# DEPARTMENT OF EDUCATION
## OFFICE OF THE SUPERINTENDENT

www.gdoe.net
500 Mariner Avenue
Barrigada, Guam 96913
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**JON J. P. FERNANDEZ**
Superintendent of Education


April 1, 2017

GLH 34-17-365
Speaker Benjamin J.F. Cruz

APR 06 2017
Time: 2:23 [ ] AM [ ] PM File No.
Received By:

2017 APR -6 PM 3:02

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

Honorable Benjamin J. F. Cruz
Speaker
Thirty-fourth Guam Legislature
Hagåtña, Guam 96932

**Dear Governor Calvo and Speaker Cruz:**

***Håfa Adai!*** 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 January 31, 2017 regular Board meeting. The meeting was held at Wettengel Elementary School, Cafeteria.

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

0365

# GUAM EDUCATION BOARD

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

PETER ALECXIS D. ADA
Chairman

MARIA A. GUTIERREZ
Vice Chair


**VOTING MEMBERS**

Peter Alecxis D. Ada, Chairman
Maria A. Gutierrez, Vice Chair
Lourdes M. Benavente
James C. Lujan
Ron L. McNinch, PhD
Mark B. Mendiola
Lourdes B. San Nicolas

**EX-OFFICIO MEMBERS**

(Vacant)
IBOGS Representative

Franklin R. Perez (AIJMS)
GFT Representative

Mayor, Rudy M. Matanane
MCOG Representative

**EXECUTIVE SECRETARY**

Joseph L. M. Sanchez
Acting, GDOE Superintendent

**8th Guam Education Board**
**REGULAR MONTHLY MEETING**
**Tuesday, January 31, 2017**
**6 PM**
**Wettengel Elementary School, Cafeteria**

## AGENDA

I. **Meeting Call to Order**

II. **Roll Call of Members**

III. **Public Participation**

IV. **Approval of Minutes**

1) Minutes on December 27, 2016 Regular Board meeting
2) Minutes on January 3, 2017 Special meeting
3) Minutes on January 17, 2017 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) Code of Ethics
2) Proposed Revision BP 409- Prevention and Intervention Against Harassment, Intimidation or Bullying, Cyberbullying, Sexting, and Sexual Harassment
3) Transgender Access to Facilities

VII. **New Business**

1) GEB response to Declaration of Financial Status Designation September, October, and November 2016
2) Expansion of the Vocational Education programs
3) Renaming of a few school on island within the Guam Public School System
4) NASBE's 2017 Governmental Affairs Committee Meeting
5) Committee Reports

a) Executive Committee

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

6) IBOGS Report

7) GFT Report

8) Mayor's Council Report

**VIII. Executive Session**

**IX. Announcements and Adjournment**

GUAM VISITORS BUREAU

## Public Notice Announcement

The Guam Visitors Bureau will hold its Regular Meeting of the Board of Directors on **Thursday, January 26, 2017 at 3:30 p.m. in GVB's Main Conference Room**. Any individuals needing special accommodations are requested to contact GVB at 646-5278 for assistance.

This ad was paid for by the GVB Membership Fund

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## PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

**IN THE KITCHEN, INC.**
**dba: KITCHEN LINGO**

has applied for a Class: 4 General On Sale Alcoholic Beverage License said premises being marked as Lot: 7, Blk2, #153 Martyr St., Unit 102 A Cruz Bldg., Hagatna.

## GUAM EDUCATION BOARD

PETER ALEXIS D. ADA
Chairwoman

*500 Mariner Avenue*
*Barrigada, Guam 96913-1608*
*Telephone: (671) 300-1627 • Fax: (671) 472-5001*
*Website: www.gdoe.net/geb*

MARIA A. GUTIERREZ
Vice-Chairperson

## PUBLIC NOTICE

**8th Guam Education Board**
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8) Mayor's Council Report
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**IX. Announcements and Adjournment**

Individuals requiring special accommodations or information may contact Leilani Cruz, Administrative Officer at 300-1627 or by email: lmbcruz@gdoe.net.

This advertisement was paid by GDOE local funds.

