Speaker's Office <speaker@guamlegislature.org>

M&C Fwd: GEB January 21, 2020 Regular Meeting - Reporting Requirements

1 message

Speaker's Office <speaker@guamlegislature.org> Tue, Feb 4, 2020 at 3:15 PM
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>
Bcc: Tina Muna Barnes <tinamunabarnes@gmail.com>

02-04-20	1:21 PM	1-31-20	Guam Education Board's Meeting Agenda, Approved Minutes and other Documents as discussed at the January 21, 2020 Regular Board Meeting.*	Department of Education-Office of the Superintendent	35GL-20-1505

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

35GL-20-1505
Speaker Tina Rose Muña Barnes

FEB 0 4 2020
Time 1:21 ( )AM (✓)PM
Received By:

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

---------- Forwarded message ---------
From: **Christie Lyn San Nicolas** <clsannicolas@gdoe.net>
Date: Tue, Feb 4, 2020 at 1:21 PM
Subject: GEB January 21, 2020 Regular Meeting - Reporting Requirements
To: Governor's Office - Michael Weakley <michael.weakley@guam.gov>, Speaker Barnes <speaker@guamlegislature.org>
Cc: Jon Fernandez (Superintendent) <jonfernandez@gdoe.net>, Maria Roberto <mdroberto@gdoe.net>

Hafa Adai,

Please see the attached documents for the Guam Education Board's Regular Meeting held on January 21, 2020.

Please confirm receipt of this email.

Respectfully,

Christie Lyn San Nicolas

Office of the Superintendent
Guam Department of Education
501 Mariner Avenue Barrigada, Guam 96913
Tel: (671)300-1627 |Email: clsannicolas@gdoe.net

GDOE SY 2019-2020

GEB reg board meeting January 21, 2020.pdf
884K

2020 FEB -4 PM 3:59 RPT

1505

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

www.gdoe.net
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JON J. P. FERNANDEZ
Superintendent of Education

January 31, 2020

The Honorable Lourdes A. Leon Guerrero
Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

Honorable Tina Rose Muña Barnes
Speaker
Thirty-fifth Guam Legislature
Hagåtña, Guam 96932

Dear Governor Leon Guerrero and Speaker Barnes:

Håfa Adai! Pursuant to Public Law 31-233, Section 38, *Reporting Requirements for Boards and Commissions,* attached are copies of the Guam Education Board's meeting agenda, approved minutes and other documents as discussed at the January 21, 2020 regular board meeting. The meeting was held in the Gallery, DOE Building B, Tiyan.

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

Senseramente,

JON J. P. FERNANDEZ
Superintendent of Education

Attachments

cc: Chairman and Members, Guam Education Board
Deputy Supt., FAS
File

GUAM EDUCATION BOARD

501 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone Number: (671) 300-1627
Facsimile Number: (671) 472-5003
Website Address: www.gdoe.net/geb

MARK B. MENDIOLA
Chairman

MARIA A. GUTIERREZ
Vice Chairwoman

9th Guam Education Board
REGULAR MONTHLY MEETING
Tuesday, January 21, 2020
6 PM
Gallery, Building B, Tiyan
AGENDA

I. **Meeting Call to Order**
II. **Approval of Minutes**
ACTION 1. Minutes of December 6, 2019 Regular Meeting
ACTION 2. Minutes of December 31, 2019 Special 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. GFT
INFO 2. Mayor's Council of Guam
INFO 3. IBOGS Report
VI. **Unfinished Business/ Committee Reports**
1. **Executive Committee**
INFO/ACTION a. NASBE 2020 Legislative Conference (March 22 – 25)
INFO b. Superintendent's Evaluation Status (Ron McNinch)
2. **Instructional & Academic Support Committee**
INFO a. Head Start Report
3. **Safe & Healthy Schools Committee**
4. **Organizational Efficiency and Development Committee**
5. **Fiscal Management**
INFO a. Update on FY20 Budget
VII. **New Business**
ACTION 1. 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**

VOTING MEMBERS: Chairman Mark B. Mendiola, Vice Chairwoman Maria A. Gutierrez, Lourdes M. Benavente, Karlyn RCG Borja, John T. Burch, Ray P. Chargualaf Jr., James C. Lujan, Ronald L. McNinch, PhD
EX-OFFICIO MEMBERS: IBOGS Representative - Devin Eligio (SSHS), GFT Representative - Nicole Nadal (OMS), MCOG Representative - Mayor Melissa B. Savares
EXECUTIVE SECRETARY: GDOE Superintendent Jon J. P. Fernandez

CURRENCY EXCHANGE RATES
On Jan. 10, $1 was worth:

Keep posted and get more data and details online. Log on to see real time market data with our stock market tool at postguam.com/stock_market.

50.575 PHP₱	109.45 JPY¥	1,161.5 KRW₩	30.009 TWD NT$	6.9192 CNY¥	1.4492 AUD A$	0.8993 EUR €

Muna named Guam's top exec of 2019

The 2019 Guam Business Magazine Executive of the Year is Annmarie T. Muna, president and general manager of AM Insurance.

The 59-year-old is a University of Guam graduate with top honors. She holds a 1983 bachelor's degree in business administration with a double major in management and public administration, according to a press release.

The announcement was made at the Guam Business Magazine Executive of the Year award gala held Saturday night at the Hyatt Regency Guam. Muna is featured in portraiture on the cover of the Guam Business Magazine January-February issue, which was released at the gala. The annual gala is a fundraising event for the Guam Chapter of the American Red Cross.

Mona started as an insurance clerk and worked her way up to become an underwriter. She was a production manager at Universe Insurance Underwriters Inc. for 13 years. Her professional training includes marketing and underwriting for casualty, property, auto, bond, aviation and marine insurance.

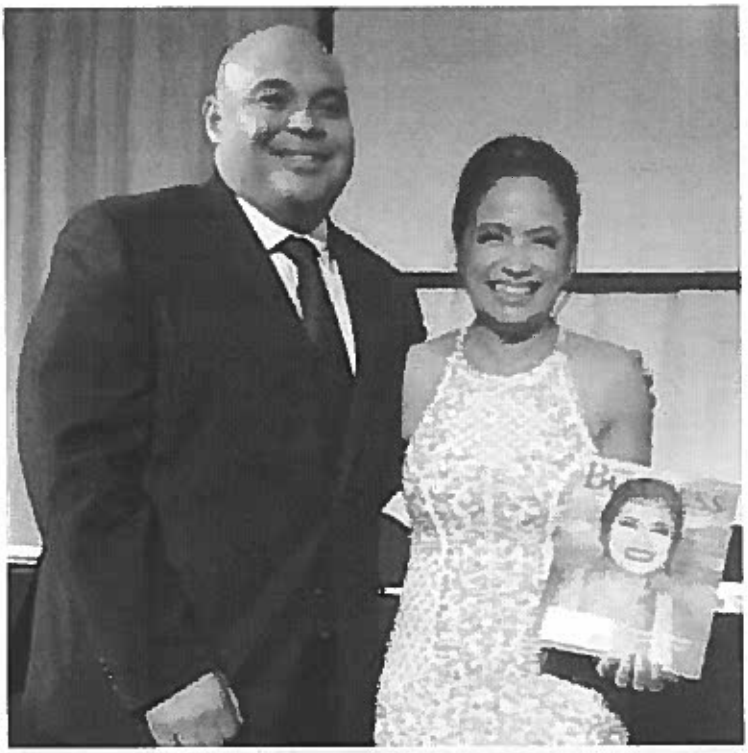
Muna formed AM Insurance in January 1994 in the garage of her parents' home with one employee and two clients. Today, AM Insurance has more than 20 employees and occupies three offices in Jones & Guerrero Co. Inc.'s J&G Commercial Center in Hagåtña and serves many commercial, government and personal accounts.

Muna also has ventured into other successful business enterprises. She is a shareholder and director of two local, women-owned companies, Y Ma'gas Inc. and Sentada Inc.

Y Magas Inc. started in September 2004 and provides administrative services, event planning and bookkeeping services to small businesses on the island. Sentada Inc. does business as Balutan Queen, a café in the Bank of Guam building that opened for business in 2007.

