, citizenship, and is in compliance with Title II of the Genetics Information Nondiscrimination Act of 2008. This offer is open to U.S. workers with disabilities who are qualified, willing, able and available to perform the job. (Ref. No. 2011-110)

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1 - CURE AND DEEP WELL DRILL OPERATORS (2 yrs. exp.)...\$14.55/Hr.

Duties: Operates machine to drill wells and take samples or cores for analysis of strata. Drives or guides truck-mounted equipment into position levels and stabilizes rig, and extends telescoping derrick. Starts and controls drilling action and lowering of well casing into well bore. Withdraws drill rod from hole and extracts core sample. Couples additional lengths of drill rod as bit advances and changes drill bit as needed. Records drilling progress and geological data. Fabricates well casings, lubricates machine splices worn or broken cables, replaces parts, and builds up and repairs drills bits.

BENEFITS: Round-trip airfare for off-island hire.

Interested applicants should apply at Guam Employment Service at the One Stop Career Center located at the GCIC Building, 414 West Soledad Avenue Hagatna, Guam. This job offer is open to all qualified U.S. workers without regard to race, color, national origin, age, sex, citizenship and is in compliance with Title II of the Genetics Information Nondiscrimination Act of 2008. This job offer is open to U.S. workers with disabilities who are qualified, willing, able and available to perform the job. (Ref. No. 2011-105) Job reference required upon request.

GREEN PAGES

THERAPEUTIC MASSAGE

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Hotel Service Daily
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New Girls Arrived
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ROOF REPAIR
• Waterblasting • Paint

JEIDA GUAM
GENERAL CONTRACTOR
CERTIFIED ROOF REPAIR • FENCING
• PAINTING • EXTENSION RENOVATION • FENCE

for a deposition, upon oral examination.

Several unsuccessful calls to the Attorney General's Office were made, so it is unclear as to what the details for the notice are. However, according to Dr.

He added that over the past six years, all the complaints and allegations have been "overruled, turned down or dismissed in the Superior Court."

"It'd be nice to know what I'm being deposed about," he said.

Bank of Guam's newest VP

(BOG)—Bank of Guam's Board of Directors, Management and Staff are pleased to announce that Lesley-Anne Leon Guerrero has been hired to be the Bank's Director of Customer Service.

Reporting directly to Bank of Guam's President and Board Chair, Lou Leon Guerrero, Leon Guerrero will oversee all aspects of the organization's customer service levels.



Lesley-Anne
Leon Guerrero



I Mina'Trenta Na Liheslaturan Guåhan

THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

Office of the People

Website: www.senben.com

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diha 22 gi Hulio, 2011
(Friday, July 22, 2011)

Kuátton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di taloani
(2:00 PM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

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This notice was paid for with government funds.

The mayor of the village which has won Best Float in the Liberation Day parade nine times, Robert Lizama told Rotarians Tuesday morning his village no longer enters a float in the parade, choosing to put its mon into developing and improving the site of the massacre in Chaguli'an, where 44 Chamorros were beheading during the Japanese occupation during World War II. Mayor Lizama spoke to members of the R of Guam-Sunrise. Jon A. Anderson / Variety

Health Services of the Pacific Medical Transport Ser

Unable to ride in your car because you

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- Are in pain

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We have a team of
Emergency Medical Technicians
who under the guidance of physicians and nurses will
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**I Mina'Trentai Unu Na
Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE**

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Guam Department of Education Budget | FY 2012 Committee Report

Executive Summary

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land (Committee) Report regarding the FY 2012 Guam Department of Education (GDOE) Budget formulation and recommendation involved a process of analyzing and signifying the importance of providing adequate funding for the GDOE. The Governor's Executive Budget Request reduced the FY 2011 authorized operational levels by almost \$10 million, which prompted numerous correspondences and meetings to take place since the Governor's Executive Budget submission on April 8, 2011.

The Committee Report will attempt to outline important factors that the Committee considered during the budget process, explain significant figures and numbers that are relevant, and re-prioritize the finances of the education agency above what the Governor had prioritized in his Executive Budget Request. In order to achieve these goals, the Committee Report will:

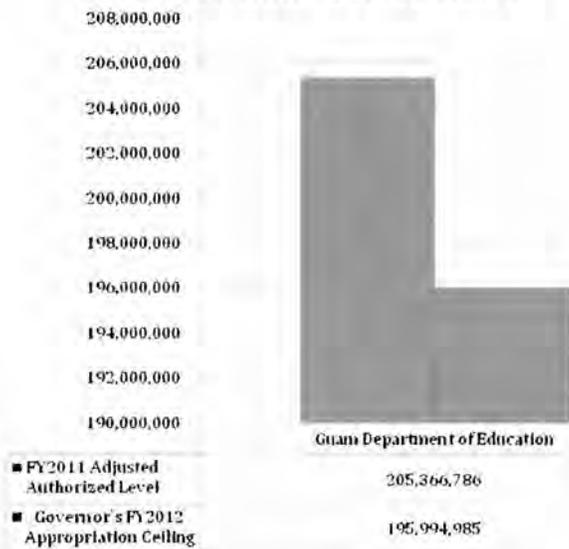
1. Begin with the effects of the **American Recovery and Reinvestment Act of 2009** on the FY 2011 Budget and the significant events, policies, and future outlook surrounding these funds in FY 2011 and FY 2012;
2. Discuss the **GDOE's FY 2011 Appropriation Levels** to provide a historical perspective on the GDOE budget;
3. Analyze the **Governor's FY 2012 GDOE Executive Budget Request** for comparison purposes;
4. Provide a **Chronological List of Events** that occurred with the submission of **GDOE's FY 2012 Budget Request** and the Committee's attempts to resolve the discrepancies between the Governor's GDOE Budget Ceiling in his Executive Budget Request and the GDOE's Budget Request.
5. Explain what the **Educational Financial Supervisory Commission** (EFSC) is, its intent and importance in the budget process, and the utilization of the reports produced; and
6. Provide the Committee's (as recommended by the Office of Finance and Budget) **Recommended GDOE budget level for FY 2012.**

Guam Department of Education Budget | FY 2012 Committee Report

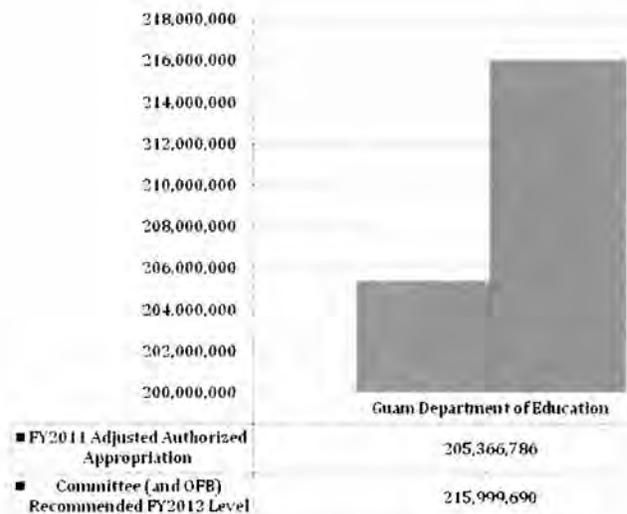
Below is the GDOE Budget Comparisons Between:

- A. The Governor's GDOE Ceiling vs. the FY 2011 Current Adjusted Authorized Level; and
- B. The OFB's Recommended FY 2012 Levels vs. the FY 2011 Current Adjusted Authorized Level.

GDOE Budget Comparison
GDOE FY2011 Adjusted Authorized Level
vs. Governor's FY2012 Ceiling



GDOE Budget Comparison
GDOE FY2011 Adjusted Authorized Level
vs. OFB Recommended FY2012



The Governor's Executive Budget Request of \$195,994,985 is a reduction in the GDOE's FY 2011 Adjusted Authorized Level¹ by almost \$10 million. The Committee and OFB Recommended Appropriation Level is almost \$216 million, an increase of over \$10 million in GDOE's FY 2011 Adjusted Authorized Level and \$20 million more than the Governor's Ceiling on the education department in his Executive Budget Request.

¹ Adjusted FY2011 Authorized Level for GDOE inclusive of the Education Jobs Fund Expenditures, School Lunch Program Revenue Appropriations, GPA Promissory Note less the Hay Study Appropriation.

Guam Department of Education Budget | FY 2012 Committee Report

1. American Recovery and Reinvestment Act of 2009 (ARRA)

In February 2009, the 111th United States Congress enacted the American Recovery and Reinvestment Act of 2009, also known as ARRA. Within ARRA, the U.S. Congress appropriated \$100 billion for education related expenditures in the areas of educational technology, state assistance, and the increase in federal Pell grant caps. Of the \$100 billion appropriated, \$52.6 billion was earmarked to the State Fiscal Stabilization Fund (SFSF).

The primary purpose of the SFSF was to help stabilize state and local budgets to prevent furloughs and avoid reductions in educational services with the caveat that state and local educational entities adhere to a commitment to advance essential educational reforms. For FY 2011, the United States Department of Education (USDOE) approved the Phase I and Phase II applications of the GDOE which budgets over \$75 million in ARRA SFSF Funds to the education agency. A breakdown of these funds can be seen in Table 1 below.

Table 1

Purpose	Amount
Modernization, Renovation, and Repair of Public Educational Facilities Used Primarily for Classroom Instruction that are Most in Need of Modernization	41,073,370
Technology Upgrades, Financial Management Information System, and Consultant Services	26,319,414
Administrative Services of a Third Party Fiduciary Agent Required by the USDOE	8,350,000
Total Funds Approved and Budgeted	75,742,784

The major issue GDOE faced in FY 2011 regarding the ARRA SFSF Funds was its ability to obligate the funds prior to the September 2011 deadline due to administrative reasons. The Guam Legislature and the Committee on Appropriations recognized this issue and the Chairman of the Committee introduced Bill 103-31 which was enacted into

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law as Public Law 31-40 which provided the GDOE ample time to obligate and expend the funds according to certain policies set forth by the Guam Legislature.

These policies, which received approval from the USDOE, provided the reprogramming of the ARRA SFSF Funds (earmarked for Capital Improvement Projects, Technology Upgrades, Science, Technology, Engineering and Math, CIPs and Equipment) for the payment of personnel costs in FY 2011 in the amount of \$60,088,935. This reprogramming of purposes provided the over \$60 million in cash to be deposited into the Adequate Education Act Trust Account, to only be expended for the original purposes set forth in the original Phase I and Phase II applications.

The Office of Finance and Budget (OFB) recognizes that there is approximately \$15 million in ARRA SFSF Funds that were not deferred and Public Law 31-40 and recommends the GDOE work diligently in obligating this difference in ARRA SFSF Funds by the September 2011 deadline.

Public Law 31-40, in alignment with the approval and stipulations provided by the USDOE regarding the reprogramming of ARRA SFSF Funds, outlines that the GDOE is required to obligate the funds for the original purposes no later than September 2012, or GDOE risks being ordered to reimburse the ARRA SFSF Funds for failure to adhere to the Maintenance of Effort requirements.