The Honorable
EDDIE B. CALVO
Governor

The Honorable
RAY TENORIO
Lt. Governor

## PUBLIC NOTICE

The Board of Directors of the **A.B. Won Pat International Airport Authority, Guam (GIAA)** will convene its Regular Board meeting on **Thursday, January 26, 2017 at 3:00 p.m** in Terminal Conference Room No. 3. In addition to regular matters, pursuant to 5 G.C.A. §8111(c)(2), Executive Session will be held to discuss pending litigation to which GIAA is a party. Parking is available in the Public Parking Lot.

For special accommodations or agenda items, please call the Board Office at 642-4717/18.
(This ad paid for by GIAA)

## GWDB PUBLIC NOTICE

GUAM WORKFORCE DEVELOPMENT BOARD

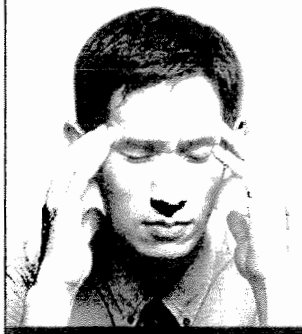
The Guam Workforce Development Board (GWDB) will be holding a General Membership Meeting on **Thursday, January 26, 2017** at **4:00 p.m.** at the GDOL Conference Room, located at 414 West Soledad Avenue, 3rd floor, GCIC Bldg. in Hagåtña.

*Individuals requiring special accommodations or for additional information, please contact Joleen Santos at (671) 475-7074/7044 or email joleen.santos@dol.guam.gov*

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## REMINDER NOTICE

# EPCRA TIER II REPORTING YEAR 2016

REPORT SUBMITTAL IS **DUE ON OR BEFORE**

# MARCH 1, 2017

**Facilities on Guam who need to report information for the EPCRA TIER II requirments must submit an electronic version of their report to the Guam Environmental Protection Agency (Guam EPA).**

**For more information on submitting Tier II reports to the Guam EPA, please contact Edwin Aranza (671.300.4797 or email edwin.aranza@epa.guam.gov) or Galo Baluran (671.300.7873 or email galo.baluran@epa.guam.gov)**

**Sincerely,**

**/s/ WALTER S. LEON GUERRERO**
**Guam Environmental Protection Agency Administrator**

GUAM ENVIRONMENTAL PROTECTION AGENCY 1973

AN OFFICIAL PUBLICATION OF THE GUAM ENVIRONMENTAL PROTECTION AGENCY INTENDED TO INCREASE ENVIRONMENTAL AWARENESS. GUAM EPA IS AUTHORIZED BY GUAM LAW TO ENFORCE RULES AND REGULATIONS DEALING WITH THE ENVIRONMENT

*THIS ADVERTISEMENT WAS PAID FOR WITH FEDERAL FUNDS.*

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## REGULAR MONTHLY MEETING
## Tuesday, January 31, 2017
## 6 pm
## Wettengel Elementary School, Cafeteria

Chairman Ada recognized the Speaker of the 34th Guam Legislature, the Honorable Benjamin J. ("BJ") Cruz and former Chairman of the Guam Education Board, now Senator of the 34th Guam Legislature, the Honorable Joe San Agustin, who is also Chairperson for the Committee on Education, Finance and Taxation.

**MINUTES**

**I. MEETING CALL TO ORDER**

Mr. Peter Alecxis D. Ada, Chairman, called the meeting to order at 6:05 p.m.

**II. ROLL CALL OF MEMBERS**

Mr. Joseph L.M. Sanchez, Acting Superintendent and Executive Secretary, took the roll call. The following members were **present** for the meeting:

***Voting Members:***
Ada, Peter Alecxis D. -Chairman
Gutierrez, Maria A.- Vice Chair
Benavente, Lourdes M.
Lujan, James C.
McNinch, Dr. Ron L.
Mendiola, Mark B.
San Nicolas, Lourdes B.

***Non-Voting Members:***
Perez, Franklin R. (AIJMS) - GFT Representative

***Absent:***
Matanane, Rudy M. - Yigo Mayor and MCOG education liaison- Excused
IBOGS Representative - Vacant

The GEB Legal Counsel, Frank Gumataotao was present for the meeting.

