

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÁHAN
Informational Briefing/Hearing/ Oversight Hearing / Roundtable Hearing

STANDING COMMITTEE / SENATOR	HEARING	COMMITTEE REPORT	HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
Committee on Education, Libraries and Public Broadcasting.	Oversight Hearing	Digital Committee Report on the Oversight Hearing on the Guam Department of Education	2/4/26 9:00 a.m.	5/18/26	



Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

March 4, 2026

The Honorable Frank F. Blas Jr.

Speaker, *I Mina'trentai Ocho na Liheslaturan Guåhan*

163 W. Chalan Santo Papa

Hågatña, Guam 96910

Via Honorable Vice Speaker V. Anthony Ada

Chairman, Committee on Rules

**RE: Committee Report on the Joint Oversight Hearing Relative to the
Guam Department of Education.**

Buenas yan Håfa Ådai Speaker,

Transmitted herewith is the Committee Report on the Joint Oversight Hearing held on February 4, 2026, relative to the Guam Department of Education.

Best Regards,

Senator Vincent A.V. Borja

Chairman, Committee on Education, Libraries, and Public Broadcasting



COMMITTEE ON RULES

RECEIVED:

March 4, 2026 9:04 a.m.

Marie Crisostomo



Office of Senator

Vincent A.V. Borja

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CHAIRPERSON
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AND PUBLIC
BROADCASTING

COMMITTEE REPORT

Joint Oversight Hearing

Guam Department of Education

Conducted on February 4, 2026



Office of Senator Borja <contact@senatorvinceborja.com>

FIRST NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026

3 messages

Office of Senator Borja <contact@senatorvinceborja.com>
To: phnotice@guamlegislature.gov

Tue, Jan 27, 2026 at 8:00 AM

January 27, 2026

MEMORANDUM**TO: ALL SENATORS, STAKEHOLDERS, MEDIA****FROM: SENATOR VINCENT A. V. BORJA,**
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND PUBLIC
BROADCASTING**RE: FIRST NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026**

Håfa Adai! The Committee on Education, Libraries & Public Broadcasting will conduct a Joint Oversight Hearing on the Guam Department of Education (GDOE) and the Guam Education Board (GEB) on **Wednesday, February 4, 2026, at 9:00 A.M** in the Public Hearing Room of the Guam Congress Building in Hagåtña.

The Joint Oversight Hearing will provide an opportunity for the Legislature, stakeholders, and the public to receive updates and engage in discussion on the following general areas of concern and oversight:

Guam Department of Education

- Leadership transition and departmental stability
- Financial management and fiscal accountability
- Facilities maintenance and infrastructure needs
- Special education services and compliance
- ADA accessibility and compliance requirements
- Teacher and staffing shortages

Audit Oversight and Accountability

- Office of Public Accountability (OPA) FY 2024 Audit findings

- Management audit observations
- Corrective actions and responses to repeated findings

Governance and Community Concerns

- Role of the Guam Education Board
- Transparency, accountability, and public trust

How to Participate: Written testimony may be delivered to the Office of Senator Vincent A. V. Borja, DNA Building Suite 502, 238 Archbishop Flores Street, Hagåtña, Guam 96910, or via email to contact@senatorvinceborja.com. The Committee requests that testimonies be submitted at least forty-eight (48) hours before the scheduled hearing.

Please confirm your attendance by contacting the office of Senator Vincent A. V. Borja via email at contact@senatorvinceborja.com or by voice call at (671) 969-8423

Special Accommodations: All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). For assistance or special accommodations to fully participate in this public hearing, please contact the office of Senator Vincent A.V. Borja at (671) 969-8423 or via email at contact@senatorvinceborja.com

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Respectfully,



Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public
Broadcasting

38th Guam Legislature

Suite 502, DNA Bldg. 238 Archbishop Flores St.

Hagåtña, Guam 96910

T +1 (671) 969-8423

E contact@senatorvinceborja.com

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Office of Senator Borja <contact@senatorvinceborja.com>

Tue, Jan 27, 2026 at 8:16 AM

Hafa Adai,

Posted on calendar.

[Quoted text hidden]

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Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guahan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910

☎ 1-671-969-3514

✉ sgtarms@guamlegislature.gov

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Office of Senator Borja <contact@senatorvinceborja.com>

Fri, Feb 20, 2026 at 12:17 PM

To: [REDACTED]

[Quoted text hidden]

 **FIRST NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026.pdf**
262K



Office of Senator

Vincent A. V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

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CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

January 27, 2026

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FIRST NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026


FIRST NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026


PUBLIC HEARING

 **Posted on:** 01/27/2026 08:00 AM

 **Posted by:** Caden Poblete, Policy Intern


 **Public Hearing Date:** 02/04/2026 09:00 AM


 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR VINCE BORJA (/notices?division_id=297)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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January 27, 2026

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA,
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND PUBLIC BROADCASTING

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Oversight hearing on the Guam Education Board and Department of Education

Scheduled for February 4, 2026

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⋮⋮⋮



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FIRST NOTICE OF PUBLIC HEARING by Senator Vincent Borja
Published on Kandit on January 28, 2026

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Office of Senator Borja <contact@senatorvinceborja.com>

SECOND NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 20262 messages

Office of Senator Borja <contact@senatorvinceborja.com>
To: phnotice@guamlegislature.gov

Mon, Feb 2, 2026 at 8:00 AM

February 2, 2026

MEMORANDUM**TO: ALL SENATORS, STAKEHOLDERS, MEDIA****FROM: SENATOR VINCENT A. V. BORJA,**
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND PUBLIC
BROADCASTING**RE: SECOND NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026**

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Respectfully,



Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public
Broadcasting

38th Guam Legislature

Suite 502, DNA Bldg. 238 Archbishop Flores St.
Hagåtña, Guam 96910

T +1 (671) 969-8423

E contact@senatorvinceborja.com



SECOND NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026.pdf

262K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Office of Senator Borja <contact@senatorvinceborja.com>


Mon, Feb 2, 2026 at 8:06 AM

Hafa Adai,

Calendar updated.

[Quoted text hidden]

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Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guahan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910

☎ 1-671-969-3514
✉ sgtarms@guamlegislature.gov

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Office of Senator

Vincent A. V. Borja

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TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

February 2, 2026

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA,
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND
PUBLIC BROADCASTING

RE: SECOND NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY
4, 2026

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SECOND NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026

SECOND NOTICE OF JOINT OVERSIGHT HEARING – FEBRUARY 4, 2026


PUBLIC HEARING

 **Posted on:** 02/02/2026 08:00 AM

 **Posted by:** Caden Poblete


 **Public Hearing Date:** 02/04/2026 09:00 AM


 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR VINCE BORJA (/notices?division_id=297)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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February 2, 2026

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA,
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND PUBLIC BROADCASTING

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Oversight hearing on the Guam Education Board and Department of Education

Scheduled for February 4, 2026

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Published on Kandit on February 1, 2026

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CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

January 26, 2026

Mr. Benjamin Cruz

Public Auditor, Office of Public Accountability
238 Archbishop Flores Street,
Suite 401 DNA Building, Hagåtña, Guam 96910
VIA EMAIL: bjcruz@guamopa.com

Subject: Invitation to Joint Oversight Hearing on February 4, 2026

Dear Mr. Cruz,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in an oversight hearing on **February 4, 2026, at 9:00 A.M** regarding the agenda below:

Guam Department of Education

- Leadership transition and departmental stability
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We respectfully request that your team provide a presentation addressing the following items for discussion:

1. Executive summary or presentation slides of the FY2024 GDOE audit
2. List of repeat findings over the past five fiscal years
3. Formal recommendations directed to GDOE management or the Guam Education Board

Your agency's insights and expertise are invaluable in shaping the discussion around this important topic.

The oversight hearing will take place at the Guam Congress Building and will provide an opportunity for agencies, organizations, and members of the



Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

community to voice their opinions and share relevant information concerning the issues discussed.

We would like to have a representative from your agency present to provide testimony and engage with other participants. If you have any questions or require additional information, feel free to contact my office at 671-969-8423 or contact@senatorvinceborja.com.

Thank you for considering this invitation. I look forward to your positive response and to an engaging discussion on February 4th, 2026, at 9 AM.

Sincerely,

Senator Vincent A.V. Borja
Committee on Education, Libraries, and Public Broadcasting
I Mina'trentai Ocho Na Liheslaturan Guåhan



Office of Senator Borja <contact@senatorvinceborja.com>

Invitation to GDOE Joint Oversight Hearing on February 4, 2026

Office of Senator Borja <contact@senatorvinceborja.com>
To: Benjamin Cruz <bjcruz@guamopa.com>

Mon, Jan 26, 2026 at 10:47 AM

January 26, 2026

Mr. Benjamin Cruz

Public Auditor, Office of Public Accountability
238 Archbishop Flores Street,
Suite 401 DNA Building, Hagåtña, Guam 96910
VIA EMAIL: bjcruz@guamopa.com

Subject: Invitation to GDOE Joint Oversight Hearing on February 4, 2026

Dear Mr. Cruz,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in a joint oversight hearing on February 4, 2026, at 9:00 A.M regarding the agenda below:

Guam Department of Education

- Leadership transition and departmental stability
- Financial management and fiscal accountability
- Facilities maintenance and infrastructure needs
- Special education services and compliance
- ADA accessibility and compliance requirements
- Teacher and staffing shortages

Audit Oversight and Accountability

- Office of Public Accountability (OPA) FY 2024 Audit findings
- Management audit observations
- Corrective actions and responses to repeated findings

Governance and Community Concerns

- Role of the Guam Education Board

- Transparency, accountability, and public trust

We respectfully request a presentation from your team addressing the following items for discussion:

1. Executive summary or presentation slides of the FY2024 GDOE audit
2. List of repeat findings over the past five fiscal years
3. Formal recommendations directed to GDOE management or the Guam Education Board

Your agency's insights and expertise are invaluable in shaping the discussion around this important topic.

The oversight hearing will take place at the Guam Congress Building and will provide an opportunity for agencies, organizations, and members of the community to voice their opinions and share relevant information concerning the issues discussed.

We would like to have a representative from your agency present to provide testimony and engage with other participants. If you have any questions or require additional information, feel free to contact my office at 671-969-8423 or contact@senatorvinceborja.com.

Thank you for considering this invitation. I look forward to your positive response and to an engaging discussion on February 4th, 2026, at 9 AM.



Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public Broadcasting

38th Guam Legislature

Suite 502, DNA Bldg. 238 Archbishop Flores St.

Hagåtña, Guam 96910

T +1 (671) 969-8423

E contact@senatorvinceborja.com



Invitation to GDOE Oversight Hearing on February 4, 2026_Mr. Benjamin Cruz.pdf

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Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

January 26, 2026

Mr. Angel Sablan

Chairperson, Guam Education Board
501 Mariner Ave. Barrigada, Guam 96913

VIA EMAIL: [REDACTED]

Subject: Invitation to GDOE Joint Oversight Hearing on February 4, 2026

Dear Mr. Sablan,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in a joint oversight hearing on **February 4, 2026, at 9:00 A.M** regarding the agenda below:

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Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

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Sincerely,

Senator Vincent A.V. Borja
Committee on Education, Libraries, and Public Broadcasting
I Mina'trentai Ocho Na Liheslaturan Guåhan

CC: Dr. Mary Okada – mary.okada@guamcc.edu
Peter Alexxis D. Ada – paa@gdoe.net
Felicitas B. Angel – fbangel@gdoe.net
Christine W. Baleto – [REDACTED]
Dr. Judith Guthertz – [REDACTED]
Carl E. Torress II – cetorres@gdoe.net
Maria A. Gutierrez – magutierrez@gdoe.net
Dr. Ron L. McNinch – govguam@gmail.com



Office of Senator Borja <contact@senatorvinceborja.com>

Invitation to GDOE Joint Oversight Hearing on February 4, 2026

2 messages

Office of Senator Borja <contact@senatorvinceborja.com>

Mon, Jan 26, 2026 at 11:03 AM

To: Angel Sablan [REDACTED]

Cc: Mary Okada <mary.okada@guamcc.edu>, paa@gdoe.net, fbangel@gdoe.net, [REDACTED]
[REDACTED] cetorres@gdoe.net, magutierrez@gdoe.net, govguam@gmail.com

January 26, 2026

Mr. Angel Sablan

Chairperson, Guam Department of Education

501 Mariner Ave. Barrigada, Guam 96913

VIA EMAIL: [REDACTED]**Subject: Invitation to GDOE Joint Oversight Hearing on February 4, 2026**

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Thank you for considering this invitation. I look forward to your positive response and to an engaging discussion on February 4th, 2026, at 9 AM.