2. FY 2011 GDOE Appropriation Levels

For the purposes of understanding the historical perspective on the GDOE as it relates to the FY 2012 GDOE discussion, the Committee found it prudent to discuss the FY 2011 GDOE Appropriation Levels.

The budget request submitted by the GDOE for FY 2011 was for the amount of \$266,828,562—about 50% higher than its authorized expenditure levels from Fiscal Year 2010. The amount requested also reflects about half of the total net revenues that were projected to be collected in FY 2011.

According to the Committee Report filed for Public Law 30-196, the department requested \$89.4 million above the executive request at \$182 million. This is

Guam Department of Education Budget | FY 2012 Committee Report

approximately \$5.3 million less than prior year authorized levels which was not inclusive of the School Lunch Program cash collections of approximately \$7.5 million from federal sources and \$700,000 from cash collections from GDOE in accordance with Public Law 30-55.

FY 2011 GDOE Payroll

The department initially requested \$194,283,049 for payroll to include Salaries and Increments, Teacher Prep Pay, Reclassification, Overtime/Special Pay, On-Call Substitute, Part-Time, and Benefits. To correspond with the department's request, the OFB produced an analysis of the current staffing pattern (Q3, FY 2010) according to school sites and administrative divisions.

Upon completion of the budget hearings with the department and school administrators, it was discovered that there were no material shortages in personnel among the school sites that would effectively decrease delivery of educational services. It was also declared at the hearings that the schools were prepared and ready to open each campus as scheduled. Resolution 2010-05 was passed by the Guam Education (Policy) Board and reaffirmed this declaration.

It was duly noted by the OFB that GDOE implemented its own in-house decision to cross-level personnel among school sites to meet the demands of respective schools, although the previous Superintendent of Education expressed the need for administrative staff and school aides at Adacao Elementary School. As a result of this request, the Committee on Appropriations and the OFB recommended funding for these positions to be included in the FY 2011 appropriations.

FY 2011 GDOE Reclassification

Reclassification is an area that cannot be quantified immediately as it is an issue that arises on occasion and is not time-specific due to variations in time required for processing applications, standards that may be updated periodically, or requirements that are either met or unmet on a teacher-by-teacher basis. It was the recommendation, therefore, that \$1 million be included in the department's budget for FY 2011. The

Guam Department of Education Budget | FY 2012 Committee Report

department requested \$1.2 million, but the OFB requested more information to support this level if funding.

FY 2011 GDOE ARRA Funds

To support the department's request for additional funding for supplies, materials, equipment, capital outlay, and others, the OFB officially recommended that GDOE fully utilize all funds made available through the ARRA State Fiscal Stabilization Fund (SFSF). By doing this, the General Fund would be relieved of funding that could otherwise be applied towards other government agencies and departments not privy to other funding sources.

In addition, the department was in its ability to avail itself of the Education Jobs Fund (EJF)². The grant was awarded to the department in the midst of legislative discussions of the FY 2011 budget for the government of Guam in early August 2010. Therefore, it was the recommendation of the Committee on Appropriations to reduce General Fund appropriations to GDOE commensurate with the EJF award amount. The recommendation was accepted by the Legislature and approved by the Governor.

FY 2011 GDOE Budget Conclusion

Upon further analysis of GDOE's spending patterns in areas of costs for personnel services, contractual services, capital improvement projects, and other miscellaneous items, the OFB determined that GDOE was capable of maintaining operations at about the same rate authorized by Public Law 30-55 for FY 2010.

It was, therefore, the recommendation of the OFB to fund the department with consideration for organic growth in salary increments, reclassification, benefits, part-time status employees, and retirement fund receivables. It was further the recommendation of the OFB that given revenue projections, appropriations to GDOE were not available to fund additional vacancies and for the department to maintain its current FTE levels.

² The Guam Department of Education was awarded \$20,146,106 from the Education Jobs Fund, a one-time grant as part of the ARRA funds to fund teacher salaries.

Guam Department of Education Budget | FY 2012 Committee Report

Given the levels of projected revenues for FY 2011, the Committee on Appropriations (as recommended by the OFB) authorized the appropriations to GDOE as listed in Table 2 below.

Table 2

APPROPRIATION CLASSIFICATION	OBJECT CLASS	GENERAL FUND	EDUCATION JOBS FUND	TERRITORIAL EDUCATION FACILITIES FUND	PUBLIC LIBRARY SCHOOL RESOURCE FUND	HEALTHY FUTURES FUND	INDIRECT COST FUND	SCHOOL LUNCH PROGRAM	SCHOOL LUNCH PROGRAM CASH	TOTAL
REG SALARIES	111	\$103,192,413	\$15,012,886	\$697,712	\$0	\$0	\$0	\$0	\$0	\$118,903,011
OT/SP	112	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BENEFITS	113	\$34,986,135	\$5,133,220	\$331,449	\$0	\$0	\$0	\$0	\$0	\$40,450,804
TRAVEL/MILE	220	\$0	\$0	\$0	\$0	\$0	\$0	\$7,300,000	\$0	\$7,300,000
CONT. SERV.	230	\$1,771,803	\$0	\$6,928,213	\$0	\$0	\$0	\$0	\$0	\$8,700,016
OFF. RENTAL	233	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUP. & MAT.	240	\$1,434,000	\$0	\$759,250	\$805,876	\$0	\$0	\$0	\$875,000	\$3,874,126
EQUIPMENT	250	\$0	\$0	\$219,543	\$0	\$0	\$0	\$0	\$0	\$219,543
WRK. COMP.	270	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000
DRUG TEST	271	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUBGRANT	280	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MISC	290	\$2,440,118	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,440,118
POWER	361	\$10,012,545	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$10,012,545
WATER/SEWER	362	\$2,009,669	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,009,669
PHONE/TOLL	363	\$449,632	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$449,632
CAP. OTLY.	450	\$0	\$0	\$295,000	\$0	\$0	\$0	\$0	\$0	\$295,000
GR. TOTAL		\$156,446,315	\$20,146,106	\$9,231,167	\$805,876	\$0	\$0	\$7,300,000	\$875,000	\$194,804,464
INCREMENTS AND PROMOTIONS		\$979,895	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$979,895
RECLASSIFICATIONS		\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000
CHAMORU STUDIES DIVISION		\$399,785	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$399,785
CONTRACTUAL (RE-APPROPRIATION)		\$1,210,411	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,210,411
ELIMINATE HIGH-RISK STATUS		\$0	\$0	\$0	\$0	\$279,754	\$250,000	\$0	\$0	\$529,754
INTERSCHOLASTIC SPORTS FUND		\$0	\$0	\$0	\$0	\$520,000	\$0	\$0	\$0	\$520,000
INTERSCHOLASTIC SPORTS FUND (DOE) - BUSING		\$0	\$0	\$0	\$0	\$92,000	\$0	\$0	\$0	\$92,000
HEALTH AND PHYSICAL EDUCATION ACTIVITIES		\$0	\$0	\$0	\$0	\$279,754	\$0	\$0	\$0	\$279,754
TEXT BOOKS & COLLATERAL MATERIALS		\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000,000
UTILITY COST FOR GPA		\$0	\$0	\$2,400,000	\$0	\$0	\$0	\$0	\$0	\$2,400,000
		\$5,590,091	\$0	\$2,400,000	\$0	\$1,171,508	\$250,000	\$0	\$0	\$9,411,599
GRAND TOTAL		\$162,036,406	\$20,146,106	\$11,631,167	\$805,876	\$1,171,508	\$250,000	\$7,300,000	\$875,000	\$204,216,063

Guam Department of Education Budget | FY 2012 Committee Report

3. Governor of Guam Executive Budget Request for Fiscal Year 2012

The level of support for the GDOE was reduced in the Governor of Guam Executive Budget Request for Fiscal Year 2012 by \$9,371,801 when compared to the adjusted FY 2011 authorized expenditure level of \$205,366,786 in Table 9 of Section 5 - EFSC of this Committee Report.

Table 3

FISCAL YEAR 2012 BIENNIAL BUDGET REQUEST								
	General Fund	Education Jobs Fund	Territorial Education Facilities Fund	Public Library School Resource Fund	Healthy Futures Fund	Indirect Cost Fund	School Lunch Program	Total
General Fund	\$164,656,687	\$0	\$0	\$0	\$0	\$0	\$0	\$164,656,687
Territorial Educational Facilities Fund	\$0	\$0	\$17,219,104	\$0	\$0	\$0	\$0	\$17,219,104
Public Library Resource Fund	\$0	\$0	\$0	\$652,440	\$0	\$0	\$0	\$652,440
National School Lunch Program and Cash Collections	\$0	\$0	\$0	\$0	\$0	\$0	\$8,175,000	\$8,175,000
Interscholastic Sports Fund	\$0	\$0	\$0	\$0	\$520,000	\$0	\$0	\$520,000
Busing for Interscholastic Sports	\$0	\$0	\$0	\$0	\$92,000	\$0	\$0	\$92,000
Health and Physical Education Activities	\$0	\$0	\$0	\$0	\$279,754	\$0	\$0	\$279,754
GPA Promissory Note	\$0	\$0	\$2,400,000	\$0	\$0	\$0	\$0	\$2,400,000
Textbooks (PL 30-196)	\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000,000
GR. TOTAL	\$166,656,687	\$0	\$19,619,104	\$652,440	\$891,754	\$0	\$8,175,000	\$195,994,985

The shortfall in the Governor's Executive Budget Request for Fiscal Year 2012 also must be compared to the actual FY 2011 expenditures including forward projections for the organic growth of payroll and known utility increases during FY 2012. Table 4 shows the FY 2011 Budget Status Report (BSR) as derived by the EFSC or budget to actuals that include nine (9) months of actual expenditures and 3 months of projected expenditures.