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

## III. Public Participation

The Board presented certificates of recognition to the second quarter sports champions: AsTumbo Middle School Girls (volleyball), FB Leon Guerrero Middle School Boys (soccer), Jose Rios Middle School girls (rugby), Vicente Benavente Middle School boys (rugby), John F. Kennedy High School boys (soccer), Okkodo High School girls (basketball), and Simon Sanchez High School girls (wrestling).

The Board recognized the American Heart Association for its $20,000 donation of CPR supplies. Ms. Kathy Young, Vice President of Youth Marketing, represented the Association and said a few words.

Vice Chair read Resolution 2017-03 recognizing and commending the American Heart Association (AHA)-Youth Market for their donation to the Guam Department of Education.

## IV. Approval of Minutes

1) Minutes on December 27, 2016, Regular Meeting

The Chair requested to table the approval of the minutes. Vice Chair Gutierrez asked when the minutes for December 27, 2016 be completed for the Board's review. Acting Superintendent Sanchez responded that minutes will ready by Friday.

**Mr. Mendiola moved, seconded by Mr. Lujan, to table the minutes of December 27, 2016 Regular Board Meeting. The Board voted by show of hands and approved the motion with a vote of 7-0.**

2) Minutes on January 3, 2017, Special Meeting

Ms. San Nicolas mentioned that on page 2 of 4, line 27, should read "Mr. Ada" instead of "Mrs. Ada".

**Mr. Mendiola moved (subject to corrections), seconded by Mr. Lujan, to approve the minutes of January 3, 2017 Special Board Meeting. The Board voted by show of hands and approved the motion with a vote of 7-0.**

3) Minutes on January 17, 2017 Special meeting

**Mr. Mendiola moved (subject to corrections), seconded by Mr. Lujan, to approved the minutes of January 17, 2017 Special Meeting. The Board voted by show of hands 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 highlights and updates.

**FY18 Budget.** Acting Superintendent Sanchez congratulated the budget committee and Guam Education Board for submitting FY 2018 budget request to the legislature. He thanked Deputy Superintendent Taling Taitano and her staff, GEB members Mark Mendiola, Maria Gutierrez, and James Lujan for their leadership and guidance during this process.

**US Department of Education.** Acting Superintendent Sanchez reported that GDOE received the FY16 Consolidated Grant. GDOE is moving forward with the activities for the grant.

Acting Superintendent Sanchez reported that USDOE Risk Management would visit Guam February 13 -17, 2017. Meetings are scheduled with the Guam Education Board, Senators, and the Public Auditor as well as with Department personnel focusing on updates for the corrective action plan as well as SOP development, review and testing, FMIS implementation, fixed assets, procurement, and property management. He requested a work session to brief the Board before the USDOE visit. Additionally, USDOE program staff are visiting the following week. The program staff will be focusing on program design, professional development, and student outcomes.

**Board Union Contract.** Acting Superintendent Sanchez reported that all major items for the contract have been completed by the negotiating teams. Mr. Sanchez and Mr. Anderson met with GFT President Tim Fedenko and Vice President Sanjay Sharma. The Union confirmed that the only remaining item is the teacher duty day. Acting Superintendent Sanchez requested a work session with the Board to discuss this item and brief the new Board members on the history of the negotiations.

**Title IX Update.** Acting Superintendent Sanchez reported that GDOE has been in discussion with the Regional Equity Center regarding training on Title IX. GDOE plans to set up civil rights teams at the district level as well as in every school. The civil rights team will be comprised of a school administrator, EEO, counselor, and teacher representative. The Equity Center will train the teams in the various areas of civil rights and certify the teams to train other employees throughout GDOE. The Regional Equity Center is developing the training modules and the Department has agreed to five (5) full days of training in April.

**Update on the Rebuilding of Simon Sanchez High School.** Acting Superintendent Sanchez reported that DPW released the RFP for the rebuilding of Simon Sanchez High School. On Thursday, a pre-bid site visit is scheduled. The Acting Superintendent is working with the principal to develop scheduling options for school year 2017 and 2018.

Acting Superintendent Sanchez added that the school would need to close down several temporary classrooms. This would require either double sessions or building temporary classrooms for the school site during the two years that the school is going to be under construction. This is still preliminary as the school has yet to meet with the stakeholders to obtain input on this matter.

