clerks@guamlegislature.org

From: committeeonrules@guamlegislature.org
Sent: Tuesday, December 3, 2024 11:18 AM
To: clerks@guamlegislature.org
Cc: 'Speaker Therese M. Terlaje'
Subject: Messages & Communications Doc. No. 37GL-24-3058 through 3065.
Attachments: 12324 COMM Doc. No. 37GL-24-3058.pdf; 12324 COMM Doc. No. 37GL-24-3059.pdf; 12324 COMM Doc. No. 37GL-24-3060.pdf; 12324 COMM Doc. No. 37GL-24-3061.pdf; 12324 COMM Doc. No. 37GL-24-3062.pdf; 12324 COMM Doc. No. 37GL-24-3063.pdf; 12324 COMM Doc. No. 37GL-24-3064.pdf; 12324 COMM Doc. No. 37GL-24-3065.pdf

Håfa Adai Clerk's Office,

Please see attached, **Messages & Communications Doc. No. 37GL-24-3058 through 3065** for processing:

37GL-24-3058	Guam Memorial Hospital Authority	September 3, 2024 Public Hearing - Hospital New Fees and Fee Schedule Updates.* GMHA New Fee Package for Legislative Filing dated November 22, 2024.*
37GL-24-3059	University of Guam	FY2024 Expenditure Report for the Student Financial Assistance Program (SFAP)*
37GL-24-3060	University of Guam	Financial Reports (Unaudited) for October 2024*
37GL-24-3061	Guam International Airport Authority	Statement of Revenues and Expenses - OCTOBER 2024 Statement of Revenues and Expenses for October 2024*
37GL-24-3062	Guam International Airport Authority	Small Purchases and Construction - OCTOBER 2024. Small Purchases and Construction for October 2024*
37GL-24-3063	Guam International Airport Authority	Sole Source Procurement/Emergency Procurement - OCTOBER 2024. Sole Source Procurement/Emergency Procurement for October 2024*
37GL-24-3064	Bureau of Budget and Management Research	FY2024 Federal Receipts Report for September 30, 2024 Federal Receipts Report for the Fiscal Year Ending September 30, 2024*
37GL-24-3065	Department of Education	Board Meeting Packet for November 26, 2024*

Kindly reply to this email.

si Yu'os ma'åse',

Kamarin J.A. Nelson
Committee on Rules Director
COMMITTEE ON RULES
Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan

37th Guam Legislature

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Guam Legislature

37th Committee On Rules <committeeonrules@guamlegislature.org>

Messages and Communications for 37GL-24-3065

2 messages

Speaker Therese M. Terlaje <speaker@guamlegislature.org> Mon, Dec 2, 2024 at 5:59 PM
To: 37th Committee On Rules <committeeonrules@guamlegislature.org>, Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>

Håfa adai,

Please see attached M&C Doc. No. 37GL-24-3065

37GL-24-3065	Department of Education	Board Meeting Packet for November 26, 2024.

Si Yu'os ma'åse',
Patsy Cruz
Office Manager

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice, and Culture
I Mina'trentai Siette na Liheslaturan Guåhan 37th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
(671) 472-3586
senatorterlajeguam@gmail.com
www.senatorterlaje.com

---------- Forwarded message ---------
From: **Kathleen Joyce R. Lamorena** <krlamorena@gdoe.net>
Date: Wed, Nov 27, 2024 at 4:54 PM
Subject: GEB November 26, 2024 Continuation of Regular Meeting - Reporting Requirements
To: Jean S. Taitano <jean.taitano@guam.gov>, Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: Dr. Kenneth E. Swanson (Superintendent) <keswanson@gdoe.net>, MaeRose A. Nauta <manauta@gdoe.net>

Hafa Adai,

Please see the attached documents for the Guam Education Board's continuation of Regular Meeting held on November 26, 2024.

Thank you!

Warm regards,
Kathleen Lamorena
Guam Department of Education

Guam Department of Education

2 attachments

GEB Reporting Requirements November 26, 2024 Continuation of Regular Meeting.pdf
1928K

37GL-24-3065.pdf
237K

committeeonrules@guamlegislature.org <committeeonrules@guamlegislature.org> Tue, Dec 3, 2024 at 9:13 AM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>

Håfa Adai!

Received and thank you.

si Yu'os ma'åse',

Kamarin J.A. Nelson

Committee on Rules Director

COMMITTEE ON RULES

Senator Chris Barnett, Chairperson

I Mina'trentai Siette Na Liheslaturan Guåhan

37th Guam Legislature

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From: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Sent: Monday, December 2, 2024 5:59 PM
To: 37th Committee On Rules <committeeonrules@guamlegislature.org>; Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>
Subject: Messages and Communications for 37GL-24-3065

Håfa adai,

Please see attached M&C Doc. No. 37GL-24-3065

37GL-24-3065	Department of Education	Board Meeting Packet for November 26, 2024.

Si Yu'os ma'åse',

Patsy Cruz

Office Manager

[Quoted text hidden]

image001.png
97K

Guam Legislature

Speaker Therese M. Terlaje <speaker@guamlegislature.org>

GEB November 26, 2024 Continuation of Regular Meeting - Reporting Requirements

Kathleen Joyce R. Lamorena <krlamorena@gdoe.net> Wed, Nov 27, 2024 at 4:53 PM
To: "Jean S. Taitano" <jean.taitano@guam.gov>, "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "Dr. Kenneth E. Swanson (Superintendent)" <keswanson@gdoe.net>, "MaeRose A. Nauta" <manauta@gdoe.net>

Hafa Adai,

Please see the attached documents for the Guam Education Board's continuation of Regular Meeting held on November 26, 2024.

Thank you!

Warm regards,
Kathleen Lamorena
Guam Department of Education

Guam Department of Education

Doc Type: 37GL-24-3065
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
Nov 27, 2024
Time: 4:53 PM
Received:

GEB Reporting Requirements November 26, 2024 Continuation of Regular Meeting.pdf
1928K

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

www.gdoe.net
501 Mariner Avenue
Barrigada, Guam 96913
Telephone: (671) 300-1547/1536•Fax: (671)472-5003
Email: keswanson@gdoe.net

K. ERIK SWANSON, PH.D.
Superintendent of Education

November 27, 2024

The Honorable Lourdes A. Leon Guerrero
Governor of Guam
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910

Honorable Therese M. Terlaje
Speaker
Thirty-Seventh Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Governor Leon Guerrero and Speaker Terlaje:

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, and other documents as discussed at the November 26, 2024, continuation of regular board meeting. The meeting was held in the Gallery, GDOE Building B, Tiyan.

Should you have any questions, please contact me at (671)300-1627.

K. ERIK SWANSON, Ph.D.
Superintendent of Education

Attachments

37GL-24-3065
Messages and Communications
RECEIVED
Committee on Rules
December 2, 2024
5:59 p.m.
Kamarin Nelson

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

MARY A.Y. OKADA, Ed.D.
Chairwoman

ANGEL R. SABLAN
Vice-Chair

Guam Education Board
CONTINUATION OF REGULAR BOARD MEETING
Tuesday, November 26, 2024
4 PM
Gallery, Bldg. B, Tiyan
AGENDA

I. Meeting Call to Order

II. Approval of Minutes

ACTION 1. Minutes of October 15, 2024 Regular Meeting
ACTION 2. Minutes of October 21, 2024 Emergency Meeting

III. Public Participation (Board Policy 125.6) Time Limit 3 minutes

IV. Communications

INFO 1. Correspondence received by the Board after November 12, 2024

V. Ex-Officio Member Reports

INFO 1. Islandwide Board of Governing Students (IBOGS) Report
INFO 2. Guam Federation of Teachers (GFT) Report
INFO 3. Mayor's Council of Guam (MCOG) Report

VI. Unfinished Business/Committee Reports

INFO/ACTION 1. Superintendent's Report
2. Executive Committee
INFO/ACTION a. National Association of State Boards of Education (NASBE)
INFO i. Government Affairs Committee
INFO ii. Public Educator Position
INFO/ACTION b. Ad Hoc Committee Assignment
3. Instructional & Academic Support Committee
INFO/ACTION a. November 2024 Head Start Report
4. Safe & Healthy Schools Committee
INFO a. Facilities & Maintenance
INFO 5. Policy Review & Strategic Planning Committee
6. Fiscal Management Committee
a. GDOE Financial Report
INFO i. Accounts Payable Aging Report
INFO/ACTION ii. Declaration of Financial Status Designation – August 2024
INFO iii. Unaudited Statement of Appropriation, Expenditures, and Encumbrances for Fiscal Year 2025
INFO iv. Grant Status Report for Fiscal Year 2025
INFO b. US Department of Education Specific Conditions Report

VOTING MEMBERS: Mary A.Y. Okada, Ed.D., Chairwoman, Angel R. Sablan, Vice-Chair, Peter Alecxis D. Ada, Felicitas B. Angel, Christine W. Baleto, Lourdes M. Benavente, Karlyn RCG Borja, Maria A. Gutierrez, Ron L. McNinch, PhD,
EX-OFFICIO MEMBERS: IBOGS Representative, Timothy Fedenko - GFT Representative, Mayor, Melissa B. Savares, MCOG Representative
EXECUTIVE SECRETARY: K. Erik Swanson, Ph.D., Superintendent

INFO c. FY 2023 Financial Status Update

INFO **VII. New Business**

INFO **VIII. Executive Session** (Board Policy 125.12)

INFO/ACTION a. Personnel matters (5 GCA § 8111 (a))

INFO/ACTION b. Matters within scope of Public Employee-Management Relations Act, including collective bargaining (5 GCA § 8111 (b))

INFO/ACTION c. Superintendent's Evaluation

INFO/ACTION **IX. Announcements & Adjournment**

VOTING MEMBERS: Mary A.Y. Okada, Ed.D., Chairwoman, Angel R. Sablan, Vice-Chair, Peter Alecxis D. Ada, Christine W. Baleto, Felicitas B. Angel, Lourdes M. Benavente, Karlyn RCG Borja, Maria A. Gutierrez, Ron L. McNinch, PhD
EX-OFFICIO MEMBERS: IBOGS Representative, Timothy Fedenko - GFT Representative, Mayor, Melissa B. Savares, MCOG Representative
EXECUTIVE SECRETARY: K. Erik Swanson, Ph.D., Superintendent

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

MARY A.Y. OKADA, Ed.D.
Chairwoman

ANGEL R. SABLAN

GUAM EDUCATION BOARD
REGULAR MONTHLY MEETING
Tuesday, October 15, 2024
4 pm
Gallery, GDOE Building B
MINUTES

VOTING MEMBERS

Mary A.Y. Okada, EdD, Chairwoman
Angel R. Sablan, Vice-Chair
Peter Alecxis D. Ada
Felicitas B. Angel
Christine W. Baleto
Lourdes M. Benavente
Karlyn RCG Borja
Maria A. Gutierrez
Ron L. McNinch, PhD

EX-OFFICIO MEMBERS

Faith Freeman
IBOGS Representative

Timothy Fedenko
GFT Representative

Mayor, Melissa B. Savares
MCOG Representative

EXECUTIVE SECRETARY

K. Erik Swanson, Ph.D.
GDOE Superintendent

I. MEETING CALL TO ORDER

Dr. Mary A.Y. Okada, Chairwoman, called the meeting to order at 4:10 p.m.