Muna also has been an active member of the island's civic organizations for years. She was one of the first 30 charter members of Soroptimist International of the Marianas on Guam. She also is a member of the Guam Chamber of Commerce, Guam Contractors Association, Guam Women's Chamber of Commerce and the National Association of Women in Construction, among others.

(Daily Post Staff)



GALA: *Annmarie T. Muna, pictured with Lt. Gov. Joshua Tenorio, was named the 2019 Executive of the Year at the Guam Business Magazine Executive of the Year award gala at the Hyatt Regency Guam on Saturday. Muna is featured in portraiture on the cover of the Guam Business Magazine January-February issue. Photo courtesy Guam Business Magazine*

South Sudan plans audit of oil fields to curb pollution

CAPE TOWN (Reuters) – South Sudan is launching a tender for a comprehensive environmental audit of all its oil-producing fields in a bid to reduce pollution following years of neglect, the government said on Friday.

Oil sales bring in almost all the revenue of the East African nation, which has boosted output to stand at about 180,000 barrels per day in October, as it struggles to rebuild an economy shattered by five years of civil war.

But with the petroleum sector historically causing a loss of grazing land and soil and water contamination, as well as other health risks in and around oil-producing areas, the government wants to strengthen enforcement and regulatory oversight.

"South Sudan is now faced with the challenge of balancing developmental needs with the spirit of environmental protection," the government said in a statement.

Petroleum Minister Awow Daniel Chuang said the environmental audit would be conducted ahead of any new exploration and drilling in South Sudan, which wants to ramp up production and intends to offer 14 new oil blocks for exploration in a licensing round early in 2020.



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MARK B. MENDIOLA
Chairman

MARIA A. GUTIERREZ
Vice Chairwoman

9th Guam Education Board
REGULAR MONTHLY MEETING
Tuesday, January 21, 2020
6 PM
Gallery, Building B, 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 Christie San Nicolas, Administrative Officer at 671-300-1627 or by email: csannicolas@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. 35GL-20-1505.*

GUAM EDUCATION BOARD

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MARK B. MENDIOLA
Chairman

MARIA A. GUTIERREZ
Vice Chairwoman

9th GUAM EDUCATION BOARD
REGULAR MEETING
Friday, December 6, 2019
6 pm
Gallery, Bldg. B, Tiyan

MINUTES

VOTING MEMBERS

Mark B. Mendiola, Chairman
Maria A. Gutierrez, Vice Chairwoman
Lourdes M. Benavente
Karlyn RCG Borja
John T. Burch
Ray P. Chargualaf, Jr.
James C. Lujan
Ron L. McNinch, PhD

EX-OFFICIO MEMBERS

Devin Eligio (SSHS)
IBOGS Representative

Nicole A. Nadal (OMS)
GFT Representative

Mayor, Melissa B. Savares
MCOG Representative

EXECUTIVE SECRETARY

Jon J.P. Fernandez
GDOE Superintendent

I. MEETING CALL TO ORDER

Mr. Mark B. Mendiola, Chairman, called the meeting to order at 6:00 p.m.

ROLL CALL OF MEMBERS

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

Voting Members:
Mendiola, Mark B. – Chairman
Gutierrez, Maria A. – Vice Chairwoman
Benavente, Lourdes M.
Borja, Karlyn RCG
Burch, John T.
Lujan, James C. (via video-conference)
McNinch, Dr. Ron L.

Non-Voting Members:
Nadal, Nicole A. – GFT Representative
Labadnoy, Mika (OHS) – IBOGS Representatives
Savares, Melissa B. – MCOG Representative

Legal Counsel:
Stake, James

Absent:
Chargualaf, Ray P., Jr. - Excused

The Superintendent announced that six (6) members of the Board were present, constituting a quorum. He also noted that Mr. Lujan was trying to connect via video conference.

Mr. Fernandez welcomed Mayor Melissa Savares as the new representative for the Mayor's Council of Guam.

Mr. Mendiola noted that he had received communication regarding Mayor Savares' appointment. He also thanked Mayor Rudy Matanane for his service on the Guam Education Board.

I. APPROVAL OF MINUTES

Ms. Gutierrez motioned, seconded by Mr. Burch, to approve the October 22, 2019, regular monthly meeting minutes, subject to corrections. The Board voted by voice with a vote of 6-0 for the motion, motion passed.

II. **PUBLIC PARTICIPATION** – Mr. Mendiola informed meeting participants that there is a three-minute limit for those who wish to address the Board. He stated that he would provide a reminder when participants were close to the three-minute marker, and further stated that if participants wished to continue the conversation, they were welcome to submit written testimony. He thanked everyone who was present in the gallery.

Ms. Gutierrez stated that she had a short presentation planned before beginning the public participation portion of the agenda. On behalf of the Board, Ms. Gutierrez presented Superintendent Jon J.P. Fernandez with a certificate of recognition for his outstanding accomplishment in receiving the Professor John M. Phillips Excellence in Government Accountability Award at the Association of Government Accountants Guam Chapter meeting on October 23, 2019 at the Hilton Guam Resort.

Ms. Gutierrez, on behalf of the Board, also presented Dr. Ron McNinch with a certificate of recognition for his outstanding accomplishment in being elected for a three-year term as the NASBE Western Region Director on October 20, 2019 at the Hilton Omaha in Omaha Nebraska.

PUBLIC PARTICIPATION

Emily Meno, Assistant Principal at Okkodo High School (OHS) - Ms. Meno, on behalf of OHS, acknowledged that she is in support for the transition of the Guam DOE Interscholastic Sports Association (ISA) League and that she looks forward to the efforts to move forward with the new league.

Ms. Gutierrez asked Ms. Meno if she was aware of the letter that Mr. Debold sent to Governor Lou Leon Guerrero on behalf of the IIAAG opposing GDOE and its creation of a new league.

Ms. Meno responded that yes, she received the letter that day, and noted that she sent Mr. Dubold an email earlier in regards to his meeting with the Governor. She stated that at the IIAAG meeting on Wednesday, Mr. Debold stated that he did not write a letter. She realized that there was a letter and she responded to him as a current member of the IIAAG requesting that he provide a copy to IIAAG members.

Ms. Gutierrez asked if she had received a copy of the letter.

Ms. Meno responded that she had just received the copy earlier in the day.

Ms. Gutierrez asked Ms. Meno if the IIAAG had voted to approve the letter that was written to the Governor.

Ms. Meno responded no, they did not vote to approve the letter.

Marvin Linder, Athletic Director (AD) for Southern High School (SHS) – Mr. Linder stated that he has been the athletic director for the past five years, he supports his students, and feels that this transition from IIAAG to GDOE ISA will not result in separating the students. He was not involved in the decision to change the league, but once the change was made, he and the athletic directors (Ads) did a lot of work to facilitate the transition. He stated that GDOE is ready to run its own league, and that it will invite the private schools to join. If private schools wish to join, or if they do not have a certain sport, they will be able to do so. He stated that he represents his school, and that he thinks that it is important to support the students. While his students did not understand the separation initially, once they learned more about the ISA league, they supported it. The kids were looking forward to the change. He was upset that the league was being questioned at the last minute, long after the decision was made. He stated that it is not fair to him, his students or all the other ADs that worked hard on the transition.

Ms. Gutierrez asked Mr. Linder if he was aware of the letter that Mr. Debold sent to the Governor.

Mr. Linder responded that he was not aware of it until after the fact.

She also asked if he voted for the preparation of the letter.

Mr. Linder responded no, he had not voted.

Mr. Burch asked Mr. Linder if 3rd quarter sports had started at his school or whether practice had started.

Mr. Linder responded that he expects 3rd quarter sports to start the following week. He stated that GDOE is still currently under the IIAAG and will being practices under the IIAAG rules until the transition to GDOE ISA in January. He stated that they are still currently members of the IIAAG.

Jay Antonio, Assistant Principal at John F. Kennedy High School (JFK) – Mr. Antonio stated that he is an administrator right now but he was an AD for eight (8) years prior to being an administrator. He also noted that he has been coaching for the public school system for the last twenty (20) years and participated as a high school student in GDOE. He stated that he has seen many changes in the IIAAG and he feels that what people need to understand is that the decision to run the league was not a decision that was made over night. There was a lot of discussion, including discussions with students, prior to the vote. He recalled that he discussed the issue several times with students because they wanted to make sure that students were aware and knew what was going to happen. He stated that at this point, he fully supports this change, and that on behalf of JFK High School, he fully supports GDOE running its own league.

