



GUAM EDUCATION BOARD

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ANGEL R. SABLAR
Chair



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

VOTING MEMBERS

Angel R. Sablan, Chair
Mary A.Y. Okada, EdD, Vice-Chair
Peter Alecxis 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 4:02 p.m.

ROLL CALL OF MEMBERS

Dr. Mary A.Y. Okada, Vice Chair, 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 Alecxis D.
Angel, Felicitas B. (via Zoom)
Guthertz, Dr. Judith
Gutierrez, Maria A.
McNinch, Dr. Ron L.

Non-Voting Members:

Fedenko, Timothy – GFT Representative
Terlaje, Brian Jess - MCOG Representative
Alcairo, Shynez (SSHS) – IBOGS Representative
Borja, Reynold (GWHS) – IBOGS Representative
Concepcion, Colleen (OHS) – IBOGS Representative
Di Ramos, Rynier (SSHS) – IBOGS Representative
Limtiaco, Gianna (GWHS) – IBOGS Representative

Absent:

Baleto, Christine W. (Excused)

Non-Voting Members:

Legal Counsel

Dr. Okada announced that six (6) members of the Board were present in person, and one (1) via Zoom, constituting a quorum.

Mrs. Gutierrez praised the Simon Sanchez High School (SSHS) students for their dedication, noting they still participated despite having double sessions, showing their commitment to representing their school. She expressed disappointment in not hearing back from Southern High School (SHS) and Tiyan High School (THS), stating she's not going to bother anymore.

Mr. Sablan explained that Dr. Swanson couldn't attend due to back-to-back court hearings at the U.S. District Court. If Dr. Swanson is unable to make it, his part of the meeting will be skipped. He also welcomed Mayor Brian Jess Terlaje as the new Mayors Council of Guam (MCOG) representative to the Board.

II. CELEBRATE SUCCESS – The following were recognized: Talofofo Elementary School for getting an “A” on their DPHSS Public Health Inspection, Finegayan Elementary School for passing their DPHSS Health Inspection and getting an “A” on their cafeteria re-inspection, and those who participated and assisted in the IBOGS Mental Health Training Conference held in April: District Psychologists Nadine Cepeda, Jesse Baleto, Sonia Pablo, Social Workers Natasha Perez and Katrina Taijeron, the GEB, Mr. Sablan, Dr. McNinch, and Dr. Guthertz.

Mrs. Gutierrez shared that the rat issue at the school wasn't new and emphasized her deep personal connection to the school, mentioning her grandson attends FES and keeps her informed. She praised Principal Melvin Finona and Assistant Principal Gerardo Galang for their visible leadership, saying her grandson sees them actively supervising students. She also noted her sensitivity about cafeteria conditions, but was pleased the school earned an A rating, partly because she personally checks the food. She congratulated the principals, highlighting their strong leadership, and mentioned that Mr. Finona is her nephew.

Mr. Sablan encouraged everyone to keep up the great work and shared that, although he is a new principal at FES, he's had a strong start. He praised the retiring Ms. Maritess Garcia for her contributions and mentioned his personal connection to FES, having previously served as the PTO president.

Mrs. Gutierrez recognized participants of the IBOGS Leadership Conference, which focused on student mental health. She shared that survey results indicated the topic should be taught to all students and mentioned plans for the next training, requesting continued support.

Mr. Sablan congratulated Dr. Swanson and the entire GDOE for successfully opening all schools on time. He thanked the deputies for their teamwork and highlighted their impact in his article. He asked that staff be informed of the Board's appreciation and emphasized continued collaboration to ensure a successful 2025–2026 school year.

Mr. noted there were 53 vacancies at GDOE and anticipated more retirements before school starts. He asked HR Administrator Katherine Ada to update the Board on the expected additional vacancies beyond the 53 certified teacher openings.

Mrs. Ada stated that retirement letters are still arriving unexpectedly and at various times. Although she doesn't have a full list of retirees, she confirmed that active recruitment efforts are underway.

Mr. Ada inquired how many retirement notices have been received since the 53 vacancies were reported in the media, specifically due to medical or other reasons.

Mrs. Ada explained that the department has been focused on hiring, and next month, they will analyze retirements and staff departures, similar to last year. They are still actively recruiting, prioritizing certified teachers and making accommodations where needed. Updated vacancy numbers were shared, based on data as recent as last night, while the submitted summary reflects last Thursday's data. Staffing changes continue due to retirements and resignations, though detailed data on retirements is not yet available. A more complete analysis will be presented at the next Board meeting.

Mr. Ada requested that the process be expedited to quickly place new recruits, particularly recent university graduates, into classrooms.

Mrs. Ada responded that targeted recruits are already in classrooms, with remaining positions still vacant. She reminded the Board that there were 238 vacancies at the start of the school year.

Mr. Ada asked if Mrs. Ada was implying that the media's report was incorrect.

Mrs. Ada confirmed that the 53 refers to elementary and secondary schools. She mentioned there was a breakdown, including special programs, but didn't recall the exact number for those. Overall, there were roughly 99 in total.

Mr. Sablan told Mr. Ada that he was jumping ahead.

