



ANGEL R. SABLAN
Chair

GUAM EDUCATION BOARD

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MARY A.Y. OKADA, Ed.D.
Vice Chair

GUAM EDUCATION BOARD

REGULAR MEETING

Tuesday, March 4, 2025

4 pm

Gallery, GDOE Building B

MINUTES

VOTING MEMBERS

Angel R. Sablan, Chair
Mary A.Y. Okada, EdD, Vice-Chair
Peter Alexxis D. Ada
Felicitas B. Angel
Christine W. Baleto
Karlyn RCG Borja
Judith Guthertz, DPA
Maria A. Gutierrez
Ron L. McNinch, PhD

EX-OFFICIO MEMBERS

Segundo Garrido
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

Mr. Angel Sablan, Chair, called the meeting to order at 4:02 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 Alexxis D.
Angel, Felicitas B.
Borja, Karlyn RCG
Guthertz, Judith
Gutierrez, Maria A.
McNinch, Dr. Ron L.

Non-Voting Members:

Fedenko, Timothy – GFT Representative
Aldi, Don - IBOGS Representative
Benavente, Peter – MCOG Representative

Legal Counsel:

Jesse Nasis

Absent:

Baleto, Christine W. (Excused)

The Superintendent announced that eight (8) members of the Board were present, constituting a quorum. Ms. Baleto was excused.

Mr. Sablan greeted Dr. Guthertz with a happy birthday. Mrs. Gutierrez also introduced John F. Kennedy High School Junior IBOGS Representative Don Aldi.

16 **II. CONSENT CALENDAR**
17 **III. APPROVAL OF MINUTES**
18

19 **Mrs. Angel motioned, seconded by Dr. Guthertz, to approve the minutes of the January 21, 2025, Regular Meeting**
20 **Minutes, February 4, 2025 Work Session Minutes, and February 18, 2025, Regular Meeting Minutes. The Board voted by**
21 **voice and approved the motion with a vote of 8-0. The motion passed.**
22

- 23 1) Minutes of January 21, 2025 Regular Meeting
24 2) Minutes of February 4, 2025 Work Session
25 3) February 18, 2025 Regular Meeting
26

27 **IV. CELEBRATE SUCCESS** – The following were recognized John F. Kennedy High School Air Force
28 Junior Reserve Officer Training Corps (AFJROTC), Lt. Col. Sharon Williams, SMSgt Victor Rosario,
29 and MSgt Joseph Mafnas – exceeds standards rating, AsTumbo Middle School – earns “A” in
30 inspection, Tiyan High School AFJROTC, Cadet Major Paul Gumataotao, Cadet Captain John
31 Carino – exceeds standards rating, and Ernest Ochoco - coordinator, director, and coach for the
32 Musical Theatre Competitions of America Guam National Team.
33

34 **V. PUBLIC PARTICIPATION** – None
35

36 **VI. COMMUNICATIONS** – Not discussed.
37

38 **VII. UNFINISHED BUSINESS/COMMITTEE REPORTS**

- 39 1) Superintendent’s Report – Mr. Sablan said that the status of the JFKHS/SSHS Double
40 Session Status Report, FEMA Projects Status Report, FBLG Renovation Status Report,
41 Finance and Auditor Pay Plan Status Report, and the Dashboard Status Report will be
42 discussed in the March 18, 2025 Meeting. He then mentioned that they need to discuss
43 the audit and understand why Ernst & Young hasn’t been paid the \$35,000 that the
44 department needs to pay them to complete the audit.
45

- 46 2) Instructional & Academic Support Committee
47 a. January, February, March 2025 Head Start Report – Ms. Lape read her report
48 for the record.
49

50 Mrs. Gutierrez asked if the Head Start students were getting the services and how
51 long they had to wait for them to be assessed and evaluated.
52

53 Ms. Lape said SpEd has a timeline of when they needed to complete evaluations
54 after they received the referral. She said they were told that there was a staffing
55 shortage but since then they’ve hired some people, and there has been a lot of
56 movement - a lot of the evaluations were being scheduled.
57

58 Mrs. Gutierrez shared her concern that she doesn’t want a lawsuit to come to the
59 Board because of that. She said that she was on NASBE this morning and it’s come
60 up that students with special needs are not getting the services. She said she calls
61 the principals when she sees the schools on the reports. She’s told that they are
62 still waiting for the evaluations and assessments. She said the Board and Dr.
63 Swanson would soon be served for this, not the people doing the services.
64
65

Dr. Okada asked if the playground equipment transfer will require federal approval – if it's something that was already procured and now they're asking for a separate location or has the procurement process has not started yet.

