

# DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT

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JON J.P. FERNANDEZ Superintendent of Education

October 16, 2015

The Honorable Eddie Baza Calvo Governor of Guam Ricardo J. Bordallo Governor's Complex Adelup, Guam 96910

Honorable Judith T. Won Pat, Ed.D. Speaker Thirty-third Guam Legislature Hagåtña, Guam 96932

## Dear Governor Calvo and Speaker Won Pat:

**Håfa Adail** Pursuant to Public Law 31-233, Section 38, *Reporting Requirements* for Boards and Commissions, attached are electronic copies of the Guam Education Board's meeting agenda, approved minutes and other documents as discussed at the September 24, 2015 regular monthly meeting. The meeting was held at John F. Kennedy High School, Media Center.

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

Senseramente,

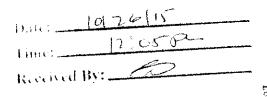
JON J.P. FERNANDEZ Superintendent of Education

Attachment

- E-Copies of GEB Meeting Packet
- cc: GEB Members Deputy Supt., FAS File

0991

33-15-0991 Office of the Speaker Judith T. Won Pat. Ed.D





PETER ALECXIS D. ADA Chairman

## **GUAM EDUCATION BOARD**

500 Mariner Avenue Barrigada, Guam 96913-1608 Telephone Number: (671) 300-1627 Facsimile Number: (671) 472-5001 Website Address: <u>www.gdoe.net/geb</u>



Vice-Chairperson

## Guam Education Board REGULAR MONTHLY MEETING

Thursday, September 24, 2015

6 PM

John F. Kennedy High School, Media Center

## AGENDA

- I. Meeting Call to Order
- II. Roll Call of Members
- III. Public Participation

## IV. Approval of Minutes

- 1) Minutes of August 25, 2015 Regular Board Meeting
- 2) Minutes of September 2, 2015 Special Meeting

#### V. Receipt of Communication and Reports

- 1) Superintendent's Report and Communication
- 2) Head Start Program Director's Report

#### VI. Unfinished Business

- 1) Board Policy 405/430/411
- 2) NASBE 2014 Stipend
- 3) Board Policy 705

#### VII. New Business

- 1) Pre AP Courses
- 2) FY 2016 Spending Plan
- 3) Special Committee for Superintendent's contract review
- 4) GEB Legal Counsel (Special Committee)
- 5) Board Policy 125.3
- 6) Committee Reports

i.

- a) Executive Committee
  - September 12, 2015 Board Retreat
- b) Instructional and Academic Support Committee
- c) Safe and Healthy Schools Committee
- d) Organizational Efficiency and Development Committee
- e) Accreditation Subcommittee
- f) Budget & Finance Subcommittee
- 7) IBOGS Report
- 8) GFT Report
- 9) Mayor's Council Report

#### VIII. Executive Session

IX. Announcements and Adjournment

#### VOTING MEMBERS

Peter Alecxis D. Ada, Chair Lourdes San Nicolas, Vice-Chair Lourdes M. Benavente Kenneth P. Chargualaf Charlene D. Concepcion Jose Q. Cruz, Ed. D. Maria A. Gutierrez Rosle R. Tainatongo Ryan F. Torres

#### **EX-OFFICIO MEMBERS**

Austin Grant (GWHS) IBOGS Representative

Audrey Perez (SSHS) GFT Representative

Mayor, Rudy M. Matanane MCOG Representative

#### EXECUTIVE SECRETARY

Jon J. P. Fernandez GDOE Superintendent

# Tourist in critical condition; GFD responds to Yona fire

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By John O'Connor iohn@postgaam.com

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A woman is in critical condition at Guam Memorial Hospital after nearly drowning yesterday in Tumon. The woman is a 55-year-old tourist. according to GMH public informa-GALLY tion officer June Perez. The woman was brought into the hospital's emergency soom around 10.50 a.m. and underwent treatment. She is on life support. The woman's family had. identified her and was at the hospital being assisted by a botel translator. Perez said

GuamFire Department spokesman



the near drowning by Nana's Cafe in was occupied at the time by two. Wednesday around 5.44 p.m.