Table 4

Account Code	Budget Act(s) Appropriations All Local Funds	Education Jobs Fund	School Lunch Program	Total	PROJECTED ANNUAL EXPENDITURES (19 Pay Periods and 9 months Actual)
111 Salary	\$105,441,897	\$15,012,886	\$0	\$120,454,783	\$126,127,278
112 OT	\$5,000	\$0	\$0	\$5,000	\$67,581
113 Benefits	\$37,823,380	\$5,133,220	\$0	\$42,956,600	\$42,218,281
TOTAL PerSvs	\$143,270,277	\$20,146,106	\$0	\$163,416,383	\$168,413,140
220 Travel	\$0	\$0	\$0	\$0	\$0

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Account Code	Budget Act(s) Appropriations All Local Funds	Education Jobs Fund	School Lunch Program	Total	PROJECTED ANNUAL EXPENDITURES (19 Pay Periods and 9 months Actual)
230 Contract	\$10,198,703	\$0	\$7,300,000	\$17,498,703	\$15,276,395
233 Rent	\$0	\$0	\$0	\$0	\$0
240 Supplies	\$2,309,923	\$0	\$815,000	\$3,124,923	\$1,898,774
250 Equip.	\$3,125,437	\$0	\$0	\$3,125,437	\$651,558
270 Wkrs Comp	\$150,000	\$0	\$0	\$150,000	\$64,641
271 Drug Testing	\$0	\$0	\$0	\$0	\$0
290 Misc.	\$2,440,118	\$0	\$0	\$2,440,118	\$140,020
361 Power	\$12,853,022	\$0	\$0	\$12,853,022	\$13,517,069
362 Water	\$2,009,669	\$0	\$0	\$2,009,669	\$1,670,453
363 Tele.	\$453,531	\$0	\$0	\$453,531	\$353,103
450 Cap. Out.	\$295,000	\$0	\$0	\$295,000	\$463,847
TOTAL Opers	\$33,835,403	\$0	\$8,115,000	\$41,950,403	\$34,035,860
TOTALS	\$177,105,680	\$20,146,106	\$8,115,000	\$205,366,786	\$202,449,000

When comparing the actual level of expenditures in FY 2011 (Table 4) to the level of support for the GDOE in the Governor's Executive Budget Request for FY 2012 (Table 3), the actual level of expenditures in FY 2011 is lower by \$6,454,015. This shortfall does not take into account any organic or other type of growth the GDOE is expected to experience during FY 2012.

4. Guam Department of Education FY 2012 Budget Request

The GDOE submitted its initial budget to the OFB on April 26, 2011, which included a request of over \$261 million to fund the operations of the education department. A little over a week after that initial submission, on May 7, 2011, the GDOE provided the OFB a revised version of its budget that requested an additional \$5 million for a total of over \$266 million. The Governor's Executive Budget Request capped the GDOE's budget at approximately \$195 million, a difference of about \$71 million.

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Letter to the Governor

The FY 2011 authorized operational level for the GDOE was approximately \$204 million, which made it apparent to the Committee and the OFB that the Governor's budget ceiling for the GDOE would not be sufficient to fund current operational requirements. Therefore, the Chairman of the Committee wrote a letter on April 21, 2011 to the Governor, requesting that he revisit and realign the priorities of the administration in at least closing the large gap between its requested funding level for GDOE with what the department needs to maintain current operations.

Letter to the Chairman of the Guam Education Board

After not receiving a response from the Governor's Office, the Chairman of the Committee on Appropriations sent a letter directly to the Chairman of the Guam Education Board (GEB) on June 29, 2011, requesting the GEB take the initiative to reconcile the budget request for the GDOE with the Governor's Office and the BBMR. The Chairman promptly responded to the Committee on July 5, 2011, confirming that the GEB and the management of the GDOE will work with the Governor and his fiscal team in arriving at a revised budget ceiling for GDOE.

Committee on Education GDOE Budget Working Sessions

Subsequent to the Chairman of the Committee on Appropriations letters sent to both the Governor's Office and the Chairman of the GEB, the Committee on Education held budget working sessions on July 5th and 6th 2011 which included certain Senators of the Guam Legislature, the GDOE Superintendent and the Deputy Superintendent of Finance and Administration, and certain members of the GEB which involved discussions regarding the budget figures prescribed by the GDOE as approved by the GEB. The outcome of those working sessions, as suggested by the Chairman of the Committee on Appropriations, was that, once again, the GDOE and the Governor's Office attempt to bridge the large gap in funding between the Governor's Executive Budget ceiling on the GDOE and the GDOE's GEB approved budget as submitted to the OFB.

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Committee on Appropriations GDOE Budget Hearing

The Committee on Appropriations held a budget hearing on July 25, 2011, dedicated solely to the GDOE budget submission. The Acting Superintendent mentioned that the GDOE management met twice with the BBMR and they agreed that they did not fully fund the GDOE. She mentioned that they plan to meet with the BBMR again.

Presentation of GDOE-Provided Reduced Budget

The Acting Superintendent presented a reduced budget figure to the Committee totaling approximately \$234 million, \$32 million less than its revised budget submission to the OFB, but far more than the Governor's budget ceiling of \$195 million given to the GDOE.

Table 5

Agency CLASS	DEPARTMENT OF EDUCATION DESCRIPTION	Initial Budget Submission 4/26/2011	Revised Budget Submission 5/7/2011	Revised Budget Submission at Public Hearing 7/25/2011
111	REGULAR SALARY/INCREMENTS	\$136,494,161	\$145,228,456	\$131,498,282
112	OVERTIME/SPECIAL PAY	\$347,471	\$475,707	\$0
113	BENEFITS	\$48,866,397	\$48,891,995	\$46,391,924
220	TRAVEL-OFF ISL/LOCAL MILEAGE REI	\$0	\$203,900	\$0
230	CONTRACTUAL SERVICES	\$30,581,683	\$33,275,156	\$32,294,335
233	OFFICE SPACE RENTAL	\$0	\$0	\$0
240	SUPPLIES & MATERIALS	\$8,599,261	\$8,504,154	\$3,102,204
250	EQUIPMENT	\$9,310,473	\$8,602,441	\$3,309,208
270	WORKERS COMP BENEFIT	\$150,000	\$150,000	\$100,000
271	DRUG TESTING CHARGES	\$0	\$0	\$0
280	SUB-RECIPIENT/SUBGRANT	\$0	\$0	\$0
290	MISCELLANEOUS	\$7,689,818	\$2,520,746	\$2,818,395
361	POWER	\$11,604,740	\$15,857,202	\$12,251,435
362	WATER/SEWER	\$2,009,669	\$1,531,822	\$1,909,053
363	TELEPHONE/TOLL	\$369,896	\$652,165	\$361,951
450	CAPITAL OUTLAY	\$5,795,500	\$934,820	\$527,746
	Total	\$261,819,069	\$266,828,563	\$234,564,533

The reduced budget, as outlined in Table 5 above, included the GDOE agreeing to reduce certain Object Classes funding from what was presented in their revised budget

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submission. These reductions made by the GDOE management occurred in almost all Object Classes as presented in Table 6 below.

Table 6

Agency CLASS	DEPARTMENT OF EDUCATION DESCRIPTION	GDOE-Provided Budget Reductions AMOUNT
111	REGULAR SALARY/INCREMENTS	(\$13,730,174)
112	OVERTIME/SPECIAL PAY	(\$475,707)
113	BENEFITS	(\$2,500,071)
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.	(\$203,900)
230	CONTRACTUAL SERVICES	(\$980,821)
240	SUPPLIES & MATERIALS	(\$5,401,950)
250	EQUIPMENT	(\$5,293,233)
270	WORKERS COMP BENEFIT	(\$50,000)
361	POWER	(\$3,605,767)
363	TELEPHONE/TOLL	(\$290,214)
450	CAPITAL OUTLAY	(\$407,074)
	Total	(\$32,264,030)

Education Jobs Fund Clarification

The Committee intended to provide clarification with regards to the EJJ grant funds of approximately \$20 million that the GDOE received in FY 2011 which supplanted personnel costs in FY 2011, which would have otherwise been funded with General Fund revenues. The variance between the Governor's budget ceiling of the GDOE of \$195 million and its current appropriation levels of \$205 million is approximately \$10 million. There may have been a misunderstanding made by the Governor's Office regarding the current operational levels of GDOE in FY 2011, which included the one-time EJJ funds that was not going to be provided in FY 2012.

5. Educational Financial Supervisory Commission

Creation of the EFSC

Last July, during FY 2010, the Guam Legislature passed Public Law 30-164 establishing the Education Financial Supervisory Commission (EFSC) to monitor the

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financial health of the GDOE. The EFSC is comprised of the Director of the Bureau of Budget and Management Research (BBMR), Director of the OFB, the Public Auditor, the Director of the Department of Administration (DOA) and a fifth member who is a parent of a child currently enrolled in a public school appointed by the Chairperson of the Committee on Education of *I Liheslaturan Guåhan* with at least five (5) years experience in the public or private sector in the management of business or financial expertise, public accounting, or similar professional activity.

EFSC 12-Month Operational Plan, Expenditure Tracking, and Reporting Process

Between the months of July and January, the EFSC met and developed a series of monitoring reports or Budget Status Reports (BSRs) which uses the appropriation information from Public Law 30-196 and any preceding or subsequent public laws appropriating funds to GDOE and the accounting information directly from the GDOE Financial Management System to measure whether or not the GDOE is adhering to authorized levels of spending.

The foundation of the BSR is the GDOE's 12-month operational plan which categorizes the appropriations by object class. The public laws appropriating funds often provide the plan via the policy of legislation by determining the level of spending in each category. However, in Public Law 30-196, the Superintendent of Education is allowed unlimited transfer authority amongst object classes with the exception of Personnel Expenses. The Superintendent is not allowed to transfer funds into Personnel Expenses but Personnel Expenses may be transferred out to cover other classes of expenditures.

As of July 29, 2011, the twelve month operational plan for the GDOE as submitted and adjusted for presentation and measurement in the BSR is as follows:

Table 7

Account Code	GDOE Appropriations for FY 2011
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Account Code	GDOE Appropriations for FY 2011
111 Salary	\$106,403,535
112 OT	\$5,000
113 Benefits	\$35,875,183
TOTAL PerSvs	\$142,283,718
220 Travel	\$0
230 Contract	\$10,198,703
233 Rent	\$0
240 Supplies	\$2,309,923
250 Equip.	\$3,125,437
270 Wkrs Comp	\$150,000
271 Drug Testing	\$0
290 Misc.	\$2,440,118
361 Power	\$10,453,022
362 Water	\$2,009,669
363 Tele.	\$453,531
450 Cap. Out.	\$295,000
TOTAL Opers	\$31,435,403
TOTALS	\$173,719,121

The BSR also includes year to date actual expenditure data. By the fifteenth (15th) of each month, the GDOE provides the OFB with the financial output of the GDOE General Ledger accounts from October 1, 2011 to the end of the previous month. As of July 29, 2011, the last month reported was June. In addition, the payroll registers for the pay periods during the previous financial period (June) are provided to the OFB. The Payroll data is then compiled into several reports and graphs that allow unlimited levels of scrutiny to the expenditure of the Personnel appropriations.

The transparency of these reports allows the GEB, the GDOE Management Team, the Office of Public Accountability, the BBMR, the OFB and the DOA to fully analyze and monitor the largest expenditure category of GDOE and determine the details and direction of the GDOE payroll trend on a monthly basis. Below is a listing of the different

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GDOE Labor Cost Trend reports located at http://senbenp.com/test/?page_id=324 and also available to view as Appendix I in this committee report.

