



RESOLUTION NO. 031420-A

AUTHORIZED
MAR 14 2020
BY BOARD ACTION

**AN EMERGENCY RESOLUTION OF THE LONG BEACH UNIFIED SCHOOL DISTRICT
DELEGATING AUTHORITY TO 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), and;

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health declared a local and public health emergency as part of broader preparedness efforts related to novel coronavirus, or COVID-19, and;

WHEREAS, on March 12, 2020, Governor Newsom issued an executive order directing Californians to cancel large public gatherings (over 250 people) and to enforce social distancing, and;

WHEREAS, Article I, Section 28, of the California Constitution declares that “[a]ll students and staff of public, primary, elementary, junior high, and senior high school have the inalienable right to attend campuses which are safe, secure and peaceful”, and;

WHEREAS, strict compliance with various statutes and regulations would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of COVID-19, and;

WHEREAS, it is imperative to prepare for and implement measures to respond to the potential spread of COVID-19, and;

WHEREAS, it is imperative to have the tools to ensure the health and safety of students, staff, and families on our campuses, and;

WHEREAS, it is imperative to have the tools to ensure student learning continues if student education needs to be conducted from alternate locations or virtual learning environments, and;

WHEREAS, in light of up to date and recent advice and consent of the State Department of Education and public health officials, the Superintendent appropriately announced on March 13, 2020 a closure of schools from March 16 with school resuming on April 20 in order to comply with state and county directives as well as Article I, Section 28 of the California Constitution, and;

WHEREAS, Education Code section 35161 permits the Board to delegate to an officer or employee of the District any of the Board’s powers and duties, and the Board desires to delegate to the District Superintendent certain powers and duties to address the Coronavirus (COVID-19) pandemic, and;

WHEREAS, an emergency as defined in California Government Code section 54956.5(a)(1) exists in that COVID-19 severely impairs public health and safety, thereby authorizing this Resolution to be adopted in an Emergency Meeting.

NOW, THEREFORE, BE IT RESOLVED:

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Board hereby determines that the circumstances described herein and as they continue to evolve constitute an emergency condition and declares the existence of an ongoing public health emergency within the District arising from the coronavirus (COVID-19) pandemic.

BE IT FURTHER RESOLVED that the Board hereby ratifies the Superintendent's March 13, 2020 decision to temporarily close all schools in the District.

BE IT FURTHER RESOLVED AND ORDERED the Superintendent is delegated authority to take any and all appropriate action to respond to the coronavirus (COVID-19) pandemic, including, but not limited to, any and all actions:

- A. To ensure and protect the welfare, safety and educational well-being 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 ensure the continuation of public education;
- D. To provide alternative educational program options;
- E. To provide necessary staffing and instruction;
- F. To modify school and work schedules;
- G. To provide a paid leave of absence to employees due to quarantine or recently returning from level 3 countries or sick from COVID-19 or cohabitates with any individuals diagnosed with COVID-19 without any impact to their salary and benefits pursuant to Education Code sections 44964 and 45199;
- H. To modify the delivery methods of instruction;
- I. 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;
- J. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of the District;
- K. To protect District property;
- L. To make further declarations of emergency and to take emergency action as permitted by law;
- M. To provide meals for children who qualify;

- N. To seek all County, State and Federal aid to assist with these mandates;
- O. To make a determination to re-open schools when the Superintendent deems it appropriate and safe to do so.

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 schools 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 Education of the Long Beach Unified School District, County of Los Angeles, State of California on March 14, 2020.

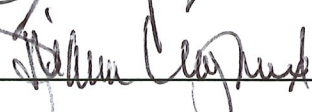
BOARD OF EDUCATION OF THE
LONG BEACH UNIFIED SCHOOL DISTRICT
OF LOS ANGELES COUNTY, CALIFORNIA

By: 

President

By: 

Vice-President

By: 

Member

By: 

Member

By: 

Member

APPROVED: 
SUPERINTENDENT OF SCHOOLS

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AYES	<u>5</u>
NOES	<u>0</u>
ABSENT	<u>0</u>
ABSTAIN	<u>0</u>