

BLUE RIBBON COMMITTEE REPORT

January 8, 1975

DEPARTMENT OF EDUCATION

LEGAL ANALYSIS

(REVIEW OF FEDERAL LAWS)

The Organic Act of Guam (Title 48, Chapter 8A, U.S. Code) delegated the responsibility for the establishment and maintenance of public schools to the governor. The delegation for such responsibility is found in section 1421g.)

. . . the Governor shall provide an adequate public educational system for Guam and to that end shall established, maintain, and operate public schools at such places in Guam as may be necessary . . .

The Governor, as the responsible public official for the establishment and maintenance of a public educational system, must use the powers available to him in executing the provisions of this section.

Federal laws pertaining to education are applicable to the territory as per inactment or amendment by the U.S. Congress.

(REVIEW OF LOCAL LAWS)

The Department of Education is established within the Government of Guam by Title XII, Chapter II, section 11100 of the Government Code of Guam. The purpose of the department is to carry out the responsibility delegated to the Governor by the Organic Act of Guam. The department remains under the general cognizance of the Governor with the Board of Education serving as it's governing and policy determining body, and a director as it's Chief Executive Officer (Title XII, Chapter II, section 11101. The Board members are appointed by the Governor for a limited term with the consent of the legislature.

The policies of the Board of Education must be in compliance with the legal requirements established for the department by the Government Code. It must comply with applicable federal and local laws.

(BOARD OF EDUCATION)

The Board of Education is entrusted by law for the formulation of policies, planning and evaluation and the exercise of leadership in the improvement of the educational system within the territory. The Board recognizes that basically its function is that of policy determination and administration is a separate function to be entrusted to a director and his professional staff. The Board believes that the director must have the freedom to operate within the area of administration and with broad opportunity to introduce and develop basic educational program for the territory.

Function of the Department

The Department of Education within the Government of Guam is a dual entity; a State Department of Education, and a local school district. The director is responsible for the administration of the state and local district department of education. The Board determines the overall function of the department.

(Administrative)

*Formulation of policies, planning and evaluative functions, the exercise of leadership in the improvement of the island educational system.

*Guarantee equal educational opportunity within the department.

*Guarantee equal employment and opportunity within the department for those who are qualified.

*Guarantee that the department complies with local laws and applicable federal laws.

*Encourage and maintain the highest degree of professionalism in the educational system.

(Educational)

*Provide the opportunity for each student to develop a philosophy of life that includes dignity and direction, thereby enabling him to cope with technological and ideological changes and to help him be more considerate of others and more capable of contributing to the welfare of his fellow man.

* Pupil Personnel Services.

P.C. 13-37 →

(It's not a division, but a section reporting to the Curriculum and Instruction)

To provide a variety of services to teachers and pupils with emphasis in effective processes in guidance and counseling and health; to supervise school psychometrist.

Learning Resource Center.

To provide instructional Media and Technology services to the schools; to maintain the learning Resource Center.

Public Information Office

To provide a positive program of public information relative to educational program and activities of the department.

Buildings and Grounds.

To provide necessary maintenance and upkeep of school buildings and grounds and collateral equipment; to coordinate and serve as liason in school's Capital Improvement Programs.

Division of Secondary Education

To supervise and coordinate with the Division of Curriculum and Instruction the school district's program operation; provide leadership in secondary programs; disseminate current ideas, methods, techniques and instruction in secondary education; provide evaluative functions in the attainments of instructional goals and objectives; and insure development of a program plan to comply with budget, statutory and Board of Educational requirements.

Division of Elementary Education

To supervise and coordinate with the Division of Curriculum and Instruction the school district's program operation; provide leadership in elementary programs; disseminate current ideas, methods, techniques and instructions in elementary education; provide evaluative functions in the attainments of instructional goals and objectives; and insure development of a program plan to comply with budget, statutory, and Board of Education requirements.

Division of Career Education

To administer, supervise and develop occupational and career oriented programs in accordance with Public Law 90-576 and other applicable programs.

