DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

www.gdoe.net
501 Mariner Ave. Barrigada, Guam 96913
Telephone: (671)475-0457 or 300-1547/1536•Fax: (671)472-5001
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JON J.P. FERNANDEZ
Superintendent of Education

January 22, 2019

Honorable Tina Muña Barnes
Speaker, 35th Guam Legislature
163 Chalan Santo Papa
Hagatna, Guam 96910

35GL-19-0048

Dear Speaker Barnes:

Håfa Adai! I am submitting the Guam Education Board packet for the Regular Board Meeting scheduled for Friday, January 25, 2019, 6 pm, in the Gallery, DOE Bldg. B, Tiyan.

Should you have any questions, please contact me at 300-1627.

Attachment
- GEB Meeting Packet

2019 JAN 22 PM 3:22 KC

Office of the Speaker
Tina Rose Muña Barnes
RECEIVED
DATE: 1/22/19 @ 1:17pm

0048

Public Notices

GUAM EDUCATION BOARD

501 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
Chairman

MARIA A. GUTIERREZ
Vice Chairwoman

9th Guam Education Board
REGULAR MONTHLY MEETING
Friday, January 25, 2019
6 PM
Gallery, Building B, Tiyan
AGENDA

I. Meeting Call to Order

II. Approval of Minutes

ACTION 1. Minutes of December 19, 2018 Regular Meeting

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

IV. Communications

INFO 1. Correspondence

INFO 2. Superintendent's Report and Communication

V. Ex-Officio Member Reports

INFO 1. IBOGS

INFO 2. GFT

INFO 3. Mayor's Council of Guam

VI. Unfinished Business/ Committee Reports

1. **Executive Committee**

ACTION a. Board Self-Reflection

INFO/ACTION b. NASBE 2019 Conferences

2. **Instructional & Academic Support Committee**

ACTION a. Head Start Report

3. **Safe & Healthy Schools Committee**

a. Interscholastic Sports

b. Central Middle School

4. **Organizational Efficiency and Development Committee**

INFO a. Ad-Hoc Special Committee – Nepotism (Update)

5. **Fiscal Management**

INFO/ACTION a. Update on FY19 Budget / FY20 Budget

VII. New Business

ACTION 1. Election of GEB 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

VOTING MEMBERS: Mark B. Mendiola, Chairman, Maria A. Gutierrez , Vice Chairwoman, Lourdes M. Benavente, James C. Lujan, Ronald L. McNinch, PhD
EX-OFFICIO MEMBERS: Hacie San Jose (SSHS) - IBOGS Representative, Mark McCarthy (AHES) - GFT Representative, Mayor, Rudy M. Matanane, MCOG Representative
EXECUTIVE SECRETARY: Jon J. P. Fernandez, GDOE Superintendent

BANKRUPTCY continued from page 1

forward," Elsaesser said.

Archbishop Michael Byrnes said the archdiocese's motivation for filing for Chapter 11 bankruptcy "has been, and still is, our desire to bring the greatest measure of justice and consolation to those who suffered at the hands of clergy."

"We take responsibility for the sins of the past," Byrnes said. "We hope that we bring some amount of justice to these victims."

Elsaesser described a three-step process to the bankruptcy proceedings.

1. Cap the liability

Over the next six months, during the first phase of the reorganization, "broad notice" will be provided to anyone else who may have a claim against the archdiocese but has yet to file.

"They will have an opportunity to file up until a deadline date," which will probably bet set for May or June, Elsaesser said.

That deadline will be set by the court and will cap the liability for the archdiocese, barring any further claims after the deadline has passed.

"To help fund the reorganization and compensation to the abuse survivors," Elsaesser said, he will be working with the plaintiffs' attorneys to try to get the best possible price on the sale of the church's nonessential properties.

Among the properties owned by the archdiocese now listed for sale is the former Accion Hotel in Yona, which was turned into the Redemptoris Mater Seminary by the Neocatechumenal Way. Byrnes ousted the Way and closed the seminary in January 201

The Accion has been listed for sale since August 2018 for $7.5 million.

