



Office of the Adequate Education Suruhanu
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Dominic Terlaje
Education Suruhanu

March 24, 2010

To: Superintendent of Education
From: Education Suruhanu
Subject: Agana Heights Elementary School Inspection

PHS 100-5 1110-27

Dear Dr. Bretania Underwood:

An inspection of the Agana Heights Elementary School campus occurred on March 24, 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 two (2) 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 10 and the Cafeteria received a demerit score of 2, therefore, the 2 and/or 4 demerit point items listed in the DPHSS inspection reports 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.

30-10-0276

4/2/2010
11:10am
[Signature]

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 measure 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,

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

Dominic Terlaje

Attachment: Inspection Report

cc:

Honorable Speaker, 30th Guam Legislature
Chairman, GEPA
Billy Cruz, GDOE Facilities and Maintenance Manager (via email)
Agana Heights Elementary School Principal (via email)

PUBLIC LAW 28-45: 14 POINTS COMPLIANCE

<p>School Representative: Carla Masnayan, Principal Date and Time of Inspection: Mar. 24, 2010 Weather Condition: Sunny and warm Student Population: 532. Males: 268 / Females: 264 School building received a letter grade "A" with 10 demerits. Cafeteria received a letter grade "A" with 2 demerits.</p>	<p>Name of School: Agana Heights Elementary</p>
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Location	14 Point	Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu)	Date of Citation	Demerits	Description of Finding	Comments	Recommendations
Campus	1	PH & S	3/24/10	4	Observed expired fire extinguishers throughout school campus. Observed two (2) fire extinguishers that are not expired.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires all equipment to be maintained and kept in good repair. GFD requires fire extinguishers to be provided and properly serviced. Note: The annual service identification tag affixed to the fire extinguishers indicates that the fire extinguishers expired in May or June 2009.	Fire extinguishers must be properly serviced in order to come into compliance with the law. The DOE Safety Office should develop a master list of all the schools, log the annual service dates for all fire extinguishers, and 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.
Rooms 5 & 2	1	PH & S	3/24/10	2	Observed dark stains throughout flooring. Observed tape on the floor and carpets taped to the floor in Room 19.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires floors to be easily cleanable, light in color, and kept clean and in good repair.	Remove all stains in order to come into compliance with the law. Regular cleaning of the floors and carpets should be performed as necessary.

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

PUBLIC LAW 28-45: 14 POINTS COMPLIANCE

<p>School Representative: Caria Masnyon, Principal Date and Time of Inspection: Mar. 24, 2010 Weather Condition: Sunny and warm Student Population: 532. Males: 268 / Females: 264 School building received a letter grade "A" with 10 demerits. Cafeteria received a letter grade "A" with 2 demerits.</p>	<p>Name of School: Agana Heights Elementary</p>
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Rooms 2, 5, 10, 12, & 16	f & l	PH & S	3/24/10	2	Observed air conditioner units are not working in Rooms 2 (B) right, 5 (B) right, 10 (B) right, 12 (B) right and 16 (A) left. Observed air condition leaking from the roof located near rooms 10 and 11.	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.	Repair and/or install self-closing door devices in all necessary areas immediately in order to come into compliance with the law.
Library	l	PH & S	3/24/10	2	Observed surveyed equipment outside library.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires all areas, facilities, and equipment to be maintained in a clean, safe, sanitary condition, and kept in good repair.	Repair and/or replace all A/C units not working. Repair any and all A/C water leaks. All A/C unit filters should be cleaned on a regular and ongoing basis or as necessary. Additional A/C vendors and/or personnel should be provided in order to adequately respond to and address the schools A/C issues. In the event ventilation cannot be improved or conditions worsen, the students must be removed to a more suitable room.

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Cafeteria	I	PH & S	3/24/10	2	Observed air curtain above cafeteria door (closest to courtyard) in disrepair.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The Rules and Regulations Relative to Eating and Drinking Establishments requires equipment attached to walls to be easily cleanable and maintained in good repair.	Repair and/or replace all air curtains in disrepair immediately in order to come into compliance with the law. Such equipment must be maintained regularly to ensure safe and effective operation of such equipment.
Campus	I	E & S	3/24/10	N/A	Install drainage system at wash area of back of cafeteria.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Address and rectify immediately in order to come into compliance with the law.
Campus	I	E & S	3/24/10	N/A	Remove and dispose office/school equipment (solid waste) at the back of custodial room.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Any such items must be properly secured and stored accordingly. Any form of solid waste must be immediately removed from campus and properly disposed.
Campus	I	E & S	3/24/10	N/A	Clean all field inlets around the campus (remove silt inside)	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Ensure that all storm water drain inlets are continuously free from any trash, rubbish, or vegetation to ensure proper storm water flow. Regular maintenance of such systems should be performed as necessary.
Campus	I	E & S	3/24/10	N/A	Provide drainage swale from room 8 room 14 leading to ponding basin.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Address and rectify immediately in order to come into compliance with the law.
Campus	I	E & S	3/24/10	N/A	Provide ventilations exhaust fans at two storage rooms.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Address and rectify immediately in order to come into compliance with the law.