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Dominic Terlaje  
 Education Suruhanu

October 12, 2009

**MEMORANDUM**

TO: Superintendent of Education  
 FROM: Education Suruhanu  
 SUBJECT: CL Taitano Complaints

30-09-124  
 Office of the Speaker  
 Judith T. ... Ed. D.  
 Date: 10/14/09  
 Time: 1:41 PM  
 Received by: [Signature]  
 2009 OCT 19 3:57 PM  
 EDM

Dear Dr. Bretania Underwood:

On September 24, 2009 my office received two different complaints concerning the CL Taitano Elementary School. The first complaint reported that a Chamorro Language Teacher currently assigned to teach Chamorro is also teaching reading to the students during a portion of each school day. The complainant reported that such Chamorro Language Teacher may be certified to teach Chamorro but may not be certified to teach reading. The second complaint reported that the Mayor's office was performing grass cutting services at the school during school hours.

1. Chamorro Language Teacher teaching reading.

During the course of my investigation, I met with the Principal of the School to discuss this matter. The Principal indicated that the School participates in the Success For All Program (SFA) and that such program recommends that all teachers, including Chamorro Language Teachers, engage in reading activities to their students for at least 90 minutes each day. As a result, the Principal indicated that all teachers, including the Chamorro Language Teachers have been performing such reading activities with the students on a daily basis.

P.L. 28-45 § 4 (12) (a) requires schools to provide a certified teacher for every class. In addition, 17 GCA, § 5101 provides in part that persons employed in a teaching supervisory capacity in the public schools of Guam shall hold a qualifying certificate issued by the Superintendent. 17 GCA § 5102 in part states that Superintendent shall grant appropriate certificates to holders of diplomas issued by an institution of higher learning where the applicant holder has completed a teacher training course prescribed by the Guam Public School System. Furthermore, GEPB Policy 1000.21 requires Elementary teachers to possess a Bachelor's degree. Based on the above, the Chamorro Language Teacher providing reading instruction to students during the 90 minute daily reading activity must possess an Elementary Teaching Certificate. Because such Chamorro Language Teacher does not possess an Elementary Teaching Certificate, DOE is not in compliance with the law.

During the course of the investigation into the complaint, it was also discovered that two Chamorro Language Teachers currently assigned to CL Taitano do not possess proper documentation (Elementary Teaching Certificate /Bachelor's degree) necessary to teach Chamorro. One of the individuals assigned to teach Chamorro Language does not possess a Chamorro Language and Culture Teaching Certificate and the other individual assigned to teach Chamorro Language does not possess a Bachelor's degree. 17 GCA § 8104 in part

provides that any person employed in a teaching capacity under the Chamorro Language and Culture Program shall be required to comply with the certification requirements of 17 GCA Chapter 5. Section 5103 of Title 17 in part states that the Superintendent can only issue certificates to holders of diplomas issued by an institution of higher learning where the applicant holder has completed a teacher training course prescribed by the Guam Public School System. As such, any individual assigned to teach Chamorro Language must possess a Bachelors degree and must also possess a Chamorro Language and Culture Teaching Certificate. Because two Chamorro Language Teachers at CL Taitano do not possess the proper documentation necessary to teach Chamorro Language, DOE is not in compliance with the law.

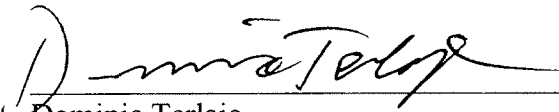
1. Grass-cutting on campus during school hours.

My office received a complaint that the Mayor's office was performing grass cutting services at the school during school hours. Student safety is of utmost importance. As a result, all necessary precautions must be taken to ensure the safety of students and staff. Although the School Administrator has communicated this concern with the Mayor, I recommend that the school and DOE in general, adopt rules for performing grass cutting services at the schools. I recommend that the school consider the implementing the following rules for grass cutting services.

- a. When arriving on the school campus to complete grass cutting, the Principal or designated representative must be contacted before the commencement of any work.
- b. Never cut grass in the proximity of students or staff. If students or school staff are in the area, stop cutting immediately and turn any powered equipment off. When the area is clear of students or staff, cutting may resume. No grass cutting shall take place within 200 feet (distance may be amended accordingly) of students or staff when they are outside of the school building and in the grass cutting area.
- c. No grass cutting will be performed during recess, noon hour or when students are on or near the grass cutting areas before the start of school or at the close of the school day.
- d. Never leave powered equipment unattended. If key operated, remove the key while equipment is left unattended or is not in use.

Thank you for your attention to this matter. If you have questions, please feel free to contact my office.

Respectfully,



Dominic Terlaje

cc: Speaker, 30<sup>th</sup> Guam Legislature  
CL Taitano School Principal  
GEPB Chairman