MEMORANDUM

Agenda Item No. 14(A)(6)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	July 15, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing the County Mayor to require that any sports league for children contracting with the Parks, Recreation and Open Spaces Department provide certification that their coaches have undergone anti-bullying training

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 15, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 14(A)(6)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(6)
7-15-14

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO REQUIRE THAT ANY SPORTS LEAGUE FOR CHILDREN CONTRACTING WITH THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT PROVIDE CERTIFICATION THAT THEIR COACHES HAVE UNDERGONE ANTI-BULLYING TRAINING; DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROVIDE ANTI-BULLYING TRAINING AND REPORTING REQUIREMENTS TO STAFF AT COUNTY PARKS AND VOLUNTEERS AT COUNTY SUMMER OR WINTER CAMPS; DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROHIBIT CYBER-BULLYING OVER COUNTY-PROVIDED PUBLIC INTERNET ACCESS

WHEREAS, Miami-Dade County is concerned about the health, safety, and welfare of its residents and, in particular, the children in Miami-Dade County; and

WHEREAS, there is a growing awareness that bullying is a serious problem affecting today's youth; and

WHEREAS, approximately 1 out of every 3 students in the United States between 6th and 12th grade say that they have been bullied at school; and

WHEREAS, an equal number of students admit that they have bullied others; and

WHEREAS, studies compiled by the U.S. Department of Health and Human Services show that children who are bullied are more likely to experience depression and anxiety, increased feelings of sadness and loneliness, a loss of interest in activities that they previously enjoyed, and a decrease in academic achievement and school participation; and

WHEREAS, some of those children—such as Rebecca Sedgwick, Jeffrey Johnson, and Celina Okwuone—choose to tragically take their own lives as a result of being bullied; and

WHEREAS, those same studies have also shown that there are long-term effects on the children who bully other children, such as being more likely as adults to abuse alcohol and drugs, have criminal convictions, and physically abuse their spouse or children; and

WHEREAS, a recent 2014 study by McAfee on teenage internet behavior found that cyber-bullying is a growing problem with approximately 87% of children surveyed stating that they have witnessed cyber-bullying, which is a threefold increase from the results in a similar 2013 survey; and

WHEREAS, for purposes of this resolution, cyber-bullying is defined as engaging in a course of conduct by means of technology or electronic communication (such as e-mails, text messages, instant messages, and postings on social networking sites) that serves no legitimate purpose, and systematically and chronically inflicts physical harm or emotional distress on a child; and

WHEREAS, cyber-bullying raises a particular concern because it can occur with relative anonymity at any time of day and it can be extremely difficult to delete or remove offensive or harassing material once it has been posted online; and

WHEREAS, the Florida legislature has recently undertaken efforts to address bullying by passing the Jeffrey Johnson Stand Up For All Student Act (Fla. Stat. § 1006.147), which prohibits bullying and harassment of any student or employee of a public K-12 school; and

WHEREAS, the Board of County Commissioners has previously expressed its desire to address bullying by declaring the third week of April as "Anti-Bullying Week" in Miami-Dade County (R-165-11), urging the Florida legislature to extend the Jeffrey Johnson Stand Up For All Student Act to all private schools (R-1091-11), establishing an awareness campaign at County parks that will educate children about bullying and creating a system for reporting incidents of

bullying, harassment, and intimidation of children on County property (R-355-14), and urging the Florida Legislature to address bullying in high school, college, and professional sports through passage of the Safe Athletics Education and Training Act of 2014 (R-284-14); and

WHEREAS, Miami-Dade County should supplement those existing efforts by doing more to make sure (1) that staff at County parks, summer and winter camp volunteers, and those who coach children in sports played at County parks are educated about bullying, and (2) that individuals using public internet at all County-owned facilities do not use that internet access to engage in cyber-bullying; and

WHEREAS, these measures are needed because children in Miami-Dade County should not feel in danger of being bullied simply because they may perceive themselves to be different from their peers,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board of County Commissioners directs the County Mayor or Mayor's designee to require that any contract between the Parks, Recreation and Open Spaces Department and a sports league for children include a provision requiring that all of the league's coaches certify that they have undergone anti-bullying training through either a national youth sports organization or any similar training that may be offered by the Parks, Recreation and Open Spaces Department.

Section 3. The Board of County Commissioners also directs the County Mayor or Mayor's designee to include a component on how to identify and handle bullying as part of any training provided to both staff at County parks that have direct contact with children and also any

volunteers at summer or winter camps. The County Mayor or Mayor's designee is further directed to require that those staff and volunteers report any instances of bullying that they observe.

Section 4. The Board of County Commissioners directs the County Mayor or Mayor's designee to: (1) specifically include cyber-bullying as a prohibited use within the "Defamatory or Abusive Language" section in the Terms of Service that individuals must accept before being provided public internet access by Miami-Dade County; and (2) ban the media access control (MAC) address of any private device using public internet provided by Miami-Dade County determined to violate the Terms of Service.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of July, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MBV

Michael B. Valdes