

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
286-36 (LS)	Telena Cruz Nelson Amanda L. Shelton Mary Camacho Torres	AN ACT TO AMEND § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022.	4/5/22 1:07 p.m.	4/8/22	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation	4/18/22 10:00 a.m.	4/21/22 1:23 p.m.	Request: 4/11/22 Waiver: 4/14/22	



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
EDUCATION,
SELF DETERMINATION
AND HISTORIC
PRESERVATION,
INFRASTRUCTURE,
BORDER SAFETY,
FEDERAL AND
FOREIGN AFFAIRS,
AND
MARITIME
TRANSPORTATION

April 21, 2022

The Honorable Therese M. Terlaje
Speaker
I Mina'trentai Sais na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: The Honorable Tina Rose Muña Barnes
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 286-36 (LS)

Håfa Adai Speaker Terlaje,

Transmitted herewith is the Committee Report on **Bill No. 286-36 (LS)** "AN ACT TO AMEND § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022."

Committee votes are as follows:

<u>3</u>	TO DO PASS
_____	TO NOT PASS
<u>4</u>	TO REPORT OUT ONLY
_____	TO ABSTAIN
_____	TO PLACE IN INACTIVE FILE

Sincerely,


Telena Cruz Nelson

**COMMITTEE ON RULES
RECEIVED:**

April 21, 2022
11:58 A.M.



Revision Rec'd:
April 21, 2022 @ 12:59 P.M.



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

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COMMITTEE REPORT

Bill No. 286-36 (LS)

“AN ACT TO *AMEND* § 715(1)(13) OF
CHAPTER 7, TITLE 1, GUAM CODE
ANNOTATED, RELATIVE TO EXEMPTING
GUAM’S PUBLIC SCHOOLS FROM THE
REQUIREMENT OF ONE HUNDRED
EIGHTY (180) INSTRUCTIONAL DAYS, OR
ITS EQUIVALENCE OF NINE HUNDRED
(900) INSTRUCTIONAL HOURS, FOR
SCHOOL YEARS 2020-2021 AND 2021-
2022.”

Introduced by Senator Telena Cruz Nelson, Senator
Amanda L. Shelton, and Senator Mary Camacho
Torres



THE OFFICE OF SENATOR TELENA CRUZ NELSON


I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

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TRANSPORTATION

April 21, 2022

MEMORANDUM

To: **All Members**
Committee on Education, Self-Determination and Historic Preservation,
Infrastructure, Border Safety, Federal and Foreign Affairs, and
Maritime Transportation

From: **Senator Telena Cruz Nelson** 
Committee Chairperson

Subject: **Committee Report on Bill No. 286-36 (LS)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 286-36 (LS), "AN ACT TO *AMEND* § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022."

This report includes the following:

- Copy of COR Referral of Bill No. 286-36 (LS)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimonies & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 286-36 (LS)
- Copy of Fiscal Note Waiver from Bureau of Budget and Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING

163 CHALAN SANTO PAPA

HAGÅTÑA, GUAM 96910

TEL 671-472-2461

COR@GUAMLEGISLATURE.ORG

April 8, 2022

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Legal Bureau

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Referral of Bill No. 286-36 (LS)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 286-36 (LS) – Telena Cruz Nelson, Amanda L. Shelton, Mary Camacho Torres – “AN ACT TO AMEND § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM’S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022.”

Please ensure that the subject bill is referred to the **Committee on Education, Self-Determination, and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation, chaired by Senator Telena Cruz Nelson.**

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules





Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

FIRST NOTICE of Public Hearing and Roundtable Hearing on Monday, April 18, 2022 beginning at 10:00 A.M.

2 messages

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Mon, Apr 11, 2022 at 9:18 AM

To: phnotice@guamlegislature.org

Cc: mis <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>, Ed Pocaigue

<sgtarms@guamlegislature.org>

Bcc: Jon Fernandez <jonfernandez@gdoe.net>, Christie Lyn San Nicolas <clsannicolas@gdoe.net>, "Tia Lynn S. Salas" <tissalas@gdoe.net>, Mark Mendiola <gdoeparents@gdoe.net>, "Dr. Mary A.Y. Okada, Ed.D."

<mary.okada@guamcc.edu>, "Lourdes M. Benavente" <lmabenavente@gdoe.net>, Ron <[REDACTED]@gmail.com>, Karla Borja <[REDACTED]@gmail.com>, "Maria A. Gutierrez" <magutierrez@gdoe.net>, paa@gdoe.net, fbangel@gdoe.net, "Joseph L.M. Sanchez (Deputy Supt. C & I)" <jsanchez@gdoe.net>, Ignacio Peredo <ike.peredo@cqa.guam.gov>, Vince Perez-Customs <vincent.perez@cqa.guam.gov>, philip taijeron <philip.taijeron@cqa.guam.gov>, Rory Respicio <rjrespicio@portofguam.com>, John Quinata <john.quinata@guamairport.net>, "Artemio Ricky Hernandez, PhD" <ahernandez@guamairport.net>, "Leevin T. Camacho" <lcamacho@oagguam.org>, "Stephanie E. Mendiola" <generalcounsel@oagguam.org>

April 11, 2022

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media

From: Senator Telena Cruz Nelson

Subject: **FIRST NOTICE of Public Hearing and Roundtable Hearing on Monday, April 18, 2022 beginning at 10:00 A.M.**

Buenas yan Håfa Adai! Please be advised that the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will convene a Public Hearing and Roundtable Hearing on Monday, April 18, 2022 beginning at 10:00 A.M. in the Public Hearing Room of *I Liheslaturan Guåhan*. The agenda includes the following:

Public Hearing, 10:00 A.M. to 12:00 P.M.

Bill No. 286-36 (LS) – AN ACT TO AMEND § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022.

Bill No. 287-36 (LS) – AN ACT TO ADD A NEW § 4124(b)(2) TO CHAPTER 4 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO CREATING AN EXEMPTION FROM THE SERVICE-LEARNING GRADUATION REQUIREMENT FOR ALL HIGH SCHOOL STUDENTS ENROLLED DURING SCHOOL YEAR 2021-2022.

Roundtable Hearing, 12:00 P.M. to 2:00 P.M.

Bill No. 114-36 (COR) – AN ACT TO AMEND §73102, §73107, §73109, §73141, and §73142 OF CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO POWERS OF CUSTOMS OFFICERS, DEFINITIONS, GUARD ON VESSELS, PLACE OF INSPECTION, AND RELEASE OF SEALED CARGO AT GUAM'S PORTS OF ENTRY, AND TO FURTHER UPDATING THE PENALTIES IN VIOLATION OF THESE STATUTORY REQUIREMENTS.

Written testimonies may be delivered to the Office of Senator Telena Cruz Nelson at 173 Aspinall Avenue, Suite 202A, Ada Plaza Center, *Hagåtña*, Guam 96910 or via email to senatortcnelson@guamlegislature.org. The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearings.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact the Office of Senator Telen Cruz Nelson via phone call at 671-989-7696 or via email.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!

Si Yu'os Ma'åse'!

--



[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
EDUCATION,
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BORDER SAFETY,
FEDERAL AND
FOREIGN AFFAIRS,
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MARITIME
TRANSPORTATION

April 11, 2022

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media
From: Senator Telena Cruz Nelson
Subject: **FIRST NOTICE of Public Hearing and Roundtable Hearing on Monday, April 18, 2022 beginning at 10:00 A.M.**

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Si Yu'os Ma'åse'!



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

SECOND NOTICE of Public Hearing and Roundtable Hearing on Monday, April 18, 2022 beginning at 10:00 A.M.

2 messages

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Thu, Apr 14, 2022 at 10:00 AM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, mis <mis@guamlegislature.org>, Ed Pocaigue <sgtarms@guamlegislature.org>

Bcc: Jon Fernandez <jonfernandez@gdoe.net>, Christie Lyn San Nicolas <clsannicolas@gdoe.net>, "Tia Lynn S. Salas" <tissalas@gdoe.net>, Mark Mendiola <gdoeparents@gdoe.net>, "Dr. Mary A.Y. Okada, Ed.D." <mary.okada@guamcc.edu>, "Lourdes M. Benavente" <lmbenavente@gdoe.net>, Ron <govguam@gmail.com>, Karla Borja <kborja04@gmail.com>, "Maria A. Gutierrez" <magutierrez@gdoe.net>, paa@gdoe.net, fbangel@gdoe.net, "Joseph L.M. Sanchez (Deputy Supt. C & I)" <jsanchez@gdoe.net>, Ignacio Peredo <ike.peredo@cqa.guam.gov>, Vince Perez-Customs <vincent.perez@cqa.guam.gov>, philip taijeron <philip.taijeron@cqa.guam.gov>, Rory Respicio <rjrespicio@portofguam.com>, John Quinata <john.quinata@guamairport.net>, "Artemio Ricky Hernandez, PhD" <ahernandez@guamairport.net>, "Leevin T. Camacho" <lcamacho@oagguam.org>, "Stephanie E. Mendiola" <generalcounsel@oagguam.org>

April 14, 2022

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media

From: Senator Telena Cruz Nelson

Subject: **SECOND NOTICE of Public Hearing and Roundtable Hearing on Monday, April 18, 2022 beginning at 10:00 A.M.**

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Si Yu'os Ma'åse'!



The Office of Senator Telena Cruz Nelson

Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org

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 **4.14.2022 SECOND NOTICE of Public Hearing & Roundtable Hearing.pdf**
293K

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>
To: Austin Grant <austin.grant@guamairport.net>

Fri, Apr 15, 2022 at 2:53 PM

[Quoted text hidden]

 **4.14.2022 SECOND NOTICE of Public Hearing & Roundtable Hearing.pdf**
293K



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON
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April 14, 2022

MEMORANDUM

To: All Honorable Senators, Stakeholders and Media
From: Senator Telena Cruz Nelson
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Si Yu'os Ma'àse'!



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON

EDUCATION,

SELF-DETERMINATION
AND HISTORIC
PRESERVATION,

INFRASTRUCTURE,

BORDER SAFETY,

FEDERAL AND
FOREIGN AFFAIRS,

AND

MARITIME
TRANSPORTATION

Public Hearing

**Monday, April 18, 2022
10:00 A.M. – 12:00 P.M.**

Agenda

- I. Call to Order at 10:00 A.M.
- II. Opening Remarks by Senator Telena C. Nelson, Chairperson
- III. Items for discussion
 - **Bill No. 286-36 (LS)** - AN ACT TO AMEND § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022.
 - **Bill No. 287-36 (LS)** - AN ACT TO ADD A NEW § 4124(b)(2) TO CHAPTER 4 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO CREATING AN EXEMPTION FROM THE SERVICE-LEARNING GRADUATION REQUIREMENT FOR ALL HIGH SCHOOL STUDENTS ENROLLED DURING SCHOOL YEAR 2021-2022.
- IV. Closing Remarks
- V. Adjournment

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Si Yu'os Ma'åse'



OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, SELF-DETERMINATION AND HISTORIC
PRESERVATION, INFRASTRUCTURE, BORDER SAFETY, FEDERAL AND
FOREIGN AFFAIRS, AND MARITIME TRANSPORTATION

Bill. No. 286-36 (LS) Public Hearing Sign-in Sheet

Monday, April 18, 2022

10:00 A.M. – 12:00 P.M.

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Jon Fernandez	GDOE	Support	✓	✓	4886348	jonfermanke@gh.
Mark Venzura	GDOE	Support		✓	727-3863	
Jose Sances	GDOE	Support			747-7724	jsances@gh.net
Eric Hays	GDOE	Support			300-1631	es hays@gh.net
Lon Benante	GDOE				6886522	



JON J. P. FERNANDEZ
Superintendent of Education

DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT

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



February 7, 2022

Honorable Telena C. Nelson

Majority Leader

Chairwoman, Committee on Education and Infrastructural Advancement, Border Protection and Maritime Transportation, Guåhan Preservation and Self-Determination, and Federal and Foreign Relations

I Mina Trentai Sais I Liheslaturan Guåhan

173 Aspinall Avenue

Suite 202A Ada's Plaza Center

Hagåtña, GU 96910

Dear Senator Nelson:

Currently, Guam law requires the Guam Department of Education ("GDOE") to provide 180 instructional days each school year and further requires GDOE students to complete 75 hours of service learning in order to graduate from high school. Due to the disruption to the school year caused by the ongoing COVID-19 pandemic and public health emergency, I am requesting that the Guam Legislature pass a law to waive these requirements for the duration of the public health emergency.