Also on the chopping block are the archdiocese-owned Civille & Tang PLLC building in Hagåtña and the historic Archbishop Flores house.

Elsaesser said the U.S. Trustee Office will appoint a committee made up of plaintiffs' attorneys, who will be able to hire their own bankruptcy counsel.

2. Mediation again

After the deadline for any remaining complaints to be filed, the archdiocese "will go as soon as possible into mediation with our insurers, with the abuse claimants and their legal representatives," Elsaesser said.

The hope is that, during that mediation process, an overall settlement can be crafted to compensate all of the victims.

"The settlement will be one number," Elsaesser said, "and that number will be the dollar amount – the 'pot,' so to speak – that will be the funds that will be distributed to the claimants."

3. Reorganization plan

Once an overall settlement is achieved, Elsaesser said, the third and final step is to incorporate that settlement into a Chapter 11 reorganization plan.

Elsaesser said acceptance of the plan "is a democratic process in which the actual abuse claimants will be voting on whether to confirm that plan."

If the plan is accepted and approved by the bankruptcy court, "that is when the compensation would be distributed to the claimants," Elsaesser said.

"We hope that we'll be able to get to that point within a year – if that's possible," he said.



COMPLETED SECTION: *Guests tour a completed section of the international arrivals corridor at the A.B. Won Pat International Airport. Sections of the corridor closer to the tarmac are still under construction. Norman M. Taruc/The Guam Daily Post*

PROJECT continued from page 1

'Enough blame to go around'

Among the factors that contributed to the $40 million cost overrun, said Ada, was "the assumption that H-2 labor would be available."

The lack of H-2 workers has been "a significant contributing factor," Ada said.

On the other hand, Ada added, the original $70 million estimate for the project may have been "underestimated."

In addition, Ada said, there have been some issues with the construction.

"A major part of the problem is that the original architectural drawings for the building don't match what was actually built."

When the contractor went to work and "started opening ceilings and walls," what they found "differed significantly" from the original architectural drawings.

So the design for the third-floor corridor had to be adjusted accordingly, which Ada said caused some delays.

Ada said he was made aware of some of these construction issues before he accepted the position. "I'm sure there is enough blame to go around," he said. Since Ada took over last week, his focus has been on devising a recovery plan so the corridor project can be completed "sooner than what is being projected right now."

GHC
Korporasion Ginima Guåhan

GUAM HOUSING CORPORATION

P.O. Box 3457, Hagåtña, guam 96932

Guam Housing Corporation will hold a Regular Board of Directors Meeting on Friday, January 25, 2019 at 9:00 a.m. at GEDA conference room, 5th floor, ITC bldg. Executive Session may be called to discuss a Personnel Matter. For more information or special accommodations, please call 647-4143.

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Friday, January 25, 2019
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I. Meeting Call to Order
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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 Christie San Nicolas, Administrative Officer at 671-300-1627 or by email: clsannicolas@gdoe.net.

Agenda to be available on GEB website at least 72 hours before the meeting. This advertisement was paid for by GDOE local funds.

GCC
GUAM COMMUNITY COLLEGE

BID INVITATION

BID NO:	**GCC-FB-19-003**
FOR:	**Credit Collection Services**
PRE-BID CONFERENCE: (Mandatory)	**10:00 a.m., Thursday, January 24, 2019** GCC President's Conference Room 2nd Floor (Building 2000)
BID OPENING DATE:	**10:15 a.m., Thursday, February 7, 2019** GCC President's Conference Room 2nd Floor (Building 2000)

PLACE: Guam Community College Student Services & Administration Building (Building 2000)

Interested Bidders may purchase a bid packet at the Cashier's Office, (Room 2119) located in the GCC Student Service & Administration Building 1st Floor, during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday (excluding Government of Guam holidays). Upon issuance of a receipt, a bid packet should be picked up from the Materials Management Office, Room 2105 (1st floor). Attendance at the Pre-Bid Conference is Mandatory, failure to attend will result in disqualification. Bid submissions must be made on or before 10:00 am on Thursday, February 7, 2019 to the Materials Management Office (Building 2000, 1st floor, Room 2105). A non-refundable fee of $25.00 will be charged for each bid package. A pdf file of the bid packet is available upon request via email.

