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Marva Johnson
Ryan Petty
Andy Tuck
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MEMORANDUM

TO: State Board of Education Members

FROM: Richard Corcoran

RE: Miami Dade Public Schools, Student Opt-Out Requirements

DATE: October 4, 2021

Based upon the following memorandum, I find there is probable cause that Miami Dade Public Schools (MDPS) acted contrary to the law by requiring students to wear a mask or face covering unless certain exceptions apply, such as a medical certification. Specifically, MDPS' policy violated the provisions of Rule 64DER21-12, Protocols for Controlling COVID-19 in School Settings and continues to violate Rule 64DER21-15, Protocols for Controlling COVID-19 in School Settings.

Background Information

On July 30, 2021, the Governor issued Executive Order Number 21-175, directing the Florida Department of Health (FDOH) and the Florida Department of Education (FDOE) to immediately execute rules and take any additional action necessary to ensure safety protocols for controlling the spread of COVID-19 in schools. The order requires that these protocols be consistent with the Parents' Bill of Rights and directs that action "protect parents' right to make decisions regarding masking of their children in relation to COVID-19." Moreover, the order directs the Commissioner of Education to pursue all legal means available to ensure school districts adhere to the law, including but not limited to withholding funds from noncompliant school boards.

On August 6, 2021, in response to the executive order, and after consultation with FDOE, the State's former Surgeon General, Scott Rivkees, as the head of FDOH, adopted an emergency rule establishing protocols for controlling the spread of COVID-19 in schools. Given the statutory duty of FDOH to implement protocols to prevent or limit the impact or spread of disease, the State's Surgeon General must be a licensed physician with advanced training or extensive experience in public health administration. *See* § 20.43(2), Fla. Stat. The rule provided for general protocols for public schools, protocols specific to symptomatic or COVID-19 positive students, protocols specific to students with exposure to COVID-19 and protocols for students with a prior COVID-19 infection. The portion of the rule addressing masks provided as

follows: **Students may wear masks or facial coverings as a mitigation measure; however, the school must allow for a parent or legal guardian of the student to opt-out the student from wearing a face covering or mask.** *See* Rule 64DER21-12, Protocols for Controlling COVID-19 in School Settings, Florida Administrative Register, Vol. 47 / No. 153, August 9, 2021 (emphasis supplied).

Citing to the Parents' Bill of Rights, the notice for FDOH's emergency rule provided that "it is necessary to immediately promulgate a rule regarding COVID-19 safety protocols that protects parents' rights and to allow for in-person education for their children."

On September 22, 2021, under the direction of the State's new Surgeon General, Dr. Joseph Ladapo, FDOH issued a revised rule to address controlling the spread of COVID-19 in school settings. Rule 64DER21-15 relaxes the requirements for quarantining asymptomatic students who have been exposed to COVID-19, and further clarifies the parental opt-out provision by providing that a "school must allow for a parent or legal guardian of the student to opt the student out of wearing a face covering or mask at the parent or legal guardian's **sole discretion.**" *See* Rule 64DER21-15, Florida Administrative Register, Vol. 47 / No. 185, September 23, 2021 (emphasis supplied). *See* Exhibit A.

The purpose of these changes is explained by FDOH in its notice for the new rule:

The Department [of Health] observed a large number of students have been required to quarantine for long periods of time, resulting in the loss of hundreds of thousands of days of in-person learning. In addition, the Department [of Health] observed no meaningful difference in the number of COVID-19 cases in school-aged children in counties where school districts have imposed mask mandates. It is necessary to minimize the amount of time students are removed from in-person learning based solely on direct contact with an individual that is positive for COVID-19, to ensure parents and legal guardians are allowed the flexibility to control the education and health care decisions of their own children, and to protect the fundamental rights of parents guaranteed under Florida law.

Id.

Miami Dade Public Schools

On August 18, 2021, the Miami Dade School Board voted to authorize Superintendent Carvalho to temporarily require face coverings for all students, except those with medically endorsed accommodations, as defined in section 1003.22, Florida Statutes. *See* Exhibit B. Specifically, the district's FAQ Regarding COVID-19 states:

Will facial coverings be required at schools?

Face coverings are required for students, employees, parents, volunteers, and visitors while on school property and on school buses. Face coverings may be removed while outdoors as long as appropriate distance is maintained.

See Exhibit C.

On August 27, 2021, I wrote MDPS' superintendent and school board chair to notify them of my concern with their apparent non-compliance with Rule 64DER21-12 and to afford the district the opportunity to demonstrate compliance. *See* Exhibit D.

On September 1, 2021, MDPS' superintendent and board chair responded to me in writing, asserting that the district's policy is narrowly tailored, limited in scope, and necessary to achieve the compelling state interest of protecting students. *See* Exhibit E. The letter did not rescind the requirement for medical documentation in order for a student to opt-out of a mask mandate.

On September 23, 2021, due to the adoption of FDOH's new rule, I advised MDPS' superintendent and school board chair of Rule 64DER21-15, and afforded the district another opportunity to demonstrate compliance. *See* Exhibit F.

On September 24, 2021, MDPS responded by requesting an extension of time to provide a written response documenting how our district is complying with the new DOH rule. *See* Exhibit G. The letter did not rescind the requirement for medical documentation in order for a student to opt-out of a mask mandate.

In sum, the MDPS' policy requires all students, staff and visitors to wear face coverings on school property and on school buses, with limited exceptions. The policy precludes voluntary parental opt-out at the parent's or guardian's sole discretion.

The State Board of Education's Enforcement Authority

The State Board of Education's enforcement authority is found in section 1008.32, Florida Statutes. The statute provides that "[t]he State Board of Education shall oversee the performance of district school boards [...] in enforcement of all laws and rules." § 1008.32, Fla. Stat.

In enforcing the law, the statutory process prescribed therein requires that I first report my determination of probable cause to the State Board of Education. If the State Board then determines that a district school board is unwilling or unable to comply with either law or rule, the State Board is authorized to impose sanctions in order to secure compliance, including the withholding of funds and reporting to the Legislature.

Any argument that the State Board's authority to enforce these safety protocols interferes with any district school board's authority to operate and control schools should be summarily rejected. Indeed, the law in Florida is clear that the State Board's supervisory authority acts as a limitation on the operational authority of districts to operate, control and supervise public schools.

Looking to the Florida Constitution, there is a hierarchy under which a school board has local control, but in which the State Board supervises the system as a whole. This broader supervisory authority may at times infringe on a board's local powers, but such infringement is expressly contemplated and, in fact, encouraged by the very structure set by the Florida Constitution. *See Sch. Bd of Palm Beach Cty. v. Fla. Charter Educ. Found, Inc.*, 213 So. 3d 356, 360 (Fla. 4th DCA 2017) (rejecting school board's argument that the State Board of Education's authority to approve a charter school application on appeal violates article IX, section 4(b)); *see also Sch. Bd of Collier Cty v. Fla. Dep't of Education*, 279 So. 3d 281 (Fla. 1st DCA 2019) (rejecting school

board's argument that statute requiring school boards to distribute a portion of capital millage revenue to charter schools violates article IX, section 4(b)).

Accordingly, any argument that the State Board of Education lacks the authority to enforce these school safety protocols should also be rejected. It has long been settled that rules have the force and effect of the law. *State v. Jenkins*, 469 So. 2d 733 (Fla. 1985); *Florida Livestock Board v. W.G. Gladden*, 76 So. 2d 291 (Fla. 1954). Rule 64DER21-15 derives authority from a statute in the educational code—specifically, section 1003.22(3), Florida Statutes—so while FDOH may *also* have enforcement authority, enforcement of school safety protocols falls squarely within the State Board of Education's authority to supervise the state's education system as a whole.

Conclusion

Every school board member and every school superintendent has a duty to comply with the law, whether they agree with it or not. While the district school board may not agree with the safety protocols set forth by the Surgeon General, the Surgeon General is the person who, under the law, sets protocols to control and mitigate COVID-19 in schools. The Office of the Attorney General relied upon these principles to reject any argument a school board could depart from FDOH's emergency rule based upon a disagreement with the protocols found in the rule. *See* AGO 2021-01, September 1, 2021. Disagreement with the protocols found in 64DER21-15 simply does not provide a school district with a basis to violate the rule, be it through medical requirements, attempts to tie mask requirements to fluctuating positivity rates, or through any other means.

All of this in mind, I hereby recommend that the State Board of Education use its enforcement powers to enforce the health protocols found in Emergency Rule 64DER21-15 and protect the right of parents to make both health and educational decisions on behalf of their children.

Should the State Board adopt my recommendation, I request that it consider the sanction of withholding state funds in an amount equal to 1/12 of all school board members' salaries, as well as withholding state funds in an amount equal to any federal grant funds awarded to MDPS for its noncompliance with Emergency Rule 64DER21-15.

EXHIBIT A

Notice of Emergency Rule

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: RULE TITLE:

64DER21-15 Protocols for Controlling COVID-19 in School Settings

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Because of an increase in COVID-19 infections, largely due to the spread of the COVID-19 delta variant, prior to the beginning of the 2021-2022 school year, it is imperative that state health and education authorities continue to provide emergency guidance to school districts concerning the governance of COVID-19 protocols in schools. In August 2021, all public schools in Florida began the 2021-2022 school year with in-person learning available for all students. The Department of Health adopted Emergency Rule 64DER21-12 on August 6, 2021. Since that time the Department has conducted a review of data for cases of COVID-19 positive school-aged children and data for school-aged children who have been in direct contact with a COVID-19 positive person. The Department observed a large number of students have been required to quarantine for long periods of time, resulting in the loss of hundreds of thousands of days of in-person learning. In addition, the Department observed no meaningful difference in the number of COVID-19 cases in school-aged children in counties where school districts have imposed mask mandates. It is necessary to minimize the amount of time students are removed from in-person learning based solely on direct contact with an individual that is positive for COVID-19, to ensure parents and legal guardians are allowed the flexibility to control the education and health care decisions of their own children, and to protect the fundamental rights of parents guaranteed under Florida law.

In order to permit students to continue in-person learning, to minimize the detriment to students and school personnel from the added burden of recurrent removal of students, and to benefit the overall welfare of students in Florida, it is necessary to provide updated emergency guidance to school districts concerning the governance of COVID-19 protocols in schools. This emergency rule conforms to Executive Order Number 21-175, which ordered the Florida Department of Health and the Florida Department of Education to ensure safety protocols for controlling the spread of COVID-19 in schools that (1) do not violate Floridians' constitutional freedoms; (2) do not violate parents' rights under Florida law to make health care decisions for their minor children; and (3) protect children with disabilities or health conditions who would be harmed by certain protocols, such as face masking requirements. The order directs that any COVID-19 mitigation actions taken by school districts comply with the Parents' Bill of Rights, and "protect parents' right to make decisions regarding masking of their children in relation to COVID-19."

Because of the importance of in-person learning to educational, social, emotional and mental health, and welfare, removing healthy students from the classroom for lengthy quarantines should be limited. Under Florida law, parents and legal guardians have a fundamental right to direct the upbringing, education, health care, and mental health of their minor children and have the right to make health care decisions for their minor children. HB 241, Ch. 2021-199, Laws of Fla. Parents and legal guardians are uniquely situated to understand the health care, emotional, and educational needs of their minor children. In furtherance of the Florida Department of Health's authority to adopt rules governing the control of preventable communicable diseases—and because students benefit from in-person learning—it is necessary to immediately promulgate a rule regarding COVID-19 safety protocols that protects parents' rights and to maximize the allowance of in-person education for their children. Unnecessarily removing students from in-person learning poses a threat to the welfare of children, including their social, emotional and educational developmental, and is not necessary absent illness.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: This emergency rule is necessary in light of the unnecessary exclusion of healthy students from in-person learning and the urgent need to provide updated COVID-19 guidance to school districts. Given the evolving nature of this novel disease and the potential for adverse impacts on school children resulting from the unnecessary exclusion of healthy children from in-person learning, there is a need to issue an immediately effective rule while the department promulgates a permanent rule through the non-emergency process.

SUMMARY: Emergency rule 64DER21-15 sets forth the procedures for controlling COVID-19 in school settings. Emergency rule 64DER21-15 repeals and replaces Emergency rule 64DER21-12 that was adopted on August 6, 2021.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Carina Blackmore, Florida Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1703, (850)245-4732.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64DER21-15 Protocols for Controlling COVID-19 in School Settings

(1) GENERAL PROTOCOLS AND DEFINITION. The following procedures shall be instituted to govern the control of COVID-19 in public schools:

(a) Schools will encourage routine cleaning of classrooms and high-traffic areas.

(b) Students will be encouraged to practice routine handwashing throughout the day.

(c) Students will stay home if they are sick.

(d) Schools may adopt requirements for students to wear masks or facial coverings as a mitigation measure; however, the school must allow for a parent or legal guardian of the student to opt the student out of wearing a face covering or mask at the parent or legal guardian's sole discretion.

(e) For purposes of this rule, "direct contact" means cumulative exposure for at least 15 minutes, within six feet.

(2) PROTOCOLS FOR SYMPTOMATIC OR COVID-19 POSITIVE STUDENTS. Schools will ensure students experiencing any symptoms consistent with COVID-19 or who have received a positive diagnostic test for COVID-19 shall not attend school, school-sponsored activities, or be on school property until:

(a) The student receives a negative diagnostic COVID-19 test and is asymptomatic; or

(b) Ten days have passed since the onset of symptoms or positive test result, the student has had no fever for 24 hours and the student's other symptoms are improving; or

(c) The student receives written permission to return to school from a medical doctor licensed under chapter 458, an osteopathic physician licensed under chapter 459, or an advanced registered nurse practitioner licensed under chapter 464.

(3) PROTOCOLS FOR STUDENTS WITH EXPOSURE TO COVID-19. Schools shall allow parents or legal guardians the authority to choose how their child receives education after having direct contact with an individual that is positive for COVID-19:

(a) Parents or legal guardians of students who are known to have been in direct contact with an individual who received a positive diagnostic test for COVID-19 may choose one of the following options:

1. Allow the student to attend school, school-sponsored activities, or be on school property, without restrictions or disparate treatment, so long as the student remains asymptomatic; or

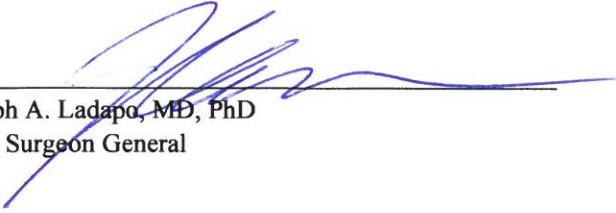
2. Quarantine the student for a period of time not to exceed seven days from the date of last direct contact with an individual that is positive for COVID-19.

(b) If a student becomes symptomatic following direct contact with an individual that has tested positive for COVID-19, or tests positive for COVID-19, the procedures set forth in subsection (2), above shall apply.

