



October 14, 2009

**MEMORANDUM**

TO: Superintendent of Education

SUBJECT: Agueda Johnston

Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 10/14/09  
Time 1:41 pm  
Received by JTB  
30-09-1216

10/14/09  
3:57  
EPM

Dear Dr. Bretania Underwood:

On October 7, 2009, my office received an anonymous complaint alleging that the A/C unit in room 29 was not working. On October 8, 2009, I investigated the complaint and discovered that the A/C vendor was on site to perform work on the A/C unit. According to the A/C vendor, the condenser unit for such A/C unit needed to be replaced and that it was scheduled to be replaced sometime later that day. School officials were informed that such work was to be performed.

In addition, during the course of my investigation into the above-mentioned matter, the following discrepancies were also observed.

A. School phone system:

1. Phone system is not working properly. School officials indicated that the issue was reported to FSAIS and that the vendor, PDS, would need to address the matter. The problem occurred on October 7, 2009 and a work request/ticket has been prepared and submitted.

B. Student common use restrooms:

1. C-Wing Boy 1<sup>st</sup> floor:
  - a. No soap and soap dispensers are damaged.
  - b. Some stalls are without toilet tissue.
  - c. Some toilet tissue dispensers are in disrepair or missing.
  - d. No paper towels. **Note:** School officials indicated that on the date of my visit, the school was out of stock of paper towels and that the school has been without paper towels for approximately three days.
2. C-Wing Girls 1<sup>st</sup> floor:
  - a. Two stalls without toilet tissue and dispenser broken.

- b. No soap.
  - c. No paper towels.
- 3. C-Wing Girls 2<sup>nd</sup> floor:
  - a. No paper towels.
- 4. C-Wing Boys 2<sup>nd</sup> floor:
  - a. No paper towels
- 5. B-Wing Boys 1<sup>st</sup> floor:
  - a. Two sinks not properly mounted to the wall. Possible safety issue.
  - b. Missing some toilet tissue holders.
  - c. No paper towels.
- 6. B-Wing Girls 1<sup>st</sup> floor:
  - a. One sink not properly mounted to wall. Possible safety issue.
  - b. No paper towels.

P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. In addition, 26 GAR Div 1 Article 7 § 4711 (d) of the School Sanitation Code (hereafter referred to as the SSC), states in part that soap and single-service towels shall be provided and made available at all times, that a heated air-hand drying device may be used in place of single-service towels, and that common use towels are prohibited. Further, § 4713 of the SSC in part states that all toilets shall be kept in good repair, clean, free from foul odor, and that toilet tissue shall be available and conveniently located adjacent to each toilet. Moreover, § 4706 (g) (2) of the SSC states that school areas and facilities shall be maintained in a clean, safe, and sanitary condition, and kept in good repair. Based on the information gathered and a visual inspection of the noted areas, I have the following conclusions and recommendations.

- All of the restrooms visited did not have any paper towels and I did not observe any air-hand dryers. According to school staff, the school has been without paper towels since October 5, 2009. An adequate supply of paper towels should be provided at all times in all student restrooms. An adequate supply of paper towels should be routinely and readily available on the school premises at all times. Paper towels that are provided to the school should be compatible with the existing dispenser. School officials should maintain regular monitoring of the restrooms and all restrooms should be routinely inspected, cleaned, and restocked with sanitary supplies as necessary throughout the entire school day.
- Some of the soap dispensers did not have soap and some of the dispensers were missing or in disrepair. I did not observe any hand pump soap dispensers. Hand pump dispensers are not recommended as a permanent replacement for a fixed soap dispenser but hand pump soap dispensers may be used temporarily. An adequate supply of soap should be made available at all times in all student restrooms including restrooms in the gym. An adequate supply of soap should

be routinely and readily available on the school premises at all times. Ensure that any soap provided is compatible to the existing dispenser. School officials should maintain regular monitoring of the restrooms and all restrooms should be routinely inspected, cleaned, and re-stocked with sanitary supplies as necessary throughout the entire school day.