ROLL CALL OF MEMBERS

Dr. K. Erik Swanson, Superintendent and Executive Secretary, took the roll call. The following members were **present** for the meeting:

Voting Members:
Okada, Dr. Mary A.Y. – Chairwoman
Sablan, Angel R. – Vice-Chair
Ada, Peter Alecxis D.
Angel, Felicitas B.
Benavente, Lourdes M.
Borja, Karlyn RCG
Gutierrez, Maria A.
McNinch, Dr. Ron L. (via Zoom)

Non-Voting Members:
Fedenko, Timothy
Freeman, Faith

Legal Counsel:
Nasis, Jesse

Absent:
Baleto, Christine W. (Excused)

Non-Voting Members:
Savares, Melissa B. (Excused)

The Superintendent announced that seven (7) members of the Board were present in person, and one (1) via Zoom, constituting a quorum. Ms. Baleto and Mayor Savares were excused.

II. Approval of Minutes

Mrs. Gutierrez motioned, seconded by Mrs. Angel, to approve the September 17, 2024, Regular Meeting Minutes. The Board voted by voice with a vote of 8-0 for the motion. The motion passed.

Mrs. Gutierrez motioned, seconded by Mrs. Angel, to approve the September 30, 2024, Special Meeting Minutes. The Board voted by voice with a vote of 8-0 for the motion. The motion passed.

III. Public Participation

Clarissa Casil – Ms. Casil shared her statement. Please see attached.

IV. Communications –

Mrs. Gutierrez asked Dr. Okada if she received any communication regarding a FOIA (Freedom of Information Act).

Dr. Okada informed her colleagues that they received a FOIA from Attorney Phillips. This was referred to Legal Counsel who gathered the information and provided a response. She said it will be provided as part of the Board's record.

V. Ex-Officio Member Reports

1. IBOGS Report – Mrs. Gutierrez introduced Faith Freeman, a senior at George Washington High School (GWHS) the new IBOGS student representative. She shared that Faith had tried to be a part of IBOGS last year but never received a response. She then reached out to Mrs. Gutierrez when NASBE was asking for a student board member to participate in the NASBE New Student Member Institute webinar on September 27, 2024, Guam time with about 25 state student Board members. She hopes that the other high schools submit names of students who might be interested by October 30th. Mrs. Gutierrez said that NASBE's always been trying to get students' voices because theirs matter. She said adults sometimes make decisions that students don't want. She said NASBE reached out to her because they know that Guam has always been supportive of the student board members. She said there will be 12 students and their applications will be reviewed by the former officers of IBOGS who now hold Government of Guam positions. She said one of the former officers is a recent graduate and a Truman Scholar. She noted that Faith would represent the IBOGS until she received the other applications from the other high schools. She shared that NASBE will be creating a student advisory group by November and December. She welcomed Faith and thanked her parents and GWHS Principal Mr. Fullo for allowing her to attend the webinar from 8:00 am to 11:00 am during a school day. She noted that it was used as a field trip. She thanked Faith again for reaching out to her and informed the Board that she would officially be representing the students for all the high schools until she received the other high school applicants. She told Deputy Superintendent Dr. Barbara Adamos to remind the principals because she won't remind them anymore.

Faith read her report for the record.

GFT Report – Mr. Fedenko asked if the request for full-time positions has been opened for the positions that are vacant. He noted that there were only 4 library technicians out of 20. He also said that the full-time clerk position is a lower-end position but easily feasible for supporting the nurses. He continued that there's one nurse servicing a school that has over 800 students. He shared that in one incident, the nurse had emergencies and luckily could attend to the student who had a medical emergency while still housing 20 kids in the nurse's office. He pointed out that this was dangerous and this was what he kept bringing back to the Board the importance of hiring the techs, clerks, and 1:1 aides. He hopes there's a request to fill for

substitute teachers. He said it's already October yet the classes of the teachers who are on long-term leave are still being subbed by school aides which further exasperates the danger of not having enough school aides. He pointed out that these are concerns that GFT keeps bringing up to the Board to make sure it's taken care of. He also mentioned that teachers will not clean air conditioners. He said that an off-handed comment by a GDOE employee is dangerous and insulting to their membership. He said their teachers are asked to clean rooms, to pay for supplies, to buy lunches for people volunteering, and on top of this they want them to clean the air conditioners without a ladder, without support, and in some cases a dangerous situation for the teachers. He said he fortunately has the ability to clean filters and he has done it but to make an offhanded comment to expect everyone and make them feel guilty for not being able to do that is not only an insult but degrading to their members. He hoped that there would be an apology issued to the teachers for the offhanded comment at the legislature.

Dr. Okada asked the HR Administrator Katherine Ada to respond to Mr. Fedenko's request regarding the job announcements.

Deputy Superintendent of Finance and Administrative Services Morgan Paul told Mr. Fedenko that he understands his frustration. Mr. Paul said that as the guy who watches the money, he's equally frustrated. He noted that he had presented to the Board in the last meeting that the department is in no position to hire any new employees. He continued that if the employee was included in the staffing pattern that was prepared for the Budget, they would be hired. He pointed out that the department is not in a position financially to hire new employees.

Mr. Fedenko said that based on his understanding, the staffing positions have been included as of last year and the previous school year before that in many cases. He assumes that those are the positions requested to be filled by the contract. He said the principals he's talked to told him that they've put in a request to fill (RTF) for those positions. He said it would be negligence on the principal if they didn't include the positions in their budget but he's heard that's not the case.

Deputy Paul replied that he understood that all the CBA (Collective Bargaining Agreement) positions were not included. He continued that a decision was made in the FY25 budget that was submitted to cut some of those positions.

Dr. Okada explained that when the priorities were considered for Fiscal Year 25, warm bodies were presented for a balanced budget. She continued that the resolution requires that any terminations, resignations, or retirements going forward starting October 1st, will be first allocated to fill the CBA positions because there's not enough budget to pay for all the full-time employees plus a portion of the contractual services and all the vacant positions. She told Mr. Fedenko that the vacant positions he was talking about were included in the budget for Fiscal Year 23-24, but when priorities were done for Fiscal Year 2025, the department had to start with the warm bodies. She continued that any lapsed funding as a result of retirement resignation would be allocated first to fill the CBA positions. She noted that otherwise there wouldn't be any cash to pay for them unless they initiated a RIF (reduction in force). She said all the measures that Dr. Swanson is taking right now are to fill the CBA.

Mr. Fedenko said that there are positions in the staffing pattern that were there at one time but that body is no longer at the school site. He said if they've disappeared, and based on what Dr. Okada said, those should be filled.

Dr. Okada replied that's why they've asked that the staffing pattern be presented to all the school principals and for them to verify that everybody on their list is part of their workforce and if somebody is missing, this be reconciled. She said this was brought up in the last meeting and asked if it had been done.

Ms. Ada said that was correct.

Mr. Fedenko asked if it was the staffing pattern the Board received or if it was the one they passed out.

Ms. Ada replied that it was the same one. She said that they used the September 21st staffing pattern which was broken down and given to the Board. She continued that a couple of the variances only had to do with the changes for either SpEd or C&I.

Mr. Fedenko said he wasn't talking about school aides but licensed practical nurses (LPNs).

Dr. Okada asked if none of the federally funded SpEd or C&I aides were transferred to local funds.

Ms. Ada said that was correct. She stated that they had the schools verify and email HR any discrepancies so they could correct them. She shared that a few of these variances included teaching assignments - a form was given to them and HR would update it on the system.

Dr. Okada said that substitutes were a line item on the FY25 budget and were funded. She asked if there was an announcement for substitutes. She continued that there was $1.7 included in the FY25 budget – all the warm bodies, salaries, and benefits. She said they talked about merits and substitutes were in there.

Ms. Ada said they have candidates ready to refer for the substitutes. She added that the substitute priority has been for the accommodations HR has been receiving. She continued that there are a few more that HR is standing by for referrals.

Dr. Okada asked how many substitutes HR had on their list.

Ms. Ada replied that their goal was to fund 1 per school because that's what the budget was.

Dr. Okada asked to follow up on that.

Deputy Paul said yes.

Mr. Fedenko asked for an updated staffing pattern because he's not even talking about subs or teachers but about a situation where there was both a health counselor and an LPN at one school. He said the LPN disappeared at the schools but they're still on the staffing pattern. He said unless he's reading it wrong, that's questionable. He asked where the LPN went.

Dr. Okada asked Mr. Fedenko to give the name of the school so they could locate where the person was.

Mrs. Gutierrez told her colleagues that they violated the contract. She said that the job announcements are still the same. She remarked on Mr. Fedenko's comment about positions disappearing and said that all of a sudden frozen positions are appearing that the Board never froze. She joked that maybe it's the movie Frozen. She said there are so many employees in the central office. She commented that the schools that have substitutes must be the favorite schools. She joked that schools have to smell good to have substitutes. She said she checked the schools that have substitutes. She asked if the principals acknowledged receipt when they were sent the staffing patterns.

Ms. Ada said yes.