**Board Questions and Concerns:**

Vice Chair Gutierrez mentioned that the Board had a work session on the Consolidated Grant application in September 2016. In a section of the application, section 12, the Federal Programs Division requested for stipends for work done beyond forty (40) hours per week. Mrs. Gutierrez asked if USDOE authorized the stipends. She is concerned that Federal

Programs employees will be getting additional pay for the work that they are supposed to do.

Acting Superintendent Sanchez believes the stipends were taken out of the application but will confirm. He further mentioned that the stipends were approved in the FY15 consolidated grant but never paid out. Vice Chair Gutierrez commented that although it was included in the FY15 grant, Superintendent Fernandez never approved its payment.

Mr. Lujan discussed his concerns that the negotiations on the Board Union contract may take up to six months to be completed. Based on his concerns, he would like to make a motion to extend the previous contract until the new contract is approved.

**Mr. Lujan moved, seconded by Mr. Mendiola, to extend the previous Board Union contract until the new contract is approved.**

Chairman Ada reminded the Board that the Acting Superintendent asked for a work session to acclimate the new Board Members on the status of negotiations. Mr. Lujan responded that the previous contract was honored in spirit. Mr. Lujan noted that the Chair had requested for a resolution of the contract by January 31, 2017.

Chairman Ada suggested that if the Board proceeds with extending the expired contract, it would delay current negotiations. The Chair prefers to move forward and complete negotiations.

Vice Chair Gutierrez recommended that the Board establish a deadline because of the current climate of fear with the teachers and employees. The Board needs assurance that the teachers and the employees are going to be free to bring up school issues without fear. Students have a deadline for their homework. Teachers have a deadline to turn in grades. The Board needs to adopt a deadline; Mrs. Gutierrez suggested a deadline of February 10th.

Mr. Franklin Perez discussed the teacher duty day and how teachers work longer hours doing other student related activities without additional compensation. Teachers attend many trainings throughout the year that disrupt instructional time. In past contracts, the duty day was not an issue because it was a mutual discussion between the administration and the teachers. He noted that if the Board decides to make the teacher duty day longer, the Board should not ask teachers to give up their nonduty hours or lunchtime for disciplinary issues.

Acting Superintendent Sanchez recommended that the teacher duty day should be put back on the table as a negotiating piece. He realizes that putting the teacher duty day back on the table goes against the previous Board's assertion that it should not be negotiated. He stated that the administration and GFT have a mutual understanding that this topic is very important to teachers. The Acting Superintendent brought up his concerns with implementing the previous contract. The duty hours in the previous contract are different from current duty hours. Reverting to the old school hours would disrupt the schedules of the schools. Acting Superintendent Sanchez asked for a month to determine where GDOE is with the current

contract, conduct a work session to discuss the issue regarding duty day, and come up with a general understanding of where the Board wants to go, i.e., whether or not the duty day should be included in negotiations. He stated that then the Board can make a better and more informed decision about whether or not GDOE should consider re-enforcing the previous year's contract.

Legal Counsel Gumataotao commented that if the Board wants to follow the recommendation of Mr. Lujan, it would be all or nothing because to do otherwise would violate the collective bargaining agreement. The whole duty day concern came from the AG's office. Fred Nishihira gave a legal opinion that the duty day is not a negotiable item but a matter of law. Attorney Gumataotao recommended that the Board clarify the opinion before making a final decision.

Ms. San Nicolas asked when the Acting Superintendent plans to schedule the work session. Acting Superintendent Sanchez responded that the work session would update the Board on the components of the current contract as well as include a discussion on the teacher duty day and the history of that issue.

Vice Chair Gutierrez asked Acting Superintendent Sanchez for an update on the status of negotiations. Acting Superintendent Sanchez responded that negotiations on all other provisions of the contract are complete. The decision not to negotiate the duty day was the previous Board's decision. The Acting Superintendent recommended that the duty day be negotiated. If the Board decides not to negotiate the duty day, the GFT will not accept that position and an impasse will be declared. GDOE and the Union will then go into arbitration. If the Board agrees to negotiate the duty day, negotiations will proceed.