Respectfully,



Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public
Broadcasting

38th Guam Legislature

Suite 502, DNA Bldg. 238 Archbishop Flores St.

Hagåtña, Guam 96910

T +1 (671) 969-8423

E contact@senatorvinceborja.com

 **Invitation to GDOE Joint Oversight Hearing on February 4, 2026_Mr. Angel Sablan.pdf**
331K

Office of Senator Borja <contact@senatorvinceborja.com>

Fri, Feb 20, 2026 at 12:16 PM

To: 

[Quoted text hidden]

 **Invitation to GDOE Joint Oversight Hearing on February 4, 2026_Mr. Angel Sablan.pdf**
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Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

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238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

January 26, 2026

Dr. Judith Won Pat

Superintendent, Guam Department of Education

501 Mariner Ave. Barrigada, Guam 96913

VIA EMAIL: jtwonpat@gdoe.net

Subject: Invitation to GDOE Joint Oversight Hearing on February 4, 2026

Dear Dr. Won Pat,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in an joint oversight hearing on **February 4, 2026, at 9:00 A.M** regarding the agenda below:

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Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

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Sincerely,

Senator Vincent A.V. Borja

Committee on Education, Libraries, and Public Broadcasting

I Mina'trentai Ocho Na Liheslaturan Guåhan



Office of Senator Borja <contact@senatorvinceborja.com>

Invitation to GDOE Joint Oversight Hearing on February 4, 2026

1 message

Office of Senator Borja <contact@senatorvinceborja.com>
To: jtwonpat@gdoe.net

Mon, Jan 26, 2026 at 10:45 AM

January 26, 2026

Dr. Judith Won Pat

Superintendent, Guam Department of Education
501 Mariner Ave. Barrigada, Guam 96913
VIA EMAIL: jtwonpat@gdoe.net

Subject: Invitation to GDOE Joint Oversight Hearing on February 4, 2026

Dear Dr. Won Pat,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in a joint oversight hearing on February 4, 2026, at 9:00 A.M regarding the agenda below:

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Committee on Education, Libraries, & Public Broadcasting

38th Guam Legislature

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CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

JOINT OVERSIGHT HEARING AGENDA
Wednesday, February 4, 2026
Guam Congress Building, Public Hearing Room

AGENDA FOR 9:00 A.M

Guam Department of Education

- Leadership transition and departmental stability
- Financial management and fiscal accountability
- Facilities maintenance and infrastructure needs
- Special education services and compliance
- ADA accessibility and compliance requirements
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Governance and Community Concerns

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How to Participate: Written testimony may be delivered to the Office of Senator Vincent A. V. Borja, DNA Building Suite 502, 238 Archbishop Flores Street, Hagåtña Guam 96910 or via email to contact@senatorvinceborja.com. The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing.

Please confirm your attendance by contacting the office of Senator Vincent A. V. Borja via email at contact@senatorvinceborja.com or via voice call at (671) 969-8423

Special Accommodations: All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). For assistance or special accommodations to fully participate in this public hearing please contact the office of Senator Vincent A.V. Borja at (671) 969-8423 or via email at contact@senatorvinceborja.com

Watch Live/Record: The hearing will be broadcast live on local television, (GTA, Channel 21, Docomo Channel 117), and streamed online via *I Liheslaturan Guåhan's* live feed on YouTube. After the hearing, a hearing recording will also be available online via Guam Legislature Media on YouTube.



Chairperson on Education, Public Broadcasting & Libraries
Vincent Anthony V. Borja
I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
 SUITE 502
 238 ARCHBISHOP FLORES ST.
 HAGATNA, GUAM 96910
 TEL 671-969-8423

JOINT OVERSIGHT HEARING SIGN-IN SHEET
 Wednesday, February 4, 2026 - 9:00 AM
 Public Hearing Room, Guam Congress Building
 Guam Department of Education (GDOE) & Guam Education Board (GEB)

NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. Franko Gaud	GDOE	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
2. Quetzil ^{Quetzil}	GEB	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	
3. DR. WONG PHT	GEB	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input checked="" type="checkbox"/> ORAL <input type="checkbox"/>	
4. Dr. Rina Limay	GDOE	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
5. Jackie Quintana	GDOE	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
6. Vincent Arenas	OPA	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
7. Benjamin Cruz	OPA	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
8. Julie Villanueva	GDOE	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
9. Franklin Leon	GDOE	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input type="checkbox"/>	
10. Paul A. Abo	Board GDOE	SUPPORT <input type="checkbox"/> OPPOSE <input type="checkbox"/>	WRITTEN <input type="checkbox"/> ORAL <input checked="" type="checkbox"/>	

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Guam Department of Education



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Legislative Oversight Testimony

Buenas yan Hafa Adai,

Honorable Vincent Borja, Senator Tina Rose Muna Barnes, Vice Speaker Anthony Ada, Senator Tello Taitague, Senator Therese Terlaje, Senator Sabina Perez, Senator Jesse Lujan, Senator Shawn Gumataotao, and Senator Chris Barnette.

I am Acting Superintendent Judith Won Pat, and I am joined today by the following members of the Guam Department of Education leadership team: Deputy Superintendent of Finance and Administrative Services, Mr. Franklin Leon Guerrero; Deputy Superintendent of Assessment and Accountability, Dr. Julie Ulloa-Heath; Deputy Superintendent of Educational Support and Community Learning, Ms. Jackie Quitugua; and Deputy Superintendent of Curriculum and Instruction, Dr. Rizalina Liwag.

My team and I started on January 5, 2026 and today makes our 30 days on the job. This report provides the Guam Legislature with an update on the Guam Department of Education's (GDOE) operational status, fiscal stewardship, infrastructure management, and instructional priorities. This report will highlight actions taken to stabilize operations, strengthen accountability, and improve services to students and schools.

The GDOE senior management team is focused on ensuring continuity of leadership and stabilizing departmental operations. The team conducted listening tours and visited 18 of 39 schools to date, with a formal schedule established to complete visits to all remaining schools. These visits informed decision-making by identifying school-level needs, operational challenges, and best practices.

Meetings were held with all divisions to assess current operations, clarify priorities, and identify areas for improvement. Procurement processes were reviewed and refined to improve

efficiency and timeliness. These actions contributed to improved coordination across divisions and reinforced operational stability.

Leadership initiatives emphasized collaboration, accountability, and shared responsibility through the guiding principle of *Inafa' Maolek*, promoting respectful partnerships and collective problem-solving across the department.

The Division of Finance and Administrative Services (DFAS) prioritized fiscal discipline, audit readiness, and transparent financial management.

Some of the actions taken by the Deputy Superintendent of Finance and Administrative Services Franklin Leon Guerrero conducted division-wide and all-hands meetings to communicate leadership expectations, performance standards, and timelines for financial responsibilities; implemented clear Accounts Payable procedures requiring payables to be processed within five workdays of receipt, or proactively communicated if delays occur; collaborated with the Office of the Public Auditor and Ernst & Young in preparation for the FY26 GDOE annual audit, including the completion of required financial reports (Trial Balance, SEFRAS, and SEFRED); and completed 22 of 28 Ernst & Young audit information requests ahead of schedule.

DFAS worked closely with the Superintendent and management team to develop and finalize the FY27 GDOE budget for submission to the Guam Education Board (GEB) and subsequent submission for the legislative review.

To maximize federal resources, DFAS conducted work sessions with federal grant managers to accelerate grant drawdowns prior to lapsing. Additionally, DFAS mandated the development of a reconciliation report comparing Tyler-Munis financial data with U.S. Department of Education G5 reporting to reduce discrepancies, minimize lapsed funds, and improve reporting accuracy.

Human Resources continued targeted recruitment efforts to address teacher vacancies and school aide shortages. These efforts remain ongoing to ensure adequate staffing levels that support instructional delivery and student services.

- Initiating potential recruitment of education majors at the University of Guam
- A job fair is being planned for the summer.
- Advertise in various mediums to the community to recruit professionals in the private sector.
- Work closely with the certification office to revisit their requirements for certification.

Deputy Superintendent Dr. Julie Ulloa-Heath strengthened facilities oversight through data-driven and automated systems designed to improve transparency and accountability.

Major accomplishments included:

- Developed and implemented a Facilities & Maintenance dashboard providing real-time data on work orders, operational trends, and security incidents.
- Automated the Facilities & Maintenance daily worksheet to track employee tasks and time allocation, effective January 14, 2026.
- Developed and implemented a comprehensive tracking system for managing elevator repairs by Facilities & Maintenance and elevator companies.
- Established a task-tracking system for the Assessment & Accountability division to improve coordination and deadline management.

ADA compliance walkthroughs were conducted across GDOE facilities during the week of January 26, 2026. Identified deficiencies were documented using a standardized compliance checklist, with corrective actions targeted for completion by the end of February 2026.

A stakeholder needs assessment was also initiated to support the 2026–2029 Consolidated Grant application, ensuring alignment between funding requests and documented school and program needs.

Deputy Superintendent Jackie Quitugua engaged division leads in structured discussions to clarify policies, procedures, and program expectations, with an emphasis on whole-child development and coordinated school-to-home support systems.

Board Policy 705 is under review and we are soliciting the stakeholders' engagement in the development of a plan of action for final approval by the Guam Education Board and the Superintendent.

School administrators were engaged through scheduled meetings to address key priorities, including:

- Protection of instructional time
- Instructional best practices
- School safety and wellness
- Vandalism and facility security

Feedback from the 18 schools visited provided valuable insight into shared challenges, successful strategies, and opportunities for system-wide improvement.

Deputy Superintendent, Dr. Rizalina Liwag visited approximately 50 classrooms to observe instructional practices and engage directly with teachers and administrators. These visits provided district-level support strategies and reinforced the priority of safeguarding instructional time by limiting teacher pullouts during instructional days.

Plans are in place to provide targeted training for school aides supporting students with Individualized Education Programs (IEPs). To address staff shortages, the Superintendent approved multiple "Requests to Fill" for special education positions.

Student performance data, including reading and math assessments, continue to be analyzed and used to guide instructional planning and targeted interventions.

The Management Audit report will be reviewed to identify areas aligned with the strategic plan for further review and action.

The Board is committed to fully support the management team.

This January 2026 reporting period reflects measurable progress toward stabilizing operations, strengthening fiscal accountability, improving facilities oversight, and reinforcing instructional priorities. The GDOE management team remains committed to transparency, responsible stewardship of public funds, and continuous improvement in service to Guam's students, families, and communities.