- 1) GDOE Labor Cost Trend Report – Fund by PPE
- 2) GDOE Labor Cost Trend Report– Pay Period Frequency by Fund by PPE
- 3) GDOE Labor Cost Trend Report by Payroll Category
- 4) GDOE Labor Cost Trend Report – Quarter by Fund by Object Class
- 5) GDOE Labor Cost Trend Report – Fund by PPE by Object Class
- 6) GDOE Labor Cost Trend Report – Employee by ID by Pay Period
- 7) GDOE Labor Cost Trend FTE Graph
- 8) GDOE Labor Cost Trend General Fund FTE Graph

The BSR combines the Payroll Register Data and the General Ledger accounting data, projects forward the number of months remaining in the fiscal year, and measures it against the appropriation levels set by the 12-month operational plan. The most recent BSR used to generate the June Financial Status Designation Reports show that on a consolidated basis, the GDOE is fully funded for FY 2011.

The table below shows that the GDOE will lapse approximately \$1,931,227 based on current appropriations and expenditure levels. The data may be misleading though because the Personnel costs are short by approximately \$6 million (\$3,564,607 from Medical and Dental insurance) and the GDOE is not able to transfer funds into Personnel. In addition, there are potential timing issues of invoice processing or lags in the procurement process that could account for the large lapses in the contractual and equipment object classes. Furthermore, the miscellaneous object class includes a \$2 million dollar advance appropriation from Public Law 30-55 of which only \$100,000 has been released to GDOE as of July 29, according to the GDOE management. Amendments to Public Laws 30-55 and 30-196 will be required to allow GDOE to use any lapses in operations to cover the projected shortfall in Personnel.

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Table 8

Account Code	Budget Act(s) Appropriations P.L. 30-196	PROJECTED ANNUAL EXPENDITURES (19 Pay Periods and 9 months Actual)	Projected Lapse / (Shortfall)
111 Salary	\$106,403,535	\$111,114,392	(\$4,710,857)
112 OT	\$5,000	\$67,581	(\$62,581)
113 Benefits	\$35,875,183	\$37,085,061	(\$1,209,878)
TOTAL PerSvs	\$142,283,718	\$148,267,034	(\$5,983,316)
220 Travel	\$0	\$0	\$0
230 Contract	\$10,198,703	\$7,976,395	\$2,222,308
233 Rent	\$0	\$0	\$0
240 Supplies	\$2,309,923	\$1,083,774	\$1,226,149
250 Equip.	\$3,125,437	\$651,558	\$2,473,879
270 Wkrs Comp	\$150,000	\$64,641	\$85,359
271 Drug Testing	\$0	\$0	\$0
290 Misc.	\$2,440,118	\$140,020	\$2,300,098
361 Power	\$10,453,022	\$11,117,069	(\$664,047)
362 Water	\$2,009,669	\$1,670,453	\$339,216
363 Tele.	\$453,531	\$353,103	\$100,428
450 Cap. Out.	\$295,000	\$463,847	(\$168,847)
TOTAL Opers	\$31,435,403	\$23,520,860	\$7,914,543
TOTALS	\$173,719,121	\$171,787,894	\$1,931,227

EFSC Special Items for Consideration in EFSC Reports

The current 12-month operating plan does not include special items #1, #3, #4, #5 but includes item #2:

1. The EJF was a one-time \$20,146,106 grant awarded as part of the ARRA to fund teachers' salaries. The grant award to GDOE occurred in early August as the Guam Legislature was finalizing the FY 2011 Annual Appropriations Act. The recommendation was made by the Committee on Appropriations to offset the General Fund support to the GDOE commensurate with the EJF grant award amount.

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2. The Hay Study salary increase appropriation which evolved into a one-time bonus due to the cancellation of the new pay scale implementation by Executive Order 2011-02. The total appropriation and additional salaries paid for the first four months of FY 2011 for the GDOE amounted to \$1,239,648.
3. The reduction of Unfunded Actuarial Accrued Liability (UAAL) payments to the Government of Guam Retirement Fund (GGRF). In Fiscal Year 2011, the government of Guam UAAL payment for the first seventeen (17) pay periods to the GGRF started the Fiscal Year at 27.46% of each employee's salary, including the employee share of retirement contributions. Public Law 31-74 changed the required UAAL payment for the remaining nine (9) pay periods to 21.44% for all branches, agencies and departments that receive funding from the General Fund or a 6.02% reduction or "savings" to each agency. The savings were then de-appropriated from Object Class 113 as part of the Health Insurance Bailout Agreement of FY 2011 to cover the shortfall in the appropriation for Medical and Dental insurance. The UAAL reduction de-appropriated \$2,226,207 from GDOE's budget.
4. The School Lunch Program (SLP) revenues and expenditures. The SLP includes a federal reimbursement for free, reduced and regular lunches. In addition to the federal reimbursement, the SLP program also collects revenue for the student fees for reduced lunches and students that do not qualify for free or reduced lunches. The total amount of federal reimbursements over the past several years are estimated at \$7,300,000 and the current year cash collections are estimated to be \$815,000.
5. The Guam Power Authority (GPA) Promissory note of \$2,400,000. On July 27, 2004 the GDOE and GPA entered into an agreement for GDOE to make installment payments of past due billings. The GDOE agreed to the scheduled payments in FY 2011 and FY 2012 of \$200,000 per month or \$2,400,000 per

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year. The BSR does not include the appropriation because in the FY 2011 Annual Appropriations Act it appears in the GDOE Chapter but is appropriated to the Utility Cost Account administered by the DOA.

OFB Recommended Adjustments to EFSC Reports due to Special Items

For the purposes of analyzing the FY 2011 authorized level of spending the five special items are treated as follows:

1. The Hay Study salary increase of \$1,239,648 is **removed** from the annual appropriation level due to the one time nature of the expenditure.
2. The EJF Funding of \$20,146,106 is **added** back to the annual appropriation level due to the one time nature of the decrease of local funding to GDOE payroll.
3. The de-appropriation of the UAAL payment of \$2,226,207 due to the GGRF is **added** back to the annual appropriation level due to the one time nature of the decrease of local funding to GDOE payroll.
4. The revenue from the SLP is **added** to the annual appropriation level to provide a relative comparison to previous Appropriation Acts and the appropriations allocate in Governor of Guam Executive Budget Request for Fiscal Year 2012.
5. The appropriation for the GPA Promissory Note of \$2,400,000 is **added** to the annual appropriation level to provide a relative comparison to Governor of Guam Executive Budget Request for Fiscal Year 2012.

After adjusting for the five special items the total authorized spending level for the GDOE in FY 2011 is \$205,366,786.

Table 9

Account Code	Budget Act(s) Appropriations All Local Funds	Education Jobs Fund	School Lunch Program	Total
111 Salary	\$105,441,897	\$15,012,886	\$0	\$120,454,783

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Account Code	Budget Act(s) Appropriations All Local Funds	Education Jobs Fund	School Lunch Program	Total
112 OT	\$5,000	\$0	\$0	\$5,000
113 Benefits	\$37,823,380	\$5,133,220	\$0	\$42,956,600
TOTAL PerSvs	\$143,270,277	\$20,146,106	\$0	\$163,416,383
220 Travel	\$0	\$0	\$0	\$0
230 Contract	\$10,198,703	\$0	\$7,300,000	\$17,498,703
233 Rent	\$0	\$0	\$0	\$0
240 Supplies	\$2,309,923	\$0	\$815,000	\$3,124,923
250 Equip.	\$3,125,437	\$0	\$0	\$3,125,437
270 Wkrs Comp	\$150,000	\$0	\$0	\$150,000
271 Drug Testing	\$0	\$0	\$0	\$0
290 Misc.	\$2,440,118	\$0	\$0	\$2,440,118
361 Power	\$12,853,022	\$0	\$0	\$12,853,022
362 Water	\$2,009,669	\$0	\$0	\$2,009,669
363 Tele.	\$453,531	\$0	\$0	\$453,531
450 Cap. Out.	\$295,000	\$0	\$0	\$295,000
TOTAL Opers	\$33,835,403	\$0	\$8,115,000	\$41,950,403
TOTALS	\$177,105,680	\$20,146,106	\$8,115,000	\$205,366,786

6. The FY 2012 GDOE Budget Recommendation by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land and the Office of Finance and Budget

The recommendation of the Committee and the OFB for funding the GDOE for Fiscal Year 2012 is \$215,999,690³, inclusive of the School Lunch Program Reimbursements and Cash Collections. The figure adopts the strategy of a status quo

³ \$215,999,690 includes an estimated \$7,026,197 for Medical, Dental and Life Insurance and \$2,400,000 for the GDOE-GPA Promissory Note. Both appropriations do not appear in the Guam Department of Education Appropriations Act for Fiscal Year 2012 (School Year 2011-2012) because each item is treated as a Miscellaneous Appropriation in Substitute Bill 145-21 (COR).

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budget to FY 2011 or funding at the FY 2011 Adjusted Authorized Level trended for organic growth to payroll expenses and anticipated increases to utility costs.

The overall appropriation increase for FY 2012 as compared to FY 2011 Adjusted Authorized Level is \$10,632,904. The FY 2012 recommended level includes no funded vacancies and a reduction of \$926,712 in personnel costs to account for savings of changing the bell schedule at Southern High School. The primary contributors to the increase in FY 2012 compared to FY 2011 Adjusted Authorized Level are:

1) Salary Step Increases and FY 2012 Increments	\$1,589,421
2) Retirement Fund UAAL and Disability Insurance increase	\$1,720,936
3) Increase in Power ⁴	\$3,188,874
4) Increase in School Lunch Program revenues (and expenditures) due to anticipated increased participation (not local funds)	<u>\$ 2,989,309</u>
5) Total	\$9,488,540

The Committee agrees with the Governor that Education should be one of the top priorities when considering how the Government of Guam allocates its budgetary resources. The analysis of the current expenditure levels as validated by the monthly financial disclosure of the GDOE to the EFSC present an irrefutable need to increase the FY 2012 budget as recommended by the Committee and OFB.

GDOE Middle and High School Appropriations for Collateral Equipment

George Washington High School

The Guam Legislature has recognized that the students, teachers, and administrators at the George Washington High School (GWHS) have dealt with the issue of student overcrowding for many years and that such overcrowding has exacerbated both the physical state of the infrastructure and both the physical and mental state of the students and employees of the GWHS. The Guam Department of Education (DOE) and the GWHS administration has stated that the existing student capacity of GWHS is about

⁴ FY2012 increase is (\$13,641,896 + \$2,400,000) less (\$10,017,945 + \$440,477 + \$2,400,000) or the difference between FY2012 recommended and FY2011 Adjusted Authorized Level.

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2,100 students whereas the expected student enrollment for school year 2011-2012 is upwards of 2,800, leaving student overcrowding at about 700 students.

Governor Edward J. B. Calvo signed Bill 42-31 into Public Law 31-21 which places the Superintendent and Deputy Superintendent under the Governor's cabinet which gives him ample, adequate, timely and direct knowledge of any and all issues that occur in the DOE that affect the children of Guam. Additionally, the Governor also signed Bill 32-31 into Public Law 31-19 which stripped the voting power from the student member, who was also a GWHS student, on the GEB. Since the Governor appointed five members to the GEB and removed the voting power from the student member, this effectively created and constituted a holding of the majority of the Governor's appointees to the GEB which provides the Governor implied power over both the policy and operational aspects of the GDOE.