Section 4124(b) of Chapter 4, Title 17, Guam Code Annotated requires that "[b]eginning with the ninth (9th) grade class in the 2011 and 2012 school year, and for every school year thereafter, each student *shall* complete seventy-five (75) hours of service learning as a requirement for high school graduation." In subsection (b)(1), the Legislature passed Public Law 35-83, which, among other things, exempted all students enrolled in high school during School Year 2019-2020, the first year of the pandemic, from the service learning requirement. Now that the pandemic has gone on for two years, there have been two incoming groups of freshmen for whom the service learning requirement is technically required, even though conditions have not abated to allow for service learning to resume in full. Based on this, I am requesting that the Legislature extend the exemption to cover all high school students enrolled this school year, School Year 2021-2022. The amendment could simply add a new subsection (b)(2) to read: "(2) All high school students enrolled during School Year 2021-2022 shall be exempt from the provisions of § 4124(b)."

Similarly, Section 715(l)(13) of Chapter 1, Guam Code Annotated, defines an "adequate public education" to mean a public school that each year provides "at least one hundred eighty (180) instructional days, or its equivalence." The Legislature addressed this matter in Public Law 35-83 by adding language to subsection (13) clarifying that "the Guam Department of Education is exempt from the requirements of §715(l)(13) for School Year 2019-2020" which was the time period when the school system was closed for the final two and a half months of the school year. In School Year 2020-2021,

GDOE provided instruction through the three modes of education – online, face to face and hard copy. This year, School Year 2021-2022, GDOE has operated primarily through face to face instruction except for a period of four weeks when school facilities were closed, and GDOE had to advance professional development days and place all students online during that period. To be clear, teachers provided 180 instructional days last school year and are on track to teach 180 instructional days this school year; however, due to students attending school for nine weeks in cohorts, the students did not receive 180 instructional days.

In order to avoid confusion, we are requesting that the Guam Legislature further amend Section 715(l)(13) to read as follows:

“(13) at least one hundred eighty (180) instructional days, or its equivalence, including make-up hours each school year with school years ending no later than thirty (30) days following the end of the calendared school year; provided, that the Guam Department of Education is exempt from the requirements of this § 715(l)(13) for School Years 2019-2020, 2020-2021, and 2021-2022.”

This amendment would acknowledge that the disruption caused by COVID-19, experienced by private and public schools alike, makes it necessary to suspend the 180-day mandate for an additional school year and provide flexibility to GDOE to continue maximizing daily instruction as much as possible in the face of further potential disruption to the school calendar caused by circumstances beyond the department’s control. While the Guam Education Board (“GEB”) continues its discussions regarding learning recovery and accelerated learning for those who have fallen behind during COVID-19, the GEB voted in its January 2022 regular meeting to direct the Superintendent to request a waiver of the 180-day mandate.

Thank you for your attention to these matters. Please feel free to contact me directly should you require additional information or clarification.

Senseramente,



JON J.P. FERNANDEZ



DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT

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JON J. P. FERNANDEZ
Superintendent of Education

April 18, 2022

Honorable Telena C. Nelson

Majority Leader

Chairwoman, Committee on Education and Infrastructural Advancement, Border Protection and Maritime Transportation, Guåhan Preservation and Self-Determination, and Federal and Foreign Relations

I Mina Trentai Sais I Liheslaturan Guåhan

173 Aspinall Avenue

Suite 202A Ada's Plaza Center

Hagåtña, GU 96910

Hafa Aдай, Senator Nelson and Members of the Committee:

I appreciate the opportunity to be here today to testify in support of Bills 286-36 and 287-36. This past February, I transmitted a letter to you requesting a waiver of the requirement to provide 180 instructional days and the requirement that students earn 75 hours of service learning to graduate. Thank you for responding to our request by offering both bills on our behalf.

Bill 286-36 waives the requirement to provide 180 instructional days for School Years 2020-2021 and 2021-2022. The Legislature had previously approved a waiver to cover School Year 2019-2020, which was the first school year affected by the COVID-19 pandemic. As you recall, the beginning of School Year 2020-2021 was impacted by the executive order that prohibited in-person classroom instruction for essentially the first semester. In response, GDOE students went online or opted for hard-copy instruction. When in-person instruction was allowed during the second semester, GDOE essentially offered three different modes of instruction to try to accommodate all students.

In School Year 2021-2022, we discontinued hard copy instruction and offered online and in-person classroom instruction. However, we were again disrupted by another wave of COVID-19 infections, which resulted in a temporary shutdown of in-person classroom instruction through the month of September. When we returned to in-person instruction in October, we implemented a two-cohort schedule to reduce the daily number of students on campus until such time the public health situation improved. We returned to a full five days of in-person classroom instruction at the end of November.

As a result of these COVID-19 disruptions, providing 180 instructional days, or its equivalent, over the past two school years has proven difficult, requiring us to seek a waiver of the mandate. Going forward, with the protective measures in place in the community (including vaccinations), we hope to avoid any further disruption so we can return to a normal five-day instructional schedule for next school year. A return to normal five-day in-person classroom instruction will assist us in preventing further learning loss, focusing on learning recovery, and providing the opportunity for students to recover from the social and emotional trauma associated with the disruptions experienced these past couple of years.

Bill 287-36 would waive the service learning requirement for all students enrolled in high school during School Year 2021-2022. GDOE high school students are normally required to attain 75 hours of service learning in order to graduate. The Legislature previously approved a waiver for all students who were enrolled in high school during School Year 2019-2020. However, two years have passed since that waiver was granted, and conditions have not changed significantly enough to ensure that service learning opportunities are readily available to high school students, including those who started high school after the 2019-2020 school year. This means that, technically, your typical high school freshman and sophomore are still covered by the requirement to earn 75 service learning hours at a time where the community is just beginning to open up. In order to treat these students fairly, we ask that the previously approved waiver be extended to students enrolled in high school this school year (2021-2022). Next year, School Year 2022-2023, we hope that we can return to normal and be able to reinstate the service learning requirement for incoming high school students.

GDOE supports the passage of both proposed bills. We thank you for moving these forward at our request, and we are available to answer any questions that you might have.

Senseramente,



JON J.P. FERNANDEZ



THE OFFICE OF SENATOR TELENA CRUZ NELSON

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN | 36th GUAM LEGISLATURE

COMMITTEE ON

EDUCATION,

SELF DETERMINATION
AND HISTORIC
PRESERVATION,

INFRASTRUCTURE,

BORDER SAFETY,

FEDERAL AND
FOREIGN AFFAIRS,

AND

MARITIME
TRANSPORTATION

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 286-36 (LS) was introduced April 5, 2022 by Senator Telena Cruz Nelson, Senator Amanda Shelton, and Senator Mary Camacho Torres and subsequently referred by the Committee on Rules to the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation on April 8, 2022.

The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation convened a Public Hearing on Bill No. 286-36 (LS) on Monday, April 18, 2022 beginning at 10:00 AM in the Public Hearing Room of *I Liheslaturan Guåhan*.

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators, stakeholders, and all main media broadcasting outlets on Monday, April 11, 2022, and again on Thursday, April 14, 2022. Notice was also provided on the Guam Legislature website.

Senators Present

Senator Telena Cruz Nelson, Committee Chairperson
Senator Amanda L. Shelton, Committee Vice Chairperson
Senator Sabina Perez, Committee Member
Senator Joe San Agustin
Senator James Moylan
Senator V. Anthony Ada
Senator Frank Blas, Jr.

Appearing before the Committee

Superintendent Jon Fernandez, GDOE
Deputy Superintendent Joseph Sanchez, GDOE
Deputy Erika Cruz, GDOE
Chairman Mark Mendiola, GEB
Lourdes Benavente, GEB Member

II. SUMMARY OF TESTIMONY & DISCUSSION

The Virtual Informational Hearing was Called-to-Order at 10:06 A.M.

Senator Telenia C. Nelson, Committee Chair: All right, very good. *Buenas yan Håfa Adai*, thank you, everyone for being here today. It's nice to see you, happy Easter. Christ has risen. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will now convene for this public hearing on Bill no. 286-36 (LS) and Bill no. 287-36 (LS).

So, these are companion bills, thank you. Bill No. 286 (LS) is an act to amend §715(1)(13) of Chapter 7, Title 1 Guam Code Annotated, relative to exempting Guam's public schools from the requirement of (180) instructional days, or its equivalence of (900) instructional hours, for school years 2020-2021 and 2021-2022. So, they're for two school years and Bill No. 287-36 (LS) is enact-to add a new §4124 Bravo (2) to Chapter 4 of Title 7 Guam Code Annotated, relative to creating an exemption for the service-learning graduation requirement for all high school students enrolled during school year 2021 through 2022.

Today is Monday, April 18, 2022 and it is currently 10:06 in the morning. For the record, and in accordance with the Open Government Law, public notices were sent out to all of the—sent out to via email to all senators, stakeholders, and all main media broadcasting outlets on Monday, April 11, 2022 and the Second Notice on Thursday, April 14, 2022. Notice of today's hearing was also available on the Guam Legislature's website. Joining me today is uh Senator—Legislative Secretary Amanda Shelton, who's also the Vice Chair of this Committee. Senator Tony Ada, Senator Perez, and Senator Jim Moylan, thank you, colleagues, for your presence here today.

Okay, today's public hearing, which consists of Bills 286-36 (LS) and 287-36 (LS), are bills relative to granting waivers to the Guam Department of Education in response to hardships caused by the COVID-19 pandemic. Our island has entered its third year of being in a declared State of Emergency due to Coronavirus, and in the time that has passed, Guam's schools underwent various closures triggered by rising numbers of positive COVID-19 cases amongst both employees and students.

On February 8, 2022, the Committee on Education received a Letter of Request from the Superintendent of GDOE to waive the 180 instructional days requirement pursuant to §715(L)(1)(13) of Chapter 7, Title 1 GCA, and to waive the 75 service-learning graduation requirements pursuant to §4124(b) of Chapter 4, Title 17 GCA. On March 1, 2022, my office held an Informational Hearing led by Co-Chair, Senator Amanda Shelton, to discuss the Letter of Request for the waivers. Inquiries raised during the hearing included if GDOE had considered alternative options to conduct service-learning opportunities that were not face-to-face and to utilize technology for distance learning methods and apply those to a service-learning curriculum. At the time, GDOE shared that it did not consider alternative methods. Additionally, learning loss was discussed and GDOE answered that the Department does not seek to quantify learning, but to focus on the quality of instruction provided.

GDOE shared that the Department seeks for approval for the waivers to allow flexibility and to avoid confusion with the mandates for the current school year. For the past school year, GDOE teachers were stated to be on track to provide 180 days of instruction. Students enrolled in distance learning were not affected by the school closures in October to November, but those students enrolled for in-person were affected due to needing to switch into cohorts.

Following the Informational Hearing, my office introduced Bills 286 and 287 to accommodate GDOE's request. The bills were the singular option presented to the legislature from GDOE to mitigate the loss of learning due to the COVID-19 pandemic.

Um, I would like to thank the Superintendent for being here today, uh, Mark Mendiola, the Chair, Mr. Sanchez, who's the head of curriculum, the deputy of curriculum, and then there's Mrs. Erika Cruz, thank you for being here. Uh, Mr. Superintendent, I'll just hand it over to you and perhaps you can, if you want to, you can ask the chair to go first but we'll follow your leads.

Superintendent Jon Fernandez: Okay, let me just introduce everyone here at the panel. I think you know them, but Mr. Mendiola, our Board Chair, Ms. Lou Benavente is also a Board member, and also our Chair of the Curriculum and Instruction Committee on the Board. And then to my left, Deputy Superintendent Joe Sanchez over at Curriculum and Instruction as well, uh Deputy Superintendent Erika Cruz, who is responsible for the supervision of the schools. So uh, we'll go ahead and um, first of all, just thank you for allowing us the opportunity to be here today.

Um, because you're doing this at the request of the Department and you def—clearly reiterated some of the discussion we had leading to this point. So, we want to thank you and I'll go ahead and turn it over to uh our Chair for his opening remarks and then I'll read from our testimony for today, thank you.