Mrs. Gutierrez asked if she was sure because she gave a copy of the staffing pattern to the principals because they never got their copy. She said principals would submit an RTF as soon as they get a vacancy

but they're told that the positions aren't budgeted. She asked Deputy Paul how many months he's been with the department. She told him to make his people accountable. She told him that the GDOE website had not changed. She asked where the CBA positions are because these are for the schools. She shared that a principal told her that they had 6 SpEd (Special Education) students who needed 1:1 aides and that they only had two 1:1 aides. She asked her colleagues to go to the schools and see for themselves that she was not telling stories. She said that she was at Tamuning Elementary School (TAMES) yesterday and noticed that they were eating lunch in the cafeteria with no aircon. She asked if any of her colleagues had gone out to the schools. She said if there was a position at the central office it would be announced overnight and processed the next day. She noted that she'll continue to bring it up because it looks like it goes in one ear and out the other. She pointed out that this is the Board-Union contract signed by the Board Chair, the Governor, the GFT, and the AG (Attorney General). She said they have to honor it. She said she hopes all the deputies have a contract for their employment. She asked the deputies and Dr. Swanson if they were going to let it go if they didn't follow what was on the contract. She asked how long Mr. Fedenko had to keep bringing this up. She said to see for themselves what the teachers and employees have to go through. She shared that the TAMES principal was sweeping. Mrs. Gutierrez told her that she was going to take her picture and send it to PDN but the principal told her that's not needed. She continued that at every Board meeting, they're given an excuse as to why these positions can't be filled. She noted that Deputy Paul and Ms. Ada are new to the Government of Guam system and there's a contract with GFT. She said they're not asking for positions at the central office but for the schools. She commended Mr. Fedenko for going to the schools. She said he's no longer an employee of the department but he felt for the principals at the schools who don't have support staff. She said this was sad and that the Board members who are returning need to continue because the kids at school need the support/adult supervision. She shared that she helped a school yesterday where she directed the kids away from a bathroom that had a big leak on the ceiling because the school didn't have enough staff. She said it's frustrating. She reminded her colleagues about the contract with GFT.

Mr. Fedenko said that the 18% for the nurses wasn't being implemented.

Dr. Okada said it was included in the FY25 Priorities.

Mr. Fedenko said that GFT has been getting calls from a nurse that it's not being implemented. He said he doesn't know for sure but it's next on their radar.

Ms. Ada replied that HR has the PA's. She said they were re-certified for FY25 and they will be processing it for the next pay period. She said they were just waiting for funding.

Mr. Fedenko asked if it would go retroactive.

Ms. Ada said April 1st, correct. She told Mrs. Gutierrez that HR works for her, for the department. She told her that they needed to be on the same page. She said that HR processes a job announcement against a certified RTF. She explained that this means that it's been certified by Budget and has gone through the deputies and then it's announced.

Dr. Okada said that the budget and the certifications last year weren't in alignment. She said HR was hiring against position numbers that didn't have any budget attached to it and that's why Deputy Paul is now taking a look at it because the staffing pattern that was presented and prioritized are the positions that exist not a vacant position. She said a position may have a number but it doesn't mean anything if there's no budget attached. She commented that there were several positions last year that were processed without being connected to a staffing pattern that showed the budget. She said that was the problem. She said Deputy Paul was aware of it when they went through the priorities of FY25.

Ms. Ada commented that on future vacancies, if there's an established list, of school aides, clerk typists, or library technicians, HR will organize the interviews through that. She said if there's no established list and they have an RTF, the position will be posted. She said for the time being there's no RTF for librarian technicians.

Dr. Okada replied that she could put in an announcement to establish a list so that when funding becomes available, they don't have to wait another three to six months. She also said that there are positions on the department's page that are not funded. She recommends somebody take a look at it and take off the positions that don't have any funding source and remove it. If HR needs to establish a list for the positions Mr. Fedenko is looking for so when funding is available then that would be appropriate.

Ms. Ada said okay.

Deputy Paul emphasized that the department is in a tight budget crunch. He said he doesn't know if everyone understood in the last meeting that they've tried to analyze what it would take to fill all the CBA positions. He said the utilities for FY25 are half funded. He said they may need to have a prioritization meeting because he was unsure of what contracts to cut – the grass-cutting, the cleaning, to hire those positions. He noted that that's the position the department is in. He said it's a difficult position for him because he's trying to figure out how to manage getting the goal over the touchdown line in the end.

Dr. Okada said that in addition to rightsizing the schools based on the student population, the central office needs to be rightsized because there are layers of positions here that have been hired in the past couple of months before the spending priorities came through that came out of nowhere. She said if it means transferring somebody from here to the school to fill the CBA requirement then it needs to be done. She said the department has to determine if they have to do a RIF (reduction in force) for the employees if it means that employees that just came in be RIF (reduction in force) because there are requirements in the schools. She commented that there are a lot of program people here in high-paying positions. She said the senators will tell you that the department has more program coordinators than the Government of Guam. She continued that maybe there needs to be a combination of programs for one individual instead of having one separate one at 3 or 4 levels to fill a small program. She added that that needs to be done here and that's why the management audit is a requirement. She knows it's not funded but they may have to push to do it because that's going to right-size the organization. She commented that they have to meet the requirements of the CBA, to make sure that the schools are staffed and if it means the department needs to rearrange people then that needs to be done because the schools are aware that support is needed for students.

MCOG Report – Mr. Sablan read Mayor Savares' report for the record.

Mrs. Gutierrez asked Dr. Swanson and Deputy Paul about the grass-cutting contract. She said schools are asking parents to cut the grass at their schools so the kids can play. She understands that the contract expired but asked who was overseeing the contracts and when they found out that the vendor didn't want to cut the grass anymore. She said she didn't blame the vendor because they have employees. She was informed that schools have to wait because they don't know what's going on with the contract. She said the parents were also being asked to bring in the gasoline to cut the grass. She suggested that Dr. Swanson should have a beautification day where every division will go out to the schools and cut the grass one weekend to help them. She noted that a lot of the divisions didn't go out to the schools to help them get ready for the inspection. She remarked that some came and left like they would for a doctor's visit. She asked if the department was going to go back to the governor and lt. governor to send the SORT to cut the grass. She reminded Dr. Swanson about accountability. She said the department wanted to hire staff for the central office but they couldn't even monitor that the contract was going to expire. She continued that the mayors lose out because they also have their villages to take care of and they also have staff shortages.

She asked why the department can't have a day where divisions do the grass cutting so the kids can go to the playgrounds. She said if their kids go to public schools, they don't care about the issue. She then informed her colleagues that 2 parents she met at Payless told her that the schools had asked the parents to bring things to help the schools and now they were being asked to cut the grass. She said similar to when a 30 day's notice is given when renting a house, the person who is responsible for the contract should have done the same and brought it up to Dr. Swanson's attention. She said this is an example of how accountability was failing at the central office.

Mr. Ada said that several months ago, he had said that the principals should coordinate with their villagers. He said there are a lot of people who want to do bush-cutting work and they'll be happy to do it because they'll be getting paid. He noted that another option was the Department of Corrections (DOC). He suggested that the department could get them to come in during non-instructional days. He said many of the clients at the DOC are prohibited from going out where there are children so it could done on non-instructional days like Saturday, Sunday or a holiday. He thinks this will work if the department makes an effort. He shared that in his village, Barrigada, there are a whole bunch of people looking for jobs but if the department is going to make it difficult process for them, they're going to give up. He noted that if they come and do the work, they'll ensure it's done because it has to be signed off by someone who can confirm that the job was satisfactory. He stated that this is something Dr. Swanson has to look at and they should not close their eyes to the DOC.

Deputy Paul apologized to the Board regarding the grass-cutting contract that occurred while he was teaching at Southern High School (SHS). He said he was frustrated at times because he had to go out with his Sergeant to cut the grass. He mentioned that one of the goals in taking the DFAS position was to prevent that from happening again. He told the Board that he had counseled the employee who was responsible for the contracts which included the grass-cutting contract. He informed the individual that they needed to be working on the contracts six months before the expiration. He said in the current situation, there were 2 vendors and explained that one vendor realized that the other vendor although had fewer schools to cover, all in all, was getting better payment for their services so the vendor quit. He said the contract was set up by schools. He commented that the vendors bid for each school and the department took the lowest bid on each school. He continued that the vendor with the least amount of schools was getting a better deal. He said this happened in the middle or second week of September to the end of the Fiscal Year and they've had to close up FY24 and open up FY25. He said the grass-cutting contract is open and tomorrow, he intends to get the contract to the Legal Office for review so that there's a contract in the next 10 working days. He added that the fencing is addressed in the scope of work.

VI. Unfinished Business/Committee Reports

1. Superintendent's Report – Dr. Swanson read his report for the record.

Ms. Benavente motioned, seconded by Mrs. Angel, to approve the Superintendent's Report. The Board voted by voice with a vote of 8-0 for the motion. The motion passed.

Mr. Ada commented on Dr. Swanson's report on identifying staffing overages and reassigning those personnel to verified vacant positions. He asked how many teaching positions are currently vacant in the schools.

Dr. Swanson asked if Mrs. Ada was still present.

Deputy Paul told him that she should be on her way back.

Mr. Ada then asked what happened to the Chief Brodie Memorial Elementary School (CBMES) teachers when the students were moved over to JM Guerrero Elementary School (JMGES).

Dr. Swanson replied that the CBMES teachers are with the students at the JMGES campus. He clarified that there are two student bodies at JMGES and that the CBMES and JMGES staff are there.

Mr. Ada asked if they had a double session.

Dr. Swanson responded no, there was adequate space on the campus. He noted that the capacity on the campus is 6,700 students and they're right at 500 with the 2 student bodies combined.

Mr. Ada then commented on Dr. Swanson's report on Simon Sanchez High School (SSHS). He said it seemed very obvious watching the legislature and the delay with SSHS, he doesn't anticipate, not to be negative but a reality, that there won't be construction for SSHS within the next year.

Dr. Swanson asked if this was for the main campus or the new construction.

Mr. Ada said that he had his doubts even for the temporary site. He recalled that in January of last year, Dr. Swanson had openly said that he planned on decommissioning several schools. He noted that Dr. Swanson anticipated to make the announcement of which schools will be decommissioned by June and asked what happened. He said they would like to know - to let the parents, teachers, and administrators know what to anticipate in the next school year. He stated that the number of students is getting less which is 22,000 now. He noted that it can be seen that there's a need to downsize but what will be done to the buildings will be up for discussion. He asked Dr. Swanson to let the parents and the Board know because, to date, they have not heard a thing except there was a possibility that CBMES may be closing. He added that he would make a push for it and hopes to see a central middle school. He noted that schools should be put closer to the kids, not further away.