Although possessing such influence over the education agency, the Governor's Executive Budget request did not address the chronic issue of GWHS overcrowding and failed to provide any resources towards implementing solutions in his Supplemental Appropriations Act. Furthermore, the GWHS students found it necessary to publicly voice their concerns with regards to the continual and egregious overlooking of addressing the overcrowding at GWHS through the signing of a student-led petition during the last day of school year 2010-2011 which garnered over 1,000 student signatures.

The Committee recognizes the importance of involving the stakeholders such as the students, parents, and teachers that will be affected by the decisions made by the Governor's cabinet, inclusive of the Superintendent, as well as the Guam Legislature, be embraced and incorporated into the decision-making process of attempting to address the overcrowding at GWHS. With the present economic conditions that prevent the government of Guam from providing the necessary funding to permanently rectify the overcrowding situation at GWHS, the Committee intends on providing temporary funding to assist the GDOE and the GWHS in adopting the choice made by the students,

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parents, and teachers of GWHS in temporarily increasing its student capacity and improving classroom conditions through providing funding for air conditioner equipment and maintenance and collateral equipment to the GWHS.

Simon Sanchez High, Southern High, and Agueda Johnston Middle Schools

The health and safety of our students are paramount to the GDOE in effectively accomplishing their mission of preparing over 31,000 students in becoming active and law-abiding citizens of Guam. It is apparent that over the past several months, the GDOE has also been challenged with meeting health and safety standards for Simon Sanchez High School (SSHS), Southern High School (SHS) and Agueda Johnston Middle School (AJMS) due cash flow constraints within the department.

Funding Source for Middle and High School Appropriations

The Consolidated Commission on Utilities (CCU) Resolution No. 2011-32 stated that the agreed-upon “initial [payment-in-lieu-of-taxes] settlement of \$2,625,000 proposed by the government [of Guam]” was to be paid to the government of Guam after certain requirements are met by the GPA and that Public Law 31-74 appropriates only \$2,100,000 from this amount. Such a settlement between the Executive Branch and the CCU, although discounted by almost \$10 million from the over \$12 million billed to the GPA by the DOA, is to be received by the government of Guam which would absolve the GPA from any payment prior to FY 2011 in accordance with §22421 of Chapter 22 of Title 5 of the Guam Code Annotated.

The difference of \$525,000 between what was agreed to be paid to the government of Guam by the CCU and what was appropriated in Public Law 31-74, is recommended to be utilized toward the payment of air conditioner equipment and maintenance and collateral equipment for GWHS and collateral equipment for SSHS, SHS and AJMS.

APPENDIX I

1. GDOE Labor Cost Trend Report – Fund by PPE
2. GDOE Labor Cost Trend Report – Pay Period Frequency by Fund by PPE
3. GDOE Labor Cost Trend Report by Payroll Category
4. GDOE Labor Cost Trend Report – Quarter by Fund by Object Class
5. GDOE Labor Cost Trend Report – Fund by PPE by Object Class
6. GDOE Labor Cost Trend Report – Employee by ID by Pay Period
7. GDOE Labor Cost Trend FTE Graph
8. GDOE Labor Cost Trend General Fund FTE Graph

Guam Department of Education Labor Cost Trend

Data Source: DOE Financial Management System

Prepared by the Office of Finance and Budget

Row Labels	2010/2011												
	PPE 10/10/2009	PPE 10/23/2010	PPE 11/6/2010	PPE 11/20/2010	PPE 12/4/2010	PPE 12/18/2010	PPE 1/1/2011	PPE 1/15/2011	PPE 1/29/2011	PPE 2/12/2011	PPE 2/16/2011	PPE 3/12/2011	PPE 3/29/2011
GENERAL FUND	\$5,307,648	\$5,395,294	\$5,334,709	\$5,448,247	\$5,426,211	\$5,443,186	\$5,511,509	\$6,338,994	\$5,545,896	\$5,424,663	\$5,461,417	\$5,410,975	\$5,485,677
GENERAL FUND (CS)	\$0	\$0	\$0	\$0	\$0	\$0	\$2,476	\$2,624	\$2,624	\$5,268	\$5,268	\$5,256	\$6,492
HFF	\$4,126	\$2,252	\$893	\$0	\$8,530	\$45,521	\$23,095	\$8,676	\$9,491	\$966	\$27,170	\$9,686	\$7,428
TEFF	\$0	\$0	\$0	\$0	\$0	\$0	\$265	\$0	\$0	\$0	\$0	\$0	\$0
FORMULA GRANTS	\$954,167	\$959,041	\$913,560	\$966,070	\$942,378	\$962,547	\$797,083	\$1,204,596	\$1,026,461	\$1,013,999	\$1,184,696	\$1,074,509	\$1,080,369
DISCRETIONARY GRANTS	\$96,377	\$99,848	\$92,060	\$94,914	\$92,990	\$94,769	\$94,523	\$134,606	\$108,691	\$92,696	\$94,152	\$93,683	\$95,933
ARRA GRANTS	\$6,278	\$6,306	\$5,851	\$5,991	\$6,238	\$6,088	\$6,075	\$6,292	\$6,184	\$6,284	\$6,251	\$12,073	\$6,259
EDUCATION JOBS FUND	\$1,140,368	\$1,149,053	\$1,160,190	\$1,155,676	\$1,156,366	\$1,154,624	\$1,187,635	\$1,171,248	\$1,166,106	\$1,146,437	\$1,150,728	\$1,144,764	\$1,144,401
Grand Total	\$7,508,964	\$7,611,794	\$7,507,264	\$7,670,898	\$7,632,691	\$7,706,735	\$7,622,662	\$8,867,037	\$7,865,452	\$7,690,313	\$7,929,681	\$7,750,945	\$7,826,560

Row Labels	PPE 4/9/2011	PPE 4/23/2011	PPE 5/7/2011	PPE 5/21/2011	PPE 6/4/2011	PPE 6/18/2011
GENERAL FUND	\$5,465,470	\$5,456,311	\$5,425,841	\$5,498,672	\$6,031,121	\$5,696,716
GENERAL FUND (CS)	\$5,268	\$5,268	\$5,268	\$5,268	\$4,359	\$4,258
HFF	\$6,729	\$46,212	\$24,004	\$11,980	\$13,650	\$47,783
TEFF	\$0	\$2,488	\$0	\$0	\$14,170	\$0
FORMULA GRANTS	\$1,060,500	\$925,370	\$1,098,666	\$1,073,491	\$927,432	\$1,251,126
DISCRETIONARY GRANTS	\$93,627	\$89,743	\$101,715	\$90,633	\$91,164	\$85,129
ARRA GRANTS	\$6,340	\$6,353	\$6,293	\$6,296	\$4,568	\$14,615
EDUCATION JOBS FUND	\$1,144,159	\$1,150,421	\$1,140,227	\$1,141,964	\$541,739	\$0
Grand Total	\$7,782,094	\$7,682,167	\$7,802,015	\$7,828,305	\$7,628,202	\$7,099,817

Guam Department of Education Labor Cost Trend by Pay Period Frequency

Data Source: DOE Financial Management System

Prepared by the Office of Finance and Budget

Row Labels	7/1/2011													
	PPE 10/10/2009	PPE 10/23/2010	PPE 11/6/2010	PPE 11/20/2010	PPE 12/4/2010	PPE 12/18/2010	PPE 1/1/2011	PPE 1/15/2011	PPE 1/29/2011	PPE 2/12/2011	PPE 2/26/2011	PPE 3/12/2011	PPE 3/29/2011	
21 Pay Period Payroll	\$867,640	\$886,566	\$892,529	\$900,748	\$913,255	\$906,275	\$925,690	\$909,738	\$941,060	\$951,571	\$961,526	\$961,928	\$969,648	
GENERAL FUND	\$359,081	\$371,455	\$371,738	\$380,586	\$395,855	\$390,016	\$398,380	\$395,442	\$429,245	\$438,785	\$446,288	\$454,865	\$462,350	
FORMULA GRANTS	\$28,186	\$31,011	\$31,969	\$35,342	\$33,598	\$35,342	\$36,052	\$35,225	\$35,881	\$40,086	\$39,273	\$37,297	\$38,158	
ARRA GRANTS	\$3,406	\$3,441	\$3,441	\$3,441	\$3,441	\$3,441	\$3,441	\$3,441	\$3,441	\$3,441	\$3,441	\$3,391	\$3,448	
EDUCATION JOBS FUND	\$476,967	\$480,659	\$485,380	\$481,379	\$479,961	\$477,476	\$487,817	\$475,629	\$472,392	\$469,258	\$472,523	\$466,375	\$465,692	
26 Pay Period Payroll	\$6,641,325	\$6,725,229	\$6,614,735	\$6,770,150	\$6,719,435	\$6,800,460	\$6,696,972	\$7,957,299	\$6,924,393	\$6,736,743	\$6,968,155	\$6,789,017	\$6,856,913	
GENERAL FUND	\$4,948,567	\$5,023,840	\$4,962,971	\$5,067,661	\$5,030,356	\$5,053,170	\$5,113,130	\$5,943,551	\$5,116,651	\$4,985,878	\$5,015,128	\$4,956,110	\$5,023,327	
GENERAL FUND (CS)	\$0	\$0	\$0	\$0	\$0	\$0	\$2,476	\$2,624	\$2,624	\$5,268	\$5,268	\$5,256	\$6,492	
HFF	\$4,126	\$2,252	\$893	\$0	\$8,510	\$45,521	\$23,095	\$8,676	\$9,491	\$966	\$27,170	\$9,686	\$7,428	
TEFF	\$0	\$0	\$0	\$0	\$0	\$0	\$265	\$0	\$0	\$0	\$0	\$0	\$0	
FORMULA GRANTS	\$925,981	\$928,030	\$881,591	\$930,728	\$908,377	\$927,205	\$761,031	\$1,169,371	\$990,480	\$973,913	\$1,145,423	\$1,037,212	\$1,042,212	
DISCRETIONARY GRANTS	\$96,377	\$99,848	\$92,060	\$94,914	\$92,990	\$94,769	\$94,523	\$134,606	\$108,691	\$92,696	\$94,152	\$93,683	\$95,933	
ARRA GRANTS	\$2,872	\$2,864	\$2,410	\$2,550	\$2,797	\$2,647	\$2,634	\$2,851	\$2,742	\$2,842	\$2,809	\$2,862	\$2,811	
EDUCATION JOBS FUND	\$663,401	\$668,395	\$674,811	\$674,297	\$676,405	\$677,148	\$699,818	\$695,619	\$693,714	\$677,179	\$678,205	\$678,389	\$678,709	
Grand Total	\$7,508,964	\$7,611,794	\$7,507,264	\$7,670,898	\$7,632,691	\$7,706,735	\$7,622,662	\$8,867,037	\$7,865,452	\$7,690,313	\$7,929,681	\$7,750,945	\$7,826,560	