Senseremente,

Dr. Judith Won Pat
Acting Superintendent, GDOE



GUAM DEPARTMENT OF EDUCATION

**FISCAL YEAR 2024
FINANCIAL AUDIT**

**Office of Public Accountability
February 04, 2026**

Overview

- 1 Background
- 2 Results of Audit
- 3 GDOE Single Audit
- 4 Corrective Action Plan

Background



- The Guam Department of Education (GDOE) is a semi-autonomous agency within the Government of Guam (GovGuam).
- GDOE is a unified school district that serves 23,413 students. There are 26 elementary schools, 8 middle schools, 6 high schools, and 1 alternative school for a total of 41 schools.

Results of Fiscal Year 2024 Financial Audit

- Unmodified (clean) opinions from independent auditors, Ernst & Young LLP, on its FY 2024 financial statements and on compliance with the Consolidated Grant to the Outlying Areas, a major federal program
- Qualified opinion on all other major federal programs
- Untimely issuance of the financial audit
- GDOE management team experienced increased turnover and instability
- Revenues increased by \$97.3M, and expenditures increased by \$62.6M
- Local appropriations increased by \$20.2M
- \$12.1M in expired and lost federal grant funds
- Payroll expenditures increased, employee count and student enrollment decreased
- \$51M in Local Payroll Expenditure Transfer to ARP

Results of Fiscal Year 2024 Financial Audit, cont.

- FY 2024 GDOE requested a budget of \$294.6 million (M) and was appropriated \$266.8M through Public Law (PL) 37-42, \$27.8M less than requested.
- GDOE closed FY 2024 with an operational surplus of \$67.4M, driven by substantially higher revenues, actual general fund expenditures below budgeted and appropriated levels, and a \$51M transfer of locally funded payroll expenditure to the American Rescue Plan (ARP) for reimbursement.

Untimely Issuance of Financial Audit

- FY 2024 financial audit was issued on December 31, 2025 and was significantly delayed beyond the June 30, 2025 deadline.
- External auditors flagged the delayed audit completion, citing outstanding reconciliations that remain unresolved nearly one year after fiscal year-end, as well as insufficient qualified personnel in the Financial Affairs Division.
- To address this, the Guam Education Board (GEB) Audit Committee assigned the Internal Audit Office (IAO) to complete the audit. IAO provided limited, conditional support to maintain the integrity of financial statements, but formally documented that performing operational accounting functions violates audit independence standards. IAO stressed that such intervention should remain an extraordinary, nonrecurring measure and may warrant reassessing capacity within the Financial Affairs Division.

GDOE Management Team Experienced Turnover and Instability

- Since the former Superintendent's resignation in July 2022, GDOE has experienced significant turnover in executive leadership, with several interim appointments made until a permanent appointment was finalized in July 2023.
- In June 2025, the current Superintendent announced his resignation, effective December 31, 2025. The GEB promptly initiated an expedited recruitment process, with the incoming Superintendent expected to begin in January 2026.
- Leadership turnover has also extended to other key management positions, affecting GDOE's capacity for sustained leadership, disrupting decision-making, delaying implementation of strategic initiatives, and hindering organizational continuity.

Revenues Increased by \$97.3M, Expenditures Increased by \$62.6M

- Total revenue increased by \$97.3M, from \$377.8M in FY 2023 to \$475.1M in FY 2024, due to an increase in federal grant revenues of \$74.7M and a \$22.6M increase in local appropriations.
- The \$74.7M increase in federal grant revenues was largely due to the transfer of \$51M in local teacher payroll costs to the ARP for reimbursement. The \$22.6M increase in local appropriations included \$2.4M in disaster-related General Fund support; \$4.7M passed through to the Department of Administration (DOA) for school lease-back payments; and \$10M in supplemental funding for the CHamorro Language Program and other operational needs.

Revenues Increased by \$97.3M, Expenditures Increased by \$62.6M, cont.

- GDOE's total expenditure increased by \$62.6M, from \$378M in FY 2023 to \$440.6M in FY 2024, largely due to increases of \$26.4M in contractual and \$11M in salaries, benefits, and retiree healthcare benefits.
- Increases were partially offset by decreases of \$4.8M in equipment, \$1.9M in power, and \$1.8M in the First Generation Trust Fund. Despite overall increases in expenditures, GDOE incurred General Fund expenditures of \$225.8M, significantly below the budgeted amount of \$351.1M and appropriated amount of \$266.8M in FY 2024.
- Current liabilities increased by \$12.2M, primarily due to higher accounts payable, which grew from \$24.6M to \$31.1M in FY 2024, and increases in other liabilities and accruals, reflecting a greater volume of expenditures incurred but unpaid at fiscal year-end.

Local Appropriations Increased by \$20.2M

- In FY 2024, through Board Resolution 2023-04, GDOE requested a budget of \$294.6M to fund baseline operations, including current staffing levels, critical contracts, and utilities. P.L. 37-42 appropriated \$266.8M or \$27.8M less than requested.
- GDOE's local appropriations have continued an upward trend over the past three fiscal years, reflecting sustained government support for public education. Appropriations increased by \$34.4M from FY 2022 to FY 2023, by \$20.2M from FY 2023 to FY 2024, and by \$9.0M from FY 2024 to FY 2025. Although local funding continues to grow each year, the smaller annual increases show that appropriations are beginning to level off, underscoring the importance of strategic budgeting and continued fiscal discipline to sustain GDOE operations.

\$12.1M in Expired and Lost Federal Grant Funds

- In FYs 2024 and 2025, several of GDOE's major USEd grant awards expired with substantial unliquidated balances. As of December 2025, approximately \$12.1M in federal funds has expired and is at risk of loss.

Grant Title	Total Grant Award	Total Draws	Total Expired Balance	Last Date to Draw Funds
SPED Part B IDEA FY 21	\$ 16,960,327	\$ (16,713,998)	\$ 246,329	1/30/2024
Consolidated Grant FY 21	\$ 32,602,812.00	\$ (30,716,283)	\$ 1,886,529	8/5/2024
SPED Part B IDEA FY 22	\$ 17,234,421.00	\$ (15,036,412)	\$ 2,198,009	1/30/2025
SPED Part C Infant & Toddlers FY 22	\$ 1,544,042.00	\$ (1,446,420)	\$ 97,622	1/30/2025
SPED Part B IDEA FY 19	\$ 16,817,987.00	\$ (14,605,419)	\$ 2,212,568	8/1/2025
ARP- Individuals with Disabilities	\$ 3,385,571.00	\$ (2,283,347)	\$ 1,102,224	8/1/2025
ESF II FY 21	\$ 110,563,287.00	\$ (106,178,656)	\$ 4,384,631	12/4/2025
Total	\$199,108,447	\$ (186,980,535)	\$ 12,127,912	

Payroll Expenditures Increased, Employee Count and Student Enrollment Decreased

- Salaries and benefits, including retirement and healthcare benefits, are primary components of GDOE expenditures, accounting for \$276.1M or 67.7% of total (federal and local) expenditures in FY 2024. Personnel costs (salaries, benefits, and retiree healthcare benefits) increased by \$11M in FY 2024.
- As of September 2024, the overall number of GDOE employees decreased by 202 from 3,407 employees in FY 2023 to 3,205 in FY 2024. The number of locally funded employees decreased by 58, federally funded employees decreased by 142, and employees funded by both local and federal funds decreased by 2.
- As of September 30, 2024, total student enrollment was 23,413, a decrease of 909 students from the previous year's enrollment of 24,322.

\$51M in Local Payroll Expenditure Transfer to ARP

- Section 2001(e)(1) of the ARP Act mandates that local education agencies reserve 20% of their total ARP awards to address learning loss through various evidence-based programs.
- GDOE attempted to meet this requirement by soliciting professional consulting services, but the procurement failed, preventing them from obligating funds before the grant's expiration.
- In a last-minute effort to comply, on September 29, 2024, one day before the end of the performance period, GDOE sought to transfer \$51M from locally funded teacher payroll expenditures to ARP, but this request was denied due to its misalignment with the approved budget.

\$51M in Local Payroll Expenditure Transfer to ARP, cont.

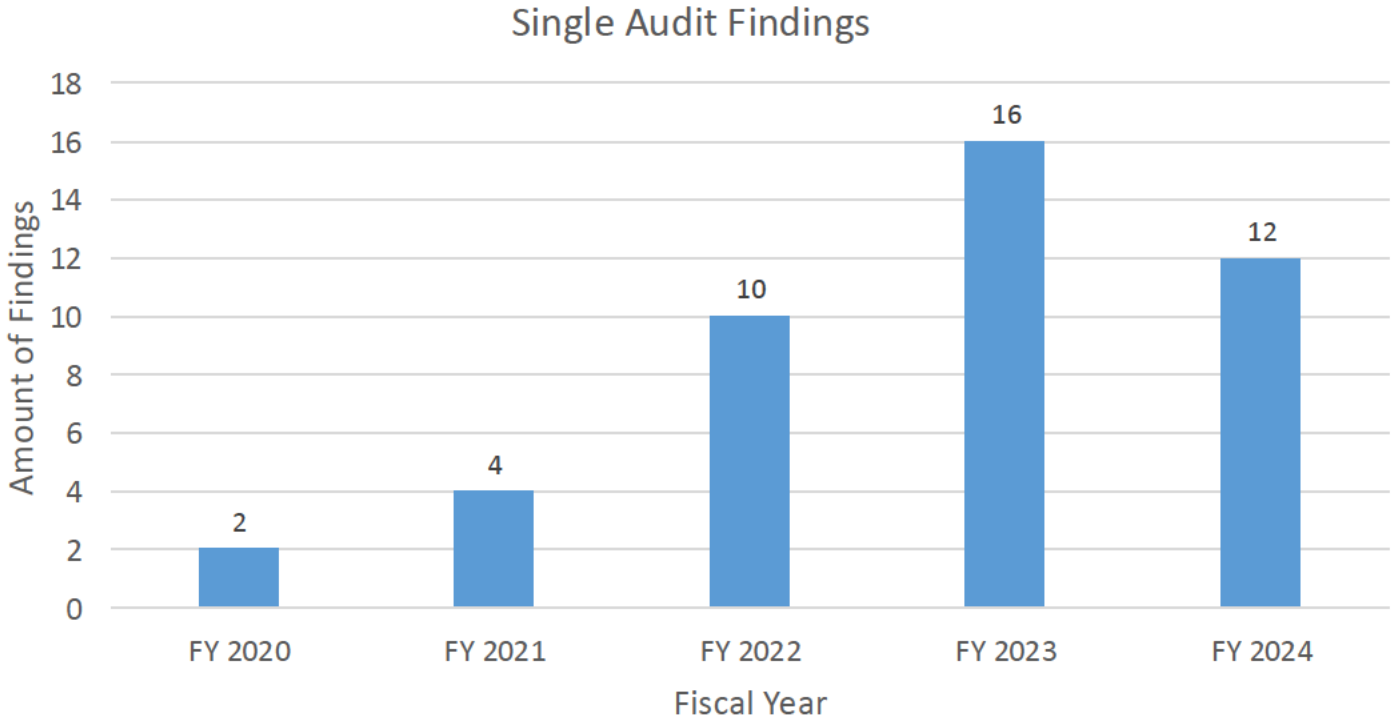
- After amending their request, on September 22, 2025, GDOE secured approval for a total of \$54M in extended liquidation, inclusive of the \$51M in payroll expenditures and \$3M in outstanding federal payroll receivables.
- Delayed approval resulted in the expenditure transfer occurring in FY 2026 rather than within the ARP period of performance (POP), indicating that ARP funds were not utilized as originally intended, but for last-minute pivots to secure grant funds.
- As a result of the transfer, GDOE's FY 2024 ending fund balance reflected a General Fund surplus of \$77M, representing unassigned and uncommitted local cash resources.

