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Dominic Terlaje
Education Suruhanu

March 19, 2010

To: Superintendent of Education
From: Education Suruhanu
Subject: Harry S. Truman Elementary School Inspection

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Dear Dr. Bretania Underwood:

An inspection of the Harry S. Truman Elementary School campus occurred on March 17, 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 "B" for the school building with a total of fourteen (14) demerits. In addition, DPHSS issued a letter grade "A" for the Cafeteria with eight (8) 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) (1) 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). However, when one (1) or more six (6) demerit point items are in violation, regardless of the total demerit score, such item or items must be corrected within a period of time not to exceed ten (10) days. See 10 GCA § 21107 (2) (c).

The school building received a demerit score of 14 and the Cafeteria received a demerit score of 8 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. However, because the school building report and the Cafeteria inspection report each contains a 6 point demerit item, such demerits must be corrected within 10 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.

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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 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,



Dominic Terlaje

Attachment: Inspection Report

cc:

Honorable Speaker, 30th Guam Legislature
Chairman, GEPB
Billy Cruz, GDOE Facilities and Maintenance Manager (via email)
Harry S. Truman Elementary School Principal (via email)

PUBLIC LAW 28-45: 14 POINTS COMPLIANCE

School Representative: Michael Meno, Principal
Date and Time of Inspection: March 17, 2010
Weather Condition: Sunny and warm
Student Population: 362: Males (199) Females (163)
School building received a letter grade "B" with 14 demerits. Cafeteria received a letter grade "A" with 8 demerits.

Name of School: **H S Truman Elementary School**

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	3/17/10	2	Observed overgrown vegetation throughout 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 (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 any and all areas on campus with overgrown vegetation immediately in order to come into compliance with the law. The School Principal should provide the Mayor's office with a schedule of the school's activities including any activities conducted on the weekends. Such information would allow the Mayor's office to properly plan to perform grass cutting services or grounds maintenance at the school.
Rooms 27, 28, 6 and library	1	PH & S	3/17/10	2	Observed bare wood.	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.	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.
Rooms 26, 27, 28, 29, 3 & 1	1	PH & S	3/17/10	4	Observed self closing devices are missing or in disrepair.	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.	Repair and/or install self-closing door devices in all necessary areas immediately in order to come into compliance with the law.

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Campus	i&l	PH & S	3/17/10	6	<p>P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires a minimum of one urinal for each 30 males. The male student population is 199 and there are currently three urinals in the male common use restroom facility. Based on the male student population at this time, 7 urinals are required. Because the school is only providing 3 urinals, an additional 4 urinals are required in order to comply with the code. Because the demerit points for this particular violation is 6, the law requires such violation to be corrected within a period of time not to exceed 10 days. In other words, the violation must be corrected within 10 days from the date of the inspection. Failure to do so may result in a down grade of the letter grade.</p> <p>Did not provide the minimum required number of urinals to meet the school's male student population.</p>	<p>The healthful, safe, and sanitary learning environment. The Director of DPHSS consider determining that the schools in existence before the regulations were adopted in 1983 be deemed acceptable where any such school fails to meet the urinal to male student population ratio. However, the Director has recently informed my office that DPHSS intends to continue to enforce the full requirements of the regulations to remove or minimize all potential hazards in schools and to ensure that the welfare and the comfort of the children are not compromised. As such, the school must provide additional urinals.</p>	
Cafeteria	1	PH & S	3/17/10	6	No hot water provided.	<p>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 that hot water be provided for manual cleaning and sanitizing purposes, and for sanitary facilities and controls. Warm water is also required in the kitchen employees restrooms for proper hand washing purposes.</p>	<p>Running hot water must be provided immediately in order to come into compliance with the law. DOE must respond and repair such discrepancy immediately to ensure that sanitary measures are maintained in the cafeteria.</p>
Cafeteria	1	PH & S	3/17/10	2	Observed unnecessary articles such as piano, broken water heater and mixer.	<p>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 parts of the property used in connection with the cafeteria operations to be kept free of litter and free of any unnecessary articles.</p>	<p>Remove all trash and any unnecessary items from the cafeteria premises immediately in order to come into compliance with the law. Ensure that any trash, litter, or unnecessary items are never allowed to collect on the cafeteria premises.</p>

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Campus	I	E & S	3/17/10	N/A	Observed all stormwater drain inlets are filled with material.	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	3/17/10	N/A	Water tank area (pump area) have overgrown vegetation and need cleaning.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Remove all overgrown vegetation as necessary. Regular maintenance of such area should be performed as necessary.
Cafeteria	I	E & S	3/17/10	N/A	Observed solid waste/metallic waste near room 21 and storage container area.	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.
Cafeteria	I	E & S	3/17/10	N/A	Observed empty containers/unknown liquid at hallway near rooms 21 and 31.	P.L. 28-45 § 4 (12) (l) requires schools to provide a healthful, safe, and sanitary learning environment.	Remove from campus and properly dispose of any such material accordingly. Before any such material is disposed, it should be properly stored and secured.