For further more information, please contact the Materials Management Office at 735-5542 or email: materialsmanagement@guamcc.edu.

Doc. No 35GL-19-0048. This advertisement was paid with Guam Community College Funds.
This institution is an equal opportunity provider and employer.

/s/ MARY A.Y. OKADA, Ed.D.

Communications

Ex-Officio Member Report

Unfinished Business/Committee Reports

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Email: jonfernandez@gdoe.net

JON J. P. FERNANDEZ
Superintendent of Education

January 22, 2019

MEMORANDUM

To: Chairman and Members, Guam Education Board

From: Superintendent of Education

Subject: Proposed Guam Department of Education FY2020 Budget

I am pleased to transmit to the Guam Education Board (GEB) the Fiscal Year (FY) 2020 Proposed Budget Request for the Guam Education Board's (GEB) consideration and approval. This budget was developed after individual meetings with every school and division in December 2018. The GEB then held work sessions with the management team to discuss our fiscal needs and priorities in order to refine and improve the request.

The FY2020 budget request of $343,958,925 represents a comprehensive financial assessment needed to fully fund the department's operations and help advance our core mission, which is to successfully prepare students for college and career opportunities. This request was formulated with the needs of students first and foremost and structured to provide support to the teachers and staff who serve our children. It ensures the department meets the requirements of law to provide, at a minimum, an adequate education for every student. I would note, the $344 million request excludes charter schools, whose budgets are anticipated to be submitted in late January and which will be forwarded to you when available. The GEB can submit the charter school budgets under separate cover to the Legislature.

While there are major components to the budget, the request may be broken down into five key areas or allocations: $180.8 million or 52.5% for Curriculum; $64.2 million or 18.6% for Student Safety; $54.3 million or 15.7% for Facilities, $19.4 million or 5.6% for central administrative support; and $25.2 million or 7.3% to comply with Mandates, GEB Policies, Collective Bargaining Agreement Contract and Public Laws.

We have prepared and attached for GEB review and approval: Schedule A – Overall FY2020 Budget Comparison by object category and a draft Resolution 2019-01 in accordance with the Adequate Education Act.

JON J.P. FERNANDEZ

Attachments

GUAM EDUCATION BOARD
RESOLUTION NUMBER 2019-01

Introduced by: Guam Education Board Members

RELATIVE TO FISCAL YEAR 2020 ANNUAL BUDGET REQUEST FOR THE GUAM DEPARTMENT OF EDUCATION

WHEREAS, pursuant to Section 3121 of Title 17 of the Guam Code Annotated, the Guam Education Board (GEB) is responsible for approving an annual budget by resolution; and

WHEREAS, on September 19, 2018 the Superintendent issued the FY2020 Budget Call to School Administrators and Division Heads, requesting their budget submissions adequately meet the goals of the 'Every Child is Entitled to an Adequate Education Public Education Act,' be student centered, and based on achieving the goals established by the GDOE State Strategic Plan; and

WHEREAS, in compliance with 11 GCA §52101(a), public hearings were held from October 1 through October 31, 2018 to afford stakeholders the opportunity to participate and provide input to the FY2020 budget process; and

WHEREAS, School Administrators and Division Heads submitted and presented their FY2019 Budget requests to the Superintendent from December 17 through 21, 2018; and GEB work sessions were conducted on January 10 and 11, 2019; and

WHEREAS, the GEB has determined an aggregate of Three Hundred Forty-Three Nine Hundred Fifty-Eight Thousand Nine Hundred Twenty Five dollars, **$343,958,925** for FY2020 operations, excluding funding for Charter Schools, is adequate to meet the goals of the 'Every Child is Entitled to an Adequate Education Public Education Act,' which falls within the statutory responsibility of the Department of Education; and