GDOE Fiscal Year 2024 Single Audit

- GDOE received an **unmodified opinion** on its compliance with the Consolidated Grant to the Outlying Areas, a major federal program, and a **qualified opinion** on all other major federal programs, specifically the Child Nutrition Cluster, Special Education Cluster, and Education Stabilization Fund (ESF), and has remained a high-risk grantee with the U.S. Department of Education (USED) for the past 22 years.
- Specifically, the auditors identified:
 - Three material weaknesses in GDOE's internal control over financial reporting and compliance;
 - Four material weaknesses and six significant deficiencies in GDOE's internal control over compliance on major federal programs, resulting in **\$1 million (M) in questioned costs**

GDOE Fiscal Year 2024 Single Audit, cont.

- Five findings in FY 2024 were repeat findings from FY 2023. Four findings in FY 2023 were repeat findings from FY 2022. One finding in FY 2022 and FY 2021 were repeat findings in FY 2021 and FY 2020 respectively



List of Repeat Audit Findings from FYs 2020-2024

Finding Number	Area	Fiscal Year that Finding was Repeat Finding	Questioned Cost	Status
2020-002	Unrecorded Expenditures	2021	\$ -	Corrective action ongoing GDOE transitioned off the TPFA System as of April 2023 and is only transacting on the GDOE system
2021-003	Loss Contingencies	2022	\$ 1,342,420	Pending Program Determination Letter from U.S. Department of Education
2022-004	Period of Performance	2023	\$ 1,835	Pending Program Determination Letter from U.S. Department of Education
2022-005	Procurement and Suspension and Debarment	2023	\$ -	Pending Program Determination Letter from U.S. Department of Education
2022-008	Procurement and Suspension and Debarment	2023	\$ -	Pending Program Determination Letter from U.S. Department of Education
2022-010	Matching, Level of Effort, Earmarking	2023	\$ -	Pending Program Determination Letter from U.S. Department of Education
2023-001	Federal Grants Fund Receivables, Revenues, Expenditures, and Accounts Payable	2024	\$ -	Unresolved
2023-002	Financial Statement Close Process	2024	\$ -	Unresolved
2023-004	Eligibility	2024	\$ -	Unresolved
2023-006	Reporting	2024	\$ -	Unresolved
2023-009	Period of Performance	2024	\$ 80,983	Unresolved
		Total	\$ 1,425,238	

Formal Recommendations to GDOE

Finding Number	Area	Recommendation
2024-001	Federal Grants Assistance Fund and SEFA Preparation	GDOE's Financial Affairs Division should consider training and assigning accountants that are qualified to manage and regularly monitor its federal grants assistance fund. This included ensuring that significant federal grants receivables are supported by a detailed listing of reimbursable expenditures and are collected within a reasonable period, considering estimated uncollectible amounts when necessary.
2024-002	Financial Statement Close Process	GDOE management should consider training existing Financial Affairs Division personnel to monitor and review the accuracy and completeness of recorded transactions at each closing period.
2024-003	Eligibility	GDOE should establish and implement internal controls over compliance with applicable eligibility requirements. Responsible personnel should prepare and publish required notifications and retain documentation of CEP approval.
2024-004	Reporting	Responsible personnel should establish and implement controls over compliance with applicable reporting requirements relative to submitting quarterly SF-425, accurate reporting of FNS-777 and reporting subawards in FSRS.

Formal Recommendations to GDOE, cont.

Finding Number	Area	Recommendation
2024-005	Equipment and Real Property Management	Responsible personnel should enforce monitoring controls over compliance with the applicable equipment and real property management requirements, specifically, ensuring safeguards for preventing property loss, damage, or theft.
2024-006	Period of Performance	Responsible personnel should enforce monitoring controls over compliance with applicable period of performance requirements. Prior to charging costs to a federal award or liquidating obligations incurred under a federal award, responsible personnel should verify that the period of performance, including the liquidation end date, has not expired.
2024-007	Procurement and Suspension and Debarment	GDOE should revisit its procurement policies and ensure all required provisions stated in the Compliance Supplement are covered.
2024-008	Cash Management	GDOE should establish internal control policies and procedures over compliance with applicable cash management requirements, specifically, disbursing funds to the vendors on the same day the funds are deposited.

Formal Recommendations to GDOE, cont.

Finding Number	Area	Recommendation
2024-009	Procurement and Suspension and Debarment	Responsible personnel should enforce monitoring over compliance with applicable procurement requirements. Also, GDOE should revisit its procurement policies and ensure all required provisions stated in the Compliance Supplement are covered.
2024-010	Equipment and Real Property Management	Responsible personnel should ensure that asset information are accurately captures in the property records.
2024-011	Matching, Level of Effort, Earmarking	Responsible personnel should verify that expenditures used in earmarking calculation meet the activities stated in the criteria.
2024-012	Special Tests and Provisions - Wage Rate Requirements	Responsible personnel should enforce monitoring controls over compliance with applicable special tests and provisions.

GDOE Corrective Plan

- GDOE submitted its Corrective Action Plan to address the material weaknesses and significant deficiencies identified in its internal control over financial reporting and compliance for major federal programs.
- **GDOE agreed with seven findings and disagreed with four findings.**
- **As of report date, GDOE is pending the response from one division for one finding (Finding 2024-006).**
- In its plan of action and plan to monitor for three findings, GDOE identified the Comptroller, a position that has been vacant since FY 2024, as one of the responsible officials to address several of the audit findings to ensure that they are not repeated. **However, the auditors identified a lack of qualified and trained personnel and management in the Financial Affairs Division as a key reason for certain findings identified in the audit.**

Si Yu'os Ma'åse'!

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COMMITTEE REPORT DIGEST

Committee on Education, Libraries and Public Broadcasting

Senator Vincent Anthony V. Borja, Chairman

I. OVERVIEW:

The Committee on Education, Libraries, and Public Broadcasting convened a Joint Oversight Hearing on **Wednesday, February 4, 2026, at 9:00 A.M.** in the Guam Congress Building's Public Hearing Room. The hearing focused on critical operational and governance issues within the Guam Department of Education (GDOE) and the Guam Education Board (GEB). Key discussions centered on departmental stability following recent leadership transitions, financial management, facility infrastructure needs, and ongoing teacher and staffing shortages. Additionally, the Committee reviewed the OPA FY 2024 financial and management audit findings to address necessary corrective actions and evaluate the GEB's role in maintaining transparency, accountability, and public trust.

PUBLIC NOTICE REQUIREMENTS

Public Hearing Notices were disseminated via electronic mail to all senators and main media broadcasting outlets on **January 27, 2026** (5-Day Notice), and again on **February 2, 2026** (48-Hour Notice). Notices were also made available via the Government of Guam Public Notices Portal, the Guam Legislature's website, the legislative calendar, and Kandit News Group.

SENATORS PRESENT

Senator Vincent A.V Borja

Senator Therese Terlaje

Senator Sabrina Salas Matanane

Senator Chris Duenas

Senator Shawn Gumataotao

Senator Chris Barnett

ORAL TESTIMONY

Dr. Judith Won Pat, Superintendent, Guam Department of Education

Franklin Leon Guerrero, Deputy Superintendent of Finance and Administrative Services, Guam Department of Education

Dr. Julie Yajoa Heath, Deputy Superintendent of Assessment and Accountability, Guam Department of Education

Jackie Quitugua, Deputy Superintendent of Educational Support and Community Learning, Guam Department of Education

Dr. Rizalina Liwag, Deputy Superintendent of Curriculum and Instruction, Guam
Department of Education

Franklin Cooper-Nurse, Chief Auditor of the Internal Audit Office, Guam Department
of Education

Dr. Judith Guthertz, Board Chair, Guam Education Board

Peter Alexxis Ada, Board Member, Guam Education Board

Benjamin "BJ" Cruz, Public Auditor, Office of Public Accountability

Vincent Duenas, Supervising Accountability Auditor, Office of Public Accountability

II. SUMMARY OF TESTIMONY & DISCUSSION:

The oversight hearing was called to order at **9:01 AM**

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Håfa Adai and Good Afternoon. Good morning. Thank you, everybody, for being with us today. Today's date is February 4th, 2026. This morning's joint oversight hearing held by the Committee on Education, Libraries, and Public Broadcasting is called to order. The time is now 9:01 AM. Before we begin, there are some housekeeping matters that I'll briefly discuss so we can get right to work.

The first notice of this public hearing was disseminated to all senators and media outlets on **January 27, 2026** with the second notice disseminated on **February 2, 2026**. These hearing notices are also made available on Canada News Group, the Guam Legislature's website, our legislative calendar, and the Government of Guam's public notice portal. Today's oversight hearing is being broadcast live on the Guam Legislature's YouTube channel and the transcript will be filed with the Committee on Rules and be made available to the public on the Guam Legislature's website.

Today, our committee will hear the following agenda regarding the Guam Department of Education (GDOE) and the Guam Education Board (GEB). The hearing will focus on:

GDOE's leadership transition and departmental stability, financial management and fiscal accountability, facilities maintenance and infrastructure needs, special education services and compliance, ADA accessibility and compliance requirements, and teacher and staffing shortages.

We'll also go into the audit oversight and accountability by the OPA and its 2024 audit findings, management audit observations, corrective actions, and responses to repeated findings, followed by the GEB governance and community concerns—specifically the role of the Guam Education Board in transparency, accountability, and public trust.

At this time, I would like to welcome my colleagues who are joining us this morning: Senator Sabrina Salas Matanane, Senator Shawn Gumataotao, Senator Chris Duenas, and Senator Chris Barnett. Before we begin, we'd like to remind everybody in attendance of the Liheslaturan Guåhan's general rules of conduct. Individuals testifying shall first be recognized by the chairperson before speaking and shall state their full name for the record. Questions and testimony shall be confined to the substance or nature of today's agenda. Personal inferences to the character or motive of any senator or individual testifying are not permitted. Pursuant to Section 11.07 of the 38th Guam Legislature standing rules, the chairperson may order the removal of any person who is not a member of the Liheslaturan Guåhan or who fails to observe proper decorum. Any violation of this general rule of conduct will result in immediate removal from this public hearing room.

Now, since we've gotten the housekeeping out of the way, Madam Superintendent and Madam Chair, please bring your management team or any representatives who will be testifying up to the table so that we can swear them in. Sergeant-at-Arms, please proceed with swearing these individuals in.

ED POCAIGUE JR., SERGEANT-AT-ARMS:

Please raise your right hand. Under penalty of perjury, do you affirm that any and all information you provide today, whether it be verbally, electronically, or in writing, will be the truth, the whole truth, and nothing but the truth?

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you. We'll also recognize Speaker Therese Terlaje, who is joining us as well. Before we begin with the presentation from GDOE and the OPA, I'll go ahead and do my opening.

START OF OVERSIGHT HEARING (4:34)

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Good morning, everybody, and welcome to the people's house. I want to briefly frame why this joint oversight hearing is being held and why this moment matters. We called this joint oversight hearing not to assign blame, but to confront long-standing challenges facing the Guam Department of Education and to ensure accountability, transparency, and stability moving forward. GDOE is one of the largest and most critical agencies in our government. It touches nearly every family on this island. When there's instability—whether in leadership, governance, communication, or fiscal management—the effects are felt immediately by our students, teachers, parents, and school communities.