GEB Chairman Mark Mendiola: *Håfa Adai*, thank you all, honorable senators, and *un Dangkolo' Na Si Yu'os Ma'åse* for taking time and consideration of our requests for the waiver as proposed in the bill. I know it's become a long journey for us at the Department of Education in dealing with this pandemic over the last two years. I just want to reiterate and reassure our community and our public that our Board is in full support of this request. I think it provides us the flexibility.

We had another opportunity to meet with Senator Shelton when we had the Informational Hearing, the Board had an opportunity to hear from the Department of Education and from that discussion, we asked the Superintendent to proceed with the request of these um, what you see before us here today. I want to thank Senator Nelson for the opportunity and for being a good partner in a lot of the challenges that we face during this pandemic and um I know that when we've requested a lot of these things that we had with the Department. We often had, you know, back and forth on a lot of issues and very thoughtful discussions. I also want to reassure the Committee, ma'am, that we take this very seriously.

We had an opportunity to meet with our stakeholders, we've asked our teachers, we've engaged with our students throughout the Island Board of Governing Students (IBOGS), as well as our parents. And so, through those communications we thought it was prudent and wise on the part of the Department of Education to also look at other ways in which we can provide interventions for our students. I think earlier today there was a news article which basically says that you know we're providing for summer school programs for our kids to kind of close that gap. We understand completely that we're not operating under normal circumstances but at the same time, too, we have to be innovative and creative.

The other thing that nationally that we're experiencing uh across the entire nation is our mental health—mental health and of course that has always been a challenge for a lot of our employees that have been working. Although, they've been tasked to work remotely, they've been coming to work, especially our educators and all the support staff at the Department of Education.

So, with this I know that when we come down to the legislature to request something such as this, we have to be really sure about what we're asking for and I think what we're asking for the legislature is the flexibility. We're still in this pandemic emergency, we don't know what's going to happen in the next week or two. We can't predict the future, but by giving us this flexibility should something come up and we have to postpone uh you know face-to-face learning. I think we're able to pivot now and transition to online learning. So, there's a lot we have learned. I wish we had a blueprint when it came to navigating this whole entire public health emergency, but we're confident in the support of this bill, and also in the request from the Superintendent. Thank you very much, senators, and *un Dangkolo' Na si Yu'os Ma'ase*.

Senator Telen C. Nelson, Committee Chair: Thank you, Mr. Chair, Mr. Superintendent.

Superintendent Jon Fernandez: Okay thank you again. Happy Easter to all of you and your families, and again thank you for the opportunity to be here today to provide testimony in support of both bills 286 and bills and bill 287. Um and I just to note that staff was very clear to me that this hearing is in person so don't stay and try to click on the Zoom link and I'm really glad that we are able to get back in here in the legislature back to our normal routine even though I know we still have other protective measures in place. But we are glad to be here in person for this purpose.

Um, Senator Nelson covered most of the discussion points that are in my testimony and discussion points that were at the last Informational roundtable, but again in February I did transmit a letter requesting the legislature's support for the waiver of the 180-day instructional requirement and then also for the 75 service-learning hours. That's that was that is required for graduation. And I want to thank you, uh thank her, for responding to our request by offering both bills. On our behalf, Bill 286 waives the requirement to provide 180 instructional days for school years 2020 to 21 and 2021 to 22. The legislature had previously approved a waiver for the 2019-2022 school year, which was the first school year impacted by the COVID-19 pandemic.

Since then, you know, we have been and we have had we have been in a constant effort to try to return back to a normal schedule but as you recall in 2020 to 2021, we started off with plans for three modes of

instruction. But the day before we started classes, the Executive Order came out prohibiting in-person classroom instruction for essentially the first semester. So, that first semester of last school year we were offering online instruction only as well as hard copy instruction, so there was no in-person classroom instruction. So, those were the two modes offered and then it was only into the second semester began that we were able to reopen for in-person classroom instruction the second semester.

So, a lot of our effort really was trying to reach students, ensure they were in one more or another, finding out which model worked best. We had a lot of students who shifted one way or another just depending on their situation. It was really a year of adapting to these quickly changing circumstances under COVID in school year 2021-2022, which is our current school year. We had full intention of course of discontinuing hard copy instruction, offering online and in-person classroom instruction and really our goal was to maximize in-person classroom instruction. We believe that in-person instruction is the most effective mode of instruction for you know the majority of our students.

So, that was our goal, however, we were again disrupted by another wave of COVID-19 infections which resulted in a temporary shutdown of in-person classroom instruction through the month of September and when we returned in October, we—due to the public health situation, we implemented a two cohort schedule which helped reduce the daily number of students on campus as we waited for the public health situation to improve. So, in October and most of November, we were in a cohort situation, teachers worked every day but the school, the students who were coming to school in person were alternating school days in which they came to school. We did return to full five days of instruction at the end of November. So, as a result of these disruptions it has been difficult to meet the mandate for 180 instructional days and that's why we're here to seek a waiver. Going forward, we do believe that with the protective measures in place in the community, including vaccinations, that we can hope to avoid further disruption and return to our normal five-day instructional schedule for next school year, for the entire school year.

I think Mr. Mendiola mentioned our ability now with all the experiences to pivot should there be some disruption of a school or classroom or the or the system, but based on where and how this um COVID-19 has been trending, we're hoping that to avoid this whole scale, you know, systemic disruptions that we've experienced that last two years. So, we don't want to be here next year requesting a waiver. We really do believe not just to meet the mandate but we believe that having our kids back in class is the key to, you know, to basically preventing further learning loss, getting them back on the path to learning recovery and meeting their social and emotional needs, which I think was exacerbated when they were when kids were at home when their routines were disrupted and when they were isolated from their friends, their teachers, and so forth. So, it is a key strategy and we hope to avoid, you know, having to come back for a waiver next year.

So, with bill 286, we thank you and we support the bill. Bill 287, again this is the waiver of the service-learning requirements for all students enrolled in high school during school year 2021-2022. Previously, the legislature approved a waiver for all students enrolled during school year 2019-2020 so based on the on the language of the law, we interpret that to mean where you're a freshman during that school year or soon to graduate senior, all students were exempt from that requirement. We're two years past that point

in time which means that for better, for worse, there are some students who are covered by the exemption and then our typical freshmen and sophomores would technically be required to meet those hours of service-learning in order to graduate. The situation hasn't changed dramatically from where it was two years ago in terms of being able to pursue service-learning. The way we had done in the past which is of course you know in you know with service activities in the community, beach clean ups, other you know activities where you would congregate together as groups of students. So we, so those opportunities haven't been as readily available which means that our kids are not necessarily on track to meet those requirements on their way to graduation. Now again, where we are today, we think that next year we can try to get back to a more normal situation and get the kids back to meeting those requirements but we feel that those—because of the disruptions this last couple of school years, that it would be fair to approve the waiver for those who are in high school right now.

Um and I'm required to meet those service-learning hours to graduate. So, I get—I want to reiterate we don't want to be here next year requesting a waiver, but we do feel for the last two years based on our experience it would be fair to extend the waiver and then try to get us back to normal going forward. So, thank you again, Bill 287, we supported—you both these bills were our request and we know that there are a lot of issues associated with it. I know that you know there may be some who say well by doing this you're lowering the standards or you're lifting the burden on teachers or students who need to be really on task in order to achieve learning recovery, but there are so many things going on at the same time that we have to not only be aware of the academic needs of our students, but the social and emotional needs that they face coming to school, getting into a routine. And then our teachers, our teachers are getting burned out, they're working hard to um you know do every discussion about extending the school year adding things to the workload to try to address the COVID-19 challenges we need the time to think through that to be more flexible to provide more time to make that recovery happen.

So, in that light, we do feel that these two bills will give us the flexibility to continue those discussions and decisions and um you know get back to uh to get back on track as we head into the next school year. So, thank you, *Si Yu'os Ma'åse*, for supporting these bills.

Senator Telena C. Nelson, Committee Chair: Thank you, Mr. Superintendent, I appreciate your testimony and I'm glad that you mentioned about the concerns within the community about the loss of learning for the child um also and the concern that I'm hearing from our side of the fence is that the students are coming out of GDOE with like a third-grade math level comprehension and so those are the challenges. I see that you have to face and I understand that the past couple of years has been a very precarious time for the whole nation, actually globally, and so I understand that there are some concessions that you know that GDOE has to make to also deal with the challenges that you also have faced through the COVID- 19. So, I applaud all the teachers at the schools, the principals, and the staff there for all their hard work and ensuring that our students get a safe and well education. So, hopefully looking forward to the next year we have a plan to see how are we going to supplement this loss of learning that they received in the previous years, right? That's important during the recovery phase, right? Thank you, thank you very much.

I'll now—I'll now open it up to my Vice Chair, Senator Shelton, if she has any questions or remarks.

Senator Amanda Shelton, Vice Committee Chair: Thank you very much, Madam Chair. I don't have any questions this morning, but I want to thank everyone from DOE for the information provided. We went over most of these points during the Informational Hearing several weeks ago before the introduction of this bill to understand what all the issues we were facing are and of course the students are our main priority to ensure that we are providing the best education that we can, given all of the circumstances and the challenges the Department is facing as well as taking care of teachers and our staff who are working so hard in these difficult situations. And so, we are grateful for all of the work that you're doing and the leadership that you're providing to help us find these solutions and plan better for the future.

Though, we know there are many things that have popped up over the last several years that we were not in control of and we had to adapt and overcome and we look forward to working together to continue making our best efforts for our children and our education system. So, thank you very much, thank you, Madam Chair.

Senator Telen C. Nelson, Committee Chair: Thank you, Senator Shelton, senator—oh, at this time I'd like to acknowledge the presence of Senator Chris Duenas and Senator Joe San Agustin, thank you for joining us, senators. Senator Tony Ada, do you have any questions or concerns?

Senator V. Anthony Ada: Thank you, Madam Chair, yeah perhaps uh Superintendent, what would be the how—would this affect our students most especially those in junior, and you know juniors and seniors. Are we—would we be socially promoting them or are they going to be falling behind to where they would be able to or you know they'll be have—they'll have difficult times applying to colleges or universities, you know, things of that nature? Should we, on Bill one, Bill 286, how would that affect our students?

Superintendent Jon Fernandez: So, I just want to emphasize that um and I know this is you know has been a question by others as well that by requesting the waiver of 180 days instruction, it doesn't mean that okay when we get the waiver that's great because we don't have any more work to do this year. I think in fact the work had been even more intense. The Board and our team, we taken on updating and renewing our strategic plan in the midst of emerging from this epidemic so we can understand where we've been and what we need to do to get back our students back on track uh with regard to their learning recovery and their academic progress. With regard to the juniors and seniors, I think in recognition of the disruption that the COVID-19 has impacted the entire nation with you know; I have a daughter who's graduating and we do know that there have been lots of adjustments even from colleges and universities. They are who moved away, for instance, some of them maybe permanently but many of them temporarily from requiring the SAT/ACT placement test recognizing that the disruptions have made it difficult for students to take them, all students to participate and then recognizing that there may be some transition work when they do enter college that they'll have.

So, there's a recognition that this isn't—that there is an impact. And maybe not penalize the juniors and seniors from graduating at all until they get to that point. But you know, universities and colleges are

working in the direction of being more flexible as well. Now our difficulty over the last couple of years as even if we know and we have this feeling that okay we've impacted teaching and learning, got to get kids back on track. We've been unable to really assess the students and their and their progress over the past couple of years. We're just getting back to the point where we can assess this year of the students in you know a large percentage of our students, but not only were they in the class, there were not only were they missing from the classroom, their teachers not seeing them day-to-day not only were we not able to a summative assessment last year due to the fact that we couldn't bring everybody back to school.

Right now, it's the phase where we're doing at the Board's insistence that we assess all of our students. There may be students who did okay during the during the uh past couple of years and are on track and don't need that extra intervention. Our job is to uh identify those who are in need of that intervention, fallen you know further behind. And then out the interventions in place to address their situations we do have, as you're familiar with, after school/summer school programs that we've had to expand and provide in more schools to make room for those who are going to need that support, you know, this summer, and going forward, so you know, identify who's in need of that support and expanding our interventions is really you know key to that approach. But I think for the juniors and seniors, you're right. Um, they're emerging from college, the idea was not to penalize and say we can't you know we're not going to graduate you because your senior year, you know, you—we have to disrupt your senior year, a lot of universities are responding by saying we recognize that we're going to you know take what you can. They, I mean, I've been on panels reviewing uh graduating seniors and many of the universities are saying well you know can't hold them to the same community service, you know, that they might have had the leadership opportunities haven't been there, their academic pro—you know situation might be disrupted.