Ms. Gutierrez asked Mr. Antonio if he was aware of the letter that Mr. Debold sent to the Governor.

Mr. Antonio responded, no.

Mr. Burch asked Mr. Antonio, referencing the statement made that he had to go back to his students several times, whether this was to convince them.

Mr. Antonio responded that it was not to convince them. He explained that from the beginning, the majority of the schools voted for GDOE to have its own league, but the school wanted to make sure that students fully understood what it meant.

Mr. Burch asked if JFKHS had begun practicing for 3rd quarter.

Mr. Antonio stated that they are still in 2nd quarter and they are not able to practice for 3rd quarter because their coaches are still being cleared.

Joel Punzalan, Assistant Principal at Tiyan High School (THS) - Mr. Punzalan stated that he is representing the THS students, faculty, staff and administration. He stated that he is very excited and supports the Board on moving forward with the transition to the new ISA league. He stated that the school was also able to obtain input from students. He noted that sometimes adults make decisions and forget that these decisions impact the students. He continued to express his support for the transition. He also stated that he was not aware of the letter that Mr. Debold sent to the Governor.

Mr. Mendiola noted that Mr. Lujan was online listening to the discussion.

Melvin Finona, Acting Principal at Simon Sanchez High School (SSHS) – Mr. Finona stated that he is representing the faculty, staff, students and the community of SSHS in support of the new ISA league. He commented that SSHS is thrilled to be a part of this, they worked hard to get the league ready, and they believe it is going to be a good thing for students. Mr. Finona also noted that he and his AD, Mr. Randy Kagigi, were not aware of the letter that Mr. Debold sent to the Governor.

Mr. Burch asked Mr. Finona if he is aware of who makes up the board of trustees for the IIAAG.

Mr. Finona responded that he is not aware.

Mr. Burch continued to ask whether he was aware that it is the school administrator from every public school attending or participating.

Mr. Finona responded that if it is, he is not the administrator who is participating.

Shira Schiff - Ms. Schiff stated that she represents herself and she is a student advocate. She stated that she has been an athletic trainer for over thirty years and has worked at the high school level for that time. She has a passion for high school sports and considers herself a very successful advocate for the student athletes. She believes that it is important to create and environment that allows for maximum participation and experience for the student athletes. She stated that she has a few issues that she would like to address. She noted that the ISA constitution under Article III Purpose states: "Direct a program and physical welfare of its student athletes". She commented that with the concussion issue up front and center in the sports world, it is important to consider a policy that includes computerized base-line testing for student athletes in contact and collision sports, if not all sports. She continued to give more information regarding concussions and the importance of computerized base line testing. She then moved on to Rule 2, Section V of the constitution where the second sentence states, "Nor will a parent or sibling officiate in a league in which his or her child or sibling is a participant and/or member of a coaching staff or team". She stated that all she is looking for is that the word league be changed to game, otherwise, we have the potential to lose some officials. Not only will we lose officials, but those officials will also lose income that they count on. She noted that on the subject of segregating the public and private schools, she does not believe that it maximizes the experience and the participation from the student athletes. She stated that she implores the Board that they reconsider and follow the Governor's directive and not sever it. She thanked the Board for their time.

Mr. Mendiola thanked Ms. Schiff for her participation and for advocating for the kids. He stated that the service that she is providing to the kids, public and private, is very admirable.

Loring Cruz – Mr. Cruz stated that he is a private citizen and he was a coach who retired four years ago. He stated that he is a concerned citizen. He noted that he was an athletic director back when GDOE was running the sports league. Mr. Cruz stated that he is in support of GDOE running its own league. He went on to explain why he felt that it was a good decision.

Mr. Burch asked Mr. Cruz if he was the coach who was relieved of his duties and asked not to report to the field and whether it was during the time the GDOE ran its own league.

Mr. Cruz responded, yes to both questions.

Terry Debold - Mr. Debold noted that he was present and speaking as a parent and not as a IIAAG officer but as a parent of a public school student who is also of Micronesian decent and as a long time coach and a member of the community. He stated that he is hoping that the Board would reconsider its decision to separate the schools and reconsider keeping the sports league as one under IIAAG. Mr. Debold read his statement for the Board.

Mr. Burch asked Mr. Debold if the GDOE has paid its membership with the IIAAG for the rest of the school year.

Mr. Mendiola reminded Mr. Burch that Mr. Debold was representing himself as a parent and not as an official from the IIAAG.

Mr. Debold stated that when he made his statement earlier it was as a parent but he is open to answering official questions. Mr. Debold answered Mr. Burch's question as an official of the IIAAG. He stated that the IIAAG has submitted the invoices for the fourth quarter from last school year and the first quarter for this school year but they have not yet received payment. He stated that he cannot say what the total amount is but the IIAAG has paid the portion of associated costs to the league officials with the fees collected by their other members, and that the balance outstanding for their payables is awaiting payment from GDOE. He stated that they understand that there is a process that it goes through, and they have explained that to the officials.

Mr. Burch questioned whether GDOE is obligated to pay a remaining balance.

Mr. Debold responded, yes, it is the same share as the other members of the league.

Mr. Fernandez clarified that at the public forum Mr. Debold mentioned the same issue but where he said the 4th quarter had been paid and 1st quarter was still outstanding.

Mr. Debold responded that as far as he knows he does not recall receiving a 4th quarter payment.

Mr. Fernandez stated that we would look into the 4th quarter and verify. He inquired whether all other members are paid.

Mr. Debold responded, yes, as far as he knows. He stated that GDOE and of course DODEA because they pay through a federal accounting system. He stated that he was not aware that the agreement had expired on November 19, 2019 and going forward for the 2nd quarter, he is not sure that we have an agreement in place right now. He stated that he had sent the same sole-source request in July to GDOE so they thought that they were on that new school year 19-20 sole-source agreement.

Mr. Fernandez informed Mr. Debold that he sent the scope of work to the league this afternoon. He stated that the scope of work, which was included in the quotation that the league submitted, included this year's 1st and 2nd quarter services. He stated that he wanted to assure the league that there would not be an issue with 2nd quarter sports or payment. Upon completion of services, payment will be rendered.

Mr. Burch asked Mr. Fernandez if 3rd and 4th quarter would be paid for as well.

Mr. Fernandez responded that since the purchase order has expired, there is no purchasing relationship between the GDOE and IIAAG. The purchase order will cover through 2nd quarter and the understanding was that at the Board's directive in May, at the beginning of 3rd quarter, GDOE would be required to contract out for its own services for the ISA league.

Mr. Burch questioned Mr. Fernandez saying that if that is the case, and GDOE is not under any constitution or bylaws governing the interscholastic sports program, is the department being placed in jeopardy should someone should get injured?

Mr. Fernandez stated that from a standpoint of being members of the IIAAG, we pay an annual fee to be members and that fee has been paid so we are members through December and it is a yearly membership. We have clarified through our ADs and our school administrators that we are able to practice, we continue to follow the IIAAG constitution and bylaws, the transition should be smooth because there should not be many changes to the ISA constitution and bylaws. The projected date for the ratification to take place is December 13th.

Ms. Gutierrez asked Mr. Debold when he became the president of the IIAAG.

Mr. Debold responded that he believes it was in May 2019.

Ms. Gutierrez then asked Mr. Debold that since May 22, 2019, to the date that he wrote the letter to the Governor in November, whether he had ever tried to approach the Superintendent or the Board to share the concerns of the IIAAG board members regarding GDOE's separation from the league.

Mr. Debold stated that on September 24th the IIAAG board members each voted by voice in opposition to the separation. In that same meeting, the board decided that it would reflect its opposition to the separation and the president was instructed to write a letter. The minutes from the September 24th meeting were approved at the November 7th meeting and no one was in opposition of the minutes. He stated that from what he recalls, the approval of the minutes was moved by Simon Sanchez and seconded by GW.

Further clarification was requested.

Ms. Gutierrez then asked if she were to ask for a copy of the IIAAG board meeting minutes, would she be able to get a copy?