Ms. Lape replied that the PO is complete, the vendors have been working on everything and the regional office approved the funds. She said the specific sites weren't identified then but based on Supply Management Administrator Ms. Carmen Charfauros' consultation with Legal, a memo needed to be provided to her requesting the relocation and then she will do the paperwork to ensure it's documented and could be done by the vendor. She explained that Region 9 approved the funding but did not approve the schools it's going to but it is in their RFP.

Ms. Borja motioned, seconded by Mrs. Angel, to approve the continuation grant budget and application for Year 2 of the Head Start Program's grant cycle 2024-2029. The Board voted by voice and approved the motion with a vote of 8-0. The motion passed.

Ms. Borja motioned, seconded by Mrs. Angel, to approve the proposed changes to the service area for School Year 2025-2026. The Board voted by voice and approved the motion with a vote of 8-0. The motion passed.

Ms. Borja motioned, seconded by Mrs. Angel, to approve the Selection Criteria for School Year 2025-2026. The Board voted by voice and approved the motion with a vote of 8-0. The motion passed.

Mr. Sablan then informed his colleagues that the listing of announcements to show the department is actively recruiting to fulfill at least the 14 points is in their packet.

Mr. Fedenko asked if there were any CBA positions.

Dr. Swanson replied that vacancies for the CBA were being recruited for.

Mrs. Gutierrez informed Mr. Fedenko that there weren't any CBA positions other than the school aides on the department's job announcements. She said some positions were not in the Spending Priorities based on the resolution. She pointed out that they have to honor the contract signed by the GFT, the Attorney General, and the Governor. She shared that someone had informed her that they had applied for the school aid position but hadn't heard back from the department for months. She said there was a problem if they couldn't read the resolution.

HR Administrator Ms. Katherine Ada said that they pulled down the closed applications when there were sufficient applicants. She stated that they were being rated and established. She shared that they were down 3 staff at the moment and they were diligently working on school staff as well as CBA positions. She said HR is working on them based on the approved RTF. The other positions posted were federally funded or were to establish a list. She noted that they were doing their best to clear them and were working closely with the principals and administrators.

Mr. Sablan asked Ms. Ada to provide an update in the March 18, 2025 Meeting.

Ms. Ada said they will.

117 Mr. Ada said he didn't see a position for a secondary geometry class.

118
119
120 Ms. Ada said they wouldn't put the specific class on the announcement – the
121 announcement is for the teacher. She said teachers apply, they put their
122 certification on their applications, and are slotted accordingly.

123
124 Mr. Ada asked if she knew if there was an applicant for a high school geometry
125 teacher.

126
127 Ms. Ada said she could provide the data by the next meeting but she doesn't
128 recall at the moment.

129
130 Deputy Paul then discussed the status of the audit. He said the audit reports that
131 EY was asking for were turned in. He also shared that they had a Zoom meeting
132 with OPA and EY today. He added that they need to clean up 2 reports by the end
133 of the week. He also noted that the auditors were paid last week in 2 payments
134 – 1 partial Local and 1 partial Federal. He stated that the FY23 closing did not
135 match the FY24 openings which they were trying to figure out.

136
137 Mr. Sablan asked to meet the deadline or his proposal to have correct balances
138 by the end of the week.

139
140 Mrs. Gutierrez asked who was handling the audit because it's always on the
141 headlines.

142
143 Deputy Paul replied that it was Ms. Margaret Artero but a month ago, Justin
144 Castro was assigned to it.

145
146 Mrs. Gutierrez asked how many people from the Business Office would be
147 leaving on an upcoming travel because there was an issue with the audit.

148
149 Deputy Paul responded that there were 3 from Finance that were going.

150
151 Mrs. Gutierrez asked if they were responsible for the audit.

152
153 Deputy Paul said they wouldn't be going on the field trip unless the audit was
154 complete.

155
156 Mrs. Gutierrez said there were 10 travelers listed.

