

Dominic Terlaje
Education Suruhanu

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November 19, 2009

30-09-1378

Memorandum

TO: Superintendent of Education

FROM: Education Suruhanu

SUBJECT: Price Elementary School Inspection November 2009

Office of the Speaker
11/19/09
1 p.m.
2009 NOV 20
MUN

Dear Dr. Bretania Underwood:

Attached to this memorandum are inspection reports identifying discrepancies discovered during an inspection of the Price Elementary School campus that occurred on November 9, 2009. The agencies that participated in the inspection were the Department of Public Health and Social Services (DPHSS), the Guam Environmental Protection Agency (GEPA), and our office. As a result of the inspection, DPHSS issued a letter grade "A" for the school building totaling ten (10) demerits including one six (6) demerit point item. In addition, DPHSS issued a letter grade "A" for the school cafeteria totaling six (6) demerits including various two (2) and four (4) demerit point items. GEPA also issued an inspection report detailing the discrepancies discovered. However, GEPA does not issues demerit points for such discrepancies.

Title 10 GCA Chapter 21 requires violations to be corrected within a specific time frame. When the demerit score is 20 or less, all violations of two (2) or four (4) demerits must be corrected within a period not to exceed 30 days. See 10 GCA § 21107 (2) (a). The school building received a demerit score of 10 therefore, the two (2) and/or four (4) demerit point items listed in the inspection report must be corrected within 30 days from the date of the inspection. The school building inspection report also contains one (1) six (6) demerit point item which must be corrected within 10 days from the date of the inspection. When one (1) or more six (6) demerit point items are in violation, regardless of the total demerit score, such item or items must be corrected within a period of time not to exceed ten (10) days. See 10 GCA § 21107 (2) (c). The school cafeteria received a demerit score of six (6) therefore, the two (2) and/or four (4) demerit point items listed in the inspection report must be corrected within 30 days from the date of the inspection.

In addition, GEPA also prepared an inspection report noting the various discrepancies and/or violations discovered at the school. Please be advised that the GEPA inspector stated in his report that the discrepancies noted in the current inspection report are the same discrepancies noted in the July 2009 inspect report. In other words, the violations previously cited by GEPA have not yet been corrected. As such, I strongly recommend that DOE correct such discrepancies immediately in order to ensure that GDOE comes into compliance with the applicable GEPA regulatory code.

I strongly recommend that GDOE address all the discrepancies identified in the inspection reports and rectify them immediately in order to come into compliance with the various regulatory agency codes, with various provisions of the 14 Points of P.L. 28-45, and/or with any other applicable laws or rules.

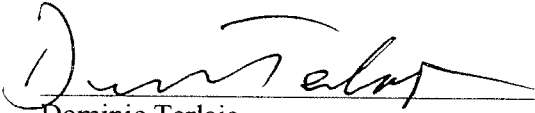
Because not all the classrooms or school facilities were inspected, GDOE is highly encouraged to

asses all other classrooms and school facilities in order to identify any other discrepancies and perform the necessary corrective action.

Please submit to my office, in writing, the status of GDOE's efforts to rectify each of the discrepancies identified in the inspection reports, including but not limited to the measures taken or to be taken to rectify each discrepancy and the date when such discrepancy was rectified or will be rectified. Please submit such requested information to my office immediately.

If you have questions, please do not hesitate to contact my office.

Respectfully,



Dominic Terlaje

Attachment:

DPHSS School Building Inspection Report (3 pages)

DPHSS Eating & Drinking Establishment / Food Establishment Inspection Report (1 page)

GEPA inspection report (1 page)

cc:

Honorable Speaker, 30th Guam Legislature

GEPB Chairman

Office of Attorney General, Patrick Mason, Deputy Attorney General, Civil Litigation & Solicitor Division (via email)

Government of Guam
Office of the Education Suruhanu (OES)
School Inspection Report

PUBLIC LAW 28-45: 14 POINTS COMPLIANCE

School Representative: Mrs. Lisa Cooper-Nurse, Principal Date and Time of Inspection: November 09, 2009 at 9:30 a.m. Weather Condition: Sunny and warm	Name of School: H B PRICE ELEMENTARY
School Building received a letter grade (A) with a total of 10 demerits. Cafeteria received a letter grade (A) with a total of 6 demerits.	

