

**BEFORE THE GOVERNING BOARD OF THE
SOUTHERN KERN UNIFIED SCHOOL DISTRICT OF KERN COUNTY, CALIFORNIA]**

In the Matter of the Authorization for
Action to Prepare and Respond
Effectively to the Novel Coronavirus
(COVID-19) Public Health and Related
Issues

RESOLUTION NO. 19-20-11

A Resolution by the Governing Board
of the Southern Kern Unified School
District Declaring Emergency
Conditions Exist at District Schools
And Offices and Conveying
Authorization to Take Necessary
Actions to Prepare and Respond
Effectively to the Novel Coronavirus
(COVID-19)

RECITALS

1. On March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of a novel coronavirus (COVID-19); and
2. As of March 14, 2020, there have been 335 reported cases of COVID-19 in California and many school districts throughout the State have made the decision to close schools and take other measures to address public health impacts; and
3. Strict compliance with various statutes and regulations would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of COVID-19; and
4. The Board recognizes, as expressed in its Board Policy 2210, that in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies and the Board therefore has authorized the Superintendent or designee to act on behalf of the District in any situation in which immediate action is needed to avoid any risk to the safety or security of district students, staff, or property or disruption to student learning; and
5. It is imperative that school districts prepare for and implement as needed measures to respond to the potential spread of COVID-19 and ensure the health and safety of students, staff, and families on our campuses; and
6. It is imperative that school districts have the tools to ensure student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and
7. Employees may need to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or being sick from COVID-19 or illnesses with similar symptoms (e.g., cough, fever, shortness of breath) or caring for others with COVID-19 or who are quarantined or unable to attend school or daycare, or engaging in self-quarantine for those over age 65 per the Governor's guidance; and

8. The protection of the health and safety and preservation of the lives and property of the people of the State from the effects of natural emergencies such as COVID-19 which may result in conditions of disaster or in extreme peril to life, property, and resources is of paramount State importance requiring the responsible efforts of public and private agencies and individual citizens, and all public employees required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law under Government Code 3100; and

9. Section 1102 of the Public Contract Code defines "emergency" to mean a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services," and section 21060.3 of the Public Resources Code and California Environmental Quality Act Guidelines 14 CCR section 15269(c) defines "emergency" to mean "a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. 'Emergency' includes such occurrences as fire, flood, earthquake, or other soil or geological movements, as well as such occurrences as riot, accident, or sabotage."; and

10. Under California Public Contract Code Section 20113, in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do the following: make a contract in writing or otherwise on behalf the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bid; and, notwithstanding section 20114; and

11. Pursuant to Board Policy 3516.5, to provide for the safety of students and staff, the Board has authorized the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

NOW, THEREFORE, BE IT RESOLVED as follows:

- A. The above recitals are true and correct.
- B. The District determines that the circumstances described in this Resolution constitute an emergency condition;
- C. By unanimous vote pursuant to section 20113 of the Public Contract Code and subject to approval by the Kern County Superintendent of Schools, authorizes the execution of contracts without advertising or inviting bids; and, notwithstanding section 20114, authorizes the flexibility needed to respond to emergency conditions at District sites.
- D. The Board authorizes the Superintendent and/or designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District sites, including, but not limited to the following:
 - (i) relocate students and staff;
 - (ii) in consultation with public health authorities, authorize temporary closure of one or more school sites;
 - (iii) provide for continued daily student transportation during a period of closure;
 - (iv) approve modifications to delivery of instruction;

- (v) make provision of alternative educational program options;
- (vi) make provision for meals for students qualifying for the Free & Reduced Lunch program;
- (vii) authorize leaves of absence to employees with pay due to quarantine or recently returning from Level 3 countries or being sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or caring for others with COVID-19 or who are quarantined or unable to attend school or daycare, or engaging in self-quarantine for those over age 65 pursuant to the Governor's guidance;
- (viii) direct staff to serve as disaster service workers pursuant to Government Code 3100.

E. The Superintendent is authorized and directed to take any necessary actions to carry out the directions given in this Resolution.

F. Pursuant to Board Policy 2210, the Superintendent or designee shall notify the Board as soon as practicable after the Superintendent exercises this authority. The Board President and the Superintendent shall schedule a review of the action at the next regular

Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

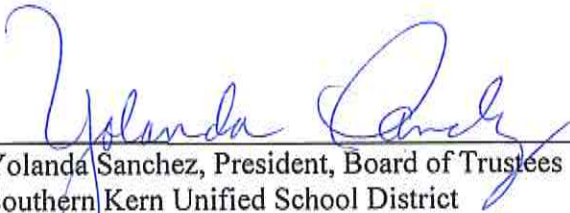
THE FOREGOING RESOLUTION was adopted upon motion by Trustee Gutierrez seconded by Trustee Robinson, at a regular meeting special agenda held on March 18th, 2020, by the following vote or abstention of each member present:

AYES: Gutierrez, Robinson, Sanchez

NOES: 0

ABSENT: Bender, Tanksley

DATED: March 18, 2020



Yolanda Sanchez, President, Board of Trustees
Southern Kern Unified School District

CERTIFICATION

I, Robinson, Clerk to the Board of Trustees of the SKUSD School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on 3/18, 2020.

DATED: 3/18/2020

Carol Robinson

Clerk, Board of Trustees
SKUSD School District