Ms. San Nicolas agreed to have a work session to give the Board a clear understanding of what the issues are from the union and management's perspective.

Mr. Franklin Perez mentioned that Acting Superintendent Sanchez stated that it is now up to the board to decide whether to negotiate or to accept the past Board's vote not to negotiate. Chairman Ada responded that at the same time the Acting Superintendent Sanchez has requested a work session to update the Board.

Dr. McNinch commented as per the Superintendent's report, it's clear that these are ongoing discussions and if they are ongoing discussions then the Board should have those discussions ongoing in their proper place rather than here at the meeting.

Mr. Franklin Perez reiterated that it is up to this board to decide whether to negotiate the teacher duty day. Acting Superintendent Sanchez concurred.

Chairman Ada reminded the Board that Mr. Lujan moved to extend the expired contract until the new contract is approved.

Mr. Mendiola proposed to amend the motion to allow the Acting Superintendent Sanchez to go onto negotiations with GFT on the teacher duty day and to report to the Board on February 10, 2017.

Acting Superintendent Sanchez expressed concern with the extension of the previous contract as an analysis on its impact has not been made. For instance, the provision in the old contract regarding duty days is very specific and would result in a schedule change if enforced. There may be other provisions in the old contract that might also be problematic.

Mr. Lujan stated that he would like to rescind his motion and instead make a motion to authorize the Superintendent to negotiate the teacher duty day with the GFT and to report to the Board on February 10, 2017.

**Mr. Lujan moved, seconded by Mr. Mendiola, to authorize the Superintendent to negotiate the teacher duty day.**

GEB Legal Counsel Gumataotao asked Mr. Lujan to restate the motion.

**Mr. Lujan moved to authorize the Superintendent to negotiate the teacher duty day with the GFT and to report to the Board with the results by February 10, 2017. Mr. Mendiola seconded the motion.**

**The Board voted by roll call and approved the motion with a vote of 7-0 (Yeas: Chair Ada, Vice Chair Gutierrez, L. Benavente, J. Lujan, Dr. McNinch, M. Mendiola, and L. San Nicolas). The motion passed.**

2) Head Start Program Director's Report

Ms. Respicio reported that Head Start received the funding guidance letter explaining basic funding for Head Start duration grant and for training and technical assistance. The basic amount is $2,524,254. The duration grant amount is $386,541 and will pay for additional personnel for the expansion discussed at the last Board meeting. Head Start decided to have seven full-day classrooms next year as part of the new standards. The program has to be in full compliance by the year 2021. Mrs. Respicio further stated that Head Start received a grant for COLA at $45,434.

Head Start is having work sessions with the parent council to discuss the revised budget. Ms. Respicio invited the Board members to a work session scheduled for next week Wednesday, February 8, 2017, 6 pm at Asan Community Center.

This week, personnel from the National Head Start office are conducting a review of the classrooms. Chairman Ada asked about the recent incident in one of the Head Start Classrooms and whether the teacher was replaced. Ms. Respicio responded that a substitute teacher was assigned to that classroom. Mrs. Respicio met with all the parents to reassure them that their children are safe.

Chairman Ada asked if there were school aides placed in that classroom. Ms. Respicio responded that there are three staff in the classroom.

Vice Chair Gutierrez asked about the kind of training provided to Head Start teachers and aides regarding students with special needs and whether the training is provided prior to the beginning of the school year or when a

special needs child is assigned. Ms. Respicio responded that Head Start conducts pre-service training the first two weeks of the school year. Training is on all areas of health and child abuse as well as on the special needs children. Head Start collaborates with Special Education to conduct training in the areas of autism or other special needs.

Vice Chair Gutierrez asked if certified individuals are conducting the training. Ms. Respicio responded in the affirmative.

Vice Chair Gutierrez asked if a listing of all Head Start personnel and their training could be provided. Ms. Respicio responded that this information should be available.

Vice Chair Gutierrez asked if all of the equipment is certified (chair or table) for classroom use. Ms. Respicio responded there is certified equipment in the classrooms but the equipment is usually specialized and measured for a particular child and only that child.

Vice Chair Gutierrez asked who observes the Head Start teachers in the classroom. Ms. Respicio responded that there are four mentor teachers. This process started in the last three years. There are also coaches who ensure that the students and teachers are doing what they are supposed to do.

