



ANGEL R. SABLAN  
Chair

## GUAM EDUCATION BOARD

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

### GUAM EDUCATION BOARD CONTINUATION OF REGULAR BOARD MEETING

Tuesday, July 15, 2025

4 pm

Gallery, GDOE Building B  
MINUTES

#### VOTING MEMBERS

Angel R. Sablan, Chair

Mary A.Y. Okada, EdD, Vice-Chair

Peter Alexis D. Ada

Felicitas B. Angel

Christine W. Baleto

Judith Guthertz, Dr. PA

Maria A. Gutierrez

Ron L. McNinch, PhD

#### EX-OFFICIO MEMBERS

Vacant

IBOGS Representative

Timothy Fedenko

GFT Representative

Mayor Peter Benavente

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:***

Sablan, Angel R. – Chair

Okada, Dr. Mary A.Y. – Vice-Chair (via Zoom)

Ada, Peter Alexis D.

Angel, Felicitas B.

Guthertz, Dr. Judith

Gutierrez, Maria A. (via Zoom)

McNinch, Dr. Ron L.

#### ***Non-Voting Members:***

Fedenko, Timothy – GFT Representative

#### ***Legal Counsel:***

Jesse Nasis

#### ***Absent:***

Baleto, Christine W. (Excused)

#### ***Non-Voting Members:***

Benavente, Peter – MCOG Representative

IBOGS Representative

The Superintendent announced that five (5) members of the Board were present in person and two (2) present via Zoom, constituting a quorum.

14 Mr. Sablan shared that he wasn't feeling well due to health issues that began the previous night. He shared that he  
15 had an interview this morning on the Wave 105.1 about Liberation, and he wasn't sure he could make it to a 2-3 hour Board  
16 meeting. He noted that Dr. Okada was attending via Zoom and asked Dr. Guthertz to take over the meeting when he leaves,  
17 emphasizing that important matters still needed to be discussed.  
18

19 **II.CELEBRATE SUCCESS** – The following retirees were recognized: CLTaitano Elementary School,  
20 Liza J. Sahagon; FB Leon Guerrero Middle School, Lali Thundiyl; and Jose Rios Middle School, Roy  
21 Leon Guerrero.  
22

### 23 **III. CONSENT CALENDAR**

- 24 1. Minutes of June 17, 2025 Regular Meeting
- 25 2. Superintendent's Report June 17, 2025  
26

27 **Dr. Guthertz motioned, seconded by Mrs. Angel, to approve the items listed under the consent calendar. The Board**  
28 **voted by voice with a vote of 7-0. The motion passed.**  
29

### 30 **IV. PUBLIC PARTICIPATION**

31 Dr. Judith Won Pat – Dr. Won Pat addressed the Board as a mother, educator, and lifelong  
32 advocate for Guam's children, urging them to prioritize students over politics and bureaucracy.  
33 She highlighted that over 400 displaced students are weeks away from the new school year  
34 without a school to attend. She emphasized the urgent need to provide these children with  
35 stability, classrooms, and structure — not in theory, but in reality. She pointed to Chief Brodie  
36 Memorial Elementary School (CBMES), a vacant, ready facility that could serve as a solution. She  
37 argued this issue is not about capacity but about honoring families' choice for a unique, inquiry-  
38 based educational environment. She warned of the consequences of leaving CBMES unused —  
39 citing vandalism, theft, and decay, as already seen in another abandoned school. She said the  
40 building is already showing signs of deterioration and could become a financial liability if left idle.  
41 She urged the Board to act with compassion and courage, not just talk about putting children  
42 first, but demonstrate it through action by reopening CBMES immediately. She called it a chance  
43 to show real leadership — responsible, child-centered, and rooted in community values.  
44

45 Mr. Sablan said that they can ask questions when they come to the portion of the agenda, Chief  
46 Brodie Elementary School Status and Proposal.  
47

48 Dr. McNinch said that it might be more helpful since speaker Won Pat and others were in the  
49 audience, it might be more helpful to discuss it.  
50

51 Mr. Sablan said that others wanted to present.  
52

53 Phil Leon Guerrero, on behalf of Senator Tina Rose Muna-Barnes – Mr. Leon Guerrero read  
54 Senator Muna-Barnes' letter into the record.  
55