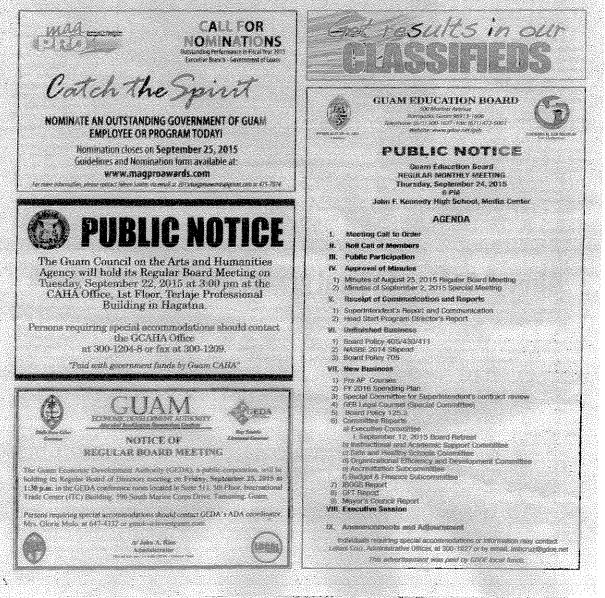
10.18 am yesterday. The victim was on shore at the time of call. Reilly said throughout. she was found breathing but unconscious.

Fire had occurred in a single

Turnon at approximately residents. Reliev said fire damage was confined to the bedroom but the home suffered smoke damage

Relify said residents were treated by medical personnel but refused transport to a medical facility. Relify In a separate incident said Assistant Pre Chief Joey Manijust 30 minutes earlier, busan confirmed the cause of the lirelighters responded to lire to be an overheated power plug.

on rulantal Road in Yona. confirmed that the cause of a fire The fire was reported along Price Road in Manglac was around 9:35 a.m. and a kitchen exhaust favoured Fire. GFD units responded to reports Kevin Relly said onits responded to story concrete home. The home of the structure fire in Mangilao on





### PETER ALECXIS D. ADA Chairman

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LOURDES B. SAN NICOLAS Vice-Chairperson

## REGULAR MONTHLY MEETING Thursday, September 24, 2015 6 PM John F. Kennedy High School, Media Center

## MINUTES

## I. MEETING CALL TO ORDER

Mr. Peter Alecxis D. Ada, Chairman, called the meeting to order at 6:00 PM.

## II. ROLL CALL OF MEMBERS

Mr. Jon J. P. Fernandez, Superintendent and Executive Secretary, took the roll call. The following members were **present** for the meeting:

## Voting Members:

Ada, Peter Alecxis D. - Chairman San Nicolas, Lourdes B.- Vice-Chairperson Chargualaf, Kenneth P. Cruz, Dr. Jose Q. Gutierrez, Maria A. Tainatongo, Rosie R. Torres, Ryan F.

## Non-Voting Members:

Matanane, Rudy M. - Yigo Mayor and MCOG education liaison Perez, Audrey (SSHS) - GFT Representative \* Grant, Austin (GWHS) – IBOGS Representative

## Absent:

Benavente, Lourdes M. - Member Concepcion, Charlene D. - Member

\*Arrived after roll call

The GDOE legal counsel, Mr. Jesse N. Nasis was present for the meeting.

The Superintendent announced that there is a quorum. (By law, five voting members constitute a quorum. Seven (7) voting members were present for this meeting.)

## III. Public Participation-

Stasia Borja, Chair for Guam Head Start Policy Council, Jill Acda, Vice Chair and Trudencia Escalona, Secretary, provided an update on the Council's activities and presented a video for the Board's information.

Chairman Ada asked IBOGS Vice Chair Austin Grant to recognize the IBOGS members that were present for the board meeting: Chair Ermin Samelo (SSHS), Member Ethan Camacho (THS), and Member Abigail Suarez (SSHS). Mr. Ada officially informed the IBOGS members that they are going to participate in the Schools and Facilities Committee.

Darlene and Paul Stremmelaar, Parents, provided testimony on their child's out-ofdistrict last school year. The Stremmelaar's expressed their disappointment in the Superintendent and Guam Education Board for failing to act on recommendations to amend the out-of-district policy. The Chairman apologized on behalf of the GEB and promised to review and respond.

Abigail Suarez, IBOGS Representative, testified in support of amendment BP 705-Food and Nutrition policy.

## IV. Approval of Minutes

1) Minutes of August 25, 2015 Regular Board Meeting

Ms. San Nicolas requested on page 4, 5<sup>th</sup> paragraph on line 2, the word "not" needs to be inserted in between "he" and "had". She also pointed out that Superintendent indicated on the same page and paragraph that "he looks forward to the boards ideas for how to address the situation" and recommended to Chairman Ada to appoint a special committee to look into this matter and provide a written response to Mr. Derrick Santos, Principal at AsTumbo Elementary School, as well as the stakeholders who were present to support the proposal.