WHEREAS, this aggregate reflects needed personnel and operations for FY2020 and may be categorized in the following five operational areas: $180,823,643 to provide for curriculum and instruction in 41 schools; $64,158,499 to address student supervision and safety; $54,315,380 to maintain and operate school facilities; $19,432,563 for administrative and central office operations; and $25,228,840 to ensure compliance with mandates, GEB policies, the Collective Bargaining Agreement, and Public Laws; and

WHEREAS, GEB requires specific funding for any new initiatives and $655,245 ($76,110 in additional personnel and $579,135 to retrofit, supply and equip 5 additional classrooms) is included to expand the Early Childhood Education Pre-Kindergarten Program to five (Agana Heights, Inarajan, Daniel L. Perez, and P.C. Lujan elementary schools) additional schools beginning in August 2019 (School Year 2019-2020); and

WHEREAS, flat funding in federal grants has impacted GDOE's Headstart and Special Education programs, requiring 80 new school aides or $2,751,897 and 5 Head Start aides or $195,253 to provide required services to our current number of special education and headstart students; and similarly, GDOE's required level of effort for its U.S. Department of Education Consolidated Grant is $3,875,097 and therefore these funding requirements are included in GDOE's FY2020 request; and

Draft

WHEREAS, while GDOE operates six schools (Liguan and Adacao Elementary, Astumbo Middle, John F. Kennedy (JFKHS), Okkodo (OHS), and Tiyan High (THS) schools) and its central offices under lease back/lease to purchase agreements, more commonly referred to as GEFF, GEFFII, CapFa, and Coretech, and wherein the GEB asserts FY2020 funding for these agreements may be construed as debt service and as such, should continue to be appropriated outside of GDOE's FY2020 operating budget; and

WHEREAS, the anticipated FY2020 costs of JFKHS and the OHS Expansion additional rents, maintenance and insurance represent operating expenditures relative to GDOE's occupancy of the facilities, $1,650,000 for OHS Expansion and $2,306,659 for JFKHS are included in GDOE's FY2020 request; and

WHEREAS, the GEB continues to be concerned about the residual impacts of cumulative cash shortfalls: FY18 $14.1M cash shortfall in GDOE appropriations exceeded the $12.3M reduction under the Fiscal Year Realignment Plan, prior cash shortfalls in FY17 $2M, FY16 $5.1M, FY15 $3.1M, FY14 $4.7M, from GDOE's appropriations; and how yet another cycle of outstanding vendor payments carryovers will impede GDOE's current FY19 operations; and

WHEREAS, following the veto of Bill No. 374-34 to redress authority to increase tax assessments on real property land improvements valued at $1M or more, the Bureau of Budget Management and Research has advised reductions, from $13,697,610 to $8,929,033, in GDOE's FY2019 Territorial Education Facilities Fund appropriations; this $4,768,577 reduction represents the cost (excluding personnel) of operating GDOE schools for nearly one quarter of a school year, directly impacting school operations; and

WHEREAS, under the Guam Academy Charter Schools Act of 2009, the GEB is statutorily required to transmit to the *I'Liheslaturan Guahan* the annual budget request for charter schools, which have yet to be received by the Superintendent from the Guam Academy Charter School Council (GACSC); and

WHEREAS, the Guam Academy Charter Schools Act of 2009 does not provide the GEB authority to amend or adjust the charter school budgets but rather directs that we transmit them to *I'Liheslaturan Guahan*; and

WHEREAS, notwithstanding charter schools operate separate and apart from the Guam Department of Education and do not fall under the purview of the GEB, the GEB asserts the need for reconsideration of the existing funding mechanisms for charter school local appropriations may be warranted to forthwith be separate and apart from the GDOE budget as since 2014 such funding mechanisms has negatively impacted and reduced funds available for GDOE students; and