No.	Location	14 Point at issue (a-n)	Type of Citation (PH=DPHSS, F=Fire Dept., E=EPA, S=Suruhanu)	Date of Citation	D e m e r i t s	Description of Finding	Comments	Recommendations
	Campus	I	PH & S	11/9/09	2	Observed room G4 with a cracked wall. Observed cracks on wall outside the teachers lounge. Observed D wing hallway awning near room D6 in disrepair (dry rotted & vegetation growing). Observed D & C wing awning corroded. Observed room E6 with bare wood near air condition unit. Observed outdoor area (stage) with bare wood.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The Department of Public Health and Social Services School Sanitary Code (the SSC) requires school walls and ceilings to be light in color, have a flat finish, kept clean and in good repair. In addition, walls shall be finished with easily cleanable material.	Address and rectify immediately in order to come into compliance with the law. Frequent cleaning of rain gutters and canopies should be performed as necessary.
	Rooms T17 / T15	I	PH & S	11/9/09	2	Voluntarily closed by Principal Cooper-Nurse	The SSC requires all school facilities to be clean, safe, in a sanitary condition, and kept in good repair.	Address and rectify immediately in order to come into compliance with the SSC.
	Campus	I	PH & S	11/9/09	6	Partitions and stall doors in the F wing did not meet the minimum height requirement of 5 feet.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires all toilet facility partitions to be painted with a light color, flat finish, and easily cleanable.	Address and rectify immediately in order to come into compliance with the law.
	Cafeteria	I	PH & S	11/9/09	2	Chill storage unit located between mechanical were washing machine and hot holding stage unit has door seals in disrepair.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires all school equipment to be maintained, kept clean, and in good repair to allow food products to be maintained at adequate temperatures.	Address and rectify immediately in order to come into compliance with the law.

Government of Guam
Office of the Education Suruhanu (OES)
School Inspection Report

PUBLIC LAW 28-45: 14 POINTS COMPLIANCE	
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Location	14 Point at issue (a-n)	Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu)	Date of Citation	D e m e r i t s	Description of Finding	Comments	Recommendations
Cafeteria	I	PH & S	11/9/09	4	Screen door near the serving line, located in the cafeteria entrance, is missing the self closing device.	P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. The SCC requires all screen doors to have self closing devices to prevent the entrance of insects and/or pests	Address and rectify immediately in order to come into compliance with the law. Ensure that windows are properly installed.
Storm Drainage System	I	GEPA	11/9/09	N/A	Standing rain water located near room E7, near F2, behind CSA, in front of the cafeteria.	Repeat violation. P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA indicated in their report that this discrepancy is a repeat discrepancy. The same discrepancy was observed and cited in the July 2009 inspection report.	Address and rectify immediately in order to come into compliance with the law.
Storm Drainage System	I	GEPA	11/9/09	N/A	Missing 1/2 inch screen at the storm drain inlets, at the catch basin inlet located behind room F1, near F2/F3, near F5, behind F5, near G9. Storm drain inlet near G9 is clogged.	Repeat violation. P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA indicated in their report that these are the same discrepancy observed and cited in the July 2009 inspection report.	Address and rectify immediately in order to come into compliance with the law.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIVISION OF ENVIRONMENTAL HEALTH

1 of 3

10/A

SCHOOL BUILDING INSPECTION REPORT

REASON	INSPECTION DATE	ESTABLISHMENT NAME
Regular <input checked="" type="checkbox"/>	11-10-09 2009	H. B. Price Elementary School
Follow-up <input type="checkbox"/>	INSPECTION TIME	OWNER/OPERATOR
Complaint <input type="checkbox"/>	9:30 HR. MIN.	Department of Education
Investigation <input type="checkbox"/>	TRAVEL TIME	LOCATION
Other (Specify)	HR. MIN.	Vietnam Veterans Highway, Route 10
	SANITARY PERMIT #	PERMIT CATEGORY STATUS (Circle One)
	9000142-2	Permanent Temporary/Current Expired
		ESTAB. TYPE
		SCHOOL BLDG.

Based on an inspection this day the items listed below identify violations in operation or facilities which must be corrected by the next routine inspection or such shorter period of time as may be specified by the Department. Failure to comply may result in cessation of your operations.

ITEM NO.	REMARKS	CORRECT BY:
#13	Observed room 64 with a crack wall observed cracks on wall near teachers lounge observed D wing hallway awning near room D6 in disrepair (D7 rotted & vegetation growing) observed D & C wing awning corroded observed room E6 with bare wood near A/C unit. Observed outdoor area - stage with bare wood. Walls and ceilings shall have surface of light color and flat finish, shall be kept clean, and in good repair. Walls shall be finished with easily cleanable material.	2
#19	Rooms T-17 and T-15 were voluntarily closed by PRINCIPAL COOPER-NURSE. ALL FACILITIES SHALL BE CLEANED, SAFE, and sanitary condition and kept in good repair.	2

I have read and understand the above violation(s) and I am aware of the corrective measures to be taken.