157
158 Deputy Paul replied that the others were from other divisions including HR and
159 Procurement for the Munis Training,

160
161 Mr. Sablan said he's made Dr. Swanson aware that the audit needs to be
162 completed before anything else is done – even to travel. He said he would take
163 Deputy Paul's word that they won't go unless it's done.

164
165 Deputy Paul acknowledged.

166
167 3) Fiscal Management Committee

a. GDOE Financial Report

- i) Accounts Payable Aging Report – Deputy Paul said he was going through the 90-day larger bills. He said one of the vendors listed was Carrier. He shared that their draw was rejected by the Internal Audit Office because the procurement document didn't match what they performed. He said they are unable to pay Carrier's bill because it's a federal ESF-II bill. He said they went back to US-Ed, asking them to submit something in writing, allowing the revised maintenance plan. He also pointed out that an issue he was trying to fix was people getting invoices in on time. As an example, he shared that the Sanford Technologies invoice dated June 6, 2024, was submitted to the Business Office on January 28, 2025. He said that he and his staff had gone over the items over 90 days and he had notes on several items should there be questions. He then mentioned that BJ Cruz wants to know a better status on the \$51 million they tried to drawdown in their meeting next week. He explained that the payroll reimbursement for salaries was not included in the original ARP list of what the department was going to spend the money on when the ARP application was submitted. He said they were going back to US-Ed to add it to the application.

Mr. Sablan said they needed to be on top of this because the Oversight Chair had told him that if it came to the budget hearing and the \$51 million was still outstanding, it would be removed from their budget.

Deputy Paul said that the money was never given and the department was requesting a reimbursement in salaries. He noted that it was approved; the technicality of getting the money to the department is where they were running into problems.

Mr. Sablan asked what the balance was out of the \$51 million that needed to be drawn down.

Deputy Paul said that the total ARP balance is ~ \$124 million that needs to be drawn. He said \$51 million was the payroll piece and it was in addition to the \$124 million they were still trying to draw.

Mr. Sablan asked Deputy Paul to provide an update in the next meeting.

Mrs. Gutierrez said she didn't see WASC on the report and asked if they were paid up.

Deputy Paul replied that WASC had been paid and was still being utilized as well as the other accreditation group. He said there is going to be some overlap between the two.

Mrs. Gutierrez asked what happened to WASC. She recognized that Cognia was another accreditation company.

219 Dr. Swanson replied that the department is working heavily to see if
220 the Cognia systems accreditation could be more to the
221 department's advantage than WASC. He said that they are doing
222 individual schools with WASC and it costs more. He continued that
223 they have an initial membership with Cognia so their resources can
224 be accessed - to see if it's a better process for the department to use
225 to give one system accreditation. He continued that the model he
226 was thinking of they can do is they take the whole school system and
227 start from the ground level from the schools up to the region office
228 and provide one accreditation that applies to all the schools.
229

230 Mrs. Gutierrez said that they seemed to be paying two accreditation
231 consultants when they still had WASC. She asked how many more
232 schools WASC was going to be accrediting.
233

234 Dr. Swanson said that he intends they finish this year with WASC. He
235 said Cognia won't accept their accreditation in the interim.
236

237 Mrs. Gutierrez then asked Deputy Paul about Sodexo which was
238 listed under 60 days for both local and Federal. She remarked that
239 they provided the meals for the students. She asked if they were
240 waiting for Sodexo to go to the governor's office to seek assistance
241 to get paid like last time. She asked what the issue was and the
242 turnaround time. She asked who was responsible for turning in
243 Sodexo's invoices.
244

245 Deputy Paul replied that they get the invoices from the Food and
246 Nutrition Services but the Child Nutrition Program is the one that
247 seeks reimbursement from USDA for what they pay. He said they
248 paid over \$6 million to Sodexo over the past month.
249

250 Mrs. Gutierrez said Sodexo should be a priority because it's for the
251 students. She said someone wasn't doing their job in getting the
252 invoices paid. She asked how will Sodexo pay their employees and
253 buy the commodities. She said she hoped she wouldn't see it again
254 on the next aging report.
255

256 ii) Declaration of Financial Status Designation – Deputy Paul said that
257 everything was stable in the last report they received.
258

259 iii) Unaudited Statement of Appropriation, Expenditures, and
260 Encumbrances for Fiscal Year 2025 – Deputy Paul highlighted that
261 it's the lowest he's seen Column J "Available Cash Balance" at \$4
262 million. He said Payroll is \$5 million so he's hoping they get cash
263 disbursement from DOA this week.
264

265 Mr. Sablan said he and Dr. Swanson were meeting with the
266 Governor tomorrow.
267

268 Deputy Paul said that they paid upfront when the memo came
269 about the changing procedure with ARP. He explained that they

used to draw the money and then pay the bill, but now they have to pay the bill and request reimbursement. He said he authorized \$300K+ because Hive needed to be paid.

