



March 2, 2010

Memorandum

TO: Superintendent of Education
FROM: Education Suruhanu
SUBJECT: DL Perez Elementary School Inspection

Handwritten notes: 36-10-0198, 3/3/10, 1-30/10, and a signature.

Dear Dr. Bretania Underwood:

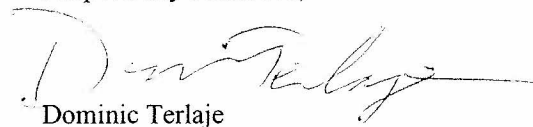
Attached to this memorandum is an inspection report identifying discrepancies discovered during an inspection of the DL Perez Elementary School campus that occurred on March 2, 2010. The inspection was conducted by my office only.

During the course of this inspection, it was discovered that several of the discrepancies observed are repeat discrepancies that were previously cited in the July 2009 inspection but that have not yet been corrected. I strongly recommend that DOE address all the discrepancies identified in the inspection report 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, it is highly recommended that all other classrooms and school facilities be assessed in order to identify any other discrepancies and to take the necessary corrective action.

Please submit to my office a proposed plan of corrective action for each of the discrepancies identified in the report, including but not limited to a date when any such discrepancy will be addressed, the anticipated date in which any such repairs and/or replacements will begin, and the date when such repairs or replacements would be completed.

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

Respectfully submitted,


Dominic Terlaje

Attachment: OES inspection report

cc:
Honorable Speaker, 30th Guam Legislature
GEPB Chairman
Billy Cruz, DOE Facilities and Maintenance Manager
DL Perez Elementary School Administration (via email)
GFD Captain Joe Muna (via email)

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

PUBLIC LAW 28-45: 14 POINTS COMPLIANCE	
School Representative: Ms. Cruz, Assistant Principal Date of Inspection: March 2, 2010 Weather Condition: Sunny, warm & dry Student population: 783 (414 boys) (352 girls)	Name of School: DL Perez Elementary

#	Location	14 Point	Type of Citation: PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu	Citation Date	D e m e r i t s	Description of Finding	Comments	Recommendations
	Elementary Classroom	a	S	3/2/10	N/A	Certified teacher not provided.	P.L. 38-45 § 4 (12) (a) requires schools to provide a certified teacher for every class in a ratio established by relevant collective bargaining agreements. According to school officials, the certified teacher assigned to the class is on medical leave for the remainder of the school year. The teacher has been on medical leave since mid February 2010. According to school officials, a substitute teacher is assigned to cover the class. Currently there are no exceptions that would allow a non-certified individual to teach the class.	A certified teacher must be provided in order to come into compliance with the law. DOE should identify personnel already within DOE who may be qualified to fill such position and have any such person assigned to the class until the certified teacher returns.
	Chamorro language classroom	a	S	3/2/10	N/A	Chamorro language teacher does not possess a current certificate.	P.L. 38-45 § 4 (12) (a) requires schools to provide a certified teacher for every class in a ratio established by relevant collective bargaining agreements. According to school officials, the Chamorro language teacher's certificate expired in January 2008.	A certified Chamorro language teacher must be provided in order to come into compliance with the law. In the alternative, DOE should require the all individuals whose certificate to teach has expired to immediately begin the steps to obtain the necessary certificate.
	Campus	l	S	3/2/10	N/A	Observed bare wood throughout the campus.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The Department of Public Health School Sanitation Code (the SSC) requires walls and ceilings to have surfaces of light color, have a flat finish, be kept clean, and in good repair.	All bare wood must be painted or stained immediately in order to come into compliance with the law.

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	Campus	I	S	3/2/10	N/A	Problem causing standing water between G and O building may not have been corrected. (Possible repeat violation). Problem was cited by PH in a July 2009 inspection but according to school officials, the problem has not yet been corrected.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. Although no water was observed, school officials indicated that when it rains hard, the water does not drain properly resulting in standing water in such area.	In order to come into compliance with the law, the necessary work must be performed to prevent prolonged bouts of standing rain water.
	Various entry doors	I	S	3/2/10	N/A	Missing self-closing door devices on various entry doors. (Repeat violation from the July 2009 inspection)	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires entrance doors to be self-closing and open outward. The SSC also requires doors to be kept clean and in good repair.	Self closing door devices must be installed on all entry doors immediately in order to come into compliance with the law.
	47 & 48	I	S	3/2/10	N/A	Cracks in ceiling. (Repeat violation from the July 2009 inspection)	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 be clean and in good repair.	Repairs must be made immediately in order to come into compliance with the law. Ceiling cracks could indicate that the ceiling structure may be compromised. A proper assessment of the ceiling should be conducted to determine the cause of the cracks. DOE must respond timely to reports of such discrepancies especially where students are present.

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	Various classrooms	1	S	3/2/10	N/A	Broken windows covered with plywood and broken window louvers. (Repeat violation from the July 2009 inspection)	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires windows to be kept clean and in good repair. The SSC requires all classroom windows to be provided with light shields, shades, or blinds which shall be kept clean and in good condition and so used or adjusted so that glare and excessive light intensities are reduced to a minimum. The SSC does not allow the use of window panes for decorations or objects that shut out the light.	All wood panels covering window spaces must be removed and all broken window louvers must be repaired and/or replaced immediately in order to come into compliance with the law. Each room shall be made to allow a sufficient amount of natural light to enter into the room.

