



**DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT**

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

September 25, 2013 *32-13-018*

*Office of the Speaker*

*Hon. Wilson Pat, Ed. D.*

*Date: 9.30.13*

*Time: 10:05 AM*

*Received by: [Signature]*

**MEMORANDUM**

**To: Governor of Guam  
Speaker of the Legislature**

**From: Superintendent of Education**

**RE: Transmittal of Guam Education Board Resolution 2013-07**

Hafa Adai! In compliance with Guam Education Board Policy 700, I am transmitting the attached Guam Education Board Resolution 2013-07 as approved by the board in the GEB September regular meeting conducted on September 24, 2013. The GEB has adopted the GDOE Fiscal Year 2014 Budget Plan as outlined in Resolution 2013-07.

Should you have any questions, please contact me at 300-1547.

Senseramente,

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

cc: Chairman and Members, Guam Education Board

2013 SEP 30 AM 10:26  
*[Signature]*

**GUAM EDUCATION BOARD  
RESOLUTION NUMBER 2013-07**



Introduced by:

Guam Education Board Members

**RELATIVE TO ADOPTING THE SPENDING PRIORITIES FOR  
THE GUAM DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2014**

**WHEREAS**, the Guam Education Board (GEB) used the Every Child is Entitled to an Adequate Education Act to form the basis of the FY 2014 budget; and

**WHEREAS**, on January 31, 2013 (GEB Resolution 2013-01) the Guam Education Board approved and adopted the Guam Department of Education (GDOE) FY2014 budget in the amount of \$283,998,103 and transmitted the budget to *I Mina' Trentai Dos Na Liheslaturan Guåhan*; and

**WHEREAS**, the Governor on August 31, 2013 signed Bill 63-32 enacting Public Law 32-63 appropriating \$1,707,652 to GDOE for the Okkodo High School expansion, to include rental, prorated insurance, maintenance and utilities; and

**WHEREAS**, the \$1,707,652 appropriation for the Okkodo High School Expansion (Public Law 32-63) is due on October 15, 2013 and the funding source is derived from anticipated increases in real property taxes that may not be realized in time for this remittance; and

**WHEREAS**, the Okkodo High School Expansion will be paid on October 15, 2013 regardless of the availability of funds under 32-63. GDOE will reimburse any and all funds the department must utilize to address this expense when the actual funding under P.L. 32-63 is realized in FY2014; and

**WHEREAS**, the Governor on September 11, 2013 signed Bill 1 (4-S) creating Public Law 32-068, the **General Appropriations Act of 2014** appropriating \$223,830,365 to GDOE;

**WHEREAS**, Public Law 32-068 Chapter II appropriates the sum of Two Hundred Nineteen Million Six Hundred Fifty Five Thousand Four Hundred Eleven (\$219,655,411) to the GDOE Operations Fund; and

**WHEREAS**, Public Law 32-068 Chapter XI Section 2(d)(1) appropriates \$2,606,954 to GDOE for salary adjustments of personnel filling full time positions funded in GDOE's FY2014 budget and as recommended in Hay Study Plan pursuant to Section 13 of PL 29-52, and Executive Order 2006-21, or as submitted by the Governor to the Legislature and modified by the Legislature prior to adoption; and

**WHEREAS**, Public Law 32-068 Chapter XII Section 20 amends Public Law 31-233 and adds a new Section 15 appropriating \$1,568,000 from the General Fund for FY2014 CaPFA Insurance and Maintenance Agreement and Maintenance and Capital Replacement Reserve for JFK High School; and

**WHEREAS**, the adopted budget law, PL 32-068, appropriates \$58,460,086 less than what was approved and requested by the Guam Education Board thus impeding GDOE's ability to move off high risk status, to pay prior period expenses and to be in compliance with the Adequate

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Education Act (14 points) such as hiring of certified personnel and providing critical contractual services; and

**WHEREAS**, Public Law 32-068, Chapter II Part I, Sections 3 and 16 directs the Department of Administration to deduct \$5,500 per enrollee for the Guahan Academy Charter School for School Year 2013-2014 resulting in an estimated \$2,750,000 reduction in funds available to GDOE for Personnel and Operations expenses; and