Rulemaking Authority 1003.22(3) FS. Law Implemented 1003.22(3) FS. History—New.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE:



Joseph A. Ladapo, MD, PhD
State Surgeon General

9/22/21

Date

EXHIBIT B

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Miami, Florida

Excerpts from Unofficial Minutes of August 18, 2021 School Board Meeting

		APPROVED`	Bid Opening Lists of June 17, 2021 and July 13, 2021.
		APPROVED	Minutes of July 14, 2021 Regular School Board meetings and First Budget Public Hearing of July 28, 2021.
121,428	<u>A-1</u>	HEARD	Superintendent's Informational Reports to the Board on Selected Topics.
121,429	<u>A-2</u>	WAIVED/ SUSPENDED	Prohibitions outlined in Board Policies 5830, Student Fundraising, and 9700, Relations with Special Interest Groups, in order to allow fundraising and/or other charitable activities in support of relief efforts in response to the Haitian Earthquake disaster.
-----	<u>B-3</u>	WITHDREW	The approval of Resolution No. 21-033 of The School Board of Miami-Dade County, Florida, recognizing Winston Elliot Scot, retired United States Navy Captain and former National Aeronautics and Space Administration (NASA) Astronaut.
121,430	<u>B-4</u>	APPROVED*	Resolution No. 21-036 of The School Board of Miami-Dade County, Florida, recognizing Mr. Andres Asion. * Amended to include Dr. Steve Gallon III, Vice Chair; Dr. Marta Perez, Ms. Lucia Baez-Geller and Ms. Luisa Santos, School Board members; as co-sponsors of the item.
121,431	<u>B-6</u>	APPROVED*	Resolution No. 21-032 of The School Board of Miami-Dade County, Florida, recognizing Ms. Andrea Pita, a junior at School for Advanced Studies (SAS) West Campus, for organizing a service project known as "The Anxiety Kids." * Amended to include Ms. Perla Tabares Hantman, Chair; Dr. Steve Gallon III, Vice Chair; Dr. Dorothy Bendross-Mindingall, Dr. Marta Perez, Dr. Lubby Navarro, Ms. Lucia Baez-Geller, Ms. Maria Teresa "Mari Tere" Rojas and Ms. Luisa Santos, School Board members; as co-sponsors of the item.
121,432	<u>B-7</u>	APPROVED*	Resolution No. 21-034 of The School Board of Miami-Dade County, Florida, recognizing Mark Zaher for his retirement after 36 years of dedicated service to the Miami-Dade County Public Schools. * Amended to include Ms. Perla Tabares Hantman, Chair; Dr. Dorothy Bendross-Mindingall; Dr. Marta Perez, Dr. Lubby Navarro, Ms. Lucia Baez-Geller, Ms. Maria Teresa "Mari Tere" Rojas and Ms. Luisa Santos, School Board members; as co-sponsors of the item.

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121,433	<u>D-19</u>	AUTHORIZED	The Superintendent to enter into a contractual services agreement between The School Board of Miami-Dade County, Florida, and Citizen's Crime Watch of Miami-Dade County, Inc., in an amount of \$71,000.
121,434	<u>D-20</u>	APPROVED	Personnel Action Listing 1146 with Instructional and Support Personnel appointments, reassignments, leaves, separations, retirements, and resignations from June 25, 2021 through July 15, 2021.
121,435	<u>D-21</u>	APPROVED	<ol style="list-style-type: none"> 1. Change of title and minimum qualifications to MEP position: Staff Specialist, Procurement, MEP pay grade 18 to Senior Purchasing Agent, MEP pay grade 18, Office of Procurement Management Services. 2. The recommendation for appointments and lateral transfers to be effective August 19, 2021, or as soon thereafter as can be facilitated, with the exception of the effective dates as noted throughout the item and authorize compensation adjustments, as delineated in the Official Agenda Item.
121,436	<u>D-23</u>	RATIFIED	The 2021-2024 Tentative Agreement Successor Contract with DCSAA effective July 1, 2021 through June 30, 2024.
121,437	<u>D-24</u>	RATIFIED	The 2021-2022 Tentative Agreement Reopener Contract with UTD effective July 1, 2020 through June 30, 2023.
121,438	<u>D-25</u>	RATIFIED	The 2021-2024 Tentative Agreement Successor Contract with AFSCME effective July 1, 2021 through June 30, 2024.
121439	<u>D-26</u>	APPROVED	<ol style="list-style-type: none"> 1. A non-recurring 3% supplement for 2020-2021 and a one-time stipend of one thousand five hundred (\$1,500) dollars for 2021-2022 for eligible CEP employees. 2. A non-recurring 3% supplement for all eligible MEP for 2020-2021 and a one-time stipend of one thousand five hundred (\$1,500) for 2021-2022 for principals, inclusive of the Governor's Relief Fund Bonus. Approve a one-time stipend of one thousand five hundred dollars (\$1,500) to all other eligible MEP employees for 2021-2022, matching the stipend provided to principals. Approve a salary adjustment for eligible school-site MEP of .57% or .76% for performance as required by law. 3. A one-time stipend of five hundred dollars (\$500) for all eligible MEP employees.

121,440 **D-55** **APPROVED**

1) The Superintendent's recommendation for approve the Superintendent's recommendation for disciplinary action, which has been agreed to by the employees.

A) Chondria N. Essix: suspension without pay from her position as Custodian at Georgia Jones-Ayers Middle School, for ten (10) calendar days, effective August 19, 2021.

B) John McMahon: suspension without pay from his position as Custodian at Georgia Jones-Ayers Middle School, for ten (10) calendar days, effective September 16, 2021.

2) That the School Board of Miami-Dade County, Florida, approve the Superintendent's recommendation for disciplinary action, pending the outcome of an administrative hearing or grievance/arbitration proceeding, if requested.

A) Dubraska Guevara: suspension without pay and initiation of dismissal proceedings from her position as Sergeant at North Operations Station 2, Miami-Dade Schools Police Department, effective August 19, 2021.

B) Yewande Smith: demotion from her position as Sergeant at North Operations Station 1, Miami-Dade Schools Police Department, to Police Officer, effective August 19, 2021.

121,441 **D-65** **APPROVED**

A. Four (4) charter contract amendments with:

1. BridgePrep Academy, Inc. d/b/a BridgePrep Academy of Village Green (MSID 3034) to (1) allow the school to expand grade levels.

2. Mater Academy, Inc., d/b/a -

a. Mater Academy East Middle School (MSID 6009),

b. Mater Academy East Charter High School (MSID 7037).

3. Somerset Academy, Inc., d/b/a Somerset Academy Charter High School (MSID 7042).

B. Approve a Reduction-in-Force/Layoff as needed, only to the extent described in the Official Agenda Item as Total Loss, in accordance with School Board Policies and applicable collective bargaining agreements.

121,442 **D-66** **AUTHORIZED**

The Superintendent:

A. To negotiate and execute a Second Amendment to the School of Hope

Performance-Based Agreement with KIPP Miami, Inc., on behalf of KIPP Miami-Liberty City based on the issues as reflected in the Proposed Second Amendment to PBA referenced herein; and

B. In collaboration with the School Board Attorney, to seek administrative dispute resolution, pursuant to section 1002.333(11)(c), F.S., in the event that the parties do not reach agreement on the issues as reflected in the Proposed Second Amendment to PBA referenced herein.

121,443	<u>D-67</u>	APPROVED	The attached list of out-of-county/out-of-state trips for the 2021-2022 school year for use in conjunction with School Board Policy 2340 – <i>Field and Other District-Sponsored Trips</i> .
121,444	<u>E-86</u>	RECEIVED/ FILED	<u>The School Board of Miami-Dade County, Florida Audit Plan and AU 260 Communication for the fiscal year ended June 30, 2021.</u>
121,445	<u>E-87</u>	RECEIVED/ FILED	The <u>Office of Management and Compliance its' 2021 - 2022 Audit Plan.</u>
121,446	<u>E-88</u>	RECEIVED/ FILED	The <u>Internal Audit Report – Selected Schools/Centers.</u>
121,447	<u>E-89</u>	RECEIVED/ FILED	<u>Audited Financial Statements for Five (5) Community – Based Organizations (CBOs).</u>
121,448	<u>E-141</u>	AWARDED	<ol style="list-style-type: none"> 1. Invitation To Bid No. ITB-20-058-MJ – School Bus Routes for Private Bus Companies, to establish contracts, at firm unit prices, as delineated in the Official Agenda Item. 2. Authorize Procurement Management Services to purchase up to the total estimated amount of \$8,304,000 for the initial contract term and an amount not to exceed \$2,768,000 for each subsequent one (1) year extension period.
121,449	<u>E-203</u>	APPROVED	Tentatively, for planning purposes, the following schedule of Board meeting dates for the period January-December 2022: January 12, February 9, March 9, March 30 (Instructional Materials Public Hearing), April 13, May 18, June 22, July 20, July 27 (First Budget Public Hearing), August 17, September 7 (Regular Meeting/Second Budget Public Hearing), October 19, November 22 (Organization Meeting/Regular School Board Meeting), and December 14. The final listing of meeting dates for 2022 will be established by the Board at the 2021 Organization Meeting scheduled for Tuesday, November 16, 2021. Furthermore, no fewer than two (2) Budget Workshops shall be scheduled between May and the First Budget Public Hearing in preparation for the Budget cycle.

121,450	<u>F-1</u>	AUTHORIZED	<p>The Superintendent to:</p> <ul style="list-style-type: none"> A) finalize negotiations and execute a Construction and Temporary Access Agreement (“Access Agreement”) between the School Board and the City of Miami Beach (“City”), as delineated in the Official Agenda; B) execute amendments to the Access Agreement within the authority granted to the Superintendent by the Board in the Access Agreement; and C) grant or deny all approvals or waivers required under the Access Agreement, including, without limitation, extending the term of the Access Agreement by up to six (6) additional months upon receipt of a written request from the City, placing the City in default, and canceling or terminating the Access Agreement, as may be applicable.
121,451	<u>F-2</u>	AUTHORIZED	<p>The Superintendent execute an amendment to Lease Agreement between KIPP Miami, Inc., a Florida not for profit corporation, and the School Board, for use of classroom and ancillary space at Madison Middle School, located at 3400 N.W. 87 Street, Unincorporated Miami-Dade County, Florida 33147, for the operation of a School of Hope charter school, all under, substantially, the terms and conditions noted in the agenda item.</p>
121,452	<u>F-3</u>	ACCEPTED	<ul style="list-style-type: none"> 1) From the County, the total amount of \$850,000, to be utilized for the construction of the Playfield Facility; 2) Waived Board Policy 7510 to allow the consumption of alcoholic beverages on the Multipurpose Facility site (strictly and specifically defined and limited to beer and wine), but not the sale, during Limited Events, as such term is defined in the Interlocal Agreement; and 3) Authorized the Superintendent to: <ul style="list-style-type: none"> a. finalize negotiations and execute an Interlocal Agreement by and between The School Board of Miami-Dade County, Florida, and Miami-Dade County (“County”), relating to facility enhancements at Miami Arts Studio 6-12 at Zelda Glazer (“School”), to provide for the construction by the County of a Multipurpose/Soundscape Facility (“Multipurpose Facility”) and joint use of the Multipurpose Facility, Playfield Facility and School Parking Lot, and under, substantially, the terms noted in the agenda item; b. negotiate and execute any other appropriate documents or agreements between the Board and County necessary to effectuate the implementation of the

Interlocal Agreement, as mutually agreed to by the Parties; and

- c. grant or deny all approvals required under the Interlocal Agreement, including executing amendments to the Interlocal Agreement within the authority granted him by the School Board, placing the County in default, and canceling or terminating the Interlocal Agreement, as may be applicable.

121,453	<u>F-40</u>	CONFIRMED/ APPROVED	B-1. Change Order Number 3 on Project Number 01654500. B-2. Change Order Number 2 on Project Number 01619400. B-3. Change Order Number 6 on Project Number 01892600. B-4. Change Order Number 5 on Project Number 01619800.
121,454	<u>F-41</u>	AWARDED	To Veitia Padron, Incorporated, the new 12-classroom addition project at West Homestead K-8 Center; Project Number 02099200; on the basis of the lowest adjusted Base Bid in the amount of \$3,737,436.78.
121,455	<u>F-58</u>	RECEIVED	The Miami-Dade County Public Schools Annual Safety-to-Life Inspection Documents.
121,456	<u>F-80</u>	APPROVED	The prequalification certificates for six (6) new, one (1) increase, and one (1) decrease contractor application for educational facilities construction, as listed on Attachment "A."
121,457	<u>G-1</u>	AMENDED	Board Policy 0155, <i>School Board Committees</i> , and authorize the Superintendent to file the policy with The School Board of Miami-Dade County, Florida, to be effective August 18, 2021.
121,458	<u>G-2</u>	AMENDED	Board Policy 9140, <i>Citizens' Advisory Committee Meetings</i> and Board Policy 9125, <i>Notice of District Advisory Committee Meetings</i> , and authorize the Superintendent to File the polices with The School Board of Miami-Dade a, to be effective August 18, 2021.
121,459	<u>G-4</u>	AUTHORIZED	The Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Policy 9215, <i>Direct-Support Organizations</i> .
-----	<u>G-5</u>	WITHDREW	The adoption of the Recommended Order of the Administrative Law Judge in its entirety as its Final Order in the case of <u>The School Board of Miami- Dade County, Florida v. Chermona Francois-Smith</u> , DOAH Case No. 21-0066TTS, sustaining the suspension of Respondent's employment as a teacher, without pay, for fifteen (15) workdays.

121,460	<u>H-3</u>	DIRECTED	<p>The Superintendent:</p> <ol style="list-style-type: none"> 1. Ensure that all Miami-Dade County Public School (M-DCPS) principals, staffs, and parents/guardians are informed of the requirements of House Bill 529 Moments of Silence in Public Schools; 2. Ensure that parents/guardians are informed and encouraged to have conversations with their children as to the best use of this time; 3. Provide an update on any specific actions taken, detailed tangible strategies used to communicate this information to M-DCPS principals, staffs, parents/guardians in multiple languages, and any applicable School Board policy amendment recommendations to be made, and presented to the Academics, Innovation, Evaluation and Technology Committee Meeting in September 2021, in preparation for implementation of HB 529 in the 2021-2022 school year; and 4. Initiate rulemaking, as necessary, to formalize this requirement in School Board policy.
121,461	<u>H-5</u>	ENDORSED	The month of September 2021 as National Suicide Prevention Awareness Month in Miami-Dade County Public Schools (M-DCPS).
121,462	<u>H-6</u>	DIRECTED	The Superintendent of Schools to assess and identify a fiscally responsible opportunity to include a financial recognition to Miami-Dade County Public Schools teachers for the upcoming school year, in light of the additional work associated to the implementation of the district's new Learning Management System (LMS). A report on this assessment must be provided to the Board at the Personnel, Student, School and Community Support Committee meeting of September 1, 2021.
121,463	<u>H-7</u>	DIRECTED	The Superintendent of Schools to review current School Board policies to ensure the Board's compliance with the provisions of the 2021 Florida Adopted Legislation HB 241 – <i>Parents' Bill of Rights</i> ; provide the Board a report of this review by October 1, 2021; amend any Board policies, as appropriate; and, if necessary, initiate rulemaking proceedings to develop a School Board policy pursuant to HB 241 in accordance with the Administrative Procedure Act to be presented at the School Board meeting of October 20, 2021, for initial reading.
121,464	<u>H-8</u>	RECOMMENDED	That the Superintendent review existing administrative directives and procedures and determine whether they need to be updated to ensure that all GOB vendors are paid on a timely basis and report back to the board during the October 20, 2021, meeting. This item also seeks to request that the Superintendent establish a

monthly report of all pending GOB related projects during the Facilities and Construction Committee meetings.