56 Freya Vidallon (SIFA Executive Office Liaison) – Ms. Vidallon shared a letter from SIFA CEO Dr.  
57 Anthon Jay Sunga, urging the Board to approve SIFA's temporary use of the Chief Brodie  
58 Memorial Elementary School (CBMES) facility for one to two years. SIFA chose CBMES because  
59 it's ready to serve its growing student population, who need a learning space without delay. The  
60 letter emphasized that SIFA offers more than just a building - they offer a partnership that saves  
61 government costs while providing culturally relevant education. They commit to maintaining the  
62 facility at no extra cost and collaborating with GDOE and the community to honor the school's  
63 legacy. Approving their request would show Guam's commitment to all students, ensuring the  
64 CBMES facility continues as a vibrant place of learning rather than sitting unused.  
65

66 Maria Wood (SIFA Administrator of Student Affairs) – Ms. Wood thanked the Board for their  
67 work serving thousands of students island-wide and acknowledged that while SIFA serves fewer  
68 students, they still contribute meaningfully to the overall educational mission. She emphasized  
69 that SIFA offers a unique, STEAM-based learning environment with a strong focus on social and  
70 behavioral development, setting them apart from other schools. Speaking from her role at the  
71 school, she shared that students, parents, and staff are anxious for clarity about their future, but  
72 reassured them that SIFA has an academic plan in place even if a facility isn't secured. However,  
73 she stressed that having a stable physical location like CBMES is critical to providing the security  
74 and consistency that the school community needs. She closed by thanking the Board for  
75 considering SIFA's request and expressed hope for a collaborative solution that would allow them  
76 to continue nurturing future innovators and leaders.  
77

78 Ron Ravela (SIFA Director for Planning, Compliance, and Research) – Mr. Ravela highlighted SIFA's  
79 ongoing commitment to education, proposing that if CBMES becomes a public middle school in  
80 Tamunig, SIFA can retrofit the facility at no cost to GDOE. He noted that SIFA has partnered with  
81 the First LEGO League since 2016, introducing LEGO robotics competitions to all public middle  
82 schools and funding their participation. He urged the Board to support continued STEM  
83 programs, including competitions, summer programs, science camps, and outreach. He also  
84 mentioned SIFA's CEO, Mr. Anthony Sunga, has been actively training GDOE teachers from the  
85 Head Start Program last year and, most recently, with GDOE science teachers on the Next  
86 Generation Science Standards (NGSS). He emphasized SIFA's willingness to collaborate and asked  
87 for approval to use the CBMES facility to continue these efforts.  
88

89 Attorney Michael F. Phillips - Attorney Phillips clarified that SIFA has never owed back rent, despite  
90 circulating rumors. He said legal cases support this, noting one was dismissed on a technicality, and  
91 in the other case, the landlord never even requested back rent. He explained that confusion arose  
92 from improper invoicing, but once it was clear that no rent was owed, they couldn't legally pay it. He  
93 emphasized that SIFA may have even overpaid and that it remains a responsible and credible  
94 organization.  
95

96 Nick Shoemake – Mr. Shoemake shared his perspective as a parent, praising SIFA as more than just  
97 a school - it's a strong, supportive community. He said his son, like many middle schoolers, was trying  
98 to find his identity and found his footing at SIFA through friendships and extracurriculars. Now, with  
99 uncertainty about SIFA's future, students are worried about being split up and sent to different  
100 schools. As a Tamunig resident, he urged the Board to allow SIFA to move to CBMES, emphasizing  
101 how beneficial the school has been for his son and others. He stressed that time is critical, as he  
102 needs to make a decision soon for his son's schooling. He urged the Board to support SIFA's move to  
103 CBMES to keep the school community together.  
104

105 Mr. Sablan asked Ex-Officio members to move to the meeting agenda item 1g concerning the status  
106 and proposal for CBMES. He called forward Senator Borja, Senator Won Pat, Ron Ravela, and  
107 Attorney Phillips for the discussion. He clarified that while many believe the Board has the authority  
108 to decide on CBMES, there are legal hurdles that must be addressed first before any decision can be  
109 made.  
110

111 Ron McNinch – Dr. McNinch stated that the Board is committed to students and parents but  
112 must determine whether they have the authority to act on the issue, and if so, how to proceed  
113 legally. He noted that political red tape and legislative bureaucracy complicate matters for both  
114 charter and public schools. He emphasized the importance of teacher stability and proper  
115 management across the education system and expressed concern about the legal and procedural  
116 questions the Board must carefully navigate.

Mr. Ada asked about the payment issue, expressed gladness that the issue was resolved, and inquired why SIFA left their previous site.