Mr. Ada said school has already started, and they need answers quickly.

Mrs. Ada said they are working closely with Principals to ensure classrooms are covered, and if there are any excess resources, they are still being mobilized. She emphasized that this process is actively ongoing.

Mr. Ada hopes to avoid repeating past situations where a school aide covered a whole school year.

Mr. Sablan said this issue will be addressed later in the agenda.

Dr. Guthertz congratulated the schools on their excellent inspection results and praised the Facilities and Maintenance Division, thanking its staff as the best. She also commended the finance team for the recent reimbursement the department received, encouraging them to stay focused and noting she is watching closely.

Mr. Sablan stated that the last reimbursement was a 12-hour turnaround time.

Dr. Guthertz told the finance team that they were doing something right - encouraging them to maintain accountability and patience, and to show President Trump that Guam is capable and responsible.

Dr. McNinch said he's always pleased to see fans of President Trump talking.

III. CONSENT CALENDAR

- 1. Minutes of July 15, 2025 Regular Meeting**
- 2. Minutes of July 29, 2025, Continuation of Regular Meeting**
- 3. Superintendent's Report July 15, 2025**

Dr. Gutherford motioned, seconded by Mrs. Gutierrez, to approve the items listed under the consent calendar. The Board voted by voice with a vote of 7-0. The motion passed.

IV. PUBLIC PARTICIPATION - None

V. COMMUNICATIONS – Not discussed

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 deep frustration over the legislature's handling of the budget, noting a new \$226 million budget likely to pass but with only \$10 million allocated for maintenance, which tightens cash flow and forces tough financial decisions. He worries about the potential closure of 10 schools and urges the Board to proactively identify and close them before layoffs and furloughs happen. He raised difficult questions about cutting programs like music and sports, possibly turning coaching into volunteer roles, reducing technology updates, cancelling contracts, and cutting services such as bussing, nursing, librarians, and food service. He questioned whether testing and accreditation efforts should be scaled back to save money. He highlighted budget pressures from the Collective Bargaining Agreement (CBA), which mandates staffing for library techs, nurse clerks, and counselors, adding to financial strain. He pointed out shortages of aides that affect teacher and student safety, criticized the administration for denying aide requests, and emphasized that staff can't effectively cover multiple roles. He mentioned grievances from librarians due to reduced library time and voiced concern about inadequate support for students with disabilities. He called for transparency about what the public schools can realistically offer, given the budget constraints. He noted challenges in managing vacant school buildings and urged using existing resources better to save costs. He acknowledged the heavy responsibilities facing the Board and hoped members would protect their positions and the community's welfare amid these financial hardships.

Mr. Sablan joked that it was the longest report he had seen Mr. Fedenko give and suggested he write a formal white paper instead of sharing pictures of his handwritten notes. He proposed sending it to the governor and legislature, even offering to co-sign it with other Board members to highlight their current challenges. He emphasized that if officials aren't listening, they might at least read the document. Sablan acknowledged the Board's heavy responsibilities but affirmed their unity. He also explained to MCOG Representative Brian Jess Terlaje that the CBA (Collective Bargaining Agreement) is a contract between the union and the Board requiring certain positions to be filled—something that hasn't been done for years. He warned that while the GFT hasn't yet taken legal action, it may be only a matter of time.

Mrs. Gutierrez expressed concerns about budget and staffing issues, noting a Board resolution on positions outside of F&M and CBA included in this year's budget, while next year's budget was mishandled by management. She criticized a secret FY26 legislative request prioritizing hires to support federal grants rather than school aides or teachers. She highlighted confusion caused by a letter and emphasized that teachers should be in classrooms, not just on staffing lists. She challenged the claim that the district has the largest number of school aides nationally, sharing that principals still lack full teacher and assistant staffing. She has been communicating with senators, including Senator Gumataotao, who referenced the Board's priority hiring resolution, and stressed that misunderstandings about priority spending led to including the CBA.

3. Mayor's Council of Guam (MCOG) Report – Mayor Terlaje discussed ongoing communication with former MCOG Representative Mayor Benavente regarding school mitigation efforts before the new school year. He highlighted that while mayors are expected to lead these efforts, their offices are severely understaffed, each having only about five overworked community maintenance workers. He emphasized the challenge, especially for mayors overseeing many schools, like those in Dededo, Tamuning, and the northern district. He noted that even with potential legislative funding for equipment, the critical limitation is the insufficient personnel to handle the workload. He urged the Board to consider this staffing issue seriously, as it was a main concern raised by Mayor Benavente in previous discussions.

Mr. Sablan said the Board is aware that many mayors often request help with school-related tasks like traffic control, grass cutting, and minor maintenance. He acknowledged that maintenance staff work hard, but outside assistance is always appreciated. He expressed confidence that mayors are willing to help since schools are part of their communities, and everyone works together for the benefit of the kids. He thanked MCOG for their support and offered to return the favor by helping in their villages whenever possible, even beyond school-related needs.