121,465	<u>H-9</u>	RECOGNIZED	Mr. Steven Ferreiro.
121,466	<u>H-10</u>	DIRECTED	<p>The Superintendent to:</p> <ol style="list-style-type: none">1. implement the competitive bidding process for all technology related hardware and software and, any procurement of goods and services that are funded through COVID-19 stimulus funds, including the American Rescue Plan Act of 2021 for expenditures that exceed \$50,000.00 single and \$100,000.00 aggregate;2. identify spending authority approved by the School Board for such procurements and purchases with American Rescue Plan Act of 2021 and/or related COVID-19 federal stimulus funds and include the total and/or not to exceed total costs of such procurement of goods and services purchased through the same; and3. provide an update on above actions to the School Board in writing that include but are not limited to what actions will be taken within the procurement process and by the Chief Procurement Officer regarding recommendations #1 and #2 no later than September 10, 2021.
121,467	<u>H-11</u>	ENDORSED	The 2021 International “Walk to School Day,” and implement the “WalkSafe” pedestrian safety program curriculum during the week of the event.
121,468	<u>H-12</u>	ENDORSED	Ethical Governance Day 2021” to take place on October 20, 2021, in Miami-Dade County Public Schools sponsored by the Miami-Dade County Commission on Ethics and Public Trust.
121,469	<u>H-13</u>	ENDORSED	Hispanic Heritage Month in Miami-Dade County Public Schools from September 15, 2021 through October 15, 2021.
121,470	<u>H-14</u>	DIRECTED	<p>The Superintendent to:</p> <ol style="list-style-type: none">1. annually increase, at each school, the number of secondary students participating in local, state, national, and international competitions;2. improve access to available information pertaining to academic competitions and enhance the flow of communication to school sites on an annual basis for the purpose of engaging more students in such activities;3. encourage all gifted programs that serve primary and intermediate grade level students to participate, on an annual basis, in at least one problem-solving or critical thinking skills contest;

4. require all secondary gifted programs to participate in at least one problem-solving or critical thinking skills contest on an annual basis;
5. explore the feasibility of providing stipends to teachers who prepare and coach students in out-of-school competitions;
6. explore securing donations or other outside sources of funding to support out-of-school competitions;
7. develop a plan to inform parents, students, and stakeholders of the gifted offerings in their feeder pattern;
8. develop a plan to provide professional development and re-certification to those gifted certified teachers who may require updated information and exposure to new teaching strategies; and
9. provide a response to the School Board no later than the School Board meeting of October 2021.

121,471 **H-15** **AUTHORIZED**

The Superintendent to:

1. explore the feasibility of adding extended learning afterschool programs districtwide for students;
2. review the possibility of compensating educators at their respective schools to teach extended learning classes;
3. consider and explore the feasibility of providing a nutritious meal to students during extended learning classes;
4. determine the cost of providing 1, 2 and 3; and
5. provide an update at the Academics, Innovation, Evaluation & Technology Committee in December 2021.

121,472 **H-16** **REAFFIRMED***

Its commitment to supporting post-secondary success for students by initiating the Framework for Post- Secondary Success and directing the Superintendent to:

1. Collect and organize district-wide and school-site baseline data sourced from National Clearinghouse reports on student post-secondary matriculation and persistence, differentiating between institution type (vocational/technical, military pathway, 2 year, 4 year, private, public, in-state, out-of-state, etc.), time to graduation, and institution/programs attended; and publish this data on dadeschools.net in an interactive, digestible, and user-friendly format for CAP

Advisors, school administration, student services, and the general public by March 2022;

2. Present the baseline data at the Academics, Innovation, Evaluation, and Technology Committee Meeting of March 2022;
3. Launch annual school-specific post-secondary reports, inclusive of all Clearinghouse data listed in Action Proposed 1 and SCOIR reports, including but not limited to application, enrollment, and other post-secondary plan trends, to site stakeholders and on dadeschools.net by July 2022 and by July 30th of every year thereafter;
4. Provide annual training and support for CAP Advisors to facilitate their understanding, analysis, and utilization of the annual post-secondary reports to inform practices and programming at their school sites with the intent of ultimately 1) increasing program enrollment to ensure all students have a viable post-secondary plan before graduating, 2) improving program fit to avoid issues of undermatching, and 3) maximizing the financial aid and institutional scholarships students are offered in the application process that minimize loan dependency; and
5. Create and implement a post-secondary advising curriculum with clear standards inclusive of an annual timeline with expected student/family/CAP advisor actions and outcomes by grade level no later than the start of the 2022-2023 school year. Utilize this guide to align all post-secondary planning efforts throughout M-DCPS and across community partner organizations.

* **Amended** to include Ms. Lucia Baez-Geller, School Board Member; as co-sponsors of the item.

121,473 **H-17** **DIRECTED***

The Superintendent to:

1. update procedures for COVID-19 related identification, notification, quarantine, and testing and confirm the process for COVID-19 testing for employees that confirm current positive or negative status;
2. update the implementation of the Board policies granting the Superintendent the authority to control communicable diseases and the spread of COVID-19, by authorizing the Superintendent to explore the feasibility of requiring temporarily require, in a manner consistent with School Board policies and based on local COVID-19 positivity rates, facial coverings for all students, except those with medically endorsed accommodations, as defined in s. 1003.22 of the Florida Statutes. In addition, the requirement shall apply to all

employees, contractors and visitors while inside M-DCPS school buildings ~~except for students whose parents exercise their right to affirmatively elect not to have their child wear facial coverings in school; and while all students are on school buses.~~ The Superintendent shall continuously review and assess local positivity rates and use such data and related information to modify and /or discontinue any established protocols and/or requirement for facial coverings. A written update shall be provided to the School Board on any modifications to protocols and/or requirement for facial coverings on a weekly basis.

3. explore the availability of cost neutral partnerships with entities, organizations, and/or municipalities for COVID-19 testing and vaccinations;
4. provide an updated communication plan and strategy for employees, parents, community stakeholders, and students regarding relevant and related COVID-19 procedures governing identification, notification, quarantine, testing and vaccinations;
5. update any criteria for determining the closure of individual schools for reasons related to COVID-19;
6. update procedures for contact tracing as appropriate;
7. update procedures and processes to monitor quarantined students pursuant to established CDC guidelines and/or requirements; and
8. provide an update to the Board on the above steps taken as well as any additional COVID-19 relevant information in (a) written update by August 19, 2021; (b) a presentation at the September 1, 2021, Personnel, Student, School & Community Support Committee meeting; (c) disseminate such presentation to employees, parents, community stakeholders, and students; and (d) ensure availability and access to such updates on the M-DCPS website.
9. Provide weekly, monthly and periodic reporting to the School Board and State Board of Education on any related matters determined to be noncompliant by the State Board of Education on a weekly, monthly or periodic basis, as may be necessary and /or required, pursuant to Florida Statute 1008.32.

* **Amended** as reflected above.

121,474

H-18

DIRECTED

The Superintendent to:

1. re-establish an easily accessible M-DCPS COVID-19 Dashboard with data and relevant information that include but are not limited to the number of confirmed COVID-19 cases for overall school District and categorized by school and school level (elementary, middle, K-8, senior high, Adult/Alternative/Vocational), voting district, District/Region office, employees, students (where available/legal/appropriate), and contractors working on District/school facilities, to be active for the beginning of the 2021-2022 school year, where practicable; and
2. provide a status update in writing to the School Board no later than August 19, 2021.

121,475 **H-19** **DIRECTED**

The Superintendent to:

1. review the procurement practices and protocols of the District's Food and Nutrition Program as they specifically relate to the alignment and compliance with School Board Policy 6320.02, Small/Micro, Minority/Women, and Veteran Business Enterprise Programs;
2. provide an expenditure report for the fiscal years ending June 2018, 2019, and 2020, to determine the levels and amount of contracting with certified small/micro, minority/women, and veteran owned businesses; and
3. provide an update to the School Board no later than October 1, 2021.

121,476 **H-20**

The Superintendent to:

1. Review the establishment of a mental health service day in which students will be notified of the resources at their disposal and will be allowed to participate in interactive activities that will help boost their morale and destigmatize mental health;
2. Evaluate the possibility of providing M-DCPS students with a mental health hotline that is accessible twenty-four hours a day and seven days a week;
3. days a week;
4. Review the attainability of developing a mental health safe space within schools that can be made in the form of a lounge area and that should include the office of the school's official psychologist/therapist;
5. Assess the effectiveness of the mental health resources that are currently available to students;
6. Assess the effectiveness of the seminars/workshops school personnel attend to understand how to properly address a student who is in distress;

7. Assess the effectiveness of adding a five to ten- minute stress break during the school day so that students can be provided with time to decompress; and
8. to the Board at the November 17, 2021 School Board Meeting.

121,477 **H-21** **DIRECTED**

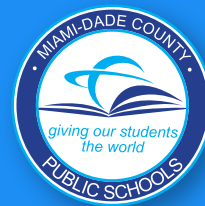
The Superintendent to explore and review the feasibility of addressing the role of the Student Advisor by:

1. Ensuring that the representatives of DSGA (including the Student Advisor) are formally introduced to the students in the district and that they meet with the president of SGA at every school at monthly DSGA meetings;
2. Establishing an initiative to notify the students of MDCPS of what DSGA is, of who the members of it are, and of how the members of it can be contacted (e.g., sending emails that contain this information to their Dade schools Email);
3. Adding a comment tab to the student portal so that the students of the district will be able to voice their concerns in an easy and efficient manner;
4. Reviewing policy 0141.1, which provides a description of the Student Advisor's role to the School Board, to ensure that it is aligned with current District practices for the selection of the Student Advisor;
5. Providing the appointed Student Advisor with an orientation on how school board meetings are conducted, how the tasks of the Student Advisor should be accomplished, and on the functions of the school board
6. Distributing a survey to the students of MDCPS to assess whether they know that there is student representation at the district level and whether they know how they can relay their concerns to their representatives; an
7. Requesting an end-of-the-year report from the members of DSGA that entails their accomplishments and will illustrate to the students of the district how they have been represented (similar to how the students of DSGA did in 2006), and report back to the Board at the Nov. 17, 2021 School Board Meeting.

Adjourned
/svl

EXHIBIT C

MOST FREQUENTLY ASKED QUESTIONS REGARDING COVID-19



Is my child required to have the COVID-19 vaccine to attend school?

The COVID-19 vaccine is not required to attend school; however, the District encourages eligible students to get vaccinated. Information on vaccinations for eligible students may be found at backtoschool.dadeschools.net.

Will facial coverings be required at schools?

Face coverings are required for students, employees, parents, volunteers, and visitors while on school property and on school buses. Face coverings may be removed while outdoors as long as appropriate distance is maintained.

What health and safety measures will be in place in schools and District facilities?

Employees and students will be encouraged to stay home if they are ill. Should they become ill during the school day, students will be separated from their peers, and their parents will be contacted to pick them up from school and seek medical care. All schools will be cleaned at the end of the school day, and restrooms will be cleaned frequently during school hours. Schools will continue using electrostatic germicide sprayers to disinfect rooms and hallways. Frequent handwashing will be encouraged, and hand sanitizing stations will remain throughout each school. Students will be seated 3 feet apart in classrooms, to the extent feasible, to promote physical distancing.

Do all schools have a health professional on site?

K-12 schools will continue to have a health professional on site during the 2021-2022 school year.

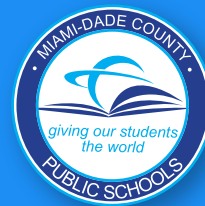
What personal behaviors are expected of all students?

1. Stay home if sick.
2. Sanitize hands with hand sanitizer that contains at least 60% alcohol upon entering the building.
3. Wash hands frequently or use hand sanitizer that contains at least 60% alcohol if soap and water are not available.
4. Avoid touching face and eyes.
5. Wash/sanitize hands after touching or removing facial covering.
6. Limit use of shared objects, such as physical education equipment, playground equipment, art supplies, toys, and games. Shared objects will be cleaned after each use.
7. Bring personal water bottles with water. Water fountains will be turned off and hydration stations will be made available for refills.
8. Follow all directions provided by teachers or administrators for the safety of the school community. It is especially important that students stay in the classrooms and spaces.
9. All persons must maximize physical distancing to the extent possible under the circumstances.
10. Face coverings are required for students, staff, and visitors when in the building. They may be removed during outdoor activities as long as appropriate distancing is maintained.
11. All student facial coverings must meet the requirements of the Code of Student Conduct and Policy 5511, Dress Code and School Uniform. Face coverings are apparel/accessory and must not include obscene, profane, drug-related, gang-related, or inflammatory messages or pictorial graphics. Face coverings which include inappropriate language that could be perceived as offensive, derogatory, threatening, or intimidating are strictly prohibited. Repeated display of such face coverings will constitute disciplinary measures as outlined in the Code of Student Conduct.

What mental health services are available for my child?

Information on mental health services available for students may be accessed at mentalhealthservices.dadeschools.net or by contacting the Department of Mental Health Services at 305-995-7100.

MOST FREQUENTLY ASKED QUESTIONS REGARDING COVID-19



What sanitization measures have been implemented to routinely clean schools and District facilities?

All schools will be cleaned at the end of the school day, with the exception of restrooms, which will be cleaned frequently during school hours. To aid in the daily cleaning, every school has been provided electrostatic germicide sprayers to disinfect rooms and hallways. Additionally, buses will be wiped down and cleaned between routes. Staff will use hospital-grade germicide when sanitizing.

What do parents need to do before sending their child to school?

Parents are asked to perform the At-Home Daily Health Screening each day to determine if it is safe to send their child to school.

What happens if a student arrives at school exhibiting COVID-like symptoms or becomes ill at school?

If a student becomes ill or exhibits symptoms of COVID-19 while at school, the student will be separated from other students and staff to the designated space identified as the Health Screening Area. If the student is not wearing a mask, the student will be required to put one on. The student will be monitored, and the District will contact the parent/guardian or, if needed, the emergency contacts. Parents/guardians and/or emergency contacts will be informed of the importance of the student being picked up immediately for the safety of the student and others.

What steps will be taken if a student tests positive for COVID-19?

If a student tests positive for COVID-19, contact investigation will be initiated in collaboration with the Florida Department of Health (FDOH) in Miami-Dade County. The student will also be required to self-isolate for 10 days.