*When any of the following items are cited above, they shall be corrected within ten days of the inspection: (01); (02); (23); (27); (31).

RECEIVED BY (Name and Title)
 [Signature] Principal
 DEH INSPECTOR (Name and Title)
 RONALD B. ARANDANG ANTHONY RITTER
 Remington M. Purlaza-FHS Pennington
 Dorian Mitchell

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIVISION OF ENVIRONMENTAL HEALTH

10/A

2 of 3

SCHOOL BUILDING INSPECTION REPORT

REASON	INSPECTION DATE	ESTABLISHMENT NAME
Regular <input checked="" type="checkbox"/>	11 10 9 2009	H.B. Price Elementary School
Follow-up <input type="checkbox"/>	INSPECTION TIME HR. MIN.	OWNER/OPERATOR
Complaint <input type="checkbox"/>	TRAVEL TIME HR. MIN.	Department of Education
Investigation <input type="checkbox"/>	SANITARY PERMIT #	LOCATION
Other (Specify)	90001470	Vietnam Veterans Highway, Route 10
	PERMIT CATEGORY STATUS (Circle One)	ESTAB. TYPE
	Permanent Temporary/Current Expired	School BLDG.

Based on an inspection this day the items listed below identify violations in operation or facilities which must be corrected by the next routine inspection or such shorter period of time as may be specified by the Department. Failure to comply may result in cessation of your operations.

ITEM NO.	REMARKS	CORRECT BY
#27	Observed no pm COA with a reading of 20 FOOT candles using the environmental meter.	DATE
	CLASSROOMS shall meet the minimum light requirement of 30 FOOT candles for adequate lighting. (NOTE: CORRECTED)	
#31	Observed the following violations:	
	A) Partitions and stall doors in the following restroom (F wing) did not meet the minimum height requirement of 5 Feet.	
	- partitions and stall doors shall meet the minimum height requirement of 5 feet.	
	B) ALL Partition doors shall be self-closing	
	C) Minimum lighting requirement of 10 FOOT candles was not met in the A wing restroom. (reading is 6.1 using the environmental meter)	
	D) Partitions are painted with dark colors	
	- ALL partitions shall be painted with a light color, flat finish, and easily cleanable.	
	(NOTE: SECTION B & C WERE CORRECTED)	

I have read and understand the above violation(s) and I am aware of the corrective measures to be taken.

*When any of the following items are cited above, they shall be corrected within ten days of the inspection: (01); (02); (23); (27); (31).

RECEIVED BY (Name and Title)
 DEH INSPECTOR (Name and Title)
 Remyton M. Burloza, EHS Remulosa

**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIVISION OF ENVIRONMENTAL HEALTH
EATING & DRINKING ESTABLISHMENT / FOOD ESTABLISHMENT
INSPECTION REPORT**

REASON		GRADE	Inspection Date:		ESTABLISHMENT NAME:	
Regular	<input checked="" type="checkbox"/>	D-6 B	11/09/2009		DOE - H.B. PRICE ELEMENTARY SCHOOL CAFETERIA	
Follow-Up	<input type="checkbox"/>		Time In	Time Out	OWNER/OPERATOR:	
Complaint	<input type="checkbox"/>	RATING	9:46		DEPARTMENT OF EDUCATION	
Investigation	<input type="checkbox"/>		Sanitary Permit No.:		LOCATION:	Establishment Type:
Other:	<input type="checkbox"/>	A	20000-9001440		VIETNAM VETERANS HIGHWAY ROUTE 10 SCHOOL CAFETERIA	
			PERMIT STATUS: <input checked="" type="checkbox"/> Valid <input type="checkbox"/> Temporary <input type="checkbox"/> Expired			

The following items identify violations found this day in the operations and facilities which must be corrected by the next inspection, or sooner, as the Department indicates. Non-compliance may result in downgrading or permit suspension. To appeal, a written request for hearing must be submitted before the indicated correction date.