Mr. Sablan informed Mr. Ada that they have discussed the decommissioning of schools and the Board had agreed that there won't be a closure of schools for SY24-25. He said if there were going to be any closures, it would be announced in January 2025. He mentioned that Dr. Swanson will be conducting meetings from October this year until he's done with the affected schools. He will then come up with a report and a recommendation and the Board will take action in January next year. This will give everybody more than enough time to know what schools will be decommissioned in SY25-26. He said that was on record for the Board.

Mr. Ada asked if meetings had already begun.

Mr. Sablan said there was a meeting with CBMES a couple of days ago.

Dr. Swanson said it was last week.

Mr. Ada asked Dr. Swanson if he's already had a meeting with the faculty and stakeholders of CBMES. He asked what about the other schools and if he was doing it only one at a time.

Dr. Swanson shared that he had a meeting with the CBMES parents, faculty, staff, and administrators last week Wednesday. He said they're in a holding pattern right now but it's obvious that there's the capacity to compress the school on that campus. He said they have it on other campuses as well. He noted that it would result in class sizes being brought up to the negotiated class size in the contract and moving teachers that are in surplus to other schools against the 51 vacancies so the department doesn't have to rehire but reassign. He stated that the actual action to make that official happens with the Board – it's not a unilateral decision that he makes. He continued that his recommendation would be based on the feasibility, the distances involved, the commute time, and the capacity of the buildings along with operating a good instructional program. He commented that there's a lot of moving parts involved. He noted that he's had conversations with that group and they're on hold right now – status quo, until they see how the budget goes. He said he has appointments set up later this week in southern

schools because there are opportunities on the east and west sides of the island and southern schools to combine. He added that he would go up north to do the same thing.

Mr. Ada asked if he was to assume that Dr. Swanson is looking to decommission by SY25-26.

Dr. Swanson replied that he would recommend that they start in the new school year 25-26.

Mr. Ada responded that he should quickly come out with the information as soon as possible so the parents would know and prepare themselves. He said there were many kids who were being watched by their grandparents who lived elsewhere. He commented that the parents need to know the sooner the better so they can adjust their plans.

Mrs. Gutierrez asked Dr. Swanson if he had received a resolution for CBMES from the Mayor-Council of Tamuning. She said there was support from the school stakeholders to turn the school into a middle school. She added that a senator would be submitting a law for the appropriation. She said when the request was submitted, the Board did not rescind the request of the Tamuning Municipal Council. She informed her colleagues that TAMES was built by former Governor Ada and Lt. Governor Blas. She said the municipality of Tamuning was promised that they would have a middle school there. She noted that the majority of the students at Jose Rios Middle School (JRMS) were from Tamuning which was the reason why the Municipal Council and the mayor requested for the school to be converted into a middle school. She hopes that he has all the documents because the mayor has submitted all the documents and wasn't giving up. She then asked if there was an updated enrollment as of September 30, 2024. She believes that CBMES without the Head Start students, only has a population of 227. She said more than half of the students live closer to JMGES. She said they're her neighbors, that she's inside Summerville while they're outside. She said she knows this because she goes and cleans the bus stop. She said only 60 are supposed to go to TAMES. She noted that TAMES has the capacity. She repeated that the Board received the resolution but they never rescinded the request. She said from the beginning the CBMES families have opposed the conversion but the stakeholders staying in Tamuning want the conversion. She said the students that live in Harmon Industrial Park (across St. John) to the apartments in the back were all closer to JMGES. She said JMGES has the facility. She then asked Dr. Swanson about the teacher shortages.

Dr. Swanson said there were 51 vacancies.

Mrs. Gutierrez asked if the count dropped.

Deputy Paul said there were 51 vacancies as of today. He said the number dropped, but then there were retirees and resignations.

Mrs. Gutierrez asked how many certified teachers status were at the central office. She said she was listening to the Oversight when Senator Barnett asked and informed that it's up to the principals can do what they want to do with the Instructional Coaches (ICs). She said she talked to the principals and the listing of what the ICs can do did not include covering classrooms even if there were no substitutes. She said next time, people need to be put under oath. Principals informed her that ICs stay at the schools for 1-3 hours and then go out to the other schools from Monday to Thursday. She noted that if these teachers are certified and getting teacher pay, they need to go to the classroom and cover the classes where there are teacher shortages. She said there was never a Government of Guam established position for ICs. She pointed out that the teachers belong in the classroom, and that a school aide doesn't have to cover when the teachers aren't there. She then asked where the staffing overages were and if it included the teachers or staff. She commented on the item on his report regarding some cases where one counselor covers two schools. She asked what about when there's an emergency at a school but the counselor cannot go because they were attending to the other school they were overseeing. She then asked if the allied professional indicated on his report was referring to the speech therapy for students. She shared that she met an irate parent who's always had a speech therapist go to her child's school then was told that they didn't

have services this year so they referred her to TinyEYE. She joked was the eye really tiny? She asked if the parents were even going to be given an option. She shared that for 3 years, they've had the speech therapist and now they have to do the TinyEYE. She said someone must be getting perks from them. She then asked if all the schools that require a 5-ton ducted unit have been installed. She said she knew a teacher was going to file a grievance and the principal informed her to go ahead because there was nothing she could do about it, she was only informed that it would be soon.

Dr. Swanson replied that he's meeting with the contractor on that issue tomorrow.

Mrs. Gutierrez responded that this is what happens when the department has people who do not know anything about air conditions. She said it's the teachers and the kids that are suffering. She then told her colleagues that they had a very nice field trip to the old JPTSA. She then mentioned that she had evidence for the textbooks because she took pictures. She said that she was at a school yesterday and a classroom wasn't being used because the AC was down. She noted that the textbooks would be moldy because there was no aircon. She said this is what she finds on her field trips. She said the student enrollment has gone down there so the students aren't using it but it's in a really hot classroom with no aircon. She asked how schools can cross-level when not all schools have library technicians. She then said whoever is preparing his report is making him look bad. She noted that they cannot cross-level. She said he should look at the enrollment of the school. She then asked him why TAMES/LBJES were not included in the schedule for having lunch with their loved ones. She asked if the reason was because their cafeteria had no aircon and light. She said she was there yesterday and saw that they had put the light on. She called Dr. Okada and took a picture. She said Finegayan Elementary School (FES) had a skylight and TAMES had a dine-in. She said they didn't have air conditioning and lights but they had blower fans. She then said if she didn't go there yesterday, the lights wouldn't have been fixed. She was informed by the principal that the lights have been out since last year and the kids have been eating in the cafeteria without lights. She said this was sad. She remarked that they opened the door so the wind could come in, but there were no lights. She pointed out that if she didn't send the picture to Dr. Okada yesterday, the lights would not be on. She emphasized that these are for the kids, not the adults, the kids shouldn't be treated like that even if they're little people.

Dr. McNinch asked for orders of the day and also to enforce parliamentary limits on the meeting. He said there are a lot of agenda items very soon.

Mrs. Angel suggested Dr. Swanson use the dashboard for his report. The Board will be able to see the progress for each of the items that are mentioned in the report. She continued that he could put the time that the particular concern was addressed. She said they'll be able to have the numbers and the status of the challenges. She said she liked how Mr. Crisostomo had presented to the Board the dashboard. She said this would be helpful to the parents, teachers, staff, and the whole leadership.

Mr. Sablan said that he received a call from his grandson last night asking him to attend his induction ceremony for NHS. He told him that he has a Board meeting and he will try to make it. His grandson replied that if he can't make it then he better retire. He said he would share his spiel and then rush over to Adacao Elementary School (AdES) to attend his induction ceremony because his grandson is important too. He told Dr. Swanson that they're going to have a special session coming up that will address some appropriation/supplemental bills for GDOE. He knows the public hearing is over and asked if any of the Board members have close ties with any of the senators to call them and let them know how it feels – having to cut off the lights and utilities because there's not enough money to pay power is not going to be an option. He said they already know that the writing is already on the chalkboard for CBMES but they already made a commitment that no school will close for SY24-25. He noted that they have to keep to this commitment unless someone wants to make that motion to add it to the next meeting's agenda because they can't act on it now because it's not on the agenda. He said he didn't know the feelings of the attendees at the meeting Dr. Swanson held with CBMES. He told him that they will follow what the Board has decided to do which is to allow him to hold the meetings with the stakeholders from whatever schools will be decommissioned. He said it looked like CBMES was on top of the last. He commented that it would be good if he

returned the CBMES students to their school because schools won't be closed for SY24-25, to at least let them finish the school year as planned. If they're going to change that then a motion needs to be done and put back on the agenda to close schools sooner than January. He said he agreed with Mr. Fedenko that the Board has to live up to the CBA contract because they know what will happen if they don't. He said they can't say that there's no funding and bring it up to the Legislature that there's a duly signed contract that must be fulfilled. He said a lawsuit might happen because the CBA contract wasn't being fulfilled. He continued that they have to impress upon the legislature that they're concerned about fulfilling the mandates of the 14 points of an Adequate Education Act then they better open their eyes and fund those positions. He noted as per Mr. Fedenko that it was not just this year but the years before as well. He said it's going to be a matter of time before a lawyer takes up the case. He noted that it wasn't Dr. Swanson's fault that they hadn't heard from FEMA yet. He asked if they'll be given a deadline before the department decides locally. He said if they don't decide until January next year then the department will be dead in the water because SSHS is not going anywhere and they won't get into a temporary classroom where there's already a building or where GHURA's giving the department property to build on. He said it wasn't going to open. He said he's sure that Dr. Swanson pressed upon FEMA to have a decision whether it's a yes or no otherwise the department would have to have the legislature dig into their pockets again to either lease the school or build on a temporary property from FEMA. He said the department can't keep saying they're waiting on FEMA. If it doesn't happen then they're letting the kids at JFKHS and SSHS down because they're just depending on somebody else to make the difference for them. He then said that he heard an employee talk about frozen positions. He noted that on the resolution positions are frozen but there's a caveat that if positions are related to school and are necessary then they are not to be frozen but filled. He said they go back to the issue of the funding for the positions. He commented that he just heard from the Public Participant Clarissa Casil that there's only one Buyer I and they can't finish completing the requisitions and purchase orders because there aren't enough buyers. He said that maybe Legal Counsel could explain but continued that that position affects the schools. If the materials aren't given to the schools, and the teachers aren't given what they need, it would affect them so technically it affects school operations and school needs. He said he might be reading it broadly but to him, that was a position that was a limited-term appointment (LTA) in May. He said he doesn't blame FAS and Dr. Swanson but he repeated that they just have to impress on the legislature that the department will not get through the end of the school year with the amount of money the department has. He said what's the use of all the aircon if they can't be turned on and what's the use of changing everything in the schools if the kids can't go to school because there are no lights. He asked if they should call the legislature's bluff. He said they have to start telling them, justifying, and proving that it isn't going to get the department there. He pointed out that all the cuts can be made on the unnecessary costs but it's still not going to cover the $46 million short on appropriation needs.