Attorney Phillips explained that since January 2024, the landlord has stopped invoicing SIFA. He said he couldn't speak for the landlord's reasoning, but noted that their legal counsel told the judge it was a strategic decision. He clarified that SIFA cannot legally pay rent without receiving an invoice, as that is the only way they can request and receive funds from the Department of Administration.

Mr. Ada noted that Attorney Philips had previously stated SIFA doesn't owe any money, but now there appears to be a different version of the story.

Attorney Phillips stated there is no other side of the story - SIFA's contract clearly outlined a total of \$2.5 million for the entire term, not annually. He said the landlord misinterpreted it as \$2.4/\$2.5 million per year, and if SIFA pays that, it would go to jail. SIFA has already paid roughly two terms' worth, and the contract language is simple and unambiguous.

Mr. Ada asked if he was saying that SIFA doesn't owe the landlord any money at all for rent.

Attorney Philips said that was correct.

Mr. Ada asked why SIFA was leaving.

Attorney Phillips explained that the rent dispute led to a lawsuit, prompting a review that confirmed SIFA didn't owe any money - in fact, the landlord may owe them. He noted that the landlord clearly doesn't want SIFA, and SIFA doesn't want to stay where they're unwelcome. The contract has since expired and was never renewed.

Mr. Ada acknowledged the discussion and addressed Mr. Ravela, pointing out that 180 students from Tamuning currently attend JRMS. He supported turning CBMES into a middle school to better serve these students. He added that over 100 students from TAMES would also feed into a new middle school, totaling around 300 students. Mr. Ada then asked if SIFA could comfortably accommodate that number of students if parents chose to send their children to a school closer to Tamuning, emphasizing the goal of bringing schools closer to students, not farther away.

Mr. Ravela responded that, according to his discussion with Dr. Carla Aguon, about 78 students had indicated they would be going to JRMS. He said the 100 students might be an overflow resulting from the possibility that CBMES will be available.

Mr. Ada asked if SIFA was able to accommodate 300 additional students.

Mr. Ravela responded that they are confident they can accommodate 300 additional students as the CBMES facility currently has the capacity to support that number.

Mr. Ada explained that he asked about the move because he heard discussions about potentially closing JRMS to convert it into an elementary school. He then asked if SIFA can transfer its collateral equipment to the CBMES facility within 21 days, by August 7th.

Mr. Ravela replied that their school calendar differs from GDOE's and that their school year is set to begin on August 15.

Mr. Ada asked if they could complete transferring collateral equipment to the new site from the previous site.

Mr. Ravela affirmed that they could move into the CBMES facility within a week, noting they previously transferred all materials from their Tiyan campus to their current interim site in under four days. He added that he has a capable team ready to support the move.

Mr. Ada shared that he had spoken with the mayor of Tamuning and emphasized, as Dr. Won Pat did, the importance of putting politics aside to prioritize the children's education. He said it would be unfortunate to see the CBMES facility go to waste. He also mentioned that another school, LBJES, is in a similar situation but hasn't received as much attention. He then asked whether SIFA plans to change the name of CBMES if they use the facility.

Mr. Ravela replied that they would like to use the CBMES facility to house the SIFA charter school.

Mr. Ada asked if SIFA would remove the school's name.

Mr. Ravela responded that they would not remove the name, stating that it's a legacy they will not touch.

Mr. Ada said most of his questions were answered and expressed trust in Attorney Phillips. He acknowledged that they are approaching a point where a decision needs to be made.

Mr. Ravela shared the origins of SIFA, which began as Dr. Sunga's dream to bring STEAM education to Guam. As a biologist with a doctorate, Dr. Sunga turned down lucrative global offers to return to Guam and give back through education. He emphasized Dr. Sunga's passion for teaching and reaching students early, especially in science. Though not administrators by profession, they built the school from the ground up, and with support from people like Attorney Michael Phillips and Board member Criz Ortiz, they've worked to correct past missteps. He acknowledged it's been challenging, but they are committed to doing things the right way. He highlighted their ongoing efforts to train teachers in NGSS and their desire to continue serving the community through education, asking only for the opportunity to keep doing so.

Mr. Ada asked if they can make the first year payment, continuous without any abeyance.

Mr. Ravela replied that they can make a one-year payment, continuously, if Mr. Birns from DOA receives the notice, and with the approval from their counsel chair.

Mr. Ada said he probably wasn't expecting that question.

Mr. Ravela said they were ready to make that payment.