**WHEREAS**, Public Law 32-068 allocates \$350,000 for the renovation, rehabilitation, and/or replacement of the George Washington High School track from within GDOE's total General Fund appropriation; and

**WHEREAS**, Public Law 32-068, Chapter, Chapter II Part Section 17 allocates \$1,081,000 from within GDOE's General Fund appropriation to fund 'Y Kuantan Salappe Principat,' directing the Superintendent to allot each school \$30 per student except for Inarajan, Merizo, Talofof, LB Johnson, BP Carbullido, Chief Brodie Memorial, Harry S. Truman, JQ San Miguel, Marcial A. Sablan, Ordot Chalan Pago elementary schools, JP Torres Alternative and Oceanview Middle schools which shall each be allocated a total of \$15,000; and

**WHEREAS**, Public Law 32-068, Chapter II Part I, Section 12 authorizes the Superintendent to transfer funds from the appropriations within object classes except for Personnel Services; and

**WHEREAS**, pursuant to 17 GCA §3112(17) the Guam Education Board continues to utilize the 14 points of the Every Child is Entitled to an Adequate Education Act as a basis for spending priorities; and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to 17 GCA §3112(17) the Guam Education Board does hereby approve the spending priorities as outlined below:

	MANDATE	AMOUNT
1	A certified teacher for every class in a ratio established by relevant collective bargaining agreements	121,691,175
2	Certified Professional Administrators	8,852,739
3	Certified Guidance Counselors	5,683,762
4	Certified School Health Counselors	3,094,449
5	Certified Allied Health Professionals	463,708
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	0
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	1,950,981
8	A reliable supply of electricity	10,461,888
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	2,673,860
10	Adopted and required textbooks and workbooks issued to each public school student for the classes in which he/she is enrolled	1,500,000
11	Libraries, which meet the standards of the American Association of School Librarians, at each school, operated by certified librarians	3,075,588
12	A healthy, safe, sanitary learning environment	31,518,062
13	At least one hundred eighty (180) instructional days each school year with school years ending no later than thirty (30) days following the end of the calendared school year; and	32,864,153
14	Regular; timely school bus transportation to and from the school	0
<b>TOTAL</b>		<b>223,830,365</b>

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**BE IT FURTHER RESOLVED**, that the Guam Education Board fully supports Public Law 28-45, Section 13 which states:

*"I Liheslaturan Guåhan shall annually appropriate from the General Fund or any other funds determined to be appropriate by I Liheslaturan Guåhan to the Guam Department of Education all amounts necessary to provide an adequate public educational system as required by Section 29(b) of the Organic Act, as amended, and to that end provide an adequate Public Education for all Public School students as those terms are defined in 1 GCA §715."*

**BE IT FURTHER RESOLVED**, that the Guam Education Board hereby directs the Superintendent to utilize the approved spending priority as outlined above in creating individual school and division budgets for FY2014; and to exert transfer authority to meet the needs of the department pursuant to Section 12 of the Public Law 32-068, Chapter II Part I; and


**BE IT FURTHER RESOLVED**, that the Superintendent is directed to determine if a supplemental budget request is necessary to ensure that the schools and divisions have the necessary resources to operate; and


**BE IT FURTHER RESOLVED**, that the Superintendent is directed to work with the Bureau of Budget and the Department of Administration so that funding authorized through PL 32-63 is available for payments required by the Okkodo expansion; and

**BE IT FURTHER RESOLVED**, because the amounts provided to the Guahan Academy Charter School estimated at \$2,750,000 will be deducted from Total above and be unavailable for use by GDOE, that the Superintendent continue to work with the Legislature to explore a funding mechanism for the Charter School that does not adversely impact funding to GDOE; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be transmitted to the Honorable Speaker Judith T. Won Pat, *I Mina' Trentai Dos Na Liheslaturan Guåhan*, the Honorable Senator Vicente C. Pangelinan, Chairman of the 32<sup>nd</sup> Guam Legislative Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, the Honorable Governor Edward Baza Calvo, *I Magá lâhen Guåhan* and all schools.

**DULY AND REGULARLY ADOPTED THIS 24<sup>th</sup> DAY OF SEPTEMBER, 2013.**

  
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**JOSE Q. CRUZ, Ed.D., Chairman**  
Guam Education Board

  
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**JON P. FERNANDEZ**  
Executive Secretary