

LOS RIOS COMMUNITY COLLEGE DISTRICT

SPECIAL BOARD MEETING NOTICE

Tuesday, March 17, 2020
4:30 pm

MEETING LOCATION:

Los Rios Community College District
Board Room
1919 Spanos Court
Sacramento, CA 95825

Zoom Teleconference Access (Open to the Public):

<https://cccconfer.zoom.us/j/135775692>

(669) 900 6833

Meeting ID: 135 775 692

1. CALL TO ORDER

Board President

2. ORAL COMMUNICATIONS

The public may comment on any items within the Board's jurisdiction, even if the items are not on the agenda only during this portion of the meeting. However, the law prohibits action by the Board on non-agenda items. A yellow "Speaker's Card" must be submitted to the clerk of the board and comments are limited to three (3) minutes.

3. SPECIAL BOARD ACTION

A. Resolution No. 2020-02: The Board of Trustees of the Los Rios Community College District Declares Emergency Conditions and Takes Additional Action in Response to the Threat of COVID-19

Brian King

4. ADJOURNMENT

LOS RIOS BOARD OF TRUSTEES

Dustin Johnson
President ▪ Area 1

Deborah Ortiz
Vice President ▪ Area 6

Robert Jones ▪ Area 2
John Knight ▪ Area 3
Vacant ▪ Area 4

Pamela Haynes ▪ Area 5
Tami Nelson ▪ Area 7
Isabella-Marie Engel ▪ Student Trustee

Regular Board Meetings are generally held every second Wednesday of the month at 5:30 pm ▪ *Note:* Meeting times and locations are subject to change. For current information, call the District Office at (916) 568-3021.

Next Meeting: April 15, 2020 ▪ Regular Board Meeting ▪ Location: District Office

Public records provided to the Board for the items listed on the open session portion of this agenda are available at the District Office located at 1919 Spanos Court, Sacramento, CA, during normal business hours. The Board agenda is posted on the District's website: www.losrios.edu

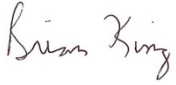
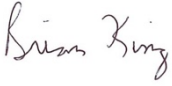
Help Us Help You

Los Rios Community College District strives to make reasonable accommodations in all of its programs, services and activities for all qualified individuals with disabilities. Notification (568-3021) 48 hours in advance will enable the District to make arrangements to ensure meeting accessibility. When you arrive, please contact a staff member if you need assistance (Pursuant to Govt Code § 54954.2).

LOS RIOS COMMUNITY COLLEGE DISTRICT

PRESENTED TO BOARD OF TRUSTEES

DATE: March 17, 2020

SUBJECT:	Resolution No. 2020-02: The Board of Trustees of the Los Rios Community College District Declares Emergency Conditions and Takes Additional Action in Response to the Threat of COVID-19	ATTACHMENT: Yes	
		ENCLOSURE: None	
AGENDA ITEM:	Action Item A	TYPE OF BOARD CONSIDERATION:	
RECOMMENDED BY:	Brian King, Chancellor 	CONSENT/ROUTINE	
		FIRST READING	
APPROVED FOR CONSIDERATION:	Brian King, Chancellor 	ACTION	X
		INFORMATION	

BACKGROUND:

In December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was identified and has impacted more than 75 countries including the United States. On March 4, 2020, Governor Gavin Newsom declared a State of Emergency to enable state and local agencies to more effectively respond to the threat of COVID-19. Additionally, on March 5, 2020, the Sacramento County Public Health Official declared a local health emergency in response to COVID-19, which was unanimously ratified by the Sacramento County Board of Trustees. On March 13, 2020, the President of the United States declared a national emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

STATUS:

On March 12, 2020, the Chancellor, in consultation with District leaders, determined that student face-to-face instruction and services would cease in the Los Rios Community College District at the end of the day on March 12, 2020, and that the District would work to transition to remote operations effective March 18, 2020. Remote operations will continue into the indefinite future in order to protect the health and safety of the District’s students and staff and ensure the continuity of education to as many of our students as possible. This immediate action is required by the emergency conditions facing the United States, California and the counties served by the District. This action requires significant flexibility and cooperation between all of the District’s constituencies.

In these unprecedented circumstances, the declaration of an emergency by the Board of Trustees will:

1. Authorize the Chancellor or designee to take any and all actions necessary to ensure the continuation of public education through remote operations or other methods as appropriate, and preserve the health and safety of the District’s students and staff, including, but not limited to:
 - a. the relocation of students and staff;

- b. the provision of alternative educational program and operational options including, without limitation, temporarily transitioning courses, instruction and other operations to remote operations in an online and/or telecommuting environment and mode of operation;
 - c. As necessary and appropriate, direct faculty and staff to serve as disaster service workers pursuant to Government Code 3100; and/or
 - d. As necessary and appropriate, make required alterations, repairs or improvements to school property, services and programs.
- 2. Authorize, by unanimous vote, under the provisions of section 20654 of the California Public Contract Code, the Chancellor and/or designee(s):
 - a. To enter into any and all contracts necessary, without advertising or inviting bids, and for any dollar amount necessary to respond to the emergency conditions at the District sites, including, but not limited to: the relocation of students and staff; continued instruction of students; maintenance of supplies, instructional materials, operational support supplies, equipment in support of virtual learning, and provision of additional personnel; and
 - b. The flexibility with use of District faculty and staff, notwithstanding section 20655 of the California Public Contract Code, to enable and support the District campuses and facilities; and
 - c. To obtain permission for any of the above from the county superintendent of schools to the extent required by section 20654 of the California Public Contract Code.