Personnel Services Division

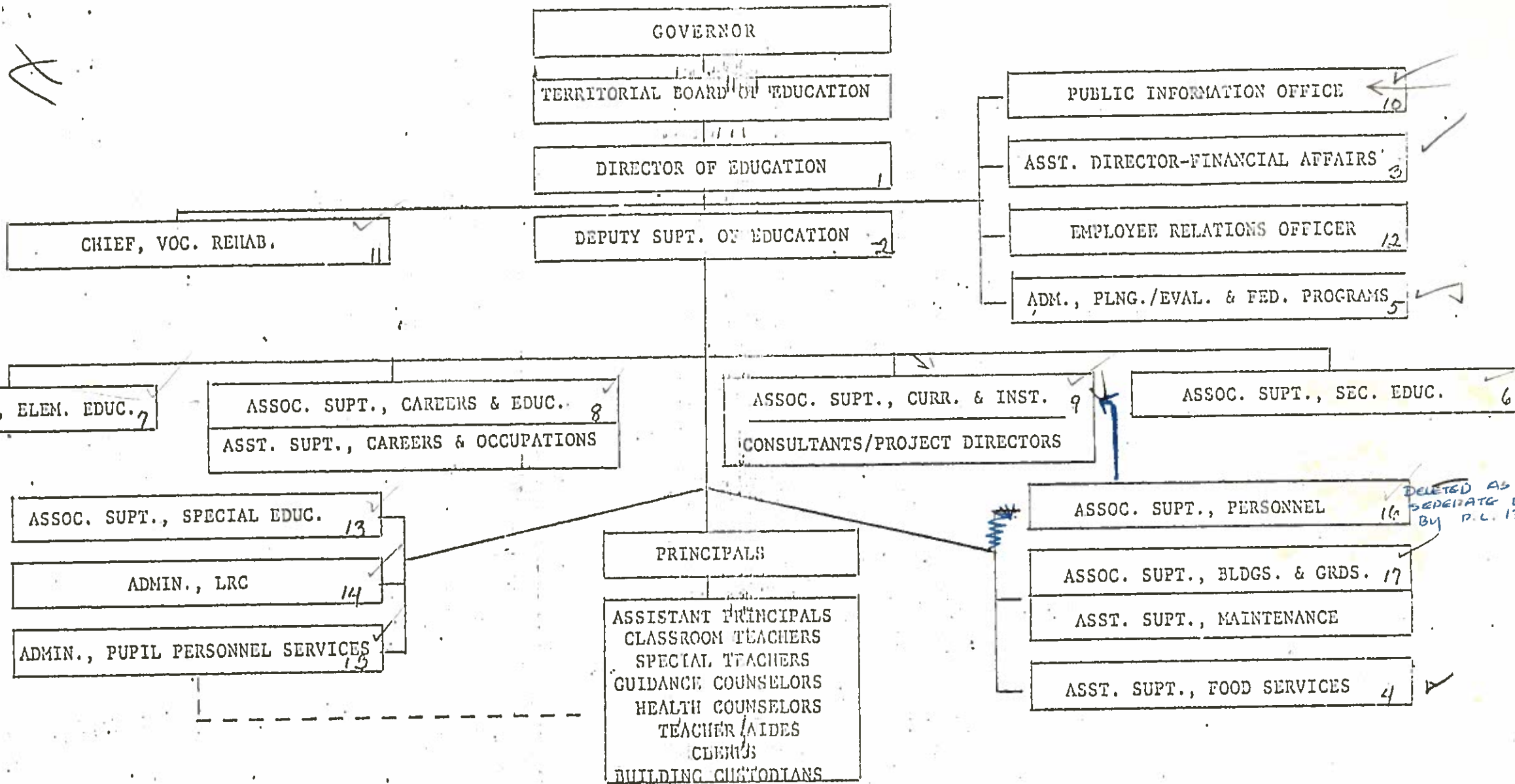
To provide comprehensive personnel programs involving recruitment, selection, retention, promotion of qualified personnel; complete employment processing maintenance of personnel files.

Division for Curriculum & Instruction

(NON-AVAILABLE)

SOURCE: DEPT. OF EDUCATION
ANNUAL REPORT, 1974

DEPARTMENT OF EDUCATION
FUNCTIONAL CHART





TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM
U.S.A.

RICARDO J. BORDALLO
GOVERNOR

FEB 10 1975

The Honorable Joaquin C. Perez
Chief Justice
Judiciary Branch
Territory of Guam
P. O. Box CT
Agana, Guam 96910

BUREAU OF PLANNING
C. J. BORDALLO
P.O. BOX 2500
AGAÑA, GUAM 96910

Dear Chief Justice Perez:

Thank you very much for your memorandum of January 16, 1975 pertaining to the reorganization of the Department of Education and other subjects pertinent to the public schools. I share some of your concerns and ideas and I am passing your memorandum to the Chairman of our new Board of Education, Miss Priscilla Cruz, who served with you in the Blue Ribbon Committee. I am sure that the Board of Education will take your recommendations into consideration as the members address themselves to the problems of our schools.