Mr. Sablan said they will also be discussing that in the meeting called for by the Governor and Senator Borja. He then named a few of those who will be in attendance.

iv) Grant Status Report for Fiscal Year 2025 – Mr. Sablan shared that there's a new secretary of Education and they don't know what's her agenda. He said the educational institutions in Guam are getting some not-so-good news, hence their meeting tomorrow.

- Revised FY25 Spending Plan - Mr. Sablan told his colleagues that this was to amend the resolution for FY25 to cover expenditures under indirect cost and to allow Dr. Swanson to hire a professional engineer and a person who will oversee contracts.

Mrs. Gutierrez shared that she and Dr. Okada had met with Deputy Paul, Dr. Swanson, and the General Accounting Supervisor. She said that the one they were going to ask the Board to approve under Indirect Cost was two (2) Auditor 1, one (1) Auditor 4, and one (1) Management Analyst I and the Deputy Superintendent of Assessment and Accountability. She said that the Deputy Superintendent of Assessment and Accountability has always been under indirect cost. She said Dr. Swanson felt the need to fill the position because the Board always asks him for a dashboard and the assessment and accountability of the department.

Mr. Sablan asked if it included the hiring of the engineer.

Deputy Paul said that was on the current budget.

Mrs. Gutierrez concurred.

Mrs. Gutierrez motioned seconded by Mrs. Angel to approve one (1) Auditor IV, two (2) Auditor I, one (1) Management Analyst I, and the Deputy Superintendent of Assessment and Accountability to be funded under Indirect Cost. The Board voted by voice and approved the motion with a vote of 8-0. The motion passed.

Dr. Swanson introduced Ms. Leah Beth Naholowaa as the new Deputy Superintendent of Assessment and Accountability. He shared that she will start next week on March 10, 2025, because of payroll.

Mr. Sablan said there's a lot that she needs to account for and Mrs. Gutierrez expects to see a dashboard.

Mrs. Gutierrez said by March 18, 2025.

Mrs. Naholowaa joked that she still had a chance to change her mind. She then said she was excited.

Mr. Sablan told Dr. Swanson that he needs to realign some of the work that the other 3 deputies are doing so that not everybody is overloaded with work.

Dr. Swanson said with all the work that's being done by the deputies, they needed that 4th person on the team.

b. US Department of Education Specific Conditions Report – Not discussed

VIII. NEW BUSINESS

- 1) 2025 GEB Standing Committee Assignments – The chair and members of the committees were discussed.

Mr. Sablan informed the committees that they could hold their meetings for work sessions. He said their reports would be done on the third Tuesday of the month.

Mrs. Gutierrez asked Dr. Swanson to appoint a liaison for the Board committees.

- 2) Consideration for Maximization of Schools –

Mr. Sablan motioned to put closing CBMES in abeyance until they saw a solid plan in place from Dr. Swanson and his deputies. The Board voted by voice with a vote of 4-4. The motion did not pass.

