



State Board of Education

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Superintendent  
Broward County Public Schools  
600 SE Third Avenue  
Fort Lauderdale, FL 33301

Donna P. Korn  
Chair of the School Board of Broward County  
600 SE Third Avenue  
Fort Lauderdale, FL 33301

September 25, 2020

Dear Superintendent Runcie and Chair Korn:

I am writing today with grave concerns regarding the School Board of Broward County's recent vote to revoke parents' ability to choose brick-and-mortar schools for their children's education by forcing families to continue using only distance learning options, despite the fact that the entire county transitioned to Phase 2 nearly two weeks ago.

This blanket, district-wide decision directly contradicts the district's reopening plan, which was approved because it was consistent with the purpose and framework of Emergency Order 2020-EO-06. The Emergency Order seeks to empower parents with the ability to choose the education modality that best suits their child's needs, including in-person instruction, consistent with public safety. As you know, the Emergency Order gives school districts guaranteed funding at levels beyond what would otherwise be available in order to empower school districts to meet the diverse needs of students and families during the COVID-19 pandemic.

This delay is extremely difficult for the students with individualized educational plans whose families count on the public education system for critical specialized services. It is also harmful for students who are experiencing violence, abuse, and food insecurity in their homes going unnoticed, many of whom were already struggling to close the achievement gap and will now fall even further behind. These are urgent circumstances we cannot, and will not, ignore.

District-wide delays of in-person instruction for districts not in "phase 1" is inconsistent with the framework of the Emergency Order. Such decisions must be supported by a particularized analysis on a school-by-school basis. This is consistent with Emergency Order 2020-EO-06,

which provides: “the day-to-day decision to open or close a school must always rest locally with the board or executive most closely associated with a school.”

Any district-wide delays of in-person instruction requires the submission of an amended plan that **must** include the following for **each** school in the district:

1. The student capacity of the school.
2. The number of students who have requested in-person instruction at the school.
3. The number of students who can receive in-person instruction at the school, given the local health conditions and the guidance of state and local health officials. This analysis must include a review of the layout of the school’s facilities and make specific determinations about the number of students who can be educated in each classroom, consistent with state and local health guidance.
4. The number of students that you are unable to offer in-person instruction to at the school.
5. In any case where you are unable to accommodate all students, please explain how you are ensuring that priority for in-person instruction will be given to your most vulnerable students.
6. If you determine that not a single student can receive in-person instruction at a school facility within the timeframe reflected in your approved reopening plan, please provide a reasoned explanation to support that finding, citing the specific health and safety guidance you are relying upon.

For any schools that will not be open for in-person instruction by October 5, please provide the analysis set forth in items 1 through 6 above by no later than October 2.

To be consistent with the framework of the Emergency Order, superintendents and their teams must roll up their sleeves and go school-by-school, grade-by-grade, and classroom-by-classroom to thoughtfully determine how parents that desire in-person instruction for their children can be accommodated. School leaders should be working creatively and diligently to accommodate as many students as possible with in-person instruction. If less than 100 percent can be accommodated, please consider what thoughtful steps can you take to ensure that priority is given to students who are most vulnerable and who most need in-person instruction? And, how quickly can you expand in-person instructional capacity?

We encourage you to work with each member of your instructional and non-instructional staff as you implement your plan to open brick-and-mortar facilities. Which teachers and support staff are ready, willing and able to provide in-person instruction on day one? And, which teachers are best suited to support students who are receiving innovative instruction remotely? Again, this is not a district-wide decision, but rather a school-by-school, grade-by-grade, and classroom-by-classroom analysis.

While Broward County transitioned from Phase 1 to Phase 2 on September 11, your district's decision to prolong distance learning denies all students the access to brick-and-mortar school until as late as October 20. This far exceeds the time that was needed by Palm Beach County School District to provide brick-and-mortar options for all students when transitioning from Phase 1 to Phase 2. Palm Beach County School District was able to offer brick-and-mortar options to all students within 16 days of entering Phase 2 on September 4, 2020. Your plan does not offer that option for all students until 39 days from the time the county entered Phase 2, more than twice as long as Palm Beach County Schools. As noted at the beginning of this letter, I have grave concerns about the decision; therefore, I expect a detailed analysis for my review as indicated in this letter if the district chooses to delay the reopening of brick-and-mortar schools beyond October 5.

Your district has three options going forward. First, you can follow your approved plan. Second, you can submit an amended plan for approval, consistent with the guidance in this letter by October 2. Third, you can withdraw your plan and proceed under the existing statutory framework.

Sincerely,



Richard Corcoran