Row Labels	PPE 4/9/2011	PPE 4/23/2011	PPE 5/7/2011	PPE 5/21/2011	PPE 6/4/2011	PPE 6/18/2011
21 Pay Period Payroll	\$984,723	\$990,959	\$980,599	\$980,448	\$500,557	\$0
GENERAL FUND	\$475,153	\$479,936	\$475,903	\$475,203	\$337,382	\$0
FORMULA GRANTS	\$40,220	\$40,233	\$40,351	\$40,641	\$20,055	\$0
ARRA GRANTS	\$3,448	\$3,455	\$3,455	\$3,455	\$1,839	\$0
EDUCATION JOBS FUND	\$465,902	\$467,335	\$460,891	\$461,149	\$141,281	\$0
26 Pay Period Payroll	\$6,797,371	\$6,691,208	\$6,821,416	\$6,847,857	\$7,127,646	\$7,099,827
GENERAL FUND	\$4,990,318	\$4,976,375	\$4,949,938	\$5,023,469	\$5,693,739	\$5,695,716
GENERAL FUND (CS)	\$5,268	\$5,268	\$5,268	\$5,268	\$4,359	\$4,258
HFF	\$6,729	\$46,212	\$24,004	\$11,980	\$13,650	\$47,783
TEFF	\$0	\$2,488	\$0	\$0	\$14,170	\$0
FORMULA GRANTS	\$1,020,280	\$885,136	\$1,058,316	\$1,032,850	\$907,378	\$1,251,126
DISCRETIONARY GRANTS	\$93,627	\$89,743	\$101,715	\$90,633	\$91,164	\$85,329
ARRA GRANTS	\$2,892	\$2,898	\$2,839	\$2,842	\$2,729	\$14,615
EDUCATION JOBS FUND	\$678,257	\$683,086	\$679,337	\$680,815	\$400,458	\$0
Grand Total	\$7,782,094	\$7,682,167	\$7,802,015	\$7,828,305	\$7,628,202	\$7,099,827

Guam Department of Education Labor Cost Trend

Quarter by Fund by Object Class

Data Source: DOE Financial Management System

Prepared by the Office of Finance and Budget

Date Prepared: 7/19/2011

Sum of Total Of AMOUNT

	111	111P	111S	112	113	Grand Total
	REGULAR SALARY/INCREMENTS	PART TIME	SUBSTITUTE	OVERTIME/SPECIAL PAY	BENEFITS	
Q1						
GENERAL FUND	\$23,732,337	\$22,218	\$250,809	\$104	\$8,349,826	\$32,355,295
HFF	\$8,050	\$51,727			\$1,525	\$61,301
FORMULA GRANTS	\$3,329,957	\$629,351	\$295,192	\$5,330	\$1,437,931	\$5,697,761
DISCRETIONARY GRANTS	\$393,566	\$33,809			\$143,583	\$570,958
ARRA GRANTS	\$26,111	\$1,280			\$9,362	\$36,753
EDUCATION JOBS FUND	\$5,183,072				\$1,733,206	\$6,916,278
Q1 Total	\$32,673,094	\$738,386	\$546,001	\$5,434	\$11,675,432	\$45,638,347
Q2						
GENERAL FUND	\$28,754,392	\$25,999	\$282,231	\$6	\$10,116,503	\$39,179,131
GENERAL FUND (CS)	\$21,152				\$8,858	\$30,010
HFF		\$85,319			\$1,192	\$86,511
TEFF				\$261	\$4	\$265
FORMULA GRANTS	\$4,105,519	\$943,546	\$517,086	\$14,323	\$1,801,241	\$7,381,714
DISCRETIONARY GRANTS	\$488,970	\$42,817			\$182,495	\$714,283
ARRA GRANTS	\$30,530	\$7,684			\$11,204	\$49,417
EDUCATION JOBS FUND	\$6,066,628				\$2,044,692	\$8,111,319
Q2 Total	\$39,467,190	\$1,105,364	\$799,317	\$14,590	\$14,166,189	\$55,552,650
Q3						
GENERAL FUND	\$24,740,266	\$15,276	\$182,176		\$8,636,413	\$33,574,131
GENERAL FUND (CS)	\$20,942				\$8,747	\$29,689
HFF		\$148,061			\$2,298	\$150,359
TEFF				\$15,826	\$832	\$16,658
FORMULA GRANTS	\$3,330,669	\$964,477	\$513,189	\$14,316	\$1,513,935	\$6,336,585
DISCRETIONARY GRANTS	\$372,457	\$36,841			\$142,913	\$552,210
ARRA GRANTS	\$22,217	\$13,647			\$8,602	\$44,467
EDUCATION JOBS FUND	\$3,816,780				\$1,301,730	\$5,118,511
Q3 Total	\$32,303,331	\$1,178,301	\$695,365	\$30,142	\$11,615,471	\$45,822,610

Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land

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Guam Department of Education Labor Cost Trend

Fund by Pay Period by Object Class

Data Source: DOE Financial Management System
 Prepared by the Office of Finance and Budget

Date Prepared: 7/19/2011

Row Labels	111 REGULAR SALARY/INCREMENTS	111P PART TIME	111S SUBSTITUTE	112 OVERTIME/SPECIAL PAY	113 BENEFITS	Grand Total
GENERAL FUND						
PPE 10/10/2010	\$3,923,258	\$2,884	\$44,089		\$1,337,417	\$5,307,648
PPE 10/23/2010	\$3,953,321	\$2,500	\$41,312		\$1,398,161	\$5,395,294
PPE 11/6/2010	\$3,908,736	\$2,807	\$33,060		\$1,390,107	\$5,334,709
PPE 11/20/2010	\$3,989,444	\$3,946	\$43,363	\$104	\$1,411,390	\$5,448,247
PPE 12/4/2010	\$3,970,189	\$6,147	\$42,250		\$1,407,625	\$5,426,211
PPE 12/18/2010	\$3,987,390	\$3,935	\$46,736		\$1,405,125	\$5,443,186
PPE 1/1/2011	\$4,085,025		\$270		\$1,426,215	\$5,511,509
PPE 1/15/2011	\$4,679,674	\$4,063	\$47,492	\$6	\$1,607,758	\$6,338,994
PPE 1/29/2011	\$4,062,653	\$3,815	\$42,723		\$1,436,706	\$5,545,896
PPE 2/12/2011	\$3,969,135	\$4,112	\$42,229		\$1,409,188	\$5,424,663
PPE 2/26/2011	\$3,996,910	\$4,260	\$44,117		\$1,416,129	\$5,461,417
PPE 3/12/2011	\$3,950,190	\$4,641	\$51,381		\$1,404,763	\$5,410,975
PPE 3/26/2011	\$4,010,806	\$5,108	\$54,020		\$1,415,744	\$5,485,677
PPE 4/9/2011	\$3,989,322	\$4,266	\$48,651		\$1,423,231	\$5,465,470
PPE 4/23/2011	\$4,008,542	\$2,091	\$24,563		\$1,421,115	\$5,456,311
PPE 5/7/2011	\$3,958,660	\$4,460	\$47,681		\$1,415,040	\$5,425,841
PPE 5/21/2011	\$4,022,355	\$3,307	\$46,328		\$1,426,682	\$5,498,672
PPE 6/4/2011	\$4,540,135	\$1,351	\$14,513		\$1,475,322	\$6,031,121
PPE 6/18/2011	\$4,221,252		\$441		\$1,475,023	\$5,696,716
GENERAL FUND (CS)						
PPE 10/10/2010						
PPE 10/23/2010						
PPE 11/6/2010						
PPE 11/20/2010						
PPE 12/4/2010						
PPE 12/18/2010						
PPE 1/1/2011	\$1,682				\$794	\$2,476
PPE 1/15/2011	\$1,797				\$828	\$2,624
PPE 1/29/2011	\$1,797				\$828	\$2,624
PPE 2/12/2011	\$3,734				\$1,535	\$5,268
PPE 2/26/2011	\$3,734				\$1,535	\$5,268
PPE 3/12/2011	\$3,724				\$1,532	\$5,256
PPE 3/26/2011	\$4,685				\$1,807	\$6,492
PPE 4/9/2011	\$3,734				\$1,535	\$5,268
PPE 4/23/2011	\$3,734				\$1,535	\$5,268
PPE 5/7/2011	\$3,734				\$1,535	\$5,268
PPE 5/21/2011	\$3,734				\$1,535	\$5,268
PPE 6/4/2011	\$3,042				\$1,316	\$4,359
PPE 6/18/2011	\$2,965				\$1,292	\$4,258

Guam Department of Education Labor Cost Trend

Fund by Pay Period by Object Class

Data Source: DOE Financial Management System
 Prepared by the Office of Finance and Budget

Date Prepared: 7/24/2011

	111	111P	111S	112	113	Grand Total
Row Labels	REGULAR SALARY/INCREMENTS	PART TIME	SUBSTITUTE	OVERTIME/SPECIAL PAY	BENEFITS	
TEFF						
PPE 10/10/2010						
PPE 10/23/2010						
PPE 11/6/2010						
PPE 11/20/2010						
PPE 12/4/2010						
PPE 12/18/2010						
PPE 1/1/2011				\$261	\$4	\$265
PPE 1/15/2011						
PPE 1/29/2011						
PPE 2/12/2011						
PPE 2/26/2011						
PPE 3/12/2011						
PPE 3/26/2011						
PPE 4/9/2011						
PPE 4/23/2011				\$2,440	\$49	\$2,488
PPE 5/7/2011						
PPE 5/21/2011						
PPE 6/4/2011				\$13,386	\$784	\$14,170
PPE 6/18/2011						
HFF						
PPE 10/10/2010		\$4,067			\$59	\$4,126
PPE 10/23/2010		\$2,220			\$32	\$2,252
PPE 11/6/2010			\$880		\$13	\$893
PPE 11/20/2010						
PPE 12/4/2010	\$8,050					\$8,050
PPE 12/18/2010		\$44,560			\$460	\$45,020
PPE 1/1/2011		\$22,777			\$318	\$23,095
PPE 1/15/2011		\$8,552			\$124	\$8,676
PPE 1/29/2011		\$9,355			\$136	\$9,491
PPE 2/12/2011		\$952			\$14	\$966
PPE 2/26/2011		\$26,791			\$379	\$27,170
PPE 3/12/2011		\$9,570			\$136	\$9,706
PPE 3/26/2011		\$7,322			\$106	\$7,428
PPE 4/9/2011		\$6,667			\$61	\$6,728
PPE 4/23/2011		\$45,564			\$648	\$46,212
PPE 5/7/2011		\$23,687			\$317	\$24,004
PPE 5/21/2011		\$11,809			\$171	\$11,980
PPE 6/4/2011		\$13,455			\$195	\$13,650
PPE 6/18/2011		\$46,878			\$905	\$47,783