Mr. Sablan said that the past two weeks have been a roller coaster ride with what the President is doing with federal programs federal funding and different departments including USDOE. He said they keep hearing that he will abolish USDOE and he's cutting where he wants to cut. He said they're not at the point where they're free to determine what they want to do. He said there are talks that President Trump is planning on shutting down DODEA and if and when that happens, it will be up to the department to absorb the students in the schools. He said whether it's going to happen or not they don't know but the fact that it's talked about makes it scary. He said that even if CBMES were closed, they would still have to spend money to maintain the facilities otherwise what happened to the break-in at Harry S. Truman Elementary School will happen to LBJES. He doesn't think that they should go full force in closing the school without knowing what's going to happen to it. He said the request for CBMES to change it to a middle school won't happen overnight or anytime soon unless someone comes up with the funding to make it standard for a middle school it will just sit there. He said they've instructed Dr. Swanson to put out an RFI to see if anyone would be interested in leasing the school. He asked if they were going to realize the savings because he doesn't know how much damage they will have to expend for the damages at HSTES that happened yesterday. He said until they get a security system into the schools which he says he keeps hammering about, they need to take a second look at closing the schools because 1st it's already in the budget, 2nd they don't know what's going to happen with President Trump on board. He also mentioned that the format for getting reimbursement from ARP was changed. He asked where were they going to get money up front and the reimbursement wasn't guaranteed. He said they won't save money on personnel because they are just going to other schools. He said it might cost the department money rather than remain status quo. He added that they don't even know if CBMES or LBJES is GDOE's property. He said the building may be ours but the property may not. If it belongs to the CHamoru Land Trust, they won't give

the property to anybody. He acknowledged that they will have to eventually close schools but he said they might be moving too fast and they might have to come back to reopen the schools because they might expect students they didn't expect to have.

Dr. Guthertz motioned to have the Board work on 3 scenarios together with the administrators and stakeholders.

Dr. Guthertz said that every school system in America is in the same boat that the department is in – no one knows what's going to happen. She said it shouldn't stop them from planning now. She said that they should plan for 3 different scenarios 1) status quo, 2) federal money with restriction 3) no federal funds at all. She said they should look at all the different federally funded programs with those three scenarios. She said should they lose federal funding, it would also affect programs that are not federally funded. She continued that they should figure out how to stretch money to cover things they want to continue covering based on the three scenarios. She pointed out that they need to do this now, without waiting for the legislature or the Chief Executive to move the need forward. She said that they have the talent to do this in the school system with the administrators who worked so hard on the potential need for school closures. She said they could work with the Policy Review and Strategic Planning Committee on the three potential scenarios. She said they cannot allow the school system to collapse; they have to figure out how to make it work.

Dr. McNinch said he had asked for a one-month extension so the Board could get more off-the-ground information.

Dr. Okada clarified that the Board voted to keep HSTES open, close CBMES, and transfer the students either to LES, TAMES, or JMGES and did not approve the consolidation of LBJES and TAMES. She told her colleagues that currently they can't hire key positions in the staffing request. She continued that there were a lot of unfunded positions and the budget request for next year requests for ~160 positions that are currently not funded. She pointed out that the department is experiencing a \$37 to \$50 million shortfall for the current Fiscal year which they haven't closed the gap on. She noted that the school system at one time had 31k-33k students and closing CBMES which has a capacity of 600 – there's still enough capacity in all the schools to address any influx. She asked what would make them do anything faster if they put CBMES off the table. She stressed that they've been working on this for almost two years now and the current resources on hand were not enough. She said that they need to take the position now to save the resources they have and start to close at least CBMES and maybe delay any future ones. She mentioned that the Tamuning community asked to consolidate and they didn't entertain that. She pointed out that they were right next door to each other. She said if they can't vacate a school and be held accountable and responsible to make sure a school is taken care of then what makes them think they can come up with a strategic plan together to make any other use for it? She said they need to act on any actions they approve and not go backward because they don't have the money to move forward. She said they can't hire enough maintenance workers, they aren't in compliance with the CBA and there are hundreds of positions that need to be filled and there's no money to fill them. She said the estimate was \$1.9 million to keep the power and if it means they use it to allocate it for security it's already in the budget resolution passed which mandates any lapsed funds to be used to cover the CBA and the security at the schools. She said the authority already exists. She said that they should follow through with what they've advised and directed the superintendent to do. She said they can't keep flip-flopping between spending time and resources to identify what schools to consolidate. She said they've done a lot of work

422 and made recommendations so the Board should follow through with that because the
423 funding is not going to get better in the current situation so they need to address what
424 they can control now. She said they already voted to close CBMES; they should stick to
425 what they voted on and going forward they be held accountable for both federal and local
426 funds to make sure that they're spending it on what they should be spending them on.
427 She emphasized that the status quo cannot be status quo for funding because they don't
428 have enough – the department needs more money. She said in regards to requesting
429 reimbursement federal with restrictions, they are putting themselves to the test in terms
430 of whether the department is spending money on what they told them they were going
431 to spend it on. She said if they don't reimburse it, it would be the department's fault
432 because they didn't meet the requirements of the grant. She said with no federal funds –
433 it would be a lot of money that they would have to deal with – almost an additional \$50
434 million for just CG and SpEd. She reiterated that they need to work with what they
435 currently have and move forward with what they've already agreed to and ensure Dr.
436 Swanson and his team devise a plan to safeguard CBMES because it was already voted by
437 the Board to decommission.

