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December 30, 2010

Buenas: Honorable Felix P. Camacho, Governor of Guam
 Honorable Judith T. Won Pat, Speaker, Guam Legislature
 Dr. Nerissa Bretania Underwood, Superintendent of Education
 Chairman, Guam Education Board

From: Education Suruhanu (Ombudsman)

Subject: November 2010 Report

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 Office of the Speaker
 Judith T. Won Pat, Ed. 13
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 Time: 1:05
 Received by: [Signature]

Notes from the Education Suruhanu.

Each month the Office of the Education Suruhanu (the OES) provides a report summarizing its activities. The Education Suruhanu investigates any complaints of a person alleging violations of any of the Fourteen (14) Points of the Every Child is Entitled to an Adequate Public Education Act, P.L. 28-45. After completing an investigation, the Education Suruhanu informs the complainant of the conclusion or recommendation in writing and if appropriate, any action taken or to be taken by GDOE. In addition, the Education Suruhanu is authorized to perform inspections of the public schools to ensure compliance with the Fourteen (14) Points. The Education Suruhanu may perform such inspections on its own or with the assistance of various Government of Guam Regulatory Agencies including but not limited to the Department of Public Health and Social Services (DPHSS), the Guam Fire Department (GFD), and the Guam Environmental Protection Agency (GEPA) (collectively referred to as the School Inspection Team [SIT]). When working to fulfill the obligations of the office, the Education Suruhanu acts independently, informally, and neutrally. It is the role of the office to approach its duties as a neutral fact finder rather than as an advocate. The information in this report highlights the activities of November 2010.

Please be advised that the law previously established the Office of the Adequate Education Suruhanu (Ombudsman) as an "independent entity of the government of Guam." However, in 2010, the 30th Guam Legislature amended the law establishing the Education Suruhanu as an "entity of the Office of the Attorney General." (P.L. 30-196 § 27 [FY-2011 Budget Act] which amended § 11100 of Title 17 G.C.A.) Such amendment was presumably for the purpose, among other things, of enabling a closer working relationship between the two offices in order to accomplish compliance with the Adequate Public Education Act requirements.

Complaint Report.

Issue	Status	Conclusion/Recommendation	Action taken or to be taken.
Complaint reporting that one toilet fixture at the Maria Ulloa Elementary School was unclean and that one drinking water fountain was also unclean.	Complaint Accepted. Case Closed.	Toilet facility was cleaned and trash was removed from drinking water fountain.	Restrooms are cleaned according to a schedule and as often as necessary or when reported in need of servicing.

Issue	Status	Conclusion/Recommendation	Action taken or to be taken.
Anonymous complaint reporting that three classrooms at the MU Lujan Elementary School are without air conditioning.	Complaint accepted. Case closed.	A electrical power supply issue was determined to be the problem which caused an electrical shortage at circuit breaker which cut of the electrical power supply to such classroom air conditioning units.	The problem was reported on October 25, 2010 and the GDOE maintenance division replaced the circuit breaker on or about November 5, 2010 which restored the electrical supply to such A/C units affected.
Anonymous complaint reporting that one of the toilet fixtures in one of the male restrooms at the Simon Sanchez High School was clogged and dirty.	Complaint accepted. Case closed.	Toilet facility was cleaned and the clog was addressed.	Restrooms are cleaned according to a schedule and as often as necessary or when reported in need of servicing.
Inquiry requesting reimbursement for medical costs and expenses for an injury to a student that occurred at the Agana Heights Elementary School.	Complaint not accepted. Case closed.	Issue did not meet the criteria under the 14 Points. Recommended that caller gather all the facts and circumstances and any medical reports concerning the incident and prepare a written request to GDOE officials requesting reimbursement. Also recommended that caller may wish to discuss the matter further with an attorney.	N/A
Inquiry requesting a copy of a letter our office submitted to GDOE concerning the teacher certification policy of GDOE.	N/A	Issue did not meet criteria under the 14 Points. Recommended that individual contact GDOE officials and the Guam Education Board.	N/A
Request for the OES to provide direction and guidance on filing a complaint reporting unidentified illegal activities at the JP Torres Alternative School and to file a complaint against the Principal.	N/A	Issue did not meet criteria under the 14 Points. Recommended that individual report his concerns to the Superintendent of Education, the GEB, and various other Government of Guam officials.	N/A