Mr. Ada asked if they are able to accommodate 300 additional students and if he could reassure the Board that priority enrollment would be given to the Tamuning students currently attending Jose Rios Middle School.

Mr. Ravela stated that SIFA will prioritize incoming students from Tamuning for enrollment at CBMES. He added that as long as it doesn't involve discrimination against other applicants, they are willing to take the necessary steps to make it happen.

Mr. Sablan asked GDOE Legal Counsel Attorney Jesse Nasis to come up.

Dr. Guthertz recapped public interest and developments surrounding the future of the CBMES campus since early July. She presented a timeline beginning with a Guam Daily Post article in which Attorney Phillips disclosed that negotiations were taking place to allow SIFA to use the CBMES campus, though he did not name those involved. She stressed that the GEB was not consulted or part of those negotiations and clarified that the proposal did not come from the Board. She also cited a July 11th article noting SFA's move-out from its Tiyan campus and highlighted a quote from Attorney Phillips stating, "SIFA school is neither a non-profit organization nor an organization" and "SIFA is not there anymore." She asked him to clarify those statements and whether they indicated some kind of legal strategy.

Attorney Phillips clarified that his earlier statement wasn't a strategic maneuver but a partial quote that may have caused confusion. He explained that while non-profits originally petitioned to form charter schools like SIFA, they are no longer recognized entities - legally, governance now lies with the Board of Trustees. Although the non-profit may have appointed the initial board members, the non-profit and the school's governing board members are distinct. He noted that the landlord mistakenly sued the non-profit, which no longer operates the school or occupies the campus, instead of suing the school or its Board of Trustees.

Dr. Guthertz asked who would be responsible for paying any owed money if the second case against SIFA is not dismissed and it is determined that SIFA owes funds.

Attorney Phillips stated he can't speak for the non-profit directly, but noted that few non-profits could afford the amount in question. Regarding the school, he clarified it's not part of any current court case. In the latest lawsuit, there was no request for back rent - only for the non-profit to vacate. He emphasized that there is no court action seeking back rent at this time.

Dr. Guthertz asked if that could change.

Attorney Phillips said yes, and they can't stop people from suing.

Dr. Guthertz voiced concern that legal liabilities tied to the new campus could disrupt operations and pose financial risks to the legislature if they are expected to cover costs. She stressed the importance of addressing these legal issues and thanked Attorney Phillips for his insights. She mentioned that Eagle Land Holdings LLC has sued SIFA twice, though one case was dismissed due to failure to prove proper service and removal of the school from its Tiyan property. Citing a news report, she noted that SIFA still plans to operate in the 2025-2026 school year but is unsure when it will start as it seeks a new facility. She questioned whether SIFA has considered other available properties, noting there is currently a lot of vacant real estate on Guam.

Mr. Ravela explained that SIFA has explored multiple options for a new location, including commercial properties and LBJES. However, the council chair prefers to keep the school intact in one location. He noted that while they could technically split grade levels across different locations or use asynchronous learning setups, most parents strongly prefer a traditional, single-campus brick-and-mortar school. This makes their situation difficult as they have thoroughly searched both public and private options and have not found a location that would provide a safe and suitable learning environment for students.

Dr. Guthertz shared how the Board became aware of the SIFA proposal, stating that it began in early July when she read Attorney Phillips' comments, which caught her attention. She explained that the Board later learned about ongoing negotiations -likely involving Adelup-and received draft

270 agreements and accompanying letters. A revised version of the proposal was shared just days before  
271 the meeting, and a separate proposal from Senator Tina Muna Barnes also emerged around the  
272 same time. She emphasized that while the proposals are valuable, they were unsolicited by the GEB.  
273 The Board had already decided to issue an RFP to the community, which had expressed a desire for  
274 the campus to become a GDOE public middle school- a priority established before SIFA's situation  
275 arose. She stressed the importance of following proper legal procedures, including not acting on  
276 unsolicited proposals, and reiterated that proposals like those from Dr. Won Pat and Senator Muna-  
277 Barnes should be submitted formally once the RFP is released. She acknowledged the financial  
278 challenges facing the school system and said the Board has a duty to explore options that could  
279 generate funding without relying heavily on the Legislature. She also highlighted the need to re-  
280 engage the Tamuning community, noting that no recent village meetings had been held to gather  
281 current input on whether they support a charter school or still prefer a GDOE middle school. Finally,  
282 she raised a question about the difference between the first and second proposals from SIFA, noting  
283 that the first mentioned no rent but value through renovations, while the second appeared to differ,  
284 and she requested clarification.