VII. UNFINISHED BUSINESS

1. Superintendent's Report – Mr. Sablan reminded his colleagues that Dr. Swanson was not present at the meeting.

Dr. McNinch noted that although Dr. Swanson was absent, there were points in his report worth discussing. He highlighted a JFKHS/SSHS item and expressed concern that Dr. Swanson had shared information with the legislature that the Board had not been informed about or given advance notice of. He requested a future discussion on this issue, emphasizing that the Board deserves the courtesy of being informed before such matters are presented externally. He also raised a question about SSHS, saying he previously heard that parts of the campus were still usable, but was under the impression the entire site was shut down and slated for demolition.

Mr. Sablan explained that Dr. Swanson needed to be at the meeting to respond to certain questions and said he would raise those questions for Dr. Swanson to answer.

Mrs. Gutierrez said senators were emailing her, asking if a new superintendent or DFAS had been appointed, because it seemed like people were speaking on behalf of GDOE without holding official titles. She stressed the need to clarify that only one person is authorized to speak for GDOE, as the situation was causing confusion among senators.

- a. JFKHS/SSHS Double Session Status Report – Mr. Sablan said one of their top priorities is to end double sessions next year for both SSHS and FBLGMS. He announced that this issue will be on the September agenda, and Mrs. Gutierrez will chair a committee to explore options for separating JFKHS and SSHS, with the goal of returning SSHS to its own campus. She will prepare a report outlining the available options, working with deputies, staff, and any interested Board members, to present in September.
- b. FEMA Project Status Report – Mr. Sablan explained that former Senator Roy Quinata has been involved in meetings about a FEMA project to build 20 classrooms near FBLGMS, intended as temporary classrooms for SSHS if it separates from JFKHS. He said the governor's office instructed FEMA to

proceed with construction despite Dr. Okada's concerns that the classrooms wouldn't suit GCC's program needs. He noted that once built, these classrooms could be used for SSHS if needed, or otherwise by Guam Housing Corporation, as required by FEMA. This will be part of the options Mrs. Gutierrez will explore in her upcoming report.

- c. FBLG Renovation Status Report – Mr. Sablan asked Program Coordinator Nikolas Cruz and Deputy Superintendent of Assessment and Accountability Dr. Leah Beth Naholowaa for the latest update on the expected completion date of FBLGMS.

Dr. Naholowaa responded that it will be in March.

Mr. Sablan confirmed that the project will be completed by March 2026 and stated that once finished, FBLGMS will return to its campus, ending the double sessions at OHS. He asked Dr. Naholowaa for confirmation on this.

Dr. Naholowaa said yes.

Mr. Ada asked about the status of the collateral equipment.

Dr. Naholowaa responded that the matter was discussed that morning and would be included in the next budget cycle.

Mr. Sablan said it's all part of a larger package being prepared and emphasized that a school can't be opened quickly if basics like student desks or chairs are still being worked on.

Mr. Cruz confirmed that it was correct and added that cafeteria equipment was included as well, noting it was part of a separate solicitation.

Mr. Sablan asked if the target was still March and whether they were on track with payments to Northern Construction.

Mr. Cruz confirmed they were on track and mentioned that Northern Construction had just submitted an invoice that day, with much of the payment already made.

Mr. Sablan asked if there were sufficient ARP funds to pay Northern Construction, excluding any potential change orders.

Mr. Cruz said the funds do not include the change order no. 2.

Mr. Sablan asked what change order no. 2 entails.

Mr. Cruz explained that most of the damage was caused by Typhoon Mawar, primarily affecting air conditioning units. Initially, GPA's scope of work for FBLGMS only listed the units that were down, but additional units were damaged during the typhoon. Interior doors were also damaged. He noted that

early in the project, FBLGMS was broken into and wires were stolen, which was included in the change order along with other items.

Mr. Sablan asked if the change order was \$3.5 billion.

Mr. Cruz corrected it to \$3.4 billion.

Mr. Sablan asked if there were enough funds to complete that contract plus change order no. 1, excluding change order no. 2.

Deputy Paul replied that he just discovered today that they have a \$10 million change order with CoreTech.

Mr. Sablan asked if that was for FBLGMS.

Deputy Paul said no, it was for 12 other refurbishment schools.

Mr. Sablan asked if the funding issue needed to be added to Mr. Fedenko's list to inform the legislature.

- d. Mold Mitigation/Fencing Status Report – Mr. Sablan said that, as he understood, GSA still wants to proceed with it.

Mr. Cruz confirmed that's what they were saying.

Mr. Sablan said the legislature might withdraw the funding.

Mr. Cruz said he wasn't sure about that, but as far as GSA is concerned, they're still pushing forth with both solicitations.

Mr. Sablan asked if it was whoever came first.

Mr. Cruz said he thinks so.

- e. Dashboard Status Report – Mr. Sablan asked Dr. Naholowaa if she was ready to report or if they should wait until Mrs. Gutierrez asks about the dashboard again.

Dr. Naholowaa replied that, according to Dr. Zenaida Natividad, she is still working on it with FSAIS.

Mrs. Gutierrez emphasized that it has been two years and pointed out the recommendation for a systems analyst position, which is not part of the CBA. She expressed frustration and is awaiting clarification from Dr. Swanson on whether he is the dashboard developer.

