



**ANGEL R. SABLAN**  
Chair

# GUAM EDUCATION BOARD

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

**GUAM EDUCATION BOARD  
REGULAR BOARD MEETING  
Tuesday, November 25, 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  
Judith Guthertz, Dr. PA  
Maria A. Gutierrez  
Ron L. McNinch, PhD

**EX-OFFICIO MEMBERS**

Kohen Diego  
IBOGS Representative  
  
Timothy Fedenko  
GFT Representative  
  
Mayor Brian Jess Terlaje  
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 4:05 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  
Ada, Peter Alexxis D.  
Angel, Felicitas B. via Zoom  
Baleto, Christine W. via Zoom  
Guthertz, Dr. Judith  
Gutierrez, Maria A.  
McNinch, Dr. Ron L. via YouTube\*

***Non-Voting Members:***

Fedenko, Timothy – GFT Representative  
Terlaje, Brian Jess - MCOG Representative

**Legal Counsel:**

Matthew Wolff

***Absent:***

***Non-Voting Members:***

IBOGS Representative

Dr. Swanson announced that eight (8) members of the Board were present, constituting a quorum.

- II. CELEBRATE SUCCESS** – The following retirees were recognized: Oceanview Middle School’s Eva Sumbo, Tiyan High School’s Michael Clement, DL Perez Elementary School’s Lois Cruz, CL Taitano Elementary School’s Crystal Franquez, and Marcial Sablan Elementary School’s Joseph Vincent Castro.

**III. CONSENT CALENDAR**

1. Minutes of September 23, 2025, Regular Meeting
2. Minutes of October 21, 2025 Regular Meeting
3. Superintendent’s Report September 23, 2025
4. Superintendent’s Report October 21, 2025 Regular Meeting

**Mrs. Gutierrez motioned, seconded by Dr. Guthertz, to approve the consent calendar items. The Board voted by voice with a vote of 8-0. The motion passed.**

**IV. PUBLIC PARTICIPATION -**

Jimmy Teria - CHamoru Studies and Special Projects Division Administrator Mr. Teria advocated for the Faniyakan CHamoru/CHamoru Medium-Immersion Program Permanent Site in CHamoru.

Jordyn Teria - Ms. Teria read her letter for the record.

Pika Fejeran - Ms. Fejeran shared that her son has grown with the Faniyakan CHamoru program as it expanded from three to seven grade levels and added preschool and after-school programs. She noted its growth from about 20 to nearly 60 students and praised its success in strengthening CHamoru language, identity, and culture. She said the program has now outgrown its space at PC Lujan and is seeking a new home. She asked the GEB for support so the program can continue expanding and benefiting more children and families.

Mr. Sablan said they don’t need to put down their roots because nobody would uproot CHamoru.

Rufina Mendiola - Ms. Mendiola said she has been an educator for 44.5 years and intends to continue until God Almighty takes her. She stated that CHamoru is her language, but said she would ensure Dr. Swanson understood her remarks, and she read her letter into the record.

Mr. Sablan joked about whether Dr. Swanson wanted Ms. Mendiola’s comments translated, saying they would sound even more beautiful and succinct in CHamoru. He added that he and Ms. Mendiola have known each other for many years, joking that he taught her CHamoru, and mentioned that they once worked together at Manglona Mart.

Ms. Mendiola said she made \$1.65 per hour.

Mr. Ada asked Mr. Teria, in the event that the Board has to approve, how many students would be transferred to LBJES.

Mr. Teria stated that enrollment stands at 58 students, and they could not admit more due to limited space.

Mr. Ada noted that LBJES is much larger and asked Mr. Teria if they plan to occupy the entire school campus.

Mr. Teria said that eventually they plan to occupy the entire campus. He explained that Faniyakan CHamoru has a pre-K to 12th-grade master plan, approved by the GEB in 2016, and they have been steadily growing for the past seven years.

Mr. Ada asked whether Mr. Teria is aware that most facilities are for pre-K and kindergarten, and if he sees a need to work on some areas.

Mr. Teria confirmed plans for growth, noting they have parental support, are incorporating as a nonprofit, and can operate within their current finances while steadily expanding over time.

