



GUAM EDUCATION POLICY BOARD

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JOE S. SAN AGUSTIN
Chairman

RONALD A. AYUYU
Vice-Chair

August 10, 2009

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Rosie R. Tainatongo

Kattan District
Ronald A. Ayuyu
Vacant

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Evangeline M. Cepeda
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Mayors' Council Representative
Jessy Gogue

EXECUTIVE SECRETARY
Nerissa Bretania-Shafer, Ph.D.
Superintendent of Education

Honorable Judith Won Pat, Ed.D.
Speaker
Trenta Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

Dear Madam Speaker:

Hafa Adai! On April 29, 2009, the Guam Education Policy Board (GEPB) passed a supplemental budget that was transmitted to the Legislature on April 30, 2009 (see attached). On August 7, 2009, the GEPB convened a special meeting to address the projected shortfall of \$8,626,371.03 for Fiscal Year 2009. (see attached) As a result of the information presented to GEPB, a motion was made and unanimously passed to request the Legislature to go into an emergency session to address the Department's shortfall.

Among the critical areas that are affected by the shortfall is \$3.5 million that is needed to certify funds for the SY 2009-2010 food service contract. DOE will not be able to complete the contract without this supplemental. Also affected are contractual services for trash pickup and custodial services both are critical to avoid citations from the Department of Public Health and Social Services.

Based on the aforementioned information, the GEPB is requesting that the Trenta Na Liheslaturan Guahan take immediate action on DOE's Supplemental request.

If you have any further questions, please contact Dr. Nerissa Bretania Underwood at 300-1547.

Senseramente,

RONALD A. AYUYU
Acting Chairman

Attachments

cc: Superintendent of Education
Deputy Superintendent, F&AS

30-09-1005
Office of the Speaker
Judith Won Pat, Ed. D.
Date: 8/11/09
Time: 10:47
Received by: [Signature]

AUG 12 2009

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**GUAM PUBLIC SCHOOL SYSTEM
OFFICE OF THE SUPERINTENDENT**

P.O. Box DE
Hagåtña, Guam 96932
Telephone: (671) 300-1547/ 300-1536
Fax: (671) 472-5003
Email: nbshafer@gdoe.net
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Nerissa Bretania-Shafer, Ph.D.
Superintendent of Education

April 30, 2009

Honorable Judith Won Pat
Speaker, 30th Guam Legislature
Hagatna, Guam 96910

Re: GEPB Resolution No. 2009-06, Supplemental Budget request

Dear Speaker Won Pat:

Hafa Adai! Attached please find the aforementioned Resolution passed by the Guam Education Policy Board on April 29, 2009. GPSS is requesting a supplemental budget to ensure compliance with the Every Child is Entitled to an Adequate Education Act as required by P.L. 28-45.

Your attention to this matter is greatly appreciated. If you have any further questions, please contact me at 300-1547.

Sincerely,

NERISSA BRETANIA-SHAFER, PH. D.
Superintendent of Education

Attachment

cc: GEPB

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 04/30/09
Time: 10:20
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GPSS
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GUAM EDUCATION POLICY BOARD
RESOLUTION NUMBER 2009-06



Introduced by:

Guam Education Policy Board Members

Relative to requesting the *I Mina Trenta Na Liheslaturan Guahan* (30th Guam Legislature) to approve a Supplemental budget for Fiscal Year 2009 for the Guam Public School System as approved by the Guam Education Policy Board.

WHEREAS, the Guam Education Policy Board is required to approve the budget for the Guam Public School System (GPSS) pursuant to 17 G.C.A. §3112(a)(17); and

WHEREAS, GEPB Resolution No. 2008-08 was passed by the GEPB on April 24, 2008 revising the GPSS Fiscal Year 2009 budget in the amount of \$263,048,293.00; and

WHEREAS, pursuant to statute the revised budget was forwarded via GEPB Resolution 2008-08 to the 29th Guam Legislature; and

WHEREAS, the Legislature adopted and the Governor approved a total of \$189,753,771.00 for GPSS' F.Y. 2009 budget; and

WHEREAS, there exist a difference of \$73,294,522.00 between what was requested by the GEPB and P.L. 29-113 (F.Y. 2009 GovGuam Budget); and

WHEREAS, as a result of receiving a smaller budget GPSS has implemented austerity measures; and