Mr. Sablan asked Dr. Naholowaa if the dashboard was being worked on. Dr. Naholowaa confirmed.

- f. Management and Curriculum Audit Status Report – Mr. Sablan said they need to wait for Dr. Swanson to discuss the matter.

g. Status of De-commissioned Schools – Mr. Sablan reported that the Attorney General’s Office confirmed the Board has no authority to transfer, lease, or manage GDOE property without legislative approval. As a result, the Board will take no action until the Guam Legislature grants that authority. He noted that a previous attempt to address this in session was sent back to the committee. With CBMES and LBJES still vacant, and following Dr. Guthertz’s suggestion, he tasked Mrs. Gutierrez to lead a committee to study options for ending double sessions at SSHS and FBLGMS. The study will explore whether repurposing existing facilities, like using them as the GDOE central office, could save government funds. He asked if one month would be enough time for the study.

Dr. Guthertz asked if it was just CBMES.

Mr. Sablan stated that for any decommissioned school facilities, the goal is to find cost-saving ways to repurpose them for GDOE’s benefit. This includes evaluating whether using those buildings—or the current one—is more economical, especially if existing contracts are costing millions annually. He emphasized that Mrs. Gutierrez should explore these options without breaching contracts. He concluded that aside from these updates, they will wait for Dr. Swanson to attend or present at the next meeting to address any further questions.

2. Executive Committee

a. National Association of State Boards of Education (NASBE) – Mrs. Gutierrez congratulated Dr. Okada on being selected for a prestigious committee, noting that, despite not being an educator, she was still chosen. She expressed that this kind of leadership is needed, especially in light of the recent Smarter Balanced Assessment results, and asked Dr. Okada to speak about it.

Dr. Okada explained that she was selected for a new NASBE initiative focused on high-quality instructional materials.

i. NASBE Annual Conference – October 27-29, 2025, Austin, Texas – Mrs. Gutierrez announced that registration for the upcoming NASBE conference is open and closes on September 12. She said she's attending as part of the awards committee and as a delegate, covering her own expenses. She reminded members that NASBE membership fees and related expenses are not handled by GDOE; they go directly to NASBE and are deducted from its own funds. She noted that the keynote speaker will be the Teacher of the Year from Pennsylvania, and mentioned that CNMI is sending its Teacher of the Year to meet them. Mrs. Gutierrez mentioned they are considering sending the Guam Teacher of the Year to the upcoming conference. She noted that the Government Affairs Committee and the Public Education Position (PEP) Committee no longer exist. She reiterated that the registration deadline is September 12 and highlighted that the

hotel rates are reasonable, with significant discounts available for participants.

- b. Actions Taken Since the Last Board Meeting – Mr. Sablan informed his colleagues that they have seen all the actions taken since the last Board meeting. He then stated that Mrs. Gutierrez can make the motion for the Guam Teacher of the Year winner to attend the NASBE Annual Conference, but he will recuse himself from voting.

Mrs. Gutierrez motioned, seconded by Dr. Guthertz, to consider sending the Guam Teacher of the Year to attend the 2025 NASBE Annual Conference in Austin, Texas, from October 27-29, 2025. The Board voted by voice with a vote of 6-0, 1 abstention. The motion passed.

Mr. Sablan abstained from voting.

Mr. Ada said he was under the impression that the GTOY normally goes to a presidential (conference).

Mr. Sablan said that was correct, but clarified that this time it was NASBE.

Mrs. Gutierrez said this was different.

Mr. Ada expressed concern that these were instructional days.

Mrs. Gutierrez clarified that she was only making a recommendation and that the decision was up to the principal and superintendent.

Mr. Ada asked when the presidential (conference) was.

Mr. Sablan asked if he meant the gathering for all the Teachers of the Year.

Mrs. Gutierrez said there was no information yet, noting that the Teacher of the Year told her she hadn't received any details about the event in Washington, D.C.

Mr. Sablan told Mrs. Gutierrez she can prepare the request, and they will decide on the next steps afterward.

- c. Search Committee Updates – Mrs. Gutierrez provided a detailed update on the superintendent search process, emphasizing confidentiality and a structured timeline. She shared that she and Dr. McNinch held a Zoom meeting to begin planning, with Dr. McNinch appointing her as chair of the search committee. She prepared a draft timeline and job announcement, which she will share with Board members privately, as there is already public interest in applying. She outlined key procedures for handling applications, including sealed envelope submissions received by the HR administrator, who will be the sole point of contact. A secure, locked box will be used, with access restricted to the HR administrator and the search committee chair. All applications must be postmarked by midnight on Friday, September 19. Application screening will begin the week of September 22–26, and confidentiality will be strictly maintained to avoid leaks, as occurred in the past. Applicants will be notified of their status after screening, and appeals will be accepted from September 29

to October 6 for those who meet submission requirements. Interviews are tentatively scheduled for October 13–18, pending Board approval during the September 16 meeting. Interview questions and rating forms will only be given to Board members on the day of the interviews to prevent leaks. She stressed the importance of sticking to the schedule and requested Board members confirm their availability by October 3. The final contract is expected to be approved in November, with the new superintendent's start date tentatively set for January 1, 2026. She emphasized that everything is still in draft form but asked for the Board's approval to move forward and assured close collaboration with the HR administrator, whom she trusts to maintain confidentiality.