Mr. Ada said that, personally, he likes the concept being proposed but wants assurance that unused classrooms won't sit idle and will be properly maintained until needed, acknowledging that not all rooms will be used in the first two years.

Dr. Guthertz expressed excitement for the CHamoru Studies program and praised its teachers and staff. She urged giving the program control of the school immediately so they can grow, accommodate higher grades, and begin planning. She envisioned offering after-school CHamoru language and culture classes for the community, encouraging Mr. Teria to expand the program. She said she will introduce a motion in December and emphasized supporting the CHamoru culture and people, noting volunteers and supporters will help.

Mr. Sablan said the item can't be addressed since it's not on the agenda, but noted the Superintendent Select is present. He expressed confidence that Dr. Won Pat supports Faniyakan CHamoru and asked her if she fully supports it.

Dr. Won Pat said yes in CHamoru.

Mr. Sablan said the outgoing and incoming superintendents are already discussing the transition and will address the Faniyakan CHamoru program. He noted that, based on conversations with Vice Chair Dr. Okada, the decision appears to be an operational matter requiring only the Superintendent's approval—not the Board's. He expressed confidence that both superintendents support the program, which would allow it to move forward. He also acknowledged Yona Mayor Brian Jess Terlaje as a supporter and told the public participants they could head home. He added that within the next 30 days, the superintendents may either handle the decision themselves or bring it to the Board if needed.

**Mrs. Gutierrez motioned, seconded by Dr. Guthertz, to discuss the Ex-Officio Member Reports, November Head Start Report, New Business, and Executive Session, and to table the other agenda items. The Board voted by voice with a vote of 8-0. The motion passed.**

Mrs. Gutierrez emphasized that the outgoing and incoming superintendents should coordinate their transition with the transition team.

Mr. Ada said he would like to make a discussion on the Safe and Healthy Schools Committee.

Mrs. Gutierrez asked if it was the email he had sent to Board members regarding Facilities and Maintenance.

Mr. Sablan said he wanted Mr. Ada to meet with the outgoing and incoming superintendent and the transition team in a working session so it could be included in a report.

Mrs. Gutierrez thanked him for sharing the information with the Board, but noted that Dr. Swanson and Deputy Paul were not included in the email, and said the transition teams of Dr. Won Pat and Dr. Swanson should be given an opportunity.

Mr. Sablan asked Mr. Ada if he was okay with that.

Mr. Ada said his only concern was the federal code of regulations.

Mrs. Gutierrez asked if that was Board Policy 705.

Mr. Ada said it was.

Mrs. Gutierrez raised a concern about the policy, noting that students and the PTO had recommended the sections that were cross outs. She proposed referring it to the Policy Committee, involving the PTO and student clubs, and emphasized that the fundraising purpose should remain. She said that the new superintendent's deputy will work on the policy.

#### **V. COMMUNICATIONS – Tabled**

1. Correspondence received by the Board after October 21, 2025

#### **VI. EX-OFFICIO MEMBER REPORTS**

1. Islandwide Board of Governing Students (IBOGS) Report – N/A
2. Guam Federation of Teachers (GFT) Report - Mr. Fedenko expressed full support for opening LBJES as a CHamoru school but questioned whether it is included in the budget, noting the high costs of the CBA discussed before the legislature. He urged the Budget Committee to consider this.

Mr. Sablan said the outgoing and incoming superintendents will work with their transition teams to resolve issues so that by their meeting in late December or early January, they have a clear plan of action.

3. Mayor's Council of Guam (MCOG) Report – Mayor Terlaje shared concerns from several mayors about reclaiming unused or partially used school facilities for community use. He cited Santa Rita, where Mayor Alvares wants the old JPTSA School returned to municipal control, and Yona, where part of the baseball field is under MULES. The mayors are seeking guidance on how to work with the department to make more recreational facilities available to their communities.

Mr. Sablan said the request can be submitted in writing to Dr. Swanson for legal review, research, and a response.

Mayor Terlaje said he believes Mayor Alavarez has sent letters to Dr. Swanson and also requested an in-person meeting.