Issue	Status	Conclusion/Recommendation	Action taken or to be taken.
<p>Report that there are no GDOE certified Special Education (SpEd) teachers assigned to teach the students at the Latter Treatment Center (the Center). The Center is also known as the Rays of Hope.</p>	<p>Complaint accepted. Case closed.</p>	<p>According to Mr. Tom Babauta, the SpEd Unit Coordinator for GDOE, there are generally two GDOE certified SpEd teachers assigned to the Center at all times. However, one of the assigned teachers recently resigned leaving the Center with only one certified teacher assigned to the Center at this time. Mr. Babauta indicated that the GDOE TAs assigned to the Center are also GDOE SpEd certified teachers and that at least one TA is usually assigned to the Center daily. The TA's generally provide coverage for the classes at the Center when necessary, including times when the assigned certified teacher may not be available.</p>	<p>At this time, GDOE is assigning at least one TA to provide instruction to the students at the Center and that an additional TA is usually present at the Center each day. The GDOE certified TAs are on a rotation schedule to provide teaching coverage until a permanent GDOE certified SpEd teacher is identified who can fill the recently vacated teaching position at the Center.</p>
<p>Complaint reporting that the access road to the Gill Baza subdivision in Yigo is not paved making it difficult for students to walk safely along such road and that there are no school bus shelters provided to the students who reside in such area.</p>	<p>Complaint not accepted. Case Closed.</p>	<p>Issue did not meet the criteria under the 14 Points. According to the DPW director, the unpaved access road is not government of Guam property nor has such road been properly designated as a government of Guam easement. Instead, the unpaved road is private property that belongs to the residents of the Gil Baza Subdivision which is being used as an access road to gain entry onto a public road.</p> <p>School Bus shelters are required to be placed at necessary places within each of the 19 municipal districts of Guam and the placement of any such school bus shelter shall be in accordance with the decision of each municipal council, subject to the availability of funds and requirements of public safety as determined by the Chief of Police, the Director of DPW, and the President of the Mayors' Council.</p> <p>Recommended that the complainant contact various government of Guam officials such as the Director of the Department of Public Works (DPW), the Guam Legislature, the Governor's office, and the Mayors' Council. Informed complainant that a Bill was introduced in the Guam Legislature that seeks to appropriate funds to address the road issues and that the complainant should contact the Guam Legislature for more information on the status of such Bill.</p>	<p>The Guam Legislature passed Bill 474 which was signed into law by the Governor on December 13, 2010 (P.L. 30-217). The law provides substantial funding for the completion of the Gill Baza Subdivision access road as determined by the Department of Land Management and DPW. In addition, the law provides that the construction of the Gill Baza access road shall not commence before the grant of public access for said road easement. The Bill, however, did not address funding for providing bus shelters.</p>

Issue	Status	Conclusion/Recommendation	Action taken or to be taken.
Follow up on report concerning a fight between two students at the Benavente Middle School.	GDOE investigation completed. Case closed.	According to Assistant Principal, Mr. Quinene, three students were involved in an incident on campus that led to a fight between Student A (the Alleged Perpetrator) and Student B (the Alleged Victim). It was reported that the third student, Student C (the Prankster), played a joke on the Alleged Victim by causing the Alleged Victim to shake hands with the Prankster which among various gang members signals that the person shaking hands agrees to fight with another gang member. However, the Alleged Victim was unaware that the Prankster only meant the hand shake as a joke. The Alleged Victim was also unaware as a result of the hand shake that he agreed to fight the Alleged Perpetrator. Furthermore, the Alleged Victim was unaware that the Prankster informed the Alleged Perpetrator that the Alleged Victim agreed to fight. Mr. Quinene also indicated that the Alleged Perpetrator was also unaware that the Prankster only meant the hand shake as a joke and that he believed that the Alleged Victim agreed to the fight and as such, proceeded to fight the Alleged Victim based on the Prankster's representations. According to Mr. Quinene, the hand shake is a signal among various gang members that another gang member has agreed to a fight.	Mr. Quinene indicated that the Juvenile Investigation Section (the JIS) of the Guam Police Department was contacted and that they have conducted an investigation into the matter. The parents of the students involved in the incident have met with the school administration and that a parents' mediation has been recommended. Currently, the school administration rotates available personnel around campus as necessary to provide student supervision. However, the school administration also indicated that they are experiencing a shortage of personnel and that they only have three or four school aides assigned to the school at this time.

