



Office of the Adequate Education Suruhanu  
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Dominic Terlaje  
Education Suruhanu

February 19, 2010

30-10-0178

To: Superintendent of Education  
From: Education Suruhanu  
Subject: Chief Brodie Elementary School Inspection

*[Handwritten signature]*  
2/23/10  
109/14  
per

Dear Dr. Bretania Underwood:

An inspection of the Chief Brodie Elementary School campus occurred on February 19, 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. 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 Cafeteria with zero (0) demerits. GEPA also issued an inspection report detailing the discrepancies discovered. However, GEPA does not issue demerit points for such discrepancies.

P.L. 28-45 § 4 (12) (I) of the Adequate Public Education Act (the Act), requires Public Schools to provide a healthful, safe, and sanitary learning environment. However, the Act does not provide for a time frame to come into compliance for the noted discrepancies/violations. As such, GDOE should rectify such discrepancies/violations immediately. In addition, Title 10 G.C.A. Chapter 21 states that violations identified in a DPHSS inspection report must be corrected within a specific time frame. When an inspection yields a demerit score of 20 or less, all violations of two (2) or four (4) demerit points must be corrected within a period of time not to exceed 30 days. See 10 G.C.A. § 21107 (2) (a).

The school building received a demerit score of ten (10) therefore, the two (2) and four (4) demerit point items listed in the DPHSS inspection report must be corrected within 30 days from the date of the inspection. Although there is no reported time frame in which to correct the discrepancies noted by GEPA, any such discrepancies should be corrected immediately.

I strongly recommend that GDOE address all discrepancies/violations identified in the inspection reports and rectify them immediately in order to come into compliance with the various regulatory agency codes, with the various provisions of the Fourteen (14) Points of the Act, and/or with any other applicable laws or rules. Because not all the school's classrooms or school's 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.

Please submit to my office in writing, GDOE's plan to rectify each of the discrepancies/violations identified in any such inspection report, including but not limited to the action taken or to be taken to rectify the discrepancy/violation and the date when such discrepancy/violation was rectified or would be rectified.

Respectfully submitted,



Dominic Terlaje

Attachment: Inspection Report

cc:

Honorable Speaker, 30<sup>th</sup> Guam Legislature  
Chairman, GEPB  
Billy Cruz, GDOE Facilities and Maintenance Manager (via email)  
Chief Brodie Elementary School Principal (via email)

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

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

School Representative: Ms. Diaz, Principal Date and Time of Inspection: February 19, 2010 Weather Condition: Sunny and warm. Student Population: 361	School: <b>Chief Brodie Elementary</b>
School building received a letter grade "A" with 10 demerits. Cafeteria received a letter grade "A" with 0 demerits.	

Location/ Room No. / Bldg.	14 Point (a-n)	Type of Citation: PH=DPHSS F=Fire Dept E=EPA S=Suruhanu	Date Cited	D e m e r i t s	Description of Finding	Comments	Recommendations
Campus	1	PH & S	2/19/10	2	Observed overgrown vegetation near the trash bins.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The Department of Public Health (DPH) School Sanitation Code (SSC) requires that school grounds to be free of overgrown vegetation. Village Mayors are mandated by law to provide grounds maintenance services to the schools.	Address and rectify immediately in order to come into compliance with the law.
Campus	1	PH & S	2/19/10	2	Observed bare wood on awing/canopy ceilings near rooms 22-35.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires walls and ceilings to have surfaces of light color, have a flat finish, be kept clean, and in good repair. Bare wood should be properly painted, stained, or sealed to be impervious to moisture. <b>NOTE:</b> This particular issue was cited in the DPHSS June 2009 inspection report and as such, it should have been rectified within 30 days after the date of the inspection.	Address and rectify immediately in order to come into compliance with the law. When any wood material is installed, it should be painted either before or immediately after it is installed.
Campus	1	PH & S	2/19/10	4	Observed several self-closing door devices on various classroom restroom entry doors.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires entry doors to be self-closing.	Address and rectify immediately in order to come into compliance with the law.

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33, 2 & 10	1	PH & S	2/19/10	2	Observed A/C units in disrepair.	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 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. In the event a classroom temperature measures above 85 ° F and/or when the relative humidity exceeds a specific measurement, 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.	Address and rectify immediately in order to come into compliance with the law. A/C unit filters should be cleaned on a regular and ongoing basis or as necessary. Recommendations have been made requesting that instead of 78 °F as the maximum allowed room temperature, a range between 78 °F and 84 °F should be the standard.
Area near room 10	1	E & S	2/19/10	N/A	(Solid waste) Observed stockpiling of old plywood and other debris.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires any and all solid waste to be removed from the campus and disposed of properly.	Address and rectify immediately in order to come into compliance with the law. The proper parties should be contacted for the removal of any solid waste and such waste should be properly disposed.
Campus	1	E & S	1/1/00		Observed burned trash	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires any and all such waste to be removed from the campus and disposed of properly. GEPA also indicated that no burning is allowed on school campus.	Address and rectify immediately in order to come into compliance with the law. Principal must ensure that all personnel are properly informed that no burning is allowed on campus.

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Outside area near head start	1	E & S	2/19/10	N/A	Observed open drain pipe located at the employees parking lot.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires all drains to be properly covered or sealed to prevent foreign objects from entering the drain system which may possibly clog such system.	Address and rectify immediately in order to come into compliance with the law. Ensure that drain is properly covered and/or sealed.