Mr. Sablan explained that a new law governs how the department can use its facilities. He said multiple agencies and officials are involved in determining the best use of unused facilities, noting it's part of the transition process. He reminded the Board that CBMES has already been approved to become a middle school, but the law gives charter schools priority. A committee will be formed to make final assessments and decisions.

Mr. Sablan said those who missed last Saturday's art showcase at Okkodo High School missed a meaningful event, which included a moving farewell tribute to Dr. Swanson. Students and administrators performed, and a video of the tribute is available through the PIO. He noted Dr. Swanson even danced and encouraged everyone to celebrate him with a round of applause.

## **VII. UNFINISHED BUSINESS**

1. Superintendent's Report – Tabled
  - a. JFKHS/SSHS Double Session Status Report –
  - b. FEMA Project Status Report –
  - c. FBLG Renovation Status Report –
  - d. Mold Mitigation/Fencing Status Report –
  - e. Dashboard Status Report –
  - f. Management and Curriculum Audit Status Report –
  - g. Speech Therapists' Licensure Requirements
2. Executive Committee – Tabled
  - a. National Association of State Boards of Education (NASBE) –
  - b. Ad Hoc Committee Update –
  - c. Request for Travel: Board Chair & Superintendent
3. Instructional & Academic Support Committee
  - a. November Head Start Report – Ms. Lape read her report for the record.

Mr. Sablan asked Ms. Lape if they have a spending plan for the lapses.

Ms. Lape confirmed they have a spending plan and explained that no changes are being made; approvals are limited to previously approved project categories to allow more time for completing purchases and projects.

Mr. Sablan asked when it was due back to Head Start.

Ms. Lape said they are waiting for submission, after which it will enter the review queue, noting it's already approved by the policy council and ready once the Board gives approval.

**Dr. Guthertz motioned, seconded by Mrs. Gutierrez, to approve the Head Start Program's application to carry over all remaining funds in the respective budget categories for the current fiscal year. The Board voted by voice with a vote of 8-0. The motion passed.**

Mr. Sablan requested that any report Ms. Angelina generates also be given to the superintendent select.

4. Safe & Healthy Schools Committee - Tabled
  - a. Facilities & Maintenance
5. Policy Review & Strategic Planning Committee – Tabled
  - a. Amended Board Policies
    - i) 105 – Board Officers - Election
    - ii) 105.10 – Duties of the Board Officers
    - iii) 115 - Committees
    - iv) 120.2 – Board Policy Dissemination

- v) 120.4 – Administration in the Absence of Board Policy
  - vi) 125.3 – Distribution of Board Meeting Materials
  - vii) 125.12 – Executive Sessions at Board Meetings
  - viii) 130 – Board Work Sessions
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 2026
    - iv) Grant Status Report for Fiscal Year 2026
  - b. US Department of Education Specific Conditions Report
  - c. FY 2024 Audit Progress

## VIII. NEW BUSINESS

- a. Legal Representation for GEB - Dr. Guthertz explained that the Board needs its own legal counsel at times due to potential conflicts, as they haven't had one since the previous attorney passed away. She noted that the Board has consulted the Attorney General's Office for guidance on federal policies, personnel matters, court actions, and evaluating Dr. Swanson. Rather than hiring a private attorney, she proposed having the AG assign an assistant attorney general with expertise in education law to work with the Board, with the Board reimbursing costs for the attorney's time. She believes this would be the most cost-effective and practical approach.

Dr. Guthertz replied that the attorney should attend Board meetings as needed, and the Board can request their presence to help the attorney become familiar with the Board's work.

Mr. Fedenko asked if Dr. Guthertz wanted to amend her motion based on her earlier discussion about funding.

Mr. Sablan said they would remain silent on funding until the Attorney General raises the issue and determines the cost.

Mr. Fedenko said his main concern was that the Board cannot fund items not included in the budget, noting that in 2024–2025, they informed GFT that CBA positions were not budgeted.

Mr. Sablan said that's why they will leave that out, and if there's a response from the AG's office that they can do it and inform them of the cost, then they'll bring it back to the Board and ask if they still want that. He said they can't afford to CBA positions and they're hiring another attorney. He said they will put it on the table then. He noted that the Board now plans to allocate additional funds, which are not included in the 2026 budget, and questioned how the attorney would be paid and whether the money would come from funds meant for teaching students.