Mr. Ada noticed that Dr. Swanson didn't discuss vandalism in the schools in his report. He noted that it's a very serious problem and suggested that he identify in each school one classroom that could be converted so that a family can come in. He shared that the late Gloria Nelson who was a former Superintendent did it one time and it was very successful. He said he was willing to help him to let him know how it was done. He said this would deter any vandalism in the schools. He asked Dr. Swanson to consider an unused classroom so that a family could move in and watch the school during non-instructional days.

Dr. Okada asked Dr. Swanson about the cost of the additional days the teachers have to be paid for the extended calendar. She said the costs need to be calculated because they extend beyond the contract. She then asked about November 5th being synchronous and asynchronous sessions. She asked where parents would pick up laptops and MiFis on that day and if students would have laptops to use.

Deputy Superintendent of Educational Support and Community Learning (ESCL) Dr. Barbara Adamos replied that the teachers were planning on distributing hard copy packets because they knew which students could meet them online and those who couldn't. She said teachers were instructed to give hard copy packets by October 31st because November 1st is a holiday and come November 5th, the teachers would be available online. She continued

that if the students don't show up then teachers would have that time to make phone calls and follow up on the work that needs to be done or be available for students that have questions.

Dr. Okada asked if the teachers will be available all day during the regular school hours.

Dr. Adamos replied yes, the teachers would be on campus regardless if the school was being used as a polling site or not.

2. Executive Committee – tabled
    a. National Association of State Boards of Education (NASBE)
    b. Government Affairs Committee
    c. Public Education Position

3. Instructional & Academic Support Committee - tabled
    a. October 2024 Head Start Report

4. Safe & Healthy Schools Committee – Mr. Sablan commented that all 41 schools passed inspections. He said LBJES re-inspection also passed even if their grades didn't go higher than last time. He commented that just like what Mayor Savares had said if it wasn't for the assistance of Dr. Judith Won Pat, the SORT Team, the Governor and Lt. Governor, PTOs, military, volunteers, and businesses, the schools wouldn't be open at this time. He doesn't want the department to go back to how it was before. He added that he's already committed to SY25-26 when the schools reopen, they would open because they already passed their Sanitary Permit. He said this is another thing they should show the legislature. He said the legislature only gave $25,000.00 for supplies and materials. He said that's probably only for the teachers. He said there was not a single cent for facilities and maintenance. He asked if the legislature expected the Board members and the teachers to put out from their pockets, to continue buying light bulbs, brooms, trash cans, trash bags, and fixing whatever was leaking. He said he hopes that a listing is being put together of things the department won't be able to afford. He then shared that he got a call today asking the Department of Parks and Recreation (DPR) to cut the grass at CLTES because they have an inspection next week. He said DPR will cut the grass because they care for the students. He said the mayor asked them as well. He said these are examples of what they need to show the legislature, that they can't keep blaming the Board and the department because they were not meeting the legislature's standards. He said if the Board and the department aren't meeting up to their standards then the legislature should be the ones to meet up to the money that is being asked for.

5. Policy Review & Strategic Planning Committee – tabled

6. Fiscal Management Committee – tabled
    a. GDOE Financial Report
        i. Accounts Payable Aging Report
        ii. Declaration of Financial Status Designation
        iii. Unaudited Statement of Appropriation, Expenditures, and Encumbrances for Fiscal Year 2024
        iv. Grant Status Report for Fiscal Year 2024
    b. US Department of Education Specific Conditions Report

VII. New Business - tabled
a. Travel Policy

VIII. Executive Session - tabled

IX. **Announcements & Adjournment** - Dr. Okada informed her colleagues that they have the option to recess and reconvene, hold a special meeting, or table everything to the next regular meeting in November.

Mrs. Gutierrez said that she would like Dr. Swanson's evaluation to be tabled because she wants the two board members who weren't physically present to participate. She said the two were very involved in the discussion and she wants them to have a say so because some issues need to be addressed when they discuss the evaluation.

Ms. Benavente shared that Head Start (HS) needs approval on their report by October 31st.

Dr. Okada acknowledged.

Mrs. Gutierrez then asked Dr. Swanson what was the status of the HS Director. She said she received a call from a HS teacher who was crying because they didn't know if they would have a director or not. She noticed that the position was still being announced. She said the HS teachers should get some information. She said they understand that they have an actor again.

Dr. Swanson replied that the selection has been submitted to Region 9. He added that the Region 9 HS Supervisor said the selection was sent further up their chain for further approval and the department hasn't received it back yet. He noted that an announcement can't be made until it comes back.

Mr. Sablan left at 5:49 pm.

Dr. Okada noted that it's pending approval from Region 9.

Mrs. Gutierrez said something should go out to the teachers. She said teachers called her crying asking who their supervisor was and what was going on. She informed them to go to their supervisor but they replied that they didn't know who their supervisor was. She commented that everything was in limbo. She asked in regards to compliance, would Region 9 have to come back again. She said to email the teachers if they're going to have a director or have actors and actresses. She said they were even on the radio show Wave 105.1 asking why they don't have a director. She said Head Start teachers want answers and they want to know who their leader is.

Dr. Okada stated that the meeting will be recessed and the Board will convene at a later time because they're losing a quorum.

Mrs. Gutierrez asked when Ms. Baleto and Dr. McNinch would be coming back. She said that she would be back from the NASBE conference on October 26, 2024. She then informed her colleagues that Dr. Okada had been selected to sit on a panel on the high school transformation. She said this is where the student advisory council will come in. She continued that Dr. Okada is the first from Guam to sit at the NASBE Conference on a panel on high school transformation.

The Board recessed at 5:56 pm.

MINUTES SUBMITTED BY:

Date: 10/21/2024

KATHLEEN LAMORENA
Administrative Officer

MINUTES OF OCTOBER 15, 2024, REGULAR MEETING:

(✓) Approved as submitted

( ) Approved subject to corrections

( ) Other: _____

Mary A.Y. Okada

MARY A.Y. OKADA, Ed.D.
GEB Chairwoman

Date: 11-26-2024

K. ERIK SWANSON, Ph.D.
Executive Secretary/GDOE Superintendent

Date: 11/26/24

GUAM EDUCATION BOARD

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MARY A.Y. OKADA, Ed.D.
Chairwoman

ANGEL R. SABLAN
Vice Chair

GUAM EDUCATION BOARD
EMERGENCY MEETING
Monday, October 21, 2024
2 pm
Gallery, GDOE Building B
MINUTES

VOTING MEMBERS

Mary A.Y. Okada, EdD, Chairwoman
Angel R. Sablan, Vice-Chair
Peter Alecxis D. Ada
Felicitas B. Angel
Christine W. Baleto
Lourdes M. Benavente
Karlyn RCG Borja
Maria A. Gutierrez
Ron L. McNinch, PhD

EX-OFFICIO MEMBERS

Faith Freeman
IBOGS Representative

Timothy Fedenko
GFT Representative

Mayor, Melissa B. Savares
MCOG Representative

EXECUTIVE SECRETARY

K. Erik Swanson, Ph.D.
GDOE Superintendent

I. MEETING CALL TO ORDER

Dr. Mary A.Y. Okada, Chairwoman, called the meeting to order at 2:00 p.m.

ROLL CALL OF MEMBERS

Dr. K. Erik Swanson, Superintendent and Executive Secretary, took the roll call. The following members were **present** for the meeting:

Voting Members:
Okada, Dr. Mary A.Y. – Chairwoman
Sablan, Angel R. – Vice-Chair
Ada, Peter Alecxis D.
Angel, Felicitas B.
Baleto, Christine W. (via Zoom)*
Benavente, Lourdes M.
Borja, Karlyn RCG (via Zoom)
Gutierrez, Maria A.
McNinch, Dr. Ron L. (via Zoom)

Non-Voting Members:
Fedenko, Timothy – GFT Representative
Freeman, Faith – IBOGS Representative (via Zoom)*

Legal Counsel:
Nasis, Jesse

Absent:
Non-Voting Members:
Savares, Melissa B. – MCOG Representative

**late*

The Superintendent announced that six (6) members of the Board were present in person, and two (2) via video call, constituting a quorum. Mayor Savares was excused. Dr. Okada

II. Unfinished Business/Committee Reports

1) Superintendent's Report -

Ms. Benavente motioned, seconded by Mrs. Angel, to approve the Superintendent's Report. The Board voted by voice with a vote of 8-0 for the motion. The motion passed.

Dr. Okada informed her colleagues that the updated calendars were included in the Superintendent's Report.

Dr. Swanson stated that the updated calendars reflect the time lost for September 11th. The makeup day for the schools that start on the 15th is taken out of the Parent-Teacher Conference Days. For the schools that started on August 22nd, two additional days (May 27 and May 28) were added. Their time was already compressed because they started late.

Dr. Okada asked if May 28 is a placeholder in case an additional day is needed.

Dr. Swanson replied in case it's needed.

Dr. Okada informed her colleagues that Dr. Swanson has provided the updated calendars for schools that opened on August 15th and August 22nd. She said there's an additional funding requirement for the schools that opened on August 22nd to pay the teachers the additional time in excess of what they are required to teach. She said they would leave it to Deputy Superintendent of Finance and Administrative Services Morgan Paul to identify the amount. She said they're looking at two days and possibly a third day specifically for FB Leon Guerrero Middle School (FBLGMS), borrowing any other makeup days required until the end of the academic year.