438
439 Mr. Sablan said he heard what Dr. Okada was saying and emphasized that it has been 2 –
440 3 years that it has been on the table. He said nobody worked on it until recently when
441 they decided to let the parents know what they're doing with the schools. He asked that
442 they put the decision in abeyance until they force Dr. Swanson and the deputies to provide
443 them with a solid plan. He said closing a school with nothing to count on doesn't get them
444 anywhere – they will be in the same position next time. If the legislature reduces their
445 budget again next year, they will be forced to look again at what school to close. He recalls
446 a parent's comments about not stopping to teach kids just because there's no money. He
447 said the financial burden can't be placed on the kids but on downtown. He said that the
448 problems and what needed to be done were identified. He said he's not saying that
449 CBMES won't close but that they just need to move slower until the whole situation with
450 US DOE and the President stabilizes.

451
452 Dr. Guthertz added that she doesn't think there's a harm into waiting any longer. She
453 shared her concern regarding Mr. Sablan's comment about who owned the property that
454 the schools were on. She said once they empty it, it could be attached to an executive
455 order for a different purpose. She said that the school system might be able to generate
456 revenue from the schools that are vacated temporarily until they need them again but if
457 the schools will be lost as assets to the school system then she is against closing them and
458 turning them to the executive branch or some other entity's inventory. She said that
459 needs to be clarified; that this is the first time she's heard about it and based on her
460 understanding GDOE owns the school property. She said she doesn't support closing any
461 of the schools but supports CBMES being made into a middle school. She said she doesn't
462 want to lose the schools because they'll need it again in the future as the school
463 population increases. She said she wants clarification on the ownership of the property
464 and if it's not in the department's inventory then they should put it in the department's
465 inventory otherwise they do not give it, do not turn it over, and use the facilities for
466 another purpose.

467
468 Mrs. Gutierrez said she researched what the Municipal Council and the Mayor were going
469 to have a meeting. She said Dr. Guthertz was on the 29th Legislature when Bill 345 (EC)
470 introduced a bill for the property not to be sold, but to be used as an educational facility.
471 She said she's been checking the history. She said that in the 2022 Masterplan, it didn't
472 say whose property it was, it just indicated that it was the department. She stated her

473 agreement with Dr. Okada's sentiments to move forward. She said that in the NASBE
474 Meeting, they had shared that they were also closing down their schools due to low
475 enrollment and their budget. She said they were consolidating with their next county. She
476 then stated that the committee worked hard since February. She shared that this took a
477 lot of the committee's time with their 3 meetings a week, then they made their
478 recommendations and gave it to the Superintendent. She added that they also held
479 stakeholder meetings, went out, and also had Zoom. She said they need to move forward
480 and not backward.

481
482 Mr. Sablan said nothing in his motion said that they're moving back but to hold it in
483 abeyance until they get a plan. He said this could be 30, 60, or 90 days. He said they will
484 be faced with the closure of schools again. He's explained that he's not saying to unclose
485 it but to hold it in abeyance until they get something solid. He said hopefully they get a
486 company that wants to lease it out so they can use the revenue and turn it into a middle
487 school. He is hopeful the legislature would appropriate money to make CBMES a middle
488 school. He said these were all hopefully; he wants to give it time. He reiterated that his
489 motion is not to go back but to hold it in abeyance before the school year begins.

490
491 Dr. Okada said that they haven't resolved the issue with the SSHS and FBLGMS double
492 session. She asked how many more plans they needed to put in front of Dr. Swanson and
493 his team. She said they had enough to address and if they delay or put it in abeyance, she
494 asked what that would do in terms of notifying faculty because they have to know before
495 the end of the academic year. She said they can't wait to tell them because that will leave
496 them in chaos. She recalls the contract requires them to be notified within so many days
497 where their new assignment is. She said this would take a while because people have
498 bumping rights in terms of repositioning them in other schools. She said if they hold it in
499 abeyance, all the other work still needs to continue – they still need a resolution for SSHS
500 and an update on FBLGMS which won't be open by the time the school starts. She said if
501 the Federal Government doesn't reimburse the money, it's not the contractors won't be
502 paid because there a contractual agreement, so it would come out of the department's
503 funds. She said they need to make sure they've got all of this tight; there's no space left.
504 She said she knows they need a plan but the issues with the FBLGMS and SSHS resolved.
505 She said they should move forward with CBMES.