Mrs. Gutierrez agreed with Dr. Guthertz that the Board should consider having its own legal counsel or a private retainer. She explained that during the Superintendent search, the Board's Search Committee was told by GDOE's

legal team that they could not provide guidance to the committee and would only handle FOIA requests. She thanked Dr. McNinch and Dr. Guthertz for resolving the issue and emphasized that the Board should not be dependent on GDOE Legal, which works for the Superintendent, not the Board.

Mayor Terlaje stated that Dr. Guthertz should clarify her motion, as it mentioned funding. He agreed that the Board needs Legal Counsel, but also concurred with the chairman on waiting for guidance from the Attorney General.

Dr. Guthertz said the Board can request an Assistant Attorney General to be assigned to them, and if the AG agrees without charging the Board, they should proceed. If costs arise later, they can seek reimbursement or request legislative assistance. She emphasized that the Board should not be without legal representation, noting that legal issues came up during the Superintendent search.

Mr. Sablan asked for clarification that her motion was to request the Attorney General provide representation from their office at the Board meeting.

Dr. Guthertz said she wanted to preface the motion by expressing the Board's appreciation for their assistance.

**Dr. Guthertz motioned, seconded by Mrs. Gutierrez, that the Board make a request in writing to designate an assistant attorney general to work with the School Board as their representative attorney on matters that require legal assistance. The Board voted by voice with a vote of 8-0. The motion passed.**

Mr. Sablan, as Board chair, tasked Dr. Guthertz with drafting the letter to the Attorney General, instructing her to put her statements in writing for the Board to sign and submit.

- b. Board Policy 705 Food and Nutrition Services Management - Mrs. Gutierrez said the matter should be sent to the Policy Committee, expressing concern that students and PTOs weren't consulted and that amendments removed provisions benefiting them, which she disagrees with.

**Mrs. Gutierrez motioned, seconded by Dr. Guthertz, to refer Board Policy 705 to the Policy Committee.**

Mr. Ada said students currently can buy items from a school store during or shortly after lunch, but the new regulation would restrict sales to after-school hours. He expressed concern to Food and Nutrition Services Administrator Mr. Monforte that buses won't wait for students, and emphasized that he does not want this change to jeopardize federal funding for school meals.

Mr. Sablan said that's a very valid concern.

Mr. Monforte explained that while BP 705 currently allows selling food half an hour after lunch, the updated Code of Federal Regulations prohibits selling any snacks, foods, or candy grams during the school day until half an hour after the last school bell.

Mr. Sablan asked if the CFR hinged on federal money coming to Guam.

Mr. Monforte said yes.

Mr. Sablan asked what happens if they don't comply.

Mr. Monforte said they could lose the program and emphasized that they must apply in accordance with the CFRs.

Mr. Sablan asked whether a response had been submitted explaining why GDOE cannot allow snack sales half an hour after lunch and must wait until the last bell, noting he had heard students' concerns at the last town hall.

Mr. Monforte explained that the BP was updated to align with the CFR, removing departmental oversight after the last school bell. Schools may encourage safe snacks, but are not required to enforce it.

Mr. Sablan asked how much time students have between the last school bell and boarding the bus, noting that there is none.

Mr. Monforte agreed but added that there is time for school games.

Mr. Sablan clarified that Mr. Monforte was referring to extracurricular activities, not the end of classes or bus schedules. He said the issue needs further discussion and should include Dr. Won Pat and her transition team. He added that Mrs. Gutierrez's motion was passed, so the matter will be moved to the Policy Committee for additional review.

Mrs. Gutierrez said she has notified all IBOGs to inform school clubs. She noted that although this practice has been in place since 2016, it's only now being questioned as a potential violation. She wants to see documented evidence of any violation and emphasized that decisions affecting students—especially the PTO—should involve all stakeholders. She said she has worked on the Board Policy with Mr. Anderson since 2016 and plans to hold a work session with the PTO and all student clubs to gather input before any decisions are made.