If a student is confirmed by the FDOH in Miami-Dade as testing positive for COVID-19, what type of clearance is needed for the student to return to school?

The local health department will notify the District School Health Office (DSHO) when the student they confirmed was COVID-positive is cleared to return to school. The DSHO will then notify the school principal, who will in turn notify the student's parent/guardian.

If a student is asked to quarantine because they have been in close contact with someone who has tested positive for COVID-19, when will they be allowed to return to their school?

A fully vaccinated student will not need to quarantine and may remain at school provided they remain symptom-free since the current exposure to a COVID-19 confirmed positive or probable case, provide proof of vaccination and that the student is not residing in a group home. Other CDC testing requirements also apply. Students who are not eligible for vaccination or who are not fully vaccinated will be required to quarantine in accordance with 2021-2022 quarantine protocols, which may be accessed at backtoschool.dadeschools.net.

If you have been identified as being in close contact with someone who has tested positive for COVID-19 and are asked to quarantine, do other members of your household who attend or work at District schools have to quarantine as well?

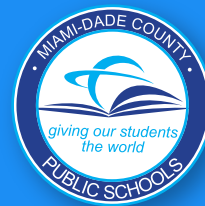
If the other household members did not come in direct contact with someone that tested positive, and the individual in quarantine does not have symptoms, other household members, including siblings, do not need to quarantine or isolate. However, if the individual in quarantine has symptoms or tests positive, all household members should contact their medical provider and get tested.

What is the criteria for closing an individual classroom or multiple ones versus an entire school due to one or more positive cases of COVID-19?

In many cases, the decision to close a classroom(s) or a school is the result of the close contact investigation. However, these determinations will be made on an individual school-by-school basis due to multiple factors that potentially impact the final decision. These factors include, but are not limited to:

- Number of COVID-19 positive cases of students and staff
- Potential exposure to other students and employees identified through contact tracing
- Ability to sanitize affected areas prior to the return of students and staff
- Potential for outbreak
- Cases that are linked within same school
- Ability to notify those impacted based on the day of the week and the time that the case was reported

MOST FREQUENTLY ASKED QUESTIONS REGARDING COVID-19



If a child must leave the school setting due to COVID-19, what steps will be taken to ensure the student remains engaged in learning?

Students asked to leave the school setting due to COVID-19 will be provided class assignments and contact information for instructional staff who may provide assistance.

What is the procedure to report a COVID-19 diagnosis in a household?

If anyone in the student's household tests positive for COVID-19, the student must follow the quarantine protocols detailed above.

What information is included in the dashboard and how often is the dashboard updated?

Dashboard data will be updated each work day and include confirmed cases at schools and work locations. Dashboard data entry is separate and apart from the immediate mitigation activities occurring at school sites, such as self-isolation for suspected/positive cases, the quarantining of employees and students who are close contacts, and the deep sanitization of all areas of the impacted school. The District COVID-19 Dashboard is not intended to be a real-time system for tracking self-reported employee and student confirmed cases. It is a lagging indicator and should not be interpreted as an immediate notification system of cases. Families and employees should not rely on the dashboard to learn about cases in their school or worksite as they will learn about self-reported cases from their school or worksite well ahead of that information being populated onto the dashboard.

How will students receive meals?

Breakfast and lunch procedures will be determined at each individual school site. Ideally, each school will be able to utilize their cafeteria and dining areas while providing for adequate spacing. The use of outdoor dining areas will be maximized whenever possible. Meal schedules will also be carefully coordinated to ensure an appropriate number of students are in the cafeteria at one time.

What safety and social distancing measures will be implemented on school buses?

Masks and/or face coverings will be required for all students and staff on board. Enhanced sanitization protocols will continue to be followed on all school buses.

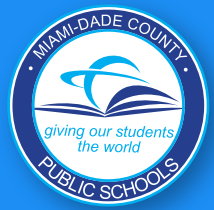
Can parents or other visitors access schools?

To prevent the spread of COVID-19, visitor access will be limited and restricted to the main office. Visitors are not permitted to enter any District buildings under the following conditions:

1. The individual has any of the following symptoms: a temperature of 100.4 degrees or higher; shortness of breath; cough; loss of taste or smell; muscle aches; weakness; chills; nausea; vomiting; or any other symptoms of COVID-19;
2. The individual has tested positive for COVID-19;
3. The individual has been exposed to someone with symptoms of COVID-19;
4. The individual has been exposed to someone who has tested positive for COVID-19.

Any visitors permitted to enter District buildings will be subject to screening and must adhere to all District guidelines.

KESYON MOUN POZE PI SOUVAN KONSÈNAN COVID-19



Èske pitit mwen oblije pran vaksen COVID-19 pou li ale lekòl?

Vaksen COVID-19 la pa obligatwa pou timoun ale lekòl; sepandan, Distri lekòl la ankouraje elèv ki elijib yo pou yo pran vaksen. Nou ka jwenn enfòmasyon konsènan vaksen pou elèv ki elijib yo nan backtoschool.dadeschools.net.

Èske li obligatwa pou tout moun kouvri vizaj yo lè yo nan lekòl yo?

Kouvèti vizaj obligatwa pou elèv, pwofesè, paran, volontè, ak vizitè lè yo sou pwopriyete lekòl la e nan otobis lekòl yo. Yo kapab retire kouvèti pou vizaj yo lè yo deyò, a kondisyon yo kenbe yon distans ki apwopriye.

Ki mezi sante ak sekirite ki ap an plas nan lekòl yo ak etablisman Distri yo?

Nou ap ankouraje anplwaye ak elèv pou yo rete lakay si yo malad. Si gen elèv ki tonbe malad pandan jounen lekòl la, y ap separe yo avèk kamarad yo, e lekòl la ap kontakte paran yo pou yo vin chèche yo e mennen yo wè doktè. Nou ap netwaye tout lekòl nan fen jounen lekòl la, e n ap netwaye twalèt yo souvan nan moman lekòl ap fonksyone. Lekòl yo ap kontinye itilize vaporizatè elektrik pou dezenfekte salklas yo ansanm ak koulwa yo. Nou ap ankouraje lavaj men souvan, e n ap mete andwa pèmanan pou dezenfekte men nan chak lekòl. Elèv yo ap chita a yon distans 3 pye lè yo nan salklas, nan mezi posib, pou pwomote distans fizik.

Èske tout lekòl gen yon pwofesyonèl sante sou plas?

Lekòl K-12 yo pral kontinye gen yon pwofesyonèl sante sou plas pandan ane lekòl 2021-2022 a.

Ki konpòtman pèsònèl nou atann pou tout elèv?

1. Rete lakay si ou malad.
2. Dezenfekte men ak dezenfektan men ki gen omwen 60% alkòl lè ou antre nan bilding lekòl la.
3. Lave men souvan oubyen itilize dezenfektan men ki gen omwen 60% alkòl si pa gen savon ak dlo ki disponib.
4. Evite manyen figi ak je nou.
5. Lave/dezenfekte men nou apre nou fin touche oubyen retire kouvèti pou vizaj nou.
6. Limite itilizasyon objè moun pataje souvan, tankou ekipman edikasyon fizik, ekipman sou lakou rekreyasyon an, founiti klasik pou ar, objè pou jwe, ak jwèt. Nou ap netwaye objè plizyè moun itilize yo chak fwa yo fin sèvi ak yo.
7. Pote pwòp boutèy dlo ou ki kapab itilize plizyè fwa. Fontèn dlo yo ap fèmen e ap gen estasyon ki ap disponib pou replen boutèy dlo yo.
8. Suiv tout enstriksyon pwofesè oswa administratè yo bay pou sekirite kominote lekòl la. Li patikilyèman enpòtan pou elèv yo rete nan salklas ak espas yo asiyen yo.
9. Tout moun dwe kenbe yon maksimòm distans fizik, nan mezi posib selon sikonstans yo.
10. Kouvèti pou vizaj obligatwa pou elèv, anplwaye, ansanm ak vizitè lè yo nan bilding lekòl la. Yo kapab retire kouvèti pou vizaj yo lè yo deyò, a kondisyon yo kenbe yon distans ki apwopriye.
11. Tout kouvèti pou vizaj dwe konfòm ak egzijans Règleman pou Konduit Elèv la ansanm ak Règ 5511, Règleman pou Abiman ak Inifòm Lekòl. Kouvèti pou vizaj yo se abiman/aksèwa pou abiman yo ye, e yo pa dwe gen mesaj vilgè, pwofàn, ki gen rapò ak dwòg, gang, oubyen mesaj pwovokan oubyen imaj chokan. Nou entèdi avèk severite tout kouvèti pou vizaj ki gen langaj ki pa apwopriye, moun ka entèprete kòm langaj repiyan, ensiltan, menasan, entimidan. Lè yon elèv kontinye mete kalite kouvèti pou vizaj sa yo, sa ap lakoz nou pran mezi disiplinè, jan Règleman pou Konduit Elèv la mande sa.

Ki sèvis sante mantal ki disponib pou pitit mwen an?

Nou ka jwenn enfòmasyon sou sèvis sante mantal ki disponib pou elèv nan mentalhealthservices.dadeschools.net oubyen lè nou kontakte Depatman Sèvis Sante Mantal la nan 305-995-7100.

KESYON MOUN POZE PI SOUVAN KONSÈNAN COVID-19



Ki mezi sanitasyon nou ap aplike pou nou netwaye lekòl yo ak etablisman Distri yo regilyèman?

Nou netwaye tout lekòl yo nan fen jounen lekòl la, eksepte pou twalèt yo, n ap netwaye souvan pandan lekòl la ap fonksyone. Pou ede nan netwayaj k ap fèt nan lekòl yo chak jou, nou bay chak lekòl vaporizatè elektrik pou dezenfekte salklas yo ansanm ak koulwa yo. Anplis, n ap siye e netwaye otobis yo apre chak vwayaj. Anplwaye yo ap itilize pwodui netwayaj yo sèvi nan lopital yo lè y ap dezenfekte lekòl yo.

Kisa paran yo bezwen fè avan yo voye pitit yo lekòl?

Nou mande pou paran yo fè yon Depistaj Lakay yo Chak Jou pou detèmine si li pridan pou yo voye pitit yo lekòl.

Kisa k ap pase si yon elèv rive nan yon lekòl avèk sentòm ki sanble sentòm COVID oubyen li tonbe malad nan lekòl la?

Si yon elèv vin malad oubyen li gen siy COVID-19 pandan li nan lekòl la, y ap separe li avèk lòt elèv ak anplwaye yo, e y ap mete li nan espas ki fèt pou sa nan lekòl la yo rele Zòn Depistaj la. Si elèv la pa gen yon mask, y ap mande li pou l mete youn. Yo ap suiv elèv la, e Distri a ap kontakte paran/gadyen yo e, si sa nesèsè, moun ki sou lis kontak ijans elèv la. Nou ap enfòmè paran/gadyen e/oubyen moun ki sou lis kontak ijans elèv la konsènan enpòtans pou yo vin chèche elèv ki malad la imedyatman pou pwoteksyon elèv la ak lòt elèv yo.

Ki etap n ap pran si yon elèv teste pozitif pou COVID-19?

Si yon elèv teste pozitif pou COVID-19, n ap kòmanse investigasyon sou kontak yo an kolaborasyon avèk “Florida Department of Health (FDOH)” (Depatman Sante Florid) nan Miami-Dade County. Nou ap mande pou elèv la rete nan izolman tou pandan 10 jou.

Si yon elèv gen konfimasyon Depatman Sante Florid nan Miami-Dade li teste pozitif pou COVID-19, ki kalite atestasyon li bezwen pou l ka retounen lekòl?

Depatman sante lokal la ap notifiye “District School Health Office (DSHO)” (Biwo Sante Distri Lekòl) la lè elèv yo te konfime ki pozitif pou COVID la la gen yon atestasyon ki di li kapab retounen lekòl. DSHO ap notifiye direktè lekòl la, ki li menm ap notifiye paran/gadyen elèv la.

Si yo mande yon elèv pou l rete an karantèn paske l te gen kontak depre avèk yon moun ki teste pozitif pou COVID-19, kilè y ap ba li pèmèsyon pou l retounen lekòl?

Yon elèv ki pran tout dòz vaksen li pap bezwen ale an karantèn e li ka rete nan lekòl la toutotan li pa gen okenn sentòm depi lè li te an kontak avèk moun ki konfime li gen COVID-19 la, oubyen ki petèt te ka gen maladi a, si elèv la bay prèv li te pran vaksen e li pap viv an gwoup ak lòt moun. Gen lòt kondisyon CDC ki ka aplike nan ka sa a tou. Elèv ki pa elijib pou vaksinasyon oubyen ki pako pran tout dòz vaksen li ap oblije ale an karantèn selon pwotokòl karantèn 2021-2022 a, nou ka jwenn nan backtoschool.dadeschools.net.

Si yo idantifye ou kòm yon moun ki te gen kontak depre avèk yon moun ki teste pozitif pou COVID-19 e yo mande pou w rete an karantèn, èske lòt moun lakay ou ki nan lekòl Distri a oubyen ki ap travay nan Distri lekòl la dwe rete an karantèn tou?

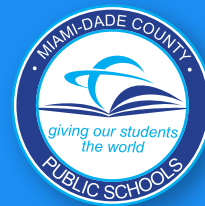
Si lòt moun nan kay la pa t gen kontak depre avèk yon moun ki teste pozitif, e moun ki an karantèn nan pa gen sentòm, lòt moun nan kay la, tankou frè/sè, pa bezwen ale an karantèn oubyen izole tèt yo. Sepandan, si moun ki an karantèn nan gen sentòm oubyen li teste pozitif, lòt moun ki nan kay la dwe kontakte doktè yo e yo dwe pran yon tès.

Selon ki kritè yo ka fèmen yon salklas oubyen plizyè salklas parapò ak fèmen yon lekòl akoz yon ka oubyen plizyè ka COVID-19?

Nan anpil ka, desizyon pou fèmen youn oubyen plizyè salklas se rezilta investigasyon konsènan kontak depre avèk moun ki enfekte. Sepandan, desizyon sa yo ap fèt sou yon baz endividyèl pou chak lekòl akoz gen anpil faktè ki ka gen enpak sou desizyon final la. Faktè sa yo gen ladan, men yo pa limite ak:

- Kantite ka elèv ak anplwaye ki teste pozitif pou COVID-19
- Posiblite pou gen lòt elèv ak anplwaye ki te ekspozè atravè idantifikasyon kontak yo
- Abilite pou dezenfekte bilding lekòl la avan elèv ak anplwaye retounen
- Posiblite pou gen gwo kontaminasyon
- Ka kontaminasyon ki fèt anndan lekòl la
- Abilite pou notifiye moun ki afekte yo, selon jou ak lè nan semèn nan yo te rapòte ka yo

KESYON MOUN POZE PI SOUVAN KONSÈNAN COVID-19



Si yon timoun dwe kite anviwònman lekòl la akòz COVID-19, kisa ki dwe fèt pou elèv sa a kapab kontinye aprann?