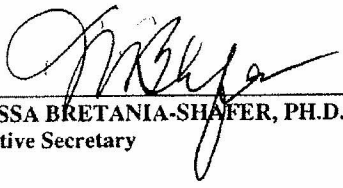
WHEREAS, despite best efforts, additional funds are necessary for GPSS to open school year 2009-2010 in compliance with P.L. 28-45 the Every Child is Entitled to an Adequate Education Act; and

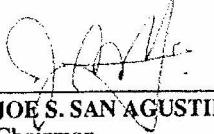
NOW THEREFORE BE IT FURTHER RESOLVED, that the GEPB does hereby approve GPSS' supplemental budget request for FY 09 in the amount of \$13,061,549.00 (attached); and

BE IT FURTHER RESOLVED, that the GEPB request expedited legislative action in order to be able to take advantage of the summer break and prepare for the new school year; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to *I Mina Trenta Na Liheslaturan Guahan*; and

BE IT FURTHER RESOLVED, THAT THE GUAM EDUCATION POLICY BOARD DULY AND REGULARLY ADOPTS RESOLUTION NUMBER 2009-06 ON THIS 29TH DAY OF APRIL, 2009.


NERISSA BRETANIA-SHAFFER, PH.D.
Executive Secretary


JOE S. SAN AGUSTIN
Chairman

GUAM PUBLIC SCHOOL SYSTEM
FISCAL YEAR 2009 FINANCIAL CONDITION
As of April 20, 2009

General Fund and Territorial Education Facilities Fund Appropriation P.L. 29-113	\$179,392,395.00	
ALLOTMENT		
Allotment Release from October 1, 2008 - April 30, 2009	100,869,875.00	
Projected Allotment Release from BMR	<u>78,522,520.00</u>	
TOTAL ALLOTMENT		179,392,395.00
CASH RECEIPTS		
Actual Cash Receipts October 1, 2008 - April 17, 2009 from DOA	98,122,413.00	
Projected Cash Receipts April 18, 2009 - September 30, 2009	<u>81,269,982.00</u>	
TOTAL CASH RECEIPTS		179,392,395.00
CASH DISBURSEMENTS		
Actual Cash Disbursements as of April 17, 2009	97,561,308.03	
Projected Cash Disbursements as of April 17, 2009	<u>81,831,086.97</u>	
TOTAL CASH DISBURSEMENTS		179,392,395.00
ESTIMATED CASH BALANCE		0.00

Prepared By: J. Danieli 4/29/09
Frances T. Danieli, Comptroller

GUAM PUBLIC SCHOOL SYSTEM
 FISCAL YEAR 2009 DETAIL PROJECTION
 As of April 20, 2009

CASH RECEIPTS

Projected Cash Receipts April 20, 2009 - September 30, 2009	81,269,982.00	
TOTAL PROJECTED CASH RECEIPTS		81,269,982.00

CASH DISBURSEMENTS

Projected Cash Disbursements:		
Accounts Payables Posted not Released		1,223,956.13
Remaining Encumbrances		235,043.57
Salaries & Benefits up to September 30, 2009	1	68,875,678.39
Settlement (Court, Civil Service)		577,015.33
Critical Vacant Positions	3	97,290.47
Salaries & Benefits up to 9/30/09 & Settlement		69,549,984.19
Contracts:		
Trash Collections up to September 30, 2009	PACIFIC WASTE SYSTEMS	331,549.00
Copying Services up to September 30, 2009	XEROX	933,785.00
Custodial Services up to May 31, 2009:	ADVANCE MANAGEMENT INC	426,640.31
	BJ'S QUALITY SERVICES COI	21,024.00
	GUAM CLEANING MASTERS	222,414.87
	J.J. JANITORIAL SERVICE	68,593.49
Custodial Services up to September 30, 2009:	08/01/09 - 09/30/09	440,000.00
Internet Services up to September 30, 2009:	PACIFIC DATA SYSTEMS	286,401.38
	GUAM TELECOM LLC	217,000.00
	PEARSON	133,333.33
	WASC	118,892.82
	GARY GUMATAOTAO	57,761.41
	DELOITTE & TOUCHE	21,000.00
		3,281,062.08
Supplies to Open the Schools		400,000.00
Utilities:		
Power	GPA (March - Sept)	4,624,078.68
Promissory Note	GPA (May-Sept)	1,000,000.00
Water	GWA	1,018,333.13
Telephone	GTA	217,637.63
	PACIFIC DATA SYSTEMS	280,991.56
Total Utilities		7,141,041.00
TOTAL PROJECTED CASH DISBURSEMENTS		81,831,086.97
CASH BALANCE AS OF APRIL 17, 2009		561,104.97
PROJECTED REMAINING CASH BALANCE		0.00