285  
286 Attorney Phillips clarified that neither he nor SIFA initiated the broader efforts to help and had no  
287 involvement in the various proposals being discussed. From a legal standpoint, he explained that  
288 when a private school converts to a charter school - like SIFA did- it is required by law to ask the  
289 GDOE Superintendent if any facilities are available. He noted the irony that for nearly a century,  
290 superintendents have responded that no facilities were available, allowing charter schools to leave  
291 privately, as SIFA previously did. However, this time, the Superintendent does have available  
292 facilities. He wrote the required letter on behalf of SIFA to GDOE, and now the decision lies with  
293 GDOE. He emphasized that SIFA followed the legal process and cannot be held responsible for any  
294 other proposals or actions taken outside of that. He also stated that while the law requires a charter  
295 to ask for available facilities, it doesn't clearly require GDOE to say yes, though he questioned the  
296 logic of such a setup.

297  
298 Dr. Guthertz noted that there are now three versions of the proposal regarding SIFA's use of the  
299 CBMES campus: two from SIFA and Dr. Won Pat, and one from Senator Muna-Barnes. She pointed  
300 out that the first version from SIFA proposed no rent in exchange for in-kind renovations.

301  
302 Attorney Phillips clarified that they have not created, sent, or approved any version of the proposal  
303 and do not endorse any of the versions being discussed. He expressed appreciation for the support,  
304 but stressed that those versions are not theirs.

305  
306 Dr. Guthertz noted that there was a version of the proposal from Dr. Won Pat and asked Attorney  
307 Phillips to confirm if that was correct.

308 Dr. Won Pat said she would follow Dr. Guthertz's lead and explain the events chronologically from the  
309 beginning.

310  
311 Dr. Guthertz encouraged her to go ahead because they wanted to know.

312  
313 Dr. Won Pat explained that she was asked by Speaker Frank Blas Jr. and the Acting Governor (Lt.  
314 Governor) to help address concerns about 400+ children potentially being displaced and to draft an  
315 MOA. She used language based on existing agreements, such as the one with Guahan Academy  
316 Charter School, which uses a government facility rent-free. She worked with attorneys from the  
317 Governor's office to review and revise the MOA. The initial draft included signatures from the  
318 executive branch, similar to past agreements, but it was later recommended that it be removed. A  
319 revised version was then issued with only GDOE and SIFA as the signatories.  
320

321 Dr. Guthertz asked for the reason behind that.

322  
323 Dr. Won Pat explained that Legal Counsel advised that GDOE can handle this independently, without  
324 needing the executive branch's involvement.

325  
326 Guthertz's main concern is the legality and proper procedures of the Board's actions, especially since  
327 the Board lacks its own attorney after previously having one (Mike Phillips). She highlighted  
328 unresolved issues like the rent problem and emphasized the Board's responsibility to seek funding  
329 to support schools without overburdening the Guam Legislature, which is already struggling due to  
330 funding losses caused by Washington policies. She expressed uncertainty about the financial stability  
331 of GDOE amid ongoing changes and challenges, including support losses for various public sectors.  
332 She stressed the Board's duty to explore resources for schools like CBMES and LBJES, noting the  
333 importance of the RFP process to ensure fairness and transparency to the community. She  
334 questioned whether the law mandates solicitation and expressed concern about whom to consult  
335 since the Board lacks legal counsel, leaving the Attorney General's office as an option. Finally, she  
336 raised practical concerns about how SIFA would fund necessary renovations at CBMES before  
337 reopening.

338  
339 Mr. Ravela said they saved some money by tightening their operations. He noted that most needed  
340 repairs at CBMES are about 80% cosmetic, such as a few toilets needing retrofitting and replacing  
341 the awning rafters and tin, while the steel pipes and concrete structure remain sound. The floors and  
342 interior are clean, though the exteriors are weathered and could use paint. Based on an initial  
343 inspection and recent public health clearance, he doesn't expect many major issues inside, but they  
344 need a thorough internal assessment before planning any significant renovations.

345  
346 Dr. Guthertz asked if he was saying SIFA could afford to do the renovations in-house.

347  
348 Mr. Ravela said yes.

349  
350 Dr. Guthertz asked if they were looking for Business sponsors to do it.

351  
352 Mr. Ravela said they are permitted to request volunteer help and donations of materials like paint.  
353 He shared that they have a strong support network of staff and parents who are willing to volunteer  
354 their time and effort to assist as needed.