Elèv ki dwe kite anviwònman lekòl la akòz COVID-19 ap resevwa devwa pou klas li ansanm ak enfòmasyon sou kontak pwofesè ki kapab ede li.

Selon ki pwosedi yo dwe rapòte yon moun ki gen COVID-19 lakay li?

Si nenpòt moun nan kay kote elèv la rete a teste pozitif pou COVID-19, elèv la dwe suiv pwotokòl karantèn nou dekri anwo a.

Ki enfòmasyon ki nan tablo afichaj lekòl yo e chak konbyen tan yo mete yo ajou?

Nou mete enfòmasyon sou tablo afichaj yo chak jou travay e yo gen ladan ka konfime nan lekòl ak andwa travay yo. Antre done nan tablo afichaj la pa menm bagay avèk aktivite diminyasyon ki fèt imedyatman nan yon lekòl tankou izolasyon pèsònèl pou ka sispèk/ki pozitif yo, mete anplwaye ak elèv ki te gen kontak depre ak moun ki pozitif yo an karantèn, e dezenfekte an pwofondè tout kote nan lekòl ki konsène a. Sistèm tablo afichaj COVID-19 Distri pa fèt pou l prezante ka anplwaye ak elèv ki rapòte tèt yo an tan reyèl. Se yon endikatè ki travay lantman e yo pa dwe entèprete li kòm yon sistèm notifikasyon imedyat pou ka yo. Fanmi ak anplwaye pa dwe konte sou tablo afichaj la pou yo resevwa enfòmasyon konsènan ka nan lekòl yo oubyen nan andwa travay yo paske yo gen pou yo aprann enfòmasyon sou ka rapò pèsònèl yo byen alavans parapò ak sa ki afiche sou tablo afichaj la.

Kijan elèv yo ap resevwa manje?

Se lekòl yo endividyalman ki detèmine pwosedi pou dejne ak repa midi yo. Nou swete chak lekòl ap kapab itilize kafeterya ak espas pou moun manje a pandan y ap ofri elèv yo ase espas. Nou ap ogmante itilizasyon espas deyò pou manje nenpòt lè sa posib. Nou ap kowòdone orè repa yo avèk anpil swen, pou asire gen yon kantite elèv apwopriye nan kafeterya a chak fwa.

Ki mezi sekirite ak distans sosyal nou ap aplike nan otobis lekòl yo?

Mask ak/oubyen kouvèti pou vizaj ap obligatwa pou tout elèv ak anplwaye nan otobis yo. Nou ap kontinye mete bonjan pwotokòl sanitasyon pou moun suiv nan tout otobis lekòl yo.

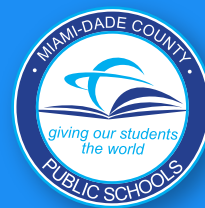
Èske paran ak lòt vizitè ka antre nan lekòl yo?

Pou evite pwopagasyon COVID-19, n ap limite aksè pou vizitè yo ki pap ka rive pi lwen pase biwo prensipal la. Nou pap pèmèt vizitè antre nan bilding Distri a si yo reponn ak youn nan kondisyon sa yo:

1. Moun nan gen youn nan sentòm sa yo: yon tanperati 100.4 degre oubyen pi wo; souf kout; tous; pa pran gou oubyen sant; doule misk; feblès; frison; anvi vomi; vomisman oubyen nenpòt lòt sentòm COVID-19;
2. Moun nan teste pozitif pou COVID-19;
3. Moun nan te gen kontak avèk yon moun ki gen sentòm COVID-19;
4. Moun nan te gen kontak avèk yon moun ki teste pozitif pou COVID-19.

N ap mande nenpòt vizitè nou pèmèt antre nan bilding Distri a pou li pran yon depistaj e li dwe suiv tout direktiv Distri a.

PREGUNTAS MÁS FRECUENTES SOBRE LA COVID-19



¿Se requiere que mi hijo tenga la vacuna contra la COVID-19 para asistir a la escuela?

No se requiere la vacuna contra la COVID-19 para asistir a la escuela; sin embargo, el Distrito insta a los estudiantes elegibles a vacunarse. La información sobre las vacunas para los estudiantes elegibles se puede encontrar en backtoschool.dadeschools.net.

¿Se exigirán cubrimientos faciales en las escuelas?

Se requiere que los estudiantes, empleados, padres, voluntarios y visitantes se cubran la cara mientras se encuentren en la propiedad escolar y en los autobuses escolares. Las coberturas faciales se pueden quitar mientras se está al aire libre siempre que se mantenga la distancia adecuada.

¿Qué medidas de salud y seguridad se aplicarán en las escuelas y las instalaciones del Distrito?

Se insta a los empleados y estudiantes a quedarse en casa si están enfermos. Si se enferman durante la jornada escolar, los estudiantes serán separados de sus compañeros y se contactará a sus padres para que los recojan de la escuela y busquen atención médica. Todas las escuelas se limpiarán al final de la jornada escolar y los baños se limpiarán con frecuencia durante el horario escolar. Las escuelas continuarán usando rociadores de germicidas electrostáticos para desinfectar habitaciones y pasillos. Se fomentará el lavado de manos frecuente, y las estaciones de desinfección de manos permanecerán en todas las escuelas. Los estudiantes se sentarán a 3 pies de distancia en las aulas, en la medida de lo posible, para promover el distanciamiento físico.

¿Todas las escuelas tienen un profesional de la salud?

Las escuelas K-12 continuarán teniendo un profesional de la salud durante el curso escolar 2021-2022.

¿Qué comportamientos personales se esperan de todos los estudiantes?

1. Permanecer en casa si está enfermo.
2. Desinfectarse las manos con un desinfectante que contenga por lo menos un 60% de alcohol al entrar en algún edificio.
3. Lavarse las manos con frecuencia o utilizar un desinfectante de manos que contenga por lo menos un 60% de alcohol si no hay ni agua ni jabón disponibles.
4. Evitar tocarse la cara y los ojos.
5. Lavarse/desinfectarse las manos después de tocar o quitarse la cobertura facial.
6. Limitar el uso de objetos compartidos, como por ejemplo equipos de educación física, equipos de juegos, materiales de arte, juguetes y juegos. Los objetos compartidos se limpiarán después de cada uso.
7. Traer botellas de agua reutilizables. Las fuentes de agua se apagarán y las estaciones de hidratación estarán disponibles para recargar las botellas.
8. Seguir todas las instrucciones proporcionadas por los maestros o administradores para la seguridad de la comunidad escolar. Es especialmente importante que los estudiantes permanezcan en las aulas y espacios designados.
9. Maximizar el distanciamiento físico en la medida de lo posible dadas las circunstancias.
10. Se requiere que los estudiantes, el personal y los visitantes se cubran la cara cuando estén en el edificio. Pueden quitarse las coberturas faciales durante las actividades al aire libre siempre que se mantenga una distancia adecuada.
11. Todas las coberturas faciales de los estudiantes deben cumplir con los requisitos del Código de Conducta del Estudiante y la Política 5511, Código de Vestimenta y Uniforme Escolar. Las coberturas para el rostro son prendas o accesorios y no deben incluir mensajes o gráficos pictóricos obscenos, profanos, relacionados con drogas, pandillas o lenguaje inadecuado. Se prohíben estrictamente las coberturas de rostro que incluyan lenguaje inapropiado que pueda ser percibido como ofensivo, despectivo, amenazante o intimidante. La exhibición repetida de tales coberturas para el rostro conllevará medidas disciplinarias tal y como se describe en el Código de Conducta del Estudiante.

PREGUNTAS MÁS FRECUENTES SOBRE LA COVID-19



¿Qué servicios de salud mental están disponibles para mi hijo?

Se puede acceder a la información sobre los servicios de salud mental disponibles para los estudiantes en mentalhealthservices.dadeschools.net o comunicándose con el Departamento de Servicios de Salud Mental al 305-995-7100.

¿Qué medidas de desinfección se han implementado para la limpieza habitual de las escuelas y las instalaciones del Distrito?

Todas las escuelas se limpiarán al final de la jornada escolar, con la excepción de los baños, los cuales se limpiarán con frecuencia durante el horario escolar. Para ayudar con la limpieza diaria, a cada escuela se le ha proporcionado rociadores de germicidas electrostáticos para desinfectar las habitaciones y los pasillos. Además, los autobuses se limpiarán entre rutas. El personal usará germicida de grado de hospitalario cuando desinfecte los espacios.

¿Qué deben hacer los padres antes de enviar a su hijo a la escuela?

Se les pide a los padres que realicen un chequeo de salud diario en el hogar a sus hijos para determinar si es seguro enviarlo a la escuela.

¿Qué sucede si un estudiante llega a la escuela con síntomas similares a los de la COVID-19 o que sucede si se enferma en la escuela?

Si un estudiante se enferma o muestra síntomas de COVID-19 mientras está en la escuela, el estudiante será separado de otros estudiantes y del personal y se llevará al espacio designado como Área de Chequeo de Salud. Si el estudiante no está usando una cobertura facial, se le pedirá que se la ponga. El estudiante será vigilado y el Distrito se comunicará con el padre/tutor o, si es necesario, con los contactos de emergencia. Se informará a los padres/tutores y/o contactos de emergencia de la importancia de que el estudiante sea recogido inmediatamente para la seguridad del estudiante y de los otros alumnos.

¿Qué medidas se tomarán si un estudiante da positivo en la prueba de COVID-19?

Si un estudiante da positivo en la prueba de COVID-19, se iniciará una investigación de contacto en colaboración con el Departamento de Salud de Florida (FDOH, por sus siglas en inglés) en el condado de Miami-Dade. También se requerirá que el estudiante se aisle durante 10 días.

Si el FDOH de Miami-Dade confirma que un estudiante da positivo en la prueba de COVID-19, ¿qué tipo de autorización se necesita para que el estudiante regrese a la escuela?

El departamento de salud local notificará a la Oficina de Salud Escolar del Distrito (District School Health Office, DSHO por sus siglas en inglés) cuando se confirma que el estudiante que dio positivo puede regresar a la escuela. El DSHO luego notificará al director de la escuela, quien a su vez notificará al padre / tutor del estudiante.

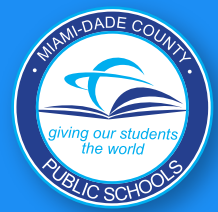
Si se le pide a un estudiante que se ponga en cuarentena porque ha estado en contacto cercano con alguien que dio positivo en la prueba de COVID-19, ¿cuándo se le permitirá regresar a su escuela?

Un estudiante completamente vacunado no necesita ponerse en cuarentena y puede permanecer en la escuela siempre y cuando se cumpla lo siguiente: el estudiante no presente síntomas desde una exposición actual a un caso positivo o a un caso probable o confirmado de COVID-19; proporcione prueba de vacunación y proporcione prueba de que el estudiante no reside en un hogar grupal. También se aplican otros requisitos de prueba de los CDC. Los estudiantes que no sean elegibles para la vacunación o que no estén completamente vacunados deberán ponerse en cuarentena de acuerdo con los protocolos de cuarentena 2021-2022, a los que se puede acceder en backtoschool.dadeschools.net.

Si se le ha identificado por haber estado en contacto muy cercano con alguien que dio positivo en la prueba de COVID-19 y se le pide que se ponga en cuarentena, ¿otros miembros de su hogar que asisten o trabajan en las escuelas del Distrito también tienen que ponerse en cuarentena?

Si los otros miembros del hogar no entraron en contacto directo con alguien que dio positivo en la prueba, y la persona en cuarentena no tiene síntomas, otros miembros del hogar, entre ellos los hermanos, no necesitan ponerse en cuarentena o aislarse. Sin embargo, si la persona en cuarentena tiene síntomas o pruebas positivas, todos los integrantes de su hogar deben comunicarse con su médico y hacerse la prueba.

PREGUNTAS MÁS FRECUENTES SOBRE LA COVID-19



¿Cuáles son los criterios para cerrar un aula individual o varias aulas en lugar de cerrar una escuela completa debido a uno o más casos positivos de COVID-19?

En muchos casos, la decisión de cerrar un aula o una escuela es el resultado de una investigación de contacto cercano. Sin embargo, estas determinaciones se realizarán de forma individual, escuela por escuela, debido a múltiples factores que potencialmente influyen en la decisión final. Estos factores incluyen, entre otros:

- Número de casos positivos de COVID-19 en estudiantes y personal
- Posible exposición a otros estudiantes y empleados identificados a través del rastreo de contactos
- Capacidad para desinfectar las áreas afectadas antes del regreso de los estudiantes y el personal
- Potencial de brote
- Casos que están vinculados dentro de la misma escuela
- Posibilidad de notificar a los afectados según el día de la semana y la hora en que se informó el caso

Si un niño debe abandonar el entorno escolar debido a la COVID-19, ¿qué medidas se tomarán para garantizar que el estudiante siga participando en el aprendizaje?

A los estudiantes a los que se les solicite abandonar el entorno escolar debido a la COVID-19 se les proporcionarán los trabajos de clase e información de contacto del personal docente para poderle brindar asistencia.

¿Cuál es el procedimiento para informar sobre un diagnóstico de la COVID-19 en un hogar?

Si alguien en el hogar del estudiante da positivo en la prueba de COVID-19, el estudiante debe seguir los protocolos de cuarentena detallados anteriormente.

¿Qué información se incluye en el tablero y con qué frecuencia se actualiza?

Los datos del tablero de control se actualizan cada día laboral e incluyen casos confirmados en escuelas y lugares de trabajo. Sin embargo, la entrada de datos en el tablero está separada y va aparte de las actividades de mitigación inmediatas que ocurren en los sitios escolares, tales como el autoaislamiento para casos sospechosos/positivos, la cuarentena de empleados y estudiantes como contactos cercanos y la desinfección profunda de todas las áreas de la escuela afectada. El Tablero de Control del Distrito de la COVID-19 no está diseñado para ser un sistema en tiempo real que rastree los casos confirmados por los estudiantes y los empleados. Más bien, se trata de un indicador rezagado y no debe tomarse como un sistema de notificación inmediata de casos. Las familias y los empleados no deben confiar en el tablero para conocer los casos en su escuela o lugar de trabajo; sin embargo, sabrán sobre los casos autodeclarados de su escuela o lugar de trabajo mucho antes de que esa información se incluya en el tablero.

¿Cómo recibirán las comidas los estudiantes?

Los procedimientos para el desayuno y el almuerzo se determinarán en cada sitio escolar. Lo ideal será que cada escuela pueda utilizar sus áreas de comedor y cafetería con los requisitos de distancia adecuados. El uso de las áreas a modo de comedor al aire libre se optimizará siempre que sea posible. Los horarios de las comidas también se coordinarán cuidadosamente para garantizar que haya un número adecuado de estudiantes en la cafetería al mismo tiempo.

¿Qué medidas de seguridad y distanciamiento social se implementarán en los autobuses escolares?