ITEM*	REMARKS	DEMERIT	CORRECT BY
	AN INSPECTION WAS CONDUCTED ON THIS DAY AND THE FOLLOWING VIOLATIONS WERE OBSERVED		
#15	CHILL STORAGE UNIT LOCATED BETWEEN MECHANICAL WARE WASHING MACHINE AND HOT HOLDING STORAGE UNIT HAS DOOR SEALS IN DISREPAIR.	2	
	ALL EQUIPMENT SHALL BE IN GOOD REPAIR TO ALLOW FOOD PRODUCTS TO BE MAINTAINED AT ADEQUATE TEMPERATURES.		
#37	OBSERVED BARE WOOD THROUGHOUT EXIT DOOR LOCATED IN THE KITCHEN AREA.	2	CORRECTED
	ALL BARE WOOD SHALL BE PAINTED/SEALED UNLESS IN GAR TO ALLOW THOROUGH CLEANING.		
#35	SCREEN DOOR NEAREST SERVING LINE, LOCATED IN THE CAFETERIA ENTRANCE IS MISSING THE SELF-CLOSING DEVICE.	4	
	ALL SCREEN DOORS SHALL HAVE SELF CLOSING DEVICES TO PREVENT THE ENTRANCE OF INSECTS AND PESTS.		
	"A" PLACARD NO: 02448 REMAINS POSTED.		
	DISCUSSED ALL VIOLATIONS WITH PRINCIPAL LISA COOPER-NURSE		

I have read and understand the above violation(s) and I am aware of the corrective measures that I must take.

*Note: When any of the following items are cited above, they shall be corrected within 10 days of this inspection:

- (1), (3), (11), (12), (27), (28), (30), (41) & (45).

Received By (Name & Title):

Lisa Cooper, Principal

DEH Inspector (Name & Title):

Debra Mitchell, ENRTP ROYAL B. CHANDLER



GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA' LA GUAHAN

P.O. BOX 22439 GMF • BARRIGADA GUAM 96921 • TEL: 475-1658/9 • FAX: 477-9402

GEPA ONE STOP PERMIT SECTION Inspection Schedule

UN-OFFICIAL INSPECTION
REPORT 11/09/09

Owner: PRICE ELEMENTARY SCHOOL GEPA Permit No. _____
Contractor: _____ Project Type: GPS HEALTH AND SAFETY INSP.
Location and Lot No. MANUJAO
Schedule Date: 11/09/09 Scheduled Time: _____ Date Requested: _____

Check the type of work requiring inspection:

- On-Site Drainage System
- Grease Interceptor
- Sewage Treatment Plant
- Septic Tank / Leaching Field
- Site / Ocular Inspection
- Clearing and Grading
- OTHERS STORM DRAINAGE SYSTEM
- Stockpiling
- Backfilling

REMARKS: Explain clearly the type of work that requires inspection.

1) DEFERITS FROM LAST INSPECTION STILL VISIBLE STANDING RAIN WATER LOCATED NEAR ROOM E-7, NEAR F2, BEHIND CSA, IN FRONT OF THE CAFETERIA
2) NEED TO INSTALL 1/2" SCREEN TO DRAINAGE INLETS / CATCH BASIN UNDER NEATH STEEL GRATING LOCATED BEHIND ROOM F1, NEAR F2/F3, NEAR F5, BEHIND F5, NEAR G1 AND ALSO STILL CLOSED NEED TO UNCLOSED IMMEDIATELY

Inspector's Name (Print): RUSTICO A. JOYA
INSPECTION: 11/09/09 (DATE) and 9:30 (TIME)

NOTE: ALL THE DEFERITS THAT (RECEIVED BY: [Signature]) I HAVE FOUND FOR TODAY'S INSPECTION IT'S STILL THE SAME FROM LAST INSPECTION, NO ACTION HAS BEEN PERFORMED.
R.M.E. of Contractor / Owner PRINCIPAL

Certification of GEPA Official: LAST INSPECTION JULY 22, 2009
Address and Telephone No. _____

I certify that all work / / has been done / / has not been done in compliance with GEPA Rules and Regulations: with the approved plans and specifications and with the Building Law of the Government of Guam.

GEPA Official Date () APPROVED () DISAPPROVED

INSTRUCTIONS: This form is to be prepared in three (3) copies at the Building Permit One Stop Center, at least seventy-two (72) hours in advance.

DISTRIBUTION: NOTE: NEED TO BACKFILL OPEN AREA LOCATED FROM E ROOMS TO MAKE IT HIGHER ELEVATION TO THE EXISTING CONCRETE SWALE / CANAL
1. GEPA One-Stop Permit Center Copy (White)
2. GEPA WPC Inspector Copy (Yellow)
3. Contractor / Owner's Copy (Pink)

NOTE: Provide (drawing or sketch) location map on the back sheet of the white copy. This is not valid unless pertinent inspection reports are attached in the white and yellow copy, and duly signed by the assigned GEPA staff.

Handwritten notes: 11/9/09