First, the department has recently gone through a significant leadership transition. Leadership transitions can bring new perspectives and opportunities, but they also create uncertainty. The public deserves clarity on how that transition was managed, what steps were taken to preserve institutional knowledge, how continuity of operations was maintained, and how critical functions from procurement to staffing to federal program compliance were protected during that period. We also need to understand how the leadership team is moving from assessment to action. Many of the challenges are not new; they've been identified in prior audits and reports for years. This moment requires not just an evaluation, but a clear vision, a concrete plan, and measurable next steps.

Second, some of the concerns that we continue to hear, even prior to this administration, involve internal communication and organizational cohesion. Staff have shared that they're unclear about the department's direction, that communication channels feel limited, and that there's a lack of alignment across divisions. A system as large and complex as GDOE cannot function effectively without clear expectations, regular coordination, and a shared understanding of priorities. Stability is not only structural; it's cultural. To emphasize something important: the people who have carried this department through its most difficult years are its greatest assets. With all due respect, Superintendent and Board Members, you may serve for a season, but our teachers, school staff, and many of our department leaders have dedicated decades to this education system. They've remained through leadership changes, fiscal crises, and systemic challenges—often despite government shortcomings, not because of government support. For GDOE to move forward, those voices must feel heard, valued, and informed. Communication cannot simply flow downward; it must be a two-way process that builds trust, honors institutional knowledge, and makes the people doing the daily work part of the solution.

Third, the condition of our school facilities is not new. Our infrastructure remains a serious concern across the island. We continue to see damaged campuses, deferred maintenance, and basic infrastructure issues—from leaking roofs to lighting, road access, and safety systems—not being addressed in a timely manner. These are not cosmetic issues; they directly affect safety, learning conditions, and public confidence in our education system.

Lastly, the Office of Public Accountability's FY2024 audit, along with the management audit, continues to raise recurring concerns related to fiscal controls, procurement delays, internal oversight, and governance practices. Many of these issues have been identified year after year. The public deserves to know not only what went wrong, but what is going to be done differently now to prevent those same findings from appearing again. We must address the importance of clear governance boundaries. Effective education systems depend on a healthy balance where the board provides policy direction and oversight, and the superintendent manages day-to-day operations. When those lines are blurred, it creates confusion, delays, and instability. Clarifying

those roles and strengthening accountability on both sides is essential to restoring trust and progress. Today, we're not here to assign blame or to choose sides. It's about clarity, accountability, continuity, and restoring stability in the best interests of our students.

With that, we'll begin with the first item on the agenda, which is the leadership transition and departmental stability. Superintendent, if you'd like to start, or I know you asked earlier if the board was going to do their opening first.

DR. JUDITH WON PAT:

Thank you very much, Senator. If I may, since I have several of our board members here, if we can move down to the bottom of your agenda to have our new Chairperson of the Board, Dr. Guthertz, address the body, followed by Mr. Ada. Hopefully, our Vice Chair, Dr. Okada, will join us as well, and then we'll proceed with the other portions of the agenda.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

That's fine. Colleagues, after the board presents, you can ask your questions, and then we'll get into GDOE and the audit. Go ahead, Dr. Guthertz.

DR. JUDITH GUTHERTZ:

Thank you, Senator. Good morning, members of this Legislature. It's a great honor to be here before you today. I sort of miss the environment, and it's always a good experience to see my former colleagues and those I did not serve with doing so well for the people of Guam. Thank you very much for your service.

About a week ago, my colleagues on the board elected me as the new Chair for the Guam Education Board. I must say I was hesitant to accept the nomination because I know it requires a lot of work and commitment, and I certainly do not ever want to shortchange the role of the board, especially in this important leadership position. But ultimately, I accepted. I've been thinking about it since then, and I think you'll see a different approach in terms of how I will work with my colleagues and the Department of Education on behalf of the children and the people of Guam.

Let me first start by saying that our department is far from perfect. I've been on the board since January of 2025. This starts my second year. I've been on the board in the past, notably under the leadership of Gloria Nelson and Jon Fernandez, who were tremendous leaders in that department. At that time, we did not see many of the issues that we see today in our school system.

If I were to go back in time and identify when things at the Department of Education started to deteriorate, I have to identify when we lost the Department of Defense students in our school system. They were a very important part of our student body. Losing them so quickly and so dramatically, despite our best efforts to accommodate their concerns, had a significant impact on our school system. It changed the diversity of our student population. It also resulted in the Department of Education losing a federal contribution of about \$60 million a year, which is what they paid for their children to go to our public schools. That's when I believe our infrastructure started to deteriorate. We no longer had those external funds to help us maintain the schools properly. Over a period of years, based on circumstances beyond our control, the budgeted monies to keep up the infrastructure were inadequate. But that's history.

Now, we're in a different time. I'm very happy to report that over the last month, we have seen a different approach at the Department of Education with respect to our new Superintendent and her management team. They have gone into the school system to look at everything and to identify up close the problems in the school system and how to resolve them. I know they stay at DOE long after working hours. The management teams meet to discuss their findings and start to evaluate solutions. This is not going to change things overnight. But just the attitude and the commitment that we are seeing from these management leaders, including our Superintendent, tells me that things are changing already. It's a psychological change for employees in the department. I've been head of different agencies of the government, and I know change is hard. But at the Department of Education and throughout our government, the secret to success today is being flexible and being willing to accept change—change for the better. That's my motto as Chair of the Board.

I want to let you know I do not micromanage, and I have not seen board members micromanage despite what you may have heard. But I will insist that our board recognize its role at all times. We're not a governance board the way the CCU (Consolidated Commission on Utilities) is. I interpret the law that currently exists as more of an advisory role. That comes with shortcomings, I must tell you, because there are a lot of times we want to just go in there and say, "You have to do this to fix this." But we can only advise. Fortunately, we have a Superintendent who understands and accepts advice. When she feels the advice may not be the way she would like to handle an issue, she talks to us and gives us alternatives. That's important because we really didn't get that in the past—at least the last year I was there.

We have to work aggressively to make positive change at the Department of Education that will benefit the students in the classroom and support the people of Guam and their goals for public education. We may not always agree with each other, but in the end, we will accept the advice that we get from our Superintendent and our management team if it's founded on data and facts.

This is very important. Making decisions in a large organization like GDOE must be data-driven and fact-driven, with also a little emotion to respect certain values that we have on our island.

Yes, you will get complaints. DOE, in my opinion, got lazy. Not in the classroom, but used to expecting and allowing missing deadlines, and failing to feel the urgency of completing a process that is required for the department—whether it's paying vendors on time or addressing complaints from parents or concerns by stakeholders. We've got to be on top of that, and that's one of the changes that I'm seeing visibly.

I want to assure the GDOE employees that this board is here to support them and their work. But they must do their work, and they must meet a standard of performance that the public expects. One area of great interest to me includes travel. Too much travel has gone on at the Department of Education for too long. You will not find me traveling. I don't need to go anywhere to be the Chair of the Department of Education. And if there's a meeting I should attend, I may ask someone else to go. I respect public funds, and I will be accountable as Chair, and my colleagues will work very hard for this department.

So my message to you, Senators, is: It's a new day. Things will change. We need our employees at DOE to be flexible, accept change, and learn new things. They will benefit by learning new ways of doing things. It will strengthen their skills, their resumes, and their ability to progress in the organization. I suggest that everyone be committed more than ever to this department and work closely with our leader, Dr. Won Pat, and the management team. They're not there to hurt anybody. They're there to improve our school system.

I do have one recommendation. We have a law that says students are entitled to an "adequate" education. Senator Borja, I hate that word adequate. Please change it to "excellent," so that we are not satisfied with average. That in itself will create an attitude change in the organization and how the public perceives what we must do. Everything we do should be with excellence. Excellence in the classroom, excellence in all the administrative functions of the department, excellence for the people of Guam. Thank you very much.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Madam Chair. You know, before I open up the panel for questions from my colleagues, I want to say that I attended most of the board meetings up until Dr. Won Pat became the Superintendent, and it was a battlefield to be there sometimes. It was uncomfortable for a lot of people. Whatever the reasons were then, we won't get into, but my question to you as the new Chair—because I feel like there was no decorum in the way things were handled—is how can you reassure employees and parents?

When I raise concerns to the Superintendent or the Board, it's not because one person came to my ear. It's a bunch of complaints. My wife is a school counselor, and her entire family is part of the school system. Before I ever raise anything, there's a lot of discussion as to whether it is a valid complaint that we need to make public. In regards to the Board's structure, what would be the process for employees and parents to address their concerns regarding what many claim to be the Board's interference with GDOE operations?

DR. JUDITH GUTHERTZ:

My approach, and I think the board members know this, is a little different from other chairpersons. I work through the Superintendent. As soon as I receive a complaint—and anyone is welcome to contact me or email me—I will sit down with the Superintendent and request that she look into the matter and give me a response, and give the complainant a response as quickly as possible.

That's our responsibility. But we must work through the Superintendent, because that's where the issue of micromanaging comes in. I don't go to the schools unless it's a social function or an award ceremony. I don't interfere at the school level or in any office of the Guam Department of Education. I work through the Superintendent, and that would be my advice to my colleagues. Our Superintendent must deal with these issues but respond to us and ensure that whatever concern is registered is addressed.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

My next question relates to the OPA audit and the management audit. I know you just became the Chair, but what are your initial plans to address a lot of the recurring concerns that have come up in multiple audits?

DR. JUDITH GUTHERTZ:

Mr. Chairman, I know our Superintendent will be discussing how the department is dealing with the audit. For me personally, I accept criticism. I want criticism to know where the issues are and to be able to resolve them. The management audit that was conducted had a lot of infirmities, even in just the nomenclature they used to identify individuals or board members. Some of the issues they raised are good issues, and some of them were not validated.

I understand there was a committee meeting yesterday to look at the audit again and to develop a coordinated response. But one of the issues that concerns me is that this audit was supposedly leaked before the board ever saw it. We never saw it before it was leaked. That's not right. Generally, a draft audit is given to you with an opportunity to respond and make corrections, and that didn't happen. I think that contributed to the dissatisfaction of the board. But I'm not dissatisfied if the findings and recommendations are valid and useful. I will advise our

Superintendent to consider all of those with her team. We only ask that we get involved in the process and see it when we're supposed to see it, not read headlines in a newspaper article and have to respond to inaccuracies. Any audit I read, I share with the board and ask for their input to come up with a coordinated response. Let's consider the valid recommendations, clarify those that may not be accurate, and clean up the errors regarding individuals' names.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

This is the second management audit that has come out, along with the OPA audit. What are the initial plans to address these issues?

DR. JUDITH GUTHERTZ:

I think the biggest plan was the selection of our new Superintendent. That was part of our response to the audit. We had wonderful candidates, and we made a decision based on what the department needs at this time: aggressive action, full commitment, and an understanding of the public's concerns and audit findings. We gave her the freedom to select a management team that she feels will help us respond to these issues. We have a highly pedigreed, experienced leader at the helm, and I believe we are moving forward. I acknowledge the problems from the past, but we're moving forward together. We're not the enemy of the employees; we want to support them. We're not the enemy of the Legislature; we want to work with you in an open and transparent way.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Madam Chair. We'll go to the panel for questions. Senator Salas Matanane?

SENATOR SABRINA SALAS MATANANE:

I will hold my questions until after I hear from the Superintendent.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Senator Duenas?

SENATOR CHRIS DUENAS:

Si Yu'os Ma'ãse'. Congratulations on your election, Board Chair Guthertz. I am in the "fresh start" mode. We have a new management team, a new Superintendent, and new Deputy Superintendents. I was very encouraged by Mr. Franklin Leon Guerrero's first move to question costs associated with John F. Kennedy High School, knowing that we're leasing that school. That first move toward fiscal accountability was excellent.