SUPPLEMENTAL REQUEST FOR FISCAL YEAR 2009:

Judgement - Reyes Case	500,000.00	
Food & Nutrition Local Subsidy up to September 30, 2009	3,584,864.00	
Textbooks:		
Re-Orders	3,545,991.27	
Adoption	5,430,693.62	
Total Textbook Re-Orders and Adoption	8,976,684.89	
Total Supplemental Request for Fiscal Year 2009		13,061,548.89

NOTES:

1. PPE 4/11/09 is included in the Salaries and Benefits. Projection calculation is as follows:

Salaries and Benefits Exp. As of April 15, 2009	87,659,954.32
# of PPE included	14
Average Salaries and Benefits per PPE	6,261,425.31

2. Utilities were projected by dividing the remaining encumbrance by 7 months:

Encumbrance	Per Month
151,959.26	21,708.47
4,472,119.42	638,874.20
1,018,333.13	145,476.16
498,629.10	71,232.73
<u>6,141,040.91</u>	<u>877,291.56</u>

The GPA note of \$200,000.00 per month was projected by dividing the remaining amount of \$1,000,000.00 by 5 months.

3 The following are critical vacant positions needed up to September 30, 2009:

Position Name	Number of Positions	Salary & Benefits
One-to-One School Aides	15	28,803.60
RP&E Administrator	1	21,885.23
School Health Counselor	1	21,885.23
Chief Planner	1	24,716.41
		<u>97,290.47</u>

Prepared By:  4/29/09
 Frances T. Daniell, Comptroller

DEPARTMENT OF EDUCATION
 FISCAL YEAR 2009 FINANCIAL CONDITION
 As of August 4, 2009

General Fund and Territorial Education Facilities Fund Appropriation P.L. 29-113		\$179,392,395.00	
ALLOTMENT			
Allotment Release from October 1, 2008 - August 4, 2009		152,071,048.00	
Projected Allotment Release from BBMR		<u>27,321,347.00</u>	
TOTAL ALLOTMENT			179,392,395.00
CASH RECEIPTS			
Actual Cash Receipts October 1, 2008 - August 3, 2009 from DOA		147,836,978.00	
Projected Cash Receipts August 5, 2009 - September 30, 2009		<u>31,555,417.00</u>	
TOTAL CASH RECEIPTS			179,392,395.00
CASH DISBURSEMENTS			
Actual Cash Disbursements as of August 4, 2009	1	147,527,763.55	
Projected Cash Disbursements as of August 4, 2009		<u>40,181,788.03</u>	
TOTAL CASH DISBURSEMENTS			187,709,551.58
CASH BALANCE AS OF AUGUST 4, 2009	2		<u>(309,214.45)</u>
ESTIMATED CASH BALANCE			(8,626,371.03)

NOTES:

1. Subtracted out from the Actual Cash Disbursements the Accounts Payable and PPE 8/1/09 since it is included in the Projected Cash Disbursements
2. The cash balance as of August 4, 2009 was calculated by subtracting the Actual Cash receipts from the Actual Cash Disbursements (over)/under.

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DEPARTMENT OF EDUCATION
 FISCAL YEAR 2009 DETAIL PROJECTION
 As of August 4, 2009

CASH RECEIPTS

Projected Cash Receipts August 4, 2009 - September 30, 2009

31,555,417.00

TOTAL PROJECTED CASH RECEIPTS

31,555,417.00

CASH DISBURSEMENTS

Projected Cash Disbursements:

Accounts Payables Posted not Released

750,470.81

Remaining Encumbrances

2,761,604.99

Encumbered Contracts Adjusted:

Accrediting Commission

(67,419.34)

Guam Cleaning Masters

(106,703.67)

Encumbered Utilities Adjusted

GTA

(51,866.65)

GPA

2,889,474.34

GPA Promissory Note

200,000.00

GWA

(166,820.91)