Ms. Baleto connected via Zoom at 2:10 pm.

Mrs. Angel motioned, seconded by Mr. Sablan, to approve the updated August 15, 2024, and August 22, 2024 SY 2024-2025 calendars. The Board voted by voice with a vote of 9-0 for the motion. The motion passed.

Dr. Swanson asked for the Board's support for him to attend the CCSSO Annual Policy Forum. He said that it's an opportunity for him to work with the other state school officers and go through current policy changes going on at the national level that also affect the school system. He noted that the agenda was attached.

Mrs. Gutierrez said she supported any trips but was concerned about the investigation. She said it's also an audit. She wants him to be here once the documents are submitted to the Office of the Public Auditor (OPA) on October 30th and October 31st. She doesn't mind putting a conditional on his travel but noted that the textbook inventory issue is very serious. She said that pictures are popping up every day and it doesn't just include textbooks. She then repeated that it's not just an audit, it's also an investigation. She added that she supports his trip but wants him to reconsider because the Board's meeting is on November 19, 2024. She commented that it wouldn't look good if he was not there for the textbook inventory investigation.

Dr. Swanson replied that he intends to be fully responsive to the investigation, providing all the materials that the Public Auditor is asking for. He told the Board that he's been working closely with his deputies to make sure that they provide everything needed in terms of access. He noted that given the time differences, it's easy to stay connected at that time.

Dr. Okada asked for an update on the Financial Audit.

Dr. Swanson responded that he doesn't have any updates.

Mr. Ada asked when and who set the date for the investigation.

Mrs. Gutierrez said that when the Audit Committee (the Board and the Audit Office) met with the OPA, Public Auditor BJ Cruz informed them that all documents were to be submitted no later than October 30, 2024. She noted that if an audit includes an investigation, that's serious. She wants to make sure that he's around and doesn't want anyone talking for him. She said she doesn't have a problem but wants him to reconsider his trip because textbooks are popping up left and right. She said the issue with the laptop hasn't also been completed. She continued that as soon as OPA gets the documents by the 30th, they will proceed with their investigation.

Mr. Ada asked if the OPA can request to advance the meeting date. He said asking should not be a problem – the only response they can get is a yes or a no or a later date but preferably before. He continued that he would like the Board to reconsider so Dr. Swanson could attend the Policy Forum. He noted that the investigation is equally important and asked that the OPA be asked to advance the meeting a couple of days or else upon Dr. Swanson's return.

Dr. Okada replied that November 19, 2024, is the Board's regular meeting, not an OPA meeting. She told him that the Board could agree to move the meeting as long as they have a quorum.

Dr. Swanson replied that the materials to the Public Auditor have to be in his hands by October 30th. He continued that the PA's staff will be reviewing them and there's a meeting scheduled subsequent to that yet so it's not in the calendar at this time.

Faith connected via Zoom at 2:17 pm.

Mr. Sablan said that he understands where Mrs. Gutierrez is coming from but also based on his experience with audits, he noted that it's not a one-day thing – it will take some time. He said that the entrance interview and exit interview are at different times but as long as the documents are provided by the deadline, it will take them a while to go through the documents and come up with any findings or concerns. He pointed out that it may take them 30 days, 60 days, or even until next year to get the results of the audit. He agrees that Dr. Swanson should be around when the final documents are put out. He added that Dr. Swanson will be given a time frame to respond to the auditor's draft finding. He said in that sense because the PA won't be finished when Dr. Swanson's training occurs, he will support the training. He asked that everything that the OPA and their staff were asking for be made available and they remain transparent so everyone knows what's going on.

Dr. Okada recognized Board members who were joining via Zoom: Ms. Christine Baleto, and IBOGS Representative Faith Freeman. She then informed Dr. Swanson that she wants to support the training but she wants the current Fiscal Year's audit to be done. She said they had agreed until September 30th but it's already October 21st and it's not yet finished. She noted that all the findings have been presented to the department and the audit needs to be pushed. She asked that he have this completed in the next week. She commented that it's pending the response and that the write-up from the audit has been received for two weeks now and he just needs to make sure that everyone is on board to finalize the fiscal year 2023 audit. She also highlighted that November 15, 2024, is the deadline for the new financials to be presented to the auditors for fiscal year 2024.

Mrs. Gutierrez motioned, seconded by Mr. Ada, to approve Dr. Swanson's travel request to attend the CCSSO Annual Policy Forum on November 18-20, 2024 in Phoenix, Arizona. The Board voted by voice with a vote of 9-0 for the motion. The motion passed.

Dr. Okada informed Dr. Swanson that they would discuss his acting appointment at a later time.

2) Executive Committee

a. National Association of State Boards of Education (NASBE) – Mrs. Gutierrez informed her colleagues that she and Dr. Okada will be traveling for the Annual Conference tomorrow. She noted that they will be paying for the air travel and the hotel on their own. She also mentioned that Mr. Sablan won't be joining them because of a family emergency. She commented that they will be nominating the new chair-elect Byron Ernest, the new chair Keven Ellis from Texas, and the new Western Area Region Director Matt Hymas from Utah. She said that those attending will be selecting the nomination committee for the Western Area Region Committee. She then shared that Dr. Okada would be attending a meeting with all the other chairs from the different states. She also shared the scheduled items for the NASBE Annual Conference.

b. Government Affairs Committee (GAC) – Ms. Benavente shared that she had a medical appointment off-island and was unable to attend the October meeting but had requested notes.

c. Public Education Position (PEP) – Mrs. Angel shared that the meeting last month was deferred due to the forthcoming NASBE Annual Conference slated for October 23-25, 2024. She said Administrative Officer Kathleen Lamorena had emailed the Board the NASBE Survey. She asked her colleagues to submit their responses because it was important and their input was needed. She thanked those who had already completed the survey.

3. Instructional & Academic Support Committee

a. October 2024 Head Start Report – Mr. Alan Cruz, Acting Head Start (HS) Program Director read his report for the record.

Mrs. Angel motioned, seconded by Ms. Benavente, to approve the October 2024 Head Start Report. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Mr. Ada asked Mr. Cruz about his prior comment regarding Region 9.

Mr. Cruz told him it was regarding the Program Director position which is status quo from the last meeting.

Mr. Ada asked Dr. Swanson if he's followed up closely with Region 9 and what's the hold-up.

Dr. Swanson said that the request was resubmitted and an added level of approval was. He said that normally there are 2 people, and then it went up to the third level. He said that the approval was received over the weekend but he can't announce it yet.

Mr. Ada asked if he was planning to inform the selected applicant.

Dr. Swanson replied that that was in process.

Mr. Ada joked that it was a telephone away.

Dr. Swanson replied that he couldn't answer the question until the individual responded.

Mr. Ada asked how the individual could respond if they didn't get the call.

Dr. Swanson replied that the individual was getting the call or had already been called today. He emphasized that he didn't have the answer.

Mr. Ada asked Mr. Cruz who mans the questions when the teachers are absent – if it was a substitute teacher or a school aide.

Mr. Cruz responded that the program is required to have qualified staff in the classrooms. In the event of an absence, the central office has a working coverage log which they look at and assign workers. He said that they have aides who are teacher's assistants that rove and assist in the classrooms as needed. He continued that some of them are on regular schedules while others are assigned on a given day for an absence. He also said that some of the central staff have teacher credentials that will be assigned on a given day to assist at the schools in the absence of any teacher or staff.

Mr. Ada said he was bothered because, at that age, the students needed someone qualified or certified. He hopes that this will be addressed. He then asked if there were sufficient 1:1 aides for those individuals with disabilities identified by HS.

Mr. Cruz responded that they have to verify what's indicated in the student's IEP if they're to have a 1:1 or not. He continued that in the event during the child's time in the classroom, if observations are made to seem that maybe a 1:1 may be needed the teaching staff will have to discuss it with the parent. Should the parent feel the same, then the parent would be the one to request Special Ed to hold another IEP meeting to reevaluate the child's IEP at that time.

Mr. Ada asked if there was only one kid in that family, a mother would take off to be with her child but in today's economy, they often have a second job. He asked who was watching over the child for a 1:1.

Mr. Cruz responded that within the program there's a staff ratio to students.

Mr. Ada asked if they were trained.

Mr. Cruz replied that their teaching staff should meet the credentials as well as most of the teacher's assistants unless they were working towards some kind of certification as part of their qualifications.

Mr. Ada informed him that he just came in a couple of weeks ago filling in the position and he doesn't mean to put him in a hot seat but it bothers him that there's no school aide for the child. He said that a teacher at that level would do their best to help the child but that child also needs someone to watch over them. He also shared that the parent would also be concerned that their children are being cared for. He asked what steps the HS Division has taken to try to get 1:1 aides for every child who desperately needs them based on the IEP.

Mr. Cruz responded that in cases where it's specified 1:1 for the child on the IEP, they try to make sure they work with SpEd that that's in place. He said that at times, the program has detailed one of their staffers to be in the classroom.

Mr. Ada said that was the same question he'd asked him earlier. He asked again if they were trained.

Mr. Cruz replied that they should be trained and that they have training.

Mr. Ada said they should be but asked if they were trained.

Mr. Cruz responded that they're not specifically trained for the child's condition per se as a 1:1 aide.

Mr. Ada said he's grateful that they're there to help out but at the same time helping them not put a burden on them not to watch over a child for which they don't have specific training for the child's need. He shared that heard that in one school, a 1:1 aide was assigned to three students. He commented that that's difficult. He was also informed that the students were of different genders which is another problem. He

commended Mr. Cruz and told him that he'd done a good job for the time he'd taken over the helm. He acknowledged that he was nervous in the beginning but he's done a good job.

Mrs. Gutierrez wished Mr. Cruz the best of luck but she informed him that Ms. Angelina had provided the guidance and told him to follow up on what she was doing. She commented that the report he provided was not signed by Dr. Swanson. She shared that she's very meticulous and Dr. Swanson was supposed to sign that he concurs with the report. She then mentioned that 3 HS aides who were returnees applied and were interviewed but nothing happened. She shared that they're now at Mount Carmel Charter School. She told Deputy Paul that as the one who oversees HR they were interviewed and they were waiting but nothing happened. She shared that many years ago parents and teachers came from CL Taitano Elementary School (CLTES) because they had students with disabilities who didn't have an aide. She said she doesn't want that to happen. She told Dr. Swanson that they lost 3 returning aides who waited and finally gave up and went to Mount Carmel.