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	61,44, 43, 41, 40, 31, 30, 8	f & l	S	3/2/10	N/A	<p>Inadequate ventilation. Classrooms are without working air conditioning units. Temperatures measured between 82 °F and 85 °F in the various rooms visited. Some classrooms have been without a working air conditioning unit for a month to two months. Room 41 has been without working air conditioning for approximately two months. Room 44 has been without working air conditioning for approximately six weeks. Room 30 has been without working air conditioning for approximately one month.</p>	<p>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. The teacher indicated that such condition has existed for approximately one month. Public Health considers temperatures above 85 ° F inadequate. 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.</p>	<p>Ventilation through mechanical or natural means must be improved in order to come into compliance with the law. Additional fans or other mechanical devices should be provided in the event the A/C unit cannot be repaired immediately. If room temperature cannot be improved or conditions worsen, students must be re-located to a more suitable room. A/C unit filters should be cleaned on a regular and ongoing basis or as necessary. DOE must respond timely to reports of such discrepancies in order to ensure that learning takes place in a comfortable environment. Additional A/C vendors should be contracted in order to adequately address the numerous A/C problems reported on a daily basis. Perhaps four A/C vendor should be selected with each of the vendors being assigned to one particular school district.</p>

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	Various other classrooms	f & l	S	3/2/10	N/A	<p>Inadequate ventilation. Air conditioning unit working but not cooling properly. Temperatures measured between 82 °F and 85 °F in the various rooms visited. The temperatures were taken between 10:00 a.m. and 12:00 noon with students present.</p>	<p>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. The teacher indicated that such condition has existed for approximately one month. Public Health considers temperatures above 85 ° F inadequate. 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.</p>	<p>Ventilation through mechanical or natural means must be improved in order to come into compliance with the law. Additional fans or other mechanical devices should be provided in the event the A/C unit cannot be repaired immediately. If room temperature cannot be improved or conditions worsen, students must be relocated to a more suitable room. A/C unit filters should be cleaned on a regular and ongoing basis or as necessary. DOE must respond timely to reports of such discrepancies in order to ensure that learning takes place in a comfortable environment. Additional A/C vendors should be contracted in order to adequately address the numerous A/C problems reported on a daily basis. Four different A/C vendors should be selected with each vendor to be assigned to one particular school district.</p>

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	Male and female restrooms and various K to 2nd classroom sinks.	i & l	S	3/2/10	N/A	Observed various male and female restrooms and K to 2nd classrooms without sanitary single-service paper towels, without soap, and soap dispensers 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) (j) requires schools to provide proper sanitation. The SSC requires soap and single-service paper towels to be provided and made available at all times. A heated air hand-drying device is acceptable in place of the single-service paper towel dispenser. Hand pump soap dispensers may be used on a temporary basis only.	Provide all sanitary supplies in all restrooms and in all K to 2nd classrooms in order to come into compliance with the law. Repair, replace, and/or install sanitary dispensers as necessary. A restroom not properly stocked with 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 at all times, and that restrooms remain clean and sanitary throughout the entire school day. School personnel including office staff should be required to perform restroom monitoring. A restroom log or monitoring sheet should be created and implemented accordingly.
	44	l	S	3/2/10	N/A	Window screens in disrepair.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires windows to be clean and in good repair.	Window screens must be repaired and/or replaced immediately in order to come into compliance with the law.
	36	f & l	S	3/2/10	N/A	In adequate ventilation. A/C unit not working properly. Teacher indicated that the room is cool in the morning but warm in the afternoon. Observed possible water leak onto ceiling tile from A/C unit.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Ventilation must be improved immediately by either mechanical or natural means in order to come into compliance with the law.

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P wing girls restroom	1	S	3/2/10	N/A	Observed wood panel where sinks are mounted is in disrepair. (Dry rot)	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires walls to have surfaces of light color, have a flat finish, be kept clean, and in good repair.	Wood panel must be replaced immediately in order to come into compliance with the law.
P wing boys restroom	1	S	3/2/10	N/A	Observed bare wood under sink.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires walls to have surfaces of light color, have a flat finish, be kept clean, and in good repair.	Bare wood must be painted immediately in order to come into compliance with the law.
O wing boys restroom	1	S	3/2/10	N/A	No soap. Soap dispensers in disrepair. Urinal not properly secured to the wall (possible leak).	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires sanitary supplies be provided at all times and that all facilities be maintained in a clean, safe, and sanitary condition and kept in good repair.	All discrepancies must be corrected immediately in order to come into compliance with the law. Hand pump soap dispensers are only considered as a temporary measure to a permanent soap dispenser.
O wing girls restroom	1	S	3/2/10	N/A	No soap. Water closet seats not properly secured to the bowl. Observed one sink not properly secured to the wall.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires sanitary supplies be provided at all times and that all facilities be maintained in a clean, safe, and sanitary condition and kept in good repair.	All discrepancies must be corrected immediately in order to come into compliance with the law.
G wing girls restroom	1	S	3/2/10	N/A	No soap. Soap dispensers in disrepair. Water closet seats not properly secured to the bowl.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires sanitary supplies be provided at all times and that all facilities be maintained in a clean, safe, and sanitary condition and kept in good repair.	All discrepancies must be corrected immediately in order to come into compliance with the law.