I want to take this opportunity to thank you most sincerely for your service in the Blue Ribbon Committee. As I indicated to you, it is my desire that you consider this as a continuing appointment. I expect to call upon you for additional service from time to time.

If I can be of any assistance to you, please do not hesitate to call upon me. I would only be too glad to respond where and when I can.

Sincerely yours,

/s/ RICARDO J. BORDALLO
RICARDO J. BORDALLO

P.C.Sanchez:vmc (2/6/75)

cc: Chairman, Board of Education

cc: Special Assistant (Liaison) ✓



JOAQUIN C. PEREZ
Chief Justice

TERRITORY OF GUAM
JUDICIARY BRANCH

January 16, 1975

MEMORANDUM

TO: Governor of Guam

FROM: Chief Justice

SUBJECT: Reorganization of Department of Education as per Blue Ribbon Committee's Recommendation

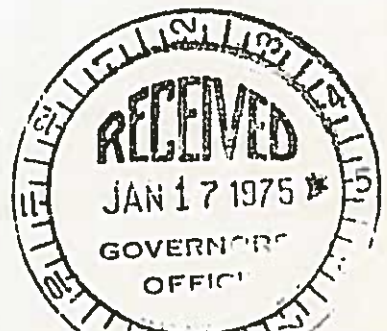
As you must have notice the Blue Ribbon Committee's recommendation was in generalities.

Not being an educator myself, I hesitated including the following in our recommendation because I am not totally convinced that the following are valid. However, I thought it wise to put it in writing so that your choice as the next Director of Education would be advised of my feelings and to take such actions as he deems best.

One of the major error committed in our education appears to me in its structural setup. The Board of Education and the Director of Education considered themselves comparable to a state level Board of Education. I have no qualms nor objection against this assumption of level however, when the Board of Education and the Director placed or considered each school as a school district independent of the other schools of the same grades with little, if any coordination, it seems to me that the Board and the Director committed a major blunder.

I think the proper course to take should be to consider the entire territory as a single school district and that each school within the territory of Guam be a part and partial of our territorial school district.

Following this line of thinking it is my recommendation that the Department of Education under the Superintendent of Schools should have a curriculum and standards of instruction committee.



* This committee should establish standards of instruction and curriculum for each grade level and decide what text books are to be used in each and every school within our territorial district.

This will enable our territory to offer exactly the same standards of instruction and curriculum for all of our schools and at the same time, perhaps eliminate the necessity of a school curriculum committee in each school and in addition will effectively assure our children of the same quality of basic education throughout our territory.

With reference to GFT's announcement in today's paper that if the Bill passed by the Twelfth Guam Legislature which in effect eliminates bargaining between the Board of Education and the Union, I think it wise for the Governor to consult with Dr. Antonio Yamashita and Dr. Katherine Aguon. I am made to understand that during her term as Director of Education, Dr. Aguon in consultation with Dr. Yamashita had set up an emergency plan to meet the possibility of the GFT striking. I am not aware of the mechanics of their plan.

If the Governor decides to veto that Bill, I suggest the negotiations between the Board and the Union be delayed until you have had the chance to select a new Director of Education and the new Director of Education has had an opportunity to discuss a union board contract with Dr. Aguon. It is my understanding that Dr. Aguon during her term of office had prepared a contract proposal to present at this bargaining table.

Another major error in our present setup it is the practice of permitting each school to draft its own budget proposal based on their own projection of school attendance. This method of budget preparation is unrealistic for the following reasons:

1. For example, let's say Yona Elementary School makes a projection that, because of the Baza Gardens Development, its number of enrollment will increase by say one (1) student per building. To this I think it is accepted policy that certain percentage will be added to offset any human error in projection. The other schools will likewise make their own projection and to that projection will similarly add their own percentage to meet their so-called human error in projection. As to the validity of the Yona Elementary School projecting additional student because of the housing development, I have no doubt they are justified in projecting additional students because of the housing development. The fact remains however, that those families who will be occupying the Baza Gardens Development would simply be transferring from another district in Guam and since no one knows where they would be coming from no other school will deduct from their total enrollment those students that will be transferred because of such change of residence of their parents.

