

**BEFORE THE BOARD OF TRUSTEES OF THE
COMPTON COMMUNITY COLLEGE DISTRICT**

**EMERGENCY RESOLUTION # 03-17-2020B
RESOLUTION TO IMMEDIATELY TAKE NECESSARY ACTION TO PROTECT
STUDENTS AND STAFF FROM THE SPREAD OF CORONAVIRUS (COVID-19)**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19).

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health declared the existence of a local and public health emergency arising from the coronavirus (COVID-19).

WHEREAS, on March 7, 2020, the California Department of Public Health issued guidance advising, in part, that “community transmission of COVID-19 has occurred in California. Educational institutions should prepare for possible impacts of COVID-19 and take precautions to prevent the spread of COVID-19 as well as other infectious diseases, including influenza and gastroenteritis.”

WHEREAS, on March 10, 2020, the California Community College Chancellor’s Office issued a memorandum advising, in part, that “[i]n the event of an emergency a college may request approval for a temporary blanket Distance Education Addendum from the state Chancellor’s Office” for a designated period of time.

WHEREAS, on March 13, 2020 President Trump declared a national state of emergency.

WHEREAS, all District employees are “disaster service workers” pursuant to Government Code Section 3100 et seq., and, in this capacity, may be assigned to perform “disaster service activities” in the event of “natural . . . emergencies which result in conditions of disaster or in extreme peril to life, property, and resources.”

WHEREAS, Article III of the Agreement between the Compton Community College District and the Compton Community College Federation of Employees (Certificated Unit) (“Faculty Agreement”) states that “the District retains the rights to amend[,] modify, or suspend policies and practices referred to [in] the Agreement in case of emergency. An ‘emergency’ shall be a natural disaster o[r] great public calamity as described in Government Code Section 53021, paragraph (c). If an emergency is declared, the District agrees to immediately notify and consult with the Federation.”

WHEREAS, Government Code Section 53021, paragraph (c) refers to Government Code Section 8558 (c), which defines a “local emergency” to include “the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as . . . epidemic . . . or disease”

WHEREAS, Article III of the Agreement between the Compton Community College District and the Compton Community College Federation of Employees (Classified Unit) (“Classified

Agreement”) provides that “the District retains all of its powers and authority to direct, manage, and control District affairs to the full extent of the law. Included, but not limited in those duties and powers, are the exclusive right to . . . take action in the event of an emergency. An emergency shall be defined as a natural or man-made disaster, or imminent disaster, which imperils or threatens to imperil the personnel or property of the District, such as fire, flood, earthquake, riot, bomb threat, or nuclear fallout or holocaust.”

WHEREAS, the Board is not aware of any student or employee of the District having contracted coronavirus (COVID-19), but nevertheless deems it necessary to plan for this eventuality.

WHEREAS, Education Code section 70902 permits the Board to delegate certain of the Board’s powers and duties, and the Board desires to delegate to the President/CEO certain powers and duties to address the Coronavirus (COVID-19) pandemic.

WHEREAS, Education Code sections 81655 and 81656 specifically authorize the Board to broadly delegate its power to contract or purchase, subject to specified limitations.

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Board hereby declares the coronavirus (COVID-19) pandemic constitutes an ongoing public health emergency, and an emergency within the meaning of Government Code Sections 8558(c) and 3100 et seq..

BE IT FURTHER RESOLVED AND ORDERED the Board further declares this pandemic constitutes an “emergency” for purposes of the Faculty Agreement and Classified Agreement, and directs the President/CEO to notify both unions of this Emergency Resolution.

BE IT FURTHER RESOLVED AND ORDERED the President/CEO is hereby delegated authority to take all appropriate action to respond to the coronavirus (Covid-19) pandemic, including, but not limited to, any action:

- A. To ensure and protect the welfare, safety and educational wellbeing of all students;
- B. To ensure and protect the welfare and safety of persons working for the District which shall include its agents, employees, representatives and all others acting for or on behalf of the District;
- C. To provide necessary staffing and instruction;
- D. To modify school and work schedules;
- E. To declare an emergency pursuant to Government Code § 3100 et seq., and to assign District employees (in their capacity as disaster service workers) to perform such disaster service activities as may be assigned to them;
- F. To request approval for a temporary blanket Distance Education Addendum from the state Chancellor’s Office;
- G. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of the District.
- H. **BE IT FURTHER RESOLVED AND ORDERED** the President/CEO

- I. To grant or revoke use of District facilities, including, but not limited to, any use under the Civic Center Act (pursuant to Administrative Procedure 6700).
- J. To protect District property.
- K. To execute an emergency contract, excluding a public works contract, as may be necessary, in an amount not to exceed the applicable Annual Bid Threshold Limit for Contracts awarded without competitive bidding, which amount is ninety-five thousand, two hundred dollars (\$95,200) subject to board review within sixty (60) days.
- L. To execute an emergency public works contract, as may be necessary, in an amount not to exceed the Annual Bid Threshold Limit for Contracts awarded without competitive bidding, which amount is fifteen thousand dollars (\$15,000) subject to board review within sixty (60) days.
- M. To execute an emergency contract, including a public works contract, as may be necessary, without limit as to time, money, or subject matter, which contract shall be valid and binding upon board approval or ratification pursuant to Education Code section 81655.
- N. To make further declarations of emergency and to take any and all emergency action as permitted by law.

BE IT FURTHER RESOLVED AND ORDERED that should any portion of this Resolution be held invalid, the invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provisions or application, and to this end the provisions of this Resolution are declared to be severable.

BE IT FURTHER RESOLVED AND ORDERED that this Resolution is an emergency measure within the mandate and jurisdiction of the Board and is necessary for the immediate welfare of the District and pupils thereof. Therefore, this Resolution shall become effective immediately upon its adoption and shall remain in effect until repealed by formal Board action.

PASSED AND ADOPTED by the following vote of the Board of Trustees of the Compton Community College District, State of California, on March 17, 2020.

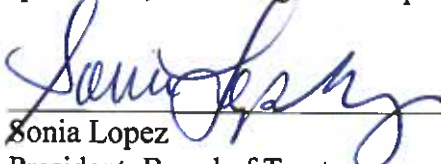
AYES: 04

 NOES: 0

 ABSENT: 01

BE IT FURTHER RESOLVED AND ORDERED the President/CEO is directed to promptly notify the Board of any actions taken on the basis of this Resolution.

BE IT FURTHER RESOLVED AND ORDERED the President/CEO is directed to maintain ongoing consultation with CCCFE (Certificated and Classified Units) regarding the District's response to the coronavirus (COVID-19) pandemic, including the implementation of this Resolution.



Sonia Lopez
President, Board of Trustees
Compton Community College District