Senator Guthertz, you and I served together in the Legislature when our current Superintendent was the Speaker. We all know the challenges associated with budgeting. One of the first things

this Legislature dealt with was fiscal concerns on the federal level. We had to decide whether to appropriate an additional \$30 million. But through collaboration with BBMR and the Office of Finance and Budget (OFB), we found out internally that GDOE already had the funds available for reimbursements. There were misrepresentations along the line that were very concerning.

I believe later in this presentation we're going to see a significant amount of lapsed funds, all while this Legislature faces constant criticism that we're not funding GDOE at adequate levels. I hope the Board really hones in on sound fiscal policy, what the actual needs are, how the money is being spent, and moving forward with true accountability.

Regarding changing the word "adequate" to "excellence"—I don't mind changing it, but the late, great Senator Robert Klitzkie specifically used the word "adequate" to highlight the basic deficiencies GDOE was failing to deliver. "Adequate" meant having a proper temperature in a classroom, not breathing mold, and having books. Excellence will come from our great teachers, faculty, and staff working in concert with parents. We must make sure we are adequate so we can become excellent. Thank you.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Senator Duenas. Senator Gumataotao?

SENATOR SHAWN GUMATAOTAO:

Thank you, Mr. Chair. Thank you, former Senator Dr. Guthertz. One thing that jumped out at me was when you said there must be a "standard of performance that the public expects from the employees of the Guam Department of Education." Thank you for saying that. It's incumbent upon you as an advisory board to hold them to task. When we come down here to talk budget and policy, we don't need spin or grandiose claims. We need cold, hard facts. In 2026, the people of Guam expect both the Board and the Legislature to be very direct. No more sugarcoating. I look forward to working with you. Thank you.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Senator Barnett?

SENATOR CHRIS BARNETT:

Si Yu'os Ma'åse', Mr. Chairman, and to the people of Guam watching on our YouTube stream and GTA channels. Congratulations, Madam Chair, on your election, and congratulations, Madam Superintendent.

I want to start with the management audit. As you well know, it was my public law that reinstated the management audit after a period of 15 years. You talked about some errors in the

audit, but from talking to different board members, would you call them "typos" for lack of a better term?

DR. JUDITH GUTHERTZ:

Well, they just did not confirm some of the information they included. There were incorrect titles for individuals in the department and alleged facts that were not factual. We would have corrected those had we been given a draft, which is normally the process. But I don't resent the audit. I'm not angry about it. We just have to address the information that is helpful to us, and we will do that.

SENATOR CHRIS BARNETT:

Discussing the audit with stakeholders, and regarding your mention that the audit was "leaked," would you respond to constituents who believe the Board is somehow trying to suppress the release of the audit because of the significant findings?

DR. JUDITH GUTHERTZ:

No, I'm not afraid of information personally. The whole world can read it if they want to. But give us a chance to address some of the concerns. Please be informed that there are inaccuracies there, and that will be pointed out.

SENATOR CHRIS BARNETT:

It's not so much the typos that concern me; it's the very substantive findings in the audit, including high-priority recommendations that identify low trust and fractured relationships between the Guam Education Board and GDOE leadership and staff.

DR. JUDITH GUTHERTZ:

That's not true. Absolutely untrue. I see DOE employees every time we have a meeting, and our relationships are always very cordial. There may be personalities that clash, but I don't think we have a fractured relationship. I think that's based on interviews that were conducted without documentation.

SENATOR CHRIS BARNETT:

Madam Chair, the Chair here previously held a hearing where we heard from employees themselves who confirmed the low trust and fractured relationships. Let me read directly from the audit findings regarding micromanagement and operational overreach. It lists: direct interference with staff (board members contacting division heads, payroll, and HR directly); retaliatory behavior (board members criticizing staff who spoke out publicly); operational decision-making (issues that should be handled by the superintendent being escalated to the board); members lacking training and knowledge of the law; undermining accountability (the

board described as a self-policing entity resulting in zero consequences for ethics complaints); and allegations that board members tried to keep the audit from the public to amend critical sections regarding their own behavior.

These are very serious findings. The employees have been talking about this for years. What are you going to do about these findings? And Board Member Ada, are you aware of instances of this type of interference?

DR. JUDITH GUTHERTZ:

First, Senator, I have never seen that happen. I've been there a year. You may have board members who feel strongly about issues and speak to people, but my approach is to go through the Superintendent. The problem with those observations from the audit is that they're not documented. They don't identify who said it. It's like Facebook when people don't use their names.

SENATOR CHRIS BARNETT:

Madam Chair, this isn't like Facebook. This is a management audit conducted on the department. The auditors interviewed employees who believe this is an issue. Even if you haven't seen it, what do you intend to do about it?

DR. JUDITH GUTHERTZ:

Just because it's in writing doesn't make it true. If you feel strongly, talk to the board. My personal position is to look at it, take the helpful recommendations, and clarify what is inaccurate.

SENATOR CHRIS BARNETT:

I hope you approach it with less skepticism. These are very valid points that employees have brought up to all of us.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

If we can allow Mr. Ada to respond to Senator Barnett's question.

PETER ALEXIS ADA:

I'll be brief. After reading 108 pages of that audit, I was disgusted. It seems to blame everybody—supervisors, former deputies, the superintendent, the board. Where is the part where we work together? Do we know how many people were interviewed? Senator, do you know how much was paid for that audit?

SENATOR CHRIS BARNETT:

It was over \$400,000.

PETER ALEXIS ADA:

\$400,000 for an audit that, in my opinion, was very biased.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

How many employees do you think were interviewed? 20? 30? If multiple auditors spoke to dozens of people and found a common theme, would it be safe to say there are valid concerns in the audit?

PETER ALEXIS ADA:

There are some, but a lot of it wasn't...

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

I think it's clear the audit was very critical of the board, and it seems the board doesn't want to address the main points.

DR. JUDITH GUTHERTZ:

Senator, we didn't say we're not going to consider the audit. We're looking at the things we can address. But we had no opportunity to respond before it was released. When you get off-island people to come to Guam for a few days, leave, and write a report without talking to all stakeholders, inaccuracies occur. We should use local resources with an institutional understanding of our agencies.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Speaker Terlaje.

SENATOR THERESE TERLAJE:

Thank you, Mr. Chair. Madam Chair, new Superintendent, and Board Members. This is a strange situation. The agenda says we are going to talk about the Board's role, transparency, accountability, and public trust, but I hear a denial that there are any problems to fix. The audit was conducted by Pacific Policy Research Center, procured by GDOE. We hire off-island companies all the time for objective views uninfluenced by local politics.

GDOE legal counsel stated that the Board has issues with accountability, acting *ultra vires* (against the law), and failing to be transparent. The Board unanimously voted to table the management audit because of "errors of fact." Promising not to talk to DOE employees won't solve this.

What is your recommendation? Is a policy board still helpful to GDOE, or is it an impediment? The financial audit found that despite extensions, GDOE failed to utilize \$12 million in federal grants, losing opportunities for special education and supplies. What is the Board's role in ensuring GDOE doesn't lose federal funds?

DR. JUDITH GUTHERTZ:

Under the current governance structure, we can only recommend. I attend our budget committee meetings and see board members working with division chiefs, strongly recommending that we not allow federal deadlines to elapse. But we can't force anyone to do anything. In my objective opinion, having served on appointed and elected boards, there are many barriers with the current elected model. I would not object to going back to an appointed board.

SENATOR THERESE TERLAJE:

How does an appointed board help?

DR. JUDITH GUTHERTZ:

Because the resources of the government could assist the department better with the support of the Governor.

SENATOR THERESE TERLAJE:

I disagree with passing the buck back to the administration. Are you able to hire and fire the Superintendent?

DR. JUDITH GUTHERTZ:

Yes.

SENATOR THERESE TERLAJE:

Will the Board commit to going through this audit and addressing the findings regarding the Board, instead of just calling it "trash"?

DR. JUDITH GUTHERTZ:

I did not call it trash. The department is actually looking at the audit. They had a committee meeting yesterday to determine how to respond. Yes, we agree there should be management audits.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you. Mr. Ada, did you want to say something before we move to the Department?

PETER ALEXIS ADA: Good morning Mr. Chairman, Senator Borja, Speaker Terlaje, Senator Sabrina Salas Matanane, Senator Duenas, and Senator Barnett. I will make three quick points. Number one: I am in favor of staggered terms for the Board, but a four-year term is too long. Number two: Regarding Special Education training. Rather than sending five to seven people to the U.S. mainland for training, let's invite the specialists to come to Guam. We can pay their airfare and hotel in accordance with federal regulations. That way, everybody benefits, and we can even invite people from surrounding islands.

Number three: A recent law allows GDOE retirees to retain lifetime certification. Last school year, there were over 200 vacancies. When retired teachers consider returning, offering them Step 1 or Step 4 pay is a slap in the face. I propose paying returning retirees at Step 5, which is \$48,000, provided they are in the classroom teaching. Currently, teachers covering classes during their prep periods are paid \$35 an hour extra. If we bring retirees back at a fair rate, we won't have to rely on school aides to teach whole classes. Thank you very much.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Mr. Ada. Dr. Won Pat, if you want to go ahead and do your presentation.

DR. JUDITH WON PAT (ACTING SUPERINTENDENT): Buenas yan Håfa Adai, Senator Borja, Senator Matanane, Senator Duenas, Speaker Terlaje, and Senator Barnett. I am the Acting Superintendent only because the Attorney General hasn't signed my contract yet.

I am joined today by my leadership team:

- Deputy Superintendent of Finance and Administrative Services (FAS), Mr. Franklin Leon Guerrero.
- Deputy Superintendent of Assessment and Accountability, Dr. Julie Ulloa-Heath.
- Deputy Superintendent of Educational Support and Community Learning, Ms. Jackie Quitugua.
- Deputy Superintendent of Curriculum and Instruction, Dr. Rizalina Liwag.

My team and I started on January 5th, making today our 30th day on the job. This report highlights actions taken to stabilize operations, strengthen accountability, and improve services. We have conducted listening tours at 18 of 39 schools so far. We are emphasizing collaboration and shared responsibility through the guiding principle of Inafa' Maolek.

In Finance and Administrative Services, Franklin Leon Guerrero has implemented clear accounts payable procedures, requiring invoices to be processed within five working days. We collaborated with the OPA and Ernst & Young for the FY 2026 audit, successfully completing

reports like the trial balance and SEFA ahead of schedule. DFAS is working to maximize federal resources and accelerate grant drawdowns to minimize lapsed funds.

In Human Resources, we are focusing on targeted recruitment for teacher and school aide vacancies, including recruiting UOG education majors before they graduate and reaching out to private sector professionals.

Dr. Julie Ulloa-Heath has created a facilities and maintenance dashboard providing real-time data on work orders. She automated daily worksheets to track employee tasks and implemented tracking for elevator repairs and ADA compliance walk-throughs.

Ms. Jackie Quitugua is engaging division leads to clarify policies and coordinate school-to-home support systems. Board Policy 705 is currently under review with stakeholder engagement.

Dr. Rizalina Liwag has visited 50 classrooms to observe instructional practices. We are prioritizing the protection of instructional time by limiting teacher pullouts during the day. Student performance data, including reading and math assessments, continue to be analyzed to guide interventions.

We will review the management audit to identify areas aligned with our strategic plan. We are committed to transparency and responsible stewardship of public funds. Thank you, and my team is ready for your questions.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Dr. Won Pat. Senator Salas Matanane?