School inspection report. The OES has the authority to conduct inspections of the GDOE public schools on its own noting the various discrepancies that pertain to the Fourteen Points, inspection reports are prepared identifying any such discrepancies, recommendations are made as necessary, and inspection reports are provided to the School Principal, the Superintendent, the GEB, and the Speaker of the Guam Legislature. In addition, the OES also conducts inspections of the GDOE public schools with the assistance of the Department of Public Health and Social Services (DPHSS), the Guam Fire Department (GFD), and the Guam Environmental Protection Agency (GEPA) (collectively referred to as the School Inspection Team [SIT]). Each regulatory agency conducts an inspection of the campus and prepares an inspection report identifying the discrepancies discovered and a copy of such inspection report is provided to the School Administration upon completion of the inspection. The school inspections conducted with the assistance of the regulatory agencies focuses on the health, safety, and sanitary provisions of the Fourteen Points.

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OES School inspections with the SIT. Pursuant to P.L. 28-45, the OES conducted inspections at the following schools with the assistance of DPHSS, GFD, and GEPA and noted the various discrepancies that pertain to the Fourteen Points.

I. Oceanview Middle School.

1. DPHSS inspection findings:
 - a. Worn carpet in library. (**Note:** This issue is a repeat violation for the same discrepancy that was cited in two different DPHSS inspection reports dated December 12, 2009 and February 11, 2009.)
 - b. Evidence of ceiling leaks. (**Note:** This issue is a repeat violation for the same discrepancy that was cited in a DPHSS inspection report dated December 12, 2009.)
 - c. Various classrooms without self closing devices. (Note: This issue is a repeat violation for the same discrepancy that was cited in a DPHSS inspection report dated December 12, 2009.)
 - d. Library ceiling leak. (**Note:** This issue is a repeat violation for the same discrepancy that was cited in two different DPHSS inspection reports dated December 12, 2009 and February 11, 2009.)
 - e. Awnings in disrepair/paint peeling throughout school building.
 - f. Hand soap missing or not adequately provided in the restrooms.
 - g. Toilet tissue dispensers in disrepair or missing throughout all restrooms.

2. GEPA inspection findings:
 - a. Standing rain water near G-wing.
 - b. Visible standing rain water in the parking lot on the road located near the cafeteria
 - c. Debris and growing vegetation inside storm water drain inlets.
 - d. Missing steel screens underneath storm water drain near A-wing and by the two story classroom building and missing two steel gratings on the storm water drain inlets in such area.
 - e. Clogged rain water inlet located at corner of the walkway near cafeteria.
 - f. Visible standing rain water near room P-8 and P-16.
 - g. Visible standing rain water coming from gym down spout.
 - h. Visible standing rain water located near room B-206 E-502, E-503, E-504, and E-505. (**Note:** This is a repeat violation for the same discrepancy. In addition, in GEPA's December 12, 2009 inspection report, the inspector indicated a third repeat violation for this discrepancy. In other words, as of the November 4, 2010 inspection, GEPA has cited the school at least four different times for this particular issue.)
 - i. Missing steel screen underneath drain inlet located behind room B-205 and C-30.
 - j. Standing rain water behind D-wing and E-wing.
 - k. Missing screen underneath drain inlet near room G-705. (**Note:** This is a repeat violation for the same discrepancy. In addition, in GEPA's December 12, 2009 inspection report, the inspector indicated a third repeat violation for this discrepancy. In other words, as of the November 4, 2010 inspection, GEPA has cited the school at least four different times for this particular issue.)

3. GFD inspection findings.
 - a. Fire alarm system inoperable.
 - b. Fire watch log book was not made available.
 - c. School emergency plan must address communication and fire watch.
 - d. Portable fire extinguishers must be inspected annually by a qualified company.
 - e. Portable fire extinguisher must be available every 75' and mounted and labeled.
 - f. Electrical hazard--Ceiling leaks in library above lighting.
 - g. Emergency light broken in computer lab (library).
 - h. Use of double key locks on inside of doors prohibited.
 - i. Exposed electrical components (missing light fixture E Wing).