Mr. Sablan addressed concerns about leaks during the superintendent selection process, stating that if any information were leaked, it would have to come from either Mrs. Gutierrez or the HR administrator, as they are the only two with access to applicant details and interview questions. He emphasized that no one else, including men, is involved in this confidential process.

Dr. McNinch joked that he didn't have a security clearance for that.

Dr. Guthertz shared that as a former applicant for the Superintendent position, expressed long-held concerns about the secrecy of the search process. She emphasized the importance of transparency, stating that the public has a right to know who applies as soon as the Board does. She advocated for applicants to be publicly acknowledged and given a chance to share their ideas, making the process more constructive and respectful. Reflecting on her own experience, she shared that after her interview in the previous search, she never received any follow-up or even a thank-you, which left her feeling discouraged and unvalued—not because she wasn't chosen, but because the process felt cold and dismissive. She stressed the need to treat applicants with dignity and openness, suggesting a model similar to how universities handle searches, where finalists engage with the community and media. She opposed secrecy in the process, calling it unhealthy for the island and unfair to candidates. She also recommended that the search rules be reviewed by an attorney to ensure they can withstand any potential grievances. Finally, she asked for a written clarification on whether Board members are prohibited from applying, noting that this question had never been officially answered.

Dr. Guthertz motioned, seconded by Mr. Ada, to ask for a legal opinion on whether members of the Board are prohibited from applying to be the Superintendent. The Board voted by voice with a vote of 7-0. The motion passed.

Dr. Guthertz emphasized the need for transparency in the superintendent selection process and asked whether a Board member could apply for the position even if they resigned. She praised Dr. Okada for her long service and acknowledged the current mistrust in the community, stressing that the process must be done right, openly, and positively. She advocated for a challenging job description to attract strong candidates and called for all applicants to be recognized at the end of the process to show appreciation. Sharing her personal experience from the last superintendent search, she expressed disappointment in how it was handled—stating she never received any follow-up or even a thank-you, and only learned of the final selection through the media. She urged the

Board to remember that real people are affected by these decisions and processes. She also reflected on her time teaching at Tiyan High and LPUMS, calling it the best experience of her life. She shared that despite her doctorate and 30 years of teaching at UOG, she had to complete eight required teaching courses and pass the Praxis exams to teach in GDOE, which she did to gain firsthand classroom experience. She criticized how her previous application was handled, particularly the refusal to use transcripts already on file with GDOE, calling it an unnecessary and avoidable issue. She urged the Board to ensure a smoother process going forward. Finally, she called for legal review of the selection rules, noting the Board lacks its own attorney and advising Mr. Sablan to resolve that. She recommended having the Attorney General's Office review or rewrite the rules to avoid future problems.

Mrs. Gutierrez reiterated that the superintendent search plan is still a draft. She emphasized that this time, efforts were made to ensure applicants were properly informed and clarified that Mrs. Ada was not the HR Administrator during the previous search. She shared that the process has been stressful, even affecting her health, but she took on the responsibility after being appointed by Dr. McNinch. In response to Dr. Guthertz, she said she couldn't speak for what happened in the past regarding communication with applicants. She confirmed the job description is ready, based on the duties outlined in 17 GCA for the Superintendent of Education, and is the same as previously used. She and Mrs. Ada will finalize it together.

Mr. Sablan asked if Mrs. Gutierrez wanted the Board to vote on it today.

Mrs. Gutierrez replied that the recommendations came from the committee, noting Dr. McNinch advised that if the Board wanted any changes or legal review, they should reject it. She expressed frustration, saying she doesn't appreciate that since she presented it with her committee.

Mr. said Dr. Guthertz made a motion that the Board must either accept or reject.

Mr. Sablan said she didn't make a motion; she made a recommendation to get an attorney.

Mr. Fedenko said she did, and to roll back the tape.

Dr. Guthertz repeated her motion.

Mrs. Gutierrez said that when Mr. Sablan suggested involving legal during the meeting, she had no issue with including them.

Mr. Fedenko expressed concern that waiting for the Attorney General's opinion could delay the superintendent search by two to three months, pushing it until November. He emphasized the importance of a smooth transition between Dr. Swanson and the new superintendent to avoid leadership gaps. He stressed that having no interim or acting superintendent is crucial, especially during challenging times, and urged the Board not to delay the process but to ask Dr. Swanson to stay on until the new superintendent is ready.

Dr. Guthertz said that wasn't her intention.

Mr. Ada said he understands Dr. Guthertz's concerns and has also wondered if he should apply for the superintendent position. He noted there's nothing explicitly preventing several individuals, including himself, from applying. He has been thinking and praying about it, but hasn't decided yet. He emphasized the need to clarify with the attorney whether sitting Board members or deputies can apply while still holding their positions, and stressed that getting a clear legal answer should be done quickly.

Mrs. Gutierrez stated that the job description used was the same as in the last search, except for the application deadline. It specifies that current GDOE employees cannot apply, but it does not mention restrictions for Board members. She noted some GDOE employees did apply, and clarified that the decision about whether Board members can apply is up to the Board, not her.