RECOMMENDATION:

It is recommended that the Board of Trustees approve Resolution 2020-02 declaring emergency conditions exist and authorizing the Chancellor, or designee, to take the actions permitted in that Resolution.

LOS RIOS COMMUNITY COLLEGE DISTRICT

American River ▪ Cosumnes River ▪ Folsom Lake ▪ Sacramento City Colleges

RESOLUTION

№ 2020-02

The Board of Trustees of the Los Rios Community College District Declares Emergency Conditions and Takes Additional Action in Response to the Threat of COVID-19

WHEREAS on January 23, 2020, the Centers for Disease Control activated its Emergency Response System to provide ongoing support for the response to a novel coronavirus (COVID-19) across the country; and

WHEREAS on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency due to the outbreak and spread of to make additional resources available, formalize emergency actions already underway, and to help the state prepare for the broader spread of COVID-19; and

WHEREAS, on March 5, 2020, the Sacramento County Public Health Officer proclaimed a public health emergency in response to COVID-19; and on March 10, 2020, The Sacramento Board of Supervisors unanimously ratified the Proclamation to enable the County to more effectively respond to future cases of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a worldwide pandemic; and

WHEREAS, as of March 11, 2020, the President of the United States has restricted travel to and from certain countries around the world; and

WHEREAS, as of March 12, 2020, the COVID-19 pandemic is a dynamic situation that is changing by the minute with varying current and future impacts on local, state, national, and global communities and governments that include public health emergencies, restrictions on movement, and anticipated economic setbacks; and

WHEREAS, on March 12, 2020, the Governor of California issued further Executive Order N-25-20 because despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, guidance provided to institutions of higher education throughout California and the United States considers the temporary transition of courses, instruction, and other operations to an online and/or telecommuting environment to be an effective measure against the threat of COVID-19; and, in accordance with that guidance, various institutions of higher education, including community college districts within the state of California, have or are planning to temporarily transition courses, instruction, and other operations to an online and/or telecommuting environment; and

WHEREAS, strict compliance with various statutes, regulations and contractual agreements could prevent, hinder or delay appropriate actions on the part of the District to prevent and mitigate the effects of COVID-19; and

WHEREAS, it is imperative for the Los Rios Community College District (District) to prepare for and implement measures to respond to the threat and potential spread of COVID-19; and

WHEREAS, it is imperative that the District's Chancellor have the tools necessary to ensure the health and safety of students and staff on campuses and other District facilities, to ensure that student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and

WHEREAS, District Unit Collective Bargaining Agreements contain provisions that allows for the amendment, modification, or rescinding of the policies and practices under those Agreements in cases of an emergency; and

WHEREAS, Section 8558 subdivision (b) of the Government Code defines "state of emergency" to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission; and

WHEREAS, 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

California Code of Regulations 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;” 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 a community college to permit the continuance of existing community college 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 bids; and, notwithstanding California Public Contract Code section 20655.

WHEREAS, 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 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 section 3100; and

NOW, THEREFORE BE IT RESOLVED, that the Los Rios Board of Trustees (Board of Trustees) hereby determines that the circumstances described in this Resolution constitute an emergency for purposes of, including, but not limited to the Education Code, Government Code, Public Contract Code, and the Los Rios Community College District’s Collective Bargaining Agreements; and

BE IT FURTHER RESOLVED, that the Board of Trustees authorizes the Chancellor and/or designee to take any and all actions necessary to ensure the continuation of public education through remote operations or other methods as appropriate, and preserve the health and safety of the District’s students and staff, including, but not limited to: (a) the relocation of students and staff, (b) provision of alternative educational program and operational options including, without limitation, temporarily transitioning courses, instruction and other operations to remote operations in the online and/or telecommuting environment, (c) directing faculty and staff to serve as disaster service workers pursuant to Government Code 3100, and/or (d) make alterations, repairs or improvements to school property, services and programs.

BE IT FURTHER RESOLVED, that the District is committed to working closely with all collective bargaining units, the Academic Senate, the Classified Senates, and any other appropriate District constituencies, as it deals with the complicated and varied questions that will arise in the coming weeks and how a transition to a remote operations environment will impact its students, faculty and staff.

BE IT FURTHER RESOLVED that this resolution shall remain in effect until rescinded by majority vote of the Board of Trustees.

PASSED AND ADOPTED as Los Rios Community College District Resolution No 2020-02 this seventeenth day of March, 2020, by the following called vote:

AYES	NOES	ABSENT
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Attest:

Deborah Ortiz,
Board Vice President

Brian King,
Chancellor and Secretary to the Board