- j. Electrical hazard—extension cords cannot be used as a permanent power source (E501).
- k. Electrical hazard—extension cord routed under door (E501).
- l. Electrical hazard—exposed electrical outlet (E506).
- m. Possible structural hazard—concrete cracking and exposed rebar re-enforcement rusting (between E & F wing covered walkway South West side).
- n. Electrical wire exposed beside water fountain. Outlet needs GFCI replacement in front of F603.
- o. Vegetation must be cleared within 10 ft. of structures - address falling branch and falling tree hazards - vegetation must be cleared and removed from roof top throughout campus.
- p. Electrical raceway pulled down and wiring pinched creating an electrical hazard (B Wing covered walkway).
- q. Ventilation system in home economics room B202 broken. (Note: No cooking allowed.) When problem is rectified, grease production cooking cannot occur.
- r. B-205 cannot exceed occupant load of 49 unless additional exit installed with door swinging outward in direction of egress.
- s. Fire watch imposed.

II. Finegayan Elementary School.

1. DPHSS inspection findings:
 - a. Overgrown vegetation throughout campus.
 - b. Paint peeling throughout campus.
 - c. Ceiling/awning in disrepair in front of main office entrance and near front entrance of school building.
 - d. Various air conditioning units (A/C units) either in disrepair or not working properly.
 - e. School does not meet the minimum number of male urinal fixtures based on the male student population. However, DPHSS did not issue a demerit for such discrepancy. DPHSS has given consideration to the school for failing to meet the urinal requirement by requiring GDOE to designate a sufficient amount of classroom restroom toilets for use specifically as a male urinal and that signs indicating male restroom use only must be posted on such designated restrooms. Additional urinals should still be provided to comply with the law and also to address the anticipated increase in the male student population.
2. GEPA inspection findings:
 - a. Standing rain water near 119-121 storm water drain inlet.
 - b. Evidence of paint being dumped into storm water drain.
 - c. Missing storm water drainage inlet screen.
3. GFD inspection findings:
 - a. A Notice of Hazard was issued to the school.
 - b. Fire alarm system inoperable.
 - c. Portable fire extinguishers require annual inspection and service.
 - d. Some portable fire extinguishers do not have required mounting brackets.
 - e. Stand-Pipe fire suppression system must be operational and serviced every 5 years.
 - f. Emergency lights are required for classes that do not have natural lighting.
 - g. Illuminated exits signs must be maintained in good working order.
 - h. No storage of combustible materials allowed in any electrical room.
 - i. Flammable storage containers/lockers cannot be stored in egress path of exit.
 - j. Exposed wires in main office and in room 202 and 307.
 - k. Prohibited door lock key device on designated exit.
 - l. Fire hydrants on campus need service every 5 years.
 - m. Emergency plans and procedures are required to be reviewed by GFD.
 - n. Fire watch imposed.

III. Untalan Middle School.

1. DPHSS inspection findings:
 - a. Overgrown vegetation throughout school campus.
 - b. Stained floors or floors in disrepair in various rooms.
 - c. Warped ceiling tiles in room 43.
 - d. Dry rot throughout the wood canopy located at the fast track classroom area.
 - e. Ceiling leaks in room 38, 39, and 44.
 - f. Ceiling cracks in the Library.
 - g. A/C units not working or not working properly in 32, 39, 28, and 48. A/C unit in 56 leaking. A/C unit in 45 leaking. A/C units in 44, 53, T-3, & 8 inoperable. Section of the A/C ducting in the cafeteria dining hall in disrepair.
 - h. Male urinal ratio not met based on the male student population. Because the school does not have an excess number of toilets, consideration in meeting the urinal requirement by designating a sufficient amount of classroom restroom toilets for use specifically as male urinal could not be granted. Additional urinals must be provided to comply with the law and to address any anticipated increase in the male student population.
 - i. Cafeteria: Preparation sink leaking; missing light cover for walk-in freezer light; outer openings in kitchen area at the back entrance; hole in screen material, and outer openings in the dining area at the entrance doors.
2. GEPA inspection findings:
 - a. Cafeteria grease trap requires servicing immediately.
 - b. Various storm water inlet drains need cleaning.
3. GFD inspection findings:
 - a. A Notice of Hazard was issued to the school.
 - b. Fire alarm system inoperable.
 - c. Extension cord being used as permanent means.
 - d. Extinguishers need annual servicing and monthly inspection.
 - e. Cafeteria exit door swings inward.
 - f. No portable fire extinguisher in cafeteria dining area.
 - g. Improper key lock device at cafeteria business office door and at rooms 26, 28, & 32.
 - h. Storing flammable liquids in storage room.
 - i. Obstructed pull station fire alarm in kitchen area.
 - j. Exposed electrical wire in electrical panel room and in rooms T-4, 54, 29, 50, & 41.
 - k. Missing portable fire extinguisher where labeled in T-4.
 - l. Obstructed electrical panel in room 53 and 50.
 - m. Floor unstable in room T-9 and T-10.
 - n. Obstruction at notification device in room 50.
 - o. Ceiling tile missing in room 44, 45, & 41.
 - p. Smoke detector covered in room 29.
 - q. Inoperable fire alarm control panel.
 - r. Walkway shelter deteriorating--unsafe passing—must close.
 - s. Storm water drain inlet grill near room 41 has a gap--unsafe opening.
 - t. Band room: Troubled fire alarm control panel (FACP), another FACP inoperable, and unacceptable modified panic hardware at double door.
 - u. Library extension cord over used.
 - v. Need GFCI outlet by water source.
 - w. Fire alarm and Detection system not provided.
 - x. Fire Watch imposed.