355  
356 Dr. Guthertz asked if they would need the help of Mr. Borja.

357  
358 Mr. Ravela said they won't need his help.

359  
360 Dr. Guthertz explained that the department has no funds to assist and clarified that she asked  
361 questions to help Senator Borja and ensure all legal matters are addressed. She emphasized that if  
362 the Government of Guam owns the property, it could take control without the Board's approval, but  
363 she's uncertain if an RFP would be required. She stressed the importance of following the law to  
364 avoid personal or institutional liability. She urged consulting government attorneys before any action  
365 and highlighted that mistakes can't be afforded given the past challenges. She noted that the  
366 legislature has the power to change laws quickly, but the Board hasn't yet engaged with legislators  
367 on this. Ultimately, she insisted that any steps taken must comply fully with legal procedures,  
368 whether by the executive branch, legislature, or the GEB.

369  
370 Mr. Sablan said that's why GDOE legal counsel was here. He informed Senator Borja about the  
371 proposal from Senator Muna-Barnes and asked if he knew how many signatories it had.



372  
373 Senator Borja said he had just seen the letter on the same day it was sent.  
374

375 Mr. Sablan asked if it was not yet in Bill form.  
376

377 Senator Borja clarified that there is currently no bill in place regarding the issue. He emphasized that  
378 the Legislature is willing to support the process but acknowledges the bureaucratic challenges  
379 involved. He noted that the Speaker had asked the executive branch to draft an MOA, but there was  
380 no bill yet. He attempted to contact Guam Academy Charter Schools Council Chair Evangeline  
381 Cepeda, who was off-island, and met with the executive branch to better understand the situation.  
382 He said the committee is still receiving new information and is trying to sort through the various  
383 proposals. He also raised questions about legal authority - specifically, whether the executive branch  
384 can act if the property belongs to GDOE, given GDOE's status as an autonomous agency. He  
385 concluded that there is still no clear answer on who has the authority or responsibility to move  
386 forward with the SIFA proposal.  
387

388 Mr. Sablan emphasized the urgency of finding a home for over 400 students and asked Attorney  
389 Nasis if he had researched who owns CBMES and the land it occupies, highlighting the importance  
390 of clarifying ownership.  
391

392 Attorney Nasis stated that while he hasn't reviewed the documents himself, he was informed that  
393 the CBMES property is supposed to belong to GDOE. However, verification is still pending based on  
394 the actual documentation.  
395

396 Mrs. Gutierrez recalled that when she was on the Board, the Tamuning Municipal Council and local  
397 stakeholders-including herself as a resident-had requested that the CBMES campus be converted  
398 into a middle school, based on a promise made by former Governor Joe Ada. She emphasized that  
399 Tamuning students, like those at JRMS, are strong performers and also participate in programs like  
400 robotics. She supported Dr. Guthertz's call to engage with the Tamuning community, noting that the  
401 Board has not yet done so regarding the current SIFA proposal. She stressed that the community  
402 should not be forced into accepting SIFA and that parents and students deserve to be heard. She  
403 also expressed discomfort with the idea of allowing SIFA to use the facility rent-free when GDOE is  
404 facing funding struggles. She warned this could set a precedent, citing other communities like Santa  
405 Rita that are already requesting school facilities. She questioned what would happen if more groups  
406 started asking to use GDOE properties without paying rent. She noted confusion over whether Dr.  
407 Swanson supports the MOA or Senator Muna-Barnes' proposal and reiterated that the Board had  
408 directed him to issue an RFP. She concluded by urging the Board to refer the matter to the  
409 appropriate committee and hold a town hall meeting with the Tamuning community to hear their  
410 input before proceeding.  
411

412 Senator Borja explained that Bill 70, sponsored by Senator Joe San Agustin, is expected to be  
413 reported out of committee and should be in the next session. This bill aims to allow GDOE to lease  
414 underutilized facilities.  
415

416 Mr. Sablan discussed several key points regarding SIFA's potential move to the CBMES facility. He  
417 noted that Attorney Phillips had sent a letter to Dr. Swanson referencing a law that allows the  
418 Superintendent to repurpose unused facilities. He mentioned that the Tamuning Municipal Planning  
419 Council had twice passed resolutions to convert CBMES into a middle school, with the Board  
420 supporting the idea, but lacking funding to make the transition. He highlighted that SIFA has offered  
421 to retrofit the campus at no cost, which could eventually benefit the community once SIFA moves  
422 out. He raised concerns about legal procedures, saying that if Board approval is required, they may