506
507 Mr. Ada, Ms. Borja, Mrs. Gutierrez, Dr. Okada voted no.

508
509 Mr. Sablan said the motion did not carry nor was it disapproved.

510
511 Legal Counsel Attorney Jesse Nasis stated that without a majority, it fails. He said they're
512 not able to move forward. He said to take action, they would need the majority in order
513 to take action on the motion so it doesn't pass.

514
515 Mrs. Gutierrez said that she was fortunate to attend both the LES and JMGES faculty and
516 staff meetings. She said Dr. Adamos, HR, and school staff, and counselors. She said they
517 had explained everything and the schools were ready. She said they should move forward
518 She said the school faculty and staff had understood what HR and Dr. Adamos had told
519 them.

520
521 3) Above-Step Recruitment –

522 **Mrs. Gutierrez motioned to approve the Above-Step Recruitment for Auditor IV at Step 4 with the 10% differential so**
523 **there won't be a disparity with an incumbent's salary who holds the same current position.**

Mrs. Gutierrez mentioned that there was a law that anybody can apply for above-step recruitment. She said that the applicant never worked for the department, while an incumbent who has been with the department for over four years, will be receiving less if the applicant is granted a step-10. She said this would cause a disparity and moral problems. He said next year when the applicant gets an increment the applicant will match the incumbent's current salary. The applicant will be approved at Step 4 at \$68,059 plus the 10% differential which comes up to \$74,864.90. She said this would bring the salary up to the incumbent's salary so there would be no disparity. She said they haven't received any documents regarding the applicant's current salary. She said HR failed to provide any additional document or email so feels that they shouldn't hire the applicant at Step 10.

Mr. Ada said he was surprised that the applicants didn't put in how much they make because applicants normally do. He then asked HR if the applicant was offered the position and if he accepted the position.

HR Administrator Katherine Ada replied that the applicant has been offered step 1.

Mr. Ada asked if he would accept the position at Step 1.

Mrs. Ada said no, he requested an above-step petition.

Dr. Okada asked for reconsideration of Mrs. Gutierrez's motion to offer the position at Step 4 based on exceptional qualifications as opposed to abiding by Step 4 so as not to exceed the incumbent's salary. She requested that it be based on exceptional qualifications which are identified in the authorization that the Board has.

Mr. Sablan asked Dr. Swanson if the documents show the applicant's capabilities and proficiency of the applicant for what he's applying for and if he considered it exceptional.

Dr. Swanson replied that the applicant does have the additional certification.

Dr. Okada motioned, seconded by Dr. Guthertz to approve the Above-Step Recruitment for Auditor IV at Step 4 based on exceptional qualifications. The Board voted by voice and approved the motion with a vote of 7-1. The motion passed.

Mr. Ada voted no.

Mr. Sablan said the applicant can be given the notice that if he accepts based on his exceptional qualifications then he can be employed with the department. If not, it has to be announced again.

- 4) Waive 180 Instructional Days for SY2024-2025 Calendar – Deputy on Educational Support and Community Learning Dr. Barbara Adamos mentioned that the Joint Board Union Committee met last week and came up with an alternative solution to look at each school and considering increasing instructional time to ensure they didn't need to make up the 3-4 days. She said Mr. Sanjay Sharma from the Guam Federation of Teachers (GFT) sent them the formula for the number of instructional minutes that should be met and if the school was over then they could offset it. She said if they start tomorrow, in elementary it's a matter of increasing the instructional time each day by 4 minutes, while the secondary schools are over the instructional time allotted each day. She said this would take them up to May 22, 2025. She also said because of the double sessions with OHS and

FBLG, OHS will go until May 23, 2025, and FBLG might have to go 2 days past May 22nd. The teachers and staff will have to be paid for these extra days of instruction. She said she was still waiting for the final numbers. She noted that if any of the 15 schools will have to be shut down, there are no makeup days. She said the number of minutes over 311 minutes will not be enough so they might have to be paid extra. She said they might have to push forward with the request to waive the 180 days which has to be legislative. She said there was a proposal in writing but they haven't revised it – when the idea came up to look at the instructional time they had to see if the schools could do it. She said they needed to bring the information to their faculty today and all 15 schools agreed to make the amendment.

