



**DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT**

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

September 28, 2015

33-15-0904  
Office of the Speaker  
Judith T. Won Pat, Ed.D

Honorable Judith T. Won Pat, Ed. D  
Speaker  
I Mina'trentai tres na Liheslaturan Guahan  
155 Hesler Place  
Hagåtña, GU 96910

Date: 10/5/15  
Time: 11:31am  
Received By: [Signature]

**Re: Relative to Adopting the Spending Priorities for the Guam Department of Education for Fiscal Year 2016**

**Hâfa Adai Speaker Won Pat,**

In compliance with Guam Education Board Policy 700, I am transmitting the attached Guam Education Board Resolution 2015-09 as approved by the board in the GEB September regular meeting conducted on September 24, 2015. The Guam Education Board (GEB) has adopted the GDOE Fiscal Year 2016 Budget Plan as outlined in Resolution 2015-09.

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

Senseramente,

  
**JON J.P. FERNANDEZ**

Attachment

cc: Chairman and Members, Guam Education Board  
Deputy Superintendent, Finance and Administrative Services

2015 OCT -5 PM 2:33

0904

**GUAM EDUCATION BOARD  
RESOLUTION NUMBER 2015-09**



Introduced by:

Guam Education Board Members

**RELATIVE TO ADOPTING THE SPENDING PRIORITIES FOR  
THE GUAM DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2016**

**WHEREAS**, the Guam Education Board (GEB) used the Every Child is Entitled to an Adequate Education Act to form the basis of the FY 2016 budget; and

**WHEREAS**, on January 27, 2015 (GEB Resolution 2015-01) the Guam Education Board approved and adopted the Guam Department of Education (GDOE) FY2016 budget in the amount of \$327,988,389 and transmitted the budget to *I Mina' Trentai Tres Na Liheslaturan Guåhan*; and

**WHEREAS**, Bill 37-33 (COR), AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2016; MAKING OTHER APPROPRIATIONS; ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS lapsed into law on September 5, 2015 as Public Law 33-66; and

**WHEREAS**, Public Law 33-66 appropriates the sum of Two Hundred Thirty-Seven Million, Eight Hundred Fifty-Five Thousand Two Hundred Eighty Two Dollars (\$237,855,282) to the GDOE Operations Fund; and Seventy Five Thousand (\$75,000) in continuing Fiscal Year 2015 supplemental funding to GDOE to support Chamorro Language course syllabi and promote oral and written proficiency, and to establish an electronic directory of the available Service Learning Projects to students and stakeholders; and

**WHEREAS**, Public Law 33-66, appropriates an additional sum of Sixteen Million Three Hundred Twenty Seven Six Hundred Twenty One (\$16,327,621) for debt service and lease payments for John F. Kennedy, Okkodo Expansion, Tiyan high schools and GDOE Central Offices, inclusive of annual maintenance and insurance; and further authorizes separate funding (potentially \$13M) to GDOE, to be derived from unexpended debt service payments resulting from the refunding of the Government of Guam 2007 Series A General Obligation and 2009 Series A bonds, to address outstanding GDOE vendor payments; and

**WHEREAS**, Public Law 33-66, Chapter II Part I, Section 2 directs the Department of Administration to deduct \$5,500 per enrollee for School Year 2015-2016, not to exceed 600 students for the Guahan Academy Charter School, and 450 students for the *iLearn* Academy Charter School, from within GDOE's Fiscal Year 2016 appropriations; and

**WHEREAS**, Public Law 33-66, Chapter II Section 5 allocates \$1,081,000 from within GDOE's Operations Fund appropriation to fund '*Y Kuantan Salappe Principat*,' directing the Superintendent to allot each school \$30 per student except for Inarajan, Merizo, Talofoto, 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 33-66 appropriates \$86 million less than what was approved and requested (less JFK and OHS annual maintenance and insurance) by the Guam Education Board thus

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impeding GDOE's ability to move off high risk status, to pay prior period expenses and to be in compliance with the Adequate Education Act (14 points) such as hiring of certified personnel and providing critical contractual services; and

**WHEREAS**, the GEB is concerned about the shortfall in collections in the Territorial Education Facilities Fund (TEFF) and how the resultant \$5.2 million (estimated) cash shortage in GDOE's Fiscal Year 2015 appropriations will once again, impact and hamper GDOE's upcoming Fiscal Year 2016 operations, as it has previously with prior year cash shortages in FY2014 (\$5M) and FY2013 (\$8.3) in GDOE's TEFF appropriations; and

**WHEREAS**, the GEB has determined the total cost in continuing operations for Fiscal Year 2016 amounts to \$250.8M, about \$12.9M more than what has been appropriated to GDOE; and

**WHEREAS**, Public Law 33-66, Chapter II Part I, Section 14 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	\$112,817,653
2	Certified Professional Administrators	\$11,135,309
3	Certified Guidance Counselors	\$5,851,280
4	Certified School Health Counselors	\$3,491,704
5	Certified Allied Health Professionals	\$550,258
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	\$4,041,600
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	\$2,885,127
8	A reliable supply of electricity	\$15,415,474
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	\$3,108,941
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	\$3,631,641
12	A healthy, safe, sanitary learning environment	\$37,326,056
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	\$35,455,940
14	Regular; timely school bus transportation to and from the school	\$644,299
<b>TOTAL</b>		<b>\$237,855,282</b>

**BE IT FURTHER RESOLVED**, that Board adopts the following FY16 spending priorities:

- Recruit personnel to address high-risk status
- Fill school-based vacant positions

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- Redirect funding sources to support the Division of Maintenance and Facilities to address health and safety matters as documented by the schools

**BE IT FURTHER RESOLVED**, that, unless fully funded and a funding source is guaranteed, GDOE will not commit to support additional initiatives that will cost the department additional funds using its own current operational budget; and

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

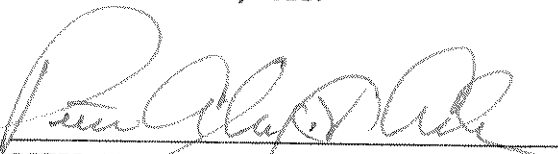
*"I Liheslaturan Guåhan shall annually appropriate from the General Fund or any other funds determined to be appropriate by I Liheslaturan Guåhan to the Guam Department of Education all amounts necessary to provide an adequate public educational system as required by Section 29(b) of the Organic Act, 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 FY2016; and to exert transfer authority to meet the needs of the department pursuant to Section 14 of the Public Law 33-66, 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 a copy of this Resolution be transmitted to the Honorable Speaker Judith T. Won Pat, *I Mina' Trentai Tres Na Liheslaturan Guåhan*, the Honorable Vice-Speaker Benjamin Cruz, Chairman of the 33<sup>rd</sup> Guam Legislative Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, the Honorable Governor Edward Baza Calvo, *I Magá lãhen Guåhan* and all schools.

**DULY AND REGULARLY ADOPTED THIS 24<sup>th</sup> DAY OF SEPTEMBER, 2015.**

  
PETER ALEXIS D. ADA, Chairman  
Guam Education Board

  
JON J. P. FERNANDEZ  
Executive Secretary