

**SAN MATEO – FOSTER CITY SCHOOL DISTRICT
RESOLUTION NO. 25/19-20
RESOLUTION OF EMERGENCY – RELATING TO COVID-19**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from COVID-19.

WHEREAS, on March 10, 2020, the San Mateo County Health Officer declared a local health emergency arising from COVID-19, and the San Mateo County Board of Supervisors ratified and extended that declaration.

WHEREAS, on March 12, 2020, Governor Newsom issued an executive order directing Californians to cancel large public gatherings and to practice social distancing.

WHEREAS, on March 13, 2020, the San Mateo County Health Officer issued a School Operations Modification Order requiring all schools to dismiss students from regular attendance from March 16 through April 3, 2020 (subject to amendment) due to the COVID-19 outbreak.

WHEREAS, on March 14, 2020, the San Mateo County Office of Public Health issued an Order of the Public Health Officer, imposing a mandatory moratorium countywide on gathers of more than 50 persons, and a conditional countywide moratorium on gatherings of fewer than persons, to mitigate the spread of COVID-19.

WHEREAS, on March 16, 2020, the San Mateo County Office of Public Health issued an Order of the Public Health Officer requiring all individuals in the County to shelter-in-place with the exception of essential activities.

WHEREAS, the San Mateo County Office of Public Health has reported that numerous persons in San Mateo County have contracted COVID-19 and the full extent to which members of the San Mateo County community have contracted COVID-19 is unclear.

WHEREAS, throughout this public health emergency, the San Mateo County Superintendent of Schools has encouraged the San Mateo County school districts to prepare and implement plans for school closures and has circulated guidance on measures districts should take to reduce the spread of COVID-19 in their schools, ensure the continued delivery of education to their students, and generally protect the health, and welfare of their students, families, employees and communities; and

WHEREAS, Education Code section 35161 grants a school district's governing board broad authority to delegate any of its powers or duties to an officer or employee of the district; and

WHEREAS, pursuant to Education Code section 35161, the Board of Education (Board) of the San Mateo – Foster City School (District) has delegated to the Superintendent of the District the authority to implement and oversee those measures which, in the determination of the Board and the Superintendent, will protect the District during the COVID-19 pandemic and to spend District funds needed to execute such measures, so long as those measures are not inconsistent with the purpose of any expended funds.

NOW THEREFORE, BE IT RESOLVED that the Board of Education of the San Mateo – Foster City School District:

1. Determines that the circumstances described herein constitute an emergency condition or situation.
2. Delegates to the Superintendent authority to take all necessary and appropriate action, upon duly notifying the Board, to protect the District during the COVID-19 pandemic, including, but not limited to, any action:
 - A. To ensure and protect the welfare, safety and educational well-being of all students;
 - B. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of schools and program sites.
 - C. To protect District property.
 - D. To make further declarations of emergency and to take emergency action as permitted by board policy and relevant law.
3. Authorizes the Superintendent to determine, upon duly notifying the Board and in accordance with relevant state and local guidance, when schools should be reopened because emergency conditions no longer exist and to take action to reopen schools.
4. Authorizes the Superintendent, upon duly notifying the Board and in the event that emergency conditions reemerge after schools have reopened, to take such further actions as may be necessary to protect student and staff health and safety, including, but not limited to, closing District schools that have been reopened, adjusting or reducing the length of the school day without further approval, or any other such action as may be necessary and prudent to protect the health and safety of District students and staff.

BE IT FURTHER RESOLVED 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 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 at a meeting of the Board of Education of the San Mateo – Foster City School District on April 23, 2020.

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

_____ Noelia Corzo, President San Mateo – Foster City School District Board of Education