- The problems that ill-kept and unsanitary restrooms create are many. First, they send a signal to teachers and students that they are not important enough to have clean, well-maintained restrooms, which can be demoralizing. The image of an entire school also can be affected by the condition of its restrooms: clean, well-maintained restrooms indicate a healthy learning environment; dirty restrooms often suggest danger, lack of discipline and adult supervision, and an otherwise un-healthy learning environment.
- Providing well-equipped, neat, and functioning restrooms requires administrative and custodial attention. Look at the design, the installation of materials and restroom products used to make sure that they are more durable and can handle high traffic and abuse situations. Establish policies for restroom usage, monitoring, and maintenance to help minimize the damage vandals can cause. Assign school staff times throughout the entire school day to check on the restrooms. Make repairs quickly and keep the purchase of restroom products standard or uniform.
- There may also be risks associated with unclean, unsafe, or unstocked restrooms. For example, students may be "holding it in" because they may refuse to use the restroom either because there are no supplies available, because it is unclean, because it has a foul odor, or because it is unsafe. We know how difficult it is for students to pay attention in class, however, students may be able to pay closer attention in class if they are not worried about "holding it in" until school is over. And when restrooms are clean, safe, and well-stocked with sanitary supplies at all times, the school is perceived by students as cleaner and more appealing.
- The responsibility for keeping restrooms clean lies with everyone from students and their parents but ultimately such responsibility lies with the school faculty, staff, and the school administration. DOE must work with all parties to improve attitudes, behaviors, and physical conditions in school restrooms. It all comes down to respect, kids have to respect their school restrooms as if they were their own, because, in a sense, they are. In addition, faculty, staff, and administration have to respect the students as young adults who can be trusted to take care of their basic, biological needs in an acceptable setting.

### C. Water leaks.

#### 1. Dining Hall food service line:

a. Rain water leaking from ceiling at two different areas into cafeteria service line presenting a possible safety hazard for the students. On August 14, 2009, work request form #4030-1751 was submitted to GDOE maintenance reporting the problem. In addition, school officials stated that the ceiling leak is a recurring problem that has been repaired in the past but continues to be problematic. The school building custodian indicated that a gutter on the roof is

in disrepair and that such problem has also been previously reported. Furthermore, on August 5, 2009, a work request form #4030-1739 was submitted to GDOE maintenance requesting the replacement of ceiling tiles located above the dining hall service line. New ceiling tiles were requested because the existing ones were water damaged as a result of the ceiling leak.

2. Gym area:

- a. Rain water leaking from a spot located near the left exhaust ceiling vent onto gym floor presenting a possible safety hazard for the students. On August 14, 2009, a work request form #4030-1760 was submitted to GDOE maintenance reporting the problem but the problem has not yet been corrected.
- b. Rain water leaking from a spot located just above the score board onto gym floor presenting possible safety hazards for the students. Such problem has been previously reported to GDOE maintenance but the problem has not yet been corrected.
- c. Rain water leaking into a ceiling light fixture in the Athletic Director room. Such problem has been previously reported to GDOE maintenance but the problem has not yet been corrected.
- d. Rain water leaking into Boys P.E. Office. Leak appears to be leaking into a ceiling light fixture. School officials indicated that the problem has been previously reported to GDOE maintenance but the problem has not yet been corrected.

3. Water leaking from ceiling into Room 108 presenting a possible safety hazard for the students. On September 1, 2009, a work request form #4030-1783 was submitted to GDOE maintenance reporting the problem but the problem has not yet been corrected.

P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. In addition, § 4706 (c) of the SSC states in part that walls and ceilings shall be in good repair and § 4706 (g) (2) of the SSC states that school areas and facilities shall be maintained in a clean, safe, and sanitary condition, and kept in good repair. Based on the above-noted discrepancies, I have the following conclusions and recommendations.

- Locate and permanently repair all ceiling leaks including the leaks in the dining hall, the gym, gym offices, and in room 108 immediately. The present conditions of such rooms are unacceptable. In addition, such conditions present possible health and safety hazards for students. Furthermore, DOE must not continue to allow students to be subjected to such conditions and must be quick to respond to reports of water leakage into any rooms especially rooms or facilities that students occupy.
- Identify and permanently repair or replace the gutter located on roof of the dining hall. The gutter is suspected to be causing the water to leak into the dining hall service line and other areas in the dining hall. Although I was not able to view the current state of repair of such gutter, the school building custodian indicated that such gutter is in disrepair and that it has been reported accordingly.