IV. Marcial Sablan Elementary School

1. DPHSS inspection findings:
 - a. Presence of pests at the bottom portion of exit doors and at the window in Room 6.
 - b. Water leaking from the ceilings and from the wall in the lounge.
 - c. A/C units leaking in rooms 8, 36, 37, 38, 39, & 40. Inoperable A/C units in rooms 44, 2, 26, 4, 11 and 20 but each room does have one working A/C unit.
 - d. Hallway awnings in disrepair and rusted throughout.
 - e. Toilet tissue dispensers in disrepair throughout the various student common use restrooms.
 - f. Water tank pump not working.
 - g. Cafeteria: Small milk cartons with an internal temperature of 50°F stored in display cooler on service line; chill unit packed so that the internal temperature registered 52°F; toilet tissue and soap dispensers in disrepair in the boys and girls restrooms in cafeteria dining area; outer openings by the doors near the ware washing area; door screen by the receiving area in disrepair; and air curtains/blowers above cafeteria doors in disrepair.
2. GEPA inspection findings:
 - a. Grease trap covered with overgrown vegetation.
 - b. All storm water drainage inlets missing screens.
3. GFD inspection findings:
 - a. A Notice of Hazard was issued to the school.
 - b. Fire alarm system inoperable.
 - c. Fire watch not enforced properly. (No one assigned to conduct fire watch on arrival).
 - d. Falling tree/branch hazards and close proximity of vegetation to structures.
 - e. Classroom Exits shall not have locks that require special keys or processes to open.
 - f. Roof leaking in room 3. Possible electrical hazard to wiring within ceiling (butler building).
 - g. Portable fire extinguishers need service (fast track).
 - h. Exposed electrical junction box (T 1) exterior side.
 - i. Hose cabinet (fire) cafeteria needs service.
 - j. Extension cords cannot be used as permanent power source (Rm. 25)
 - k. Extension cords cannot be plugged into other extension cords must be plugged directly into outlet.
 - l. Hose cabinets need service (Rm. 27).

V. George Washington High School.

1. DPHSS inspection findings:
 - a. Overgrown vegetation throughout campus and rubbish near the fence line across A wing and near A-211.
 - b. Portions of the floor in A-106 in disrepair.
 - c. Various walls and ceilings with paint peeling; cracks on the interior hallway of the ROTC building; leaks from ceiling in room A-205; warped ceiling tiles in room B-110; paint peeling throughout gym ceiling and locker rooms; leaks from ceiling in hallway entrance to male locker room, and mold/mildew on walls in male and female locker room walls and ceilings.
 - d. A/C units inoperable, in disrepair, or leaking in the following rooms: B-202, the Gym, C-101, A-101, A-102, B-103, B-207, Top of Library, C-205, C-102, D-105, cafeteria, E-102, E-106, 7, gym, and the male gym locker room.
 - e. Several burned out light bulbs in the gym.
 - f. Various drinking water fountains in disrepair, clogged, and/or dirty.
 - g. B-Wing male 1st floor restroom with a broken toilet; B-Wing male 2nd floor restroom with one broken toilet, and G-Wing male restroom with two broken urinals.

