

**RESOLUTION  
OF THE GOVERNING BOARD OF THE  
SANTA BARBARA COMMUNITY COLLEGE DISTRICT**

**DECLARING AN EMERGENCY AND GRANTING EMERGENCY  
AUTHORITY TO THE SUPERINTENDENT/PRESIDENT TO  
PREPARE AND RESPOND EFFECTIVELY TO  
NOVEL CORONA VIRUS (COVID-19)**

**WHEREAS**, on March 13, 2020, the President of the United States declared a State of Emergency due to the outbreak and spread of novel coronavirus (COVID-19); and

**WHEREAS**, on March 4, 2020, the Governor of California declared a State of Emergency due to outbreak and spread of novel coronavirus (COVID-19); and

**WHEREAS**, on March 19, 2020, The Governor of California issued an Order to comply with California State Public Health Directives directing individuals living in California to stay at home except as needed to maintain continuity of operations of critical infrastructure and at all times practice social distancing; and

**WHEREAS**, it is imperative that the District implement measures and prepare for and respond to potential further spread of novel coronavirus (COVID-19) and support our community healthcare system and responders; and

**WHEREAS**, strict compliance with various district board policies and administrative procedures would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of novel coronavirus (COVID-19); and

**WHEREAS**, Section 1102 of the Public Contract Code defines “emergency” to mean “sudden, unexpected occurrence that poses clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

**WHEREAS**, under California Public Contract Code Section 20654, 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 county superintendent of schools, during only the timeframe of this state of emergency do the following; make a contract in writing or otherwise on behalf of the district for performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bid; and

**WHEREAS**, with the guidelines provided by Governor Newsom it is imperative that employees be allowed to take a leave of absence due to being quarantined, in hospital or sick from the Coronavirus or illnesses with similar symptoms (e.g. cough, fever, shortness of

breath) during this state of emergency, and social distancing be maintained; and

**WHEREAS**, Education Code 70902 subdivision (d) allows the Board to delegate authority to the Superintendent/President except for nondelegable powers and requires that any delegation prescribe the limits of the delegation; and

**NOW, THEREFORE BE IT RESOLVED** that the Board of Trustees of the Santa Barbara Community College District;

- 1) Determines that the circumstances described in this Resolution constitute an emergency; and
- 2) By unanimous vote pursuant to Section 20654 of the Public Contract Code and subject to the approval of the Santa Barbara County Superintendent of Schools authorizes the Superintendent/President to take the actions allowed under section 20654; and
- 3) Authorizes the Superintendent/President and/or his designee, to take any and all actions necessary to protect safety and ensure the continuation of public education to the extent feasible, including, but not limited to repurposing school facilities and personnel to assist the medical system and first responders, relocation of students and staff; canceling or modifying any activities, programs, or courses; relaxing or waiving specific provisions of board policies and administrative procedures; to provide alternative educational program options; to contract for special services; and
- 4) Provides leave of absence pay to employees without affecting their leave benefits accrued under Education Code Sections 87765 or 88199, if the absence is due to the employee's or any of their cohabitants quarantine or self-quarantine associated with novel coronavirus (COVID-19) or illnesses with similar symptoms (cough, fever, shortness of breath); and
- 5) Authorizes the Superintendent/President and/or appropriate governmental authorities to direct employees to serve as disaster service workers pursuant to Government Code 3100, and/or to make alterations, repairs or improvements to school property to respond or assist healthcare entities or other responders to respond to the emergency.

**IT IS FURTHER RESOLVED** that

- 1) The Superintendent/President shall timely report to the Board of Trustees all actions taken under the authority of this Resolution; and
- 2) Such authorization shall not abrogate the terms and conditions of any collectively bargained agreement, nor shall such actions violate state collective bargaining statutes. The District is committed to working closely with all collective bargaining agents and the Academic Senate as it deals with the complicated and varied employment and 10+1 questions that will arise in the coming weeks, specifically how the transition to a distance education, respectively work-from-home environment will impact its students, faculty and staff; and

- 3) Nothing in this Resolution is intended to override or conflict with statutes or regulations that do not by their terms provide for such action by the Board; and
- 4) It is the intent of the Board to work closely with the Superintendent/President, and that the District work proactively and cooperatively with its employees, students, and community entities to protect public health and, to the extent feasible, continue its educational mission.

**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 students thereof. Therefore, this resolution shall become effective immediately upon its adoption and shall remain in effect until repealed by formal Board action or the California State of Emergency is ended.

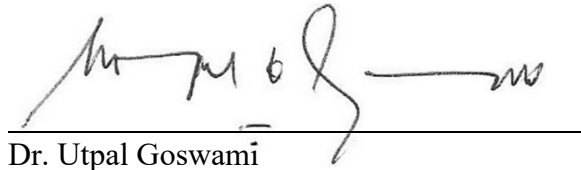
**PASSED AND ADOPTED** by the Board of Trustees of the Santa Barbara Community College District this 23<sup>rd</sup> day of March 2020, by the following vote:

Ayes: Trustee Nielsen, Trustee Croninger, Trustee Miller, Trustee Parker, Trustee Haslund, Trustee Abboud, Trustee Gallardo.

Noes: None

Abstentions: None

Concur: Student Trustee Igbechi



Dr. Utpal Goswami  
Superintendent/President and  
Secretary/Clerk to the Board of Trustees