So, all I think—all in all there's a lot of flexibility being provided, but we do need to get back you know to a more normal situation. And I think the students are going to have to you know focus on addressing the areas where they might have fallen behind. So, that's the work in progress but I want to let you know we have not yet said hey pass the waiver, so we don't have any pressure we do have a strategic plan that will be up for approval by the Board tomorrow and we're in the midst of trying to address the interventions that are going to be needed. I think we're also in the midst of not yet done but we're doing the assessment the of the ACT ASPIRE for all students, I mean from three to uh to high school third grader, high school in our system to get a real good read on where their progress is so we can tie those the progress and the interventions together.

Senator V. Anthony Ada: Yeah, that's good to hear because you know I think perhaps the next several years, if not at least five-five to seven years is going to be challenging years as students readjust to getting back to school face-to-face full-time, you know, five days a week and you know um do you also see foresee coming back to this body again requesting for a waiver in 2022-2023?

Superintendent Jon Fernandez: I mean I don't want to um again I think what we've learned, this is this is funny because we all talk about online learning, we want our kids to have the opportunity for online learning. The good thing about the pandemic was it forced us to implement online learning, but what we learned is that it's not for everyone. We need it, we need a majority of our kids back in school with their

classmates with their teachers so we can keep track of their progress, we can deliver instruction and so forth.

So, as you'll notice you know when Omicron hit, we work so hard to keep the schools open, keep the kids coming to school not just for the academics but for the food, support the counselors and nurses, all of the support they get at schools because you know we can't just keep going back and forth and sending them back home and hoping that they're going to progress. So, we did take into account uh this legislature's insistence that we focus on trying to ensure that they continue to move forward academically, but in order to do that we had to go through extraordinary efforts to keep the schools open so in this round, you know, I-you know we know that Omicron was high cases, low hospitalizations for us it staffing, staffing still had to go through the same quarantined protocols so we were sending staff from the central office out every morning to go to the schools help supervise the kids help cover classes if needed just to keep the kids in school and we hope to take the same approach do we what we need to do keep kids in school as part of our plan to you know avoid further slipping back of our students. But you know, this is falling on the backs of our teachers, our administrators, our counselors, our nurses at the school sites. So, we hope that again that that doesn't persist because many of our employees are at the point where we hope everything gets a little bit you know, less uh disruptive, uh in the next school year.

So, I don't-we don't plan to be back here if we can avoid it and hopefully and we worked with the governor and said look um let us know if it's necessary to close the schools, but to you know to the extent that we can we need to keep our schools open.

Senator V. Anthony Ada: I see, that's great to hear that you're in communication with her at this point well hopefully you know we'll be able to give you that flexibility that you need to ensure that you know we continue educating our children and be sure that they're able to move forward and not have any uh roadblocks, especially our juniors and seniors, like I said, you know most notably because of their ability to you know and go apply for a college or you know it's one thing to say that you know colleges or universities are you know, we can't apply there because you know financial situations but to say we can't apply there because we don't have the knowledge or the education behind to apply there because we didn't get it during high school. That's what we don't want to hear right now. We want to make sure that every child that or every student that's going to apply for a college and or university will be able to because they have the tools that they need to get into that college or university. Uh, thank you, Madam Chair, that's the only questions I have so thank you very much, Superintendent, and all of you for being her today.

Senator Telena C. Nelson, Committee Chair: Thank you, Senator Ada, Senator Moylan, do you have any questions or concerns at this time?

Senator James Moylan: Thank you, Madam Chair, and thank you to the panel. I appreciate you coming forward and inventing all these issues with us, you identify the problem and what's the great part is he gave us the solution too. So, that makes things easier for me. I appreciate the Board and working together it's pretty obvious what we need to do looking forward to moving this bill forward to moving this bill forward. So thank you, very much, Madam Chair.

Senator Telenia C. Nelson, Committee Chair: Thank you, thank you, Senator Moylan. Senator Perez, do you have any questions or concerns?

Senator Sabina Perez: Uh, thank you, Madam Chair. Good morning to everybody at DOE, it's nice to see familiar faces. Yeah, I do have some questions. So, in regards to, I share some of those concerns by Senator Ada about this idea of I guess what is the recovery plan for those that have experienced a learning loss. I think we've talked about this during the Informational Hearing as well. Um you know, my question is how do you determine the learning loss for one and then what is the interventions and is the plan moving forward?

Senator Sabina Perez: My question is how do you determine the learning loss from then and what is the interventions and what are the plans moving forward because...you know I understand that these past two years are really trying and you know they have to be some sort of you know considerations in regards to that. But I'm also concerned about the recovery and the interventions. If you could may be expound on how you measure it and how you plan to intervene?

Superintendent Jon Fernandez: Before I turn it over to our Deputy to go into details, I just want to...I mean it's the same frustrations on looking over the past couple of years. We didn't think it would be two years. We had hoped it was three months. Something when it first started. But I want to share, we've come to a point not just here on Guam but I mean, my colleagues in the other States, where we felt that we were basically acting almost an arm of the healthcare of the Department of Public Health throughout the last couple years.

That's really been out of necessity to keep our community safer. We recognize that but we've reached a point except we've said we have to return to our core mission and we share that with you. We're not...we did spend a lot of time on quarantine protocols and all these other things. But we're not at a point we have to get our kids back so, the minute you let us open the schools, we're going to keep them open and we're going to focus. We can't be Public Health (DPHSS) and GDOE at the same time.

So, we've been working with the Governor (Leon Guerrero) and let her know, we're returning our focus to our core mission because our kids have been really affected by this and our discussion about to recover them as well are on point on their focus. So, I'll go ahead and ask Joe (Sanchez) to go into details of what we're doing at this point.

Deputy Superintendent Joseph Sanchez: Thank you, Senator and thank you, Sir for that for the opportunity to answer that question. So, I'm going to share some of the things I shared at the Informational Hearing, kind of expound a little bit on the work that has been done since then.

The three major data points that we utilized is one: student grades that has to be key. It's obvious when you're looking at high school students. How do you determine credits, the actual student grades? The biggest difference now with our grades is we have operated and adopted the Standard Based System,

which means now it's really elevated the integrity of what those grades are where there no longer simple percentages or numbers. They actually provide an assessment claim meaning when a teacher puts a grade to a student's name it's no longer whatever a compilation of work is but really an assertion of whether or not the student met the standards for that particular class. It's a whole process involved in that and I can go into greater detail if necessary.

The second item is what's called the AIM Assessment System is nationally recognized. In fact, according to the brochure is the number one assessment system in the country regarding grade level assessments. So, it's a Pearson product, is a Pearson company that we've worked with on a regular basis. It measures students' achievement in reading and mathematics and we've been using this system in 2014. So not only we have current data on student performance but we also have historical data that we actually compare it to.

So, whenever you hear us make a claim that students are progressing and we're returning back to pre-covid numbers that's the data point that we're looking at.

And of course, the last one is Mr. Fernandez alluded to was the ACT Aspire that is our assessment system that we've been using since 2014, it replaced the SAT 10. It's aligned to the common core in the States standards and moving forward it is the assessment that we're using this year. I do want to point out that this is the last year that we'll be using that assessment. It's actually going to go out of print and we're going to move to the Smarter Balance Assessment System which is another national assessment utilized I believe over twelve States now.

So, when we're talking about student achievement those are the three data points that our schools and teachers utilize to determine student achievement. Now just moving towards the strategies for the interventions. I know the last time we talked about best practices and have we looked at best practices and whatnot. And that's kind of common, that's what we utilize in the system.

So, we have team of teachers. We have instructional coaches. We have instructional staff that regularly go through the documents that are provided to us by variety of people citing best practices. So, these are ideas and strategies that we don't just think on our own. We pulled this from a variety of sources. In fact, a lot of sources were utilized for a current strategic plan. I just want to name some of them. So, we looked at research reviews and lit reviews from the U.S. Department of Education. McGraw International is one of our normal consultants; Pacific Resources for Education and Learning, which is PREL; the National Association of State Boards of Education; the Counselor of Chief State School Officers, that the Superintendent (Fernandez) is a Board Member of; and the National Association of State Directors of Special Education.

So, when we say we pulled best practices together, these are the organizations that are kind of our main sources for literature reviews and other pieces of information. Again, I apologize for some who have heard this presentation. I really want to reiterate the strength in some of these strategies because these are current what we are doing with our teachers now.

In fact, not today but tomorrow and the week before Easter break, we had teachers come down to Central (Office) that actually had to go through this process and the idea is they had to go back to their schools to work with them. And then, that's number one, identifying the priority standard skills and topics. So, everyone talks about how we're two years behind or we're lacking certain skills and we'll how do we know what those skills are? There needs to be some kind of clarity in what those skills are in each of those grade levels.

So, what we know throughout the country one of the biggest concerns that every district has what is called a vertical lack. Vertical lack is every grade level...let's say a 3rd grade teacher saw their student come to them they'll be going like this [hand gesture] "oh my gosh" these students are lacking these skills. We need to focus on these 2nd grade skills so we can get them up to par.

Well, the problem with that is every grade level worked to do that. The entire standard shift down. We're the 6th grade teachers will be worried "oh man, we're working on these prerequisite skills" and they never get to hit the standard for that year. Or the 5th grade teacher which we have teachers tell us right now "yeah, we have a lot of 3rd, 4th grade skills that we have to do".

In order for a district to be able to address those coherently throughout the...they have to come together; teachers have to talk it out. So, we pull our teachers together kind of a regular basis. They do it at the school site first, and then we bring them to Central (Office) say okay, what does it look like in classroom? These are the standards for this year but what are the prerequisite skills they need to have in order to be successful to achieve those standards. That can't be what every teacher does on their own. It has to be something they work together on and identify specifically so, that as a Department (GDOE) we're able to move forward together. And that's what's being done now.

I really wish we can just share these videos of the teachers talking it out but this past time that we did it. We brought over two hundred teachers down to central not all at the same time but we broke it up where they had to discuss it and okay this is what happened this year, this is how are students are progressing and these are the skills we felt they are lacking and they decided how they are going to be moving forward with it for next year. So, that process is currently in place for these teachers talking through the standard to identify the prerequisite skills and they have a plan for addressing next school year, it's not something like again, that it's done individually and it was pulled out throughout the year. It's a thorough, rigorous process these teachers go through.

The second part to that is the regular assessment of the students. The identification of the skills that are missing, the target assessment of making sure that they understand and what are the skills entail. And if those skills are missing let's teach those skills and let's monitor their progress. I really want to make it clear the difference though between the term assessment and testing because of a lot of criticism that we get is all you're doing is testing the student, testing the student. Remember testing and assessment are related but they are not the same thing. Assessment is actually making a judgement about student achievement and saying okay this is where the student is at, this is what we're going to do to address that.

Testing is a method within an assessment that is actually, you give them a worksheet or you give them a test or you give them something that the student has to do to demonstrate their achievement. So, testing is a strategy within the assessment process.

So, when we talk about assessing students on a regular basis is that teachers have to go back and make sure they are monitoring how well the students are doing with those prerequisite skills and as well as grade level skills. And the intent is actually go back and make sure that we're teaching the students the skills that they need.

One example that we used is let's say the example the standard is a student needs to learn to count to thirty, under normal circumstances is simply testing to determine whether or not they can count to thirty. You would teach a little bit, test them and determine whether or not they can count to thirty. And if the student is only able to count to fifteen or able to count to twenty, well you know we'll give them a grade. Unfortunately, they didn't make it, it's about half way there so we'll give them maybe D or maybe a C. Or if they're lucky enough they get twenty-eight or whatever, they'll get a higher grade.

The problem with that is assumptive it's only at the end. It means well unfortunately the kid didn't learn the standard; they are only able to get up to a certain number. The idea is we want to make sure as much as possible throughout the year that student is able to get to that standard. Which means we assess; we determine to what extent they're actually achieving the standard and then we go back. The process is called formative assessment. You're actually going back instructing either repeating something or you're trying to teach it in a different way to actually allow the student to learn material. So, that's really the second one, regularly assessing students and going back to make sure they are actually learning the material.

The third one is really what we mentioned earlier in interventions is focusing on quality classroom instruction and this is absolutely the key and this is actually related to three and four as well is provided the teachers with instructional resources. This is something unfortunately we had not been able to do throughout the number of years but because of the COVID funding; a lot of money has gone into classroom instructional supplies.