- h. Cafeteria: Several flies in the kitchen and service line area, holes in door screen, screens not secured properly, floors in kitchen area and cold storage area with dark stains throughout; several ceiling tiles next to air condition units in disrepair, and air curtains above entrance doors in disrepair.
2. GEPA inspection report findings:
 - a. Grease trap requires servicing and presence of used vegetable oil containers.
 - b. Missing screens and some grills need to be replaced at the storm water drainage inlets.
 - c. Storage rooms need labels for flammable liquids.
 - d. Surveyed school property and trash must be removed from campus.
 3. GFD inspection report findings:
 - a. A Notice of Hazard was issued to the school.
 - b. Fire alarm inoperable.
 - c. Portable extinguishers need annual service (proper mounting).
 - d. Emergency lights in cafeteria need service.
 - e. Exposed electrical junction boxes in cafeteria.
 - f. Outlet for water fountain in cafeteria requires a GFCI receptacle.
 - g. Cigarette butts in 1st floor female restroom area.
 - h. Improper key lock device on doors which requires special keys or process to open are present throughout entire campus.
 - i. Electrical system faulty in B Wing and must be evaluated by master electrician.
 - j. Hose cabinets overdue maintenance (fire hose cabinets).
 - k. Electrical /extension cords shall not be used as a permanent power source.
 - l. Chemical storage for chemistry A-200 does not have a spill containment kit and the room is unsecured and has no current inventory listing.
 - m. C-102 ceramics ovens require a minimum of type II hood for proper removal of heat and requires a dedicated portable fire extinguisher properly mounted.
 - n. Install smoke detector stand alone in trophy room (ROTC).
 - o. Two exits are required to be unobstructed in E-Wing (in front of E-100).
 - p. Exposed electrical outlet in the gym.
 - q. Obstructed exit in the gym.
 - r. Portable fire extinguisher must be made available at a minimum of every 75' in the gym and for the entire campus.

VI. UPI Elementary School.

1. DPHSS inspection findings:
 - a. Presence of pests in various rooms throughout the campus.
 - b. Overgrown vegetation throughout campus.
 - c. Various A/C units in disrepair and not in use.
 - d. Cafeteria: Trash container in female employee restroom without a cover and air curtains above several doors in disrepair.
2. GFD inspection report findings:
 - a. A Notice of Hazard was issued to the school.
 - b. Fire watch log book was not made available. School officials could not locate the fire watch log book.
 - c. Fire alarm system inoperable.
 - d. Portable fire extinguishers need monthly inspection checks.
 - e. Cooking suppression system expired. Unable to locate the LPG auto shut off interconnection to alarm system.
 - f. Electrical tripping at main breaker in "C" building.
 - g. Recommend installation of wheel chair accessible ramp to north east egress for the assembly area.

- h. Replace or secure door at H-106A.
- i. Storage rooms must be properly labeled.
- j. Dilapidated wood tin structures located adjacent to campus and up wind from campus could create potential hazard for the school if ignited by grass fire.

VII. Harry S. Truman Elementary School.

1. DPHSS inspection findings:

- a. Paint peeling throughout school building, paint peeling and mildew in restroom in Room 28, and crack in the ceiling in Room 22C.
- b. Cracks in various library glass windows
- c. Various A/C units not working, not working properly, or leaking.
 - a. Male urinal requirement. However, a demerit for such discrepancy was not issued. DPHSS has given consideration to the school for failing to meet the urinal requirement by requiring GDOE to designate a sufficient amount of classroom restroom toilets for use specifically as a male urinal and that signs indicating male restroom use only must be posted on such designated restrooms. Additional urinals should still be provided to comply with the law and also to address the anticipated increase in the male student population.
- b. Cafeteria: Air curtain for serving line in disrepair and leak at the kitchen hood.

2. GEPA inspection findings:

- a. Cafeteria grease trap requires servicing immediately.
- b. Missing screen at all storm drain inlets.
- c. One trash bin is in disrepair and leaks onto the ground.

3. GFD inspection findings:

- a. A Notice of Hazard was issued to the school.
- b. Fire alarm system inoperable.
- c. Portable fire extinguisher in room 1 missing pin and door shutters may obstruct the operation of the door.
- d. Open circuit breaker and extension cord being used in room 9.
- e. Improper key lock device which requires special keys or process to open in room 27 and extension cord should only be used on a temporary basis.
- f. Open circuit in electrical panel in cafeteria.
- g. Generator ATS records and maintenance.
- h. Electrical rooms need identification and no storage of combustibles allowed.
- i. Emergency lights inoperable.
- j. Excessive use of multi- plug adapter device.
- k. Exit access obstructed in general.
- l. Exit lights inoperable.
- m. Storage height of objects must not be closer than 24 inches from the ceiling.
- n. Evacuation plan must be posted in each classroom.