Mr. Fernandez offered further clarification regarding the unpaid invoices that were mentioned earlier in the meeting. He stated that he received clarification that the 1st quarter invoices remain outstanding in the amount of $33, 128. The invoice came in on November 26, 2019. We just received the invoice and we will work to process that payment as soon as we can.

Antonio Aquino, President of the Guam Amateur Wrestling Federation (GAWF) – Mr. Aquino stated that he has been a high school coach for 20 plus years. He stated that he is in full support of the GDOE ISA league especially because GDOE is not looking to segregate or separate anyone and are actually inviting everyone to play. He stated that he speaks as the former SSHS coach and recalled two years ago when his kids were not allowed to participate. He stated that they tried to work with the principal and the AD to have the league allow them to participate, especially because they had four kids who were representing Guam in the Youth Olympic Games. To no avail, the league came back stating that the Board said there was a unanimous vote and decided not to allow them to participate. Parents were very concerned because they had two seniors who weren't able to wrestle their senior year and one was up for consideration for a scholarship at William Baptist University. He stated it fell short because colleges did not want to see that the student did not wrestle. He stated that he is in full support and he thinks that with the GDOE-run league, at least the best interest of the public school students will be protected. He added that he does not feel that it is protected under the current league.

Mr. Mendiola asked Mr. Aquino if he was still a coach.

Mr. Aquino responded that he is not because he is focusing on promoting Guam wrestling and getting wrestlers to the Olympics, especially for 2020 Tokyo.

Mr. Mendiola recalled Mr. Aquino's presence at an earlier meeting where Mr. Aquino mentioned that an organization was willing to bid or apply to run the sports program.

Mr. Aquino responded that yes, he came to not only represent the Federation but also the Guam National Olympic Committee (GNOC) and their expressed interests in partnering with the GDOE to help GDOE with their sports program mainly because they feel that the GNOC has a lot to offer under their Oceania Sports Education Programs (OSEP). He stated that right now, they have a coaching course that will be offered in February and they look to partner with GDOE to offer that course, as well as an athlete class that caters to promoting education on hydration, nutrition and other sports related topics. He restated that yes, GNOC is interested in partnering with GDOE for their sports program.

Mr. Burch asked if the GNOC is for or against making sure all schools are involved under one league.

Mr. Aquino responded that the GNOC's stance is to provide service and partner with the GDOE and with GDOE's league will be inviting everyone to be a part of it. GDOE is not saying that it is only for the public schools and that what the GNOC is after.

Mr. Burch apologized to Mr. Aquino for his experience when he was a coach and asked Mr. Aquino if he was aware that the school administrator is on the board of trustees for the IIAAG.

Mr. Aquino responded that yes, he was aware and they followed the chain of command. He stated that they went to the AD, and the principal and it went up to the deputy at the time. Ms. Taling Taitano had tried to contact the league and they said that the league's decision was final.

Mr. Mendiola asked if those students were denied participation.

Mr. Aquino responded yes, they were denied participation.

Mr. Fernandez offered clarification on the GDOE's role with the IIAAG. Mr. Fernandez stated that Mr. Burch is right that the principals are members of the organization and GDOE as management overseeing the schools has an indirect relationship with the IIAAG. He stated that the IIAAG handles those issues but it does not prevent the GDOE from getting those complaints and all the questions and challenges.

Mr. Burch clarified that the IIAAG also includes the public school system because school administrators are on the board of trustees.

Mr. Fernandez responded that under the rules of the IIAAG, the members are the school principals, but there is no formal relationship with the GDOE except through those school administrators.

Mr. Burch then asked that if the denial was given, then public school administrators were a part of the denial, not just the private schools. He stated that that is the point he is trying to make.

Mr. Aquino responded that he is not blaming anyone. In fact, what it comes down to is a vote. There are six public high schools, regardless of those six votes there are still more non-GDOE schools that vote against that. Even if a school does not have a team, they still have a say. Most schools, if they do not have a team, they are not going to answer an email. From what he is told, a lot of times they go through an email vote, and if there is no reply in the email, that vote gets counted as a "no". He commented that he does not think that is fair.

Mr. Burch commented that that is something that should have been brought up to the IIAAG to address because apparently what GDOE is doing is mirroring their constitution and bylaws so he is wondering if that is still an effective part within the bylaws of the ISA constitution.

Mr. Mendiola noted that he had requested for the minutes of those meetings and it was not mentioned that voting occurred through email and he found that to be very interesting. He commented that he would take Mr. Burch's concerns under advisement.

Mariano Aquino, Secretary General for GAWF & Secretary General for the Guam Judo Federation (GJF) - Mr. Aquino noted that he was there to represent Rick Blas, President of the GNOC. He explained what the GNOC's plans and intentions were. He further detailed what the GNOC offers and gave some examples, noting that those offerings are not offered by the IIAAG. He stated that the GNOC does not want to take over the sports program, they just want to help. They are here to help facilitate and help provide an avenue for the athletes to get in better shape and to have opportunities that they do not get anywhere else.

Mr. Burch questioned Mr. Aquino asking him if what he is saying is that should GDOE decide to outsource, the GNOC is willing to participate and perhaps put a bid out to assist us in some areas of our sports programs.

Mr. Aquino responded yes, they are prepared for that as a sports organization.

Mr. Burch commented that that is good to hear so that we will not have to deal with sole-source anymore. If that is the case then we would have to put this out to bid but that may require us to hold off on what we are doing and create a bid to accomplish that. Right now his understanding with ISA is that we were going to control everything inclusive of everything similar to what the IIAAG has in place. He stated that what Mr. Aquino is proposing is something different and he looks forward to dealing with something like that because now we would have competition between the IIAAG and the GNOC to see who we are going to have partner with the GDOE.

Mr. Aquino stated that the opportunities that the GNOC brings to the table are limited to our imaginations.

Mr. Burch commented that this is a different approach to what he thought GDOE was planning and would like to see and take this further.

Natalie Calvo - Ms. Calvo stated that she is present as a parent, a parent of three FD graduates who are all currently in colleges overseas and who came out of the IIAAG system. She stated that that IIAAG league has served the community well. She gave some background information on herself and her involvement with sports. She asked that the Board please reverse their decision and try to make it work with the IIAAG. She stated that she believes that it can be a very good thing for the community and has seen so many success stories from both public and non-public schools.

Mr. Mendiola thanked Ms. Calvo and reassured her that they would consider all the things that have been brought to their attention.

Mr. Burch motioned, seconded by Dr. McNinch, to suspend the rules of order and requested to move the new business item on the agenda up after public participation because of the interest in that particular item. The Board voted by voice with a vote of 7-0 for the motion, motion passed.

Ms. Gutierrez questioned what the purpose was on moving the new business item up on the agenda.

Mr. Mendiola responded that he believes Mr. Burch's request is probably because of those who are present in the gallery and for the interest of discussion would like to move it up.

III. NEW BUSINESS

1) **GDOE Interscholastic Association** – Mr. Mendiola stated that he received a call from the Governor's Office while he was in Washington, D.C. The Governor asked him to meet with her to discuss some issues regarding the IIAAG and the position that the Board took. He stated that he told her that he was off island but if she would like to meet with the Vice Chair he would give her a call. The Governor asked that they meet when he returns. Upon his return, he met with the Governor and the President of the IIAAG and the Governor asked him to bring back to the Board the issue of reversing their decision. He stated that he informed the Governor that there was a board action made by the five board members and that in order to reverse any action it would require five votes. He placed the item on the agenda and ended up cancelling the meeting because of the tropical storm and condition of readiness on Wednesday. On Friday, he received the letter from the Governor formalizing the conversation that they had. Mr. Mendiola stated that he wanted to explain how this item made it on the agenda and then asked the Superintendent to provide an update for the board members.

   Mr. Fernandez brought the Board's attention to the documents that he provided in the board packet. He went through the documents and provided background information and an update on what the GDOE has done since the board voted and gave the directive for the department to start the transition.

   Mr. Burch read his statement for the record.

Mr. Burch moved, seconded by Dr. McNinch, to extend the participation of GDOE in the IIAAG for the rest of the school year, up to and including 4th quarter sports and to schedule a work session as soon as possible to address GDOE's interscholastic sports.