Mr. Chargualaf mentioned that on page 8, line 338-351, at the last board meeting, he requested a legal opinion be rendered on the Superintendent's report and whether or not the board chair has the unilateral authority to omit official published agenda items without the collective action on the board.

Chairman Ada responded that he thought he emailed the response from the Legal counsel, James Stake. If not, he will forward the email to the board by tomorrow. Further, he mentioned that there are quite a few emails from the legal counsel, but it is all in general and not specific.

Mr. Chargualaf requested on page 9, line 384, the word "move" needs to be inserted in between "can" and "those" and on page 11, line 496, it should read: "evaluate" instead of "elevate".

Ms. San Nicolas requested on page 15 to add, "Will have enough" in between "we" and "money".

Mr. Chargualaf requested on page 15, line 710, and should read, "Federal statues" instead of "federally statues".

Ms. San Nicolas requested on page 13, line 574, to change "their" to "they are", on line 586, and should read, "They are now" instead of "there now", and on line 612, should read "members" instead of "names".

Mrs. Gutierrez moved, subject to corrections, seconded by Mrs. Tainatongo, to approve the Minutes of August 25, 2015, Regular Board Meeting. The Board voted by voice and approved the motion with a vote of 7 - 0.

2) Minutes of September 2, 2015 Special Meeting

Mrs. Gutierrez moved subject to corrections, seconded by Dr. Cruz, to approve the Minutes of September 2, 2015, Special Meeting. The Board voted by voice and approved the motion with a vote of 7 - 0.

## V. Receipt of Communication and Reports

1) Superintendent's Report and Communication

In addition to his written report to the Board, the Superintendent provided the highlights of his report of September 2015. Superintendent Fernandez announced that negotiations has commenced once more with the Guam Federation of Teachers (GFT). He will provide the board more information regarding collective bargaining at the Executive Session.

**Re-opening of J.P. Alternative Education**- The superintendent wanted to ensure that the board received their invitation to the re-opening of J.P. Torres Alternative School that will be held on Monday, September 28, 2015, from 8 am to 10 am.

**too million RFP-** Is to fund school renovations and repairs. The legislation identified Simon Sanchez High School first priority. The RFP is still out for potential bidders to review and submit their proposals. GDOE is working closely with DPW, and DPW will shortly specify the timeframe to complete the work on the RFP.

**Secure our schools**- The superintendent mentioned that GSA again is the lead procurement agency. Deputy Superintendent Christopher Anderson has taken this challenge on to work closely to push this procurement to the end and, based on the latest discussions, they visited all the school sites and looked closely at the specks and looking into the finally stage of the procurement process with GSA. He is hoping that October will be the month they can complete the work of the security systems into our schools. Further, he mentioned that more details will come as we complete that procurement.

**5 Million**- The superintendent reported that Deputy Superintendent Taling Taitano is working closely with our partner, Department of Interior, to get started on the work to invest 5 million dollars over the next 5 years in our school facilities to help address the priority health and safety issue.

**Renaming of the school facilities**- The superintendent mentioned that occasionally the board receives suggestions for re-naming of school facilities or parts of school facilities. Last year, the board decided to update our school board policy not the renaming of schools and to complete an SOP to start the process. He requested the board's agreement to work with the Mayors' Council to determine whether there other outstanding requests that over the years have been brought to the board's attention. What the SOP requires is that the Superintendent appoints a committee at the relevant schools to review the request and make a recommendation to the board. Further, he mentioned that a letter would be going out to the Mayors' Council to engage them in the process and to board members to outline and remind the board of what the process entails.

**GDOE Vendors**- The superintendent spoke about the issues related to be able to pay vendors. This has arisen over the past couple of fiscal years, due to the shorts fall on TEFF funds for 13 million over the 2 fiscal years and is short again this year. This results in a 6 to 8 million-dollar lag in accounts payable that the Department has struggling to address. He mentioned to board that the Department is working closely with the vendors to ensure that they are aware of the situation and to negotiate ways to keep services going. Further, he mentioned that there is legislation that Senator Underwood introduced to the legislature to provide 500 thousand dollars to help address the vendor payment gap.