SENATOR SABRINA SALAS MATANANE:

Thank you. You've conducted tours of 18 schools, seen the independent audit, and the OPA audit. People are tired of hearing the same old excuses. What are you going to do differently so that we aren't back here in a month hearing the same things?

DR. JUDITH WON PAT:

I manage by looking at the data. I know where we are at and where we need to go. Regarding the management audit, there are good points there, and we will align them with our strategic plan. I truly believe in accountability for every staff member's work.

FRANKLIN LEON GUERRERO (DEPUTY SUPERINTENDENT OF FAS):

Senator, in the past 30 days, we've tightened up procurement and accounts payable. Comparing the end of December to the end of January, we reduced local payables over 30 days old by 89%.

We reduced federal payables by 69%. I told my team: when we get a validated invoice, you have 3 to 5 days to pay it. The "since ever since" mentality is not working for this management team. We are holding people accountable, and disciplinary action has been taken where documentation was deliberately held up.

DR. RIZALINA LIWAG (DEPUTY SUPERINTENDENT OF CURRICULUM & INSTRUCTION):

We are closely monitoring reading and math proficiency data using our AIMSweb assessments. For example, kindergarten reading proficiency went from 38% in the fall to 50% in the winter. We are setting an ideal proficiency goal of 80% to ensure students are college and career-ready. We are also building a school accountability report card and an early warning system for attendance and discipline.

MS. JACKIE QUITUGUA (DEPUTY SUPERINTENDENT OF EDUCATIONAL SUPPORT):

We are focusing on student behavior, attendance, and what matters most for student success. We are coming together as a district team to find solutions and improve our systems efficiently.

FRANK COOPER-NURSE (GDOE CHIEF AUDITOR):

From an audit perspective, first and foremost is the stabilization of management. We need to avoid repeat audit findings by understanding root causes and having a corrective action plan. We also need to improve staffing capacity in critical areas like financial management and grant accounting to improve reporting accuracy and procurement speed.

SENATOR SABRINA SALAS MATANANE:

Has GDOE received any notices regarding lapsed funds that will revert back?

FRANK COOPER-NURSE:

GDOE is a semi-autonomous agency. By statute, our lapsed funds stay within GDOE and carry over into the following year; they do not revert to the General Fund.

SENATOR CHRIS DUENAS:

Thank you. Franklin, I'm happy to hear you're on top of the trial balances and audits. Can you speak to that?

FRANKLIN LEON GUERRERO:

The Public Auditor got my attention my first week, telling me we were two months late on the trial balance. We have since submitted the trial balances and the SEFAs ahead of his new expectations. That will be the norm now.

PUBLIC AUDITOR BJ CRUZ:

I had a status meeting with GDOE on Monday. Ernst & Young had set a March 3rd deadline for the trial balance. I was shocked and very happy to learn Mr. Leon Guerrero had already submitted it a month ahead of schedule.

SENATOR CHRIS DUENAS: Dr. Yow-Heath, regarding facilities and maintenance, it sounds like you are tracking everything now.

DR. JULIE ULLOA-HEATH:

Yes, I automated the staff's daily tasks. They time in electronically, and I review work orders via a dashboard. We are also tracking elevator inspections and vendor repairs closely to hold contractors accountable.

SENATOR CHRIS BARNETT:

Mr. Leon Guerrero, I disagree with your characterization that the facilities and maintenance division is "lackadaisical." In three years, they've helped get every school a valid sanitary permit. I have to defend the personnel out there working hard.

Superintendent Won Pat, what is the status of the F.B. Leon Guerrero middle school double session?

DR. JUDITH WON PAT:

The contractor originally said February. However, we recently found that the scope of work did not include the fire alarm system, Wi-Fi, or replacing the stolen copper wire. Furthermore, the gym may need to be totally renovated or torn down, which could cost over \$2 million. We are doing an RFP for a structural engineer. Because of these deficiencies, opening the school is delayed. We are working closely with FEMA on building 20 temporary classrooms at the Guam Housing Corporation property across the street to help end the double session.

SENATOR CHRIS BARNETT:

Regarding teacher certification, you mentioned revisiting requirements. Can you expand?

DR. JUDITH WON PAT:

The Certification Office removed emergency certifications for individuals who have a degree but lack educational foundation courses. We have professionals, like retired engineers or professors, who want to teach math or science, but the current certification hurdles prevent us from hiring them. I want to convene a Tri-Board meeting to look at alternative certification routes so we can get these professionals into classrooms.

SENATOR THERESE TERLAJE:

Thank you all. Dr. Yow-Heath, are you the priority decider for maintenance projects now?

DR. JULIE ULLOA-HEATH:

Yes, based on the work orders submitted.

SENATOR THERESE TERLAJE:

Superintendent, the audit mentioned unclear boundaries between the Board and the Superintendent. Do you intend to make changes there?

DR. JUDITH WON PAT:

I haven't given that specific thought yet, but I keep my board members informed transparently. I feel comfortable telling them directly if they are nearing micromanagement. I also strongly support training for all board members.

SENATOR THERESE TERLAJE:

Thank you.

SENATOR SHAWN GUMATAOTAO:

I don't have any questions for the Superintendent, but congratulations. My only concern is that the Board members did not stay to field questions from this panel. They knew this oversight hearing would be several hours long.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Vice Speaker. We will now have the OPA present their slides.

VINCE DUENAS (OPA SUPERVISING ACCOUNTABILITY AUDITOR):

Thank you, Senator Borja. For FY 2024, GDOE received an unmodified (clean) opinion on its financial statements and on the Consolidated Grant. However, they received a qualified opinion on all other major federal programs, including Child Nutrition, Special Education, and the Education Stabilization Fund (ESF). GDOE has remained a high-risk grantee with the U.S. Department of Education for 22 years.

GDOE closed FY 2024 with an operational surplus of \$67.4 million. This was driven by higher federal grant revenues and the transfer of \$51 million in local teacher payroll costs to the American Rescue Plan (ARP) for reimbursement.

A major issue was the untimely issuance of the audit. GDOE was unable to close its FY 2024 records on time due to a lack of qualified personnel in the Financial Affairs division. The Board

had to assign the Chief Internal Auditor, Frank Cooper-Nurse, to complete the final adjustments, which violates independent audit standards. We hope this extraordinary intervention does not recur.

We also highlighted \$12.1 million in federal grant funds that expired and are at risk of loss. Despite receiving liquidation extensions, GDOE was unable to properly utilize these funds, resulting in lost opportunities for special education and supplies.

Regarding the \$51 million payroll transfer, GDOE originally tried to use ARP funds for professional consulting services to address learning loss, but the procurement failed. In a last-minute pivot, they requested to transfer \$51 million in local payroll expenditures to the ARP grant. Because approval was delayed, the transfer occurred in FY 2026. This resulted in a \$77 million local surplus, indicating that ARP funds were not used as originally intended, but rather as a last-minute effort to avoid losing grant money.

The auditors identified three material weaknesses and several repeat findings going back up to five years. Questioned costs totaled \$1 million, primarily from matching level of effort and earmarking for ESF grants.

PUBLIC AUDITOR BJ CRUZ:

It is imperative that you read the compliance reports attached to the audit. The federal government has taken notice of Guam's late audits. The Department of the Interior has called bi-weekly status meetings that I must attend to explain these delays.

I must stress again that the Legislature needs to pass legislation to provide pay parity for accountants and auditors in GDOE, DOA, and Public Health, matching the salaries paid at autonomous agencies. Right now, they are being pirated away by autonomous agencies paying \$15,000 to \$20,000 more. Unless we establish parity, agencies dealing with hundreds of millions of dollars will continually lose their financial staff, putting federal funds at massive risk.

SENATOR CHRIS BARNETT:

Thank you, Auditor Cruz and Mr. Duenas. Regarding the \$12.1 million in at-risk federal grants, is that money officially lost?

FRANK COOPER-NURSE:

We are communicating with the federal granting agencies. While the performance period has ended, there are special exceptions if we communicate early. We are hopeful we can secure extensions to safeguard those remaining balances, but I cannot confirm at this moment if it is fully lost.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON: Thank you all. We're going to take a quick recess so AV can reset, and then we'll come back. We are in recess.

[RESUMPTION OF OVERSIGHT HEARING \(0:27\)](#)

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

And we are back. Thank you. Senator Barnett, are you done?

SENATOR CHRIS BARNETT:

Thank you. He answered the question. I wanted to ask about the corrective action plan. Was it the previous superintendent that had come up with this, or is this something that the new management team is doing, and where are we? Is there also a corrective action plan for the four findings that they disagreed with?

FRANK COOPER-NURSE, GDOE CHIEF AUDITOR:

Thank you for asking that. To answer the first part regarding whether it was the previous superintendent, I think Vince kind of outlined the framework of a financial audit. When the financial audit findings come in, it goes to the divisions. Internal Audit right now is established as a liaison. So, the responses to these audit findings are shared with the divisions. The divisions come up with their disposition—whether they agree, disagree, take corrective action, or implement it.

To your point on what happens when we disagree, when auditors flag different compliance issues, this is a single audit that gets filed in the Federal Clearinghouse. It's not the final say on whether it's going to be questioned; it's what is brought to the attention of the granting agency. So where there's a disagreement, we take our documentation and our points to work with the U.S. Department of Education, or the granting agency for that matter, to resolve the audit finding.

For many of the findings in this audit, we've already taken corrective actions. Relative to procurement, I believe there was one finding where they stated there is a lack of policies for suspension and debarment. We do have that; when they tested it, it was probably an administrative error versus a system error or a requirement not aligned to law. The other one was for the Davis-Bacon wage requirements. We know that we comply with that. Again, it could be a one-off in testing.

The next step for us is to take the corrective action and implement it, because as these audits are cyclical, it gives us time to resolve them before the next audit period. So, a corrective action plan is going to be followed up by the external auditors, the OPA, and Ernst & Young, and then you'll

have an update on the 12 audit findings—what's resolved and what's unresolved. The biggest challenge that we're having right now is that we are in the dark with audit resolution because Risk Management Services (RMS), where we communicate to get that input from, kind of fell off the map in the last year. We have some pending audit documents that need to be reviewed and responded to. We are in communication with them and will continue to follow up, but we need to resolve the past audit findings so they don't remain as repeat findings.

Yes, there are corrective action plans. I'm happy to say that at least a handful of them have already been addressed. For the others that we disagree with, we are going to work with the granting agency to resolve them.

SENATOR CHRIS BARNETT:

Okay. I guess I just ask that in the corrective action plan or any action moving forward, we really work hard to address the repeat findings that have been repeated over the last several years. I just want to again thank Auditor Cruz and Mr. Duenas for your very hard work. Congratulations again, Superintendent Won Pat. Si Yu'os Ma'åse', Mr. Cooper-Nurse, for your very detailed information and answers. And thank you, Mr. Chair, for indulging the time and allowing me the opportunity to speak and ask questions. Si Yu'os Ma'åse'.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Senator Barnett. Speaker Terlaje?

SENATOR THERESE M. TERLAJE:

Thank you for your work on this audit, and it's really great news to hear that you're happy with GDOE, Mr. Auditor, for now. Please keep it up. Good start. Can you just reconfirm, Mr. Duenas, you said that we are at risk again of the FY 2025 financial audit being late. Can that be resolved?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

That was as of last December, yes. With the old management gone and the new management coming in, I actually had my staff working on New Year's Day to prepare the highlights to get this out because I didn't want to delay it anymore. I had a meeting with the Department of the Interior the next morning and I had to explain if DOE got that out. I said, "As you can see in the newspaper, it was there, and my staff was working over the holiday to get it out."