Mr. Ada said he doesn't want to repeat himself, but stressed that he doesn't want the Board to be found in violation of a federal regulation because of this group. He noted the issue has existed since 2016 and agreed with Mrs. Gutierrez, but said that now that they are informed, they must act. He emphasized that they are not denying parents' concerns, but he refuses to risk losing federal funds over something they want to offer stakeholders. He asked whether Board members are prepared to take responsibility if federal funds are lost and said he needs each member to answer that.

Mr. Fedenko asked whether CFR had recently notified Mr. Monforte, and if so, whether it was due to the new administration, an oversight in the past, or whether the notification came from federal or local authorities.

Mr. Monforte explained that they regularly receive updates from the CFR and that the relevant rule has been in place for some time. They previously



attempted to address the 7 CFR changes, but did not do so last year because other priorities took precedence. He emphasized that the CFR clearly states the requirement—specifically, that it is 30 minutes after the last school bell. He stressed that this is not about authority or power but about following federal regulations. He said he is willing to bring up 7 CFR 210 for possible revision, noting that he wants schools to be able to generate revenue while ensuring students still receive free lunches and program benefits. Ultimately, he said it is Board policy, and he can propose changes, but the Board must decide.

Mr. Sablan said the issue clearly needs further discussion and suggested that the Policy Committee hold a work session to develop a decision. He noted that it won't be resolved within the next 30 days, with students going on Christmas break soon, but hoped that by January, the committee could present a policy amendment or change for the Board to vote on.

Mrs. Gutierrez clarified that Board Policy 705 has **not** been amended and remains fully in effect. She noted that some principals have contacted her confused, believing they might be in violation, but she emphasized they are correctly following the current policy. She expressed concern that incorrect information is being circulated to principals and the PTO. She stated that no edits, highlights, or cross-outs should be made, and the policy should remain unchanged.

Mr. Sablan said until it's changed, it should remain as it is.

Dr. Okada referred to 7CFR 210 and asked Mr. Monforte for clarification on whether the regulation specifically mentions the school bell and how it applies to after-school programs, particularly regarding the 30-minute post-school period.

Mr. Monforte said it is 30 minutes after the last school bell.

Dr. Okada asked whether after-school programs, where students are still present, must comply with the regulation, noting that these programs are still considered official programs.

Mr. Monforte noted that the school bell has a defined meaning.

Dr. Okada noted that the chapter is lengthy and suggested providing the Board with the specific sections being referenced.

Mr. Monforte explained that the only change was specifying "half an hour after the last school bell" instead of "30 minutes after the lunch bell." He said the cross-outs in the policy reflect that the other rules no longer matter if the CFR is followed, since these activities would occur after school. He clarified that smart snacks are encouraged after school but not required, and under the current Board Policy, only approved smart snacks are allowed—no sugary or off-list items—which is often the source of confusion.

Dr. Adamos explained that school fundraising involving food is regulated by the Department of Public Health and Social Services, requiring schools to obtain

temporary sanitary permits. Students raised concerns about these requirements at a town hall with Senator Borja, who has since drafted legislation to waive the permit fees. She described how, at JFK High School, a single temporary sanitary permit cost \$300 and required health certificates, a ServSafe-certified person, detailed schedules, itemized food lists, and strict guidelines for handling hot food. Additional locations required additional permits. She said the process is extremely strict and burdensome, and she and Mr. Monforte have been working on this issue since she became acting deputy superintendent. They are not asking for health rules to be waived—only the \$300, six-month permit fee—so students can raise funds without spending their earnings on DPHSS fees. She noted that public health originally did not intend to charge schools, but the legislatively approved fee schedule forced them to. She thanked Senator Borja for assisting in this effort.

Mr. Sablan asked whether the amendment should specifically address the fee schedule.

Dr. Adamos said yes.

Mr. Ada expressed appreciation that Senator Borja is addressing the issue, but emphasized not to overlook elementary students, who he said are the most affected.

Mr. Sablan said the Policy Committee should review this in a work session to propose changes, offer suggestions for the bill going to the legislature, advise the incoming superintendent, and ensure compliance with the CFR.