Pacific Data Systems

(112,371.21)

Total Encumbrances

5,345,897.55

Food & Nutrition Local Subsidy up to September 30, 2009

3,584,864.00

Retirement Pay Requests

1 185,271.20

Military Benefits

2 52,539.42

Salaries & Benefits:

Salaries & Benefits for PPE August 1, 2009

3 5,196,219.08

Salaries & Benefits for PPE August 15, 2009

4 6,159,861.59

Salaries & Benefits for PPE August 29, 2009 thru September 26, 2009 (3 PP remain

5 18,906,664.38

6. Total Salaries & Benefits

30,262,745.05

TOTAL PROJECTED CASH DISBURSEMENTS

40,181,788.03

PROJECTED REMAINING CASH BALANCE

(8,626,371.03)

NOTES:

1. Retirement pay requests were calculated by taking the actual expenditures (\$778,139.03) divided by 21 PPE times the 5 remaining PPE.
2. Military Benefits were calculated by taking the actual expenditures (\$220,665.56) divided by 21 PPE times the 5 remaining PPE.
3. Actual PPE 08/01/09 salaries and benefits.
4. Used the PPE 06/06/09 salaries and benefits since it includes one week of the 21 PP option employees.
5. Used the PPE 05/23/09 salaries and benefits since it includes all PP option employees of \$6,302,221.46
6. Increase in Salaries due to Increments and Reclassification 3,999,750.00
 Increase in Benefits due Retirement of 1.13% 1,332,582.84

**GUAM EDUCATION POLICY BOARD
RESOLUTION NUMBER 2009-09**



Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 8/11/09
Time:
Received by:

Introduced by:

Guam Education Policy Board Members

RELATIVE TO REBUILDING OF JOHN F. KENNEDY HIGH SCHOOL

WHEREAS, the Government of Guam is responsible for the provision of an adequate education as established in the Organic Act of Guam, 48 USCA, § 1421(g)(b); and

WHEREAS, pursuant to Public Law 26-26 the Guam Education Policy Board was established to decide policy issues for the Department of Education; and

WHEREAS, JFK High School was closed on June 9, 2008 by the Health and Safety Task Force; and

WHEREAS, the students of JFK High School were in a double session with GW High School for School Year 2008-2009; and

WHEREAS, the Guam Education Policy Board finds that double session is not a conducive learning environment; and

WHEREAS, JFK High School will be housed at a temporary Tiyan facility for School Year 2009-2010; and

WHEREAS, the students of JFK High School should return to their campus located in Upper Tumon, Tamuning, by the beginning of School Year 2010-2011.

NOW THEREFORE BE IT RESOLVED, the Guam Education Policy Board supports the rebuilding of JFK High School at Upper Tumon, Tamuning; and

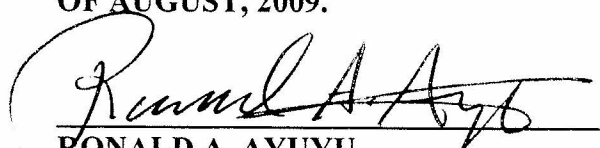
BE IT FURTHER RESOLVED, the Guam Education Policy Board is in support of rebuilding the campus in a timely manner as possible; and

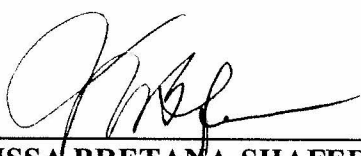
BE IT FURTHER RESOLVED, that the Guam Education Policy Board reaffirms Board Resolution 2008-11 Relative to Supporting the Governor's Option to Provide an Interim John F. Kennedy High School Campus; and

BE IT FURTHER RESOLVED, the Guam Education Policy Board is in support of the lease back, design, demolish and build arrangement pursuant to P.L. 29-114; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Governor of Guam; I Mina Trenta Na Liheslaturan Guahan, Bond Counsel for the transaction and the Administrator of Guam Economic Development Authority; and

BE IT FURTHER RESOLVED, THAT THE GUAM EDUCATION POLICY BOARD DULY AND REGULARLY ADOPTS RESOLUTION NUMBER 2009-09 ON THIS 7th DAY OF AUGUST, 2009.


RONALD A. AYUYU
Acting Chairman


NERISSA BRETANA-SHAFFER, Ph.D.
Executive Secretary