

MEMORANDUM

Special Item No. 9

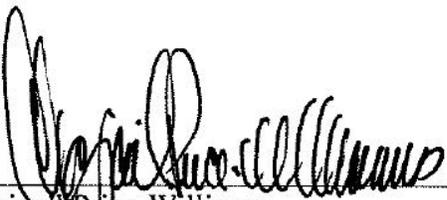
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 27, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging Governor Ron DeSantis and Education Commissioner Richard Corcoran to allow K-12 schools to open for distance learning only during the 2020-2021 school year due to coronavirus disease 2019 (COVID-19) until such time as local superintendents determine it is safe for students, staff, and teachers to return to in-person instruction

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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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
- Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Special Item No. 9
7-27-20

RESOLUTION NO. _____

RESOLUTION URGING GOVERNOR RON DESANTIS AND EDUCATION COMMISSIONER RICHARD CORCORAN TO ALLOW K-12 SCHOOLS TO OPEN FOR DISTANCE LEARNING ONLY DURING THE 2020-2021 SCHOOL YEAR DUE TO CORONAVIRUS DISEASE 2019 (COVID-19) UNTIL SUCH TIME AS LOCAL SUPERINTENDENTS DETERMINE IT IS SAFE FOR STUDENTS, STAFF, AND TEACHERS TO RETURN TO IN-PERSON INSTRUCTION

WHEREAS, in early 2020, the United States, including the State of Florida and Miami-Dade County, began experiencing an outbreak of the infectious disease named coronavirus disease 2019 (COVID-19); and

WHEREAS, COVID-19 is a severe acute respiratory illness that can spread among humans through respiratory transmission and may present with symptoms similar to those of influenza; and

WHEREAS, on March 9, 2020, the Governor Ron DeSantis declared a State of Emergency for the entire state of Florida as a result of COVID-19; and

WHEREAS, Governor DeSantis has extended the state of emergency, most recently on July 7, 2020; and

WHEREAS, on March 12, 2020, the County Mayor declared a State of Local Emergency for all of Miami-Dade County in order to protect the public's health, safety, and welfare; and

WHEREAS, the County Mayor has extended the state of emergency, most recently on July 15, 2020; and

WHEREAS, COVID-19 cases have increased markedly in the County in the last several weeks; and

WHEREAS, Miami-Dade County has become the state epicenter of the COVID-19 pandemic; and

WHEREAS, on July 6, 2020, Florida Commissioner of Education Richard Corcoran issued Emergency Order 2020-E0-66 requiring all schools within the state to be open at least five days a week for all students during the 2020-2021 school year; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) has promulgated guidelines related to the safe re-opening of schools; and

WHEREAS, the CDC guidelines state that schools should not re-open for in-person instruction until schools are in Phase 2; and

WHEREAS, under the CDC guidelines, Phase 2 requires a downward trajectory of confirmed cases over a 14-day period as well as a downward trajectory of positives cases as a percentage of overall tests; and

WHEREAS, Miami-Dade County is not currently in Phase 2; and

WHEREAS, re-opening public schools for in-person instruction may put students, teachers, staff, and the wider community at risk for increased transmission of COVID-19; and

WHEREAS, Miami-Dade County Public Schools Superintendent Alberto Carvalho has developed a plan whereby certain benchmarks related to the control of COVID-19 must be met for in-person instruction to commence in Miami-Dade County Public Schools; and

WHEREAS, local superintendents like Miami-Dade County Public Schools Superintendent Alberto Carvalho are best situated to make decisions related to instruction for their individual school districts; and

WHEREAS, this Board recognizes the importance of in-person instruction, however, such instruction should only begin when each school district deems it is safe for students, teachers, and staff to return,

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

Section 1. Urges Governor Ron DeSantis and Commissioner of Education Richard Corcoran to allow public K-12 schools to open for distance learning only during the 2020-2021 school year, due to COVID-19 until such time as local superintendents determine it is safe for students, staff, and teachers to return to in-person instruction.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Commissioner of Education, the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County’s state lobbyists to advocate for the actions set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 State Legislative Package to include this item and to include this item in the 2021 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. The motion 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose “Pepe” Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

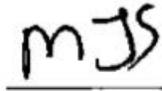
The Chairperson thereupon declared this resolution duly passed and adopted this 27th day of July, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the 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.



Melanie J. Spencer