Mayor Savares asked whether the participation from the private schools would still be allowed with ISA. She reiterated that they have been invited and GDOE is waiting for confirmation from three schools.

Mr. Fernandez responded that for boys' basketball, GDOE was waiting for affirmation from three schools, which are St. John's, ND and Harvest. In other leagues, schools like FD, St. Paul and Guam High already signed up to participate. For boys' basketball, because of the number of teams, it is possible to run two leagues and then do interleague play but for rugby, softball and tennis.

Mr. Burch stated that we do not support or have a beach volleyball within our sports program so that is one program that we are not going to offer so it will be separated and yet we are going to pick up rugby because the IIAAG would not support that. There would be changes if this were to go forward as is.

Mr. Fernandez clarified that GDOE has not sanctioned participation in beach volleyball so the IIAAG has sanctioned it and if schools want to play they are invited to play. GDOE has not sanctioned beach volleyball as a league and that is partially because when GDOE has new sports it has to also be aware of the costs and the interests as well. GDOE had participated in rugby so there was no change.

Mr. Lujan stated that the Board took action and decided to give the GDOE a chance to organize the league. It has already been six or seven months since they have begun organizing the league and we are ready to roll. If there is a third party with the GNOC, that could create a procurement issue. That could delay possibly going into another league other than GDOE. Mr. Lujan stated that he recommends moving in the direction that they have already voted on.

Ms. Gutierrez emphasized how hard GDOE employees have worked to address this issue and how much time they have all spent on this issue since 2018. She stated that she would not ignore all they have done and publicly insult them. She thanked them.

Dr. McNinch stated that his view is very simple, Governor Lou Leon Guerrero raised a concern and asked the Board to reconsider and allow more time. He stated that he respects the Governor and simply allowing a little more time might build more consensus.

Mr. Burch agreed with Dr. McNinch's statement and stated that if the concern is about procurement, the constitution and bylaws has yet to be ratified and procurement technically should not start until after that has been done and that will not happen for a week or two. If the Board does decide to reconsider and extend for the rest of the school year then GDOE would have more time to do the procurement. He asked why this has to be rushed. He stated that he feels strongly that they should follow through on the motion.

Mr. Fernandez stated that this is obviously a board policy discussion and he will let the Board sort that out but he feels the need to make comments when they relate to his responsibilities. He clarified that the comment that there may be an improper procurement because we have not ratified the constitution and bylaws is incorrect. Right now we are in the procurement process and it is not held back by the ratification of the constitution and bylaws, that is not really a policy discussion, just to clarify. He stated that he wanted the public to know that procurement is being handled appropriately and commented that he thinks he is one of the only two cabinet level officials who completed all four modules on procurement under GCC under BJ Cruz. He also clarified to Mr. Burch for the purposes of the administrators who are present, they were not present at the public forum because we felt it was to focus only on the constitution and bylaws and the ADs already had an opportunity to review it and provide their input. He continued to explain that we were getting community input and the principals had a separate phase so we did not instruct them or

require them to be there. If it were related to the overall policy issues that came up that were related to the Board's policy decisions, we would have also had them there to support and be able to provide their input at that time. He apologized and stated that it was not their fault.

Mr. Lujan stated that he keeps hearing that we are rushing but we did not rush. The process was worked through, they worked on the transition, it didn't just come up in November. The consideration was made, it was publicly announced in the media, they questioned it and we completed the process. He continued to explain the process and how things came about.

Mr. Burch disagreed with Mr. Lujan, continued to explain his stance, and asked that it be extended to the end of the school year to allow for more time with procurement and to give them the opportunity so that mistakes are not made.

Ms. Gutierrez, stated that if this board is going to decide that emergency procurement is necessary they would be micromanaging and they should not be micromanaging the Superintendent's responsibility. She stated that she knows there is a lot of pressure coming from the outside for them to change their vote, she even got a call from the priest.

Mr. Mendiola shared his concerns for the motion and how it specifically identifies the IIAAG in the motion when the Board is now aware that other organizations are interested in collaborating with the GDOE. Addressing the portion of the motion requesting for a work session, Mr. Mendiola stated that he has concerns because he requested for information from the IIAAG on their meetings and now with the possibility that voting was conducted via email. He stated that he has reservations on extending the participation with the IIAAG when we have ADs, the principals and those representing the public schools saying that they want to operate and control their sports organizations.

Mr. Mendiola reread Mr. Burch's motion:

To extend the participation of GDOE in the IIAAG for the rest of the school year, up to and including 4th quarter sports and to schedule a work session as soon as possible to address GDOE's interscholastic sports.

Mr. Fernandez stated that because this is a very public discussion where procurement is being discussed, he was reviewing the motion and after having discussed the availability of the GNOC has a competitor, it appears as if the Board is directing a particular type of procurement through this motion. He recommended that the Board seek advice from legal counsel in an executive session.

Suggestions were made to amend the motion.

Mr. Fernandez indicated that he informed the Board earlier that there is no existing purchasing relationship with the IIAAG, there is no existing contract to extend, and the purchase order has expired. He stated that currently, the way he views the procurement position of the Department, is that if the Board was to amend this motion or make a motion to extend the deadline for the prior motion, it would put the Department in the position of determining how to move forward. Right now because there is potential competition, we would be tasked to create and issue a bid for services to the potential bidders and allow them to compete. He stated that he thinks that could be done but not in time for 3rd quarter sports. If the Board decides, he is sure they could do something by 4th quarter sports. He stated that this is the impact of the Board's decision and he is just explaining the procurement situation. He reiterated that right now, we do not have a purchasing agreement, so if they were directing him to go with a vendor, he again would caution the Board about specifying a particular vendor.

Mr. Burch responded and asked, so you are not sure how the procurement rules of GovGuam affect this motion? Are you saying that we should have legal advise us on that?

Mr. Fernandez responded that he would recommend that legal review, but he is clear on the procurement position. There are two options at this point, one would be to consider and put it out for competition if the Board so directs or are determined that we are not able to provide the services. In the event of reviewing potential procurement, the first step that an agency needs to take is to determine whether they can provide services internally. He stated that he thinks that discussion with the Board has occurred and the Department has said yes, we can provide those services internally, running and operating an interscholastics league. The second is that if the Department decides that it was not able to provide those services we would bid it out to the competitors and that would mean that there are already two potential competitors and we would work to expedite that competition. If the GNOC and the IIAAG bid for that we would be happy to entertain their bids and make that award appropriately however, the timing of that would probably put 3rd quarter sports in jeopardy. He stated that the third thing Mr. Burch mentioned was emergency procurement. The only thing he would caution is that the determination of the procurement officer under penalty and perjury is that there has to be a declared threat against the public safety welfare or safety of the community. He stated that he is just clarifying the framework for the procurement decisions that have to be made. The Board is free to determine whether it wants to modify the original motion that was made and approved back in May and after that decision is made, GDOE will provide our feedback as to what our next steps should be under the applicable laws and regulations of the government.

Ms. Gutierrez stated that the Board has no business in any contract other than the Superintendent's contract and the legal counsel contract for the Board. We are trying to micromanage where we are not supposed to.

Mr. Mendiola stated that they are going to seek some legal clarity and have a discussion with legal counsel under executive session so that we can get that legal opinion and advice. He then suspended Mr. Burch's motion and stated that he would need a motion to go into executive session should the board decide to seek legal council's opinion.

IV. EXECUTIVE SESSION –

Mr. Burch moved, seconded by Dr. McNinch, to move into executive session to seek legal council's opinion on the motion. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

The Board moved into Executive Session at 8:03 pm.

Ms. Gutierrez moved, seconded by Mr. Burch, to rise out of executive session at 8:41 pm. The Board voted by voice with a vote of 7-0 for the motion. The motion passed.

Mr. Burch stated that on the advice of legal counsel he decided to withdraw his original motion and submitted a modified motion in its place.

Mr. Burch moved, seconded by Ms. Borja, to require GDOE to take over direct operations of the interscholastic sports program no later than January 1, 2020 and to prohibit the outsourcing of the interscholastic sports program for at least six (6) months and to schedule a work session as soon as possible to address GDOE's interscholastic sports. The Board voted by voice with a vote of 4-3 for the motion. The motion failed.

Dr. McNinch asked for clarification, and asked that if there is an absolution spirit of inclusion for the other schools?