In fact, the teachers will tell you it changes the whole the kind of environment in the classroom where the teacher can just focus on instruction because so many years the teachers had to create the materials; they had to go online; they had to pull stuff off the internet...you know just to carryout regular classroom instruction.

Now, as the materials are coming in a lot of the focus can really be on classroom instruction. They have the instruction materials they need. They have the assessment materials they need. They have the intervention materials that they need. So, now a lot of their time is spent is really now trying to develop a strong lesson, a strong unit, so that they are able to deliver that to the students.

For the intervention pieces that we're looking at we also have a lot of online resources now. So, this is also something that is very new. We've known this for years but you know unfortunately limited resources is either sporadic, it's only available to a certain number of students. Now it can be available to everybody. And that's our online resources for interventions.

So, as you know as a teacher one of the challenges when you have a class of twenty-five to thirty, it can be all at different levels and different instruction although it is strong in terms of a strategy, it also a very difficult strategy to do because you're looking at four, five or some cases six different levels of groups that a teacher has to manage. What the online materials used do sometimes it doesn't take over instruction but it allows the teacher to utilize the online subscriptions to target particular skills that students might be missing.

So, the good thing about when students' loss some learning time with COVID sometimes it's not a lot of skills they're losing its sometimes they're losing a few key skills that they just need practice on and boom it kind of affects everything else. So, this online system it allows teachers to regularly assess them and the system actually identifies the skills they're actually lacking and gives them time or strategies that can utilize to practice those particular skills. And teachers know they can either can use the system as an entire classroom unit or they can do it in small groups which a lot of teachers have or do it independently.

The independent piece is something that really has the potential to be impactful especially when you have families that want to provide additional assistance to their kids when they're at home. So, the system doesn't limit themselves to just in school but they can actually be used after school and on the weekends with their students.

The next piece has a lot to do with trying to help students understand the importance of taking ownership of their work. Now this is something and again you might probably think this is kind of a no-brainer but you know in the school system it's really important that we express this with every student. But trying to have every single student develop that lifelong learning attitude and impendence on learning. One of the things that we learned this past COVID was that the students who tend to be more successful were the ones who took ownership of their work.

You know especially in the high school a lot of times when we asked the school you know who are the ones that...cause their schools...call their students calling like their students calling their teachers, their students emailing their teachers and you know kind of like the common characteristic is they kind of took ownership of their learning.

They were worried they worried they were concerned about the fact that they weren't in school. They wanted to finish their work. So, they were asking for help. Same thing with parents and families is the families that tend to stay engaged were the ones who actually showed a concern for their children's work. They would call the school and things like that. So, we know that trying to instill that attitude and a lot of our students and families is going to be a key factor moving forward because we don't want to feel and the teaches express this is to us.

That one of the frustrations is it felt like we were the ones who were concerned and just pushing it on the students when it really shouldn't be like that. It's like this you know this is your learning right, in some cases the family it's just like this is the learning of your kids so, it shouldn't feel like it's just a school system trying to impact learning on the students and kids. It's you know we have to kind of work together.

So, really, it's trying to find ways to instill that impendence and instill that ownership of their learning so, that more students and families realize that this is really for your benefit and not necessarily you know the benefit for the school system itself. I just want to close out with this last piece because this is really kind of relevant to this bill especially is implementing activities at the school and classroom level that help establish and promote a positive school culture and engagement among students and staff. Which supports everyone's social and emotional health and well-being.

You know one of the things that the teacher's kind of expressed to us on a regular basis and even just within this last two weeks where we've been meeting with teams of teachers from the schools. Is that teacher burnout is real. I mean when I speak with them, I'm always inspired like I just feel this chill up my arm when I'm speaking to groups of teachers because they're so positive. They have this attitude of we can do this, we can do this Mr. Sanchez (Joseph).

It's hard but you know they're just there just no not this negativity right now. Granted when they send people downtown granted those are like the cream of the crop. Teachers and the representation of the entire school system but with these large number of teachers with that attitude where they believe that this can actually be done at the same time, they're admitting that they're tired, they're exhausted. The last two years have been tough you know from different models of learning and so on. So, we get that so when we look at these strategies, we don't want to imply to schools that we're only concerned about their academics because that's not true.

We have to be concerned about the students who have expressed that yeah, they understand that they're supposed to catch up with their work and so on but you know at the same time you know it's putting a lot of stress on them to finish getting their work done. Where teachers one of the things that we know is they go to sleep at night thinking about you know about their students they're concerned about. You know having to help them catch up and so on. But you know they're really up to the task.

So, we want to make...oh administration, I don't want to forget administration and of course the staff at the school site. You know if we were just to enter the school with this attitude of hey everybody, we got to pick up the scores and hey everybody we got to catch up for the two years, we're going to burn everybody out and you know now that we're actually moving into you know some sense of normalcy hopefully next year. You know we're really hopeful that we can you know we can start off with a new vigor with a new sense of energy.

Senator Sabina Perez: *Si Yu'os Ma'åse'*, thank you.

Superintendent Jon Fernandez: Could I follow up? I'm not going to attempt to summarize and I think all of you probably get graduate credits, Joe (Sanchez) for a ten year. But I want to...but I think Senator (Perez) you're a former teacher for anyone's been in the classroom and hearing what the Deputy (Joseph Sanchez) is saying you know I think there's two points I would probably want to make one is you're not hearing a magic band-aid there's not we're not saying ok well we're going to do this and by next year we should be good to go. What you're basically hearing is improving core instructions you know improving core instruction by more teacher focused collaboration engagement with students engaging with families, focus on standards and focus on skills use of assessment data.

And that's very true and I'm being I mean because learning recovery is really learning so, I think what we're talking about is more just intensifying you know what we do with more focus with the strategic plan and so forth. I think but I don't want to lose the fact that because I think it was lost in the presentation or not. It's not highlighted with the ARP or actually with all these funds because there's three sets of funds, we've been able to do certain things that I think will accelerate the work that teachers are putting in and support the work that has to do with the instructional supplies.

The instructional materials, the classroom materials, the hard copy you know instructional supports that they will have now. So, we talk about how come you don't have enough textbooks you don't have enough supplementary materials that has been an investment. That has been made now it sounds like in many affluent districts. That's not how you know you would spend the money. We're not an affluent district.

A lot of what we need for core classroom instruction this has been the opportunity. So, part of it has been classroom supports. So, that when they're focusing on what they need to do don't have to go back and then create the lesson, I mean create the materials themselves because we are you know that should be available and that's the effort that Joe (Sanchez) has been leading with regard to federal funds.

The other piece of it is technology. So, the technology is not only affecting you know the ability for our kids to engage when they're distance learning. It's affected our ability to assess kids. Now you know we do it...we did ACT Aspire. You've everyone heard of ACT Aspire removing the smarter balance because which is a more extensive broadly used assessment with in other states. But part of the reason we're able to do that now that we weren't able to do before because it's an online assessment and we didn't have all the technology to be able to assess our students.

So, the purchase of technology and support for technology is helping with the assessments of our kids. To the summit side, I think Joe (Sanchez) mentioned all of the online supports to do formative assessments and differentiate instruction. So, that again would not have been possible without the influx of finding and the push to go remote learning or distance learning. Even if we're back in the classroom that technology will still be utilized and so, I just want to emphasize that.

That is a different kind of game changer from where we were before. What hasn't changed and this is also important is that the strategies that we are using do fall on the teachers right. I mean so, we're not in an

environment where we have an overflow of teachers waiting in the background to come and supplement what our teachers are doing now.

So, even as our teachers are coming together to collaborate and focus and assess and put the work in to help kids get back on track. We also have to be worried about and this is the issue about instructional time. We want to add instructional time. We could just the same people it's like we don't have another crew of teachers of certified teachers who are just like oh we'll jump in. When your teachers get tired, so, that's the balancing act here. I think when you talk about the burnout, we do know they're willing they're ready to work but there's the limit right at some point we can only push so far with instructional time before we say these are the same people that we're relying on. You know through the regular classroom day much less after school, on weekends, during the summer. You know tutoring all these things that we can do so that the balance you know there's a limitation before you know the teachers are just not going to be able to you know absorb more.

So, I think that's just want to make those points as part of the deliberations as to how far and how fast can we go. Thank you.

Senator Sabina Perez: Thank you for all your work and yeah, I understand that there's no one special approach that can solve all the problems and I think that's really key because you know the reasons for students being behind there are many reasons, right? Their family situations may not be stable and you know also the challenge of online learning which is not the best. We've learned is not the best way to teach our youth. But I think really what it speaks is to really challenging the mindset, right? The culture you know why can't we be more proactive right in the beginning you know encouraging reading, encouraging math, skills early on.

You know from what I remember the scores for elementary students are actually on par and then as you get to the middle school and high school, we see it dropped compared to U.S. standards. So, you know whatever interventions that you have now for the learning loss, I think can be also applied to more proactive getting to more proactive measures early on.

The other thing is I think reading is so important and I hear from you know from teachers that it's really impacted them and that's probably part of the burnout is those skills are being passed on or the lack of skills is being passed on from year to year. And I think you know we really need to nip it in the bud or at least get ahead of that problem.

GEB Chair Mark Mendiola: I can I answer that um you know Joe (Sanchez) and the Superintendent (Fernandez) we've they've led a really robust activity with respect to our strategic plan and so in our strategic plan it addresses exactly what you're talking about how we're going to be proactive and what we envision the department to look like in five years from now but along those five-year plans there's going to be points that we're going to be able to see as well as the board because the board also needs to monitor those types of data to ensure that we have everything aligned in terms of curriculum.

Our resources you know the leadership of the department all these things come into a big play in how we want the department to look and so I'm glad that you bring that point up because as we roll out the strategic plan it's a document that's a living document that will allow the community to continue this type of engagement. But to also see what's important I think Senator Tony Ada about the financial literacy and how that should be incorporated into some of the things and those are the types of discussions that we really have to have with our students starting off early on we talk about college we talk about the pipeline of education from elementary all the way up into whether you go to GCC, the University of Guam or if the student decides to go into the military.

What are the skill sets that we are looking for when these students get passed on from one grade level to the next? In addition to that we also notice that a lot of students often don't have opt not to go into college but they have to go into the workforce. What are those skill sets that these students need and so partnership with the Guam Community College while embedding some of their programs so that when these students graduate from our high schools they're able to get these certificate programs and go straight into the workforce?

So, it takes a lot of collaborative effort but uh in the next day or so you'll be seeing a lot of stuff rolled out in our strategic plan that address exactly what you're talking about and the board working with the superintendent and his to ensure that we have a vision and then we have the mission in which we're going to be able to attain those goals.

Superintendent Jon Fernandez: And Senator (Perez) actually this is right along those lines and I think Senator Ada asked the same things about okay we don't we understand there's you now K-12 issues and different ways to work with kids along the spectrum from K to 12. But with regard to the high schools, I think that will be an area of major emphasis and not just here in other states but definitely with what we are building here.

We call it you know career pathways or college pathways in term of how we connect what we're doing here in high school is to an easy transition, whether you're going to college, whether you're going into the workforce. So, more of an emphasis on what we have currently and as you know we have our current partnership with GCC that is already embedded in our schools and certain career areas.

But expanding that to other career areas that within the Department I know you have some ideas about what some other industries might be maybe there in the future that we need to prepare for and then also working on looking at how we provide our kids more ways to assess and show their progress.

So, we're looking at certification looking at different types of assessment. I think you're familiar with work keys and other ways to really provide evidence of career and college readiness before they exit high school. So, that be you know again a major area expanded emphasis and then you know again like you said down as you go from K up. You know you're focused on math and literacy I mean definitely and those are areas that need to be addressed but I just want to say I think when we talked about what about

those kids about to leave you know more focused on ensuring that the transition from high school into post-secondary opportunities is really more critical now than before the pandemic.

I think because like you said if you lost a couple years of learning how are you supposed to make that transition and I think we're lucky to have Dr. Okada on our Board to you know continue to let us know what they're doing on that side as we you know work as well.

Senator Sabina Perez: Thank you so much for those responses and I do look forward to the strategic plan and I wish you a lot of success with that. I just want to...I don't want to take up too much time. I know my colleagues have questions as well but I just want to have a question regarding service learning. So, yeah and looking back is there I mean perhaps waiting for the seniors probably would I think you know maybe feasible but I think if you're a junior today you can still mean the way service learning is you could still make it up in the remaining years.