WHEREAS, in light of any residual and projected revenue losses resulting from the Tax Cuts and Jobs Act of 2017 and any consequent budgetary FY2019 reductions in GDOE's appropriations, as well as, any needed reductions and revisions to GDOE's FY2020 Budget request, the GEB believes it would be prudent to also consider a moratorium on local appropriations and increases in appropriations for existing, as well as, newly chartered charter schools; and that any reductions to the GDOE's annual budgets and related cash allotments be applied and apportioned to charter school budgets;

NOW THEREFORE BE IT RESOLVED, the Guam Education Board does hereby adopt and transmit the Department of Education FY2020 Annual Budget Request for review by *I Mina' Trentai Cinco Na Liheslaturan Guåhan;* and

BE IT FURTHER RESOLVED, that pursuant to Section 3121 of Title 17 of the Guam Code Annotated, the Guam Education Board does hereby approve the FY2020 budget request, to include special appropriations, as outlined:

Draft

GUAM EDUCATION BOARD
RESOLUTION NO. 2019-01

	MANDATE	AMOUNT
1	A certified teacher for every class in a ratio established by relevant collective bargaining agreements	**142,323,573**
2	Certified Professional Administrators	**10,966,802**
3	Certified Guidance Counselors	**6,523,064**
4	Certified School Health Counselors	**3,875,449**
5	Certified Allied Health Professionals	**1,320,428**
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	**5,398,811**
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	**3,401,081**
8	A reliable supply of electricity	**14,109,988**
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	**3,162,973**
10	Adopted and required textbooks and workbooks issued to each public school student for the classes in which he/she is enrolled	**17,216,156**
11	Libraries, which meet the standards of the American Association of School Librarians, at each school, operated by certified librarians	**4,759,886**
12	A healthy, safe, sanitary learning environment	**106,714,925**
13	At least one hundred eighty (180) instructional days each school year with school years ending no later than thirty (30) days following the end of the calendared school year; and	**23,884,533**
14	Regular; timely school bus transportation to and from the school	**301,256**
	TOTAL	**343,958,925**

BE IT FURTHER RESOLVED, the Guam Education Board urges the Thirty Fifth Guam Legislature to fund the expansion of the Early Childhood Education Pre-Kindergarten Program to five additional schools in FY2020;

BE IT FURTHER RESOLVED, the Guam Education Board requests annual repayments for GDOE schools and facilities under the GEFF, GEFFII, CapFa, and Coretech-Tiyan financing instruments by the Government of Guam be adequately funded and continue to be appropriated outside of GDOE's FY2020 operating budget;

BE IT FURTHER RESOLVED, pursuant to and in compliance with Section 26116(b) of Title 17 of the Guam Code Annotated (the Guam Academy Charter Schools Act of 2009) and notwithstanding charter schools operate separate and apart from the Guam Department of Education and neither fall under the purview nor the authority of the GEB, accordingly, the GEB does not endorse nor approve the charter school budgets but shall upon receipt, shall be transmitting these budgets as mandated by law by separate cover for review by *I Mina'Trentai Cinco Na Liheslaturan Guåhan*;

BE IT FURTHER RESOLVED, the Guam Education Board requests consideration that annual budgets for charter schools be appropriated separate and apart from GDOE's annual budgets and that any budgetary reductions of local appropriations and related cash allotments, be shared and apportioned by charter schools who receive such local appropriations;

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Honorable Speaker Tina Muna Barnes, *I Mina' Trentai Cinco Na Liheslaturan Guåhan*, the Honorable Joe S. San Agustin, Chairman of the Thirty-Fifth Guam Legislative Committee on Appropriations, the Honorable Telena Nelson, Chairwoman of the Thirty-Fifth Guam Legislative Committee on Education, the Honorable Governor Lou Leon Guerrero, *I Magá håga Guåhan* and all schools.

DULY AND REGULARLY ADOPTED THIS ___ DAY OF JANUARY, 2019.

GUAM EDUCATION BOARD
RESOLUTION NO. 2019-01

MARK MENDIOLA, Chairman
Guam Education Board

JON J.F. FERNANDEZ
Executive Secretary

Draft

New Business

Executive Session