Dr. McNinch said that positive supportive comments might be better routed through Dr. Swanson or the HS organization. He noted that this might be a more efficient way to handle input his colleagues might have.

Mr. Fedenko asked if teachers and staff go through FBI clearance or some sort of fingerprinting clearance. He said that was a big issue. He asked if they were early childhood education teachers.

Mr. Cruz said yes.

Mr. Fedenko then asked if HS children receive CHamoru Language from GDOE and if so are these teachers required fingerprinting and do they have to teach the early childhood education part of that.

Mr. Cruz replied that based on his understanding, they should be provided the services of CHamoru classes. He mentioned that there were discussions in the past regarding the SOP criminal background checks for all children being serviced by staff. He believes that so long as the teaching staff are there and the CHamoru teacher comes in to provide the service, it's allowable. He added that the children don't go to the CHamoru class unsupervised. He also mentioned that a parent volunteer is not allowed to be left alone with the children at any point in time.

Ms. Benavente mentioned that one of the concerns brought up was the CHamoru teachers and whoever walks into the class and services the Head Start child should be fingerprinted or go through a criminal background check. She said that the deficiency was on the staff themselves. She said this was done and Ms. Lape and Head Start said they will expand to the others who are servicing the HS students – the CHamoru teachers and even admin in getting the clearances. She then asked Mr. Cruz if the action items on the HS need to be individually approved. She asked if the Board approves the HS report would the action items on the report be approved as well?

Dr. Okada stated that to be safe, a separate motion will be done for the 3 action items on the HS Report.

Mr. Sablan asked Mr. Cruz about his statement that Chief Brodie Elementary School (CBMES) HS is not open.

Mr. Cruz replied that at this time, the kids are not attending in-class and are doing Zoom or PCI where the teaching staff make routine contacts with family to provide them with lesson plans.

Mr. Sablan expressed his shock that an HS child was on Zoom. He said that a high school student on Zoom sometimes can't even get what they're doing and they expect a HS kid to know what's going on Zoom. He asked how many kids they were talking about.

Mr. Cruz mentioned that there were approximately 40.

Mr. Sablan remarked that 40 HS kids were not getting their education. He asked why they along with the CBMES students be incorporated into Juan M. Guerrero Elementary School (JMGES) just like the rest. He said that's 40 kids and he would understand if it was 1, 2, or 3 kids.

Mr. Cruz replied that at the time when the school was opening, it was decided that because of the distance in commuting from their district to JMGES, the decision was made not to have them attend at this point in anticipation of probably the school opening or maybe some other arrangement. He said with some of the delays that's been happening, it's been status quo from this time.

Mr. Sablan doesn't find it acceptable that 40 young HS kids are losing out and being put on Zoom to get whatever classes they're supposed to get for HS. He told Dr. Swanson the Board has not decided on any closure of any school. He asked about Dr. Swanson's statement in his report about keeping CBMES at JMGES because of utility and other costs. He told him that if he looks at it, the portion of the school that CBMES are using at JMGES is additional space, classrooms, and power so saving utilities by keeping CBMES at JMGES doesn't hold water. He said the staff is being paid the same because their teaching has not been incorporated into one campus at JMGES where the teachers who aren't being used and being transferred to schools where they're needed so there's no savings there either. He noted that they can't vote about Chief Brodie because it's not on the agenda but he can ask Dr. Swanson because it's on his report. He then asked Dr. Swanson about him informing the Board a couple of meetings ago that he's already selected a Program Director for HS and then now they're hearing that Region 9 has to approve. He asked what they had to approve.

Dr. Swanson replied that Region 9 has to approve the individual.

Mr. Sablan compared this to USDOE having to approve the Board's selection of a Superintendent.

Dr. Swanson responded that was correct.

Dr. Swanson said that wasn't the right analogy but the Board selectee information had to be submitted to Region 9. He said the 1st individual accepted the position then withdrew so another submission had to be made. He added that the individual has been notified but the selection that has been approved has not responded yet.

Mr. Sablan said this was the first he's heard that Region 9 HS has to approve the selectee for Head Start Program Director. He said he hadn't heard that before and he didn't even hear that from them when they came out here. He noted that there was already an acting Program Director then and they didn't say that one of the conditions was they needed to approve whoever was selected as the Program Director.

Dr. Swanson replied that this is what's indicated under the program's funding structure and rules and that's what happened.

Mr. Sablan asked if that was known before the selection was made the first time around.

Dr. Swanson replied that they knew the name of the selection needed to be submitted.

Mr. Sablan said that Dr. Swanson already announced the selection before HS approval was given.

Dr. Swanson said that was incorrect.

Mr. Sablan said maybe he didn't announce the name but he noted that Dr. Swanson said that he already selected somebody for the position. He said this bothers him because when HS Region 9 was here, one of the things they wanted was to put HS under the Guam Education Board. He said now it's his first time hearing Region 9 HS has to approve the selection of the Program Director. He said if HS is under GEB then it should be GEB to select the Program Director, not the Superintendent, if that's the organizational chart that Region 9 has approved. He said he distinctly heard from them that they want HS to be under the GEB. He said he wanted to clarify that. He asked what qualifications HS Region 9 has to inform the department on who they want to be selected for approval. He asked if the compilation of the recommendations of the GEB as far as a selectee is concerned would not count. He asked that it has to be Region 9 to approve the next Program Director.

Ms. Benavente replied that the packet of who's selected goes to Region, 9, they approve the process and look at the qualifications. She said that's what happened in the first selection. She added that it was discussed that they were waiting because someone had brought up the selection of the Program Director and Dr. Swanson mentioned that we're waiting for Region 9's Approval. He said this was brought up before. She said this is what's taking so long. She said if it was up to Dr. Swanson, it would have been done the same week the interview was done.

Mr. Sablan said it looked like it was done that way.

Ms. Benavente said it wasn't. She told Mr. Sablan that it took over 2 weeks to hear from Region 9.

Mr. Sablan said that if they looked back to the meeting minutes, Dr. Swanson came out and said a Program Director was selected.

Ms. Benavente said the Program Director was selected.

Mr. Sablan continued that Dr. Swanson never mentioned anything about waiting for approval from Head Start.

Ms. Benavente said that he was waiting.

Mr. Sablan said he didn't say that.

Ms. Benavente said there was something mentioned.

Mr. Sablan said that it was never mentioned that Head Start had to approve it.

Ms. Benavente said that Dr. Swanson mentioned that we had to wait for the applicant.

Mr. Sablan asked Dr. Swanson if he ever said that Region 9 HS had to approve his selection.

Dr. Swanson replied that he believed he did.

Mr. Sablan asked Ms. Benavente if she was in the same meeting he was in where Region 9 said that HS would come under the GEB.

Ms. Benavente said she was.

Mr. Sablan then asked why Dr. Swanson was the one selecting the Program Director.

Dr. Okada read a portion of the letter she received over the weekend, "Dear Dr. Okada, This letter is in response to the October 3rd Request for Approval to hire a new Program Director. The Regional Office has approved the new hire, is required by the regulation at 45cfr Section 75.308 c1ii when applicable. The Guam Department of Education complied with notifying the regional office prior to making a job offer to the candidate for Program Director. The Regional Office was provided with the name of the person recommended to be hired. A description of the process used to recruit for this job and the explanation of why this individual was determined to be the most qualified." She said that they indicated that the Program Director is approved. She continued that once Dr. Swanson receives a response from the applicant, then he can make the official announcement. She said the letter came over the weekend, and Dr. Swanson has a copy of it. Once he has that final response then he will be able to announce. She repeated that HS Region 9 is citing 45 CFR and they can take a look at that requirement for HS.

Mrs. Gutierrez noted that she and Mr. Ada have been on the Board ever since. She stated that the names of the past directors. She said that they didn't have to go to Region 9 for approval. She said they applied and the Superintendents at that time Luis Reyes and Nerissa Underwood approved the hiring recommendation. She said it surprised her that Region 9 had to approve because under the law the superintendent shall select. She said what was added to the job description was the selective factor that the person must know about grants. She recalls that it's always the superintendent who hires the Head Start Director, not Region 9. She said this is something new and cited 17 GCA that the superintendent is the appointing authority. She continued that the Board has oversight of HS. She wanted to clarify that this is the first time that Region 9 has to get involved in selecting an applicant. She questions this because it never happened before.

Dr. Okada said she had a note to clarify the requirement for the HS Director. She pulled up the 45 CFR as identified in the memo she received over the weekend so they could validate whether or not the process has been updated and to ensure that the GDOE HS office is in full compliance. She said they will take a look at that history and it might say something – maybe the updates to the CFR say a different requirement. She said she would work with Dr. Swanson to pull that up and get the clarification needed and provide it to the Board.

Mrs. Angel motioned, seconded by Ms. Benavente, to approve the October 2024 Head Start Report. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Mr. Ada asked if it was submitted for review.

Dr. Okada replied that it would be after the Board approves it.

Mr. Ada asked what would happen if they approved it.

Dr. Okada said they could come back and ask for modification.

Mr. Ada asked if it comes back and then it has to be revised again.

Dr. Okada said that was correct.

Mr. Ada asked wasn't that double work. He asked if it could be submitted to them, they make the revisions and then it comes to the Board for the final. He said this was more logical.

Dr. Okada replied that in the past, a lot of technical assistance has been provided to the HS office in drafting these requirements so that it can go through the process. She added that it's the final document of their approval of the document on the Board's end that they'll receive.

Mr. Ada compared this to a chicken running without its head, trying to figure out which head is turning left and right.