Dr. Guthertz, seconded by Mr. Ada, motioned to have an attorney review the proposed rules and regulations together with the job description to ensure it's in compliance with Guam law and also to answer the question on whether candidates can apply who are members of the Board or who have resigned from the board to apply for the position or any other officials of the Guam department of education. The Board voted by voice with a vote of 6-1. The motion passed.

Sablan said that was a loaded motion. He noted that Mrs. Gutierrez pointed out the job qualifications state that a GDOE employee cannot apply.

Mrs. Gutierrez said there was nothing in the job vacancy announcement that said that an employee of GDOE cannot apply.

Mr. Sablan said he contacted Maria Pangelinan from the Guam Election Commission, who mentioned there is a statute related to elected officials, but unclear on specifics. She will send him the statute, but advised that the Civil Service Commission is the best source for questions about GovGuam personnel. He clarified these concerns, sitting board members elected in the last election, not appointed ones. He also requested an opinion from the attorney general.

Mrs. Gutierrez withdrew her request and said she would return to her committee to discuss the Superintendent search.

Mr. Sablan suggested that Mrs. Gutierrez include in their proposal the recommendation to have it reviewed and sent through an attorney, possibly using legal counsel for an initial review.

Dr. McNinch responded to Mr. Ada's remark. He stated that he prefers his current role and wouldn't want the job as a superintendent. He emphasized that the Board can seek a legal opinion while continuing the process. He praised Mrs. Gutierrez for her hard work, ensuring that applicants would be notified. He suggested approving the job announcement now so the process can proceed on time, with the option to pause if legal concerns arise after review.

Mr. Sablan asked if Mrs. Gutierrez wanted to reconsider her withdrawal.

Mrs. Gutierrez suggested someone may have missed the application notice. She explained that the announcement, based on 17 GCA, outlines duties and responsibilities previously approved by the Board, many of whom are still serving. The only update was the application deadline, now set for September 19, 2025.

Mr. Sablan asked Mrs. Gutierrez if she was withdrawing her motion to adopt the time frame.

Mrs. Gutierrez said yes, calling it useless.

Mr. Sablan noted that there had been a reconsideration to proceed with her proposed time frame.

Mrs. Gutierrez stated that the job description was ready and noted that some people were already waiting for the job announcement to begin lobbying for support. She emphasized the importance of announcing it soon and said she would work with Ms. Ada to make it happen.

Mr. Sablan said they will follow her timeline.

Dr. Guthertz said she had no issue with the job announcement itself but wanted to ensure the guidelines complied with the law. She emphasized that her goal was to promote transparency.

Dr. Guthertz motioned to accept the work of the search committee to proceed with the job announcement as scheduled, and at the same time, they asked for legal guidance to make sure that the proposed rules of the search are in conformance with the law.

Dr. McNinch suggested revising the application requirement for official university transcripts to allow applicants to submit copies instead, with official transcripts provided upon hiring. He explained that obtaining official documents from off-island universities within a short timeframe can be difficult. He added that it's reasonable to accept certified true copies initially and verify them later, especially if applicants have existing official records on file.

Mr. Sablan told Ms. Ada that the announcement will be released on August 25 and asked if there's enough time to include it on electronic media. He doubted there was enough time for printed media, but urged her to distribute it across as many platforms as possible. He instructed her to coordinate with the Public Information Officer (PIO) to ensure wide dissemination. He also noted that interested applicants can obtain application forms from HR or the PIO.

PIO Damen Borja asked if they still wanted to do the announcement.

Mr. Sablan told him the media would expect a response from him.

Mr. Ada noted that they needed the attorneys quickly.

Mr. Borja said they can create videos and, using his background as a reporter, he can conduct interviews with the accepted applicants.

Mr. Sablan told him that it would be after.

Mr. Borja acknowledged.

Dr. Adamos clarified that Guam Teacher of the Year, Yoo Kyung Shin, will attend the National Teacher of the Year Conference in Washington, DC, from September 28 to October 2. She noted that inviting the 2025 GTOY, Ms. Shin, as Mrs. Gutierrez suggested, will not pose a conflict.

Mr. Sablan noted that Mrs. Gutierrez was inviting the current Teacher of the Year.

Dr. Adamos stated it wouldn't be a conflict.

Mr. Sablan explained that this is why he didn't vote and added that some members needed to leave by 6:16 pm.

3. Instructional & Academic Support Committee

- a. August Head Start Report – Mr. Sablan congratulated them on the start of their classes.

Ms. Lape stated that no actions were required for approval and that the updates were being read for the record.

Mr. Sablan wished them a successful Head Start year.

4. Safe & Healthy Schools Committee

- a. Facilities & Maintenance – Mr. Ada said he has been in continuous communication with Mr. Pangelinan and confirmed that everything is on schedule.

Mr. Sablan thanked Mr. Pangelinan and his team under Dr. Naholowaa. He noted that the legislature had allocated \$10 million for maintenance, which is much needed, though it comes from the current budget. He added that when the Finance Committee prepares a spending plan, it will consider all its needs.

