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September 27, 2010

TO: Superintendent of Education
FROM: Education Suruhanu
SUBJECT: Southern High School classroom air conditioning issues

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30-10-08
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 9/27/2010
Time: 4:08 PM
Received by: [Signature]

Håfa Adai Dr. Bretania Underwood:

Our office recently received a report from an individual reporting that his child attends Southern High School and that the air conditioning unit for the child's classroom is not working and that it has been not worked for quite some time. The individual also indicated his child has various medical conditions and as such, is very concerned that the warm and humid conditions of the classroom may present various health and safety concerns for the child. The individual personally observed and experienced the warm and humid classroom during the parent teacher conference that occurred sometime last week. When the individual questioned the teacher about such conditions, the teacher indicated that the conditions have been ongoing since the second week of school and that such problem has been reported and that no work has been done to correct the problem since it was first reported.

On or about August 11, 2010 our office emailed a correspondence to several GDOE officials reporting that several classrooms at the Southern High School campus were without working air conditioning, including classrooms in the 2000 wing. In response to such report, I also sent a correspondence to the Southern High School Principal who responded indicating that approximately 29 classrooms were without working air conditioning. The Principal also indicated that in response to such conditions, many of the students in the affected classrooms were re-located to a more suitable room and some of the reported problems have been rectified. However, during a visit to the school today, it was observed that classrooms 2101-2106 are still without working air conditioning and the conditions of the room were warm, humid, and a mold and/or mildew odor could be detected. In addition, the students in the affected rooms are special needs students. I have been informed that an electrical part is required to repair the air conditioning unit that services the affected classrooms and that such part has just recently been ordered from off-Island because the part is not available on Guam.

During the course of my inspection, the following classroom temperatures and humidity readings were observed between 9:30 and 10:15 a.m. today. Please be advised that it rained earlier in the morning and that it was somewhat cloudy at the time of the visit.

1. Room 2101: Temperature measured 82 °F with a relative humidity of 82% with no students present at the time. Two floor fans were in operation and the windows were opened. A mold and/or mildew odor was also detected. The teacher indicated that the conditions in her room get much worse in the afternoon and on hotter days and that students often complain about the warm and humid conditions of the room. The teacher also indicated that some students have medical concerns that may be affected by the poor conditions of the room. She also indicated that many parents of her students are also complaining about the poor conditions and the negative consequences that such conditions could present for their child.
2. Room 2102: Temperature measured 82 °F with a relative humidity of 71% with no students present at the time. A slight mold and/or mildew odor was also detected. Three fans were in operation and one personal portable air condition unit is in operation. The teacher indicated that the conditions in her room get much worse in the afternoon and on hotter days and that students often complain about the warm and humid conditions of the room. The teacher also indicated that some students have various medical concerns that may be affected by the poor conditions of the room. The teacher reported that she is negatively affected by the poor conditions of the room and has experienced an increase in sick days taken since the start of this school year.
3. Room 2103: Temperature measured 82 °F with a relative humidity of 76% with no students present at the time. Two fans were in operation and some windows were opened.
4. Room 2104: Not being used to occupy students.

5. Room 2105: Temperature measured 83 °F with a relative humidity of 80% with 11 students present. Three fans were in operation and the windows were opened. The assigned teacher was not available for comment but some of the students present indicated that the room is hot.
6. Room 2106: Temperature measured 84 °F with a relative humidity of 79% with 8 students present. Two fans were in operation.

Such conditions of each room are unacceptable, should not be tolerated, and must be corrected immediately. As you know, the law states that public schools are required to provide air conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78 °F. Based on the temperature readings of the above-listed classrooms, GDOE is not in compliance with P.L. 28-45 § 4 (12) (f) and as such, must take any and all necessary steps to come into compliance with the law immediately. In addition, based on the conditions of such classrooms, GDOE may also be non-compliant with P.L. 28-45 § 4 (12) (l) for failing to provide a healthful, safe, and sanitary learning environment. Exposing students to classrooms with warm temperatures, high humidity readings, and mold and/or mildewed odors, may present various health and safety concerns for students that must be addressed and rectified without any delay.

I have been informed that a single large air conditioning unit services the affected classrooms and that such unit is in need of an electrical part that is not available on Guam. However, I have also been informed that there may be an identical air conditioning unit at the school that is currently not in use, but in good repair. As such, I would recommend that such unit be assessed to determine whether or not it has the necessary electrical part and if so, perhaps such electrical part can be re-located to repair the air conditioning unit that services the affected classrooms in the 2000 wing as a temporary basis until the part ordered from off-Island arrives.

In addition, because the necessary part to repair the affected classrooms is being ordered off-Island and that it is reasonable to believe that such part may take some time to arrive on Guam, GDOE should seriously consider declaring an emergency and quickly procure and install appropriate air conditioning split units for the affected classrooms as a result of the number of classrooms and students affected, the poor conditions of such classrooms, and the length of time the students have been exposed to such poor conditions. The students in the affected classrooms have been in warm, humid, and perhaps mold and/or mildewed classrooms each and every school day for approximately six weeks and the problem has been reported to various school officials since the problem occurred. Such poor conditions should alert officials that a serious problem exists that would warrant immediate and swift action to correct the problem at any and all costs.

Please provide to my office no later than 5:00 p.m. Thursday, September 30, 2010, in writing, GDOE's plan to immediately rectify the air conditioning problems for the affected Southern High School classrooms including but not limited to 2101, 2102, 2103, 2105, & 2106. We must continuously strive to ensure that each and every public school student is provided a healthful, safe, and sanitary learning environment each and every day not only because the law requires it, but because public school students deserve such an environment.

I am confident that your office will take the necessary steps to address this most important concern. If you have questions, please do not hesitate to contact my office.

Si Yu'os Ma'åse',



Dominic Terlaje

cc:
Speaker, 30th Guam Legislature
GEPB
Billy Cruz, GDOE Facilities and Maintenance Manager
Southern High School Administration
Tom Nadeau, DPHSS DEH Administrator
Office of the Attorney General