Mr. Sablan motioned, seconded by Mrs. Angel, to approve the revised SOP ERSEA-01: Eligibility which was reviewed and approved by the GHSPC on 10/10/24 to comply with HSPPS 1302.12(i)(1) Housing Adjustment which allows Head Start Preschool to adjust a family's income to account for excessive housing costs (more than 30% of gross income) when determining eligibility. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Mr. Sablan motioned, seconded by Mrs. Angel, to approve the revised Selection Criteria which was revised and approved by the GHSPC pm 9/18/24 to comply with HSPPS 1302.14(a)(6) Children of Staff Members which allows Head Start Preschool to consider the enrollment of eligible children of staff members as part of the selection criteria. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Mr. Sablan motioned, seconded by Mrs. Angel, to approve the revised SOP ERSEA-03: Selection which was reviewed and approved by the GHSPC on 10/10/24 to comply with HSPPS 1302.14(b)(1) Children with Disabilities Enrollment which directs programs to ensure at least 10% of its actual enrollment is filled by children eligible for services under the Individuals with Disabilities Education Act (IDEA). The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

4. Safe & Healthy Schools Committee – Mr. Sablan commented that he had already made his report last week.

5. Policy Review & Strategic Planning Committee – Dr. Okada shared that she and Mrs. Gutierrez met and did some updates. She said that updates will be provided to Administrative Officer, Kathleen Lamorena to give the Board the original and track changes, and at the next meeting they will vote on the sections of Board Policy Series 100 that have been recommended for change.

Mrs. Gutierrez informed her colleagues that these are minor changes. She said that Deputy Paul is working on the GDOE travel policy. She noted that the department needs it and that there's a travel SOP (standard operating procedure) but it's not being followed. She continued that strong words need to be used in the policy to show that they're not playing games anymore. She reminded Deputy Paul that they gave him an extension and hoped that the people he has on the committee are not part of the travel team.

6. Fiscal Management Committee

a. GDOE Financial Report

i. Accounts Payable Aging Report – Mrs. Gutierrez mentioned that in the September 17, 2024 meeting, she had requested that the GDOE employees be separated on the Aging Report. She said to indicate the reason they were seeking reimbursement. She thanked Deputy Paul for trying to stay under the 60 days but there are still vendors that are still waiting yet the GDOE employees in September are no longer on the October Aging Report. She said this meant that they got paid. She asked what about the vendors that have been there. She said the Board wanted justification as to why they were seeking reimbursement, if they were vendors and what were they selling to GDOE. She said if it was $20 or $30 maybe the department owes them because they bought supplies for the schools but she says it's questionable when she sees 5 people with the same amount of $1,600. She said the department needs to be transparent. She asked if he had that listing because they're no longer on the current report. She said these were the ones under the local funding. She asked if this was mileage that they're upgrading when they travel, and then they come back and request

reimbursement. She said she didn't see those who were listed in the September Aging Report. She noted that she goes back to the minutes before the meeting because there are things that the Board asks for but there has been no update. She said they're supposed to go back and look at what the Board asked. She said she would like to see it in the November meeting separately. She said she needed to know. She pointed out Docomo, Lagu Sanitation, and Sodexo. She said Sodexo was for the student meal. She then asked if they need to the governor's office again to seek assistance to get payment. She said they need to get paid because they have employees. She said maybe that's why cleaning masters pulled out because they weren't getting paid. She said they keep hearing that there aren't enough people – she told them that the staff at Building A should multitask. She said she's concentrating on Fiscal now. She emphasized that Sodexo is the food for the kids. She told her colleagues that she had spoken to the manager who informed her that they would do their best to not make the kids go hungry but they needed to get paid. She said someone had informed her that they got in trouble because they had gone to Adelup. She said this was because they weren't doing their job. She repeated that she wanted to see the listing in the November meeting. She said the money belongs to the taxpayers and if they cannot travel sitting at the back of the plane then that was too bad. She said they should pay out of their own pocket. She said this wasn't the first time she saw GDOE employees. She said she understands if they're requesting a reimbursement amount of $42 but it's questionable when it goes above $500. She told Deputy Paul that she had confidence that he would get it squared away. She said the Legislature has been monitoring the department. She shared that a principal showed her an email asking her if she wanted to go on a trip. She told Dr. Swanson that the teachers should be the ones going on the trips not program coordinators just to take attendance. She said she wants to make sure that the companies can provide their services so they can pay their employees. She then asked if the department didn't owe anything to Guam Waterworks Authority (GWA) – which they're all paid because she didn't see GWA on the report.

Deputy Paul replied yes, the department is up to date except for the money they're owed for the repairs at Inalahan Elementary School (IES).

Mrs. Gutierrez said they made GWA Chief Financial Officer Taling Taitano happy because GWA was paid. She then noted that Deputy Paul inherited this and he's doing his best to clean up. She told him to put his people to task and they don't have to add additional bodies. She said he has enough people there – that Ms. Taling operated with very few employees when they were under the high risk. She then asked if all the maintenance workers were paid their overtime.

Deputy Paul replied yes to those who helped in preparing to open the schools.

Mrs. Gutierrez then asked if he was in charge of the mini Cars Plus which she referred to for all the GDOE vehicles. She then asked who oversees the GDOE vehicles.

Deputy Paul replied that they were under his purview.

Mrs. Gutierrez then asked if the GDOE vehicles had a 24-hour sign.

Deputy Paul said they should not.

Mrs. Gutierrez asked if the person driving the vehicle over the weekend is authorized regardless if it's a federally funded vehicle or not.

Deputy Paul replied that the maintenance guys have been driving the GDOE vehicles on the weekend to do the work to open the schools.

Mrs. Gutierrez shared that she, Dr. Okada, and Dr. Swanson had a field trip to JP Torres Success Academy (JPTSA) 2 Saturdays ago. She said that they passed a house with a GDOE vehicle under their canopy. She said that if the employee is working then the vehicle shouldn't be parked there. She said that she would give him the license plate number. She mentioned that Dr. Okada went there again yesterday and the vehicle wasn't there. She continued that when she was at Tamuning Elementary School (TAMES), they had asked her for a vehicle for maintenance. She said they were hardworking. She said these skilled maintenance workers should be given a vehicle to use because some of them are using their own vehicles. She asked if the vehicles in the back were inventoried. She also mentioned there were 2 cars in the front that had plants climbing all over it. She said she feels for those maintenance guys - she was there with them and saw them. She said they asked her to get them vehicles because many were using their own vehicles. They expressed their concern about their tires. She asked Dr. Swanson to write to USEd to ask if it's true that a vehicle marked as a federally funded vehicle can't be used by regular GDOE employees. She said she had asked them this before and they had replied that it's one DOE. She commented that all the vehicles out there should be given to maintenance. She said they needed the vehicle. She remarked that she calls it a mini Cars Plus. She said if they're working 24 hours, then there should be a mark but noted that that was a Saturday when they went to JPTSA and saw the vehicle. She noted that Mr. Sablan had his own Government of Guam vehicle but it was marked as a 24-hour vehicle. She asked who was authorized to take the vehicle after work. She said they need to find out who stays in Santa Rita, right next to the mayor's office. She then mentioned that she was expecting Dr. Swanson to respond to Mr. Fedenko's statement. She noted that no teachers should be asked to clean their aircon. She said that even when the department was short on money, teachers were never asked to clean the aircon. She said she understood that Dr. Swanson had asked Deputy Paul to find funding for the Okkodo High School (OHS) air conditions. She said somebody was quoted that they were going to the governor's office to ask for funding. Mrs. Gutierrez told Dr. Swanson that it should only be him or Deputy Paul to go to the governor's office if there's a need for funding, not anyone else who isn't involved in the finances. She said there has to be some kind of protocol. She said there has to be some arrangement because if anyone is responsible it will be him and Deputy Paul. She said even if they're in the SRT (School Readiness Team), they should have no business. She said if FBLGMS is completed, then the OHS students will go there. She said the aircon is still a problem there and noted that this was a leased school. She said the leased schools are with the governor, not GDOE. She said sending anyone to the governor's office to ask for funding should be stopped because they're not authorized to do that. She repeated that it should be Dr. Swanson or Deputy Paul.

Deputy Paul told her he would.

ii. Declaration of Financial Status Designation – Dr. Okada replied that there was an update that came through today so it will be provided at the next meeting.

iii. Unaudited Statement of Appropriation, Expenditures, and Encumbrances for Fiscal Year 2024 Dr. Okada commented that the negative amounts should be cleaned up. She said General Fund – Operations and CHamoru Studies were over-obligated.

iv. Grant Status Report for Fiscal Year 2024 – Dr. Okada noted that FY21 Project Hita Para Mona was overspent - $129,125.88. She added that the 2021 American Rescue Plan – ARP was overspent by $4,354,422.25. She commented that these two need to be cleaned up. She said those showing available balances: SpEd 2023 obligation by 9/30/2024 is $3.3 million, FY21 Consolidated Grant – RLIS $1.1 million not obligated. She asked that these be cleaned up and provide the Board with an update in the next meeting.

Deputy Paul said yes.

b. US Department of Education Specific Conditions Report – None

III. New Business –

a. Travel Policy – Dr. Okada said this is still pending and will be taken care of once the Board gets a chance to review it.

IV. Executive Session (Board Policy 125.12) –

Mrs. Gutierrez motioned, seconded by Ms. Benavente, to go into executive session. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed. The Board moved into Executive Session at 3:26 pm.

Mrs. Gutierrez motioned, seconded by Mrs. Angel, to rise from executive session at 4:30 pm. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Dr. Okada commented that to ensure progress on several issues affecting the department, the Guam Education Board working in concert with Superintendent Dr. Erik Swanson is requesting a status update on several items by December 31, 2024. This list of items will be submitted to the superintendent and will be voted on at the next meeting.

V. Announcements and Adjournment –

Mrs. Gutierrez motioned, seconded by Mr. Ada, to adjourn the meeting. The Board voted by voice and approved the motion with a vote of 9-0. The motion passed.

Dr. Okada adjourned the meeting at 4:33 pm.

MINUTES SUBMITTED BY:

_____ **Date:** 11/08/2024

KATHLEEN LAMORENA
Administrative Officer

MINUTES OF SEPTEMBER 17, 2024, REGULAR MEETING:
(✓) Approved as submitted
( ) Approved subject to corrections
( ) Other: _____

Mary A.Y. Okada

MARY A.Y. OKADA, Ed.D.
GEB Chairwoman

Date: 11-26-2024

K. ERIK SWANSON, Ph.D.
Executive Secretary/GDOE Superintendent

Date: 11/26/24