**FY 2015 Consolidated Grant-** The superintendent stated that GDOE would be sending an application to the US Department of Education soon. He mentioned that the challenge has been that within the program office that oversees the consolidated grants, there has been a significant turn over in staff as well as an effort to streamline and make the process more on electronic versus handing in a hardcopy version. He continued on to explain that using the grants.gov website they were supposed to able to upload the consolidated grant earlier this month, but due to some of the glitches that transition that has not been possible. GDOE is working diligently and closely with a with the third party, USDOE Risk management office and the program office to determine when GDOE will be able to submit the grant in order to ensure that we have funding to continue our programs and services beyond the end of this calendar year.

**USDOE Risk Management Service**- The superintendent mentioned that USDOE would be visiting in early November to review our progress on our transition plan.

**District Accreditation WASC**- The superintendent reported that they met with Dr. Marilyn George and the Executive Director Dr. Fred Van Leuven who visited with the board. He mentioned that the GDOE staff continues to work to complete the District Accreditation.

**IBOGS Representatives-** The superintendent mentioned that a meeting (informal) will be scheduled with the board and (12) IBOGS Representatives. By that time, their task developing a list of priorities items that they would like to address with the board over the coming years so they cannot only utilize the process that the board engages in to address policy that affects them, but also to be aware of how

the board interacts and to be able to understand on how they can participate and generate solutions on problems that their raising.

Superintendent Fernandez mentioned that on a monthly basis he added a section for the Mayors' Council, GFT and IBOGs and stated that this would be standing item on the agenda if there is something that they would like to report and have it reflected on the minutes as a contribution from our ex-officio members.

Superintendent Fernandez announced that it would be the  $3^{rd}$  Annual Guam Department of Education 2k/5k Fun Run held on Saturday, September 26, 2015, 6 am at our Tiyan headquarters.

## Questions and concerns raised by the Board members (Dr. Cruz, Mrs. Gutierrez, Chairman Ada, Mrs. Tainatongo, and Mr. Chargualaf), with regard to the Superintendent's report, include but not limited to the following:

On page 5, Dr. Cruz asked why the SAT Aspire and SBA Reports are being embargoed. Superintendent Fernandez responded that it is being embargo because they want to do a couple of things before public release and to ensure that upper management, the board, and the principals were briefed. That is expected to happen next week Thursday.

Mrs. Gutierrez mentioned that board member, Lourdes Benavente, is not able to connect through Skype but is listening via telephone.

Superintendent Fernandez mentioned to the board that this was not ready for distribution with the Superintendent's report, but they did have a completed packet that was submitted for "Above Step Recruitment" for Speech and Language pathologist.

Mrs. Gutierrez mentioned about the board union contract. She wanted to emphasize the importance because the contract for teachers is not yet completed. She is requesting to send a reminder out to all school administrators that there should be no "climate of fear" on the teachers and support staff. It has brought to her attention that there is a climate of fear and teachers are being told that there is no contract.

Chairman Ada asked Mayor Matanane if there is a legislation that authorizes the mayors' council to mow the lawns of the schools. Mayor Matanane responded that he does not know, but they are responsible to do the contract.

Chairman Ada requested from Deputy Superintendent Taling Taltano to ask the principals if the mayors are mowing their lawns. He commented that it is not the mayor's fault. If they do not have the funding, then what can they do without the intent of this board to pass a resolution requesting the legislature to give them more money.

Mayor Matanane stated that the vendors in Yigo do more than what they get paid for.

Mrs. Tainatongo's mentioned that there is a budget law that provides the Mayors' Council funding to cut the lawn in all the schools.

Mr. Chargualaf mentioned that the Superintendent made report regarding J.P. Alternative Education. He is requesting to meet to be briefed on the restructuring the J.P. Torres Alternative Education different from current structure.

Mr. Chargualaf questioned the tables on page 3 with regard to "Dropouts" and Total completers." He requested to provide more clarity on these data indicators in another setting from Dr. Zeni so she can provide the board some guidance on how to interpret the data. Superintendent Fernandez responded that would an excellent topic for the next work session. He mentioned that Dr. Zeni is in communication and participating with the National Center for Education Statistics (NCES), so she is also aware of what is happening in terms of reporting data. GDOE's effort and challenging it is to ensure that we are reporting accurate useful data to describe what is happening to our students.

Dr. Cruz questioned that though he sees the data on the annual dropout rate, he does not see any reporting on our success. 1) He asked what the requirements are for NCES 2) What are we doing about the annual dropout and what is the outside of the alternative education and are there programs. 3) He asked about the report for Early Childhood. 4) Where is the SOP.?