2. By permitting each school to draft each own budget and by permitting a committee in curriculum for each school, the Board of Education in effect authorized each school to decide on their own, perhaps with or without consultation with Department of Education central staff, what text books to buy so that in the final analysis it could very well result in say, the sixth graders of the Agat Elementary School being given instructions on a text book designed for the state of New York while at the same time Barrigada sixth graders will be receiving instructions from a text book designed for the state of California.

It is my believe that as a solution the Department of Education should have in its central staff within the Finance and Procurement Division a Budget Analyst to draft the entire budget for the Department of Education base on projection of the entire school population within the territory and that any special program that may be undertaken in any school shall be separately prepared by the Budget Officer after consultation with the individual in charge of the special program.

This procedure will, in the first place, eliminate the necessity for each school principal and assistant appearing before the Legislature to justify the budget for his school. This approach likewise, I hope will eliminate the possibility of using different text books for different school of the same grade level since all purchases will then be done by the Finance and Procurement Division.

3. I suggest that upon selection of a new director such new director shall immediately create committees to decide on what text books to use for the different grade levels. If this is done soon enough we might be able to have some sort of a semblance of a standardized instruction for each grade level. I say a "semblance" because of the lack of a written standards of instruction and curriculum. I understand that to complete a standards of instruction and curriculum for our schools, it will take over a year or two. For the immediate future as a bare minimum we must have some sort of control over decisions of what instructional material shall be purchased for use by all of our schools so that our children from Umatac will be receiving instructions from the same text book as our students from the other end of our territory.

I will keep you informed of any other development or information that I receive in the future.

Sincerely yours,


JOAQUIN G. PEREZ

JAN 17 1975

Mrs. Pilar Lujan
Acting Director of Education
Department of Education
Agana, Guam

Dear Mrs. Lujan:

In view of the appointment of a new Board of Education, the forthcoming Union-Board contract negotiations, budget preparations and other pressing matters, I believe it important that the Department of Education has an Acting Director of Education who is likely to be the permanent Director of Education. Today, I have decided to nominate Dr. Franklin Quitugua to the Board of Education for appointment as Director of Education. In view of this, I have appointed Dr. Quitugua as Acting Director of Education beginning Monday, January 20, 1975.

In behalf of the Board of Education and in my own behalf, I thank you most sincerely for accepting and serving as Acting Director during the past few days. My appointment of Dr. Quitugua as Acting Director does not in any way reflect upon your ability and your personal and professional integrity.

You continue to have my personal confidence and trust.

Sincerely yours,

/s/ RICARDO J. BORDALLO

RICARDO J. BORDALLO
Governor of Guam

PCS:ebt
cc: Chron
Special Asst. Liaison ✓

TO	INITIAL	DATE
<i>P. Lujan</i>	<i>P</i>	1-17-75
<i>Exe Asst</i>	<i>CS</i>	1/17
	<i>✓</i>	
FILES		

GOVERNMENT OF GUAM
AGANA

January 10, 1975

Memorandum

To: Press Corps

From: Press Secretary

Subject: Cover memo for Blue Ribbon Committee Report

Attached is the complete report from the Blue Ribbon Committee assigned to study Department of Education operations and personnel. For your information the Governor's reaction to the report when it was first received was that it is a "fresh, new and creative plan that embraces the concept of shared responsibilities and shared leadership advocated by this administration." The Governor was pleased with the report and it confirms the integrity of the Blue Ribbon Committee.

You will note that certain sections of the report were amended during the reporting session with the Governor and Lieutenant Governor.



E. S. GOULD

January 8, 1975

The Honorable Ricardo J. Bordallo
Governor of Guam
Office of the Governor
Agana, Guam 96910

My Dear Governor:

The members of the Blue Ribbon Committee wish to reaffirm their knowledge of the responsibility and sensitivity to determining recommendations for the betterment of the educational system of our island.

We have therefore proceeded in the weighing of all factors and testimonies presented to us with a deep sense of the responsibility involved in our considerations and judgment in the study of the problems which have beset our educational system in the past and have continued to such point that it was deemed essential for this Committee to perform its singular task. Be assured also that the Committee has exerted every effort to maintain an open mind and impartial attitude during its work.

