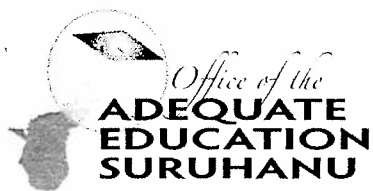


Handwritten mark



Dominic Terlajc
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30-09-1380

November 19, 2009

Office of the Speaker
Handwritten signature and date: 11/20/09
11/19/09
11/18/09

TO: Superintendent of Education
FROM: Education Suruhanu
SUBJECT: Agueda Johnston Middle School Inspection November 2009

Dear Dr. Bretania Underwood:

Attached to this memorandum are inspection reports identifying discrepancies discovered during an inspection of the Agueda Johnston Middle School campus that occurred on November 12, 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 with a total of ten (10) demerits. In addition, DPHSS issued a letter grade "A" for the school cafeteria totaling four (4) demerits. GEPA also issued an inspection report detailing the discrepancies discovered.

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 cafeteria received a demerit score of four (4) therefore, the two (2) 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 some of the discrepancies noted in the current inspection report are the same discrepancies noted in the July 2009 inspect report. In other words, it appears as though 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.

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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:

OES inspection report

cc:

Honorable Speaker, 30th Guam Legislature

GEPB Chairman

Agueda Johnston Administrator (via email)

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. Rose Castro, Acting Principal
Date and Time of Inspection: November 12, 2009 at 10:15 a.m.
Weather Condition: Sunny and warm

Name of School: **Agueda Johnston**

Location	14 Point at issue (a-n)	Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Sanitama)	Date of Citation	D e m e r i t s	Description of Finding	Comments	Recommendations
Gym	I	PH & S	11/12/09	2	Observed ceiling leak in the left exhaust ceiling fan by the stage. Leak on score board wall	P.L. 28-45 § 4 (12) (I) 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. Reports of ceiling leaks should also be reported to the DOE safety administrator for their review and action as necessary.
B Wing	I	PH & S	11/12/09	4	Observed double door exits located on the sides of the school building at the 1st floor area in disrepair.	P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires Entrance/Exit doors to be self-closing, open outward, kept clean, and in good repair	Address and rectify immediately in order to come into compliance with the law.
B Wing/ C Wing	I	PH & S	11/12/09	2	Observed numerous aluminum window handle louvers in disrepair.	P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires windows to be kept clean and in good repair.	Address and rectify immediately in order to come into compliance with the law. Properly repair and/or replace damaged window handles.

Government of Guam
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Weather Condition: Sunny and warm

Name of School: **Agueda Johnston**

Location	14 Point at issue (a-n)	Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Surahanu)	Date of Citation	D e m e r i t s	Description of Finding	Comments	Recommendations
Gym	I	PH & S	11/12/09	2	Observed light fixtures with burned out light bulbs.	P. L. 28-45 § 4 (12) (f) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires sufficient lighting to be provided. The SSC requires that school equipment be in good working order.	Repair and/or replace immediately in order to come into compliance with the law. Regular monitoring of the lights should be conducted accordingly and light bulbs or other lighting issues should be addressed as necessary.
Cafeteria	I	PH & S	11/12/09	2	Observed water coming from the floors in the chill storage unit, the back wall and entrance door way. Observed that floors are not level and water flows out when you step on certain areas of the floor.	P. L. 28-45 § 4 (12) (f) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires all floors to be maintained, kept clean, and in good repair.	Address and rectify immediately in order to come into compliance with the law.
Cafeteria	I	PH & S	11/12/09	2	Chill and freezer storage unit doors do not close properly. A make shift device has been created in order to secure both the chill and freezer door units (walk in). Observed signs of water leaks throughout several ceiling tiles in the dining area	P. L. 28-45 § 4 (12) (f) requires schools to provide a healthful, safe, and sanitary learning environment. Freezer doors shall be repaired and maintained in good working order in order to allow food products to be maintained at the proper temperature. The SSC requires school ceilings and ceiling tiles to be kept clean and in good repair. Note: all food products in the chill storage unit have been removed and placed in the foremost milk chiller. Kings District Manager, Ms. Betsy Cruz stated that the chill storage unit floors will be replaced this week. In addition, food products shall not be stored in the chill storage unit (walk-in) until the facility meets the temperature requirement of 45 ° F or below.	Address and rectify immediately in order to come into compliance with the law

Agueda Johnston Middle School Inspection
November 12, 2009

Government of Guam
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School Inspection Report

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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 Grease Trap	1	GEPA	11/12/09	N/A	Grease trap needs to be serviced, pumped, and cleaned. The used oil must be disposed of properly.	P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. DOE should provide GEPA a receipt of work performed to service the grease trap.	Address and rectify immediately in order to come into compliance with the law. The grease trap frequently monitored and serviced as necessary.
On site drainage system	1	GEPA	11/12/09		Observed depressed areas in the road located behind the cafeteria and the gym area. Observed evidence of standing water in such area.	Repeat violation. P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment.	Address and rectify immediately in order to come into compliance with the law
On site drainage system	1	GEPA	11/12/09		Observed standing water inside of a concrete pit located by the fence near room A1 and the parking lot.	Repeat violation. P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment.	Address and rectify immediately in order to come into compliance with the law

Agueda Johnston Middle School Inspection
November 12, 2009