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Dominic Terlaje
Education Suruhanu

January 20, 2010

TO: Superintendent of Education
FROM: Education Suruhanu
SUBJECT: Tamuning/LBJ Elementary School Nurse

Handwritten notes and signatures: "1/20/10", "30-10-0071", and a signature.

Dear Dr. Bretania Underwood:

My office received a complaint reporting that a single nurse is being required to provide nursing services to both the Tamuning and LBJ elementary schools. In other words, the complaint alleges that one of the two schools is without an assigned certified nurse.

The Office of the Education Suruhanu (the OES) investigates complaints pursuant to Public Law 28-45 concerning possible violations of any of the Fourteen (14) Points (the 14 Points) as provided for under the Every Child is Entitled to an Adequate Public Education Act. More specifically, P.L. 28-45 § 4 (12) (d) requires public schools to provide a certified school health counselor otherwise known as a school nurse. After reviewing information contained in the complaint, it was determined that the lack of a certified school nurse at a public school meets the criteria under the 14 Points.

LBJ has a student population of approximately 250 students in the kindergarten to 1st grade classes and Tamuning has a student population of approximately 600 students in the 2nd to 5th grade classes. The LBJ and Tamuning schools are in close proximity of each other and both schools share one Principal, one Assistant Principal, and they currently share one nurse. However, students are not required to travel between schools. During the course of my investigation, I met with the Tamuning Elementary School Principal who confirmed that currently one school nurse is assigned to provide nursing services at both LBJ and Tamuning. The nurse currently assigned to provide nursing services to both LBJ and Tamuning is generally stationed at the Tamuning School but does report to LBJ on a daily basis. LBJ and Tamuning each had an assigned school nurse at the beginning of the school-year but according to a memorandum dated November 18, 2009, issued by the Superintendent, in an effort to provide nursing services for Simon Sanchez, each nurse was directed to report to Simon Sanchez according to the schedule provided. The LBJ and the Tamuning school nurse have been assigned to provide nursing services to the Simon Sanchez High School on an alternating monthly basis since December 2009 and will continue to do so until the vacant nurse position can be filled at Simon Sanchez.

P.L. 28-45 § 4 (12) (d) requires public schools to provide a certified school nurse. Because one school nurse is currently assigned to provide nursing services to two different schools (LBJ and Tamuning), that would require such nurse to be physically present at one school resulting in such nurse being unavailable at the other school. Currently, there are no exceptions to the law that requires public schools to provide a school nurse to each school, including the assignment of one school nurse to provide nursing services to two different schools. Thus, as a result of one school nurse being assigned to provide nursing services to two different schools, GDOE is not in compliance with the law.

As a result of having to share a school nurse between the LBJ and Tamuning campuses, the Principal has been diligent in her efforts to ensure that each school is provided nursing services as necessary under the circumstances. The Principal indicated that the school nurse divides her time between LBJ and Tamuning but is generally stationed at the Tamuning campus. However, I strongly recommend that a school nurse be assigned to either Simon Sanchez, LBJ, or Tamuning immediately in order to come into compliance with the law. I also recommend that GDOE consider combing the LBJ and Tamuning schools into one school on the basis that the schools are in close proximity of each other and because the two schools share one School Principal, one Assistant Principal, and now one School Nurse. Combining the two schools into one school may yield benefits not yet realized.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dominic Terlaje", with a long horizontal flourish extending to the right.

Dominic Terlaje

cc: Honorable Speaker 30th Guam Legislature
Chairman, GEPB
Tamuning/LBJ Administration (via email)