Mr. Mendiola agreed.

Mr. Burch stated that the reason for the modification on the motion was to not be in violation of any laws or rules within the Government of Guam. He stated that he does not want to put our Superintendent in jeopardy of violating any of these laws. He does need a little time and flexibility and this will grant him that opportunity. He

commented that hopefully everything works out but because of the way things have turned out, procurement law has a placed a restriction on us.

Superintendent Fernandez took the roll call for voting purposes. The following members were **present and voted** for the motion:

Voting Members:	**Vote:**
Benavente, Lourdes M.	No
Borja, Karlyn R.C.G	Yes
Burch, John T.	Yes
Gutierrez, Maria A. – Vice Chair	No
Lujan, James C.	No
McNinch, Dr. Ron L.	Yes
Mendiola, Mark B. – Chairman	No

Mr. Fernandez stated that they have three yes and four no votes, so the motion fails.

Mr. Mendiola stated that the initial motion to have the two year period while the GDOE stands up its program will continue, but that the Board will continue to have work sessions to address any pending issues.

V. COMMUNICATIONS

CORRESPONDENCE

Mr. Mendiola stated that as part of communications they had letter from the Governor, which they just had a lengthy discussion on, and communications from the MCOG appointing Melissa Savares to the board. In addition to that, they also had email correspondence regarding the issues with interscholastic sports.

Mr. Fernandez asked for the Board's consideration to move an item up on the agenda since there are teachers and staff that are present for the Board's action on the ESL Procedural Manual.

Ms. Gutierrez motioned, seconded by Ms. Benavente to amend the agenda to allow for the second item under Instructional and Academic Committee, ESL Procedural Manual to be moved up on the agenda. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

VI. UNFINISHED BUSINESS/COMMITTEE REPORTS

1) **Instructional & Academic Support Committee**
GEB Resolution 2019-19 ESL Procedural Manual - Ms. Benavente read the resolution into the record.

Ms. Benavente motioned, seconded by Ms. Borja to adopt GEB Resolution 2019-19 Relative to the English as a Second Language (ESL) Procedural Manual. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

Ms. Eloise Sanchez introduced the team that was present that helped develop, design and update the ESL Procedural Manual, Program Coordinator - Joshua Blas who oversees the ESL Program with the Division of Curriculum and Instruction, Felix Chaco who oversees the coordinators that are working with the ESL teachers, Cecilia Champion, Rebecca North and Carmen Charfauros. She noted that they also have other team members who are not present but wanted to say that they have all been very diligent in the work that they've done in developing the ESL Procedural Manual. She stated that they look for the Board's approval so that they can get the document in the hands of all their ESL coordinators and teachers for the district.

The Board thanked them all for their hard work.

Mr. Mendiola stated that he would like to address the actionable items and if they were not actionable, he would like to table those items until the next meeting.

Dr. McNinch motioned, seconded by Mr. Burch to address the actionable items on the agenda. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

2) **Instructional & Academic Support Committee**
Head Start Report – Ms. Respicio presented the Head Start Report. She informed the Board that there is not anything new on the report other than the requirement for the FBI check being extended to 2021. She noted that they are still working on it and they are working with the courts and the block grant for the FBI check for all employees.

Mr. Lujan motioned, seconded by Dr. McNinch to accept the Head Start Report. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

3) **Fiscal Management**
Status Update on High Risk – Mr. Mendiola quickly mentioned to the Board that he sent a trip report to them regarding all the meetings that were held in Washington, D.C. He stated that they are anticipating that the GDOE team will have the response by the end of the month which will be sent to our partners on the federal side and they will come out to do a site visit and hopefully by the month of June or July, have a response on the status of high risk status.

VII. NEW BUSINESS –

2) **Declaration of Financial Status Designation for the months of June, July, August 2019** – Mr. Mendiola gave a brief explanation on the resolution and the response to the EFSC.

Ms. Gutierrez read the resolution into the record.

Mr. Frank CooperNurse also gave a brief explanation on the response to the EFSC and the financial status of the Department.

Ms. Gutierrez moved, seconded by Dr. McNinch, for the approval of GEB Resolution 2019-18 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 June, July and August 2019. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

Ms. Gutierrez motioned, seconded by Mr. Burch to table the remaining informational items on the agenda. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

All other agenda items were tabled.

VIII. ANNOUNCEMENTS AND ADJOURNMENT –

Ms. Gutierrez moved, seconded by Ms. Borja to adjourn the meeting. The motion passed.

Mr. Mendiola adjourned the meeting at 9:03 p.m.

MINUTES SUBMITTED BY:

Date: January 17, 2019

CHRISTIE L. SAN NICOLAS
Administrative Officer

MINUTES OF DECEMBER 6, 2019 REGULAR BOARD MEETING:

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

Maria A. Gutierrez

MARIA A. GUTIERREZ
GEB Chairman

Date: 1/21/20

JON J. P. FERNANDEZ
Executive Secretary/GDOE Superintendent

Date: 1/21/20

GUAM EDUCATION BOARD

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MARK B. MENDIOLA
Chairman

MARIA A. GUTIERREZ
Vice Chairwoman

9th GUAM EDUCATION BOARD
SPECIAL MEETING
Tuesday, December 31, 2019
10 am
Gallery, Bldg. B, Tiyan

MINUTES

VOTING MEMBERS

Mark B. Mendiola, Chairman
Maria A. Gutierrez, Vice Chairwoman
Lourdes M. Benavente
Karlyn RCG Borja
John T. Burch
Ray P. Chargualaf, Jr.
James C. Lujan
Ron L. McNinch, PhD

EX-OFFICIO MEMBERS

Devin Eligio (SSHS)
IBOGS Representative

Nicole A. Nadal (OMS)
GFT Representative

Mayor, Melissa B. Savares
MCOG Representative

EXECUTIVE SECRETARY

Jon J.P. Fernandez
GDOE Superintendent

I. MEETING CALL TO ORDER

Mr. Mark B. Mendiola, Chairman, called the meeting to order at 10:00 a.m.

ROLL CALL OF MEMBERS

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

Voting Members:
Mendiola, Mark B. – Chairman
Gutierrez, Maria A. – Vice Chairwoman
Benavente, Lourdes M.
Borja, Karlyn RCG
Burch, John T.
Lujan, James C. (via video-conference)
McNinch, Dr. Ron L.

Non-Voting Members:
Nadal, Nicole A. – GFT Representative
Flowers, Ryan & Pangelinan, Iris (THS) – IBOGS Representatives

Legal Counsel:
Nasis, Jesse

Absent:
Chargualaf, Ray P., Jr. – Excused
Savares, Melissa B. – MCOG Representative

The Superintendent announced that seven (7) members of the Board were present, constituting a quorum. He also noted that Mr. Lujan was trying to connect via video conference.

II. COMMUNICATIONS
SUPERINTENDENT'S REPORT.

Ms. Gutierrez motioned, seconded by Mr. Burch to accept the Superintendent's Report as presented. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

The superintendent informed the Board that there were two reports provided, the December superintendent's report and the year-end report. The Superintendent provided highlights from his report.

GDOE Interscholastic Sports Program. GDOE is prepared to launch its Interscholastic Sports Association league this December in time for third quarter sports. The GDOE ISA constitution and bylaws are expected to be ratified by December 13, 2019. Meetings with coaches are being set up to finalize schedules (which are currently in draft form and being reviewed). Meetings with officials will be set after procurement of services completes next week. An official launch of the league is anticipated mid-December. At its December meeting, the GEB will be reviewing its decision to have GDOE operate its interscholastic sports program for public high schools. On December 6, 2019, the GEB continued its support for the ISA league. *On December 19, 2019, GDOE officially launched the ISA league and officially unveiled the new league banners. The bylaws and constitution are already ratified, and officiating services have been procured.*

Simon Sanchez High School Procurement. GDOE plans to publish the solicitation for Simon Sanchez HS architectural and design services by mid-December. The Governor pledged $1.1 million in additional funding to support the project. In addition, the GEB has authorized GDOE to utilize its current appropriations to certify funding for this important phase. Over the past month, GDOE was presented an unsolicited proposal for consideration, which presented options for financing the A&E phase of the project and allowing GDOE to avoid the upfront costs. However, after review and clarification of the proposal, it was determined that the proposal did not merit moving forward with the unsolicited proposal nor did the proposal comport with the Ma Kahat Act of 2013, which authorized the Simon Sanchez project. Award of the A&E contract is anticipated in January 2020. *The solicitation was published on December 13, 2019. The due date was originally January 13, 2020; however, it has since been extended to January 23, 2020.*

Grass cutting. The Invitation for Bid was published last Friday, November 29, 2019, to solicit grass cutting services for schools based on the transfer of responsibilities from the Mayors' Council of Guam to GDOE. GDOE is appreciative of the mayors continuing to provide services through the transition period. GDOE expects vendors to be on board by the beginning of January. A letter was sent to Angel Sablan, Executive Director, Mayors Council of Guam, to share information about the IFB with its previous grass cutting vendors to encourage competition.