Vice Chair Gutierrez asked Ms. Respicio if she visited every Head Start center after the incident happened. Ms. Respicio responded yes and that her main focus was Price Elementary School.

Mr. Mendiola asked the Acting Superintendent to provide the Board with a corrective plan to prevent similar issues from recurring in the Head Start Program.

Ms. San Nicolas commented that as students transition from Head Start to kindergarten that there has to be a collaboration and partnership with the school principal. The presence of a school principal in terms of monitoring, observing and evaluating is a partnership. While this guidance has been previously discussed with Ms. Schroeder, Mrs. San Nicolas is not sure collaboration is happening.

Ms. Respicio mentioned that Head Start will have parent meetings at every center to reassure parents that Head Start is the right choice for their child.

Chairman Ada announced that Mr. Enriquez Mesngon would like to address the board at this time; his interpreters were not present during the scheduled public participation. Ms. Kristen B. Rosario and Ms. Jeannie Hollis were present to interpret for Mr. Mesngon.

Mr. Mesngon is a Special Education teacher at George Washington High School. He reminded the Board about his previous request at the December 2014 Board Meeting to establish the educational interpreter position. Establishing the position will allow staff preforming these duties to be paid appropriately. Mr. Mesngon encouraged the Board to take action on this matter.

Vice Chair Gutierrez thanked Mr. Mesngon for coming before the Board and recalled his previous testimony. She recently questioned GDOE management about the filling of the interpreter positions.

Chairman Ada assured Mr. Mesngon that the Acting Superintendent will contact him regarding the status of these positions.

**VI. Unfinished Business**

1) Code of Ethics

Vice Chair reported that the new Board members are reviewing the proposed code of ethics. She received Mr. Lujan's recommendation for amendments. Once she receives all the new Board members' input, Mrs. Gutierrez will schedule a work session.

2) Proposed Revision BP 409- Prevention and Intervention Against Harassment, Intimation or Bullying, Cyberbullying, Sexting, and Harassment

Vice Chair Gutierrez reported that the Board delayed adoption of this policy to give the new members the opportunity to review the proposed revisions. BP 409 is directed at students and a separate policy has been developed for employees.

Mr. Mendiola made a motion to adopt the proposed amendment to Board Policy 409, which addresses the prevention of harassment, intimidation, bullying, cyber bullying, sexting, or sexual harassment for students.

**Mr. Mendiola moved, seconded by Ms. Benavente, to adopt the proposed amendment to Board Policy 409, preventing harassment, intimidation, bullying, cyber bullying, sexting, or sexual harassment for students. The Board voted by roll call and approved the motion with a vote of 7-0 (Yeas: Chair Ada, Vice Chair Gutierrez, L. Benavente, J. Lujan, Dr. McNinch, M. Mendiola, and L. San Nicolas). The motion passed.**

Ms. San Nicolas asked Acting Superintendent Sanchez to ensure that training on these policies immediately occur at the schools and central office.

**Mr. Mendiola moved, seconded by Vice Chair Gutierrez to adopt Board Policy 901, prohibiting harassment, intimidation, bullying, cyber bullying, sexting, or sexual harassment sexual misconduct. The Board voted by roll call and approved the motion with a vote of 7-0 (Yeas: Chair Ada, Vice Chair Gutierrez, L. Benavente, J. Lujan, Dr. McNinch, M. Mendiola, and L. San Nicolas). The motion passed.**

The Vice Chair requested that copies of the policies be provided to Speaker BJ Cruz and Senator San Agustin.

3) Transgender Access to Facilities

GEB Legal Counsel reported that the Obama administration promulgated rules that address the rights of transgender students to utilize bathrooms at public schools based on their gender of choice. Several states filed in the Texas federal court to stop the implementation of this rule. The court agreed and issued a restraining order. States cannot implement this rule unless the state constitution or an existing state law permits this transgender policy.

## VII. New Business

1) GEB response to Declaration of Financial Status Designation September, October, and November 2016

Based on his review of the law and the Acting Superintendent's memo, Mr. Mendiola recommends the Board approve the corrective plan as stipulated in the packet.

**Mr. Mendiola moved, seconded by Vice Chair Gutierrez, to approve Board Resolution 2017-02 GEB response to Declaration of Financial Status Designation September, October, and November 2016. The Board voted by roll call and approved the motion with a vote of 7-0 (Yeas: Chair Ada, Vice Chair Gutierrez, L. Benavente, J. Lujan, Dr. McNinch, M. Mendiola, and L. San Nicolas). The motion passed.**

2) Expansion of the Vocational Education programs

Chairman Ada referred this item to the Curriculum Committee.

3) Renaming of a few schools on island within the Guam Public School System

Chairman Ada referred this item to the Facilities and Maintenance committee.

4) NASBE's 2017 Governmental Affairs Committee Meeting

Vice Chair Gutierrez received an email this morning from the chair of the Public Education Positions Committee, Mr. Rachel Wise. Mrs. Gutierrez was selected to serve on the NASBE Public Education Positions Committee for 2017.

Vice Chair Gutierrez provided the Board with supporting documents regarding NASBE's 2017 Governmental Affairs Committee Meeting, Public Education Positions Committee, and the New Member Institute 2017.

**Mr. Mendiola moved, seconded by Mr. Lujan, to approve the participation of Dr. McNinch and Mr. Lujan in the NASBE New Member Institute on June 9-10, 2017 and participation of Vice Chair Gutierrez, NASBE Public Education Positions Committee Member, and Ms. Benavente, NASBE Governmental Affairs Committee Member, in the NASBE's 2017 Legislative Conference. The Board voted by show of hands and approved the motion with a vote of 7-0.**

5) Committee Reports
Chairman Ada requested Dr. McNinch to serve as chairperson of the Board Policies and Procedure Manual and federal programs. Dr. McNinch responded yes.

Chairman Ada asked Ms. Lou San Nicolas to chair the Accreditation Committee and represent the Board of Education in the Board Union Contract. Ms. San Nicolas responded yes.

Chairman Ada asked Vice Chair Gutierrez to continue her participation with NASBE and to serve as chairperson of the Committee on Personnel and the Regional Board Meeting to be held on Guam. Vice Chair Gutierrez responded yes.

Chairman Ada asked Ms. Benavente to continue to serve as the Board representative on the Teachers Certification Commission and Chair of the Curriculum Committee. Ms. Benavente responded yes.

Chairman Ada asked Mr. Mendiola to continue to serve as chair of the Budget and Finance Committee. Mr. Mendiola responded yes.

Chairman Ada asked Mr. Lujan to chair the Buildings and Facilities Committee. Mr. Lujan responded yes.

Vice Chair Gutierrez announced that she prepared a proposed 2017 regular board meeting schedule.

**VIII. Executive Session**

The Board moved into Executive Session at 8:38 p.m.

The Board at 8:43 p.m. went into Public session.

**IX. Announcements and Adjournment**

Acting Superintendent announced that next week, February 6-10, 2017, is National School Counseling week.

Dr. Zeni Natividad briefed the Board on the upcoming "Joint Workshop on Developing a Robust Research Agenda". She mentioned that the one-day workshop is in connection with the establishment of the future Guam State Longitudinal Data System (SLDS). Dr. Zeni encouraged the Board to attend the workshop.

Vice Chair Gutierrez raised her concern about high school student stores, who manages the store and what happens with the funds raised. Chairman Ada asked the Acting Superintendent to provide that information at the February meeting.

**Mr. Mendiola moved, seconded by Vice Chair Gutierrez, to recess the meeting at 9:05 p.m. and reconvene at the call of the Chair. The Board voted by voice and approved the motion with a vote of 7-0.**

**MINUTES SUBMITTED BY:**

_____ Date: 4/3/17

**LEILANI M. B. CRUZ**
**Administrative Officer**

**MINUTES OF January 31, 2016 REGULAR MEETING:**

**( ) Approved as submitted**
**( ) Approved subject to corrections**
**( ) Other:** _____

_____ _____

**PETER ALECXIS D. ADA**
**GEB Chairman**

Date: 4/9/17

**JOSEPH L. M. SANCHEZ**
**Acting Executive Secretary/GDOE Superintendent**

Date: 4/3/17