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I wing boys restroom	1	S	3/2/10	N/A	No soap. Two urinals leaking. One sink not properly secured to the wall.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires sanitary supplies be provided at all times and that all facilities be maintained in a clean, safe, and sanitary condition and kept in good repair.	All discrepancies must be corrected immediately in order to come into compliance with the law.
Y wing girls restroom	1	S	3/2/10	N/A	Water closet seats not properly secured to the bowl. Sink not properly secured to the wall.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires that all facilities be maintained in a clean, safe, and sanitary condition and kept in good repair.	All discrepancies must be corrected immediately in order to come into compliance with the law.
Various restrooms	1	S	3/2/10	N/A	Individual stall partitions do not meet the minimum height requirement of 5 feet. (Repeat violation from the July 2009 inspection.)	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires that toilet partitions begin not more than one foot from the floor and extend to a height of not less than five feet.	Install the partitions at the required height immediately in order to come into compliance with the law.
Campus	1	S	3/2/10	N/A	Observed wire being used to secure light fixture cover to the light fixture.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires school equipment to be safe and kept in good repair.	Light shields should be properly secured to secured light fixtures in order to come into compliance with the law.

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Campus	1	S	3/2/10	N/A	Observed the annual service date for several fire extinguishers has expired. Observed a few classrooms with properly serviced fire extinguishers however, the school does not have an adequate number of properly serviced fire extinguishers on campus.	P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires fire extinguishers be provided and that school equipment be in good repair. GFD has informed DOE that fire extinguishers must be provided and properly serviced.	Fire extinguishers must be properly serviced and a sufficient amount must be made available to the school in order to come into compliance with the law. The DOE Safety Office should develop a master list of all the schools and log the annual service dates for all fire extinguishers and to assist or provide reminders to school officials in advance of the annual service expiration date of any such fire extinguishers. In addition, the DOE Safety Office should coordinate with the fire extinguisher vendor well in advance of the expiration date of the fire extinguishers or when fire extinguishers are reported in disrepair in order to ensure that a sufficient amount of properly working fire extinguishers are available in the schools. Proper planning and scheduling should be a priority concerning the availability of working fire extinguishers to ensure that student safety is not compromised.
Cafeteria	1	S	3/2/10	N/A	Walk in chill box.	P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. The Rules and Regulations for Eating and Drinking Establishments (school cafeterias included), requires cafeteria equipment be in good working order. Although such equipment is currently not in use, cafeteria workers indicated that such equipment is necessary for adequate storage of cold food products.	Repair and/or replace the chill box immediately.

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Cafeteria	1	S	3/2/10	N/A	Inadequate ventilation. A/C units not working or not working properly. Note: Dining hall ceiling exhaust fans have been removed and the openings are covered with unpainted plywood. Also observed evidence of water stains on such wood possibly caused by a ceiling leak.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The Eating and Drinking Establishment Rules requires all rooms to have sufficient ventilation to keep them free from excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes. Room temperature measured 81°F with a relative humidity of 65 % at 10:30 a.m. with no students present. The cafeteria workers indicated that the temperature increases during the day and especially when the students are present.	Ventilation must be improved by mechanical or natural means in order to come into compliance with the law. DOE must respond timely to reports of such discrepancies.
Cafeteria	1	S	3/2/10	N/A	Observed that the annual service date for the fire extinguishers located in the cafeteria kitchen are expired.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Properly working fire extinguishers must be provided in the cafeteria dining hall and kitchen immediately in order to come into compliance with the law.
Cafeteria	1	S	3/2/10	N/A	Observed that the fire suppression system in the kitchen is expired. The service tag indicates that the system was serviced in August 2009 and that such system expires six months from such date which would be at the end of February 2010.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. GFD requires fire suppression system to be properly serviced.	The fire suppression system must be re-serviced and/or re-certified immediately in order to come into compliance with the law.

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	Cafeteria	I	S	3/2/10	N/A	Observed that the kitchen is without running hot water. (Kitchen personnel indicated that water heater for entire kitchen is not working and that the problem was first reported in disrepair in early January 2010.)	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The Eating and Drinking Establishment Rules requires the hot water be provided for manual cleaning and sanitizing purposes, and for sanitary facilities and controls. Warm water is also required in kitchen employees restrooms for proper hand washing purposes. According to cafeteria workers, they are boiling hot water as a temporary measure to provide hot/warm water as necessary.	Running hot water must be provided immediately in order to come into compliance with the law. DOE must quickly respond and repair such discrepancy immediately to ensure that sanitary measures are maintained in the cafeteria.