Because we were starting late and DOE at that time had not even closed the books for FY 2025, during my first meeting with the new management of GDOE, as Mr. Leon Guerrero recounted to you, my first statement was, "You're two months late." The trial balance should have been in November. It's now January and it's not there. But to his credit and his team's credit, they were

able to put it out within three weeks and ahead of the Gantt chart that Ernst & Young (EY) had set for it. Because we were starting in January, they thought it was going to take until May or June to finish.

By contract, the draft is supposed to be done in January and finalized in February because I wanted the GovGuam-wide audit out in March. But that keeps getting pushed back because of what I call my "problem children." DOE assured me that they were going to be "teacher's pet" and that they are going to try to do it on time. If they keep doing what they're doing—responding as quickly as they did, resolving 22 of the 28 requests, and being ahead of the deadlines—I think we might be able to get this out earlier than June. Hopefully, as I told them—and I've tried to tell every management team I've had to deal with at DOE—it's to your benefit to have an audit that shows you spent your money well when you go to your budget hearing. At least it was in my day. Unfortunately, you guys have been giving them money in spite of it. I mean, you gave them the hospital, and I'm like, I give up.

SENATOR THERESE M. TERLAJE:

All right. So is it fair to say then that as of today, which is February, we have no reason to believe that the FY 2025 records from GDOE will be late? I think Mr. Cooper-Nurse, you said there's no reason they cannot complete what's required of them, and Mr. Leon Guerrero has said that that's their goal.

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

No, it's their goal. As he mentioned, I reverted back to my old practice from juvenile court of having periodic status meetings with them, and if necessary, having to call grandma and grandpa into the meeting because I need some help.

SENATOR THERESE M. TERLAJE:

All right. That's excellent news. Thank you and good luck again. Can you just elaborate a little bit on these meetings with the Department of the Interior (DOI)? What are they looking for, and what is at risk?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

What is at risk? The new administration—this probably is the only thing that I can credit the Trump administration with—is that when they named the new secretaries and the deputy secretary, one came in (I can't remember his name off the top of my head, but a real business-minded one) and he looked and said, "What is this? How can this be? How can they continue to receive federal grants and all the audits are late?" He wanted an answer as to why not only Guam, but all the territories are delinquent.

Guam was not that bad. I mean, for FY 2024, if we can get this out, we'll be the second territory to complete. The Virgin Islands and Puerto Rico are at FY 21 and 22. They haven't even done their FY 23, much less FY 24, and haven't even started FY 25. The Northern Marianas, I think, is at FY 20 or 21. So he said, "How are they still receiving federal grants?" He's threatening to cut everybody off from their federal grants if they don't get their audits in on time.

SENATOR THERESE M. TERLAJE: All right. This is government-wide, not just DOE?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ: Yes, it's government-wide, and it's not only Guam; it's all the territories.

SENATOR THERESE M. TERLAJE:

All right. So it's the overall timeliness of the GovGuam-wide audit. That's their issue. And you said you're coming out with it this month? Is that what I heard?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

For the General Fund.

SENATOR THERESE M. TERLAJE:

Yes.

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

The end of this month. We're hoping by the end of February to see the compliance report, and I think the draft is almost ready. I haven't seen it yet, but I'm still waiting. It was supposed to be issued January 30th. At least that was the initial deadline the DOI had set. I had a meeting with them on Monday to explain why it wasn't.

SENATOR THERESE M. TERLAJE:

And what is that explanation?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

That DOA has had some problems with people retiring and moving on to different departments. They're having problems trying to get everything together. They're trying to write up the MD&A (Management's Discussion and Analysis) and respond to the compliance report, which was fairly extensive. That was an issue for last Friday.

SENATOR THERESE M. TERLAJE:

All right. Mr. Duenas, on page three of the summary, it says that GDOE incurred expenditures significantly below the budgeted amount of \$351.1 million and the appropriated amount of

\$266.8 million. What is the "budgeted amount"? What does that mean versus the appropriated amount? I guess I'm not familiar with that term.

VINCE DUENAS, OPA SUPERVISING ACCOUNTABILITY AUDITOR:

That came from their MD&A. It came from management.

SENATOR THERESE M. TERLAJE:

Okay. Normally, we would just compare it to the appropriated amount. Is there something specific with the term "budgeted amount"?

VINCE DUENAS, OPA SUPERVISING ACCOUNTABILITY AUDITOR:

No, I'll have to go back to the numbers and the reference to it, but I think the point there is the appropriation level versus the expenditure level. Basically, expenditures were under appropriation levels, triggering the surplus.

SENATOR THERESE M. TERLAJE:

All right, no, I get that part. I just wanted to know why they said "budget."

VINCE DUENAS, OPA SUPERVISING ACCOUNTABILITY AUDITOR:

We can go back and look at the language and make sure it's consistent.

SENATOR THERESE M. TERLAJE:

And then I guess back to the \$12.1 million that you said you've initiated conversations to hopefully extend the use of that money and not completely lose it. It looks like we've lost it because the time has expired. The report says, "Despite multiple liquidation extensions, GDOE was unable to properly utilize..." No one has said why. Why not?

FRANK COOPER-NURSE, GDOE CHIEF AUDITOR:

That's where we have to examine where expenditures are encumbered and obligated, and where they are executed to the final obligation during the period of performance. Because when we look at those grants, those are actually old grants. Those are grants where we already went back to the granting agency and said we need an extension, we need late liquidation. However, in order to properly liquidate and draw the funds or get reimbursed, you have to make sure there is an expenditure through procurement or an invoice that can support that cost. The reason funds are not liquidated is because we don't have the corresponding expense to draw against.

SENATOR THERESE M. TERLAJE:

Right, but why? Is anyone here familiar with this? It's Special Ed funds, that's why I want to know where they got held up.

FRANK COOPER-NURSE, GDOE CHIEF AUDITOR:

That's where we have to examine the management, the oversight, the procurement efficiencies—which specific grant, and where it got held up.

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

Part of the problem, again, is management and the fact that it has constantly changed. If memory serves me right, the new head of Special Ed was only named last calendar year, and these problems started years ago, before her term.

SENATOR THERESE M. TERLAJE:

All right. As for GDOE, I think I'm satisfied with your efforts and that you're going to improve. If I could just ask you, Public Auditor, you raised this point about GDOE trying to hire a controller. Of course, some of the issues we've seen are caused by a lack of auditors or staff needed to accomplish these tasks. You talked about the salaries of accountants at DOA, GDOE, and the OPA. I've asked my staff to check if there's any language in the new budget addressing that. Do you believe this is something DOA cannot resolve by itself?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

In establishing pay, they do desk reviews. They do pay adjustments based on desk reviews. When that last increase was made, DOA announced they were going to start a program based on market price. They were going to set the salary depending on the market. Unfortunately, they haven't done it yet. Again, it's because of rotating personnel. The head of HR there moved to the Public Defender, and they got a new HR person.

VINCE DUENAS, OPA SUPERVISING ACCOUNTABILITY AUDITOR:

Senator, the language is actually still in that study that was done. Like the Public Auditor said, it just wasn't completed, but the language is still there that they were going to do the implementation of the pay. Later on, in my discussion with the previous HR administrator at DOA, he said, "Oh, that's for later, because we just need to get all of this done. It wasn't just the auditors and accountants; it was the entire government." They said they were going to come back and do that market price index. The language is still in there.

SENATOR THERESE M. TERLAJE:

So they're fully authorized to achieve what you need, right?

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

If there would be parity. But the thing is, DOA can control the line agencies and our office. They can't control the salaries at the autonomous agencies.

SENATOR THERESE M. TERLAJE:

Yes. Hopefully, a market study is going to show those autonomous agencies as part of the market.

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

If we were to do that, the salaries would really be huge. But I'm just saying, it needs the appropriations, you know.

SENATOR THERESE M. TERLAJE:

All right. Well, again, thank you to all the auditors who remain with DOA, GDOE, and the OPA at this point. Si Yu'os Ma'åse' for all of this work. Thank you, Mr. Chair.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Speaker Terlaje. Vice Speaker?

SENATOR V. ANTHONY ADA:

I don't have many questions, just a comment to the Public Auditor. We appreciate your hard work over the years and always advocating for accountants and auditors to have competitive salaries. I think it's very important that we all understand: if there's no one to audit the books and no accountants to do the work, we're not going to know how much money we have or what we're spending. With all the years you've been advocating for it, I truly hope we'll be able to do something soon before we lose all our auditors and accountants to the private sector. The Public Auditor mentioned to the last superintendent that with the savings from removing the third-party fiduciary, hopefully we'll be able to put something toward salaries. I hope, Madam Superintendent, that you'll be able to look into that as well and do what we can.

PUBLIC AUDITOR BENJAMIN J.F. CRUZ:

Unfortunately, we're not just losing them to the private sector; we're losing them to the autonomous agencies. Even the private sector has had to increase their salaries, which has increased the cost of our audits. Thankfully, you've increased my office's salaries, but the fact that we're trying to keep up with the autonomous agencies is driving everything up. Unless you establish parity, you can't stop it. GSWA (Guam Solid Waste Authority) just hired a person away from Ernst & Young. I was laughing the other day during the entrance conference for GDOE's audit. EY asked, "Is there any cause for impairment? Are you trying to hire any of my people?" I said, "I hope they're not!" Because everyone is trying to hire from each other.

SENATOR V. ANTHONY ADA”

Yeah, definitely. Thank you, Auditor, for that. Superintendent, I know you were mentioning earlier about the ongoing CIP projects. I mentioned to the last superintendent about getting a construction manager or an engineer on board to watch out for GDOE's interests when we have outside contractors come in. Hopefully, it's something you will still look into to protect not just the assets of GDOE, but also taxpayer money, as we have hundreds of millions of dollars in construction projects that will be coming up or are already ongoing. That's all I have, Mr. Chairman. Thank you for the opportunity to speak.

SENATOR VINCENT A. V. BORJA, CHAIRPERSON:

Thank you, Vice Speaker, and that really wraps up our questions from the panel. Before we adjourn, I want to recognize that we understand the timing—you are 30 days in now. I think it was a good start to see where you are at. The committee takes oversight seriously, and we will probably be calling you back in. The expectation initially, as Dr. Won Pat and I discussed yesterday, is really to see a clear plan regarding GDOE. I always say we're not expecting you to flip a switch and address all these concerns tomorrow or this month, but it helps the Committee, the Legislature, and the people of Guam understand that you are working toward a timeline.

Obviously, one priority of the Legislature is maintenance. I know Dr. Ulloa-Heath is going out and assessing the schools, but if there's one thing we get a lot of calls about, it's maintenance. I think a good start that I would recommend is the Public Health inspections. I know you're not going to get to all 39 schools in the next 30 days, but that is constantly what we get called about. So we're hoping that will be a priority in the next oversight, along with finances, of course, because the budget is coming up.

We really need a clear plan on how you're going to address these issues. Even if it's saying, "We have all these maintenance problems, and it's going to take us five years. Here is how much money we're going to need over the next five years." That gives us something to work toward, rather than what we usually get every time GDOE comes in, which is just "we're working on it," addressing things only as they come up. We're looking forward to that.

With that being said, the Committee will continue to accept written testimony within seven days from today. Testimonies may be addressed to myself, Senator Vincent Borja, Chairman of the Committee on Education, Libraries, and Public Broadcasting, and dropped off here at the Legislature or at my office in the DNA Building, Suite 502, 238 Archbishop FC Flores Street, Hagåtña, Guam 96910. You may also send testimonies via email to contact@senatorvinceborja.com.

This afternoon's joint oversight hearing is now adjourned. The time is now 1:25 p.m. Thank you, everybody. Have a good day.