VII. P.C. Lujan Elementary School.

1. DPHSS inspection findings:

- a. Ceiling leak at the expansion joint located outside teacher's lounge.
- b. Various ceiling tiles in disrepair and/or stained.
- c. Ceiling leaking in rooms 26 and 29.
- d. Dust on the A/C vents, ceiling tiles, and light shields in E-Wing classrooms.
- e. Paint peeling throughout ceiling above A-Wing.
- f. Various A/C units in disrepair.
- g. Toilet bowl in girls restroom in disrepair.

2. GEPA inspection findings:
 - a. Standing water from A/C units on the back side of rooms 32, 31, 30, 29, and 26.
 - b. Storm drain located at front of campus requires cleaning.
 - c. Standing water behind room 15, 19, 20, and in front of room 14.

3. GFD inspection findings:
 - a. A Notice of Hazard was issued to the school.
 - b. Obstructed notification devices in room 31. Maybe typical throughout the campus.
 - c. Kitchen electrical panel needs emergency light in cafeteria.
 - d. Cafeteria door exit swings inward.
 - e. Exposed wiring at electrical panel in the B-Wing.
 - f. Storing of combustible materials in the electrical panel room near room 29.
 - g. Electrical panel room obstructed.
 - h. Improper key lock device on doors which requires special keys or process to open are present throughout entire campus.
 - i. Fire alarm system in room 5B (building) must be inter connected to main fire alarm system.
 - j. Fire alarm system inoperable.
 - k. Fire watch not being conducted on a consistent basis.
 - l. Fire extinguishers were observed to be outdated, obstructed, under charged, and being used as door stop.
 - m. Exposed or missing breaker faceplate on the bus bar of the electrical panel.
 - n. Electrical room under stairway being used as a storage room.
 - o. Fire hose cabinets not serviced and they are obstructed. Fire hose cabinets must be serviced every 5 years and must be unobstructed at all times.
 - p. Storage height of objects must not be closer than 24 inches from the ceiling.
 - q. GFCI outlets are required to be installed when there is a water source within 3 feet of an electrical outlet.
 - r. Rear door on 2nd floor shall not be a designated exit--exit sign must be removed on such doors.
 - s. Multi-plug adapters/extension cords shall not be used as a permanent source of power and the multi-plug adapter shall not be plugged into an extension cord or another multi-plug adapter.
 - t. Extension cords shall not be used for appliances such as refrigerators.
 - u. Exit doors shall not require excessive force to open--room 23.


Other notes.

Attended a meeting at the FBLG Middle School at the request of the Guam Attorney General. The parties present were the Guam Attorney General, the FBLG School Principal, FBLG Assistant Principals, two police officers from the Guam Police Department, the Yigo Vice Mayor, the Superintendent of Education, Deputy Superintendent Arlene Unpingco, and the FBLG PTO President. The meeting focused on an issue that our office first reported in September 2010 concerning various public school students observed gathering in the jungle just outside FBLG's campus (the Outgaters) which presented safety and security concerns for FBLG students and others at the school. As a result of the meeting, the parties agreed to work together to address and attempt to rectify the problem that has plagued the school for years. GDOE would attempt to identify students who may be committing crimes and provide the names to the police and/or the AG's office. In addition, the land where the Outgaters are gathering would need to be properly identified and other parties may also need to be contacted before any clearing of the vegetation in the area can take place. GDOE was also requested to document incidents that occur concerning the Outgaters actions and report such incidents to the police accordingly. The FBLG Principal indicated that they are scheduled to meet with the Governor's liaison for the FSM, the mayor, the parents, and others to address the issues and concerns surrounding the Outgaters actions.

Attended a meeting at the Guam Attorney General's office at the request of the Attorney General. The parties present were the Attorney General, the Deputy Attorney General, representatives from the Department of Public Works, the Department of Public Health, the Guam Environmental Protection Agency, and the Guam Fire Department. The meeting focused on the activities surrounding the inspections of the GDOE public schools with an emphasis on the various health, safety, and sanitary issues.

Out of the eight schools inspected in November 2010, four schools were not properly conducting the Fire Watch program that was imposed by GFD as a result of the inoperable fire alarm systems at the various schools. A report indicating such finding was communicated to Superintendent of Education, the Guam Education Board, the Speaker of the Guam Legislature, the GFD Fire Chief, and the Attorney General's Office.

Si Yu'os Ma'åse',

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

Dominic Terlaje

cc:

Guam Attorney General