So, is there really a need to waive it for students other than seniors?

Jon J.P. Fernandez, Superintendent, GDOE I guess I would say that, for me, looking at the environment we've been in till maybe this month, it hasn't been a situation in which we have been encouraging and trying to facilitate service learning because of the community restrictions in place. And I would say for sure, moving on beyond April, if we were lifting these restrictions, if social distancing is no longer an issue and so forth. We could feel more comfortable promoting and encouraging these community activities knowing that there aren't going to be these restrictions or liabilities or concerns that we have to worry about. So I understand your point as you're getting back into a more normal situation, but before this, I think for us, not only has our focus really been on trying to withstand COVID-19 and ensure our schools can be open in one way or the other, we haven't been- I mean like you said, we might have been able to be more creative. It wasn't really the area of focus because of the other pending issues, but I also think that with the community restrictions in place. It kind of makes it hard to navigate and say you should be held to these communities service learning hours, knowing that not everything is open, they're not having the cleanups that might be happening more frequently, are not happening, and so forth like that. So I would just say that for- just to try to keep everybody on equal playing ground doesn't mean that we don't want them to do service learning, and maybe that's a discussion with your point with the Board and with the Department, that even if you lift the requirement, doesn't mean we don't promote service learning for those grades but I think that when you have it as a condition of graduation it makes it a more serious matter. People start to get worried and concerned about that aspect, and I don't know that it's fair to do that when we know that the community hasn't been open. So I think your point is taken, I acknowledge...I don't think we disagree with service learning, obviously there are ways that we can improve service learning but even if you wave- if your point is- if I'm reading your point right now, that we can still emphasize and ensure that those service learning opportunities are made available and that students take advantage of it.

Senator Sabina Flores Perez So what is the effect of waiving it? I mean is it primarily for the seniors? The graduating class? Because you know when I look back- because if the juniors, if you're looking at the juniors now, let's say they were freshmen during the pre-pandemic times, so ideally they should have completed twenty (20) hours, and so if they didn't do any service learning because of the exemptions in the following years, they would have fifty-five (55) hours left right? If they were- actually did that, those twenty (20) hours, so that would mean fifty-five (55) hours for their graduating year. So I see it's still feasible, I mean if teachers can probably develop a school-based, home-based type of service learning opportunities that doesn't require any congregation, I think there's a lot of flexibility there. So to waive it for the whole school, I think is- it's just going to put them behind for the following years. So I think that seniors are the most impacted, because the three (3) years that they were in school during the pandemic, it was very difficult to do that, but I think moving forward like you said, you plan to do face-to-face for the next school year, I mean there's still opportunities throughout that year to make up.

Jon J.P. Fernandez, Superintendent, GDOE I don't disagree, I think there are opportunities, I just think that in general, we think that that flexibility to try to address the current crop of students would be helpful, because let's just say if you're a sophomore right now and you haven't, you know, part of it is also clarifying and eliminating confusion, so I know that over the past few years there have been people saying "Oh, you have to do service learning" when technically, it applied only to those four (4) years and during 2019 and 2020. So incoming students who may not have had any service learning due to that, you know, that maybe their conception that "Oh we don't have to do service learning" or "we're not required", maybe starting at zero entering junior year. And then, from Junior to senior years, yes, they can work to make it up, but depending on the student, depending on their courses on their activities, for some students it may be easier than others. So we're just taking a look ahead and saying how can we just be clear to our students and our teachers that this is where we draw the line and start fresh from freshman year so that those incoming students can stay on track.

Now when we get to graduation, in a normal school year, you're talking about a small percentage of students who haven't met all the service learning requirements and we try to keep an eye on them because we don't want service learning to be a barrier to getting your diploma if you've met the academic requirements, but in this case, like you said with the seniors, there are a larger portion of students who haven't been on track. So I'm just assuming in the worst case scenario, you have sophomore who has zero service learning hours next year and the year after that, focus on trying to double up on service learning will be something that's going to be on their plate, as we're trying to get back to a normal school situation, trying to, again, deal with just getting back to normal, so if you're in a situation like ROTC and they offer lots of opportunities for service learning, that won't be an issue. But there will be others who don't have that same opportunity and we up having to figure out creative ways towards the end to try to make sure they graduate. So that was it, that's, I think that's the purpose: trying to clarify, draw a line in the sand, that if you start if you're a freshman next year, and also for the teachers, you're required to meet all these requirements and let's get back on track without any excuses.

Senator Telen Cruz Nelson, Committee Chairperson Thank you Superintendent. Senator Perez if you have any more questions I'll come back to you, but I'd like to give our colleagues another opportunity. Senator Joe San Agustin do you have any questions or concerns at this time?

Senator Joe S. San Agustin Yes real simple, Madam Chair, and for the panel thank you for being here. Number one: I'm in support of your requests, and just keep it simple. number two: you have a strategic plan on where are you going to go and how are you going to get there and you just need our help, and this is the bill right?

Jon J.P. Fernandez, Superintendent, GDOE Yes.

Senator Joe S. San Agustin I know your next plan is going to be talking about what's going to happen next year, because we're going to be meeting soon about the budget right?

Jon J.P. Fernandez, Superintendent, GDOE Yep.

Senator Joe S. San Agustin And you're going to have a plan of exactly if anything was to happen, how you're going to get to what you need or how you're going to get to the education level of our children, correct?

Jon J.P. Fernandez, Superintendent, GDOE Yes.

Senator Joe S. San Agustin That's what I wanted to hear. So I'm here in support of the bills, or both bills, my only thing I may question you later is about the service learning. Maybe we need to tweak that somehow, because I've been hearing that in the community there's certain service learning expectations with some students that need to tweak it, maybe get in, get into the offices, get to learn what you need to do, work at the University of Guam, things like that. That's what I'm looking for. Not picking up trash. You want to pick up trash? Go work for EPA. Work for Solid Waste. That's- I mean, do your service learning in that area. Okay, nothing bad about it, it's good, but I'm just saying need more hands-on, just hands-on, just making the simulate. But I'm in agreement with this, I'm just looking forward to when it gets to the floor and we can vote on this and let's move, let's move on. School year is going to end in two months, this- any of this impact private schools? Answer probably is no, correct?

Jon J.P. Fernandez, Superintendent, GDOE No.

Senator Joe S. San Agustin Okay. So just take care of our Guam students and let's just move on, because you have a strategic plan, I've heard it, I've been listening to YouTube on my way here, and I've been watching what DOE is doing, what the Board is doing, and they're engaged. We just need to maybe engage more the public so they can stop thinking that it's about reducing the education of our children. It's not about that. It's that they can't catch up. Even if you use, you can use the nine hundred (900) hours instead of one hundred eighty (180) days, yeah they still won't be able to catch up. There's no doubt. But you have a program, let's work with the program, and then we'll come up with another scenario where we

need to fix whatever is broken. I don't like to fix what's not broken. And there's nothing broken. You just need a waiver to cover the years that the pandemic was here, and you all have a nice day. Thank you Madam Chair.

Jon J.P. Fernandez, Superintendent, GDOE Yeah just a quick note. Thank you for that, and yes and yes. And I guess, yes, if we can work, I mean we appreciate support and service learning. Yeah, we don't want it to be an obstacle or so difficult. I think that's part of maybe the other response to Senator Perez, is that for some kids in certain classes and certain- they might find it more difficult other teachers or other active, you know, activities. It's an easier thing to accomplish so we don't want the kids worrying about it as much as we need to worry about it for them, to make sure they have those opportunities, but they shouldn't be so difficult or burdensome. We want to accomplish the goals, but get them to graduate, so we'll work on that thank you Senator.

Senator Telen Cruz Nelson, Committee Chairperson Thank you Senator San Agustin. Senator Chris Duenas...oh. Senator Blas...Good morning Senator Blas I'd like to acknowledge your presence. Thank you for joining us. Senator Dueñas will go first.

Senator Christopher M. Dueñas *Si Yu'us Ma'åse'* Madam Chair and to the Superintendent and your team that's come today, I do want to thank you, I know that there might have been some significant pressure when the omicron variant was around, and you did see it through to stay open and do what you could, and so I want to commend the entire team for that effort.

All the questions I had were answered save one. I just wanted to see if this was either a local or maybe a national discussion that's happening. Of course we know and I'm glad the concentration is on the Juniors and Seniors, it's so sensible right? Because it just makes sense. But my questions is on either locally or nationally but more importantly locally, is there a discussion with post-secondary, say GCC as well as UOG on- we all know that remediation is something that takes place, regardless. A lot of kids are just- they've had difficulty in certain areas right? Of maybe having an accounting for the fact that what we've been through with COVID and perhaps their initial courses, would not be counted against them in terms of not getting credit but even maybe some maneuvering, some of the finances, to see to it that the first semester was around remediation considering COVID, to try to allow them in that post-secondary world, that opportunity to not kind of be dinged for it if you will.

Jon J.P. Fernandez, Superintendent, GDOE That makes sense. I'll let Joe, I know he wants to add, but let me just start by saying that there is a good point, there's a mutual interest on both secondary, post-secondary side to make it work so that more kids have an opportunity to go to college, because the enrollments are low, are down. Our enrollment is lower, it doesn't help anybody right? So I think you're absolutely right, that we're- we need to continue to work together to make sure that the transition is smooth, whether it's on this side or on that side as well. I do want to note that already, a lot of universities in addition to creating the flexibility around what they would normally require for admission, knowing that COVID-19 has hit, they've been more flexible on that, and I've also seen on a number of campuses, just a real emphasis on student support with regard to knowing there's remediation, there's tutoring,

there's a lot of services that students need, just a transition in a normal situation. So I'll turn it up to Joe about with the specific discussions with GCC, UOG, and within our Department.

Joseph L.M. Sanchez, Deputy Superintendent, GDOE Great, thank you sir, thank you for the question. I also want to make this a response to Mr. Senator Tony Ada's question earlier as well, just to add to the superintendent's response, but we actually had a school-based college fair, so to speak, with GCC and the University of Guam. So we've been working with their representatives since the beginning of this year in particular about students who may be matriculating into their systems. So with the school-based college fairs around February, we were able to have the schools go to every high school, they went to every high school, and they did presentations with the students who may be interested in going to their schools. We know that part of the concern is the English, Language Arts, and Math readiness, so we've asked students to- we have an assessment that they can take, that they've taken, and we are identifying students who may need additional supports after graduation. So there is- as part of our summer school program, where we would have an enrichment program for those students who are graduating, who are eventually going off to college, so it doesn't- it's not limited to just GCC and the University of Guam, in fact Pacific Island University, [inaudible] on Guam was also a participant, as well as any students who are going off-island can develop these courses so they can do enrichment courses for English and Math. As part of the college for- also, like an early application. February, it's not that early right, but it's earlier than in some cases some students fill it out much later you know, so we want them to fill out the applications sooner and be ready to take their placement test a lot sooner so there is a lot of, there is definitely concern between both groups, and for us in our end it's identifying students who are going to be going to college and providing support for them to be ready onto college and the University, and is being prepared to receive those students to see what kind of supports they can get once they enter the University. Unfortunately, there's always a small percentage of public school students that go off-island, but what schools have already done if they started to identify who those students are, right, and quite frankly, if a student at this stage is not sure if they're going to go off-island, they're not going to go or they're going to go and probably not necessarily go their first year right? So what the schools have done is they've made a concerted effort to identify those students as early as last semester of who might be going potentially off-island to school.

Senator Christopher M. Dueñas Yeah so just in closing Madam Chair, I have confidence that from what you've presented today, that definitely you know down the line, coming up, you understand what needs to be done to be able to retool and get those younger students. I think a lot of us and probably a lot of parents are more concerned right now that man, you know, those juniors and seniors, those that you know- they don't get it counted against them in terms of post-secondary. It sounds like you're really preparing that as well. Maybe some additional dialogue with the University, I love the [inaudible] program, I know that for the workforce, that's definitely going to make sure that, you know, what I mean if they're behind, we can retool, re-skill, we have opportunities with all the training opportunities to do that, but I think on the academic side too, you know, saying is there, because we want to keep them in school. UOG I'm sure wants to keep them as well as in GCC, it's just a matter of saying "Hey, we can strike something here" where there's an understanding between the Department of Education and post-secondary, that this first semester should also allow them some catch up remediation. I don't know what that looks like but I just wanted to put it on the table. Thank you Madam Chair.