Superintendent Fernandez responded that they are working on the data. He mentioned that the new SBA and ACT Aspire would impact the school performance report cards. Further, he mentioned that Pre-K is scheduled to start on Thursday, October 15, 2015.

2) Head Start Program Director's Report

Mrs. Schroeder was absent for the meeting.

## VI. Unfinished Business

1) Board Policy 405/430/411

Mrs. Gutierrez thanked Christopher Anderson, Joe Sanchez and their staff for participating in the work sessions.

Mrs. Gutierrez made a motion to approve Board Policy 405- Student Suspension/Expulsion, 430- Smoking and Possession of Tobacco Products, and 411- Attendance and Grading.

Deputy Superintendent Christopher Anderson explained that some main changes on the policy were primarily striking out language in the policy that is addressed in the standing operating procedure titled. "Student conduct procedural manual –SOP 1200-018." He further explained that the operating procedure identifies most of the language that is already in Board Policy 405. Some of the changes to the policy were in relation to the issue of jurisdiction. The big issue was whether the schools could take action for student conduct that happen out of school campus.

Dr. Cruz commented that he appreciates SOP 1200-018. He also questioned if the procedure that standardizes how schools refer students for behavioral incidences and administer interventions/consequences are in the SOP. Christopher Anderson, answered yes, it is in the SOP. Dr. Cruz asked further on page 2, v., letter b, is in the SOP and what the most serious behaviors are and if the interventions are not working. Christopher Anderson answered yes, it is in the SOP and the SOP identifies what those criminal offenses are such as fighting, drugs, alcohol consumptions, intoxication etc. It does provide a schedule of consequences that School Administrators are supposed to apply based on the frequency the number of times a student was found guilty.

Chairman Ada commented that any time a child is remanded to the Department of Youth Affairs and completed their assessment they are put to class.

Dr. Cruz asked what the specific amendments from the old board policy are and where is the SOP 1200-018. Chairman Ada commented to Dr. Cruz that he physically present at the work sessions and that he is out of order.

Mrs. Gutierrez moved, seconded by Mrs. San Nicolas, to approve Board Policy 405. The Board voted 6-1 in favor of the motion (Accept: P. Ada, K. Chargualaf, M. Gutierrez, L. San Nicolas, R. Tainatongo, and R. Torres; Oppose: Dr. Cruz)

Board Policy 430- Smoking and Possession of Tobacco Products

Mrs. Gutierrez reported that they had several work session on Board Policy 430, with the assistance of Christopher Anderson and his staff.

Deputy Superintendent Christopher Anderson explained that there was not much change to the policy aside from making reference specifically the schedule on consequences being reference in the student conduct procedures.

Mrs. Gutierrez made a motion to approve Board Policy 430- Smoking and Possession of Tobacco Products.

Mrs. Gutierrez moved, seconded by Mrs. San Nicolas, to approve Board Policy 430. The Board voted 6-1 in favor of the motion (Accept: P. Ada, K. Chargualaf, M. Gutierrez, L. San Nicolas, R. Tainatongo, and R. Torres; Oppose: Dr. Cruz)

Board Policy 411- Attendance and Grading

Mrs. Gutierrez reported that the committee met several times on Board Policy 411- Attendance and Grading.

Deputy Superintendent Joe Sanchez explained that the proposal is to simply move that particular section regarding grading to the 300 series and that would be Board Policy 350- Uniform grading and Credit System.

Mrs. Gutierrez moved to take section b in Board Policy 411 related to grading in the high schools and move it in its entirety to Board Policy 350 relative to uniform grading and credit system. This movement will not affect any change in the current implementation of its components in the school. It has simply to move to the appropriate policy in the 300 series as it relates to instruction.

Mrs. Gutierrez moved, seconded by Mrs. San Nicolas, to approve Board Policy 411. The Board voted 7-0 in favor of the motion (Accept: P. Ada, K. Chargualaf, Dr. Cruz, M. Gutierrez, L. San Nicolas, R. Tainatongo, and R. Torres)

2) NASBE 2014 Stipend

Mrs. Gutierrez reported that in April 2014 NASBE awarded a grant to the GEB at the amount of \$ 3500. The New GEB website was shown to the board members as well as the audience.

Mrs. Gutierrez reported that with the assistance of two GDOE employees, Ms. Jessica Fejeran, Assistant Principal at Simon Sanchez High School and Ms. Leilani Cruz, Administrative Officer at GEB Office, they worked after working hours to re-create the new GEB website.