Guam Department of Education Labor Cost Trend

Fund by Pay Period by Object Class

Data Source: DOE Financial Management System
 Prepared by the Office of Finance and Budget

Date Prepared: 7/18/2011

Row Labels	111	111P	111S	112	113	Grand Total
	REGULAR SALARY/INCREMENTS	PART TIME	SUBSTITUTE	OVERTIME/SPECIAL PAY	BENEFITS	
EDUCATION JOBS FUND						
PPE 10/10/2010	\$861,819				\$278,549	\$1,140,368
PPE 10/23/2010	\$859,692				\$289,161	\$1,148,853
PPE 11/6/2010	\$867,688				\$292,502	\$1,160,190
PPE 11/20/2010	\$864,619				\$291,057	\$1,155,676
PPE 12/4/2010	\$865,192				\$291,174	\$1,156,366
PPE 12/18/2010	\$864,062				\$290,562	\$1,154,624
PPE 1/1/2011	\$889,005				\$298,630	\$1,187,635
PPE 1/15/2011	\$876,384				\$294,864	\$1,171,248
PPE 1/29/2011	\$872,427				\$293,679	\$1,166,106
PPE 2/12/2011	\$857,120				\$289,117	\$1,146,237
PPE 2/26/2011	\$860,009				\$290,725	\$1,150,728
PPE 3/12/2011	\$855,142				\$289,627	\$1,144,764
PPE 3/26/2011	\$856,548				\$287,853	\$1,144,401
PPE 4/9/2011	\$852,154				\$292,006	\$1,144,159
PPE 4/23/2011	\$858,063				\$292,358	\$1,150,421
PPE 5/7/2011	\$849,867				\$290,360	\$1,140,227
PPE 5/21/2011	\$850,463				\$291,501	\$1,141,964
PPE 6/4/2011	\$806,234				\$135,505	\$541,739
PPE 6/18/2011						
FORMULA GRANTS						
PPE 10/10/2010	\$545,953	\$119,358	\$55,616	\$364	\$232,876	\$954,167
PPE 10/23/2010	\$558,763	\$106,033	\$49,634	\$1,619	\$242,992	\$959,041
PPE 11/6/2010	\$550,909	\$84,459	\$41,873	\$666	\$235,653	\$913,560
PPE 11/20/2010	\$559,713	\$109,690	\$51,605	\$728	\$244,334	\$966,070
PPE 12/4/2010	\$557,166	\$98,922	\$45,044	\$1,350	\$239,894	\$942,376
PPE 12/18/2010	\$557,451	\$110,889	\$51,420	\$604	\$242,187	\$962,547
PPE 1/1/2011	\$582,590	\$1,243	\$324		\$210,926	\$797,083
PPE 1/15/2011	\$722,935	\$119,157	\$65,431	\$1,268	\$295,806	\$1,204,596
PPE 1/29/2011	\$576,083	\$120,628	\$73,309	\$413	\$256,029	\$1,026,461
PPE 1/31/2011	\$552,162	\$125,305	\$80,991	\$2,896	\$252,646	\$1,013,999
PPE 1/26/2011	\$568,230	\$263,693	\$88,758	\$3,101	\$260,915	\$1,184,696
PPE 3/12/2011	\$552,942	\$154,130	\$102,235	\$3,177	\$262,045	\$1,074,509
PPE 3/26/2011	\$550,577	\$157,410	\$106,037	\$3,469	\$262,876	\$1,080,369
PPE 4/9/2011	\$556,779	\$144,271	\$96,079	\$3,249	\$260,122	\$1,060,500
PPE 4/23/2011	\$552,950	\$80,769	\$50,665	\$1,918	\$239,066	\$925,370
PPE 5/7/2011	\$554,577	\$167,746	\$105,289	\$3,193	\$267,862	\$1,098,666
PPE 5/21/2011	\$557,321	\$143,166	\$103,466	\$3,066	\$266,471	\$1,073,491
PPE 6/4/2011	\$577,282	\$61,895	\$49,857	\$1,825	\$236,573	\$927,432
PPE 6/18/2011	\$531,759	\$366,628	\$107,832	\$1,065	\$243,840	\$1,251,126

Guam Department of Education Labor Cost Trend

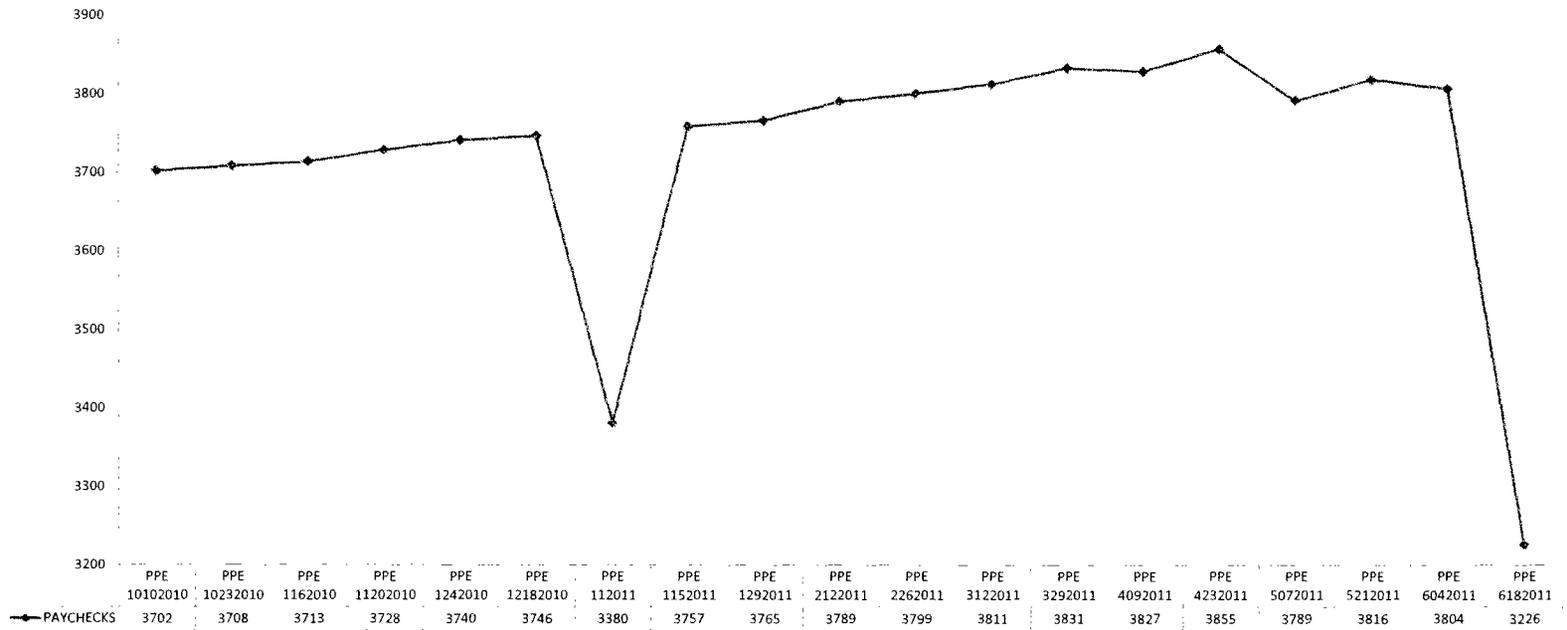
Fund by Pay Period by Object Class

Data Source: DOE Financial Management System
 Prepared by the Office of Finance and Budget

Date Prepared: 7/19/2011

Row Labels	111	111P	111S	112	113	Grand Total
	REGULAR SALARY/INCREMENTS	PART TIME	SUBSTITUTE	OVERTIME/SPECIAL PAY	BENEFITS	
DISCRETIONARY GRANTS						
PPE 10/10/2010	\$67,034	\$5,803			\$23,541	\$96,377
PPE 10/23/2010	\$69,639	\$5,961			\$24,248	\$99,848
PPE 11/6/2010	\$62,743	\$5,350			\$23,967	\$92,060
PPE 11/20/2010	\$65,632	\$5,650			\$23,631	\$94,914
PPE 12/4/2010	\$63,910	\$5,114			\$23,865	\$92,990
PPE 12/18/2010	\$64,608	\$5,931			\$24,230	\$94,769
PPE 1/1/2011	\$69,528				\$24,995	\$94,523
PPE 1/15/2011	\$94,614	\$6,120			\$33,872	\$134,606
PPE 1/29/2011	\$70,873	\$11,288			\$26,530	\$108,691
PPE 2/12/2011	\$62,832	\$6,070			\$23,794	\$92,696
PPE 2/26/2011	\$63,463	\$6,454			\$24,235	\$94,152
PPE 3/12/2011	\$62,918	\$6,235			\$24,529	\$93,683
PPE 3/26/2011	\$64,742	\$6,650			\$24,541	\$95,933
PPE 4/9/2011	\$62,444	\$6,652			\$24,531	\$93,627
PPE 4/23/2011	\$62,397	\$3,776			\$23,570	\$89,743
PPE 5/7/2011	\$69,203	\$6,616			\$25,896	\$101,715
PPE 5/21/2011	\$59,447	\$7,996			\$23,190	\$90,633
PPE 6/4/2011	\$61,062	\$6,854			\$23,248	\$91,164
PPE 6/18/2011	\$57,904	\$4,947			\$22,478	\$85,329
ARRA GRANTS						
PPE 10/10/2010	\$4,397	\$305			\$1,576	\$6,278
PPE 10/23/2010	\$4,366	\$305			\$1,634	\$6,306
PPE 11/6/2010	\$4,333				\$1,518	\$5,851
PPE 11/20/2010	\$4,306	\$122			\$1,564	\$5,991
PPE 12/4/2010	\$4,345	\$274			\$1,619	\$6,238
PPE 12/18/2010	\$4,365	\$274			\$1,449	\$6,088
PPE 1/1/2011	\$4,385	\$244			\$1,446	\$6,075
PPE 1/15/2011	\$4,381	\$305			\$1,607	\$6,292
PPE 1/29/2011	\$4,333	\$244			\$1,607	\$6,184
PPE 2/12/2011	\$4,389	\$274			\$1,620	\$6,284
PPE 2/26/2011	\$4,333	\$305			\$1,613	\$6,251
PPE 3/12/2011	\$4,344	\$6,038			\$1,691	\$12,073
PPE 3/26/2011	\$4,365	\$274			\$1,620	\$6,259
PPE 4/9/2011	\$4,397	\$305			\$1,638	\$6,340
PPE 4/23/2011	\$4,397	\$305			\$1,652	\$6,353
PPE 5/7/2011	\$4,381	\$274			\$1,638	\$6,293
PPE 5/21/2011	\$4,353	\$305			\$1,639	\$6,298
PPE 6/4/2011	\$3,016	\$319			\$1,234	\$4,569
PPE 6/18/2011	\$1,674	\$12,139			\$802	\$14,615