Mr. Monforte said he will continue to work with Mr. Ada.

Mr. Ada asked if they're going back to d. Safe & Healthy Schools Committee.

Mr. Ada said they were on New Business item c. Spending Priorities.

Mr. Ada clarified that the information he sent to Board members was for updates only and not a request for funding.

Ms. Baleto left at 5:06 pm.

- c. Spending Priorities: Dr. Okada said the spending priorities were reviewed by the Budget Committee, which identified some areas needing correction, but they still fall within the management-provided spending plan.
  - i) GovGuam: Resolution 2026-01 Relative to Adopting the Spending Priorities and Cost Cutting Measures for the Guam Department of Education for Fiscal Year 2026 - Dr. Okada said the document outlines 2026 spending priorities under Public Law 38-60, including detailed expenditures, while noting approximately \$38 million remains for unfunded activities.

Mr. Fedenko asked if her comments were related to the resolution.

Dr. Okada confirmed and emphasized that a correction to the resolution is needed.

Mr. Fedenko asked for a copy of the resolution.

Dr. Okada said the only correction needed is to fix the legislature speaker's name. She recommended that the Board direct the superintendent to prioritize CBA positions before any other hiring. She also requested removing the provision for hiring additional facilities and maintenance personnel, explaining that the \$10 million budget is already allocated, and adding more positions would leave no funds for necessary supplies and equipment.

Mr. Fedenko asked why the \$10 million funds had been tapped out.

Dr. Okada explained that the \$10 million fund was depleted early because all Facilities & Maintenance (F&M) payroll was shifted into it to balance the budget, unlike the previous year, when the \$10 million was additional funding. The fund is now down to \$5 million, and nearly all of it is already committed—about \$4 million for F&M supplies and equipment, \$50,000 for safety and PPE, plus fleet, heavy equipment, and septic costs. She said there is no funding left to hire more F&M staff, especially with \$38 million in unfunded priorities, including nearly \$10 million for power and water that is not fully funded this year. The spending plan also identifies no vacancies. She emphasized that hiring limits are not a Board-mandated freeze; they come from management's own spending plan, which outlines all personnel, merit bonuses, and teacher payouts. She also noted that \$1.7 million in employment offers already made were not included in the spending plan, meaning those new employees are currently unfunded. Overall, she said the management-presented spending priorities leave no flexibility.

Mr. Ada said he understands Dr. Okada's explanation, but his main concern is still the elevators.

Dr. Okada said that \$250,000 for elevator maintenance and modernization is included in the spending plan.

Mr. Ada said the non-functional elevator should be replaced, stressing that staff must carry children to the second floor and emphasizing student safety as the top priority to avoid potential accidents or lawsuits.

Dr. Okada said the \$250,000 is the priority, and the resolution allows the superintendent to reallocate funds as needed. She noted that GDOE typically has budget lapses each year that can help fill CBA positions, while also addressing student health and safety. The \$250,000 is a starting point, and additional federal or other funding should be sought to support unfunded requirements.

Facilities and Maintenance Manager Jimmy Pangelinan said that while he understands budget shortfalls, sustaining operations is the costly part. He warned that taking funds from F&M could undo progress made over the past year and a half. He emphasized the need for funding to continue preventive maintenance, reinspections, and emergency work to keep projects moving forward.

Mr. Sablan stated that the \$10 million is allocated to the F&M Division.

Mr. Pangelinan said half of the funding is already allocated to payroll and highlighted that much work remains, including restroom refurbishments and crack and spall repairs.

Mr. Sablan said there is still much to do and noted that Board members often reallocate funds, which prevents the budget from ever balancing.

Mr. Pangelinan acknowledged the situation, noting that the current \$250,000 is a small purchase for GDOE.

Mr. Sablan said it's ironic to call them spending priorities because there are always other priorities that take precedence.

Mr. Fedenko said maintenance personnel are being moved to schools, as planned, and asked if this could reduce the cleaning and custodial services contract to free up more funds for F&M.