Se exigirá el uso de mascarillas y/o coberturas faciales a todos los estudiantes y al personal a bordo. Se continuará con los protocolos de desinfección mejorados en todos los autobuses escolares.

¿Pueden los padres u otros visitantes acceder a las escuelas?

Para evitar la propagación de la COVID-19, el acceso de visitantes será limitado y se restringirá a la oficina principal. Los visitantes no pueden entrar a ningún edificio del Distrito bajo las siguientes condiciones:

1. Si el individuo tiene alguno de los siguientes síntomas: temperatura de 100,4 grados o más; dificultad para respirar, tos, pérdida del gusto o del olfato, dolores musculares, debilidad, escalofríos, náusea, vómitos o cualquier otro síntoma de la COVID- 19;
2. Si el individuo ha dado positivo en la prueba de COVID- 19;
3. Si el individuo ha estado expuesto a alguien con síntomas de COVID- 19;
4. Si el individuo ha estado expuesto a alguien que dio positivo en la prueba de COVID-19.

Cualquier visitante autorizado para entrar en los edificios del Distrito podrá ser sometido a un chequeo y debe cumplir con todas las normas del Distrito.

EXHIBIT D



Tom Grady, *Chair*
Ben Gibson, *Vice Chair*
Members
Monesia Brown
Marva Johnson
Ryan Petty
Andy Tuck
Joe York

August 27, 2021

Mr. Alberto Carvalho
Superintendent
Miami-Dade County Public Schools
1450 NE Second Avenue
Miami, FL 33132

Ms. Perla Tabares Hantman
School Board Chair
Miami-Dade County Public Schools
1450 NE Second Avenue
Miami, FL 33132

Dear Superintendent Carvalho and Chair Tabares Hantman:

This letter is sent to express my grave concern regarding your district's response to the recently adopted Emergency Rule 64DER21-12 from the Florida Department of Health. This rule, issued on August 6, 2021, by the Florida Surgeon General, Dr. Scott Rivkees, explicitly requires that any mandated mask policy imposed by a district or school "must allow for a parent or legal guardian of the student to opt-out the student from wearing a face covering or mask." The emergency rule does not require parents to submit medical documentation in order to opt-out.

Executive Order 21-175 directed the Florida Department of Health and the Florida Department of Education to execute rules to ensure safety protocols for controlling the spread of COVID-19 in schools. The Order directs further that any such action must "at minimum be in accordance with Florida's Parents' Bill of Rights and protect parents' right to make decisions regarding masking of their children in relation to COVID-19." Because the Florida Department of Health, under section 1003.22(3), Florida Statutes, is the agency authorized to adopt rules governing the control of communicable diseases, the Florida Department of Health adopted an emergency rule establishing protocols for controlling COVID-19 in public schools. The rule provides, in part, as follows:

Students may wear masks or facial coverings as a mitigation measure; however, the school must allow for a parent or legal guardian of the student to opt-out the student from wearing a face covering or mask.

Rule 64DER21-12(1)(d), Florida Administrative Register, Vol. 47/No. 153, August 9, 2021.

Recent reports in the media indicate that the Miami-Dade School Board has taken action inconsistent with the emergency rule by limiting or conditioning the parental ability to opt-out of a face covering or mask mandate. Section 1008.32, Florida Statutes, states, "The State Board of

Education shall oversee the performance of district school boards and the Florida College System institution board of trustees in enforcement of all laws and rules.” Further, section 1008.32(2)(a), Florida Statutes, states that the “Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause.”

Based on this authority, I am immediately initiating an investigation of non-compliance with the rule adopted by the Florida Department of Health on August 6, 2021. In commencing this investigation, I am demanding that you provide a written response by 5:00 p.m. on Wednesday, September 1, 2021, documenting how your district is complying with Florida Department of Health Emergency Rule 64DER21-12. Should you fail to document full compliance with this rule, in accordance with section 1008.32, Florida Statutes, I intend to recommend to the State Board of Education that the Department withhold funds in an amount equal to the salaries for all the members of the School Board, as well as other sanctions authorized by law, until the district comes into compliance.

Parents have a fundamental right to direct the upbringing, education and care of their minor children. The Department of Education will protect that right.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Corcoran", with a long horizontal flourish extending to the right.

Richard Corcoran
Commissioner

EXHIBIT E



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board

Perla Tabares Hantman, Chair
Dr. Steve Gallon III, Vice Chair
Lucia Baez-Geller
Dr. Dorothy Bendross-Mindingall
Christi Fraga
Dr. Lubby Navarro
Dr. Marta Pérez
Mari Tere Rojas
Luisa Santos

September 1, 2021

Mr. Richard Corcoran, Commissioner of Education
Florida Department of Education
Turlington Building
325 West Gaines Street, Suite 1514
Tallahassee, Florida 32399

Dear Commissioner Corcoran:

We received your letter of August 27, 2021, demanding that the School Board of Miami-Dade County, Florida ("School Board"), document its full compliance with Florida Department of Health Emergency Rule 64DER21-12, Protocols for Controlling COVID-19 in School Settings ("Rule 64DER21-12") by September 1, 2021. As you are aware, the Circuit Court of the Second Judicial Circuit in and for Leon County ("Court") **enjoined** administrative agencies from taking any enforcement actions stemming from the Governor's Executive Order 21-175. Consequently, your threatened enforcement of Rule 64DER21-12 is not permitted. We would also note, in any event, it is our position that we have been in compliance with Rule 64DER21-12 since it was issued, as well as recently adopted legislation including Florida Statute § 252.36(1)(c) and Florida Statutes, Chapter 1014, the "Parents' Bill of Rights."

As the Court ruled, it is *pursuant* to the Parents' Bill of Rights that school districts have the right to enact mask mandates in accordance with their constitutional duty under Article IX, § 1, of Florida's Constitution to provide safe, secure schools, as long as the mandates are reasonable, based on a compelling interest, are narrowly tailored, and are the least restrictive means available. Indeed, as the Court also held, it is actually the agency's infringement on a school district's right to enact such a mandate — *e.g.*, through prior restraints on local school board action — that violates the Parents' Bill of Rights and the Florida Constitution.¹

It is clear that the School Board has a compelling state interest in controlling a deadly communicable disease, like COVID-19. Accordingly, the School Board relied on the advice of medical and public health experts and exercised its duty to protect the lives and health of students and employees through the least restrictive means possible. Miami-Dade County Public Schools ("M-DCPS") remains in compliance with

¹ Any position expressed in this response is without prejudice to or limitation of any legal positions the School Board of Miami-Dade County may adopt in other legal proceedings. The School Board is currently challenging Rule 64DER21-12 through a petition to Florida's Third District Court of Appeal. *See School Board of Miami-Dade County, Florida v. Florida Department of Health and Scott A. Rivkees, as Surgeon General of Florida*, Case. No. 3D21-1748.

² Video of the Ad Hoc Medical and Public Health Experts Task Force's meeting of August 16, 2021, outlining its findings, is available online using the following link: <https://m-dcps.eduvision.tv/Default.aspx?q=3SfVi13wT7SR7CKAQLb7HfJBhsJkHGh7orwU%252f0YSe5KH%252bzxzuOxw%253d%253d>

the Parents' Bill of Rights and Article IX, § 1, by basing its local decision to "temporarily" require student facial coverings on the advice and recommendations of the Superintendent's Ad Hoc Medical and Public Health Experts Task Force², U.S. Centers for Disease Control and Prevention, Florida Department of Health³, and American Academy of Pediatrics. Additionally, M-DCPS is monitoring county-wide health data including community transmission, vaccine availability for children, hospitalizations and ICU admissions versus capacity, and positivity rate on a regular and consistent basis, and adjusting our approach based on local public health conditions.

The School Board voted on August 18, 2021, at a regularly scheduled meeting, to authorize the Superintendent of Schools, among other things, to temporarily require facial coverings for all students except those with medical exemptions, in a manner consistent with section 1003.22, Florida Statutes, School Board policy, and based on local COVID-19 positivity rates, as well as to continuously review and assess local positivity rates and use such data and related information to modify and/or discontinue any established protocols and/or requirement for facial coverings. See Excerpts from Unofficial Minutes of August 18, 2021, School Board Meeting, attached as "Exhibit A"; see also Miami-Dade School Board Policy 8453, *Control of Communicable Diseases*, attached as "Exhibit B." Rule 64DER21-12 generally requires an opt-out for parents but does not set forth the criteria or procedures for the opt-out. The establishment of criteria and procedures remains the responsibility of local school districts. Consequently, M-DCPS' **temporary requirement of facial coverings, with an opt-out for medical conditions** meets the requirements of Rule 64DER21-12.

Further, in conformity with Florida Statute § 252.36(1)(c) and the Florida Legislature's express intent that "during an extended public health emergency, such as the COVID-19 pandemic, there should be a presumption that K-12 public schools, to the greatest extent possible, should remain open **so long as the health and safety of students and school personnel can be maintained by specific public health mitigation strategies recommended by federal or state health agencies for educational settings**," the School Board has implemented a number of layered mitigation strategies. The health, safety and welfare of our students is our highest priority, and we will continue to uphold our constitutional duty to protect our students while respecting the rights of parents to make decisions about their children's health and upbringing.

Given the COVID-19 mitigation measures outlined herein, M-DCPS is in compliance with all applicable laws, rules and orders related to the operation of public schools. Further, based upon the Court's ruling, the initiation of an investigation regarding non-compliance with Rule 64DER21-12 is unwarranted. Therefore, we respectfully request your review and reconsideration of the matter referenced in your letter dated August 27, 2021.



Perla Tabares Hantman, Chair
The School Board of Miami-Dade County, Florida

Sincerely,



Alberto M. Carvalho
Superintendent of Schools

Attachments

cc: School Board Members
School Board Attorney

³ Florida Department of Health website: <https://floridahealthcovid-19.gov/prevention/> How do I prevent and prepare for COVID-19? How can I protect myself?

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Miami, Florida

Excerpts from Unofficial Minutes of August 18, 2021 School Board Meeting

		APPROVED`	Bid Opening Lists of June 17, 2021 and July 13, 2021.
		APPROVED	Minutes of July 14, 2021 Regular School Board meetings and First Budget Public Hearing of July 28, 2021.
121,428	<u>A-1</u>	HEARD	Superintendent's Informational Reports to the Board on Selected Topics.
121,429	<u>A-2</u>	WAIVED/ SUSPENDED	Prohibitions outlined in Board Policies 5830, Student Fundraising, and 9700, Relations with Special Interest Groups, in order to allow fundraising and/or other charitable activities in support of relief efforts in response to the Haitian Earthquake disaster.
-----	<u>B-3</u>	WITHDREW	The approval of Resolution No. 21-033 of The School Board of Miami-Dade County, Florida, recognizing Winston Elliot Scot, retired United States Navy Captain and former National Aeronautics and Space Administration (NASA) Astronaut.
121,430	<u>B-4</u>	APPROVED*	Resolution No. 21-036 of The School Board of Miami-Dade County, Florida, recognizing Mr. Andres Asion. * Amended to include Dr. Steve Gallon III, Vice Chair; Dr. Marta Perez, Ms. Lucia Baez-Geller and Ms. Luisa Santos, School Board members; as co-sponsors of the item.
121,431	<u>B-6</u>	APPROVED*	Resolution No. 21-032 of The School Board of Miami-Dade County, Florida, recognizing Ms. Andrea Pita, a junior at School for Advanced Studies (SAS) West Campus, for organizing a service project known as "The Anxiety Kids." * Amended to include Ms. Perla Tabares Hantman, Chair; Dr. Steve Gallon III, Vice Chair; Dr. Dorothy Bendross-Mindingall, Dr. Marta Perez, Dr. Lubby Navarro, Ms. Lucia Baez-Geller, Ms. Maria Teresa "Mari Tere" Rojas and Ms. Luisa Santos, School Board members; as co-sponsors of the item.
121,432	<u>B-7</u>	APPROVED*	Resolution No. 21-034 of The School Board of Miami-Dade County, Florida, recognizing Mark Zaher for his retirement after 36 years of dedicated service to the Miami-Dade County Public Schools. * Amended to include Ms. Perla Tabares Hantman, Chair; Dr. Dorothy Bendross-Mindingall; Dr. Marta Perez, Dr. Lubby Navarro, Ms. Lucia Baez-Geller, Ms. Maria Teresa "Mari Tere" Rojas and Ms. Luisa Santos, School Board members; as co-sponsors of the item.

-----	<u>B-8</u>	WITHDREW	The approval of Resolution No. 21-035 of The School Board of Miami-Dade County, Florida, recognizing the Adaptive Beach Days Program.
121,433	<u>D-19</u>	AUTHORIZED	The Superintendent to enter into a contractual services agreement between The School Board of Miami-Dade County, Florida, and Citizen's Crime Watch of Miami-Dade County, Inc., in an amount of \$71,000.
121,434	<u>D-20</u>	APPROVED	Personnel Action Listing 1146 with Instructional and Support Personnel appointments, reassignments, leaves, separations, retirements, and resignations from June 25, 2021 through July 15, 2021.
121,435	<u>D-21</u>	APPROVED	<ol style="list-style-type: none"> 1. Change of title and minimum qualifications to MEP position: Staff Specialist, Procurement, MEP pay grade 18 to Senior Purchasing Agent, MEP pay grade 18, Office of Procurement Management Services. 2. The recommendation for appointments and lateral transfers to be effective August 19, 2021, or as soon thereafter as can be facilitated, with the exception of the effective dates as noted throughout the item and authorize compensation adjustments, as delineated in the Official Agenda Item.
121,436	<u>D-23</u>	RATIFIED	The 2021-2024 Tentative Agreement Successor Contract with DCSAA effective July 1, 2021 through June 30, 2024.
121,437	<u>D-24</u>	RATIFIED	The 2021-2022 Tentative Agreement Reopener Contract with UTD effective July 1, 2020 through June 30, 2023.
121,438	<u>D-25</u>	RATIFIED	The 2021-2024 Tentative Agreement Successor Contract with AFSCME effective July 1, 2021 through June 30, 2024.
121439	<u>D-26</u>	APPROVED	<ol style="list-style-type: none"> 1. A non-recurring 3% supplement for 2020-2021 and a one-time stipend of one thousand five hundred (\$1,500) dollars for 2021-2022 for eligible CEP employees. 2. A non-recurring 3% supplement for all eligible MEP for 2020-2021 and a one-time stipend of one thousand five hundred (\$1,500) for 2021-2022 for principals, inclusive of the Governor's Relief Fund Bonus. Approve a one-time stipend of one thousand five hundred dollars (\$1,500) to all other eligible MEP employees for 2021-2022, matching the stipend provided to principals. Approve a salary adjustment for eligible school-site MEP of .57% or .76% for performance as required by law. 3. A one-time stipend of five hundred dollars (\$500) for all eligible MEP employees.

121,440 **D-55** **APPROVED**

1) The Superintendent's recommendation for approve the Superintendent's recommendation for disciplinary action, which has been agreed to by the employees.