Senator Telenia Cruz Nelson, Committee Chairperson Thank you Senator Dueñas. Senator Blas do you have any questions or concerns?

Senator Frank Blas Jr. Yes Ma'am. Thank you very much madam chair and good morning to the panel. I think it goes without saying that I do have some concerns. Initially when both bills were brought... into the introduction, I had little bit of concern with regard to... you know... first off reducing the... in as far as the instructional day requirements as well as the service learning, however... you know... I've recognized over the last two years, this have been a huge challenge. Okay. I see that every day but also at the same time... you know... and at the same time I appreciate all the work that GDOE has done in trying to be able to provide the teachers with the different programs and different methods and ways to be able to reach out to students, especially when you use distance learning. Okay. I saw that. And... you know... as much as... in as much as we continue to try this, one of the concerns that I had... it doesn't go to what the system is trying to put together because I have... you know... Erica, your name comes up constantly in the house and everything, but... for good reason okay. Is how do we get to the parents? I think that hopefully in the strategic plan that you're going to be coming up with, especially with trying to catch up over the last two years because what the past two years has provided is basically a snapshot of just how much you needed to rely on the support at home, okay, and I think, for lack of a better term, it was failing. It didn't fail on the part of GDOE. I think you gave them enough resources... you know... to be able not just to do the work but to catch up on work. Okay. But we're still seeing that, and I'm seeing that because that is occurring, we're going to be forced to graduate students or to promote students for that matter that don't necessarily meet the standards for the grade they are going from to the next. We can have another discussion on that but that is not for here. So I guess the question I have is in these plans, is there a strategic plan or way to be able to address what that key component is you only have them for five or six hours a day and the rest of the day or weekend is at home but they're not getting the support. I can see that because the students go home with homework and gone are the days that ... you know... you require the parental signature when the homework is done because you have all these excuses. But is there a part of the strategic plan that would be able to bolster that or to address that.

Jon J.P. Fernandez, Superintendent, GDOE So the answer is yes and I think where I would start is that we don't have a 100% of an answer, what I would say that we learned a lot these last couple of years when we went to remote learning, when we had to engage our community under these different circumstances, right. So... you know... instead of calling a meeting at a school where everybody shows up, we had to go online and we had to try to reach our parents there. So I do want to say that through technology we hope to continue the outreach to parents and the engagement, not just through sending the information out, which we do. Anyone who's connected to Powerschool understands that you can be a constant flow of information that you need to pay attention to but also in the dialogue and engagement I think the Board, our DOE team we at pivotal moments at the last two years, we provided opportunities to present what we were doing about COVID, how we were moving to distance learning, get input from parents and we did it regionally and we reached a lot more parents the we would normally reach when you have a physical in place. So we want to build around that with technology and I think hopefully... you know... with the technology our approach within the school that that would help with that type of

connection because even if we're back in person instruction... you know... the teachers are still able to set up their google classrooms, kids can still get their assignments online even if they're back in school. So we want technology to be a key part of that and we'll hope that that takes place and expands the reach because... you know... we know we're not going to reach everybody but also in this day and age a lot of families do have cell phones regardless of their circumstances. We see at least a cell phone is kind of a common thing now or more and more common but again, connectivity is still a challenge. Again, we think we reach a lot of parents that way. Now I know what you're talking about though. There are still a segment of parents that we may not... may not be as easy to reach whether it is because of... you know... connectivity issues, they don't have connection to the internet at home or regularly so that use of technology is not going to be effective for them. We still need to figure out that component and how we have that outreach and engagement for those who... for whom technology is not going to be the answer. I'll ask Joe, he's done the work on the strategic plan anything else you want to add to that.

Joseph L.M. Sanchez, Deputy Superintendent, GDOE Yeah. I guess. So just to summarize and reiterate the three points in the plan. One is that engagement... right... that outreach is trying to have greater access with the families and when we were doing our work sessions with the Board, we were kind of throwing out a number of ideas like, we know who are the families that are difficult to engage with so what are the strategies that we're going to use. For example, community organizations, churches and other... we're calling it internal infrastructure, like develop an infrastructure where we can automatically engage with these families through these alternative... you know... methods or these alternative organizations. That's number one. The second one is to build a strong relationship with these families, especially... and this is not just on Guam but throughout the country. Where here is so much research that families that tells us that families who tend to live in poverty tend to be distrustful of not just government but even the education system. Either they didn't have a positive experience when they were students or there's something that happen along the way that makes schools very intimidating for them and I think we recognize that as a school system. If you're not normally engaged in school or if you're not normally participating in school activities, schools can be intimidating, the way that they look, the way that they talk and all those things. You really want to break down those barriers and make families feel more welcome and if that includes us... you know... going to outreach first and going out there first and then helping them bring them in, that would be a key factor is building those relationships. The third part is recognizing that a lot of these families who we consider disengaged are not disengaged because they don't care for their kids. That's not the reason. We don't believe that that's the reason, we don't believe it's because they don't want to participate in the schools. In some cases if they don't have the capacity to do so, one of the challenges that we learned through the shift to online instruction is that it wasn't just the technology device, it wasn't just the access to the internet that was the challenge, a lot of these families, particularly migrant families or families that live, either homelessness or who live in poverty, they just don't necessarily have the capacity at this point to help their kids on the computer or to help their kids with their schoolwork, especially if the parents are not educated themselves. So it's that stress, that inability to support their kids that we really want to address, and part of that is outreach and training and support. We are happy that there is a number of requests from parents to "Hey can you teach us how to do this with our kids", and they're actually reaching out asking for training or asking for workshops, and we were able to provide that, albeit it wasn't a lot. We had small number of parents, sometimes they were

twenty (20) sometimes they were thirty (30), but it tells us that there's the potential for that support to have an impact, because a lot of the feedback we got from those small number of families, one sticks out, was some of the parents didn't even realize what the standards were. They have this fear of the common core as though it's magic math, it's not magic math. A lot of it is normal math that we experience on a day-to-day basis. When you go to a store or you go to a restaurant, you go somewhere, help your kid, add up the bill, or look at your budget at the house, or even if you're- if they're the younger kids, have them count when you go to a store or you go to a public place. So there's a lot of strategies that these families can utilize especially in their earlier ages that will help reinforce what is being taught in the school. There's also some really interesting research on reading where the idea was the research for years have said parents who read with their kids tend to have children who love to read and the assumption or the interpretation of that research was that the parents were somehow doing something to teach the kids "Oh here, this is the letters, this is how they sound" and what not, but in fact the research is now saying what the parent doesn't even have to teach them anything. It's the sitting down with the kids and reading where the kids attach that love and affection and you know, that positive feeling that emotional connection to reading later on that it tends to be the factor. Of course, that's somewhat controversial because it implies that you don't necessarily have to teach them how to read right? But still, that's an interesting finding that just by sitting down with your kids and reading with them, there's that bond that's connected that will in turn affect their interest in reading later on. So these are little things that we think we can share with families and help support them in implementing that would raise the likelihood of them being able to support their kids in the system, but those are the three strategies that access, is creating positive relationship with the families, and then lastly helping build their capacity by providing direct supports.

Senator Frank F. Blas, Jr. I appreciate that, and call me a traditionalist or call me hardnosed, but I acknowledge and recognize, yes, that based on income levels, poverty levels, there has that tendency, but I think that over the last two years too, we've started to see that, you know, it's not just them. Okay? You know, I mean I really don't want to categorize or put them in silos and say that these are our people- our problem people, they're not. I know of a lot of very struggling families that really want the best for their children because they don't want their children to grow up and continue to grow up in that environment. Again, I look forward to and I'm hoping that in this strategic plan, there's- I think you say- this is probably go back to the basics with regards to as far as paternal responsibility. It really pains me to see that sometimes because of what has happened, I've actually seen over the last two years, a disintegration and as far as what the kids are learning, and I can't blame it really on the education system. You've given them a lot of the resources is, and maybe it's because like I said, the technology and everything, trying to get used to it, new method of trying to reach out to them and but it's really difficult when a fifth grader can't even add, you know, three-digit numbers. Okay, and I see that they're going to be moving on to the next one I- granted, a lot of times in this discussion, we're talking secondary, post-secondary, but when you're going from primary secondary, you don't have those skills. Then anything you do in the secondary is not going to go anywhere.

Jon J.P. Fernandez, Superintendent, GDOE Okay, and I know you're familiar with the challenges, I mean that when we're talking about parents who we really want to engage, they're not the parents who show up at the parent- I mean, there's a mix but the ones that you really want to engage, whose kids may

be struggling, they don't show up at the traditional area, PTC's, or other methods, so for it to be in the strategic plan, and for it to be a priority, doesn't mean that a lot of support has to be provided in that area for those parents who are not currently engaged, but I'm sure in order for us to be successful, they have to have a role. We can't just be the teacher and the student so a teacher and a student do their best. The teachers calling, trying to make contact and for many reasons, sometimes phones don't have minutes, sometimes it's a transportation issue, sometimes it's just other things that just prevent that connection from happening and our teachers get exhausted because they're trying to make the extra call, trying to find extra information when we had those students that we couldn't identify where they were in the school system because in the early part of that pandemic, we were really working at the classroom level, at the central, at the administrator level, and with our social workers, to try to make that connection, but in some cases it was very difficult, so it took lots of extra efforts to really pinpoint and even just make the contact, much less can have the positive engagement.

Senator Frank F. Blas, Jr. Okay, well maybe then we should require service learning for the parents. Okay, anyways, thank you, we can go on with this conversation but we can do that offline. Thank you very much Madam Chair.

Senator Telena Cruz Nelson, Committee Chairperson Thank you Senator. Senator Perez do you have any last questions that you'd like to ask?

Senator Sabina Flores Perez Thank you Madam Chair, yeah so I really like the way this discussion is going in, looking at all angles and how to uplift our youth in regards to their education and the transformative potential of, you know, including parents too, but is there a formalized curriculum that you guys are going to be testing to address this? Because I know when I was a teacher, I also introduced curriculum, it took about two years before it became a formal course. Is there a process being implemented right now to formalize these solutions that you have presented today? So for instance you were talking about parents engaging parents in the students learning, is there a formal course that's being offered right now as a pilot course that can then become formalized in the education system?

Joseph L.M. Sanchez Deputy Superintendent, GDOE So actually all the strategies that we noted regarding what we call accelerated learning have been embedded into the strategic plan. So part of the process has been identifying those specific strategies that we're putting into the plan itself, so although the plan is more comprehensive, the identification of those specific strategies are part of the plan itself. There is a second layer to that which is dealing with our implementation plan that covers the use of not only the plan itself, but our federal funding. So we've taken all of the different activities that are part of the ARP and the ESF, and our most recent consolidated grant application that will be utilized for implementation, but none of them call for specific courses for students.

Senator Sabina Flores Perez Yeah, because the one thing I'm thinking that might be more effective is if there was a remedial course versus the teachers taking on all the responsibility within that classroom. Because I think that that might be more effective if you can concentrate all those efforts on those students with those specific issues. Is there a way- is that the way to-

Joseph L.M. Sanchez, Deputy Superintendent, GDOE To create another course?

Senator Sabina Flores Perez Yeah, a course to target that specific strategy. Is that the way? Does going- are they- are you guys planning to just have all the teachers do all of this within their classroom?

Joseph L.M. Sanchez, Deputy Superintendent, GDOE So, well I think we would have to think about that, because to create another course that a student has to take doesn't seem very- I mean we can talk more about it if you wanted to go down that road, but creating an additional course seems to create another layer of instruction that's necessary.

Senator Telena Cruz Nelson, Committee Chairperson Senator Perez can you please stick to the reference of the bill and we can discuss the strategic plan at another roundtable hearing? I'm sure we can-

Senator Sabina Flores Perez This is very-

Senator Telena Cruz Nelson, Committee Chairwoman I'm sure that we can [inaudible] to add courses and stuff-

Senator Sabina Flores Perez Yeah this has bearing on my support of this bill-

Senator Telena Cruz Nelson, Committee Chairwoman Thank you.

Senator Sabina Flores Perez That's why I'm asking this.

Joseph L.M. Sanchez, Deputy Superintendent, GDOE So we can look into it.

Senator Sabina Flores Perez Yeah. And the other thing is the timeliness of the results of the assessments. Is it at the beginning or one of these timelines? What did the assessments do as far as when is the reporting of the results- of these assessments? Is it at the end of the year? Because one of the things that I recall is that some of the times, these assessments were not- the results of these assessments were not distributed on a timely basis to inform the teachers of whether how to administer their lesson plans.