Mrs. Gutierrez thanked Mr. Pangelinan and praised his maintenance staff for their work at Finegayan Elementary School. She specifically applauded Supervisor Dominic Orbe, calling him an excellent supervisor, and asked Mr. Pangelinan to let him know that the cafeteria setup made the kids very happy. She added that she hopes the improvements are maintained and mentioned that Food and Nutrition Services will check for any further rat issues.

Mr. Sablan noted that FES was recognized for its "A" grade on their cafeteria, but he understood that many school cafeterias also received an A, despite the overall facility grades. He congratulated all the cafeterias across the different schools.

5. Policy Review & Strategic Planning Committee – Mr. Sablan shared that the committee has not met yet.

- a. Dr. Guthertz Proposal Re: Temporarily Place the Guam Department of Education under the Administrative Purview of the Guam Community College

in Order to Enhance GDOE Financial Management, Operational Efficiency, and Student Learning Outcomes

- b. Dr. Guthertz Proposal Re: Temporary Designation of Guam DOE Public Schools as Charter Schools
- c. BP 406 Student Cell Phone Use on School Campus – Mr. Sablan said this was approved in the last meeting and now needs to be ratified.

Dr. Guthertz motioned, seconded by Dr. Okada, to approve the ratification of BP 406 Student Cell Phone Use on Campus. The Board voted by voice with a vote of 7-0. The motion passed.

Mr. Ada said he has been in contact with several teachers, who confirmed they were informed about the new policy. He noted that everyone is aware and praised the principals for doing a good job.

- 6. Fiscal Management Committee – Dr. Okada reported that the Finance team met with Board members to review the Accounts Payable Aging Report, discussing specific items in detail. They also reviewed a payment report covering all ARP-related payments as of August 12, including those tied to CG '22, CG '23, CG '24, Head Start, and other grants. Additionally, they examined the Grant Status Executive Summary Report and requested updates to obligation dates, noting that some grants were incorrectly marked as expired. They also reviewed the Unaudited Statement of Appropriation, Expenditures, and Encumbrances for FY 2025, where it was observed that a significant portion of appropriated funds remained unobligated despite having less than two months left in the fiscal year.

Mr. Ada left at 6:01 pm.

- a. GDOE Financial Report
 - i) Accounts Payable Aging Report – Deputy Paul stated that all local bills outside the current column, specifically those aged 31–60 days and 61–90 days, have been paid.

Dr. Okada asked if it was just for local.

Deputy Paul said yes, with a total of \$36 thousand.

Dr. Okada acknowledged.

- ii) Declaration of Financial Status Designation
 - iii) Unaudited Statement of Appropriation, Expenditures, and Encumbrances for Fiscal Year 2025
 - iv) Grant Status Report for Fiscal Year 2025
- b. US Department of Education Specific Conditions Report – Dr. Okada said this meeting was scheduled for the 22nd.
- c. FY 2024 Audit Progress – Dr. Okada reported that the audit is progressing, and they are expecting to receive the final 2024 details around December or January.

Mr. Sablan stated that the FY26 Budget has not yet been finalized by the legislature. He noted that GDOE underwent intense questioning over two and a half days. Once the final budget is released, they can discuss its impact on GDOE, including possible cuts or additional funding requests. He also wants Mr.

Fedenko's written concerns to be sent to the legislature, potentially before the final budget vote.

Dr. Okada stated that the FY2026 Proposed Budget includes many assumptions that need review. The finance committee will examine these, including the \$214 million allocated for personnel and the related staffing pattern. She also recommended including the August 14, 2025, memo in the communications for the next Board meeting.

Mr. Sablan announced that Dr. Swanson was back, and they needed answers. He said he answered some of them, and the rest, Dr. Swanson would have to answer himself.

Mr. Fedenko asked whether they had missed the IBOGS, noting that it was introduced, but no report had been provided.

Mr. Sablan responded that it was because they were new.

Mr. Fedenko asked about Policy Review line items a and b.

Mr. Sablan responded that the committee had not yet met to discuss the proposals.

VIII. NEW BUSINESS

- a. Smarter Balanced Assessment – Mr. Sablan shared that Dr. Zenaida Natividad gave a presentation and work session, which was covered by the media. He said Deputy Sanchez could answer any questions the Board might have.

Mrs. Gutierrez pointed out a discrepancy between the presented and emailed information, emphasizing the need for honesty rather than focusing only on schools that are exceeding benchmarks. She stressed the importance of being transparent with the public, especially about schools where 80–90% of students did not meet benchmarks. She raised concerns about GDOE's proficiency and said the issue shouldn't be sugar-coated. She questioned what the solution is, noting that data from 2023–2025 shows no improvement, and some schools have no students exceeding. She mentioned a senator asked if the data was accurate, and she plans to share the report with him directly.

Mr. Sablan acknowledged improvements, particularly in ESL, while noting that math proficiency still needs work. He said some tested grades show progress, but others show no improvement. He believes Dr. Swanson and his Deputy Superintendents are actively addressing this by identifying underperforming schools and working to understand and fix the issues. He mentioned having a conversation with Dr. Swanson and confirmed that efforts are underway, with a full report expected at the next Board meeting.