A) Chondria N. Essix: suspension without pay from her position as Custodian at Georgia Jones-Ayers Middle School, for ten (10) calendar days, effective August 19, 2021.

B) John McMahon: suspension without pay from his position as Custodian at Georgia Jones-Ayers Middle School, for ten (10) calendar days, effective September 16, 2021.

2) That the School Board of Miami-Dade County, Florida, approve the Superintendent's recommendation for disciplinary action, pending the outcome of an administrative hearing or grievance/arbitration proceeding, if requested.

A) Dubraska Guevara: suspension without pay and initiation of dismissal proceedings from her position as Sergeant at North Operations Station 2, Miami-Dade Schools Police Department, effective August 19, 2021.

B) Yewande Smith: demotion from her position as Sergeant at North Operations Station 1, Miami-Dade Schools Police Department, to Police Officer, effective August 19, 2021.

121,441 **D-65** **APPROVED**

A. Four (4) charter contract amendments with:

1. BridgePrep Academy, Inc. d/b/a BridgePrep Academy of Village Green (MSID 3034) to (1) allow the school to expand grade levels.

2. Mater Academy, Inc., d/b/a -

a. Mater Academy East Middle School (MSID 6009),

b. Mater Academy East Charter High School (MSID 7037).

3. Somerset Academy, Inc., d/b/a Somerset Academy Charter High School (MSID 7042).

B. Approve a Reduction-in-Force/Layoff as needed, only to the extent described in the Official Agenda Item as Total Loss, in accordance with School Board Policies and applicable collective bargaining agreements.

121,442 **D-66** **AUTHORIZED**

The Superintendent:

A. To negotiate and execute a Second Amendment to the School of Hope

Performance-Based Agreement with KIPP Miami, Inc., on behalf of KIPP Miami-Liberty City based on the issues as reflected in the Proposed Second Amendment to PBA referenced herein; and

B. In collaboration with the School Board Attorney, to seek administrative dispute resolution, pursuant to section 1002.333(11)(c), F.S., in the event that the parties do not reach agreement on the issues as reflected in the Proposed Second Amendment to PBA referenced herein.

121,443	<u>D-67</u>	APPROVED	The attached list of out-of-county/out-of-state trips for the 2021-2022 school year for use in conjunction with School Board Policy 2340 – <i>Field and Other District-Sponsored Trips</i> .
121,444	<u>E-86</u>	RECEIVED/ FILED	<u>The School Board of Miami-Dade County, Florida Audit Plan and AU 260 Communication for the fiscal year ended June 30, 2021.</u>
121,445	<u>E-87</u>	RECEIVED/ FILED	The <u>Office of Management and Compliance its' 2021 - 2022 Audit Plan.</u>
121,446	<u>E-88</u>	RECEIVED/ FILED	The <u>Internal Audit Report – Selected Schools/Centers.</u>
121,447	<u>E-89</u>	RECEIVED/ FILED	<u>Audited Financial Statements for Five (5) Community – Based Organizations (CBOs).</u>
121,448	<u>E-141</u>	AWARDED	<ol style="list-style-type: none"> 1. Invitation To Bid No. ITB-20-058-MJ – School Bus Routes for Private Bus Companies, to establish contracts, at firm unit prices, as delineated in the Official Agenda Item. 2. Authorize Procurement Management Services to purchase up to the total estimated amount of \$8,304,000 for the initial contract term and an amount not to exceed \$2,768,000 for each subsequent one (1) year extension period.
121,449	<u>E-203</u>	APPROVED	Tentatively, for planning purposes, the following schedule of Board meeting dates for the period January-December 2022: January 12, February 9, March 9, March 30 (Instructional Materials Public Hearing), April 13, May 18, June 22, July 20, July 27 (First Budget Public Hearing), August 17, September 7 (Regular Meeting/Second Budget Public Hearing), October 19, November 22 (Organization Meeting/Regular School Board Meeting), and December 14. The final listing of meeting dates for 2022 will be established by the Board at the 2021 Organization Meeting scheduled for Tuesday, November 16, 2021. Furthermore, no fewer than two (2) Budget Workshops shall be scheduled between May and the First Budget Public Hearing in preparation for the Budget cycle.

121,450	<u>F-1</u>	AUTHORIZED	<p>The Superintendent to:</p> <ul style="list-style-type: none"> A) finalize negotiations and execute a Construction and Temporary Access Agreement (“Access Agreement”) between the School Board and the City of Miami Beach (“City”), as delineated in the Official Agenda; B) execute amendments to the Access Agreement within the authority granted to the Superintendent by the Board in the Access Agreement; and C) grant or deny all approvals or waivers required under the Access Agreement, including, without limitation, extending the term of the Access Agreement by up to six (6) additional months upon receipt of a written request from the City, placing the City in default, and canceling or terminating the Access Agreement, as may be applicable.
121,451	<u>F-2</u>	AUTHORIZED	<p>The Superintendent execute an amendment to Lease Agreement between KIPP Miami, Inc., a Florida not for profit corporation, and the School Board, for use of classroom and ancillary space at Madison Middle School, located at 3400 N.W. 87 Street, Unincorporated Miami-Dade County, Florida 33147, for the operation of a School of Hope charter school, all under, substantially, the terms and conditions noted in the agenda item.</p>
121,452	<u>F-3</u>	ACCEPTED	<ul style="list-style-type: none"> 1) From the County, the total amount of \$850,000, to be utilized for the construction of the Playfield Facility; 2) Waived Board Policy 7510 to allow the consumption of alcoholic beverages on the Multipurpose Facility site (strictly and specifically defined and limited to beer and wine), but not the sale, during Limited Events, as such term is defined in the Interlocal Agreement; and 3) Authorized the Superintendent to: <ul style="list-style-type: none"> a. finalize negotiations and execute an Interlocal Agreement by and between The School Board of Miami-Dade County, Florida, and Miami-Dade County (“County”), relating to facility enhancements at Miami Arts Studio 6-12 at Zelda Glazer (“School”), to provide for the construction by the County of a Multipurpose/Soundscape Facility (“Multipurpose Facility”) and joint use of the Multipurpose Facility, Playfield Facility and School Parking Lot, and under, substantially, the terms noted in the agenda item; b. negotiate and execute any other appropriate documents or agreements between the Board and County necessary to effectuate the implementation of the

Interlocal Agreement, as mutually agreed to by the Parties; and

- c. grant or deny all approvals required under the Interlocal Agreement, including executing amendments to the Interlocal Agreement within the authority granted him by the School Board, placing the County in default, and canceling or terminating the Interlocal Agreement, as may be applicable.

121,453	<u>F-40</u>	CONFIRMED/ APPROVED	B-1. Change Order Number 3 on Project Number 01654500. B-2. Change Order Number 2 on Project Number 01619400. B-3. Change Order Number 6 on Project Number 01892600. B-4. Change Order Number 5 on Project Number 01619800.
121,454	<u>F-41</u>	AWARDED	To Veitia Padron, Incorporated, the new 12-classroom addition project at West Homestead K-8 Center; Project Number 02099200; on the basis of the lowest adjusted Base Bid in the amount of \$3,737,436.78.
121,455	<u>F-58</u>	RECEIVED	The Miami-Dade County Public Schools Annual Safety-to-Life Inspection Documents.
121,456	<u>F-80</u>	APPROVED	The prequalification certificates for six (6) new, one (1) increase, and one (1) decrease contractor application for educational facilities construction, as listed on Attachment "A."
121,457	<u>G-1</u>	AMENDED	Board Policy 0155, <i>School Board Committees</i> , and authorize the Superintendent to file the policy with The School Board of Miami-Dade County, Florida, to be effective August 18, 2021.
121,458	<u>G-2</u>	AMENDED	Board Policy 9140, <i>Citizens' Advisory Committee Meetings</i> and Board Policy 9125, <i>Notice of District Advisory Committee Meetings</i> , and authorize the Superintendent to File the polices with The School Board of Miami-Dade a, to be effective August 18, 2021.
121,459	<u>G-4</u>	AUTHORIZED	The Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Policy 9215, <i>Direct-Support Organizations</i> .
-----	<u>G-5</u>	WITHDREW	The adoption of the Recommended Order of the Administrative Law Judge in its entirety as its Final Order in the case of <u>The School Board of Miami- Dade County, Florida v. Chermona Francois-Smith</u> , DOAH Case No. 21-0066TTS, sustaining the suspension of Respondent's employment as a teacher, without pay, for fifteen (15) workdays.

121,460	<u>H-3</u>	DIRECTED	<p>The Superintendent:</p> <ol style="list-style-type: none"> 1. Ensure that all Miami-Dade County Public School (M-DCPS) principals, staffs, and parents/guardians are informed of the requirements of House Bill 529 Moments of Silence in Public Schools; 2. Ensure that parents/guardians are informed and encouraged to have conversations with their children as to the best use of this time; 3. Provide an update on any specific actions taken, detailed tangible strategies used to communicate this information to M-DCPS principals, staffs, parents/guardians in multiple languages, and any applicable School Board policy amendment recommendations to be made, and presented to the Academics, Innovation, Evaluation and Technology Committee Meeting in September 2021, in preparation for implementation of HB 529 in the 2021-2022 school year; and 4. Initiate rulemaking, as necessary, to formalize this requirement in School Board policy.
121,461	<u>H-5</u>	ENDORSED	The month of September 2021 as National Suicide Prevention Awareness Month in Miami-Dade County Public Schools (M-DCPS).
121,462	<u>H-6</u>	DIRECTED	The Superintendent of Schools to assess and identify a fiscally responsible opportunity to include a financial recognition to Miami-Dade County Public Schools teachers for the upcoming school year, in light of the additional work associated to the implementation of the district's new Learning Management System (LMS). A report on this assessment must be provided to the Board at the Personnel, Student, School and Community Support Committee meeting of September 1, 2021.
121,463	<u>H-7</u>	DIRECTED	The Superintendent of Schools to review current School Board policies to ensure the Board's compliance with the provisions of the 2021 Florida Adopted Legislation HB 241 – <i>Parents' Bill of Rights</i> ; provide the Board a report of this review by October 1, 2021; amend any Board policies, as appropriate; and, if necessary, initiate rulemaking proceedings to develop a School Board policy pursuant to HB 241 in accordance with the Administrative Procedure Act to be presented at the School Board meeting of October 20, 2021, for initial reading.
121,464	<u>H-8</u>	RECOMMENDED	That the Superintendent review existing administrative directives and procedures and determine whether they need to be updated to ensure that all GOB vendors are paid on a timely basis and report back to the board during the October 20, 2021, meeting. This item also seeks to request that the Superintendent establish a

monthly report of all pending GOB related projects during the Facilities and Construction Committee meetings.

121,465	<u>H-9</u>	RECOGNIZED	Mr. Steven Ferreiro.
121,466	<u>H-10</u>	DIRECTED	<p>The Superintendent to:</p> <ol style="list-style-type: none">1. implement the competitive bidding process for all technology related hardware and software and, any procurement of goods and services that are funded through COVID-19 stimulus funds, including the American Rescue Plan Act of 2021 for expenditures that exceed \$50,000.00 single and \$100,000.00 aggregate;2. identify spending authority approved by the School Board for such procurements and purchases with American Rescue Plan Act of 2021 and/or related COVID-19 federal stimulus funds and include the total and/or not to exceed total costs of such procurement of goods and services purchased through the same; and3. provide an update on above actions to the School Board in writing that include but are not limited to what actions will be taken within the procurement process and by the Chief Procurement Officer regarding recommendations #1 and #2 no later than September 10, 2021.
121,467	<u>H-11</u>	ENDORSED	The 2021 International “Walk to School Day,” and implement the “WalkSafe” pedestrian safety program curriculum during the week of the event.
121,468	<u>H-12</u>	ENDORSED	Ethical Governance Day 2021” to take place on October 20, 2021, in Miami-Dade County Public Schools sponsored by the Miami-Dade County Commission on Ethics and Public Trust.
121,469	<u>H-13</u>	ENDORSED	Hispanic Heritage Month in Miami-Dade County Public Schools from September 15, 2021 through October 15, 2021.
121,470	<u>H-14</u>	DIRECTED	<p>The Superintendent to:</p> <ol style="list-style-type: none">1. annually increase, at each school, the number of secondary students participating in local, state, national, and international competitions;2. improve access to available information pertaining to academic competitions and enhance the flow of communication to school sites on an annual basis for the purpose of engaging more students in such activities;3. encourage all gifted programs that serve primary and intermediate grade level students to participate, on an annual basis, in at least one problem-solving or critical thinking skills contest;

4. require all secondary gifted programs to participate in at least one problem-solving or critical thinking skills contest on an annual basis;
5. explore the feasibility of providing stipends to teachers who prepare and coach students in out-of-school competitions;
6. explore securing donations or other outside sources of funding to support out-of-school competitions;
7. develop a plan to inform parents, students, and stakeholders of the gifted offerings in their feeder pattern;
8. develop a plan to provide professional development and re-certification to those gifted certified teachers who may require updated information and exposure to new teaching strategies; and
9. provide a response to the School Board no later than the School Board meeting of October 2021.

121,471 **H-15** **AUTHORIZED**

The Superintendent to:

1. explore the feasibility of adding extended learning afterschool programs districtwide for students;
2. review the possibility of compensating educators at their respective schools to teach extended learning classes;
3. consider and explore the feasibility of providing a nutritious meal to students during extended learning classes;
4. determine the cost of providing 1, 2 and 3; and
5. provide an update at the Academics, Innovation, Evaluation & Technology Committee in December 2021.

121,472 **H-16** **REAFFIRMED***

Its commitment to supporting post-secondary success for students by initiating the Framework for Post- Secondary Success and directing the Superintendent to:

1. Collect and organize district-wide and school-site baseline data sourced from National Clearinghouse reports on student post-secondary matriculation and persistence, differentiating between institution type (vocational/technical, military pathway, 2 year, 4 year, private, public, in-state, out-of-state, etc.), time to graduation, and institution/programs attended; and publish this data on dadeschools.net in an interactive, digestible, and user-friendly format for CAP

Advisors, school administration, student services, and the general public by March 2022;

2. Present the baseline data at the Academics, Innovation, Evaluation, and Technology Committee Meeting of March 2022;
3. Launch annual school-specific post-secondary reports, inclusive of all Clearinghouse data listed in Action Proposed 1 and SCOIR reports, including but not limited to application, enrollment, and other post-secondary plan trends, to site stakeholders and on dadeschools.net by July 2022 and by July 30th of every year thereafter;
4. Provide annual training and support for CAP Advisors to facilitate their understanding, analysis, and utilization of the annual post-secondary reports to inform practices and programming at their school sites with the intent of ultimately 1) increasing program enrollment to ensure all students have a viable post-secondary plan before graduating, 2) improving program fit to avoid issues of undermatching, and 3) maximizing the financial aid and institutional scholarships students are offered in the application process that minimize loan dependency; and
5. Create and implement a post-secondary advising curriculum with clear standards inclusive of an annual timeline with expected student/family/CAP advisor actions and outcomes by grade level no later than the start of the 2022-2023 school year. Utilize this guide to align all post-secondary planning efforts throughout M-DCPS and across community partner organizations.