Mr. Sablan asked if the 180-day schedule day goes by minutes or days.

Deputy Adamos said it was 900 hours.

Mr. Sablan said they were talking for about 311 minutes.

Dr. Adamos said it was 174 instructional days which is what the current school calendar has, which is 311 minutes and if they were to look at the number of instructional time they lost they would add either 11 or 18 minutes depending on secondary or elementary.

Mr. Sablan said they were meeting with Senator Borja tomorrow and one of the items he had wanted to discuss was the waiver of 180 days. He asked if Dr. Adamos and Mr. Ada could prepare the verbiage in case they need to submit something. He asked if the Board needed to approve the new scheduling.

Dr. Adamos said the new scheduling doesn't have to be approved because they're working within the calendar. She said these are the schools following the August 22nd calendar and what the changes to their instructional day would do is bring everyone to the August 15th calendar except no Parent-Teacher-Conference and no teacher work day. She also said that HSTES has a teacher work day on May 22nd which could be used as an instructional day.

Dr. Guthertz asked how they would make up the minutes.

Dr. Adamos replied that instead of meeting for 311 minutes each day, some schools are at 330 minutes of instructional time already. She said they would just need to calculate how many more minutes they would need between now and May 22nd.

Dr. Guthertz noted that they added to each class a student is in. She then asked if it had an impact on the bus schedule.

Dr. Adamos replied that it didn't impact the bus schedule.

Mr. Sablan asked for the schedule of graduations.

Dr. Adamos replied that the graduations were set and instructional time would end before then. She said the waiver comes in should anything happen between now and graduation to offset the calendar.

Mrs. Gutierrez asked about the schools experiencing no water. She said that the central office was experiencing no water but asked if Tiyan High School was also experiencing the same thing.

Dr. Adamos said she didn't ask THS if they lost water but if they did it would have been at 1:15 pm and they were dismissed at 1:45 pm so they didn't lose any instructional time but if they did they're included in the makeup if they have to.

Mrs. Gutierrez asked if THS was affected when there was no water in February when the Board meeting was moved to GWHS.

Dr. Adamos replied that THS would not have a PTC on March 24 because it would be a makeup day.

Dr. Guthertz informed her colleagues to discourage asking for a waiver from the legislature. She expressed that education is valuable, and time is important. She said they need to take care of it themselves and not ask the senators to waive the required instructional time unless something catastrophic happens.

Mr. Ada expressed his concern about credit since a geometry class has been manned by a school aide since August.

Dr. Adamos replied that because there has been no teacher they could bring on board, there have been some math teachers and administrators providing the lessons, the school aide is carrying out the lessons, and the work is being corrected and graded in Power School. She said she doesn't know if the SA was covering all 5 classes, but some teachers are willing to cover during their prep period for pay. She then told Mr. Ada that there were some vacancies in a particular school in January which might address his concern.

Mr. Ada reiterated his concern that it will affect a child who wants to pursue higher education.

IX. EXECUTIVE SESSION – Not discussed

X. ANNOUNCEMENTS AND ADJOURNMENT

Mr. Ada left at 6:13 pm.


Mr. Sablan told the deputies who worked hard on the maximization and closures to know that he appreciates their work but he was concerned with what's been happening these past two weeks. He said if it doesn't affect the department, it's good for them but if it does, they need to come back and do something. He said he respects the Board member's opinions.

Mrs. Gutierrez motioned, seconded by Mrs. Angel, to adjourn the meeting. The Board voted by voice and approved the motion with a vote of 7-0. The motion passed.

The Board adjourned at 6:15 p.m.

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MINUTES SUBMITTED BY:



KATHLEEN LAMORENA
Administrative Officer

Date: March 26, 2025

MINUTES OF MARCH 4, 2025 REGULAR MEETING:

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

ANGEL R. SABLAN
GEB Chair

Date: _____

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

Date: _____