

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT**

**TO:** Board of Trustees

**FROM:** Jose F. Torres, Interim Chancellor

**REVIEWED BY:** Jose F. Torres, Interim Chancellor

**PREPARED BY:** Stacey K. Nikac, Administrative Officer

**DATE:** March 17, 2020

**SUBJECT:** Approval to Adopt Resolution #2020-03-17-BOT01 COVID-19

**RECOMMENDATION**

It is recommended that the Board of Trustees adopt resolution #2020-03-17-BOT01 COVID-19, authorizing the District to prepare and respond effectively to the Novel Coronavirus (COVID-19).

**OVERVIEW**

Authorizes the Interim Chancellor and/or his designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District Sites, including, but not limited to: the relocation of students and staff, provision of alternative educational program options, provision of leave of absence to employees with pay due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or co-habitants of any individuals without any impact to their benefit time pursuant to Education Code sections 87765 and 88199, directing staff to serve as disaster service workers pursuant to Government Code 3100, and/or make alterations, repairs or improvements to school property.

**ANALYSIS**

Declaring Emergency Conditions exist at SBCCD and authorization to take any and all necessary actions to prepare and respond effectively to the Novel Coronavirus (COVID-19). Additionally, requesting a resolution that allows the Chancellor to enter into necessary contracts and respond to emergency conditions at District sites in accordance with Public Contract Code.

**INSTITUTIONAL VALUES**

- I. Institutional Effectiveness
- II. Learning Centered Institution for Student Access, Retention, and Success
- III. Resource Management for Efficiency, Effectiveness, and Excellence
- IV. Enhanced and Informed Governance and Leadership

**FINANCIAL IMPLICATIONS**

Unknown at this time.

**Resolution #2020-03-17-BOT01 of the Board of Trustees  
San Bernardino Community College District**

**AUTHORIZATION NEEDED TO TAKE ANY AND ALL NECESSARY ACTIONS TO PREPARE AND RESPOND EFFECTIVELY TO THE NOVEL CORONAVIRUS (COVID-19) RESOLUTION BY THE SAN BERNARDINO COMMUNITY COLLEGE DISTRICT (SBCCD) BOARD OF TRUSTEES DECLARING EMERGENCY CONDITIONS EXIST AT SAN BERNARDINO VALLEY COLLEGE AND CRAFTON HILLS COLLEGE**

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

**WHEREAS**, as of March 12, 2020, there are 198 cases reported of COVID-19 in California, 7 cases in Riverside County, 0 cases in San Bernardino County, and officials expect the number of cases to increase; 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**, it is imperative that employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or sick from Coronavirus or illnesses with similar symptoms (e.g., cough, fever, shortness of breath); and

**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 State 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 3100; 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 21060.3 of the

Public Resources Code and California Environmental Quality Act Guidelines 14 CCR 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. 'Emergency' includes such occurrences as fire, flood, earthquake, or other soil or geological movements, as well as such occurrences as riot, accident, or sabotage."

**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 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 bid; and

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees of the San Bernardino Community College District:

(1) Determines that the circumstances described in the Resolution herein constitute an emergency condition; and

(2) By unanimous vote pursuant to section 20654 of the Public Contract Code and subject to approval by the San Bernardino County Superintendent of Schools authorizes the flexibility of M&O, to respond to the emergency conditions at District Sites; and

(3) Authorizes the Interim Chancellor and/or his designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District Sites, including, but not limited to: the relocation of students and staff, provision of alternative educational program options, provision of leave of absence to employees with pay due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or co-habitants of any individuals without any impact to their benefit time pursuant to Education Code sections 87765 and 88199, directing staff to serve as disaster service workers pursuant to Government Code 3100, and/or make alterations, repairs or improvements to school property.

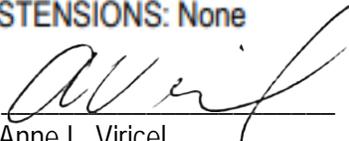
PASSED AND ADOPTED this 17<sup>th</sup> day of March 2020 by the following votes:

**AYES: Viricel, Houston, Harrison, Longville, Reyes, Singer, Williams, Mariscal-Medina, Gerard**

**NOES: None**

**ABSENT: None**

**ABSTENSIONS: None**

By:   
Dr. Anne L. Viricel  
Chair, Board of Trustees  
San Bernardino Community College District

Attested to:   
Gloria Macias Harrison  
Clerk, Board of Trustees  
San Bernardino Community College District