RESOLUTION ADOPTING AN ALTERNATIVE PLAN FOR HIGH SCHOOL
GRADUATION CEREMONIES IN SUPPORT OF A VARIANCE REQUEST UNDER
CDPHE PUBLIC HEALTH ORDER 20-28

WHEREAS, on March 14, 2020 El Paso County declared a Local Disaster Emergency
due to the public health threat posed by presence of the COVID-19 virus; and

WHEREAS, on March 25, 2020 the Colorado Department of Public Health and
Environment (“CDPHE”) issued Public Health Order 20-24 Stay at Home Requirements
(“PHO 20-24”), which imposed strict limitations on individuals and businesses to slow
the community spread of COVID-19 and prevent the state’s healthcare system from
becoming overwhelmed; and

WHEREAS, in response to the positive effect that compliance with PHO 20-24 had on
the rate of disease spread in Colorado, on April 26, 2020 Colorado Governor Jared
Polis issued Executive Order D 2020 044 (“Executive Order”) containing a number of
directives in support of Colorado’s less restrictive Safer at Home response to the
COVID-19 pandemic; and

WHEREAS, on April 27, 2020 CDPHE issued Public Health Order 20-28 Safer at Home
(“PHO 20-28”), which implements recommendations and requirements permitting a
limited reopening of some businesses and encourages rather than requires individuals
to stay home as much as possible, but prohibits public and private gatherings outside a
residence of more than ten people; and

WHEREAS, PHO 20-28 also provides a process through which a county may request a
variance from its provisions and those of the Executive Order, provided that several
criteria are met; and

WHEREAS, PHO 20-28, requires any variance requests must be endorsed by the local
public health agency, adopted by the local county government, and verification by any
and all local hospitals they have the capacity to serve all people needing their care; and

WHEREAS, El Paso County Public Health (“Public Health”), has collaborated with local
school districts regarding graduation ceremonies for high school seniors; and

WHEREAS, many schools and school districts in El Paso County have expressed their
desire to hold some form of graduation ceremonies for high school seniors; and
WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board") supports the celebration by schools, students, family and friends of this once-in-a-lifetime achievement in a responsible manner that protects the health of the participants and the community; and

WHEREAS, Public Health endorses the variance request for an alternative plan containing guidelines for planning high school graduation ceremonies in a medically sound way that utilizes social distancing and other disease prevention best practices, a copy of which is attached hereto as Exhibit A; and

WHEREAS, pursuant to PHO 20-28 Appendix G, a variance request must be predicated upon an affirmative vote of the Board to adopt an alternative plan in place of the provisions of the Executive Order and PHO 20-28; and

WHEREAS, based upon the testimony and evidence presented at a public hearing, the Board is satisfied that the alternative plan for high school graduation ceremonies will sufficiently protect the health of participants and of the community; and

WHEREAS, the Board is also satisfied that current conditions and circumstances in El Paso County, including the rate of spread for COVID-19, the availability of testing, and the capacity of the local healthcare system warrant the submission of a variance request to CDPHE.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the provisions of CDPHE PHO 20-28, the Board of County Commissioners of El Paso County, Colorado hereby adopts the alternative plan for high school graduation ceremonies attached hereto as Exhibit A as endorsed by Public Health.

BE IT FURTHER RESOLVED that the Board directs appropriate County staff to work with El Paso County Public Health in the preparation and submission of a variance request to CDPHE for high school graduation ceremonies.

DONE THIS _____ day of May, 2020 at Colorado Springs, Colorado.

ATTEST:                                             BOARD OF COUNTY COMMISSIONERS
            OF EL PASO COUNTY, COLORADO

__________________________________       By: ______________________________
Chuck Broerman                             Mark Waller, Chair
County Clerk & Recorder