423 need to go through a formal RFP process and legislative testimony. He emphasized that the laws are  
424 unclear and it's important to proceed in a way that avoids legal challenges from other entities or the  
425 Attorney General. He reiterated that while the Board wants to support what's best for students, the  
426 process must be done correctly from the start. He pointed out that going through the legislature  
427 could be the fastest route - if a law names SIFA and designates CBMES as a charter school, the Board  
428 would have to comply. Lastly, he noted concern over the timing, referencing Dr. McNinch's question  
429 about why the request came so late in the process.  
430

431 Dr. Guthertz emphasized that everyone is genuinely trying to do what's best for the students and  
432 proposed a creative solution: SIFA could consider converting into a public school at CBMES. This  
433 would bypass legal hurdles like the RFP process and expedite the transition. She suggested that SIFA  
434 could use its saved funds for renovations, retain its specialized focus, and integrate staff into the  
435 GDOE system, with HR support to meet the requirements. This approach would achieve both SIFA's  
436 and the Board's goals while ensuring transparency. She noted that legislative support would be  
437 needed, but encouraged thinking outside the box to make it happen.  
438

439 Dr. Won Pat explained that charter schools are public schools by law and receive public funding,  
440 intentionally designed to offer specialized programs accessible to all students, especially those who  
441 can't afford private education. She clarified that school lands and buildings are government property,  
442 confirmed by the Department of Land Management. She discussed the urgency of finding a  
443 temporary campus for SIFA, noting that while an RFP process would be ideal, it takes too long, and  
444 school is about to start. She proposed using CBMES as an interim campus and working with the  
445 legislature to authorize an RFP and create a legal mechanism for SIFA's funds to be transferred to  
446 GDOE. One idea, supported by Senator Muna-Barnes, is to have the legislature appropriate SIFA's  
447 annual payment directly to GDOE for CIP, rather than handling monthly rent. She stressed that the  
448 immediate priority is getting children into a school - not maximizing profits from prime real estate -  
449 and pointed to past decisions like rebuilding JFKHS as precedent. She believes procedural hurdles  
450 shouldn't prevent action and urged the Board to support an interim solution while the legislature  
451 handles the necessary legal steps. She praised the creativity behind the idea and emphasized that  
452 political and legal issues can be managed if the focus remains on what's best for the students.  
453

454 Dr. Guthertz assured Dr. Won Pat that if there are delays, children can temporarily attend GDOE  
455 schools, emphasizing that they never turn any child away. She reaffirmed GDOE's commitment to  
456 support until other issues are resolved. She also suggested to Senator Borja that SIFA consider  
457 becoming a public school, as this could potentially resolve many challenges more quickly and easily.  
458 She noted it's just a suggestion, but one worth discussing with stakeholders.  
459

460 Dr. McNinch expressed concern about systemic issues in the charter school oversight process. He  
461 highlighted the lack of a unified command due to two competing boards - the charter school council  
462 and the school board- creating confusion and inefficiency. He believes problems should be reported  
463 and addressed immediately, but feels the process is broken. He warned against repeating the same  
464 issues with other schools annually. Noting the law governing charter schools is 16 years old, he urged  
465 Senator Borja to review it and consider better alternatives, as variances have often been allowed  
466 without clear direction.  
467

468 Mr. Ada asked if his staff could address special needs students.  
469

470 Mr. Ravela said they have students who are in the 504 IEP.  
471

472 Mr. Ada asked if they had teacher aides.  
473

Mr. Ravela explained that they had provided a 1:1 aide for the student, but once the student transferred to GDOE, the aide was no longer needed.

Mr. Ada advised them to be prepared in case they take over the facility, noting that some students from JRMS who may transfer would require special needs.

Mr. Sablan acknowledged that the issue would not be resolved that night and emphasized the need to address the other items on the agenda, and he wanted the members joining via Zoom to be present for the executive session. He mentioned that the board will reconvene on July 29, noting that the school starts on August 7. He stated that Dr. Won Pat's proposed interim campus was a workable option. He suggested the proposal be reviewed by both SIFA and GDOE attorneys to ensure it meets legal requirements. The interim campus could operate for one year while legislation is pursued to solidify SIFA's charter status, with Tamuning also getting its middle school. He noted SIFA's start date is August 15 and told Mr. Ravela that it could be potentially delayed.

