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Education Suruhanu

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January 19, 2010

TO: Superintendent of Education  
FROM: Education Suruhanu  
SUBJECT: UPI Elementary School Inspection January 2010

30-10-0051  
Office of the Speaker  
Date: 1/20/10  
Time: 8:15  
Received by: [Signature]

Dear Dr. Bretania Underwood:

Attached to this memorandum is a report identifying the discrepancies discovered during an inspection of the UPI Elementary School campus that occurred on January 15, 2010. 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. I strongly recommend that GDOE address all the discrepancies identified and rectify them immediately in order to come into compliance with the various regulatory agency codes and with various provisions of the Fourteen (14) Points of P.L. 28-45. Because not all the classrooms or school facilities were inspected, GDOE is highly encouraged to assess all other classrooms and school facilities in order to identify any other discrepancies and perform the necessary corrective action.

The school received a letter grade B with a total of sixteen (16) demerits for the various violations contained in DPHSS' School Building Inspection Report. In addition, the school cafeteria received a letter grade A with a total of two (2) demerits for the various violations contained in the DPHSS' Eating & Drinking Establishment / Food Establishment Inspection Report. The law requires that such violations 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 of time not to exceed 30 days. See 10 GCA § 21107 (2) (a). The school building received a demerit score of 16. Therefore, the two (2) and four (4) demerit items must be corrected within 30 days from the date of the inspection. The school cafeteria received a demerit score of 2. Therefore, such demerit items must be corrected within 30 days from the date of the inspection.

Please submit to my office, in writing, GDOE's plan of corrective action for each of the discrepancies identified, including but not limited to the date when such discrepancies will be rectified. Furthermore, please submit to my office, in writing, the corrective action already taken if any, to rectify the discrepancies since the date the inspection occurred. Moreover, please identify the discrepancies or violations that GDOE may not be able to correct within the time frame required and please indicate the reason or for any delay in rectifying any such discrepancy or violation. Please submit the above requested information to my office within 10 days from the date your office receives this correspondence.

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

Respectfully,

[Signature of Dominic Terlaje]  
Dominic Terlaje

**Attachment:**

cc: Honorable Speaker, 30<sup>th</sup> Guam Legislature;  
GEPB Chairman;  
Principal UPI Elementary School (via email)

Clerk of the Legislature

ACKNOWLEDGEMENT RECEIPT  
Received by: EMM  
Time: 1:25 PM  
Date: 1-20-2010

**PUBLIC LAW 28-45: 14 POINTS COMPLIANCE**

**School: UPI Elementary**

School Representative: Ms. San Agustin, Principal  
Date and Time of Inspection: January 15, 2010  
Weather Condition: Sunny and warm.  
Student Population: 821

School Building Letter Grade Issued: (B) 16 Demerits / Cafeteria Letter Grade Issued: (A) 2 Demerits.

Location (Rm. #, Bldg.)	14 Point at issue (a-n)	Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Surohanu)	Date of Citation	Description of Finding	Demerits	Comments	Recommendations
Campus	I	PH & S	1/15/10	Overgrown vegetation	2	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 (DPHSS) School Sanitary Code (SSC) requires school grounds to be kept clean, free of rubbish and overgrown vegetation. The Principal indicated that the Mayor is experiencing some difficulties with the vendor who was selected to perform the grass cutting services at UPI resulting in the delay of such grass cutting services being performed at the school.	Grass cutting services should be performed on a regular basis.
Various rooms	I	PH & S	1/15/10	A4103 & A5103 exit doors not opening from inside the classroom. B101 & B104 self-closing door devices not in good repair. Room 2 fast track missing door knob.	4	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. DPHSS SSC requires that doors and self-closing door devices be kept in good repair.	Ensure that the doors are able to open easily and in good repair. In addition, ensure that all self-closing door devices are properly installed at provided on each entry door and that they are in good repair.
Various rooms	f & l	PH & S	1/15/10	A/C units not working. (Inadequate ventilation) B104: 83.1 ° F with a Relative Humidity (RH) of 71.3 %. Library: 85 ° F with a RH of 49 %, H104: 85 ° F with a RH of 51.6 %, G102: 86.3 ° F with a RH of 67.4 %. Note: The teacher in G102 indicated that the classroom has been without a working A/C unit for approximately three months and that it has been previously reported.). Fast Track room 3: 84° F with a RH of 58.4 %, Fast Track room 5: 85 ° F with a RH of 53%.	2	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. P.L. 28-45 § 4 (12) (f) requires schools to provide air conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78 ° F. The SSC requires school equipment to be maintained, kept clean, and in good repair. The SSC requires that ventilation shall be adequate to provide proper circulation of needed air within a room by either windows or mechanical ventilators. The SSC requires that when mechanical ventilation is provided, it shall be kept clean and in good repair. Public Health considers temperatures above 85 ° F inadequate.	Adequate ventilation must be provided to ensure proper air circulation in order to maintain adequate temperature. In the event a classroom temperature measures above 85 ° F, Public Health may require the closure of such room until such measures can be taken to improve air circulation so that the room temperature can be adequately maintained. NOTE: Reports of classrooms without working air conditioning should be addressed immediately. Additional A/C vendors may be necessary in order to adequately and timely address the numerous work requests reporting broken or in operable A/C units. Ensure that each classroom is properly ventilated by mechanical or natural ventilation. Develop contingent plan in the event the air conditioning unit in the classroom becomes inoperable so that quick action can be taken to ensure that room is properly ventilated. In the alternative, if class room temperature cannot be maintained below 84 ° F, students should be re-located to a more suitable classroom.