Mrs. Gutierrez clarified that neither she nor Dr. Okada claimed to be educators, but expressed concern that some in the building are undermining Board members by saying they aren't educators and don't understand certain terminology. She emphasized that while she may not be an educator, she has common sense.

- b. Travel Policy – Mr. Sablan asked if the Board needed more time to vote on the policy or was ready to vote today. He noted that no one objected or requested more time and that Deputy Paul's input had been included in the policy.

Mrs. Gutierrez motioned, seconded by Dr. Okada, to approve the updated Board travel policy. The Board voted by voice with a vote of 6-0. The motion passed.

Dr. Okada thanked the other Deputies who contributed to the policy: Deputy Sanchez, Deputy Adamos, and Dr. Naholowaa.

Mr. Sablan asked about the effective date of the policy.

Dr. Okada replied that it was immediate.

Mr. Sablan then requested that everyone be informed about the amended travel policy.

Mrs. Gutierrez stated that Dr. Swanson read a letter at the legislature without informing the Board beforehand. When Senator Gumataotao questioned whether the Board was aware of the letter, Dr. Swanson mentioned her and Dr. Okada. However, Mrs. Gutierrez clarified that she had never seen or authorized the letter and only became aware of it after the senator contacted Board members. She expressed concern about being associated with its contents and emphasized that future communications should not include her name without her consent. She noted that former Superintendent Jon Fernandez always shared such communications with the Board in advance. She was also troubled that Dr. Guthertz, not Dr. Swanson, had emailed the letter to the Board after the fact. She said that in 2023, the Board had informed Dr. Swanson who the official GDOE spokesperson was. Despite this, during a legislative session, someone else was the one answering questions, prompting a senator to ask her if a new superintendent or DFAS had been hired, since someone was responding as if in an official capacity. She was the only Board member openly voicing concern, but believed others likely felt the same.

Dr. Swanson apologized and acknowledged her points, stating that it should not have been presented that way.

Dr. Guthertz said she received a call on Saturday morning from a senator who asked if the testimony had been presented to the Board. She explained that she and likely other Board members had not received a copy. She told the senator that if the testimony were presented, the Board would decide how to respond, but she was unsure if the Board would support it at this time.

Mr. Sablan said he did not receive a call from a senator but only heard from other Board members. He expressed concern that the Board was given very little notice for a budget hearing, which prevented them from preparing or approving testimony for the Superintendent. He emphasized that any Board testimony must be approved by the entire Board beforehand, which didn't happen. While Dr. Swanson mentioned the hearing to the Finance Committee, a senator also contacted Mr. Sablan about a budget amendment related to spending priorities. He clarified he could only speak for himself, not the Board, and refuted claims that the Board asked for the amendment to be deleted.

since they hadn't discussed it. He urged Board members to clearly state when their opinions are personal, not official Board positions. He noted the budget is under scrutiny, the GDOE process is ongoing, and highlighted that the Superintendent Job announcement will open on August 25th, with interest in seeing how many apply.

IX. EXECUTIVE SESSION - The item was not discussed. Mr. Sablan noted that Mrs. Angel could not join and requested to postpone the discussion to the next meeting.

Mrs. Gutierrez stated that she believes they should enter executive session due to a clear need for it.

No one seconded her request.

Mr. Sablan said they will go into executive session when they have the chance - it will just be left on the agenda for the next meeting. He asked Dr. McNinch if he was going to be available next Tuesday, September 16, at 4 pm. He jokingly told Dr. Swanson not to have a court hearing on that day. He thanked the Deputies for all their work and all the staff who were present at the meeting.

Dr. Naholowaa acknowledged the presence of Senator Roy Quinata at the meeting.

Mr. Sablan stated that Senator Roy Quinata came to check on the progress report for Simon Sanchez High School, but the report cannot be disclosed yet, as decisions are still pending. He mentioned that final contracts for the school are still under negotiation. The start date remains uncertain. Additionally, they are waiting to see if the legislature will approve an extra \$16 million in the FY26 budget, which would expand the project's scope.

X. ANNOUNCEMENTS & ADJOURNMENT

The Board adjourned at 6:26 p.m.

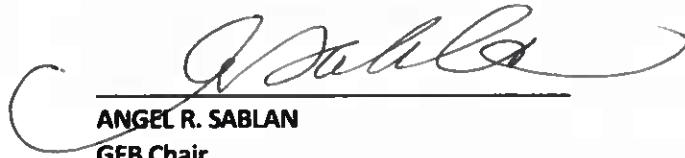
MINUTES SUBMITTED BY:


KATHLEEN LAMORENA
Administrative Officer

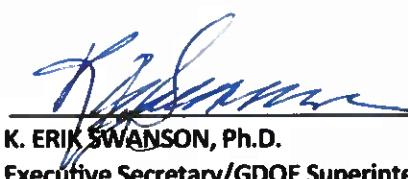
Date: September 17, 2025

MINUTES OF AUGUST 19, 2025 CONTINUATION OF REGULAR MEETING:

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


ANGEL R. SABLAM
GEB Chair

Date: 10/21/25


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

Date: 10/21/25