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Resolution No. 2022/23-10
Date: July 27, 2022

Emergency Resolution Delegating Authority To The Superintendent To Take Necessary Action To Protect Students And Staff From The Spread Of Coronavirus (COVID-19)

WHEREAS, on March 2, 2020, the Sonoma County Department of Public Health declared the existence of a local and public health emergency arising from the coronavirus (COVID-19); and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and **WHEREAS**, the Sonoma County Office of Education has advised all school districts to prepare for school closures resulting from the coronavirus (COVID-19) outbreak; 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, the Sonoma County Department of Public Health and the Sonoma County Office of Education issued guidance on March 14, 2020, regarding enhanced measures to prevent the spread of the coronavirus (COVID-19) outbreak, which included measures such as social distancing, canceling or postponing large gatherings, and the recommendation to suspend “in-person classes”; and

WHEREAS, on March 19, 2020, Governor Gavin Newsom issued a Stay at Home Order for the State of California; and

WHEREAS, on August 2, 2021, the California Department of Public Health issued a statement requiring all students and staff to wear masks indoors, unless exempted; and

WHEREAS, on March 7, 2022, the California Department of Public Health issued a statement transitioning its statewide universal indoor masking requirement in K-12 school settings to a strong recommendation that individuals (e.g., students and staff) continue to wear masks indoors; 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, 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 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 Governing Board of Santa Rosa City Schools, County of Sonoma, State of California on July 27, 2022.

Stephanie Manieri, Clerk of the Board

Date