Mr. Sablan said his main concern is that they are setting spending priorities while a new management team is about to take over, meaning the outgoing leadership's decisions could bind the incoming superintendent. He questioned whether it is prudent to finalize priorities now if the new superintendent may have a different vision. He noted that he often raises concerns about security but sees no action. He said he wants to give the incoming superintendent the chance to review the budget and determine whether her priorities align with those of the Board and the outgoing superintendent.

Dr. Okada said they are legally required to submit a spending plan and, since it's late November, they are currently operating without one. She prefers to follow the law and present a plan, which the superintendent can later re-prioritize. She emphasized that adopting the spending plan now prevents unfunded hires, noting \$1.7 million in hires are already in progress, and sets a clear message against hiring or promoting positions without funding.

Mr. Sablan recommended giving the incoming superintendent the first 30 days to review the budget and propose any amendments to the Board, noting he hopes the Board finds this fair.

Mrs. Gutierrez said she was concerned when she saw an email listing about 26 new F&M positions, many of which—such as PC administrator, PC III, PC I, and heavy equipment supervisor—were roles she had never seen in her years with the Government of Guam. She wants the new superintendent and her management team to immediately recognize that there may be too many positions being added. She said they still need to establish spending priorities, agreeing with Dr. Okada, especially because many of the pending or in-process positions appeared to be for the central office rather than for schools. She also agreed with Mr. Fedenko regarding the CBA and said it bothered her that the list bypassed Dr. Swanson and Deputy Paul and was sent directly to a Board member.

Mr. Ada clarified that the materials sent to the Board were for informational purposes only, with F&M providing information that will be addressed later when funding is available.

Mr. Pangelinan explained that he has been “rightsizing” his division to retain skilled employees who now handle expanded responsibilities, including HVAC, vehicle maintenance, fence repairs, and welding. He emphasized that retaining these employees requires paying them appropriately. Frustrated, he stressed that the supervisor positions he requested are crucial for the department’s success and that his team goes beyond their normal duties for the students. He apologized if his tone offended anyone, clarifying he is not angry but concerned that his efforts to support and sustain his staff are being overlooked.

Mr. Sablan said the Board doesn’t go beyond the superintendent, at least he doesn’t, and that concerns should go to the superintendent first before reaching the Board. He told Mr. Pangelinan that the spending priorities submitted did not include the needs he raised, but if the incoming superintendent, Dr. Won Pat, does not support or address them, the Board will hear from him again. He praised Mr. Pangelinan’s work, noting that public health inspection records show clear progress, and said the Board will try to support him through the superintendent. He emphasized that the superintendent is the Board’s only employee, and with the leadership transition, all ongoing issues will be passed to the new superintendent, who can bring forward any requested changes to spending priorities in January. He stressed that the Board does not want to restrict Mr. Pangelinan or his division, but must balance many competing needs across a limited budget, with shortages similar to those seen in neighboring jurisdictions. He acknowledged widespread demands—maintenance, CBA positions, special education vacancies—and said not everyone can receive everything they want. He noted the difficult financial situation Dr. Won Pat will face and said she must be given room to adjust priorities. He encouraged Mr. Pangelinan to continue speaking openly about his concerns.

**Dr. Okada motioned, seconded by Dr. Guthertz, to approve Resolution 2026-01 Relative to Adopting the Spending Priorities and Cost Cutting Measures for the Guam Department of Education for Fiscal Year 2026 with corrections. The Board voted by voice 6-0, 1 abstention. The motion passed.**

Mr. Sablan said the corrections are intended to give the new management team a chance to make their own changes.

Dr. Okada confirmed, adding that they also need to correct the speaker's name and limit spending priorities to CBA positions.

Mr. Ada said he will not be voting.

Mr. Sablan acknowledged that Dr. McNinch was watching and voting via YouTube.

- ii) E-rate Spend Plan - Dr. Okada stated that the department has \$2 million in E-Rate funds for network upgrades, including fiber optics, broadband, and licensing, accumulated through E-Rate reimbursements. They have submitted a spending priority for the full \$2 million.

Deputy Superintendent of Assessment and Accountability Dr. Leah Beth Naholowaa asked if it included FBLGMS.

Dr. Okada clarified that the list includes all E-Rate activities in general, not broken down by school. She said it just needs to be included on the list as long as it meets the requirements.