**PUBLIC LAW 28-45: 14 POINTS COMPLIANCE**

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2nd grade classrooms	I	PH & S	1/15/10	4	Lack of sanitary paper towel dispensers.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires soap and single-service towels to be provided and made available at all times. (No heated air hand-drying device was available.)	Address and rectify all discrepancies immediately in order to come into compliance with the law. Student restrooms must be provided with sanitary supplies at all times throughout the entire school day. A restroom without sanitary supplies could present various health concerns for students. DOE must exhaust all efforts to ensure that sanitary supplies are provided and made available in all student restrooms, and that restrooms remain clean and sanitary despite any shortcomings the school may be experiencing. School personnel including office staff should be required to perform restroom monitoring. A restroom log should be created and implemented accordingly.
Campus	I	PH & S	1/15/10	2	Fire extinguishers annual service date expired	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires that fire extinguishers be provided. The Guam Fire Department requires a portable fire extinguisher to be properly charged, properly serviced, properly mounted, and that the safety pin is properly secured. Monthly monitoring of the fire extinguishers should also be performed and any fire extinguishers found to be in disrepair, discharged, or expired should be reported immediately and replaced accordingly.	Address and rectify immediately. Perform monthly monitoring of all fire extinguishers ensuring that they are properly charged, that the safety pin is properly secured, and that the annual service date is current or not expired. DOE should require their safety administrator to develop a master list of all the schools fire extinguishers and log the annual service dates for all fire extinguishers in order to assist or provide reminders to school administrators or other DOE officials in advance of the annual service expiration date of any such fire extinguishers. In addition, I recommend that the DOE safety office coordinate with the fire extinguisher vendor well in advance of the expiration date of the fire extinguishers or when fire extinguishers may found to be in disrepair, in order to ensure that properly working fire extinguishers are available in the schools. Proper planning and scheduling should be a priority concerning the availability of properly working fire extinguishers to ensure student safety.

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Cafeteria	I	PH & S	1/15/10	2	Door seal on walk-in freezer in disrepair.	DPHSS requires door seals to be in good repair in order to ensure that the door closes properly.	Repair and/or replace immediately.
Campus	I	E and S	1/15/10	N/A	Observed growing vegetation and debris on top of storm water drainage inlet located in the parking lot across A wing. Observed green waste on top of storm water drainage inlet near room G106.	N/A	Address and rectify immediately in order to ensure proper drainage of water.
Campus	I	E and S	1/15/10	N/A	Observed standing water located near the nurse's office and near a drinking fountain by room 103.	N/A	Address and rectify as soon as possible in order to eliminate standing water. Perform regular monitoring of campus noting any possible signs of standing water and act quickly.
Library	k	S	1/15/10	N/A	Individual assigned to operate Library is not a certified librarian.	P.L. 28-45 § 4 (12) (k) requires libraries to be operated by a certified librarian. The person assigned to operate the library is a retired teacher.	Assign a qualified individual to operate the library immediately in order to come into compliance with the law. Identify qualified individuals within DOE who may possess the necessary certificate and assign them to operate the library.