Joseph L.M. Sanchez, Deputy Superintendent, GDOE Yeah so the interim assessments are available regularly, so we provided them at the end of the semester and then at the end of this mid quarter period, the summative assessments that are taken at the end of the year, we're working with the vendor to have those available right at the end of the school year in time for the following school year. So right now, we're in the middle of the testing window for the end of the year assessments.

Senator Sabina Flores Perez Be ready before the new school year?

Joseph L.M. Sanchez, Deputy Superintendent, GDOE Before the next school year.

Senator Sabina Flores Perez And the Ames assessment you're talking about, is that for all grade levels?

Joseph L.M. Sanchez, Deputy Superintendent, GDOE No it covers kinder through eighth (8th) grade reading and math.

Senator Sabina Flores Perez Is there anything that would have covered the gap beyond eighth (8th) grade for assessment for reading and math?

Joseph L.M. Sanchez, Deputy Superintendent, GDOE So they take the ACT Aspire. So traditionally, what happens is in high school, they only do end of the year summative assessments, but in our new assessment we've incorporated interim assessments also just like kindergarten through eighth (8th) grade. So under normal circumstances we don't have assessments during the school year. In high school it's only the end of the school year test that they take, but coming with the new strategic plan next school year, we've now incorporated interim assessments as well so they will also have assessments that take place during the school year.

Senator Sabina Flores Perez Okay, yeah. Thank you for all your responses, I appreciate your presence here today. Thank you Madam Chair.

Joseph L.M. Sanchez, Deputy Superintendent, GDOE Thank you Senator.

Senator Telen Cruz Nelson, Committee Chairwoman You're very welcome Senator Perez. Okay thank you very much to GDOE for being present today, I'm sure we cannot address all the issues and challenges that GDOE is facing in this hearing, however we'd like to plan to see where the strategy is going the way ahead because we can talk a lot in theory but we'd like to see the concrete work and applications. And so if it's possible can you please keep us abreast so that we can inform the- my colleagues at the legislature that these are the actions that GDOE is taking and perhaps send us an invite. I'm always asking for an invite so that we can also observe and perhaps give a little bit of input from the policy perspective. Okay? It's absolutely not our place to make a curriculum recommendations unless we- you allow us to be in the curriculum committee, I'm sure we would welcome that s well. So just throwing this kind of opportunities out there to engage better with GDOE.

Thank you so much, so with that being said after- we have exhausted all items on the agenda. The Committee will continue to accept written testimony for the next three days. Testimonies may be sent via email to senatortcnelson@guamlegislature.org or delivered to the office of Senator Telen Cruz Nelson at Suite 202A, 173 Aspinall Ave., Hagåtña Guam 96910. A recording of today's hearing will be available on YouTube at the Guam Legislature Media. This concludes our Public Hearing. It is now 11:42, this hearing is adjourned. Thank you very much.

The public hearing was adjourned at 11:52 A.M.

III. FINDINGS & RECOMMENDATION

The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation finds the following based on testimony and discussion at the public hearing:

Findings

The Guam Department of Education (GDOE) emphasized that the Department is seeking for a waiver for the 180 Instructional Days requirements to allow for flexibility. The Department stated that the temporary school closures due to the Executive Orders in October to November of 2021 is the reasoning for seeking the flexibility. It was stated that GDOE teachers are on track to provide 180 days of instruction, but those students who were originally in school for face-to-face five days a week had to switch into cohorts which limited the amount of instructional time received. Students who were already enrolled in distance learning were not affected by the school closures and are currently on track of meeting the 180 instructional days requirement.

The Department shared that there has been disparity in tracking and assessing student learning loss due to the Department being unable to conduct the assessments as a result of the pandemic. Additionally, there were issues with students who had relocated and did not inform their respective schools of their transfer.

The Department shared that there is a strategic plan that is in development and was subject to the Guam Education Board's review at the next monthly Board meeting.

Recommendations


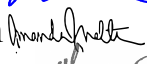

The Committee recommends that the Department provide the strategic plan concretely and to keep the Legislature abreast of the actions they are taking to address the learning loss and learning recovery of GDOE students.

The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation hereby reports on Bill No. 286-36 (LS), "AN ACT TO *AMEND* § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022." with the recommendation **TO REPORT OUT ONLY.**

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 286-36 (LS)

Introduced by:

Telena Cruz Nelson 
Amanda L. Shelton 
Mary Camacho Torres 

AN ACT TO *AMEND* § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslatura* finds that § 715(1)(13) of Chapter 7, Title 1, Guam Code Annotated requires the Guam Department of Education (GDOE) to have one hundred eighty (180) instructional days, or its equivalence of nine hundred (900) instructional hours, per school year for both elementary and secondary public schools.

I Liheslatura recognizes that the development of various strains of the coronavirus disease 2019 (COVID-19) caused for the closure of schools once again during the school year 2021-2022 that prevented students being in classes for twenty-four (24) days. While GDOE teachers are on track to provide one hundred eighty (180) days of instruction, the shift of in-person students to attend classes through cohorts reduced the number of instructional days received by students.

1 GDOE teachers did provide the required number of instructional days in school year
2 2020-2021, but students were in cohorts and did not receive the required number of
3 instructional days. For school year 2021-2022, GDOE may be unable to provide the
4 one hundred eighty (180) days of instructional hours, or its equivalence of nine
5 hundred (900) instructional hours, requirement.

6 Thus, it is the intent of *I Liheslatura* to create an exemption from § 715(1)(13)
7 of Chapter 7, Title 1, Guam Code Annotated to include school years 2020-2021 and
8 2021-2022.

9 **Section 2.** § 715(1)(13) of Chapter 7, Title 1, Guam Code Annotated is hereby
10 *amended* to read as follows:

11 “(13) at least one hundred eighty (180) instructional days, or its
12 equivalence, including make-up hours each school year with school years
13 ending no later than thirty (30) days following the end of the calendared
14 school year; provided, that the Guam Department of Education is exempt from
15 the requirements of this § 715(1)(13) for School Years 2019-2020-, 2020-
16 2021, and 2021-2022.”

17 **Section 3. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid or contrary to law, such invalidity shall
19 not affect other provisions or applications of this Act that can be given effect without
20 the invalid provision or application, and to this end the provisions of this Act are
21 severable.

22 **Section 4. Effective date.** This Act shall be effective upon enactment.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

April 14, 2022

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Note Waivers for Bill Nos. 286-36 (LS) and 287-36 (LS)**

Håfa adai,

Attached, please find the fiscal note waivers for the following bills:

Bill No. 286-36 (LS)

Bill No. 287-36 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

APR 14 2022

Vice Speaker Tina Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Vice Speaker Barnes:

The Bureau requests that Bill No. 286-36 (LS) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 286-36 (LS) is "An Act to *Amend* § 715(I)(13) of Chapter 7, Title 1, Guam Code Annotated; relative to Exempting Guam's Public Schools from the Requirement of One Hundred Eighty (180) Instructional Days, or its Equivalence of Nine Hundred (900) Instructional Hours, for School Years 2020-2021 and 2021-2022."

The Bill intends to address the current statute which requires at least 180 instructional days, or its equivalence of 900 instructional hours, per school year for both elementary and secondary public schools. Because of the continued impact of the coronavirus disease 2019 (COVID-19) pandemic, this requirement was not met by the Guam Department of Education (GDOE). Without an exemption to this requirement, the GDOE and the local government can be held legally liable for not providing public school students with an adequate education. A previous exemption to this requirement was provided for the School Year 2019-2020.

Bill 286-36 is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.



OFFICE OF VICE SPEAKER TELENA CRUZ NELSON

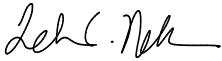
COMMITTEE ON EDUCATION, SELF-DETERMINATION AND HISTORIC PRESERVATION
INFRASTRUCTURE, BORDER SAFETY, FEDERAL AND FOREIGN AFFAIRS, AND
MARITIME TRANSPORTATION

COMMITTEE VOTE SHEET

Bill No. 286-36 (LS)

Introduced by: Telen Cruz Nelson, Amanda L. Shelton, May Camacho Torres

“AN ACT TO *AMEND* § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM’S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Telen Cruz Nelson Chairperson		✓				
Senator Amanda L. Shelton Vice Chairperson	e-vote 4/20/22	✓				
Senator Therese Terlaje Member	e-vote 4/20/22			✓		
Senator Sabina Perez Member	e-vote 4/20/22			✓		
Senator Clynton Ridgell Member	e-vote 4/20/22			✓		
Senator Telo Taitague Member	e-vote 4/20/22			✓		
Senator Mary Camacho Torres Member	e-vote 4/21/22	✓				



Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

URGENT REQUEST FOR E-VOTE: Bill No. 286-36 (LS).

7 messages

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Wed, Apr 20, 2022 at 1:54 PM

To: Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Hon. Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Hon. Therese M. Terlaje" <senatorterlajegum@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, "Senator Clynton E. Ridgell" <clyntridgell@guamlegislature.org>, "Senator Telo T. Taitague" <senatortelot@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

Hafa adai Committee Members:

Please see the attached Committee Report for Bill No. 286-36 (LS), "AN ACT TO AMEND § 715(1)(13) OF CHAPTER 7, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING GUAM'S PUBLIC SCHOOLS FROM THE REQUIREMENT OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS, OR ITS EQUIVALENCE OF NINE HUNDRED (900) INSTRUCTIONAL HOURS, FOR SCHOOL YEARS 2020-2021 AND 2021-2022."

Please indicate your preferred action from the following;

- ☐ TO DO PASS
- ☐ TO DO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN;
- ☐ TO PLACE IN INACTIVE FILE

Should you have any questions, please do not hesitate to contact our office.

Si Yu'os Ma'ase'!

--

**The Office of Senator Telena Cruz Nelson**

Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

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Bill No. 286-36 (LS) Committee Report.pdf
1171K

Senator Telo Taitague <senatortelot@gmail.com>

Wed, Apr 20, 2022 at 3:08 PM


To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

To report out only

Sent from my iPhone

On Apr 20, 2022, at 1:55 PM, Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org> wrote:

[Quoted text hidden]

 **Bill No. 286-36 (LS) Committee Report.pdf**
1171K

Office of Senator Sabina Perez <office@senatorperez.org>
To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Wed, Apr 20, 2022 at 4:06 PM

To report out only.

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--

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, [163 Chalan Santo Papa, Hagåtña, Guam 96910](#)

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Clynt Ridgell <clyntridgell@guamlegislature.org>
To: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Wed, Apr 20, 2022 at 4:09 PM

Cc: "Hon. Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, "Hon. Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, "Senator Telo T. Taitague" <senatortelot@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

To report out only

[Quoted text hidden]

Office of Senator Amanda L. Shelton <officeofsenatorshelton@guamlegislature.org>

Wed, Apr 20, 2022 at 4:18 PM

To: Clynt Ridgell <clyntridgell@guamlegislature.org>

Cc: Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Hon. Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, "Senator Telo T. Taitague" <senatortelot@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

To Do Pass

Respectfully,

**Senator Amanda L. Shelton***Legislative Secretary*

*Chairwoman, Committee on Air Transportation, Parks,
Tourism, Higher Education, and the Advancement of
Women, Youth, and Senior Citizens*

Office of the People • Senator Amanda L. Shelton

36th Guam Legislature

I Mina'trentai Sais na Liheslaturan Guåhan

T +1 (671) 969-2574 • (671) 989-2572

E officeofsenatorshelton@guamlegislature.org

[Quoted text hidden]

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Apr 20, 2022 at 6:17 PM

To: "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>
Cc: Clynt Ridgell <clyntridgell@guamlegislature.org>, Office of Senator Telen Cruz Nelson
<senatortcnelson@guamlegislature.org>, Senator Sabina Perez <office@senatorperez.org>, "Senator Telo T. Taitague"
<senatortelot@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

To report out only.

Sym!

[Quoted text hidden]

Senator Mary C. Torres <senatormary@guamlegislature.org>

Thu, Apr 21, 2022 at 12:37 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: "Office of Senator Amanda L. Shelton" <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell
<clyntridgell@guamlegislature.org>, Office of Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>,
Senator Sabina Perez <office@senatorperez.org>, "Senator Telo T. Taitague" <senatortelot@gmail.com>

To do pass.

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