Deputy Paul explained that the department's e-rate funds are used to cover current subscriptions and other necessary expenses. He noted that while e-rate funds cover these ongoing requirements, FBLGMS costs exceed the available amount.

Mr. Sablan asked if anyone was irate over the E-rate.

**Dr. Okada motioned, seconded by Mrs. Gutierrez, to approve the e-rate spend plan. The Board voted by voice with a vote of 7-0. The motion passed.**

#### **IX. EXECUTIVE SESSION –**

**Mrs. Gutierrez motioned to go into Executive Session.**

Mrs. Gutierrez asked Legal Counsel to stay.

Mr. Sablan welcomed Dr. Won Pat to join the executive session.

The Board went into Executive Session at 5:50 pm.

**Mr. Ada motioned to rise out of Executive Session.**

The Board rose out of Executive Session at 6:27 pm.

Mrs. Gutierrez suggested that the Board discuss the superintendent's salary and requested that Dr. Okada handle the matter.

Mr. Sablan said they were waiting for Dr. McNinch, who conducted a local and regional analysis of superintendent salaries, to help determine a justified salary for the incoming superintendent.

Dr. Okada said she hasn't heard from Dr. McNinch but has his report, which she read for the record to be included in the Board minutes. The report, based on AASA.org data, shows a salary range of \$204,000 to \$278,800 with a median of \$181,000 and a midpoint of \$211,000. She noted that Dr. Won Pat requested a salary of \$210,000, which is \$1,000 below the midpoint.

Dr. Guthertz asked what Dr. Swanson's current salary was.

Dr. Okada said Dr. Swanson's current salary is \$170,000, which was his request during contract negotiations. She also mentioned that Guam law allows for transportation, household goods, and other related benefits.

Dr. Guthertz asked if the \$210,000 would be the total financial obligation for the new superintendent.

Mr. Sablan suggested that Dr. Okada might be able to answer that, as he wasn't sure if the \$210,000 included benefits.

Dr. Okada explained that the benefits offered to the incoming superintendent are the same as those available to other GovGuam employees, including health care, insurance, retirement, paid annual leave, and sick leave, all in accordance with Guam code. These benefits are in addition to the base salary the incoming superintendent requested.

Dr. Guthertz asked if the contract mentioned a housing allowance.

Dr. Okada said no.

**Dr. Guthertz motioned, seconded by Mr. Ada, to have the salary set for the new superintendent be at \$210,000.00 plus benefits. The Board voted by voice with a vote of 7-0.**

Mr. Sablan said Dr. Ron McNinch, a Board member, conducted the analysis using available data on superintendent salaries. He clarified that any disparity between Dr. Swanson's current salary and the offer for the incoming superintendent reflects Dr. Swanson's original salary request. The proposed salary for the new superintendent was her request, and no decisions had been made until today; the analysis was simply to determine the appropriate salary range.

Dr. Okada said that Dr. McNinch, a certified HR professional, regularly conducts this type of analysis and provides it in that capacity.

Mr. Sablan explained that the contract and salary have been approved, and the agreement will be submitted to Dr. Won Pat for signature, then reviewed by Legal Counsel and the Attorney General, before going to the Governor's Office, with the goal of officially installing Dr. Judith Won Pat as GDOE superintendent on January 1, 2026.

Mrs. Gutierrez said that would also allow her new management to start simultaneously.


Mr. Ada noted that Dr. Swanson will leave on December 20 with no plans to return except for a wedding. He wants to ensure that both Dr. Swanson and the Board/department have fully satisfied all financial obligations to each other.

Mr. Sablan explained that all obligations to Dr. Swanson have been met except for the pet-transport issue, which is still under legal review. If they owe him for that, they will address it; otherwise, everything is settled. He then invited Dr. Won Pat to sign her contract.

#### **X. ANNOUNCEMENTS & ADJOURNMENT**

The Board adjourned at 6:50 pm.

#### **MINUTES SUBMITTED BY:**

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

**Date:** December 12, 2025

#### **MINUTES OF NOVEMBER 25, 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:** \_\_\_\_\_