YEAR-END REPORT

Ninth Guam Education Board Sworn In. The 9th Guam Education Board was sworn in on Monday, January 7, 2019, at noon, by Chief Justice Kathy Maraman. Board members included Mark Mendiola (Chair), Maria Gutierrez (Vice-Chair), Lourdes Benavente, and James Lujan. Dr. Ron McNinch continued in his capacity as an appointed member. Governor Lou Leon Guerrero later nominated and received legislative confirmation of John Burch, Karlyn Borja, and Ray Chargualaf as board members.

GDOE Graduation Rate Hits Historic High. For School Year 2018-2019, the GDOE graduation rate reached an all-time high of 87.3%, up from less than 70% nine years ago. The graduation rate shows an increased effort by the department to support students in reaching their goal of achieving a high school diploma. This effort is coupled with greater partnership between GDOE, the Guam Community College and the University of Guam to reduce remediation for students entering college and to ensure that attainment of a high school diploma also translates into lower need for remediation. Through the GCC CLYMERS program and UOG's boot camp efforts, remediation rates have declined with the continued attention given by all partners.

Sixth Clean Audit for GDOE; No Material Weaknesses or Questioned Costs. The FY 2018 audit was released and represents the strongest audit performance in recent history for the department with no material weaknesses and no questioned costs. Back in the early 2000s, GDOE was an unauditable entity, leading to the federal designation of the department as high-risk. Over the years, while audits were able to be produced and submitted on a timely basis, persistent issues and findings led to more federal scrutiny over department practices. Since 2012, GDOE has shown much improved performance from a reporting and compliance

standpoint. As a result, the Superintendent reissued his request to USDOE to remove the specific condition requiring the department to complete a timely, single audit. This requirement has been met.

Several USDOE High-risk Special Conditions Removed; More Progress Made. GDOE is entering a critical phase in its high-risk work with USDOE and the third-party fiduciary agent, Alvarez and Marsal. In January, the Superintendent agreed to the use of a Reconsideration Evaluation Plan (REP) to guide the review and reconsideration of the seven special conditions placed on GDOE's federal funds. The timeframe for the REP is up until the end of December 2019 and sets forth the required validations that need to be completed by GDOE, the Internal Auditor and USDOE. In addition, upon completion of the REP, an onsite visit is required to provide a final assessment and validation of the progress made. In March, USDOE agreed to remove three key special conditions, including requirements for prompt access to GDOE information, compliance with grant-specific conditions, and compliance with program requirements. In August, USDOE agreed that an additional special condition – requiring the timely submission of an annual audit – had been met successfully.

This leaves three special conditions that remain to be addressed, including the requirement for a TPFA, the requirement for specific activities to be completed by the TPFA, and the requirement to complete the REP. USDOE completed preliminary onsite assessments in May (where Deputy Assistant Secretary Lisa Ramirez also delivered the commencement address at the J.P. Torres graduation) and July. Based on meetings held in July and later in November, GDOE will be substantially complete the REP in December. USDOE will schedule its onsite visit to Guam in February 2020 to do a comprehensive and thorough review of GDOE's completion of the REP. GDOE has hired Brustein and Manasevits, a boutique law firm specializing in federal education, to help guide GDOE through the final stages of USDOE's review. This represents the closest that GDOE has been to removal of the special conditions, the TPFA, and the high-risk designation.

GDOE Partners with GPD, Behavioral Health to Improve Safety and Outreach. In February, Governor Lou Leon Guerrero announced the creation of the School Safety Partnership to provide greater support to GDOE from key government agencies. There were several community meetings held to gather input. As part of this effort, the following supports have been provided to GDOE: 1. Extended police presence on campus at critical parts of the day at GDOE high schools, 2. Proactive GPD outreach in middle school, including Lunch with a Cop, Basketball with a Cop, and Carnival with a Cop, 3. Fade Away from Violence kickball tournament for GDOE elementary schools, 4. Investment of $1.9 million for intercom systems at all schools, 5. Expansion of efforts to provide mental health first aid training to GDOE teachers/staff, 6. Plans to launch junior police cadet program, 7. $50,000 in FY 2020 budget for alternate dispute resolution. Additional discussions to extend outreach to at-risk students and to improve recreational opportunities for students are ongoing.

CHamoru Immersion Kindergarten Launched. On April 23, 2019, the Guam Department of Education announced that it would be opening the first CHamoru immersion kindergarten classrooms at P.C. Lujan Elementary School in School Year 2019-2020. The project is called "Fanayakan Sinipok." Every year thereafter, GDOE plans to add an additional grade level until a K-5 immersion program is a reality. In addition, Chief Hurao Academy will be partnering with the immersion program and co-locating its prekindergarten program to P.C. Lujan Elementary School as well. A memorandum of understanding will guide the partnership between GDOE and Chief Hurao. A press conference was held at P.C. Lujan and was attended by GEB members, Governor Leon Guerrero, Lieutenant Governor Tenorio, Speaker Muna-Barnes, and various senators, all in support of the new program.

GDOE Students Continue to Excel in International Robotics Competitions. The expanded efforts to introduce robotics into the curriculum for more students is paying off in terms of student success. This year, John F. Kennedy High School won the U.S. and International Real World Design Challenge in Washington DC. In addition, a team comprised of students from several GDOE high schools took third place in the international FIRST Global Challenge held in Dubai against 190 other countries.

Expansion of Success Academy and Options for Credit Recovery. This summer, GDOE opened a central location for its credit recovery program, launching the Central Success Academy to serve 100 students. Several

years ago, J.P. Torres Alternative School evolved into the J.P. Torres Success Academy aimed at helping students, who were at risk of dropping out, recover high school credits and set a path towards graduation and post graduation opportunities. This has resulted in graduation for over 150 students who might have otherwise dropped out. Expanding to a central location will help students who live further north and provide additional opportunity to get students on track for graduation. In addition, GDOE has partnered with Asmuyao School to help students who are seeking an alternative education due to personal or family circumstances. Asmuyao, accredited by WASC, is able to grant credits to students, which count towards graduation.

GDOE Assumes Greater Oversight over Interscholastic Sports. In May 2019, the GEB prohibited GDOE from outsourcing the management of the high school interscholastic sports program for a period of two years, beginning January 1, 2020. Since the GEB's approval, GDOE has moved forward to plan and implement the transition away from the Independent Islandwide Athletic Association of Guam (IIAAG) beginning with third quarter sports. While certain members of the community expressed concern about GDOE's plans, the GEB reaffirmed its directive to the department when it failed to amend or modify its original decision. The Superintendent clarified for the community that under the GDOE Interscholastic Sports Association (ISA), private schools would be allowed to play in the ISA sports league and that no fees would be charged to schools and to affiliating athletes wishing to participate in ISA sports. A new ISA constitution and bylaws were approved on December 13, 2019, and the ISA league and a new ISA logo were launched on December 19, 2019. Third quarter schedules have been distributed and officiating services have been procured.

GDOE Continues to Prepare Community for Standards-Based Grading. Over the past several years, GDOE has piloted standards-based grading with the aim of aligning the grading system with content standards and a more effective assessment framework to measure student progress. While the department has yet to formally adopt SBG as the grading system, this year was spent gathering input from administrators, teachers, parents and students through work sessions and community meetings. The Guam Federation of Teachers has requested to partner with GDOE in doing a survey of all teachers to further gather information and input as part of this initiative.