- Immediate attention should be given to reports of water leaks especially where water is reported to be leaking into a room where students are present. In addition, immediate attention should be given to reports of water leaking into light fixtures or where water is reported to be leaking into or near anything electrical. Further, when water is observed to be leaking into a classroom where students are present, students should be re-located to a more suitable room as necessary.

D. Girls shower drain clogged.

The P.E. teacher indicated that the girls shower stall drains clog and water often backs up and remains inside the shower stalls and floors. In addition, the P.E. teacher indicated that water from the shower stalls is unusually slow to drain. On August 20, 2009, a work request form # 4030-1775 was submitted to GDOE maintenance reporting the problem and on August 24, 2009 a second notice was submitted to GDOE maintenance reporting the problem. The work request indicated the urgency of such matter but according to the P.E. teacher, clogging of the girls shower stall drain still occurs.

P.L. 28-45 § 4 (12) requires schools to provide proper sanitation and to provide a healthful, safe, and sanitary learning environment. In addition, § 4706 (g) (2) of the SSC requires school areas and facilities to be maintained in a clean, safe, and sanitary condition and kept in good repair. Furthermore, § 4709 of the SSC requires school plumbing to be maintained to properly convey liquid wastes from the school building to a proper sewage disposal system so as not to create an unsanitary condition or nuisance. Based on the above-noted discrepancies, I have the following conclusions and recommendations.

- Identify and permanently repair and/or properly unclog the girls shower stall drain system so that the liquid waste water may be properly disposed. In addition, unclogging of the drain system will prevent any unsanitary conditions from occurring. Although the girls shower stall drains were not backed up with water during my visit, based on the P.E. teacher's observations and representations, the backup occurs whenever the showers are used regularly.
- The present conditions in the girls shower stalls presents possible health and sanitary issues for students which must not be tolerated and as such, I strongly recommend that DOE address and rectify the matter immediately.
- Immediate attention must be given to reports of clogged drains and such reports should be addressed immediately and properly rectified.

E. Students observed to be climbing over the D Quad 2<sup>nd</sup> floor stair way.

School officials indicated that fencing is required along the stairway leading up to the 2<sup>nd</sup> floor of the D quad as a result of students observed climbing over the hand railing and onto the cement awing. Such known activity presents a possible safety hazard for the students. On February 23, 2009, a work request form # 4030-1563 was submitted to GDOE maintenance requesting to install a fence onto the stairway. However, fencing has not yet been installed.

P.L. 28-45 § 4 (12) requires schools to a healthful, safe, and sanitary learning environment. In addition, § 4706 (g) (2) of the SSC requires school areas and facilities to be maintained in a clean, safe, and sanitary condition and kept in good repair. Based on the above-noted discrepancy, I have the following conclusions and recommendations.

Properly install fencing material along the stair way railing located in the D Quad area to prevent students from climbing over the stairway railing to gain access to the cement awning. In addition, because the school is aware of the situation as of February 23, 2009, the school must act quickly to take reasonable measures to ensure the students safety in the area at issue.

I strongly recommend that GPSS address the discrepancies identified and rectify them immediately in order to come into compliance with the 14 Points of P.L. 28-45 as well as with the various other regulatory agency codes. In addition, please submit to my office a proposed plan of corrective action for each of the discrepancies identified, including but not limited to a date when such problems will be assessed and/or addressed, the anticipated date in which any such repairs and/or replacements will begin, and the date when such repairs or/replacements would be completed. Furthermore, for each particular violation, submit to my office the status of any such repairs and/ or corrective action already performed.

Please provide my office with details of GDOE's plans for monitoring the restroom facilities in order to ensure that they will be adequately stocked with the necessary sanitary supplies and that they will remain clean and in good repair throughout the entire school day. By adopting a common sense approach to implementing policies for policing and maintaining restrooms, everyone can perform the tasks they are at school to accomplish. Principals and teachers will be able to focus on productive administrative and learning issues, fewer taxpayer dollars will be wasted on restroom repairs and maintenance, and students will be able to use the restrooms under less harsh conditions and will be happier as a result.

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

Respectfully,



Dominic Terlaje

cc:

Honorable Speaker, 30<sup>th</sup> Guam Legislature  
Agueda Johnston Principal  
Chairman GEPB  
Masatomo (Tom) Nadeau DPHSS Division of Environmental Health  
Captain Joe Muna GFD  
Rustico Joya GEPA