Mrs. Gutierrez made a motion to approve the stipend to compensate Jessica Fejeran and Leilani Cruz \$1500 and the remaining \$500 will continue to maintain the website.

Mrs. Gutierrez moved, seconded by Mrs. Tainatongo, to approve the two employees who participated in the preparation of the GEB website through the grant. No objection. The Board voted by voice and approved the motion with a vote of 7 - 0.

3) Board Policy 705

Superintendent Fernandez reported that last year GDOE addressed Board Policy 705 in the context of Gupot Chamorro and some of the end of the year activities. In this instance, the Superintendent asked for more flexibility regarding the policy and its nutritional requirements. He proposed limiting the requirements to the school day.

Mr. Chargualaf made a motion to approve Board Policy 705 as presented.

Mr. Chargualaf moved, seconded by Mrs. Gutierrez, to approve Board Policy 705 as presented. No objection. The Board voted by a show of hands and approved the motion with a vote of 7 - 0.

#### VII. New Business

1) Pre AP Courses

Mrs. Gutierrez reported that the board had a work session on Friday, September 11, 2015. She was impressed with the presentation, the document they submitted, and team work between the teachers and administrator.

Mrs. Gutierrez made a motion to approve the Pre AP Courses for Oceanview Middle School.

Ms. San Nicolas commented that although she was not able to attend the work session, she had the opportunity to discuss the proposal with the principal. She commended the principal and the teachers for initiating the Pre AP Courses. It disciplines the minds of the middle school students to prepare them when they get to high school. We really want to encourage them to take the AP Courses and dual enrollment.

Dr. Cruz commended the Algebra and Science courses.

Mrs. Gutierrez moved, seconded by Mr. Chargualaf, to approve Pre AP English, Social Studies, and Algebra Courses at Oceanview Middle School. No objection. The Board voted by show of hands and approved the motion with a vote of 7 - 0.

2) FY 2016 Spending Plan

Mr. Torres reported that budget and finance committee held three meetings to discuss the Departments spending priorities for FY 2016. The committee determined that there continued to be a shortfall in resources for the department's operations. The proposed spending plan represents the committee's proposal for allocating the FY 16 budget.

Mr. Torres made a motion to approve the Resolution of adopting the spending priority for Guam Department of Education Fiscal Year 2016.

Mr. Torres moved, seconded by Dr. Cruz, to approve Resolution 2015-09. No objection. The Board voted by voice and approved the motion with a vote of 7 - 0.

3) Special Committee for Superintendent's contract review

Chairman Ada appointed Vice Chair San Nicolas, Mrs. Gutierrez, Mrs. Taínatongo, and Mr. Torres to the Special Committee.

The Board voted by voice and approved the appointment of the Superintendent's Special Committee. The vote was 7 – 0.

4) GEB Legal Counsel (Special Committee)-

The Chairman appointed Ms. San Nicolas, Mrs. Gutierrez, Mr. Chargualaf and Dr. Cruz to join the special committee for the review of the GEB Legal Counsel.

# The Board voted by voice and approved the appointment of GEB Legal Counsel Special Committee. The vote was 7 – 0.

5) Board Policy 125.3

This board policy relative to submission of the board packet.

#### 6) Committee Reports

- a) Executive Committee
  - i. September 12, 2015 Board Retreat-

Vice Chair summarized the board's retreat and its outcomes.

- b) Instructional and Academic Support Committee
- c) Safe and Healthy Schools Committee
- d) Organizational Efficiency and Development Committee
- e) Accreditation Subcommittee
- f) Budget & Finance Subcommittee
- 7) IBOGS Report-

Vice Chair Austin Grant provided testimony to GEB on IBOGS priorities.

- 8) GFT Report
- 9) Mayor's Council Report-

Chairman announced that they will recess and head into executive session.

## VIII. Executive Session -

The Board session is back to order at 8:42 pm

## IX. Announcements and Adjournment-

Mrs. Tainatongo moved to adjourn the meeting at 8:43 pm.

MINUTES SUBMITTED BY:

Date: 101415

LEILANI M. B. CRUZ Administrative Officer

MINUTES OF September 24, 2015 REGULAR MEETING:

- () Approved as submitted
- () Approved subject to corrections (Ref: GEB Regular Board weeting on October 12,2015 at C.L. Taitero) () Other:

and PETER ALECXIS D. ADA GEB Chairman – Date:

JONJ. P. FERNANDEZ

Executive Secretary/GDOE Superintendent

10/19/15 Date: