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

December 7, 2017

GL# 34-17-1306
Speaker Benjamin J.F. Cruz

DEC 11 2017
Time: 950 [✓] AM [ ] PM File No. ____
Received By:

The Honorable Benjamin J. F. Cruz
Speaker
Thirty-fourth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96932

Dear Speaker Cruz,

***Håfa Adai*!** I am submitting the Guam Education Board packet for the regular Board meeting scheduled for October 17, 2017, 6 pm at Supt's Conf. Rm., Bldg. A., Tiyan.

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

Attachment

- GEB Meeting Packet

cc: File

2017 DEC 11 AM 9:13

1306

Public Notices

MARIA A. GUTIERREZ
Chairwoman

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

MARK B. MENDIOLA
Acting Vice Chair

Guam Education Board
REGULAR MONTHLY MEETING
Tuesday, October 17, 2017
6 PM
Superintendent's Conference Room, Building A., Tiyan

AGENDA

I. Meeting Call to Order

II. Approval of Minutes

ACTION 1. Minutes of September 21, 2017 Continuation of September 5, 2017 special meeting

ACTION 2. Minutes of September 21, 2017 Regular meeting

III. Public Participation (BP 125.6) Time Limit 3 minutes

IV. Communications

ACTION 1. Superintendent's Report and Communication

ACTION 2. Letter from Peter Alecxis Ada

V. Ex-Officio Member Reports

INFORMATION 1. IBOGS

INFORMATION 2. GFT

INFORMATION 3. Mayor's Council of Guam

VI. Unfinished Business/ Committee Reports

1. Executive Committee

2. Instructional & Academic Support Committee

INFO/ACTION a. Head Start Report

3. Safe & Healthy Schools Committee

INFO/ACTION a. Simon Sanchez High School Resolution

4. Organizational Efficiency and Development Committee

INFO/ACTION a. Pay Compensation Issue/Pay Disparity Review

5. Fiscal Management

INFO/ACTION a. BRIP review

6. Collective Bargaining Committee

VOTING MEMBERS: Maria A. Gutierrez, Chairwoman, Mark B. Mendiola, Acting Vice Chair, Peter Alecxis D. Ada, Lourdes M. Benavente, Robert A. Crisostomo, James C. Lujan, Ronald L. McNinch, PhD, Lourdes B. San Nicolas
EX-OFFICIO MEMBERS: Ernie Samelo (SHS), IBOGS Representative, Audrey P. Mandapat (SSHS), GFT Representative, Mayor, Rudy M. Matanane, MCOG Representative
EXECUTIVE SECRETARY: Jon J. P. Fernandez, GDOE Superintendent

VII. New Business

ACTION	a.	Resolution for Peter Alecxis Ada and Lourdes San Nicolas
ACTION	b.	Declaration of Financial Status Designation for July and August 2017
ACTION	c.	SAO Job Title and Standard
ACTION	d.	Bill 190-34
ACTION	e.	Bill 191-34
ACTION	f.	Bussing
ACTION	g.	Meal Pricing for Adults
ACTION	h.	Drug-Free Workplace Policy
ACTION	i.	Election of Officers

VIII. Executive Session

The Board of Education reserves the right to go into executive session during any part of the meeting. Based on the Open Govt. Law specific matters can only be discussed. (Personnel Matters, Collective Bargaining Agreement, Contracts, and Litigation).

IX. Adjournment

Dancing Earth 2017 Guam Tour to wow Guam

By Andrew Roberto
andrew@postguam.com

A nationally acclaimed professional indigenous dance group is on island to kick off a Guam tour of performances, workshops and collaborative dance efforts with local talent.

At a press conference yesterday, Humanities Guåhan kicked off the Dancing Earth 2017 Guam Tour, which features the creative expressions of Dancing Earth in collaboration with Guam's Natibu Dance Academy.

Dancing Earth is a professional dance troupe based out of New Mexico, comprised of collaborators from indigenous cultures around the world. They have presented movement art pieces, theater, dance training intensives and workshops around the United States and the world.

"The work of Dancing Earth is very inspired by environmental justice issues as well as the rights of natives peoples, and how they can express those through cultural movement and performance," said Kimberlee Kihleng, executive director of Humanities Guåhan.

Kihleng and Rulan Tangen yesterday confirmed that it has been a yearslong journey to bring Dancing Earth to Guam.

One of Dancing Earth's original company members named Lawrence Santiago has CHamoru roots, according to Tangen, and they've been dreaming of coming to Guam since Dancing Earth was founded in the early 2000s.

A full schedule

Now that the dance troupe is here, they have a full schedule of community engagements, dance workshops and performances, culminating in a special recital dinner to benefit Humanities Guåhan this Saturday.

The Saturday benefit dinner recital will be a special performance of a collection called "Seeds: Re: Generation," featuring 16 male and female dancers from Natibu.

Tangen said during the performance, her group will use dance movements to honor the spirit of camaraderie and cultural exchange.

"We could not bring our work to Guåhan without paying tribute to the dances and songs that are here already. I'm so glad that this could happen so that there could be not just us landing to do something, but to be in relationship. Our whole work is about relationship."



SALAZAR: *Lupita Salazar speaks about her performance background with Dancing Earth as Rulan Tangen, seated left, Kimberlee Kihleng, center, and Dr. Benjie Santiago listen. Dancing Earth has a busy schedule of workshops, performances and engagements this week.*
Andrew Roberto/The Guam Daily Post

The collaborative effort has been well received by the Natibu performers, who are diligently working to nail the performance.

"On the Natibu side it was our very first experience yesterday (collaborating with Dancing Earth), and it was a great experience indeed," said Dr. Benjie Santiago, Natibu Dance Academy instructor. "I did tell Ms. Rulan that we are here and we will surrender to whatever form, whatever expression you would like us to convey and let us work together."

Dancing Earth 2017

- Oct. 10: 7 to 9 p.m. Free Community performance & talk at University of Guam Fine Arts Theater
- Oct. 11: 9:30 to 11 a.m. Agueda I. Johnston Middle School workshop with students of Benjie Santiago; 6 to 8 p.m. Free community dance master class for dancers with 2 or more years experience at BodyArts Dance Studio (Class is fully booked)
- Oct. 12: 9:30 to 11 a.m. Tiyan High School workshop with students of Master of CHamoru Dance Eileen Meno; 7 to 9 p.m. Free community Guam Museum HITA talk and performance
- Oct. 14: 6 to 10 p.m. Special performance with Dancing Earth and Natibu Dance Academy, Humanities Guåhan Benefit Dinner at Hyatt Regency Guam

16 graduate from inaugural conservation academy

Sixteen individuals graduated from the first Guam Community College Regional Marine & Terrestrial Conservation Law Enforcement Academy, trained in ways to protect the environment and combat human trafficking.

Participants were recognized for completing the nearly three-month training during a special ceremony on Oct. 6 at the Pacific Star Hotel in Tumon.

Funding for this first-of-its-kind academy was obtained from the National Oceanic and Atmospheric Administration, U.S. Department of the Interior Office of Insular Affairs, U.S. Forest Service's PIPTIEM Program, USAID's Project Ready Program, the FSM Congress and the Raymond James Asia Pacific Group, through the Micronesian Conservation Trust, according to a press release from GCC.

Law enforcement talaya

GCC acting President Ray Somera said, "This academy represents the best component of being a part of Micronesia – the part where we collaborate, and share resources and information, because it is in this way that we can successfully cast a much broader law enforcement talaya, or net, than if we each just cast individual nets to catch the bad fish."

Carla Laguana, class commander and the lone female member of the class, said the historic program is important to the region's survival.

"In the midst of all this controversy concerning Guam's political status and the loss of our land, conservation is needed now more than ever, and not just exclusively to Guam but to our sister islands – Chuuk, Pohnpei, Kosrae, Yap, Palau and Republic of Marshall Islands," Laguana said. "To conserve our agriculture is to preserve our land. To preserve our land is to preserve our heritage. To preserve our heritage is to keep our culture alive."

(Daily Post Staff)



COMPLETION CEREMONY: *The 15 men and class commander Carla Laguana from the inaugural Regional Marine & Terrestrial Conservation Law Enforcement Academy at Guam Community College pose with their instructors after their completion ceremony Oct. 6 at the Pacific Star Hotel. Pictured in front row, from left, are J. Peter Roberto, GCC Criminal Justice & Social Science Department chair; Lt. Mark Aguon, cadre; Eugenius Pewtress and Carla Laguana, class commander, Guam; Francis Lenja, Jr., Republic of the Marshall Islands ; Capt. Rinson J. Phillip, Kosrae; Chimres Teresio, Chuuk; Lt. Billy W. Palik, Kosrae; Altrin Ligorio, Pohnpei; and Conservation Officer Chuck Flores, assistant cadre. In back row are Antonio Mallarme, Jr., Pohnpei; Castro Stanley , Palau; Jerry Palsis, Kosrae; Kindred Sablan, Guam; Tony Limed, Yap; Keper Joel, Pohnpei; David Santiago, Guam; Swenson M. Thomson, Kosrae; and Daniel Conrad Bascon, Guam.*
Photo courtesy of Guam Community College

MARIA A. GUTIERREZ
Chairwoman

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MARK B. MENDIOLA
Acting Vice Chairperson

PUBLIC NOTICE

Guam Education Board
REGULAR MONTHLY MEETING
Tuesday, October 17, 2017
6 PM
Superintendent's Conference, Building A., Tiyan

AGENDA

I. Meeting Call to Order
II. Approval of Minutes
III. Public Participation
IV. Communications
V. Ex-Officio Member Reports
VI. Unfinished Business/Committee Reports
VII. New Business
VIII. Executive Session
IX. Adjournment

Individuals requiring special accommodations or information may contact Leilani Cruz, Administrative Officer at 300-1627 or by email: lmbcruz@gdoe.net.
Agenda to be available on GEB Website at least 72 hours before the meeting.
This advertisement was paid by GDOE local funds.

Doc. No. 34GL-17-1306

Minutes

GUAM EDUCATION BOARD

500 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone Number: (671) 300-1627
Facsimile Number: (671) 472-5001
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MARIA A. GUTIERREZ
Acting Chairwoman

MARK B. MENDIOLA
Acting Vice Chair

VOTING MEMBERS

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

EX-OFFICIO MEMBERS

Ernie Samelo (SHS)
IBOGS Representative

Audrey P. Mandapat (SSHS)
GFT Representative

Mayor, Rudy M. Matanane
MCOG Representative

EXECUTIVE SECRETARY

Jon J. P. Fernandez
GDOE Superintendent

GUAM EDUCATION BOARD
Continuation of September 5, 2017 Special Meeting
Thursday, September 21, 2017
4:30 pm
Superintendent's Conference Room, Building A., Tiyan

MINUTES

I. MEETING CALL TO ORDER

Mrs. Maria A. Gutierrez, Acting Chairwoman, called the meeting to order at 4:48 p.m.

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. (Tele-conference)
Gutierrez, Maria A.- Acting Chair
Benavente, Lourdes M.
Crisostomo, Robert A.
Lujan, James C.
Mendiola, Mark B.- Acting Vice Chair

Non-Voting Members:
Samelo, Ernie – IBOGS representative
Matanane, Rudy M. - Yigo Mayor and MCOG education liaison*

** Arrived after roll call*

Absent:
McNinch- Dr. Ronald L. - Excused
San Nicolas, Lourdes B. – Off-island- Excused
Mandapat, Audrey P. (SSHS) - GFT Representative

The Superintendent announced that there is a quorum. *(By law, five voting members constitute a quorum. Six (6) voting members were present for this meeting.)*

III. New Business

1) Personnel Matters

The Board moved into executive session.

Mr. Mendiola moved, seconded by Mr. Lujan, to go into executive session. The Board voted by voice 6-0.

IV. Executive Session

The Board moved into Executive Session at 4:51 p.m.
The Board at 5:02 pm went into Public session.

Mr. Lujan moved, seconded by Mr. Mendiola, to rise out of executive session. The Board voted by voice 5-0. (Mr. Ada was not online)

Mr. Mendiola wanted to let the public know that the Guam Education Board is in receipt of a settlement agreement from the Attorney General's office. The settlement agreement has been done in consultation with the plaintiffs attorney and the Attorney General's office. The settlement agreement will be stipulated with the district court. There are still some proceeding that need to occur.

He wanted to inform the Board that there is proposed settlement agreement before the Board through the AG's office. He's seeking the Board's approval to seek clarification or an opinion from the Governor of Guam in light of comments that were made in terms of representation from the Attorney General to the Guam Education Board.

V. Announcements & Adjournment

Mr. Mendiola moved to adjourn the meeting at 5:04 pm.

MINUTES SUBMITTED BY:

_____ **Date:** _____
LEILANI M. B. CRUZ
Administrative Officer

MINUTES OF Continuation of September 5, 2017 SPECIAL MEETING:
( ) Approved as submitted
( ) Approved subject to corrections
( ) Other: _____

_____ _____
MARIA A. GUTIERREZ **JON J. P. FERNANDEZ**
GEB Acting Chairwoman **Executive Secretary/GDOE Superintendent**

Date: _____ _____ **Date:** _____

GUAM EDUCATION BOARD

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MARIA A. GUTIERREZ
Acting Chairwoman

ROBERT A. CRISOSTOMO
Acting Vice Chair

VOTING MEMBERS

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

EX-OFFICIO MEMBERS

Ernie Samelo (SHS)
IBOGS Representative

Audrey P. Mandapat (SSHS)
GFT Representative

Mayor, Rudy M. Matanane
MCOG Representative

EXECUTIVE SECRETARY

Jon J.P. Fernandez
GDOE Superintendent

GUAM EDUCATION BOARD
REGULAR MONTHLY MEETING
Thursday, September 21, 2017
5 pm
Superintendent's Conference room, Building A., Tiyan

MINUTES

I. MEETING CALL TO ORDER

Mrs. Maria A. Gutierrez, Acting Chairwoman, called the meeting to order at 5:04 p.m.

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:
Gutierrez, Maria A.- Acting Chair
Benavente, Lourdes M.
Crisostomo, Robert A.-Acting Vice Chair
Lujan, James C.
Mendiola, Mark-

Non-Voting Members:
Samelo, Ernie (SHS) - IBOGS Representative
Mandapat, Audrey P. (SSHS) - GFT Representative
Matanane, Rudy M. - Yigo Mayor and MCOG

Absent:
Ada, Peter Alecxis D.- Off-island- Excused
McNinch, Dr. Ronald L.- Excused
San Nicolas, Lourdes B. - Off-island- Excused

The DOE legal counsel, Mr. James Stake, was present for the meeting. Five (5) Board members were present, constituting a quorum.

Mr. Mendiola moved, seconded by Mr. Lujan, to amend the agenda to add, under #5. Fiscal Management, additional item "c. Board Management Software" for review and consideration by the Board. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

II. Approval of Minutes

1. Minutes of August 22, 2017 regular Board meeting
2. Minutes Continuation of September 5, 2017 Special meeting

Mr.Mendiola moved, seconded by Mr. Lujan, to approve the minutes of the August 22, 2017, Regular Board meeting and the September 5, 2017, Special meeting. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

III. Public Participation (BP 125.6) Time Limit 3 minutes

Jesse Mateo, teacher, testified before the GEB and requested that there be fair representation when considering the pay disparity for GEB employees. Acting Chair Gutierrez responded that the "pay disparity" will be referred to the appropriate sub-committee for a work session which will be scheduled and published on the website.

Jennifer Berry, teacher, Southern High School, shared her concerns that GDOE is not producing enough teachers from UOG. There are more teachers retiring than there are entering the profession. She commented that every year they talk about raising the scores in testing but the students are taught by untrained teachers; they may be trained in teaching but they're not specialist in critical areas. She recommended online learning as a possibility.

Acting Vice Chair Crisostomo thanked Ms. Berry for bringing this to the Board. Superintendent Fernandez mentioned that the teacher shortage was a priority and invited Ms. Berry to consider being part of the working group when it is convened.

IV. Communications

1. Superintendent's Report and Communication.

Superintendent Fernandez reported on the recent US DOE School Support and Rural Programs Visit, school vacancies, textbooks, professional development, Simon Sanchez renovation, summer repairs, the headquarters water tank, the Department of Interior ABC work, student conduct, the department's financial update, BRIP, pre-k expansion, budget reductions planning, and the department's drug-free workplace policy.

Board members asked questions about school vacancies, including the number of one-to-one school aides. Deputy Superintendent indicated that there were approximately 16 aides being processed. Acting Chair Gutierrez asked about CRT vacancies; Superintendent mentioned that they were working to address vacancies at Southern High.

Mr. Crisostomo asked the Textbook Committee to look into E-Books and come back to the Board with a recommendation. Deputy Superintendent informed the Board that GDOE had submitted about $1.2 million in purchase orders for textbooks to DOA, and we are requesting cash. Superintendent asked the Board to assist with DOA.

Regarding professional development. Acting Chair Gutierrez asked for a schedule of trainings so Board members could attend to show support.

Regarding the Simon Sanchez renovation, Mr. Lujan suggested that the Board request the Attorney General's assistance in intervening in the procurement in the best interest of the people of Guam.

Mr. Lujan moved, seconded by Mr. Mendiola, that the Board seek the Attorney General's intervention with this procurement activity for Simon Sanchez High School.

Mayor Matanane indicated he was concerned about further delay. He asked whether it is better to go to the Legislature. Mr. Mendiola suggested that the Board come up with a strong resolution for the Attorney General. Superintendent Fernandez recommended that there be a special meeting to address this issue. Mr. Crisostomo cautioned the department against taking the lead in the procurement and recommended leaving it with DPW or GEDA. Mr. Mendiola suggest that this topic be referred to the execute committee and safe and healthy schools committee.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

Mr. Lujan moved, seconded by Mr. Mr. Mendiola, to approve the Superintendent's report of September 21, 2017. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

V. Ex-Officio Members Reports

Acting Chair Gutierrez mentioned that Mr. Ada wrote a letter to the Mayors' Council requesting for an update of who will be continuing to sit as a representative of the Mayors' Council. She further mentioned that the Board received a letter from the Mayors' Council of Guam indicating that Mr. Rudy Matanane will continue as the primary representative and the alternate will be Agat Vice-Mayor Christopher Fejeran.

Mr. Lujan moved, seconded by Mr. Mr. Mendiola, to accept the letter from Mayor Paul McDonald, President of the Mayors' Council of Guam. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

1. IBOGS

Ernie Samelo shared his concerns regarding "mesh bags." He reported that with the recent rainy weather, students have raised concerns about the current "mesh bag" requirements at school. Students' materials become wet and sometimes destroyed when it rains. Some schools are required to wear mesh bags while other schools are not required. There is currently no SOP or Board Policy in place dealing with mesh bags being required in schools.

Mr. Lujan is requesting to schedule a work session on this topic.

Acting Chair Gutierrez mentioned that this topic will be referred to Mr. Lujan's committee. (Safe & Healthy Schools)

2. GFT

Mrs. Mandapat mentioned that she had a follow up regarding BRIP payments but sees that it's already on the agenda.

She announced that the Collective Bargaining Agreement was ratified on September 15, 2017 by their membership.

She reported that she has three concerns that were routed by her membership.

- There are certain schools where the administration is choosing PTEP goals rather than having the employee (i.e. teacher) choose. She mentioned that the proper solution for that is to have these administrators go through the PTEP training with the developers of the PTEP to understand the process.
- Facility Issues: She mentioned that they have been receiving calls from parents at Oceanview Middle School regarding the air-conditioning, mold, and lack of proper ventilation in the classrooms.
- There are some schools requesting for Doctor's note after one day out rather than three days out.

Superintendent Fernandez requested Mrs. Mandapat to provide him with the specifics because it deals with two different deputies of the particular schools so that they can follow up. He further mentioned that on the facilities issues, they are working with a couple of schools that have mentioned it. One of the challenges for the Board to recognize is that he does not believe that there is any public health established mold standards. It is more of a cleaning issue that has to happen.

In regards to the PTEP, Superintendent Fernandez asked Mrs. Mandapat to work with Deputy Superintendent Erika Cruz.

3. Mayor's Council of Guam

Mayor Matanane mentioned that he doesn't have a copy of the bell schedules. Deputy Cruz responded that she did a press release before the beginning of the school year and in our media. She will forward him the information. Superintendent Fernandez asked whether he was referring to bussing schedules and issues.

Acting Vice Chair Crisostomo mentioned that he attended a Head Start meeting where parents raised bussing issues. He further recommended that the Board, along with the Mayors' Council, evaluate bus stops throughout the island.

Deputy Superintendent Cruz mentioned she is currently creating a committee of administrators and staff to assist in the reassignment of attendance areas, which should help with bussing issues.

Mr. Lujan moved, seconded by Mr. Mendiola, to accept the reports from IBOGS, GFT and MCOG. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

VI. Unfinished Business/Committee Reports

1. Executive Committee- None

2. Instructional & Academic Support Committee

a. Head Start Report

Mrs. Schroeder thanked Acting Chair Gutierrez, Acting Vice Chair Crisostomo, and Ms. Benavente for joining them at the council meeting last night. She reported that they did not have a quorum with the concurrent council but they had a lot of the new council representatives. She mentioned that she opened with the concerns from the parents regarding bussing. She mentioned that followed today and they have a couple of samples of surveys that they will put together and share with the deputies before they pass it out to their parents.

Mrs. Schroeder invited the Board and ex-officio members to join the Head Start Staff, Parents, and Children at the Proclamation Signing next Friday, September 29, 2017, 11 am at Adelup.

She reported that October is Head Start Awareness Month and will be forwarding a copy of all the activities for the month to the Board.

Mr. Lujan moved, seconded by Mr. Mendiola, to accept the Head Start Report. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

b. Pilot Evaluation Course (Personal Finance Management)

Ms. Benavente reported that the Pilot Evaluation Course on Personal Finance Management which was made by Mr. Clint Glanchand, teacher at Okkodo High School.

The presentation included the evaluation of the pilot course proposal as well as the student data results from the assessment throughout the implementation of the course. The decision also included high school student to be prepared for the 21st Century workforce by providing students with skills to be analytical decision-makers and manage their personal finances.

Ms. Benavente moved, seconded by Mr. Lujan, to approve the Pilot Evaluation Course for Personal Finance Management to be taught in grades 11th & 12th and extend the course from one (1) semester to a full year course.

Mr. Crisostomo asked whether all the schools would have the teachers needed to teach this class. Deputy Superintendent Joe Sanchez responded that, once the pilot course is approved, it becomes available to all high schools to offer if they would like.

Mr. Lujan mentioned that Mr. Glanchand demonstrated the value of the course during the work session. It's hands-on and realistic to all students; he would recommend adults to take this course because it deals with finances, bookkeeping, and life style changes.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

3. Safe & Healthy schools Committee

Mr. Lujan mentioned that Superintendent Fernandez has satisfied the report of some of the issues happening out in the school system this school year.

He added that the Facilities and Maintenance Division are doing their diligence to get the work done despite in the inefficiency of procurement.

He reported that he scheduled a work session on Monday, September 25, 2017, 2:30 pm – 4 pm at the Superintendent conference room regarding Pricing on School Breakfast/Lunch.

4. Organizational Efficiency and Development Committee

a. Deputy Superintendent of Assessment and Accountability

Acting Chair Gutierrez mentioned that she hasn't received the proposed position description for this item. She's referring this item to her sub-committee.

5. Fiscal Management

a. BRIP review

Superintendent Fernandez mentioned that it's not before the Board for action tonight but Mr. Mendiola has asked to hold a work session but prior to that they asked if they would be able to collect information in a couple of ways. He further mentioned that earlier he indicated that they would send the letter out to solicit information. He added that human resources (HR) wanted to do further diligence on it. The staff went through the files to go back to the time when BRIP was in place to see what they can take from the files in order to establish a list of eligible teachers. The materials have been compiled and as soon as he's done reviewing it, he's going to prepare the packet similar to the pay disparity situation and provided the material to the Board for their review and set up a work session soon after.

Mr. Mendiola is giving the Superintendent and the management team a deadline on October 31, 2017 to provide the Board with information so they can take action.

b. FY 18 Budget and Spending Plan

Mr. Mendiola reported that they held a work session on Wednesday, September 20, 2017. He mentioned that there is a resolution in the Board packet for approval. He further mentioned that he wanted to bring attention to the Board with respect to the Charter Schools because they included in the budget charter school allotments to the department. The department requested $323 million dollars and only received $240 million dollars and the Charter Schools are tapped into the department's budget at 8 million dollars.

Mr. Mendiola, moved, seconded by Mr. Lujan, to approve the resolution # 2017-15 relative to adopting the spending priorities for GDOE for fiscal year 2018.

Mr. Crisostomo suggested to the Board and Superintendent to advocate to the legislature to sever the Charter Schools from the Department of Education's budget. It's not fair to GDOE that they carry them and have no oversight of them yet they take money that's appropriated to GDOE.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

c. Board Management Software

Mr. Mendiola mentioned that they had the opportunity to see other the board management tools of other government agencies and boards, and there is certain software out there that could make work more efficient.

Mr. Mendiola, moved, seconded by Mr. Lujan, to approve the procurement on the Board management software and hardware to allow going into a paperless environment and more efficient use of GDOE resources.

Acting Vice Chair Crisostomo asked if the hardware is in hand already. Superintendent Fernandex mentioned that they needed to procure software first to ensure that any hardware purchased was compatible.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

6. Collective Bargaining Committee

a. Revised Collective Bargaining Agreement

Mr. Mendiola recommended proceeding with new business and table this item for now until executive session.

VII. New Business

1. Resolution Congratulating Roberta Abaday on her Retirement

Acting Chair Gutierrez mentioned that Mrs. Roberta Abaday has been a teacher for over 30 years at John F. Kennedy High School and is retiring on September 30, 2017. The Board will be presenting the resolution tonight because there will be a special ceremony at JFKHS on September 27 at 2 pm where the Board will then present her with the resolution.

Mr. Lujan moved, seconded by Mr. Mendiola, to approve Resolution #2017-16 relative to commending and congratuling Ms. Roberta M. Abaday on her retirement after 30 years of service to the GDOE. The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

2. Deputy Superintendent of Finance and Administrative Services Job Description

Acting Chair Gutierrez mentioned that this item will be referred to the sub-committee of organizational efficiency & development.

3. Travel approval for Robert Crisostomo CCSSO ESSA Plan Implementation meeting on September 25-28, Washington, DC

Acting Chair Gutierrez mentioned that this travel was offered with no cost to the Department of Education by the Council of Chief State School Officers for the ESSA

Implementation Plan meeting from September 27- September 28, 2017 in Washington, DC. She further mentioned that Mr. Robert Crisostomo was supposed to attend this meeting but due to his work schedule he is unable to attend. She added that the Board does not want to miss out on the opportunity to attend this meeting. She was asked as Acting Chair to join Deputy Superintendent Erika Cruz and Dr. Zeni Natividad.

Mr. Mendiola mentioned that when the Board had their retreat in terms of developing the strategic plan, Acting Vice Chair Crisostomo mentioned he would lead that effort. As these training opportunities come forward to the Board to get involved, it helps to be apart of the discussion so that when it comes before the Board to make a decision that have some sort of representation.

Mr. Mendiola moved, seconded by Mr. Lujan, to approve the travel for Acting Chair Gutierrez to attend the CCSSO ESSA Plan Implementation meeting at CCSSO from September 25-28, Washington, DC. Superintendent Fernandez mentioned that the funding for this trip is provided by CCSSO and is not coming from the local budget.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

4. Pay Compensation Issue/Pay Disparity Review

Acting Chair Gutierrez reported that, at the last meeting, this was an issue before the Board during "public participation." During the meeting, the Chairman mentioned that this would be referred to the Superintendent and the sub-committee, which she chairs.

Acting Vice Chair Crisostomo moved, seconded by Mr. Lujan, to refer Compensation Issue/Pay Disparity Review to the sub-committee and give a two-month timeline for the sub-committee to report back to Board of their findings.

Mr. Lujan would like to make an amendment to the motion to include all employment of GDOE in regards to sub-committee members. Acting Chair Gutierrez commented that it was her intention.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

Mr. Mendiola moved, seconded by Mr. Lujan, to go into executive session. The Board voted by voice 5-0.

VIII. Executive Session

The Board moved into Executive Session at 7:42 p.m.

Mr. Mendiola moved, seconded by Mr. Lujan, to rise out of executive session. The Board voted by voice 5-0. The motion passed.

The Board at 8:28 pm rose out of Executive Session and went into Public session.

Mr. Mendiola moved, to recess for 2 minutes.

The Board returned at 8:30 pm.

Mr. Mendiola asked that the Board go back to the resolution that they adopted earlier 2017-15 which is referring to the budget. He mentioned that he request that they add another "Be it resolved". He read out the amendment on the resolution. "Be it further resolved, in light of the financial challenges of prior year cash shortages and outstanding vendor payables, the GEB respectfully requests the Guam Legislature consider any subsequent adjustments or supplemental appropriations for existing or new Charter Schools be funded separate and apart from GDOE's annual appropriations."

Mr. Lujan, moved, seconded by Mr. Mendiola, to approve the revised parts of the proposed collective bargaining agreement between GDOE and GFT.

Superintendent Fernandez mentioned, for the record, that they received the Attorney General's concerns, there were 11 of them, it was forwarded to negotiators of the Guam Federations of Teachers side, and the teams met for three hours on August 24, 2017. They were able to collaboratively resolve and address each of those 11 points. He further mentioned that, on behalf of the Board, he would like to thank the GFT and all of the negotiators who were involved for working closely together to come up with this agreement.

Acting Chair Gutierrez thanked GFT President Sanjay Sharma. She mentioned that it was her observation, through the years that she has been with the Board, that this has been one of best working relationships that the GEB and GFT have ever had.

The Board voted by voice and approved the motion with a vote of 5-0. The motion passed.

Acting Chair Gutierrez reported that she is appointing Mr. Mark Mendiola to act as chair during her absence effective, Sunday, September 24th to Wednesday, September 27, 2017, when Chairman Ada will be back on island. She appointed Mr. Mark Mendiola to assume the acting chair position and Mr. Robert Crisostomo the acting vice chair position.

IX. Adjournment

Mr. Mendiola moved, seconded by Mr. Lujan to adjourn the meeting at 9:59 pm.

MINUTES SUBMITTED BY:

_____ **Date:** _____

LEILANI M. B. CRUZ
Administrative Officer

MINUTES OF September 21, 2017 REGULAR BOARD MEETING:
( ) Approved as submitted
( ) Approved subject to corrections
( ) Other: _____

_____ _____

MARIA A. GUTIERREZ
GEB Acting Chairwoman

JON J. P. FERNANDEZ
Executive Secretary/GDOE Superintendent

Date: _____ **Date:** _____

Communications

Thursday, September 28, 2017

Members of the 8th Guam Education Board
Department of Education
Tiyan, Guam

Buenas Colleagues,

I have recently assumed a major role to my duties and responsibilities with my full time job and after prayerful thought and consideration, I felt it be best for me to step aside as the current chairman of the Board of Education, so I may concentrate to this added role, duties and responsibilities that I have assumed.

I am requesting this to take effect Thursday, the 28th of September, 2017

I would like to emphasize that I would continue serving as an elected member of the Board of Education to which I was elected in November of 2016.

I have full confidence that the Vice Chairperson will be able to assume the role of Acting Chair until a new chairperson is chosen.

I salute each of you, including those serving as non voting members for your firm commitment and dedication towards improving our children's education

Once again, allow me to thank each of you for giving me this opportunity to serve as Chairman of the 8th Guam Education Board.

Kon Bespetu

Peter Alecxis Ada

cc: Superintendent of Education

RECEIVED
SEP 28 2017
GUAM EDUCATION BOARD
TIME 2:45pm INITIAL

Department of Education
Office of the Superintendent
Date: _____ Time: _____
Rec'd By: _____
Print Name Signature

Ex-Officio Members Reports

GFT, AFT Local 1581
Together We Win!

Sanjay Sharma, President **Timothy Fedenko**, Vice President
Corazon Mucho, Secretary **James Lujan**, Treasurer

October 6, 2017
To: Guam Education Board Members
Subject: Ex-Officio GFT Report

Clarifications/Concerns:

- Position Clarification: Teaching Coach. What are the duties and responsibilities of a Teaching Coach? How are these coaches selected?
- Position Clarification: Can elementary schools utilize their Chamorro teachers to either tutor or extend Chamorro time? There are blocks of time aside from preparatory period that could be available.
- Concern # 1: Matriculation- having to watch each other's (fellow teachers) students along with your class.
- Concern # 2: Finding coverage when going on leave
- Concern # 3: Scheduling 'mandatory'/'working' lunch meetings for SPED

Audrey P. Mandapat
DOE Union Chair/ Ex-Officio GFT Representative
Guam Federation of Teachers
AFT Local 1581, AFL-CIO

gft local 1581 Since 1965

GFT, AFT Local 1581 P. O. Box 2301, Hagåtña, Guam 96932 Tel 671.735.4390 Fax 671.734.8085 www.gftunion.com

IBOGS REPORT

October 2017

1. 1st Student Exchange

We have been working with the other high schools to organize the first student exchange for school year 2017-2018. Our projected date for the event is on December 1, 2017. We are currently working on the application form for the students and are hoping to have it released on the first week of November.

Written and Submitted by: Ernie John G. Samelo, IBOGS Chairman

Unfinished Business/Committee Reports

RECEIVED
OCT 13 2017
GUAM EDUCATION BOARD
2:45pm INITIALS

COPY

Jon J. P. Fernandez
Superintendent of Education

GUAM HEAD START PROGRAM
DEPARTMENT OF EDUCATION
500 Mariner Avenue; Office E2
Barrigada, Guam 96913
Tel: (671) 300-1603/0604
Fax: (671) 477-1535
www.gdoe.net/headstart

Catherine M. Schroeder
Program Director, Head Start

Department of Education
Office of the Superintendent
Date: 10/10/17 Time: ____
Rec'd By: ____
Print Name Signature

Guam Head Start Program
Program Director's Report
October 2017

In accordance with Section 642 (d)(2) of the Head Start School Readiness Act of 2007 (P.L. 110-134), the DOE Guam Head Start Program is required to report specific information to the Guam Education Board and the Guam Head Start Policy Council on a monthly basis.

Financial Statement: (Attachment A)

As of September 30, 2017 the program expended and encumbered 15.72% of its budget. The program is still restricted from requesting non-emergency supplies, etc. Access to MUNIS will hopefully be available before the end of the month.

The program is still awaiting approval from Region IX to extend the liquidation period to complete the playground resurfacing project.

With the change in reporting instructions for the SF- 429 Property forms on Grants Solutions, programs were given until October 6 to input the data. Team work has been successful: Thank you to our accountant Maria Garcia, Lourdes Perez, Taling Taitano, and Randy Romeo from CIP.

Enrollment Information / Reports (Attachment B)

September 23 was the date the program needed to have all 534 children in the classroom. We were short by one as we were waiting TB clearance. (The program was working with a homeless family to complete the minimum requirements to enter school). This child entered the classroom Monday, September 26. Within the first month of the program 64 children dropped to the waiting list or withdrew and needed to be replaced. The family services team did an excellent job working with the families and also recruiting when there was no wait list for their center.

Attendance for the month of September was 81.48%. Once we were fully enrolled the attendance from September 25 – 29 increased to 83.34%.

The program currently has 52 children receiving special education services. In addition there are 30 being observed for potential referral for additional assessments.

Meal Report: (Attachment C): August meal report.

Program Information:

A. Program Design and Management

Staffing: Families and children are the recipients of the comprehensive services Head Start Provides throughout the grant year from July 1 – June 30. The program has family services staff who work directly with families on their goals and objectives, much like the teachers do with the children.

The program is working with HR to fill the 2 federal positions in family services.

School Bus transportation: The program sent out a transportation survey to all our parents which can be submitted via paper copy or online. Most of the surveys are via paper. The information is being tabulated this week.

Website: The program's updated website was launched the first week of October.

Annual Self-Assessment: Every year the program works with stakeholders to look at its systems and monitoring findings to identify strengths, challenges and the develop an quality improvement plan to address concerns. With Governance as one of the programs systems the program will be forwarding a self-assessment questionnaire to both the GEB and the Policy Council.

B. Child Development and Health

Developmental screening:

The program has begun the 45 calendar day developmental, hearing, and vision screening. Public Health Dental Clinic will conducting their classroom dental examinations and fluoride varnishing beginning September 13 – October 20.

Classroom environmental monitoring is happening this month. Classrooms are being observed for teacher / child interactions using the **CL**assroom **A**ssessment **S**coring **S**ystem (CLASS) and the implementation of the curriculum with the Creative Curriculum Fidelity Checklist. Results from these tools will be used to individualize professional development and mentoring.

C. Family/Community Partnerships

Family Services Staff are beginning their home visits and ensuring their assigned classroom are fully enrolled. Registration is ongoing at this time.

Community Partnerships: Program staff continue to be active participants with the Early Childhood Community projects and committees.

place on the field stage as the conference room was too small to accommodate everyone!! Thank you to Mr. Mendiola, Mayor Mantanona, Mr. Fernandez, Eloise Sanchez, Arlene Cura (Region 9 ECE specialist from Guam Head Start) for joining us.

October Policy Council: This meeting is the transition to the new Council.

5. **Communications: Office of Head Start** (Attachment D)

New Compliance Date around Head Start Program Performance Standards at 45 CFR 1302. The new compliance date allows more time for the program to work with the state Quality Rating and Improvement System and the procedures for background checks which will include fingerprinting.

The program has been working with Public Health and Child Care Licensing on both the QRIS and requirement for adding fingerprinting to background checks for early childcare providers: (see below)

6. **Program Calendar and Announcements: October 10 –November 30.**
Members of the Guam Education Board and DOE Management Team are welcome to attend all Head Start activities.

Date	Event
October 18	Transition Policy Council meeting: New council will be seated. 6:30 – 8:30 Asan Senior, Youth and Head Start Parent Resource Room
October 21	Annual Parent Conference: Pacific Star Hotel: 8am - 2pm
October 31	Head Start Office Open House
November 15	Policy Council meeting: 6:30 – 8:30 Asan Senior, Youth and Head Start Parent Resource Room
November 27	Save the date: Annual Program Self - Assessment: Venue TBA

The program invites members to join the Head Start Staff, Parents, and Children at the Proclamation Signing and the Parent Conference.

Submitted, October 9, 2017

Catherine M. Schroeder: Program Director

10/10/17

Joseph L. M. Sanchez: Deputy Superintendent of C&II

10/12/17

Jon J.P. Fernandez: Superintendent of Education

2017-2018 Basic , COLA, Duration Grants

Row Labels	Sum of ORIGINAL APPRORIATION	Sum of REVISED BUDGET	Sum of YTD EXPENDED	Sum of MTD EXPENDED	Sum of ENCUMBRANCE/REQ	Sum of AVAILABLE BUDGET	% USED	% AVAILABLE
32010								
0111 FTE Salary	1,739,971.00	1,739,971.00	277,641.91	107,777.43	-	1,462,329.09	15.96%	84.04%
0113 Substitute	2,100.00	2,100.00	-	-	-	2,100.00	0.00%	100.00%
0114 PTE Salary	247,696.00	247,696.00	45,082.60	36,385.91	-	202,613.40	18.20%	81.80%
0121 Benefits	779,635.00	790,320.00	121,820.96	53,017.77	-	668,499.04	15.41%	84.59%
0222 Mileage	6,800.00	6,800.00	106.99	106.99	-	6,693.01	1.57%	98.43%
0230 Contractual	76,443.00	76,443.00	11,726.95	297.00	8,376.50	56,339.55	26.30%	73.70
0240 Supplies	74,900.00	89,912.00	1,037.82	1,037.82	-	88,874.18	1.15%	98.85%
0250 Equipment	9,000.00	9,000.00	2,645.00	-	-	6,355.00	29.39%	70.61%
0290 Misc. PC reimburse	500.00	500.00	-	-	-	500.00	0.00%	100.00%
0710 Indirect Cost Rate	19,187.00	19,187.00	-	-	-	19,187.00	0.00%	100.00%
32010 Total	**2,956,232.00**	**2,981,929.00**	**460,062.23**	**198,622.92**	**8,376.50**	**2,513,490.27**	15.71%	84.29%
Training and Technical Assistance Grants								
32050								
0221 Off island Travel	20,000.00	45,000.00	6,748.59	-	-	38,251.41	15.00%	85.00%
0222 Mileage	1,600.00	1,600.00	73.30	73.30	-	1,526.70	4.58%	95.42%
0230 Contractual	23,000.00	23,000.00	595.00	305.00	4,170.00	18,235.00	20.72%	79.28%
0240 Supplies	1,394.00	1,394.00	-	-	-	1,394.00	0.00%	100.00%
32030 Total	**45,994.00**	**70,994.00**	**7,416.89**	**378.30**	**4,170.00**	**59,407.11**	16.32%	83.68%
17 Total	**3,002,226.00**	**3,052,923.00**	**467,479.12**	**199,001.22**	**12,546.50**	**2,572,897.38**	15.72%	84.28

DOE No. 32GC-17-11999

09CH9160 - GUAM PUBLIC SCHOOL SYSTEM

End-Of-Month Enrollment - September 2017

Head Start

	Operated this month	*Last day of services provided*	*All clases/options in session*	*Reported Enrollment*	*Funded Enrollment*	*Status*
	Yes	Sep 30, 2017	Yes	534	534	Reported
Initially Reported:	On 10/01/2017 by Enrico Pegarido					
Last Updated:	On 10/01/2017 07:11:33 AM, EST by Enrico Pegarido					
Grantee Comments:	Total Enrolled in Class: 530 Total Vacancies Within 30 Days: 4 Total Vacancies Over 30 Days: 0 Total Vacancies Replaced After 30 Days: 0					

Guam Head Start Program

2301 - Average Daily Attendance

Program Term: HS Program Year 52, Enrollment Status: Enrolled, Drop/Wait Attendance Date: 9/1/2017 - 9/30/2017

Guam Head Start Program

	Attendance Records			Operating Days	ADA [1]	Funded Enrollment		Actual Enrollment	
	Present[5]	Absent[6]	Neither[7]			Count	% Attendance	Count[2]	% Attendance[3]
Adacao Elementary School	305	55	0	19.00 (avg)	16.05	19	84.49%	18.95	84.72%
Astumbo Elementary School	336	44	0	19.00 (avg)	17.68	20	88.42%	20.00	88.42%
C.L.Taitano Elementary School	634	121	0	19.00 (avg)	33.37	40	83.42%	39.74	83.97%
Carbullido Elementary School	566	142	0	19.00 (avg)	29.79	39	76.38%	37.26	79.94%
Chief Brodie Elementary School	564	149	0	19.00 (avg)	29.68	40	74.21%	37.52	79.10%
D.L.Perez Elementary School	523	212	0	19.00 (avg)	27.53	40	68.82%	38.68	71.16%
Finegayan Elementary	355	25	0	19.00 (avg)	18.68	20	93.42%	20.00	93.42%
H.S.Truman Elementary School	288	77	0	19.00 (avg)	15.16	20	75.79%	19.21	78.90%
Inarajan Elementary School	332	48	0	19.00 (avg)	17.47	20	87.37%	20.00	87.37%
J.M.Guerrero Elementary School	318	32	0	19.00 (avg)	16.74	20	83.68%	18.42	90.86%
M.Sablan Elementary School	330	50	0	19.00 (avg)	17.37	20	86.84%	20.00	86.84%
M.U.Lujan Elementary School	295	79	0	19.00 (avg)	15.53	20	77.63%	19.68	78.88%
M.Ulloa Elementary School	591	126	0	19.00 (avg)	31.10	40	77.76%	37.74	82.43%
Machananao Elementary School	318	60	0	19.00 (avg)	16.74	20	83.68%	19.89	84.13%
Merizo Martyrs Elementary School	280	100	0	19.00 (avg)	14.74	20	73.68%	20.00	73.68%
P.C.Lujan Elementary School	292	86	0	19.00 (avg)	15.37	20	76.84%	19.89	77.25%
Price Elementary School	571	149	1	19.00 (avg)	30.05	39	77.06%	37.90	79.31%
Talofofo Elementary School	273	60	0	19.00 (avg)	14.37	18	79.82%	17.53	81.98%
Upi Elementary School	315	51	0	19.00 (avg)	16.58	20	82.89%	19.26	86.07%
Wettengel Elementary School	575	166	0	19.50 (avg)	29.39	39	75.56%	37.95	77.60%
Guam Head Start Program	**8,061**	**1,832**	**1**	**19.04 (avg)**	**423.39**	**534**	**79.29%**	**519.62**	**81.48%**
Report Totals	**8,061**	**1,832**	**1**	**19.04 (avg)**	**423.39**	**534**	**79.29%**	**519.62**	**81.48%**

1. ADA for each clasroom is the sum of statuses selected to count as 'Present' on the setup screen divided by the Operating Days for that classroom.
2. Actual Enrollment Count for each classroom is the sum of the Present and Absent columns divided by the Operating Days
3. Percent Attendance is the Present count divided by the sum of Present and Absent Count
4. Site totals for ADA, Funded Enrollment Count, and Actual Enrollment count are the sum of that count for each of the site's classrooms.
5. Statuses counted as Present: Present(P), Tardy(T), Left Early(LE), Tardy and Left Early(TLE)
6. Statuses counted as Absent: Absent(A), Excused(E), Unexcused(U)
7. Statuses counted as Neither: No Class (-), Best Interest Day (B), Not Scheduled (N)

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GOVERNMENT OF GUAM
GUAM DEPARTMENT OF EDUCATION
STATE AGENCY FOR CHILD NUTRITION & FOOD DISTRIBUTION PROGRAMS
FEDERAL PROGRAMS DIVISION
THE CHILD AND ADULT FOOD CARE PROGRAM (CACFP)
FISCAL YEAR 2017/2018

MONTHLY SUMMARY OF MEAL ACTIVITY & REIMBURSEMENTS

*AUGUST 2017 (REVISED)

SCHOOL	BREAKFAST		SNACKS		LUNCH		TOTAL MEAL REIMBURSEMENT AMOUNT	CASH-IN-LIEU		GRAND TOTAL (REIMBURSEMENT)
	MEALS SERVED	REIMB AMOUNT	MEALS SERVED	REIMB AMOUNT	MEALS SERVED	REIMB AMOUNT		MEALS SERVED	REIMB AMOUNT	
	@ 1.71		@ 0.86		@ 3.16			@ 0.2325		
MARCIAL SABLAN ELEM	124	-	126	108.36	127	401.32	509.68	127	29.53	$ 539.21
BP CARBULLIDO ELEM	81	138.51	83	71.38	163	515.08	724.97	163	37.90	$ 762.87
CL TAITANO ELEM	226	386.46	121	104.06	228	720.48	1,211.00	228	53.01	$ 1,264.01
FINEGAYAN ELEM	91	155.61	91	78.26	91	287.56	521.43	91	21.16	$ 542.59
HS TRUMAN ELEM	101	172.71		-	106	334.96	507.67	106	24.65	$ 532.32
JM GUERRERO ELEM	105	179.55	105	90.30	105	331.80	601.65	105	24.41	$ 626.06
INARAJAN ELEM	132	225.72		-	132	417.12	642.84	132	30.69	$ 673.53
M ULLOA ELEM	180	307.80	104	89.44	180	568.80	966.04	180	41.85	$ 1,007.89
M LUJAN ELEM	109	186.39	100	86.00	110	347.60	619.99	110	25.58	$ 645.57
MERIZO ELEM	102	174.42		-	102	322.32	496.74	102	23.72	$ 520.46
PC LUJAN ELEM	98	167.58		-	98	309.68	477.26	98	22.79	$ 500.05
HB PRICE ELEM	99	169.29	101	86.86	201	635.16	891.31	201	46.73	$ 938.04
TALAFOFO ELEM	83	141.93		-	85	268.60	410.53	85	19.76	$ 430.29
UPI ELEM	105	179.55		-	105	331.80	511.35	105	24.41	$ 535.76
WETTENGEL ELEM	114	194.94	71	61.06	185	584.60	840.60	185	43.01	$ 883.61
DL PEREZ ELEM	157	268.47		-	154	486.64	755.11	154	35.81	$ 790.92
CHIEF BRODIE ELEM	180	307.80	95	81.70	183	578.28	967.78	183	42.55	$ 1,010.33
ASTUMBO ELEM	115	196.65		-	115	363.40	560.05	115	26.74	$ 586.79
MACHANAO ELEM	114	194.94		-	113	357.08	552.02	113	26.27	$ 578.29
LIGUAN ELEM		-		-		-	-	0	0.00	$ -
ADACAO ELEM	119	203.49		-	120	379.20	582.69	120	27.90	$ 610.59
		-								
TOTAL	2,435	3,951.81	997	857.42	2,703	8,541.48	$ 13,350.71	2,703	628.47	$ 14,191.22

Prepared by: Elaine E. Cabrera 9/20/17
Program Coordinator I — Date:

Certified by: 9/20/17
FNS Administrator — Date:

Verified by: Cecile Olander 9/20/17
Program Coordinator I — Date

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U.S. Department of Health & Human Services & Administration for Children & Families

OFFICE OF HEAD START

New Compliance Date around Head Start Program Performance Standards at 45 CFR § 1302

The following was published today, Thursday, September 28, 2017, in the Federal Register:

URL: **https://www.gpo.gov/fdsys/pkg/FR-2017-09-28/pdf/2017-20499.pdf**

Summary: The Office of Head Start will delay the compliance date for background check procedures and the date for programs to participate in their state or local Quality Rating and Improvement Systems (QRIS). Both requirements are described in the Head Start Program Performance Standards (HSPPS) final rule that was published in the Federal Register on September 6, 2016. We believe programs and states will benefit from more time to fully implement these changes.

Dates: The date for programs to comply with background checks procedures described in 45 CFR 1302.90(b) and for programs to participate in QRIS described in 45 CFR 1302.53(b)(2) is delayed until September 30, 2018.

Supplemental Information:

Background

The Head Start program provides grants to local public and private nonprofit and for-profit agencies to deliver comprehensive education and child development services to economically disadvantaged children, birth to age 5, and their families. It also strives to help young children develop the skills they need to be successful in school.

The Head Start Program Performance Standards (HSPPS) define requirements grantees and delegate agencies must implement to operate high-quality Head Start or Early Head Start programs and provide a structure to monitor and enforce quality standards. The Office of Head Start (OHS) amended the HSPPS in a final rule that was published in the **Federal Register** on Sept. 6, 2016.

Promoting Child Safety and State Partnerships

Child safety is a top priority in the final rule. We strengthened our criminal background check requirements at **45 CFR 1302.90(b)**, in the final rule, to reflect changes in the Improving Head Start for School Readiness Act of 2007, Public Law 110-134, and to complement background check requirements in the Child Care and Development Block Grant (CCDBG) Act of 2014, Public Law 113-186.

In addition to background check requirements, we aim to strengthen partnerships between states and Head Start programs. As part of this effort, 45 CFR 1302.53(b) in the final rule requires Head Start programs to take an active role in promoting coordinated early childhood systems, including those in their state. As part of these requirements, most Head Start programs must participate in QRIS, if they meet certain conditions.

Compliance Dates

In the Supplementary Information section of the final rule, we provided a table, *Table 1: Compliance Table*, that lists dates by which programs must implement specific standards. We currently list September 30, 2017, as the date by which programs must comply with background check requirements at 45 CFR 1302.90(b). We had previously extended background check requirements until September 30, 2017, to align with the background check requirement deadline in the CCDBG Act through a Federal Register document, published on December 6, 2016. However, programs are required to continue to adhere to the criminal record check requirements in section 648A of Head Start Act, as amended by the Improving Head Start for School Readiness Act of 2007, Public Law 110-

134. We list August 1, 2017, as the date programs must participate in their states' Quality Rating and Improvement Systems (QRIS) pursuant to 45 CFR 1302.53(b)(2).

Background Checks

Generally, 45 CFR 1302.90(b)(1) requires that before a person is hired, programs must conduct a sex offender registry check and obtain either a state or tribal criminal history records, including fingerprint checks, or a Federal Bureau of Investigation (FBI) criminal history records, including fingerprint checks.

In 45 CFR 1302.90(b)(2), (4), and (5), we afford programs 90 days to obtain whichever check they could not obtain before the person was hired, as well as child abuse and neglect state registry check, if available. We require programs to have systems in place that ensure these newly hired employees do not have unsupervised access to children until their background process is complete. A complete background check consists of a sex offender registry check, state or tribal history records, including fingerprint check and FBI criminal history records, including fingerprint check, as well as a child abuse and neglect state registry check, if available. We also require programs to conduct complete background checks for each employee at least once every five years.

We believe programs will need more time to implement systems to complete the backgrounds checks process listed at 45 CFR 1302.90(b)(2), (4), and (5) in our final rule. Also, we recognize most states will have systems that can accommodate our programs' background checks requests by September 30, 2018. Congress requires states that receive CCDBG funds to implement systems for comprehensive background checks for all child care teachers and staff. These states must have requirements, as well as policies and procedures to enforce and conduct criminal background checks for existing and prospective child care providers, by September 30, 2017, but Congress gave states the authority to request extensions until September 30, 2018, and several states have done so. Since these systems enable Head Start programs to meet the HSPPS requirements in 45 CFR 1302.90(b), we can minimize burden on Head Start programs if we extend the compliance date for 45 CFR 1302.90(b) to September 30, 2018. Until September 30, 2018, the criminal record check requirements from section 648A of the Head Start Act continue to remain in place.

QRIS Requirement in the Final Rule

QRIS is a systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs. QRIS award quality ratings to programs that meet a set of defined program standards. Since the 1990s, many states have developed a QRIS.

The requirements at 45 CFR 1302.53(b) require Head Start programs to take an active role in promoting coordinated early childhood systems to maximize access to services, reduce system duplication, foster informed quality improvement, and ensure Head Start programs are part of larger early childhood systems within their states. These requirements went into effect on November 7, 2016. To further Head Start's role in state systems of quality improvement, the HSPPS requires programs to participate in QRIS, if they meet certain conditions described at 45 CFR 1302.53(b)(2).

We understood from the public comment process and from subsequent discussions with Head Start grantees and state organizations that there are concerns about the time and resources needed by both the states and grantees to ensure Head Start grantees are able to participate in their QRIS.

We understand programs have taken steps to participate in QRIS and that many states are assessing their QRIS with new Head Start QRIS participation policies, but additional time is needed to align these systems. We want to minimize any unintentional burden on states that choose to adapt their systems to incorporate Head Start participation, as well as alleviate programs' concerns about meeting the current compliance date for participation in QRIS.

Given the variation in the state/local QRIS landscape and the applicability of the conditions in the regulation, the original compliance date for the requirement in the HSPPS at 45 CFR 1302.53(b)(2) was August 1, 2017 in the previously mentioned compliance table. Through this document, we are delaying the date by which programs must implement the specific requirement for QRIS participation until September 30, 2018. The broader requirement for

Head Start programs to take an active role in promoting coordinated early childhood systems continues to be in effect.

Conclusion

We ordinarily publish a notice of proposed rulemaking in the Federal Register to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

We find good cause to waive public comment under section 553(b) of the APA because it is unnecessary and contrary to the public interest to provide for public comment in this instance. The delayed compliance date poses no harm or burden to programs or the public. A period for public comment would have only extended programs' concerns about complying with these requirements by the compliance date. Programs may voluntarily come into compliance at an earlier date if they have the processes already in place. Programs that do not have processes already in place, have until September 30, 2018, to comply with the requirements on background checks at 45 CFR 1302.90(b) and the requirement to participate in their states' QRIS at 45 CFR 1302.53(b)(2).

Office of Head Start (OHS) | 330 C Street, SW | 4th Floor Mary E. Switzer Building | Washington, DC 20201
https://eclkc.ohs.acf.hhs.gov | 1-866-763-6481 | Contact Us

You are receiving this email because you are signed up for Office of Head Start communications. If you prefer not to receive emails of this sort in the future, you can unsubscribe here. You also may modify your ECLKC email subscriptions. Recipients subscribed through the Head Start Enterprise System (HSES) must be removed from HSES by their program or office. Please do not reply to this email. Contact customer service for additional support.

New Business

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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Email: jonfernandez@gdoe.net

JON J. P. FERNANDEZ
Superintendent of Education

October 13, 2017

MEMORANDUM

TO: Chairwoman and Members, Guam Education Board

FROM: Superintendent of Education

RE: Education Financial Supervisory Commission, Declaration of Financial Status Designations, Code C-Watch, Corrective Financial Recovery Plan for 2017 Fiscal Year to Date: July 2017 and August 2017.

The Education Financial Supervisory Commission (EFSC) issued Declarations of Financial Status Designation (FSD) on August 31 and September 28, 2017, respectively for the months of July and August 2017. A Code C-Watch has been issued for budget object category 363 Telephone for both periods. The EFSC FSD for July and August 2017 was received by the Guam Education Board (GEB) office on October 10, 2017. The EFSC summary spreadsheets for the July and August 2017 FSDs are attached.

The Corrective Financial Recovery Plan as required by law follows below. This plan must be provided to the Guam Education Board within twenty (20) working days of receipt of the EFSC issued Watch. The GEB shall review, modify and approve by resolution, the Financial Recovery Plan and submit it to the EFSC within fifteen (15) working days of receipt from the Superintendent of Education.

Code C-Watch Corrective Financial Recovery Plan

In summary and pursuant to the FY17 Spending Plan as approved by GEB Resolution 2016-14, GDOE anticipates reoccurring C-Watches (projected shortfalls) in a number of operational object classes for the remainder of the fiscal year. The Corrective Financial Recovery Plan to remedy these C-Watches throughout the fiscal year is to transfer funding from personnel lapses on a quarterly basis.

363 Telephone

The projected shortfall, $47,056 for the period ending July 31, 2017 and adjusted $28,258 for the period ending August 31 is the result of a $3,339 monthly shortfall in allotments from October to August and the result of adjustments in ERATE contracts and abatements which took effect in June. An allotment modification will be prepared to address the FSD C-Watch and projected shortfall.

The corrective actions necessary for the remediation of the EFSC Financial Status Designations (FSD) are being addressed. A resolution (Resolution No. 2017-17) has been prepared outlining above for the GEB approval in the next regular meeting and is attached for review. Please let me know if you would like to discuss this matter in greater detail.

JON J.P. FERNANDEZ

Attachments

cc: Deputy Superintendent, Finance and Administrative Services

RECEIVED
OCT 14 2017
GUAM EDUCATION BOARD
TIME 11:47 am. INITIAL

Doc. No. 34GL-17-1306

GDOE Education Financial Supervisory Commission

OCT 0 9 2017

Maria Gutierrez
Chairwoman
Guam Education Board
P.O. Box DE
Hagåtña, Guam 96932

RE: Declaration of Financial Status Designation

Dear Chairwoman Gutierrez,

Please find herein the July and August 2017 Declaration of Financial Status Designations (FSD) by the GDOE Education Financial Supervisory Commission (EFSC).

Should you have any questions or concerns please do not hesitate to contact me at (671) 475-9412.

Sincerely,

Lester L. Carlson, Jr.
Chair
GDOE Education Financial Supervisory Commission

RECEIVED
OCT 10 2017
GUAM EDUCATION BOARD
TIME 2:21pm INITIAL

Cc: EFSC Members:
Artemio Hernandez, Vice-Chair, Director – Office of Finance and Budget
Doris Flores Brooks, Member, Public Auditor
Christine Baleto, Member, Director – Department of Administration
Vincent Duenas, Member, Parent Representative

Authority: 17GCA, Article 1, Chapter 3, §3133 creates the Guam Department of Education Financial Supervisory Commission (EFSC) as an independent body to assist the GDOE and the Guam Education Board (GEB) with the task of monitoring and managing all public education financial resources. The EFSC's primary role is to monitor the financial health of the GDOE by developing and supervising a financial status designation of GDOE finances.

Declaration of Financial Status Designation

Fiscal Year-to-Date: 10/1/2016 to 08/31/2017

The GDOE Education Financial Supervisory Commission pursuant to Article 1, Chapter 3, §3133(c)(6) of Title 17, Guam Code Annotated hereby issues a **CODE C – Watch** indicating that the Guam Department of Education (GDOE) has a negative variance report exceeding two percent (2%) of the approved budget amount when combining year-to-date actual and annualized projections at the time of reporting for budgetary object categories:

363 Telephone

Month of August 2017

The GDOE Education Financial Supervisory Commission pursuant to Article 1, Chapter 3, §3133(c)(6) of Title 17, Guam Code Annotated hereby issues a **CODE B – Warning** indicating that the GDOE has a negative variance report exceeding ten percent (10%) of the year-to-date budgeted amount in an expense category or five percent (5%) in aggregate at the time of reporting for budgetary object categories:

363 Telephone

Required Action

CODE C - Watch. The Superintendent of Education, in conjunction with the Deputy Superintendent of Finance, shall submit a Corrective Financial Recovery Plan to eliminate Watch conditions within twenty (20) working days of an EFSC-issued Watch to the GEB. The GEB shall review, modify and approve by resolution the corrective Financial Recovery Plan and submit it to the EFSC within fifteen (15) working days of receipt from the Superintendent of Education.

CODE B - Warning. The Superintendent of Education, in conjunction with the Deputy Superintendent of Finance, shall submit an explanation of variance within five (5) working days of an EFSC Warning to the GEB and EFSC that explains each expenditure category above the approved budget amount as outlined in the Fiscal Year 2016 twelve (12)-month Expenditure Operations Plan.

The designations declared as defined in Article 1, Chapter 3, §3133(d) of Title 17, Guam Code Annotated were unanimously assigned on September 28, 2017. Accordingly, on behalf of the EFSC, this report is hereby submitted and filed with the **Guam Education Board Members, GDOE Superintendent, GDOE Deputy Superintendent of Finance, *I Maga'låhen Guåhan,* the Speaker of *I Liheslaturan Guåhan,* and Members of the EFSC.**

Doc. No. 34GL-17-1306

Department: Guam Department of Education
Fund: Consolidated Local Funds
Account No.: ALL

Budget Act(s): P.L. 33-185
YTD Exp.Date 8/31/2017

A	B	C	D	E	F	G	H	I	J
Account Code	Budget Act(s) Appropriations	Reserve	Allotments	GDOE YTD Expenditures	Manual Adjustment	Projected Remaining Expenditures	Projected Lapse/ (Shortfall)	CODE	Encumbrances
111 Salary	134,775,133	0	134,775,133	116,713,268	0	15,220,989	2,840,876	A-Stable	0
112 OT	173,269	0	173,269	54,694	0	7,014	111,561	A-Stable	0
113 Benefits	46,771,013	0	46,771,013	40,583,216	0	5,283,834	903,963	A-Stable	0
Total Personnel	**181,719,415**	**0**	**181,719,415**	**157,351,178**	**0**	**20,511,837**	**3,856,400**	**A-Stable**	**0**
220 Travel	18,360	0	18,360	12,425	0	1,130	4,806	A-Stable	0
230 Contract	18,006,105	0	18,006,105	16,719,797	(1,568,000)	1,377,436	1,476,872	A-Stable	3,968,870
233 Rent	0	0	0	0	0	0	0	A-Stable	0
240 Supplies	2,016,516	0	2,016,516	1,398,098	0	127,100	491,319	A-Stable	579,715
250 Equipment	2,459,148	0	2,459,148	638,354	0	58,032	1,762,762	A-Stable	543,523
270 Wkrs Comp	5,000	0	5,000	0	0	0	5,000	A-Stable	0
271 Drug Testing	300	0	300	0	0	0	300	A-Stable	0
290 Misc.	100,000	0	100,000	4,172	0	379	95,449	A-Stable	0
361 Power	12,529,952	0	12,529,952	10,285,736	0	935,067	1,309,149	A-Stable	0
362 Water	3,820,774	0	3,820,774	3,005,636	0	273,240	541,899	A-Stable	0
363 Telephone	153,956	0	153,956	176,196	0	16,018	(38,258)	C-Watch	31,593
450 Cap. Outlay	813,936	0	813,936	5,130,600	(5,130,600)	0	813,936	A-Stable	0
Total Operations	**39,924,047**	**0**	**39,924,047**	**37,371,013**	**(6,698,600)**	**2,788,401**	**6,463,233**	**A-Stable**	**5,123,701**
GRAND TOTAL	**221,643,462**	**0**	**221,643,462**	**194,722,191**	**(6,698,600)**	**23,300,238**	**10,319,633**	**A-Stable**	**5,123,701**

	Monthly Variance				Year-to-Date Variance			
Account Code	12-Month Operations BUDGET	Monthly ACTUALS	Variance	CODE	12-Month Operations BUDGET	Year-to-Date ACTUALS	Variance	CODE
111 Salary	9,953,416	9,264,371	689,044	A-Stable	124,278,887	116,713,268	7,565,619	A-Stable
112 OT	20,385	29,254	(8,870)	B-Warning	152,884	54,694	98,191	A-Stable
113 Benefits	3,150,657	3,260,309	(109,652)	A-Stable	43,355,623	40,583,216	2,772,406	A-Stable
Total Personnel	**13,124,458**	**12,553,935**	**570,523**	**A-Stable**	**167,787,394**	**157,351,178**	**10,436,216**	**A-Stable**
220 Travel	0	0	0	A-Stable	17,505	12,425	5,080	A-Stable
230 Contract	375,000	1,020,295	(645,295)	B-Warning	17,631,105	15,151,797	2,479,308	A-Stable
233 Rent	0	0	0	A-Stable	0	0	0	A-Stable
240 Supplies	0	197,909	(197,909)	B-Warning	2,016,516	1,398,098	618,418	A-Stable
250 Equipment	75,639	149,647	(74,008)	B-Warning	2,383,509	638,354	1,745,155	A-Stable
270 Wkrs Comp	0	0	0	A-Stable	0	0	0	A-Stable
271 Drug Testing	0	0	0	A-Stable	300	0	300	A-Stable
290 Misc.	0	2,687	(2,687)	B-Warning	105,000	4,172	100,828	A-Stable
361 Power	800,000	660,556	139,444	A-Stable	12,529,952	10,285,736	2,244,216	A-Stable
362 Water	202,200	138,474	63,726	A-Stable	3,618,574	3,005,636	612,938	A-Stable
363 Telephone	20,278	28,352	(8,074)	B-Warning	139,456	176,196	(36,740)	B-Warning
450 Cap. Outlay	0	0	0	A-Stable	813,936	0	813,936	A-Stable
Total Operations	**1,473,117**	**2,197,920**	**(724,803)**	**B-Warning**	**39,255,853**	**30,672,413**	**8,583,440**	**A-Stable**
GRAND TOTAL	**14,597,575**	**14,751,855**	**(154,280)**	**A-Stable**	**207,043,247**	**188,023,591**	**19,019,656**	**A-Stable**

Notes:

Column C - There are no Reserve amounts pursuant to P.L. 33-185.
Column F - Manual Adjustments of $6,698,600 includes $1,568,000 related to the JFK Maintenance and Insurance CapFA expenditure and the $5,130,600 relates to the CapFA Lease Payment not included in the appropriations to the GDOE in Column B.
The 12-Month Operations data excludes $19,224,309 in appropriations for Charter Schools ($8,060,000), projected Child Nutrition Reimbursement & Cash Collections ($11,164,309).

Definitions:

A-Stable: indicating that the GDOE has positive variance reports in all budgeted expense categories at the time of reporting.
B-Warning: indicating that the GDOE has a negative variance report exceeding ten percent (10%) of the year-to-date budgeted amount in an expense category or five percent (5%) in aggregate at the time of reporting for budgetary object categories.
C-Watch: indicating that the GDOE has a negative variance report exceeding two percent (2%) of the approved budget amount when combining year-to-date actual and annualized projections at the time of reporting for budgetary object categories.

Authority: 17GCA, Article 1, Chapter 3, §3133 creates the Guam Department of Education Financial Supervisory Commission (EFSC) as an independent body to assist the GDOE and the Guam Education Board (GEB) with the task of monitoring and managing all public education financial resources. The EFSC's primary role is to monitor the financial health of the GDOE by developing and supervising a financial status designation of GDOE finances.

Declaration of Financial Status Designation

Fiscal Year-to-Date: 10/1/2016 to 07/31/2017

The GDOE Education Financial Supervisory Commission pursuant to Article 1, Chapter 3, §3133(c)(6) of Title 17, Guam Code Annotated hereby issues a **CODE C – Watch** indicating that the Guam Department of Education (GDOE) has a negative variance report exceeding two percent (2%) of the approved budget amount when combining year-to-date actual and annualized projections at the time of reporting for budgetary object categories:

363 Telephone

Month of July 2017

The GDOE Education Financial Supervisory Commission pursuant to Article 1, Chapter 3, §3133(c)(6) of Title 17, Guam Code Annotated hereby issues a **CODE B – Warning** indicating that the GDOE has a negative variance report exceeding ten percent (10%) of the year-to-date budgeted amount in an expense category or five percent (5%) in aggregate at the time of reporting for budgetary object categories:

363 Telephone

Required Action

CODE C - Watch. The Superintendent of Education, in conjunction with the Deputy Superintendent of Finance, shall submit a Corrective Financial Recovery Plan to eliminate Watch conditions within twenty (20) working days of an EFSC-issued Watch to the GEB. The GEB shall review, modify and approve by resolution the corrective Financial Recovery Plan and submit it to the EFSC within fifteen (15) working days of receipt from the Superintendent of Education.

CODE B - Warning. The Superintendent of Education, in conjunction with the Deputy Superintendent of Finance, shall submit an explanation of variance within five (5) working days of an EFSC Warning to the GEB and EFSC that explains each expenditure category above the approved budget amount as outlined in the Fiscal Year 2016 twelve (12)-month Expenditure Operations Plan.

The designations declared as defined in Article 1, Chapter 3, §3133(d) of Title 17, Guam Code Annotated were unanimously assigned on September 28, 2017. Accordingly, on behalf of the EFSC, this report is hereby submitted and filed with the **Guam Education Board Members, GDOE Superintendent, GDOE Deputy Superintendent of Finance, *I Maga'låhen Guåhan,* the Speaker of *I Liheslaturan Guåhan,* and Members of the EFSC.**

Doc. No. 34GL-17-1306

Education Financial Supervisory Commission Fiscal Year 2017 Financial Status Designation Report

Department: Guam Department of Education
Fund: Consolidated Local Funds
Account No.: ALL

Budget Act(s): P.L. 33-185
YTD Exp.Date 7/31/2017

A	B	C	D	E	F	G	H	I	J
Account Code	Budget Act(s) Appropriations	Reserve	Allotments	GDOE YTD Expenditures	Manual Adjustment	Projected Remaining Expenditures	Projected Lapse/ (Shortfall)	CODE	Encumbrances
111 Salary	135,753,733	0	135,753,733	107,448,897	0	25,591,730	2,713,106	A-Stable	0
112 OT	173,269	0	173,269	25,439	0	5,980	141,850	A-Stable	0
113 Benefits	47,771,013	0	47,771,013	37,322,907	0	8,873,415	1,574,691	A-Stable	0
Total Personnel	**183,698,015**	**0**	**183,698,015**	**144,797,243**	**0**	**34,471,125**	**4,429,647**	**A-Stable**	**0**
220 Travel	17,760	0	17,760	12,425	0	2,485	2,850	A-Stable	0
230 Contract	17,256,105	0	17,256,105	15,699,503	(1,568,000)	2,826,301	298,302	A-Stable	4,496,308
233 Rent	0	0	0	0	0	0	0	A-Stable	0
240 Supplies	2,016,516	0	2,016,516	1,200,188	0	240,038	576,290	A-Stable	673,765
250 Equipment	2,459,148	0	2,459,148	488,708	0	97,742	1,872,699	A-Stable	430,065
270 Wkrs Comp	5,000	0	5,000	0	0	0	5,000	A-Stable	0
271 Drug Testing	300	0	300	0	0	0	300	A-Stable	0
290 Misc.	100,000	0	100,000	1,485	0	297	98,218	A-Stable	0
361 Power	11,729,952	0	11,729,952	9,625,180	0	1,925,036	179,736	A-Stable	0
362 Water	3,416,374	0	3,416,374	2,867,161	0	573,432	(24,220)	A-Stable	0
363 Telephone	130,356	0	130,356	147,843	0	29,569	(47,056)	C-Watch	60,087
450 Cap. Outlay	813,936	0	813,936	5,130,600	(5,130,600)	0	813,936	A-Stable	0
Total Operations	**37,945,447**	**0**	**37,945,447**	**35,173,093**	**(6,698,600)**	**5,694,899**	**3,776,056**	**A-Stable**	**5,660,226**
GRAND TOTAL	**221,643,462**	**0**	**221,643,462**	**179,970,336**	**(6,698,600)**	**40,166,024**	**8,205,702**	**A-Stable**	**5,660,226**

	Monthly Variance				Year-to-Date Variance			
Account Code	12-Month Operations BUDGET	Monthly ACTUALS	Variance	CODE	12-Month Operations BUDGET	Year-to-Date ACTUALS	Variance	CODE
111 Salary	10,442,717	8,923,441	1,519,276	A-Stable	114,325,472	107,448,897	6,876,575	A-Stable
112 OT	20,385	24,512	(4,128)	B-Warning	132,500	25,439	107,060	A-Stable
113 Benefits	3,650,658	3,134,656	516,002	A-Stable	40,204,965	37,322,907	2,882,058	A-Stable
Total Personnel	**14,113,760**	**12,082,609**	**2,031,150**	**A-Stable**	**154,662,937**	**144,797,243**	**9,865,693**	**A-Stable**
220 Travel	0	1,240	(1,240)	B-Warning	16,649	12,425	4,225	A-Stable
230 Contract	4,084,759	383,488	3,701,271	A-Stable	17,256,105	14,131,503	3,124,602	A-Stable
233 Rent	0	0	0	A-Stable	0	0	0	A-Stable
240 Supplies	262,379	142,214	120,165	A-Stable	2,016,516	1,200,188	816,328	A-Stable
250 Equipment	75,639	103,501	(27,862)	B-Warning	2,307,870	488,708	1,819,162	A-Stable
270 Wkrs Comp	0	0	0	A-Stable	0	0	0	A-Stable
271 Drug Testing	0	0	0	A-Stable	300	0	300	A-Stable
290 Misc.	0	849	(849)	B-Warning	105,000	1,485	103,515	A-Stable
361 Power	346,318	794,324	(448,006)	B-Warning	11,729,952	9,625,180	2,104,772	A-Stable
362 Water	297,476	2,517	294,959	A-Stable	3,416,374	2,867,161	549,213	A-Stable
363 Telephone	13,500	28,346	(14,846)	B-Warning	119,178	147,843	(28,665)	B-Warning
450 Cap. Outlay	158,484	0	158,484	A-Stable	813,936	0	813,936	A-Stable
Total Operations	**5,238,555**	**1,456,479**	**3,782,076**	**A-Stable**	**37,781,880**	**28,474,493**	**9,307,388**	**A-Stable**
GRAND TOTAL	**19,352,315**	**13,539,089**	**5,813,226**	**A-Stable**	**192,444,817**	**173,271,736**	**19,173,081**	**A-Stable**

Notes:

Column C - There are no Reserve amounts pursuant to P.L. 33-185

Column F - Manual Adjustments of $6,698,600 includes $1,568,000 related to the JFK Maintenance and Insurance CapFA expenditure and the $5,130,600 relates to the CapFA Lease Payment not included in the appropriations to the GDOE in Column B.

The 12-Month Operations data excludes $19,224,309 in appropriations for Charter Schools ($8,060,000), projected Child Nutrition Reimbursement & Cash Collections ($11,164,309).

Definitions:

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B-Warning: indicating that the GDOE has a negative variance report exceeding ten percent (10%) of the year-to-date budgeted amount in an expense category or five percent (5%) in aggregate at the time of reporting for budgetary object categories.

C-Watch: indicating that the GDOE has a negative variance report exceeding two percent (2%) of the approved budget amount when combining year-to-date actual and annualized projections at the time of reporting for budgetary object categories.

GUAM EDUCATION BOARD
RESOLUTION NUMBER 2017-17

Introduced by: Guam Education Board Members

RELATIVE TO APPROVING THE CORRECTIVE FINANCIAL RECOVERY PLAN PREPARED IN RESPONSE TO THE CODE C-WATCH ISSUED BY THE EDUCATION FINANCIAL SUPERVISORY COMMISSION FOR THE MONTHS OF JULY AND AUGUST 2017

WHEREAS, 17 GCA Chapter 3 §3133 established the Education Financial Supervisory Commission (EFSC) to develop financial performance indicators that produce a monthly financial designation status for the Guam Department of Education (GDOE); and

WHEREAS, on August 31 and September 28, 2017, the EFSC issued Declarations of Financial Status Designation (FSD) for July and August 2017; and issued a Code C-Watch for budget object category 363 Telephone for both periods ending August 31, 2017; and

WHEREAS, 17 GCA Chapter 3 §3133(d)(3) defines Code C-Watch as a negative variance report exceeding two percent (2%) of the approved budget amount when combining year-to-date actual and annualized projections at the time of reporting; and

WHEREAS, the July and August 2017 EFSC FSDs were transmitted and received by the Guam Education Board (GEB) office on October 10, 2017; and

WHEREAS, 17 GCA Chapter 3 §3133(e)(3) requires that the GEB review, modify and approve by resolution the Corrective Financial Recovery Plan (CFRP) and submit it to the EFSC within fifteen (15) working days of receipt from the Superintendent of Education; and

WHEREAS, on August 15, 2017 an allotment modification submitted by the Superintendent of Education was approved, transferring $1,978,600 from personal objective categories to object categories contractual, power, water, and telephone; such transfers will address the ; and

WHEREAS, on October 13, 2017 the Superintendent of Education provided to the GEB a CFRP to address the projected Code C-Watch shortfall telephone for the year to date period ending August 31, 2017 with an allotment modification in the amount of $28,258;

NOW THEREFORE BE IT RESOLVED, that the Guam Education Board approves the Corrective Financial Recovery Plan submitted to the Board on October 13, 2017 by the Superintendent of Education; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the EFSC.

DULY AND REGULARLY ADOPTED BY THE GUAM EDUCATION BOARD ON THIS _____ DAY OF _____ 2017.

MARIA A. GUTIERREZ
Chairwoman, Guam Education Board, Acting

JON J.P. FERNANDEZ
Executive Secretary, Guam Education Board

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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JON J. P. FERNANDEZ
Superintendent of Education

September 7, 2017

RECEIVED
SEP 26 2017
GUAM EDUCATION BOARD
TIME 9:05 INITIAL

MEMORANDUM

TO: Chairman, and Members of the Guam Education Board

FROM: Superintendent of Education

SUBJECT: Petition for Amendment of Job Standards
Re: School Attendance Officer (4.211)
Attendance Officer Supervisor (4.212)

Buenas yan Hafa Adai! This is to request your approval to amend and change the position title of the School Attendance Officer (SAO) and Attendance Officer Supervisor (AOS) job standards to that of School Attendance Officer (SDM) and Attendance Officer Supervisor (SDM) respectively with corresponding changes to the pay grades. This request is pursuant to the GEB's authority to create positions under Title 4 Guam Code Annotated. Chapter 6, § 6303(d) – Creation of Positions in the Autonomous Agencies and Public Corporations.

The proposed amendments are necessary as follows (4 GCA, Chapter 6, § 6303(d)):

(A) **Justification for the amendment of standards:** On July 16, 2010, the 30th Guam Legislature enacted P.L. 30-167 which appointed school attendance officers as Special Deputy Marshals. The primary purpose of this request is to update the current job standards to reflect the additional Marshal duties and responsibilities performed by SAO's pursuant to P.L. 30-167.

(B) **The essential details concerning the amendments:** Since enactment of the law, DOE Attendance Officers have received training and have been deputized by the courts as Special Deputy Marshals. As a result, the proposed amendments identify the increased duties and responsibilities that SAO's perform for both the Department of Education and the Judiciary of Guam not included in the current SAO and AOS job standards. The additional duties are summarized as follows: the serving of legal court documents; the representation of the department on all truancy court cases; the filing of court documents when clients violate court orders; the monitoring and apprehension of truants in violation of court orders; and response to student safety issues as resource officers commensurate with law enforcement officer survival and first responder training received as certified Special Deputy Marshals.

(C) **An analysis of the similarities and differences between the standards to be amended and the current standards (pursuant to 4 GCA § 4101.1(d)):** An applicant for the School Attendance Officer today must be willing to undergo and maintain special deputy marshal and related law enforcement training, and will be required to enforce and execute court orders. An applicant for the Attendance Officer Supervisor must be currently certified as a Special Deputy Marshal and possess the necessary education and experience to supervise the goals

and objectives of DOE and the courts in the enforcement and execution of court orders relating to truancy.

(D) **The position description:** The position description of the School Attendance Officer and Attendance Officer Supervisor (copies attached) reflect the additional Marshal duties and responsibilities as stated by the employee and approved by the Administrator, Student Support Services Division and the Superintendent of Education. In addition, HR staff conducted a job analysis study with the incumbent SAO's verifying and documenting the additional duties and responsibilities (refer to HR Staff Report).

(E) **The proposed pay range and demonstration of compliance with § 6301 (Compensation Policy) of this Title:** The government of Guam's Compensation Policy is administered by the Department of Administration. The Department of Administration uses the Hay Guide Chart-Profile Method for assigning pay grades and determining the relative pay and value of government of Guam positions. The current pay grade for the School Attendance Officer is PG – H, starting at $26,520 P/A. The proposed pay grade for the School Attendance Officer (SDM) is PG – J, starting at $31,076 P/A. The current pay grade for the Attendance Officer Supervisor is PG – I, starting at $28,595 P/A. The proposed pay grade for the Attendance Officer Supervisor (SDM) is PG – L, starting at $37,100 P/A.

(F) **A fiscal note as that term is described in 2 GCA § 9101 et seq,; and any other pertinent information.** Section 9101 refers to restrictions on filling unfunded positions. Currently, DOE employs 11 attendance officers. Upon establishment of the amended standards, the incumbent employees will be reclassified to the new positions. The pay policy for allocating the salaries of the incumbent employees to the new pay grades is closest to, but not less than. The additional personnel costs required upon reclassification for all incumbent employees is estimated to be in the amount of $18,025.00 P/A to include benefits.

Based on the information given and supporting documents provided, this office requests your approval to amend and change the position titles and pay grades for the School Attendance Officer and Attendance Officer Supervisor job standards. Si Yu'os Ma'ase!

Respectfully,

JON J.P. FERNANDEZ

Attachments

9/8/17

I Mina'Trentai Kuattro Na Liheslaturan
BILL STATUS

BILL NO.	AUTHOR(S)	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
190-34 (LS)	Joe S. San Agustin William M. Castro Dennis G. Rodriguez, Jr.	AN ACT TO AMEND § 3102.3 (a) (b) and (c) (1) and (2) and (d) of ARTICLE 1 CHAPTER 3 TITLE 17 OF GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION AND TERMS OF OFFICE FOR BOARD MEMBERS, NUMBER OF APPOINTED AND ELECTED AND NON-VOTING MEMBERS OF THE DEPARTMENT OF EDUCATION BOARD MEMBERS.	9/29/17 1:40 p.m.						

Doc. No. 34GL-17-1306

I MINA' TRENTAI Kuattro NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

2017 SEP 29 PM 1:40

BILL NO. 190 -34 (COR)

Introduced by: Joe S. San Agustin
William M. Castro
Dennis G. Rodriguez, Jr.

AN ACT TO AMEND § 3102.3 (a) (b) and (c) (1) and (2) and (d) of ARTICLE 1 CHAPTER 3 TITLE 17 OF GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION AND TERMS OF OFFICE FOR BOARD MEMBERS, NUMBER OF APPOINTED AND ELECTED AND NON-VOTING MEMBERS OF THE DEPARTMENT OF EDUCATION BOARD MEMBERS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §3102.3 (a) (b) and (c) Article 1, Chapter 3 of Title 17, Guam Code Annotated is hereby *amended* to read as follows:

"**§3102.3 Composition and Terms of Office for Board Members**

The Board shall be composed and serve terms as follows:

(a) Three (3) Appointed Voting Members. *I Maga'lahi* shall appoint; and serve at his or her pleasure, subject to the advice and consent of I Liheslaturan Guåhan, one (1) voting member from among each of the following to serve for a term ~~of three (3)~~ two (2) years:

(b) Six (6) Elected Voting Members. Six (6) voting members

shall be elected at-large at each General Election. Each elected voting member shall serve for a term of two (2) years, commencing at 12:00 noon on the first Monday in January following their election.

A candidate for the Board must be at least twenty-five (25) years old, resident of Guam for at least five (5) years immediately proceeding the date on which the member takes office and continuing throughout the term.

(1) one (1) student member of the Board shall be elected by an Island-wide School Board of Governing Students and be a Voting Member of the Board. The student member shall be a junior or a senior at a public high school and maintain a grade point average of 2.5 or above; and the student member shall receive service-learning credits for the service hours on the Board; and

(a) Non-Voting Member of the Mayors Council of Guam. One (1) member appointed by the Mayors Council of Guam who shall serve for a term of two (2) years, or for the remaining term of the appointed Mayor, whichever is longer.

(b) ~~Non-Voting~~ Voting Members. The Board shall have the following ~~non-voting~~ Voting members serving a term of one (1) year:

(1) student member of the Board shall be elected by an Island-wide School

Board of Governing Students. The student member shall be a junior or a senior at a public high school and maintain a grade point average of 2.5 or above; and student member shall receive service-learning credits for the service hours on the Board; and

(2) shall be elected by an Island-wide School Board of Governing Students.

(3) The student member shall be a junior or a senior at a public high school and maintain a grade point average of 2.5 or above; and the student member shall receive service-learning credits for the service hours on the Board; and

(4) one (1) member appointed by the exclusive bargaining unit; namely the Guam Federation of Teachers Representative which represents teachers and other employees within the Department, shall be a Voting Member.

I Mina'Trentai Kuattro Na Liheslaturan
BILL STATUS

BILL NO.	AUTHORS	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	LEGAL NOTES
191-34 (LS)	Joe S. San Agustin William M. Castro Dennis G. Rodriguez, Jr.	AN ACT TO AMEND §§ 12104 (a) (3) (C), 12106 (g), 12111 (a), 12111 (e), AND 12116 (b), ALL OF CHAPTER 12, TITLE 17, GUAM CODE ANNOTATEDAND RELATIVE TO CHARTER SCHOOLS, I.E. ALLOWING APPLICANTS AND EXISTING CHARTER SCHOOLS TO FILE MORE THAN ONE (1) PETITION; TO ELIMINATE THE LIMITATION ON CONVERTING PUBLIC SCHOOLS TO CHARTER SCHOOLS; TO INCREASE THE MEMBERSHIP ON THE GUAM ACADEMY CHARTER SCHOOLS COUNCIL TO INCLUDE THE PRESIDENT OF THE GUAM COMMUNITY COLLEGE; TO HAVE THE DEPARTMENT OF EDUCATION PROVIDE TECHNICAL SUPPORT TO THE EXECUTIVE DIRECTOR AND THE GUAM ACADEMY CHARTER SCHOOLS COUNCIL; TO HAVE THE GUAM ACADEMY CHARTER SCHOOLS COUNCIL SUBMIT THE BUDGETS OF CHARTER SCHOOLS DIRECTLY TO THE LEGISLATURE.	9/29/17 1:40 p.m.						

Doc. No. 34GL-17-1306

IMINA' TRENTAI KUÅTTRO NALIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

2017 SEP 29 PM 1:40

BILL NO. 191 -34 (LS)

Introduced by:

Joe S. San Agustin
William M. Castro
Dennis G. Rodriguez, Jr.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §12104 (a) (3) (C) of Chapter 12, Title 17, Guam Code Annotated, is *amended* to read:

"(C) Limitations on multiple petitions. An eligible applicant, or Charter School may ~~not~~ file more than one (1) petition to establish an Academy Charter School during a calendar year."

Section 2. §12106(g) of Chapter 12, Title 17, Guam Code Annotated, is *amended* to read:

"(g) The total number of Academy Charter Schools operating on Guam under this Chapter at any one time shall not exceed seven (7). At least two (2) AcademyCharter Schools shall be ~~an~~ elementary schools. At least one (1) shall be a middle school. At least one (1) a high school. ~~No more than three (3) non converted public schools shall be authorized.~~"

Section 3. § 12111 (a) of Chapter 12, Title 17, Guam Code Annotated, is *amended* to read:

"(a) There is established the Guam Academy Charter Schools Council. The Council shall consist of ~~eight (8)~~nine (9) voting members, and shall include:

(1) one (1) retired teacher;

(2) one (1) retired school administrator;

(3) two (2) members with accounting or finance background;

(4) three (3) members from general public; ~~and~~

(5) The Guam Community College President, or designee; and

~~(5)~~(6) the Superintendent of Education, or designee

Section 4. § 12111 (e) of Chapter 12, Title 17, Guam Code Annotated, is *amended* to read:

"(e) Clerical and administrative support ~~shall be provided by the Guam Certification office~~, to include the Executive Director, shall be provided by the Department of Education."

Section 5. § 12116 (b) of Chapter 12, Title 17, Guam Code Annotated, is *amended* to read:

"(b)The Council shall submit, on a timely basis as required by the ~~Board~~ Legislature, the budgets of Academy Charter Schools ~~to the Superintendent of Education. The Superintendent of Education shall submit the budgets to the Board~~ for submission to *I Liheslatura* as part of the Department of Education Fiscal Year Budget."

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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Email: jonfernandez@gdoe.net

JON J. P. FERNANDEZ
Superintendent of Education

October 16, 2017

MEMORANDUM

TO: Chairperson, Committee on Safe & Healthy School, Guam Education Board

FROM: Superintendent of Education

RE: School Lunch Prices - Adults

Hafa Adai! As proposed in the September 25, 2017 work session, to allow teachers, staff, parents and non-student siblings to eat breakfast or lunch at Guam Department of Education (GDOE) schools, I recommend that the following Adult Prices be adopted by the Board:

Item	*Price*
ADULTS	
Breakfast	$2.75
Lunch	$5.50
Milk	$ .75
NON-STUDENT (CHILD)	
Breakfast	$2.75
Lunch	$4.50
Milk	$ .75

For reference, the prices contained in the current Food Services Management contract are as follows:

Item	*Price*
Breakfast	$2.68
Lunch	$5.40
Milk	$ .75

I hope for your favorable approval as this will provide teachers and staff the convenience of eating on campus and parents to each with their children. Please let me know if you would like to discuss this in greater detail.

JON J. P. FERNANDEZ

Cc: Chairwoman (Acting), GEB

RECEIVED
OCT 16 2017
GUAM EDUCATION BOARD
TIME 12:27 PM INITIAL

Doc. No. 34GL-17-1306

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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JON J. P. FERNANDEZ

Cc: Chairwoman (Acting), GEB

RECEIVED
OCT 16 2017
GUAM EDUCATION BOARD
TIME 12:27 PM INITIAL

Doc. No. 34GL-17-1306

DEPARTMENT OF EDUCATION
Government of Guam
P.O. Box DE
Agana, Guam 96932

DRUG-FREE WORKPLACE PROGRAM POLICY AND OPERATING PROCEDURES

Gloria B. Nelson
Chairperson, Guam Board of Education

Roland L.G. Taimanglo
Director of Education

Aline Yamashita, Ph.D.
Deputy Director of Education

Luis S.N. Reyes
Administrator, Personnel Services Division

Approved by the Guam Board of Education
June 04, 1997

Amended February 11, 1998

Doc. No. 34GL-17-1306

GOVERNMENT OF GUAM

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT
490 Chalan Palasyo, Agana Heights
P.O. Box 3156 Agana, Guam 96910
Tel: 475-1300/01 Fax: 477-3301

CIVIL SERVICE COMMISSION
RESOLUTION NO. 98-003

RELATIVE TO THE DEPARTMENT OF EDUCATION'S DRUG-FREE WORKPLACE PROGRAM (DFWP) OPERATING POLICIES

WHEREAS, the Civil Service Commission is vested with rule making authority pursuant to §4105, §4106, and other statutes; and

WHEREAS, Governor Carl T.C. Gutierrez and Lieutenant Governor Madeleine Z. Bordallo are committed to establishing a drug-free workplace program in the government of Guam; and

WHEREAS, The Board of Education has submitted the Drug-Free Workplace Program (DFWP) Operating Procedures for the Commission's review and approval; and

WHEREAS, the Civil Service Commission has reviewed the DFWP Operating Procedures in consultation with the Department of Education and its legal counsel, Attorney Mike Phillips; and

WHEREAS, the Civil Service Commission believes that the DFWP Operating Procedures are necessary for the safe and efficient operation of the government of Guam; and

WHEREAS, the DOE Drug-Free Workplace Program Operating Procedures was heard by the Civil Service Commission on December 09, 1997;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

RESOLVED, the Department of Education's Drug Free Workplace Program Operating Procedures are hereby approved, effective December 09, 1997.

WE, THE UNDERSIGNED, CIVIL SERVICE COMMISSIONERS, HEREBY ADOPT THIS RESOLUTION THIS 16th DAY OF JUNE, 1998.

RICHARD J. UNTALAN
Chairman

JOAQUIN T. ANGOCO
Vice-Chairman

MANUEL R. PINAUIN
Vice-Chairman, Acting

JULIA R. CRUZ
Commissioner

ZENON J. BELANGER
Commissioner

PRISCILLA T. TUNCAP
Commissioner

JOHN V. GERBER
Commissioner

RECEIVED
JUL 08 1998
PERSONNEL SERVICES DIVISION

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ATTACHMENT 3

ACKNOWLEDGMENT OF RECEIPT OF GENERAL NOTICE OF IMPLEMENTATION OF DRUG TESTING UNDER THE DEPARTMENT OF EDUCATION DRUG-FREE WORKPLACE PROGRAM 29

5. ***RESPONSIBILITIES.***

a. ***Director, Department of Education:***

(1) Establish and issue procedures, guidance and training programs on the Drug-Free Workplace Programs.

(2) Appoint, in writing, a Drug Program Specialist (DPS) to implement under the supervision of the Personnel Services Administrator the Drug-Free Workplace Programs: ensure training is provided to the DPS on the Drug-Free Workplace Programs such as, among others, in the collection of urine sampling and chain of custody procedures; provide general information on drug testing laboratory procedures; require records and reports; and maintain confidentiality requirements.

b. ***The Drug Program Specialist (DPS):***

(1) Ensures that Drug Screening Laboratories (DSLs) test all samples from employees under forensic conditions following the requirements established by the U.S. Department of Health and Human Services as provided under the Code of Federal Register (CFR) and Medical Review Officer (MRO) Manual.

(2) Ensures that Blind Performance Test Specimens (BPTS) are submitted following the requirements provided under the Code of Federal Register (CFR) and Medical Review Officer (MRO) Manual.

(3) Assumes the lead role under the general direction of the Personnel Services Administrator in the development, implementation, evaluation, and education of the Drug-Free Workplace Programs and the preparation of required reports.

(4) Provides guidance and assistance, as required, to the Director of Education, and all school principals/division heads on the implementation of this policy and submission of any Drug-Free Workplace Programs reports.

(5) Serves as the primary liaison with the Department of Mental Health and Substance Abuse, Department of Public Health and Social Services, Guam Memorial Hospital, and other external agencies.

(6) Ensures confidentiality of test results.

(7) Ensures managers and supervisors are trained on the Drug-Free Workplace Program policies and procedures.

(11) Initiate a reasonable suspicion test, after first making appropriate factual observations, and obtaining approval as provided in section 18a (Page 12).

(12) Initiate an accident test as provided in section 19 (Page 14).

(13) Upon a finding of a positive drug test, refer employees for assistance in obtaining counseling and rehabilitation arranged by the Employee Assistance Program Coordinator; initiate appropriate administrative or disciplinary actions after consultation with the Employee Assistance Program Coordinator on the progress of the employee's rehabilitation program.

(14). Notify the Drug Program Specialist of employee's refusal to take the test or if employee failed to show up for a scheduled test.

d. ***The Medical Review Officer (MRO):***

(1) Receives all drug testing results, positive or negative from the Drug Screening Laboratories (DSLs).

(2) Assures that an individual who has tested positive is afforded an opportunity to offer alternate medical justification for the test result.

(3) Immediately reports all positive verified drug test results to the Drug Program Specialist.

(4) Coordinates with, and reports to, the Drug Program Specialist on all drug testing functions and findings on a regular basis.

(5) Ensures complete **confidentiality** at all times.

e. ***The Employee Assistance Program (EAP) Specialist:*** The Employee Assistance Program (EAP) Specialist is responsible for implementing and operating the EAP and must not be designated to serve as a Drug Program Specialist (DPS), Collection Site Officer (CSO), or in any capacity related to the collection or transportation of samples collected under the drug testing program for employees. The EAP Specialist will be designated officially in writing by the Director of Education, upon recommendation by the Administrator of Personnel Services Division and shall:

(1) Provides counseling services to all employees referred to EAP by their supervisors, or designee, or through self-referral and otherwise offer employees the opportunity for counseling and rehabilitation.

(2) Knowledgeable of EAP policies and procedures.

(3) Able to coordinate with the EAP Specialist to plan rehabilitation for employees.

(4) Knowledgeable about community resources for treatment and rehabilitation, and when making referrals, consider the nature and severity of the problem; location and cost of the treatment, intensity of the treatment environment, in-patient/out-patient care availability.

g. ***Employees:***

(1) Prohibited from the illegal use of controlled substances on/off duty at all times.

(2) Provide a urine samples and such other samples for testing when required.

(3) Be responsible for successful completion of any rehabilitation or treatment required as the result of illegal use of drugs in the workplace . Failure to follow the testing and rehabilitation procedures may result in dismissal/termination.

(4) Cooperate with the Medical Review Officer (MRO), as requested, to provide additional information regarding drug test.

(5) Notify the DPS of any drug related criminal conviction within five (5) days after the date of conviction, or the effective date of these operating procedures if conviction occurred within one (1) year prior to the effective date.

(6) Employees shall incur all costs for rehabilitation and treatment.

h. ***The DOE Personnel Services Administrator:***

(1) Ensures that vacancy announcements, include notice, that the position is subject to drug testing.

(2) Ensures, prior to making a final offer of employment, or processing for another type of position placement action, that a required drug test has been conducted and that the results are negative.

(3) Ensures a copy of the General Notice signed by the Director of Education is issued to all new and incumbent employees.

6. ***NOTICES.*** A "General Notice" signed by the Director of Education announcing the drug testing program will be issued to all employees. A copy of this notice is included as Attachment (2) and should also be issued to all new hires during employment orientation process.

7. ***TYPES OF TESTING.*** The Department of Education program includes the following types of drug testing: (1) probable cause testing; (2) accident or unsafe practice testing; (3) voluntary testing; (4) approved/selected applicant testing; and (5) testing as part of, or as a follow-up to, counseling or rehabilitation.

8. ***TYPES OF DRUGS.*** Employees and applicants selected for employment will be tested for cocaine, cannabis (marijuana), amphetamines, opiates, phencyclidine (PCP) and/or the metabolites of these drugs and other illegal drugs. Tests will also be conducted for any other drugs or classes of drugs listed in Chapter 67 of Title 9 Guam Code Annotated (GCA), or on Schedules I through V of the Controlled Substance Act (CSA).

9. ***VOLUNTARY SELF-REFERRAL FOR "SAFE HARBOR".***

   a. The school principal/division head shall provide an opportunity for assistance to those employees who voluntarily seek treatment drug use. "Safe harbor" insulates the employee from discipline for admitted acts of using illegal drugs in the workplace when the department is unaware of such use. "Safe Harbor" will be offered to any employee who meets all of the following conditions:

      (1) Voluntarily identifies himself or herself as an illegal user of drugs in a workplace to a supervisor or other higher level management official prior to being identified through other means.

      (2) Obtains counseling and rehabilitation through any approved form of employee assistance programs.

      (3) Agrees to be tested by the department as part of, or as a follow up to, counseling and rehabilitation.

      (4) Consents, in writing, to the release to appropriate management and Drug-Free Workplace Program officials of all counseling and rehabilitation records related to the illegal use of drugs.

      (5) Refrains from the illegal use of drugs.

Any such reason must be documented, in writing, and retained with the collection records by the DPS or in adverse action files.

11. ***FAILURE TO REPORT TO THE DESIGNATED COLLECTION SITE.***

a. If an individual fails to appear at the collection site at the assigned date and time, the DPS will note that fact in the record and immediately notify the immediate supervisor and the Administrator of the Personnel Services Division. If the collection is being managed by a designated Collection Site Officer (CSO), that individual will immediately notify the DPS who will notify the supervisor.

b. An employee who fails to appear for any type of testing (except for a deferral granted by a supervisor or for follow-up testing) will be subject to disciplinary action.

c. Due to the nature of this offense, there is no requirement for referral to employee counseling or rehabilitation under the employee assistance program.

d. An applicant who has been selected for employment who failed to appear for a test without just cause will result in the withdrawal of any tentative offer of employment. Just cause shall be determined by the Director of Education.

12. ***REFUSAL TO BE TESTED.*** If an employee refuses to be tested, regardless of the reason for the testing (reasonable suspicion, accident/unsafe practice, and follow-up), he or she will be informed that refusal will be considered as insubordination, and therefore subject to disciplinary action, up to but not limited to dismissal/termination.

If the refusal occurs at the work site, the supervisor will immediately notify the DPS. If the refusal occurs at the collection site, the DPS will immediately notify the supervisor. Due to the nature of this offense, there is no requirement for referral to counseling or rehabilitation under the employee assistance program. Any applicant's refusal to be tested will result in the withdrawal of any tentative offer of employment.

13. ***FAILURE TO PROVIDE SAMPLE.***

a. ***Insufficient Sample:*** An employee should be given a reasonable amount of time to provide the sample. If an employee is unable to provide at least 30 milliliters of urine, the sample should be submitted, the temperature checked, and the partial specimen should be placed in a secured area. The following steps should then be taken:

16. ***RELEASE OF TEST RESULTS.***

a. The laboratory will disclose test results to the MRO. Any positive result which the MRO determines to be justified by legitimate medical use will be treated as a negative test result and may not be released for purposes of identifying illegal drug use. An employee's test results may not be disclosed without prior written consent of the employee unless the disclosure would be:

(1) To the Medical Review Officer;

(2) After Medical Review Officer review, to the DPS;

(3) After DPS reviews, he will inform the school principal/division head who in turn will inform the EAP;

(4) Under an order of a court of competent jurisdiction or required by the Department of Education to defend against a challenge against an adverse personnel action.

b. Any records of the MRO, including drug test results, may be released to the DPS for purposes of auditing the activities of the MRO, for data collection or other purposes consistent with requirements to comply with the Drug-Free Workplace Program regulations.

17. ***VOLUNTARY TESTING.*** To demonstrate a commitment to the goal of the Drug-Free Workplace Program and to set an example for others, an employee may volunteer to be included in the testing program. The employee will be subject to the same conditions and procedures for reasonable suspicion testing. The volunteer employee must be informed that he or she may withdraw at any time, even after being notified of an impending **reasonable suspicion** drug test.

18. ***REASONABLE SUSPICION TESTING.***

a. ***Determination of Reasonable Suspicion:*** For employees a test may be authorized when management has a reasonable suspicion that any employee is using drugs illegally. This belief must be based on specific objective facts and reasonable inferences drawn from these facts. Reasonable suspicion testing of employees may be based upon, among other things: Observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug; arrest or conviction for an on or off-duty drug-related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking; information provided either by reliable and credible sources or independently corroborated; newly discovered evidence that the employee has tampered with a previous drug test; the

The employee will be notified by the supervisor or management official, after the DPS confirms the time and location of the test and will be issued the specific written notice that he or she is being tested for reasonable suspicion.

The employee will be informed of the exact time and location of the test and directed to take an appropriate photo identification to the test site. The supervisor or other management official will escort the employee to the site.

g. ***Collection Procedures:*** If there is specific reason to believe that an employee may alter or substitute the specimen, the employee will provide the urine sample under **direct observation**. If there is no specific reason to believe that an employee may alter or substitute the specimen, standard collection procedures must be followed to ensure strict chain of custody and specimen control.

19. ***ACCIDENT OR UNSAFE PRACTICE TESTING.***

a. ***Determination:*** The Department of Education is committed to providing a safe and secure work environment. It also has a legitimate interest in determining the cause of serious on-the-job accidents or unsafe, on-duty, job-related activity so that it can undertake appropriate corrective measures. Drug testing after an accident or unsafe practice can provide invaluable information in furtherance of that interest. Accordingly, employees may be subject to testing when, based upon the circumstances of the on-the-job accident or unsafe, on-duty, job-related activity, their actions are reasonably suspected of having caused or contributed to an accident or unsafe practice that meets either of the following criteria:

(1) The accident or unsafe practice results in a death or personal injury requiring hospitalization.

(2) The accident or unsafe practice results in severe damage to government or private property in excess of $10,000.00.

b. ***Authorization:*** If a supervisor or manager suspects that an employee has caused or contributed to an on-the-job accident or unsafe, on-duty, job-related activity that meets either of the criteria stated in paragraph 19a (Page 16), he or she will gather all information, facts, and circumstances leading to and supporting this requirement. Approval for testing must be received from at least one level above the supervisor or manager requesting the test. If practicable, the decision to conduct a test will be made the same day the event or behavior occurs or as soon as management becomes aware of the event or behavior. The DPS will then be notified of the requirement to arrange for a test.

written agreement. In addition, a school principal/division head may elect to impose testing as part of the rehabilitation or treatment program.

b. ***Documentation:*** The abeyance agreement, rehabilitation plan, or other form of written agreement will be retained and serve as evidence that the employee was aware of the requirement for follow-up testing.

c. ***Notification:*** The supervisor or manager will notify the DPS upon the employee's return to work so that follow-up testing can begin, if the employee was in a non-duty status. The EAPS will notify the DPS upon the employee's completion of any initial or in-patient counseling or rehabilitation for illegal drug use or as part of the rehabilitation process in order for testing to be initiated.

d. ***Frequency:*** Such employees will be tested at a frequency determined by the department; the rate need not be specified in the agreement or rehabilitation plan.

e. ***Collection Procedures:*** The employee will be directed to provide the urine sample under **direct observation** to ensure strict chain of custody and specimen control.

21. ***APPLICANT TESTING.***

a. ***Coverage:*** Drug testing will be required of all individuals tentatively selected for employment within the Department of Education. The department is not authorized to test applicants not tentatively selected for employment, except as otherwise provided by statute.

b. ***Vacancy Announcements:***

(1) All vacancy announcements will contain the following statement:

An applicant tentatively selected for this position will be required to submit to urinalysis for illegal use of drugs prior to a final selection. (Exception: If the position change is for thirty (30) days or less.) The selection is contingent upon a negative drug test result.

Further, all DOE employees may be subject to drug testing under certain circumstances such as reasonable suspicion after an accident or unsafe practice. All individuals will have an opportunity to submit medical documentation that may support the legitimate use of a specific drug to a Medical Review Officer (MRO). An applicant's test results will be given to the DPS, in turn, will notify the applicant's prospective immediate supervisor,

b. ***Procedures:***

(1) ***Negative Drug Test Results:*** The MRO will immediately forward all negative drug test results to the DPS.

(2) ***Positive Drug Test Results:*** The medical review of positive test results by the MRO will be initiated and completed within the time frame agreed upon by the department. The purpose of the review is to determine if the positive result is evidence of illegal drug use.

(a) The MRO will evaluate alternative medical explanations of a positive test result. This may include conducting a medical interview with the individual, review of the individual's medical history, or consideration of other relevant biomedical factors.

(b) Any request for medical information will be made by the MRO directly to the individual to ensure maximum confidentiality. The MRO will review all medical records, including valid prescriptions, made available by the tested individual when a positive test could have resulted from legally prescribed medications. The individual will have an opportunity to discuss the test results with the MRO, although a face-to-face interview is not required. Individuals are not entitled to present evidence to the MRO in a "hearing" or other similar administrative proceeding, although the MRO has the discretion to accept evidence in any manner deemed efficient or necessary.

(c) The MRO is authorized to order a reanalysis of the original sample should questions arise as to the accuracy or validity of a positive test result. Since some drug levels may deteriorate or are lost during freezing and/or storage, the retest must only show that the drug or its metabolite is present to reconfirm its presence during retesting.

(d) Detailed scientific guidance is contained in the "Medical Review Officer Guide" prepared by the U.S. Department of Health and Human Services (DHHS) made available to the MRO.

c. ***Notification:***

(1) ***Negative Drug Test Results:*** The MRO will forward all negative drug test results to the DPS who will ensure that employees are informed of their results.

(5) Advice and guidance on disciplinary or adverse actions will be provided by the DOE Employment Management Relations Officer (EMRO), as necessary.

c. ***Reasonable Accommodation Requirements:*** A verified positive result does not equate to a requirement that the employee be afforded reasonable accommodation. A verified positive result indicates that the employee ingested a controlled substance at some recent time prior to providing the urine sample. The result will not show whether the employee was a first time drug abuser, a casual drug abuser, or a drug addict.

24. ***IMPLEMENTATION.*** The department may commence urinalysis testing or other approved testing procedure only after:

a. The DPS and the MRO are appointed and trained on the requirements of the Drug-Free Workplace Program and testing collection procedures under the U.S. DHHS guidelines.

b. Mandatory training for supervisors and managers has been conducted.

c. An individual notice complying with the requirements of P.L. 100-71 is given to each department employee before the employee is subjected to testing.

d. Bargaining obligations under Chapter 10 of Title 4 GCA, have been satisfied.

25. ***RECORDS AND REPORTS.***

a. ***Records:*** All drug testing information on specific individuals are confidential and should be treated as such by anyone authorized to review or compile Drug-Free Workplace Program records. Records and information described in this paragraph will remain confidential, must be marked "For Official Use only," and retained in a secure file cabinet with only authorized individuals who have a "need-to-know" having access. These records will be retained on file for two (2) years unless otherwise covered by another record keeping system, such as the Employee Medical File.

(1) ***Drug Free Workplace Program Specialist (DPS):*** To efficiently implement this regulation and to make information readily available, the DPS will maintain all records relating to DFWP including drug testing and any other authorized documentation necessary to support the program.

(4) Involuntary drug counseling referrals.

(5) Disciplinary actions, dismissal/terminations, employee-applicant non-selection, or denials of employment offers from a verified positive drug test result.

(6) Disciplinary actions, dismissal/terminations, or denials of employment offers resulting from refusal to submit to testing.

(7) Disciplinary actions, dismissal/terminations, or denials of employment offers resulting from alteration of specimens.

(8) Disciplinary actions, dismissal/terminations, or denials of employment offers resulting from failure to complete a drug abuse counseling program.

(9) Employees who successfully complete rehabilitation under the Employees Assistance Program (EAP).

(10) Safe Harbor referrals.

This data, along with other pertinent information will be compiled and submitted annually to the Director for inclusion in the Department of Education's annual report to the Guam Board of Education. The Guam Board of Education may use the data to assist in overall program evaluation, determine whether changes to the program are required, and request for additional funding as necessary.

10. ***DRUGS TESTED:*** These are cocaine, cannabis (marijuana), opiates, amphetamines, and phencyclidine (PCP). When conducting reasonable suspicion, accident, or unsafe practice testing, the urine may be tested for any drug listed in Chapter 67 of Title 9 GCA (Uniform Controlled Dangerous Substance Act) or Schedules I through V of the Controlled Substances Act.

11. ***EMIT IMMUNOASSAY:*** Highly automated and computerized procedure used in the initial specimen screening. Complies with National Institute on Drug Abuse (NIDA) and Department of Transportation (DOT) test requirements.

12. ***EMPLOYEE:*** All classified and unclassified employees of the department.

13. ***GAS CHROMATOGRAPHY:*** A confirmation method which can identify compounds by their retention times rather than by standard chemical identification procedures.

14. ***GAS CHROMATOGRAPHY/MASS SPECTROMETRY:*** This confirmation method uses gas chromatography, described above, with a mass spectrometer which can be used to identify compounds on the basis of molecular structure. It is the only confirmation method authorized by NIDA.

15. ***GCA:*** Guam Code Annotated.

16. ***ILLEGAL DRUGS:*** Controlled substances included in Chapter 67 of Title 9 GCA, Uniform Controlled Dangerous Substance Act, and Schedules I through V of the Controlled Substances Act, the possession of which is unlawful and which may subject an individual to criminal penalties.

17. ***IMMUNOASSAY:*** The test that identifies a substance through its capacity to act as an Antigen.

18. ***MEDICAL REVIEW OFFICER (MRO):*** A licensed physician responsible for receiving laboratory results generated by the DFWP who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's positive test result together with his/her medical history and any other relevant biomedical information.

19. ***NEED-TO-KNOW:*** Confidential information to be made known to authorized individuals if it is necessary to comply with DFWP Program.

20. ***NON-REASONABLE SUSPICION TESTING:*** Applicant and voluntary testing

ATTACHMENT 2

DEPARTMENT OF EDUCATION
DIRECTOR'S OFFICE
P.O. BOX DE * AGANA, GUAM 96910
TEL: (671) 475-0457 * FAX: (671) 472-7003

Date: _____

MEMORANDUM

To: All Employees of Department of Education

From: Director of Education

Subject: General Notice of Implementation of Drug Testing Under the Department of Education Drug-Free Workplace Program

A drug-free workplace program has been established for the Department of Education employees, classified and unclassified, and to include all employees of programs administered by the Department of Education (e.g., Head Start, DEED, etc.). As a condition of employment, all employees must refrain from using illegal drugs on or off duty. The Department of Education Drug-Free Workplace Program, developed to implement the law, is designed to accomplish this goal through deterrence, identification, rehabilitation and disciplinary action. While the department will assist employees with drug problems, it must be recognized that employees who use illegal drugs in the workplace are primarily responsible for changing their own behavior and actions.

Illegal drug use by any employee is incompatible with the maintenance of high standards of conduct and performance. Moreover, illegal drug use could adversely affect employees and student safety, risk damage to government and personal property, and significantly impair day-to-day operations. The program is aimed at identifying illegal drug users in order to maintain a safe, secure workplace and efficient operation.

The determination that an employee uses illegal drugs may be made on the basis of direct observation, a criminal conviction, the employee's own admission, other appropriate administrative determination or by a confirmed positive urinalysis or other approved tests. The program subjects employees to testing under the following conditions:

employee is no longer eligible for "safe harbor." Such assistance may be obtained by contacting the Drug Program Specialist (DPS), who will make the referral to the EAP. All employee medical and rehabilitation records maintained in connection with the EAP will be deemed confidential "patient" records and may not be disclosed without the prior written consent of the employee.

All employees are expected to refrain from illegal drug use. Employees identified for drug testing are requested to cooperate in the testing program. Disciplinary action up to and including dismissal from employment will be initiated for the first failure to remain drug-free or refusal to submit to a test. Dismissal action will be initiated for any employee upon a second positive test result, failing to refrain from illegal drug use after counseling and/or rehabilitation, or adulterating or substituting a specimen.

This is a general notice to all employees that the Director of Education intends to implement the drug testing program. Actual testing by the Department of Education will begin no sooner than sixty (60) days from the date this notice is issued. This notice is intended to provide general information on the drug testing program. For more information, please refer to the Department of Education Drug-Free Workplace Program Operating Procedures Manual located at your work site or contact the Administrator of the Personnel Services Division at 475-0495.

ROLAND L.G. TAIMANGLO
Director

Descriptor Term:	Descriptor Code: 105	Issued Date: 3/12/08
BOARD OFFICERS - ELECTION	Rescind: BBA/BBAA	Issued: 3/29/78

BOARD POLICY

1. Officers of the Board shall be a Chairman and Vice Chairman.

2. Any voting member of the Board is eligible to become an Officer of the Board.

3. The election of both offices shall take place during one (1) of the Board's regular meetings in January of each year. The incumbent Chairman of the Board shall preside until a successor is elected. A majority of the voting members for a particular candidate shall be necessary for election. Voting shall be by open ballot.

4. The term of office for the Chairman shall not exceed two (2) consecutive terms. Other officers may serve multiple terms.

5. In the event of a vacancy in the Officers of the Board, the office shall be filled in the prescribed manner at the next regular meeting.

6. The Board may include such other officer positions deemed necessary to effectively carryout its responsibilities.

ADOPTED: Board of Education 04/24/79;
Revised: 01/31/75; 05/06/76; 05/11/76; 05/26/77; 09/06/78; 10/2/79; 03/13/90.
3/12/08

Executive Session