The Committee received testimony from a number of persons both in and out of government, principals, administrators, union members and others, and after careful study and deliberation, we have arrived at the following as the major problems facing our present educational system:

1. Lack of apparent goal and direction in the educational system of our territory.
 - A. There is no actual coordination between the Department of Education, the private schools, and the University of Guam.
2. There is a lack of standardized curriculum in our Department of Education. The Committee is given to understand that teaching personnel have been permitted to reject approved texts for classroom use and to make instead personal choices of the texts that thus a student in 2nd period World History who must transfer to 4th period World History may find his peers using a different text.
3. Our present Director found herself faced with a Union-Board contract that is extremely difficult, if not altogether impossible to comply with. The Board, upon entering into this Union-Board contract, almost completely abdicated administrative responsibilities and prerogatives in favor of the Union.

- A. The Union should not be permitted to claim themselves as representing the school children of Guam. The interest of the Union and that of the school children are contradictory in most instances.
- B. The Board has no authority to spend taxpayers' money to support the Union directly or indirectly. Union officials are permitted to retain their own position as teachers and at the same time represent the Union. The Union contract calls for a steward in each school. It is extremely difficult for a principal to exercise any administrative prerogatives that may in any manner affect a teacher if such principal has the president or another officer of the Union in his teaching staff.
4. Most importantly, because of our present organizational structure, all Directors of Education have been faced with numerous administrative problems of varying degrees of complexity to such extent that the directors have not had sufficient time to devote toward the performance of thier duties and responsibilities.

From the foregoing, the Committee recommends a complete reorganization of the Department of Education as follows:

1. The Board of Education should be completely autonomous with the right to select and appoint the Commissioner of Education. The laws of Guam on education should be amended so that the Board of Education is composed of seven (7) members; six (6) of them to be elected at-large for a term of four (4) years and one (1) member to be from the student body of our high schools for a term of one (1) year. *

In the initial implementation, the three (3) candidates with the most votes should be elected for four (4) year terms. The next three (3) candidates should be elected for a term of two (2) years.

The student member of the Board of Education shall be selecte in the following manner:

The Board of Education shall select one (1) from a list composed of one nominee from each high schools. To become a nominee, the student must be in the eleventh grade, a member of the National Honor Society, and have been elected by the student body of the school from which he was nominated. This election shall take place once a year before graduation, with the term to begin on graduation day.

The military should be allowed two (2) members of their choice as ex-officio members of the Board of Education.

The Guam Federation of Teachers should be permitted a non-voting liaison officer with all the rights and privileges of attending all meetings of the Board (except executive meetings.) - *deleted! - As per Conference w/*

The composition of the Grievance Commission should be changed so that the members shall have no personal interest, either for the administration or for the Union.

The Board of Education should be permitted to contract its own legal counsel.

- II. The title of the Officer of Director of Education should be eliminated and the title Commissioner of Education be substituted in lieu thereof. Under the Commissioner of Education there be various superintendents, such as Superintendent of Elementary and Secondary Schools in charge of Academics, a Superintendent on Buildings, Grounds, and Maintenance, etc.
- III. An Advisory Coordinating Committee in matters of curriculum and standards of instructions should be created.

The thrust of this Committee shall address itself to curriculum and instruction.

The membership of this Advisory Committee shall consist of five (5) members as follows:

One (1) representative from each of the following:

University of Guam
Department of Education
Non-Public Schools
Vocational Trade and Technical School
Military Educational Services

- IV. The Committee recommends that the sum of \$25.00 or such other amount as may be appropriate be paid each member of the Board of Education for each meeting.
- V. The Committee recommends that Mr. Gerald S.A. Perez of the Bureau of Planning, Budget and Management be appointed Commissioner of Education.

- VI. The Committee suggests that the present Director of Education, Dr. Katherine B. Aguon, be considered as one of the applicants for the position of Superintendent of Elementary and Secondary Schools in charge of Academics.

In closing, the Committee once again wishes to express individually and collectively its appreciation for having had the opportunity and honor to serve on the Blue Ribbon Committee. We most sincerely thank you and wish you all the success in your administration.

Sincerely yours,

CHAIRMAN

Member

Member

Member

Member

Member

Member

Member

Member

Member

BOARD OF EDUCATION

**

** 7 Board Members
2 Military Ex-Officio
Members
1 Union Liaison

LEGAL COUNSEL

COMMISSIONER OF EDUCATION

SUPERINTENDENT
OF
PERSONNEL

SUPERINTENDENT OF ELEMENTARY
AND SECONDARY SCHOOLS IN
CHARGE OF ACADEMICS

SUPERINTENDENT
OF
FINANCE AND PROCUREMENT

SUPERINTENDENT OF
BUILDINGS, GROUNDS
AND MAINTENANCE

Solid Line = Line of Authority

Dashed Line = Liaison