* **Amended** to include Ms. Lucia Baez-Geller, School Board Member; as co-sponsors of the item.

121,473 **H-17** **DIRECTED***

The Superintendent to:

1. update procedures for COVID-19 related identification, notification, quarantine, and testing and confirm the process for COVID-19 testing for employees that confirm current positive or negative status;
2. update the implementation of the Board policies granting the Superintendent the authority to control communicable diseases and the spread of COVID-19, by authorizing the Superintendent to explore the feasibility of requiring temporarily require, in a manner consistent with School Board policies and based on local COVID-19 positivity rates, facial coverings for all students, except those with medically endorsed accommodations, as defined in s. 1003.22 of the Florida Statutes. In addition, the requirement shall apply to all

employees, contractors and visitors while inside M-DCPS school buildings ~~except for students whose parents exercise their right to affirmatively elect not to have their child wear facial coverings in school; and while all students are on school buses.~~ The Superintendent shall continuously review and assess local positivity rates and use such data and related information to modify and /or discontinue any established protocols and/or requirement for facial coverings. A written update shall be provided to the School Board on any modifications to protocols and/or requirement for facial coverings on a weekly basis.

3. explore the availability of cost neutral partnerships with entities, organizations, and/or municipalities for COVID-19 testing and vaccinations;
4. provide an updated communication plan and strategy for employees, parents, community stakeholders, and students regarding relevant and related COVID-19 procedures governing identification, notification, quarantine, testing and vaccinations;
5. update any criteria for determining the closure of individual schools for reasons related to COVID-19;
6. update procedures for contact tracing as appropriate;
7. update procedures and processes to monitor quarantined students pursuant to established CDC guidelines and/or requirements; and
8. provide an update to the Board on the above steps taken as well as any additional COVID-19 relevant information in (a) written update by August 19, 2021; (b) a presentation at the September 1, 2021, Personnel, Student, School & Community Support Committee meeting; (c) disseminate such presentation to employees, parents, community stakeholders, and students; and (d) ensure availability and access to such updates on the M-DCPS website.
9. Provide weekly, monthly and periodic reporting to the School Board and State Board of Education on any related matters determined to be noncompliant by the State Board of Education on a weekly, monthly or periodic basis, as may be necessary and /or required, pursuant to Florida Statute 1008.32.

* **Amended** as reflected above.

121,474

H-18

DIRECTED

The Superintendent to:

1. re-establish an easily accessible M-DCPS COVID-19 Dashboard with data and relevant information that include but are not limited to the number of confirmed COVID-19 cases for overall school District and categorized by school and school level (elementary, middle, K-8, senior high, Adult/Alternative/Vocational), voting district, District/Region office, employees, students (where available/legal/appropriate), and contractors working on District/school facilities, to be active for the beginning of the 2021-2022 school year, where practicable; and
2. provide a status update in writing to the School Board no later than August 19, 2021.

121,475 **H-19** **DIRECTED**

The Superintendent to:

1. review the procurement practices and protocols of the District's Food and Nutrition Program as they specifically relate to the alignment and compliance with School Board Policy 6320.02, Small/Micro, Minority/Women, and Veteran Business Enterprise Programs;
2. provide an expenditure report for the fiscal years ending June 2018, 2019, and 2020, to determine the levels and amount of contracting with certified small/micro, minority/women, and veteran owned businesses; and
3. provide an update to the School Board no later than October 1, 2021.

121,476 **H-20**

The Superintendent to:

1. Review the establishment of a mental health service day in which students will be notified of the resources at their disposal and will be allowed to participate in interactive activities that will help boost their morale and destigmatize mental health;
2. Evaluate the possibility of providing M-DCPS students with a mental health hotline that is accessible twenty-four hours a day and seven days a week;
3. days a week;
4. Review the attainability of developing a mental health safe space within schools that can be made in the form of a lounge area and that should include the office of the school's official psychologist/therapist;
5. Assess the effectiveness of the mental health resources that are currently available to students;
6. Assess the effectiveness of the seminars/workshops school personnel attend to understand how to properly address a student who is in distress;

7. Assess the effectiveness of adding a five to ten- minute stress break during the school day so that students can be provided with time to decompress; and
8. to the Board at the November 17, 2021 School Board Meeting.

121,477 **H-21** **DIRECTED**

The Superintendent to explore and review the feasibility of addressing the role of the Student Advisor by:

1. Ensuring that the representatives of DSGA (including the Student Advisor) are formally introduced to the students in the district and that they meet with the president of SGA at every school at monthly DSGA meetings;
2. Establishing an initiative to notify the students of MDCPS of what DSGA is, of who the members of it are, and of how the members of it can be contacted (e.g., sending emails that contain this information to their Dade schools Email);
3. Adding a comment tab to the student portal so that the students of the district will be able to voice their concerns in an easy and efficient manner;
4. Reviewing policy 0141.1, which provides a description of the Student Advisor's role to the School Board, to ensure that it is aligned with current District practices for the selection of the Student Advisor;
5. Providing the appointed Student Advisor with an orientation on how school board meetings are conducted, how the tasks of the Student Advisor should be accomplished, and on the functions of the school board
6. Distributing a survey to the students of MDCPS to assess whether they know that there is student representation at the district level and whether they know how they can relay their concerns to their representatives; an
7. Requesting an end-of-the-year report from the members of DSGA that entails their accomplishments and will illustrate to the students of the district how they have been represented (similar to how the students of DSGA did in 2006), and report back to the Board at the Nov. 17, 2021 School Board Meeting.

Adjourned
/svl



Book	Policy Manual
Section	8000 Operations
Title	CONTROL OF COMMUNICABLE DISEASES
Code	po8453
Status	Active
Adopted	May 11, 2011
Last Revised	October 21, 2020

8453 - CONTROL OF COMMUNICABLE DISEASES

In order to protect the health and safety of the District community, the Superintendent shall adopt protocols for controlling communicable diseases that occur on School Board property, at a School Board activity, and on School Board provided transportation.

A. Communicable Diseases

Communicable diseases can often spread by direct, close, or casual contact with germs or parasites from another individual, or by respiratory (airborne) transmission through droplets from sneezing, coughing, or speaking. Epidemics are widespread occurrences of infectious diseases that are actively spreading and substantially exceeding expected cases. Epidemics can have pandemic risk potential based on their emergence, availability of therapeutics and/or vaccines, and public health impact. A pandemic is an epidemic that has spread over several countries or continents, usually affecting large numbers of people.

Commonly known communicable diseases include, but are not limited to, coronaviruses, chicken pox, diphtheria, scarlet fever, strep infections, whooping cough, mumps, measles, rubella, tuberculosis, influenza, pediculosis (head lice), ringworm, and any others designated by the Florida Department of Health, the United States Department of Health and Human Services, and/or the Centers for Disease Control and Prevention (CDC). Direct contact diseases are transmitted through body fluids and excretions, including but not limited to, HIV (human immunodeficiency virus), AIDS (acquired immune deficiency syndrome), AIDS related complex (condition), HAV, HBV, HCV (hepatitis A, B, C), and any others specified by the Florida Department of Health, the United States Department of Health and Human Services, and/or the CDC.

B. Control of Communicable Diseases

The Superintendent shall develop and implement administrative procedures for the control of communicable diseases, including but not limited to:

1. Instructing staff members and disseminating available and reliable information in the detection of common diseases and protocols for their prevention and control;
2. Requiring that employees immediately report to their supervisor any exposure, symptoms, diagnosis and/or positive test of any casual contact communicable disease identified by the Superintendent;
3. Isolating students and employees who have received a positive test result or may be infected with a communicable disease;
4. Preparing standards for the readmission of students and employees who have recovered from communicable diseases and no longer pose a risk of infection to others; and
5. Filing of reports as required by law and the Florida Department of Health.

During times of elevated communicable disease community spread, the Superintendent shall issue periodic guidance and directives aligned with the recommendations of public health officials and applicable government guidance and orders. During an outbreak of a communicable disease that can be transmitted by casual contact or in a respiratory or airborne manner, the Superintendent's directives may include mandatory protocols, including but not limited to, physical distancing, facial coverings, and/or other protective measures.

The Superintendent may develop programs for students and staff to understand the manner in which these diseases may be prevented and how they are transmitted. These programs should specify the risk factors involved, how to deal with those risks, and emphasize that these diseases are preventable if basic precautions are taken.

C. Enforcement of Safety Protocols for Controlling the Spread of Communicable Diseases

All individuals on Board property, at a Board activity, and on Board provided transportation shall comply with this policy. If a student refuses to comply, after being directed by a teacher or administrator to do so, the principal may issue discipline for a disruption to the educational process or orderly operation of a school prohibited by the Code of Student Conduct. In this instance, the student may be required to receive educational instruction via online or remote learning if the reassignment is determined necessary to protect the health and safety of the student or others.

Employees who violate this policy may be subject to disciplinary action in accordance with the applicable collective bargaining agreement and Board policies.

Members of the public, vendors, contractors, and other visitors should be informed of the application of this policy, and if they refuse to comply after being reminded, they may be denied entry to a Board facility or required to leave.

D. Confidentiality

The fact that any member of the District community has contracted a communicable disease will be maintained as confidential to the extent permitted by law and safe operation of schools. This policy is not intended to abridge the rights of students, staff members, and District community under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, or any other applicable federal or state law. Should a student be unable to attend school as a result of an illness under this policy, an alternative delivery of instruction shall be provided in conformity with available options allowed by law.

The Superintendent shall comply with all applicable Federal and State laws, executive orders, and health department regulations to update communicable disease protocols as necessary. Policy 5320, *Immunization*, establishes additional protocols for this purpose.

Effective 7/1/11
Revised 10/21/20

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Legal	F.S. 381.00315
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1001.43
	F.S. 1006.07
	F.S. 1006.08
	F.S. 1006.09
	F.S. 1012.23
	F.S. 1012.27
	F.S. 1012.28

EXHIBIT F



Tom Grady, *Chair*
Ben Gibson, *Vice Chair*
Members
Monesia Brown
Marva Johnson
Ryan Petty
Andy Tuck
Joe York

September 23, 2021

Mr. Alberto Carvalho
Superintendent
Miami-Dade County Public Schools
1450 NE Second Avenue
Miami, FL 33132

Ms. Perla Tabares Hantman
School Board Chair
Miami-Dade County Public Schools
1450 NE Second Avenue
Miami, FL 33132

Dear Superintendent Carvalho and Chair Tabares Hantman:

This letter is to advise you of the Department of Health's new emergency rule revising the "Protocols for Controlling COVID-19 in School Settings" and to provide you one more opportunity to come into compliance with the requirements established by the Department of Health.

A copy of the Department of Health's new rule, 64DER21-15, is attached. It revises the requirements for quarantining asymptomatic students who have been exposed to COVID-19 and further clarifies the parental opt-out provision to foreclose the erroneous interpretation that the parental opt-out permits a medical-only opt-out. That provision now provides that "... the school must allow for a parent or legal guardian of the student to opt the student out of wearing a face covering or mask at the parent or legal guardian's **sole discretion.**" See, [Rule 64DER21-15\(1\)\(d\), Florida Administrative Register, Vol. 43 / No. 185](#), September 23, 2021 (emphasis supplied). The purpose of these changes is explained by the Department of Health in its notice for the new rule.

The Department [of Health] observed a large number of students have been required to quarantine for long periods of time, resulting in the loss of hundreds of thousands of days of in-person learning. In addition, the Department [of Health] observed no meaningful difference in the number of COVID-19 cases in school-aged children in counties where school districts have imposed mask mandates. It is necessary to minimize the amount of time students are removed from in-person learning based solely on direct contact with an individual that is positive for COVID-19, to ensure parents and legal guardians are allowed the flexibility to control the education and health care decisions of their own children, and to protect the fundamental rights of parents guaranteed under Florida law.

Mr. Carvalho, Ms. Tabares Hantman
September 23, 2021
Page Two

I am continuing the investigation of your district's mask mandate that I notified you by letter of August 27, 2021. Based upon the authority provided to me under s. 1008.32(2)(a), Florida Statutes, I request that you provide a written response by 5:00 p.m. on September 24, 2021, documenting how your district is complying with that portion of the Department of Health's Emergency Rule 64DER21-15, that continues to give parents or legal guardians the sole discretion to opt a student out from a mask or face covering mandate.

As I have done before, if you fail to document full compliance, I intend to recommend to the State Board of Education that the Department of Education withhold funds in an amount equal to the salaries for all members of the School Board, as well as other sanctions authorized by law, for the period during which the district has been out of compliance.

Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Corcoran", with a long horizontal flourish extending to the right.

Richard Corcoran
Commissioner

EXHIBIT G



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Alberto M. Carvalho

Miami-Dade County School Board

Perla Tabares Hantman, Chair

Dr. Steve Gallon III, Vice Chair

Lucia Baez-Geller

Dr. Dorothy Bendross-Mindingall

Christi Fraga

Dr. Lubby Navarro

Dr. Marta Pérez

Mari Tere Rojas

Luisa Santos

September 24, 2021

Mr. Richard Corcoran, Commissioner of Education
Florida Department of Education
Turlington Building
325 West Gaines Street, Suite 1514
Tallahassee, Florida 32399

Re: Response to September 23, 2021, Letter Regarding Department of Health Emergency Rule 64DER21-15

Dear Commissioner Corcoran:

We are in receipt of your correspondence dated September 23, 2021, providing a copy of the New Department of Health Rule, which two days ago repealed and replaced Rule 64DER21-12.

As you may be aware, and as widely reported in the media, Miami-Dade County Public Schools (M-DCPS) relaxed certain COVID-19 procedures in schools this week, based on a steadily improving trend in local conditions. This action is consistent with School Board direction requiring a weekly review of community-wide COVID-19 indicators. Further, in anticipation of a continued improvement in local circumstances, the District has identified metrics which may soon lead to further relaxation of in-school protocols.

Additionally, M-DCPS continues to work with its Ad Hoc Medical and Public Health Experts Task Force ("Task Force") to develop and implement COVID-19 strategies to protect our students, teachers and staff. We believe that our District and community are moving in a positive direction toward controlling the spread of this virus through continued emphasis on the importance of vaccinations for all eligible individuals and we anxiously await vaccine availability for children under age 12.

We are in the process of analyzing the portion of the New DOH Rule regarding masks. As such, we respectfully request that you extend the date for us to provide you a written response documenting how our district is complying with that portion of the New DOH Rule¹, which authorizes schools to adopt requirements for students to wear masks or facial coverings as a mitigation measure.

Sincerely,

Perla Tabares Hantman, Chair
The School Board of Miami-Dade County, Florida

Alberto M. Carvalho
Superintendent of Schools

cc: School Board Members
School Board Attorney

¹ Any position expressed in this response is without prejudice to or limitation of any legal positions we may adopt in future correspondence or legal proceedings.