17% Increase in School Breakfast and Lunch Reimbursement Rate Approved. In October, USDA announced that it had approved GDOE's request for a higher reimbursement rate under the National School Lunch and School Breakfast Programs. The new reimbursement rate is 17 percent higher than the previous rate and reflects the higher transportation costs and production costs experienced by the department. This support comes after repeated efforts by GDOE to convince USDA officials that the rate used by the contiguous 48 states did not make sense for Guam. Congresswoman Madeleine Bordallo assisted GDOE in her final year in office, sending a letter to the Secretary of USDA urging consideration of GDOE's request.

GDOE Reintroduces Local Produce into School Cafeterias. In December, GDOE received the first delivery of locally produced lettuce under a renewed effort by the department to work with local farmers to introduce more local produce into school cafeterias. GDOE has worked with GEDA, the Farmers Co-op, Farm to Table, and a local micro-greens producer to plan for and provide lettuce, cucumbers, bananas and other food items into the school breakfast and lunch menus. In prior years, farmers have encountered obstacles in meeting GDOE's requirements. Going forward, GDOE hopes to strengthen its partnerships with farmers and to increase local produce in more school cafeterias.

GDOE Introduces Student Internship Program. GDOE was able to hire sixteen student interns for the first summer intern program at the central office. The interns had to be incoming seniors and submit an application to participate in the program. The program was designed to be a half-day program over four weeks. In return for their services, the students earned a $500 stipend and service learning hours. In addition, they completed an updated resume reflecting their internship activity and skills learned and will receive letters of reference from their supervisor. Interns will also work in the department over the winter and spring breaks as well. The framework for this program has been shared with the Lieutenant Governor, the Department of Youth Affairs and Department of Labor to seek support for other government agencies willing to give high school students an opportunity to obtain work experience.

Superintendent Elected as WASC Commissioner The Superintendent was elected by the WASC Commission to serve a three-year term as Commissioner beginning January 2019 and ending in 2021. As a Commissioner, the Superintendent participates in the review and approval of accreditation for thousands of schools in the Pacific region, extending from California to Asia. In addition, the Superintendent was appointed to serve on the WASC Finance Committee.

Superintendent Selected as Chair of the Research Education Lab Pacific Board. In 2019, Superintendent was elected by his peers to serve as chairman of the REL Pacific Board for the year. The REL Pacific Board is comprised of K-12 and college heads throughout the Pacific region. As chairman, the Superintendent helps to guide the Board's review of research being conducted by McREL to improve education across the Pacific.

Superintendent Recognized with Accountability Award. The superintendent was recognized by the Guam Chapter of the Association of Government Accountants as the 2019 recipient of the Professor John M. Phillips Excellence in Government Accountability Award. The Phillips Award "recognizes a government official who exemplifies and promotes excellence in government, outstanding leadership, high ethical standards, and innovative management."

GDOE Selected to Host 31st Pacific Education Conference. GDOE was selected by the Pacific Resource for Education and Learning (PREL) to host the 31st Pacific Education Conference, which will take place July 6-10, 2020. The conference brings together educators from across the Pacific region to discuss issues affecting the education of our island youth. Educators will be joined by USDOE officials and organizations serving the island nations of the Pacific.

Mr. Mendiola stated that he is requesting for our vice chair, Ms. Gutierrez be a representative from our board with the board's concurrence to assist with the preparations for the Pacific Education Conference.

Ms. Gutierrez accepted.

Mr. Fernandez added that Guam has been invited to be the host for the Council of Chief State Officers conference in D.C. in March. He noted that it involves some of the welcoming remarks and organizing some of the conference. Typically, they provide a student performance or showcase and a short video to showcase Guam's school system. He stated that they are looking forward to having good representation not only from his team at CCSSO but also from the Board. There will be a joint dinner where Guam students will be represented along with all the 50 states. It is an opportunity to showcase what our island has to offer.

Ms. Gutierrez noted that Mr. Sanchez had a work session with the IBOGS to discuss Standards Based Grading. She commented that she feels that parents need to be more informed about Standards Based Grading.

Regarding the Student Internship Program Ms. Gutierrez asked if the students are being paid or if they are doing it for service learning credits.

Mr. Fernandez responded that it is designed as a half day program and they will be paid with a stipend. He noted that it is not coming out of local funds and it is a small program.

Ms. Gutierrez extended the appreciation to everyone involved in efforts to get the Department off of high-risk status.

Ms. Borja noted that the island wide PTO will be meeting again in January and the main topic for discussion is SBG.

III. UNFINISHED BUSINESS/COMMITTEE REPORTS

1) Executive Committee

Superintendent's Evaluation

Dr. McNinch motioned, seconded by Mr. Burch to nominate Ms. Maria Gutierrez to be a member of NASBE's Public Education Positions (PEP) committee and Ms. Lourdes Benavente to be a member of NASBE's Government Affairs committee. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

2) **Fiscal Management**

Update on FY20 Budget – Mr. Mendiola requested that the superintendent give the board a schedule so that they can hold the work sessions prior to January 31st. He commented that he hopes to have a regular meeting on the 21st of January and if they are not able to finalize everything they will hold a special meeting to address the budget specifically.

Meeting with the Attorney General (AG) re: EFSC – Mr. Mendiola informed the board that he, the Superintendent and legal counsel met with the AG to discuss the issues with EFSC. The question that was brought to the AG was the authority of the EFSC versus the role of the board. The AG informed them that he would formalize an opinion but for the time being, because the budget has already been passed, the Board would maintain authority over the GDOE's budget.

Dr. McNinch asked if they could consider establishing an annual schedule with two meetings per month so that they could make the board meetings routine with the time and place.

Mr. Mendiola and Ms. Gutierrez responded that the law requires one monthly meeting and at the chair's request, he can call a special meeting.

Dr. McNinch suggested that they schedule two meetings a month if they need a special meeting and they could always cancel the second meeting if it is not needed. He commented that that way it makes it more routine and prevents the issue about announcing to the public when we will be meeting.

Mr. Mendiola responded that they will discuss that.

Mr. Mendiola noted that he missed the item on the agenda regarding the superintendent's evaluation and wanted to go back to it.

3) **Executive Committee**

Superintendent's Evaluation – Mr. Mendiola asked Dr. McNinch to take the lead and do it as soon as possible so that they can do the superintendent's evaluation.

Dr. McNinch stated that there is one final meeting that he needs to have with the superintendent to discuss the structure of the evaluation.

Mr. Mendiola commented that the next step would be to hold a work session for the executive committee so that they can discuss this further.

Ms. Gutierrez noted that it is important to get the format of the superintendent's evaluation because the superintendent is also supposed to evaluate the deputy superintendents. She noted that the law requires it be posted on the website.

Mr. Burch asked if the evaluations have a timeline.

Mr. Mendiola responded that it is annual.

Ms. Gutierrez stated that the Superintendent's evaluation is based on his contract.

Mr. Burch was concerned that they would be focusing on the budget and not have sufficient time to work on the superintendent's evaluation.

Dr. McNinch noted that the evaluation would be very deliberate and would not be complex and it would be done by the next meeting.

Status Update on High Risk - Mr. Mendiola provided a brief update on the high risk status and the upcoming plans.

Pending Legislation - Mr. Mendiola informed the board of upcoming legislation.

Mr. Fernandez informed the Board of the upcoming confirmation hearing on January 2nd for the Board appointee, Felicitas Angel. He noted that supportive testimony will be prepared on behalf of the Board.

IV. ANNOUNCEMENTS AND ADJOURNMENT –

Ms. Gutierrez moved, seconded by Ms. Benavente to adjourn the meeting. The motion passed.

Mr. Mendiola adjourned the meeting at 11:02 a.m.

MINUTES SUBMITTED BY:

Christie L. San Nicolas

Date: January 17, 2019

CHRISTIE L. SAN NICOLAS
Administrative Officer

MINUTES OF DECEMBER 31, 2019 REGULAR BOARD MEETING:
(✓) Approved as submitted
( ) Approved subject to corrections
( ) Other: _____

Maria A. Gutierrez

MARIA A. GUTIERREZ
GEB Chairman

Date: 1/21/20

JON J. P. FERNANDEZ
Executive Secretary/GDOE Superintendent

Date: 1/21/20