Mr. Ravela said yes.

Mr. Sablan stated that if an interim campus proposal is ready by the July 29 meeting, the Board can review it and potentially approve it. He emphasized that this would be a temporary solution to support SIFA while involving the legislature to find a long-term resolution. He expressed concern about the possibility of other charter schools facing similar displacement issues in the future. His proposed compromise is to allow SIFA to use the CBMES campus temporarily, preventing it from deteriorating and avoiding financial waste. He noted Mr. Ravela's willingness to invest in the site if the interim plan is approved and instructed Attorneys Phillips and Nasis to draft a legally sound agreement.

Mr. Ada clarified that it wasn't necessarily an interim agreement, but rather a proposal for the Board to consider.

Mr. Sablan said it's the same thing - an interim agreement to approve.

Mr. Ada said yes, for consideration.

Mr. Sablan said all they can do is consider.

Guthertz requested that Dr. Swanson draft an RFP if they need to do that in order to make sure they're covering all the bases.

Mr. Ada emphasized that he clearly heard Mr. Ravela confirm that SIFA has funds to pay the first year's rent. He joked about his hearing aid but made it clear he was paying close attention. He stressed that since SIFA has the money, they are expected to make the payment on time, and no excuses for payment extensions will be accepted.

**Dr. Guthertz motioned, seconded by Mrs. Angel, to approve an interim agreement for SIFA's one-year use of the Chief Brodie Memorial Elementary School, pending a written proposal and first reviewed by the Policy Committee. The Board voted by voice with a vote of 7-0. The motion passed.**

Dr. Guthertz said the lease will be for one year, with payment terms to be negotiated. After that, if a Request for Proposal is required, SIFA can participate.

Mr. Sablan clarified that the proposal for SIFA to use the campus is only an interim, one-year arrangement. He said it still needs to be discussed at the July 29 meeting and emphasized that SIFA

must address legal matters on its end. He told them that once they move in, they should immediately begin searching for a long-term location, as the current Board may not be in place later. He stressed the need to involve the Charter School Council and noted that the GEB is stepping in to help, but the responsibility shouldn't fall solely on the Board.

Mrs. Gutierrez recommended referring the matter back to the committee for further discussion before reviewing any new proposals.

Dr. Guthertz amended her motion to also defer the matter to the committee.

Mr. Ada asked which committee it would fall under.

Mr. Sablan clarified that the matter would go to the executive committee. He noted that Dr. Guthertz amended her motion to include bringing it back to the executive committee for review.

Mrs. Gutierrez added that it should also be referred to the finance committee.

Mr. Sablan agreed it could be sent to any committee she chooses.

Mrs. Gutierrez emphasized the need for a thorough discussion, noting that there are two proposals under consideration. She stated she is not prepared to decide until she has all the necessary information.

Mr. Sablan stated that the issue will be brought to the Board on July 29th. He called for a vote on Dr. Guthertz's motion to have all involved parties develop a viable interim plan that would allow SIFA to use the CBMES campus temporarily for at least a year, ensuring students don't miss out on their education. He described it as a compromise everyone could support and noted that any additional proposals from the legislature, executive, or finance committee could be incorporated into the plan.

**V. COMMUNICATIONS** – Not discussed.

**VI. EX-OFFICIO MEMBER REPORTS** – Not discussed

**VII. UNFINISHED BUSINESS** - Not discussed

**VIII. NEW BUSINESS**

**IX. EXECUTIVE SESSION**


**X. ANNOUNCEMENTS & ADJOURNMENT**

**Mr. Ada motioned, seconded by Mrs. Angel, to go into recess until July 29, 2025. The Board voted by voice with a vote of 7-0. The motion passed.**

He emphasized the urgency, stating they can't waste time and have a lot to discuss on the 29th, including the school openings.

The Board recessed at 6:06 p.m.

**MINUTES SUBMITTED BY:**

  
\_\_\_\_\_  
**KATHLEEN LAMORENA**  
**Administrative Officer**

**Date:** August 1, 2025

576 MINUTES OF JULY 15, 2025 REGULAR MEETING:  
577 ( ) Approved as submitted  
578 ( ) Approved subject to corrections  
579 ( ) Other: \_\_\_\_\_  
580  
581

582 \_\_\_\_\_  
583 ANGEL R. SABLAN  
584 GEB Chair  
585  
586 Date: \_\_\_\_\_  
587

\_\_\_\_\_

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

Date: \_\_\_\_\_

DRAFT