BEFORE THE BOARD OF TRUSTEES OF THE
JEFFERSON ELEMENTARY SCHOOL DISTRICT

EMERGENCY RESOLUTION No. 2020-04-01
RESOLUTION 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).

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.

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency arising from the coronavirus (COVID-19).

WHEREAS, on March 13, 2020, James Mousalimas, the San Joaquin County Superintendent of Schools, issued a written directive advising all school districts to prepare for school closures resulting from the coronavirus (COVID-19) outbreak.

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."

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.

NOW, THEREFORE, BE IT RESOLVED:

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Board hereby declares the existence of an ongoing public health emergency within the District arising from the coronavirus (COVID-19) pandemic.

BE IT FURTHER RESOLVED AND ORDERED the Superintendent is 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 cancel or modify any activities, programs, or courses, up to and including the temporary closure of the District.

G. To protect District property.

H. To make further declarations of emergency and to take 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 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 Jefferson Elementary School District, County of San Joaquin, State of California on April 21, 2020.

AYES: _____

NOES: _____

ABSENT:_____

_____
President, Board of Trustees
Jefferson Elementary School District