**GUAM DEPARTMENT OF EDUCATION UNIQUE EMPLOYEE
PAYCHECKS PROCESSED BY PAY PERIOD**





I Mina'trentai Una Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 03 2011

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kua

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Una Na Liheslaturan Guahan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 257-31 (COR), As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 257-31 (COR), As Substituted, "An Act to Appropriate for the Operations of the Guam Department of Education for Fiscal Year Ending September 30, 2012 and to provide the efficient opening of all schools, including F.Q. Sanchez Elementary School by providing financing for working capital expenditures for the FY-2011-2012 School Year and for other purposes", sponsored by Senator Dennis Rodriguez, which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

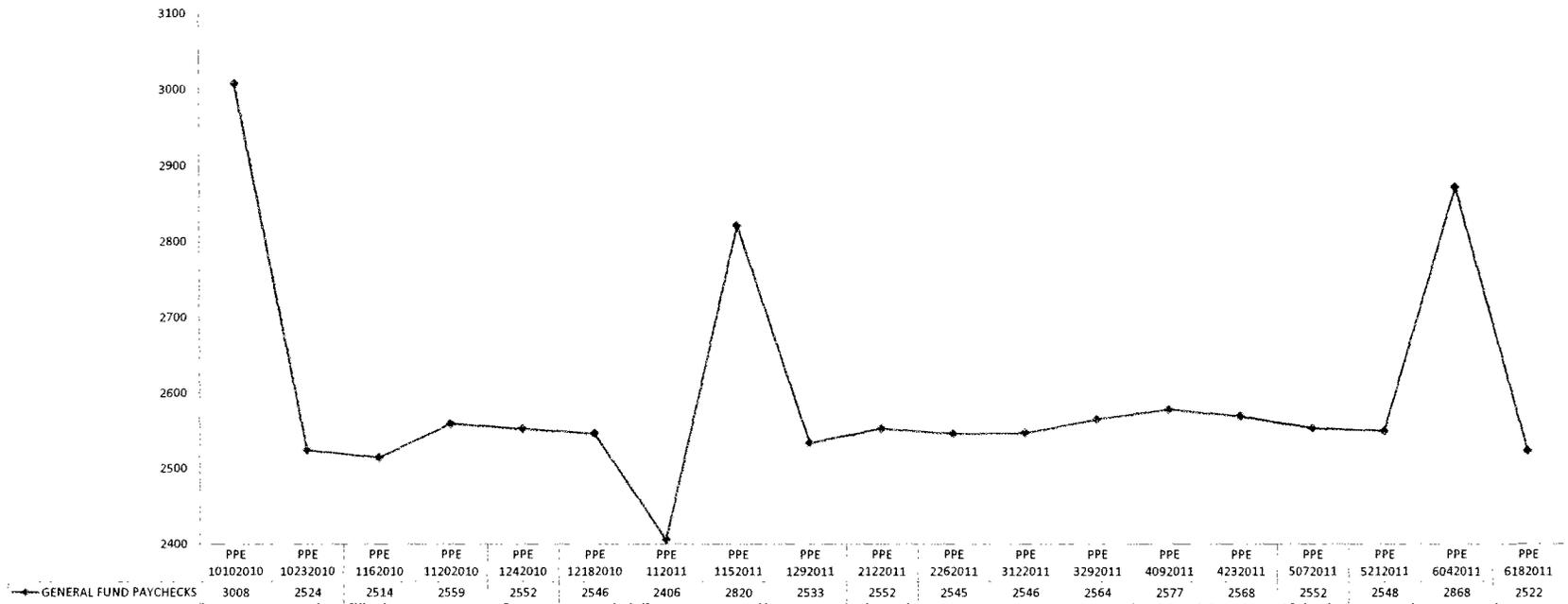
Committee votes are as follows:

4 TO PASS
0 NOT TO PASS
2 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

Si Yu'os Ma'ase',

Vicente (ben) Cabrera Pangelinan
Chairman

**GUAM DEPARTMENT OF EDUCATION UNIQUE EMPLOYEE
PAYCHECKS PROCESSED BY PAY PERIOD
GENERAL FUND ONLY**



**COMMITTEE REPORT
ON**

Bill No. 257-31 (COR), As Substituted

Sponsored by Senator Dennis Rodriguez

**An Act to Appropriate for the Operations of the
Guam Department of Education for Fiscal Year
Ending September 30, 2012 and to provide the
efficient opening of all schools, including F.Q.
Sanchez Elementary School by providing
financing for working capital expenditures for
the FY-2011-2012 School Year and for other
purposes**

MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular

Bill No. 257-31 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. 

AN ACT TO SAVE F.Q. SANCHEZ ELEMENTARY SCHOOL,
UMATAC, BY PROVIDING FINANCING FOR WORKING
CAPITAL EXPENDITURES FOR THE FY-2011-2012 SCHOOL
YEAR BY REPROGRAMMING AND APPROPRIATING THE
SUM OF ONE HUNDRED FIFTY-SEVEN THOUSAND
DOLLARS (\$157,000) FROM THE 2007 TOBACCO BOND
PROCEEDS TO THE DEPARTMENT OF EDUCATION.

ATTB
2011 JUL -5 AM 11:21

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent: *I Liheslaturan Guåhan* finds
3 that there is strong community support by southern residents of Umatac, who have
4 repeatedly stated their strong support for the continuing operation of the
5 historically significant F.Q. Sanchez Elementary School in Umatac.

6 *I Liheslaturan Guåhan* takes due note that F.Q. Sanchez Elementary has
7 become a historical cultural component of the village life and is an integral part of
8 the community of Umatac's social structure.

9 *I Liheslaturan Guåhan* finds that there is strong, widespread community
10 support by southern residents of Guam for the continuing operation of the
11 historically significant F.Q. Sanchez Elementary School in Umatac.

12 *I Liheslaturan Guåhan* further finds, that expenditure of the sum required to
13 maintain the continuing operation of F.Q. Sanchez Elementary School is a quality

1 of village life issue for southern residents and should be supported by the people of
2 Guam.

3 Further, *I Liheslaturan Guåhan* takes due note that although numerous new
4 schools are being provided for the children of northern residents, no new schools
5 are being built in the south. To the contrary, the Education Policy Board is instead
6 closing this school in the south, in direct contrast to the wishes and heartfelt desires
7 of southern residents.

8 It is the intent of *I Liheslaturan Guåhan* to ensure equitable consideration
9 for southern residents by maintaining the continuing operation of F.Q. Sanchez
10 Elementary School for their children who are equally deserving.

11 *I Liheslaturan Guåhan* takes due note of the significant fact that the test
12 scores of the Umatac elementary students has consistently been above average,
13 which directly correlates with the quality of teaching and the high teacher to
14 student ratio.

15 It is, further, the intent of *I Liheslaturan Guåhan* to ensure that the school
16 continues to have the requisite staffing pattern and resources necessary for the
17 proper education of the children, and to that end, the current staffing pattern,
18 educational programs and the provision of resources shall not be reduced or
19 redirected to other schools or utilized for other purposes not consistent with the
20 intent and mandates of this Act.

21 *I Liheslaturan Guåhan* takes due note that the children of southern Guam are
22 equally entitled to benefit from educational programs relative to promoting healthy
23 lifestyles, inclusive of programs encouraging the avoidance of smoking and/or the
24 use of alcohol or drugs, and to that end, it is further the intent of this Act that such

1 educational opportunities shall be included in the F.Q. Sanchez curriculum, or if it
2 currently exists, that it shall continue.

3 *I Liheslaturan Guåhan* also takes due note that the basis for the closure of
4 F.Q. Sanchez Elementary School was premised upon the 2009 Evergreen Report
5 recommendations, which stated that the closure would save the Guam Department
6 of Education the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000).

7 It is the intent of *I Liheslaturan Guåhan* to ensure that the children of F.Q.
8 Sanchez Elementary School in Umatac continue to have the quality of education
9 they have been receiving by providing funding, and a concurrent mandate that the
10 school remain open for a minimum period of two years from the date of enactment
11 of this Act.

12 **Section 2. Reprogramming and Appropriation of funds for F.Q.**
13 **Sanchez Elementary School, Umatac.** The **SUM of ONE HUNDRED FIFTY-**
14 **SEVEN THOUSAND DOLLARS (\$157,000.00)** is hereby REPROGRAMMED
15 from the available funds of the 2007 Tobacco Bond Proceeds account, managed by
16 the Guam Economic Development Authority, and APPROPRIATED, to the
17 Department of Education for the *sole* purpose of financing working capital
18 expenditures for F.Q. Sanchez Elementary School, Umatac.

19 **Section 3. Appropriation Not Subject to Governor’s Transfer Authority**
20 **or Education Policy Board.** The funds reprogrammed and appropriated pursuant
21 to this Act shall only be expended for the purpose of financing working capital
22 expenditures for the continued operation of F.Q. Sanchez Elementary School for
23 the FY-2011-2012 school year, and *shall not* be subject to the transfer authority of
24 *I Maga’lahan Guåhan*, or the Guam Education Policy Board for other purposes.

1 **Section 4. Maintenance of Current Personnel, Educational**
2 **Opportunities and Resources.** The Guam Education Policy Board shall ensure
3 the requisite staffing pattern and resources as are necessary for the proper
4 education of the children are maintained, and to that end, the *current* staffing
5 pattern, educational programs and the provision of resources *shall not* be reduced
6 or redirected to other schools or utilized for other purposes not consistent with the
7 intent and mandates of this Act, without the express authorization pursuant to law,
8 for the duration of the term of the FY-2011-2012 school year.

9 **Section 5. Continuing Appropriation.** The appropriations made pursuant
10 to Section 2 of this Act shall not lapse and shall continue until fully expended.

11 **Section 6. Closure Prohibited.** Notwithstanding any other provision of
12 law, the Guam Education Policy Board shall not close F.Q. Sanchez Elementary
13 School for a minimum period of two years from the date of enactment of this Act.
14 The Guam Education Policy Board *shall* explore alternatives measures to feasibly
15 maintain the operation of the school, while continuing to maintain a quality
16 curriculum.

17 **Section 7. Educational Programs Promoting Healthy Lifestyles, and the**
18 **Avoidance of Tobacco, Alcohol and Drugs.** The Guam Education Policy Board
19 *shall* ensure that the F.Q. Sanchez Elementary School includes in its curriculum,
20 educational programs relative to promoting healthy lifestyles, inclusive of
21 programs encouraging the avoidance of smoking and the use of alcohol or drugs.

22 **Section 8. Severability.** *If* any provision of this Act or its application to
23 any person or circumstance is found to be invalid or contrary to law, such
24 invalidity shall *not* affect other provisions or applications of this Law which can be

1 given effect without the invalid provisions or applications, and to this end the
2 provisions of this Law are severable.

3 **Section 9. Effective Date.** This Act shall be immediately effective upon
4 enactment.