

MODESTO CITY SCHOOLS

Resolution No. 19/20-22

IN THE MATTER OF: RESOLUTION REPEALING DELEGATION OF AUTHORITY.

The following RESOLUTION was duly passed by the Board of Trustees, at a meeting held on June 8th, 2020, by the following roll call vote:

Cindy Marks	_____
Dr. Charlene West	_____
Chad Brown	_____
John Ervin, III	_____
Adolfo Lopez	_____
Amy Elliott Neumann	_____
John Walker	_____

Signed and approved by me after its passage:

Cindy Marks, President

Attest:

Clerk

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.

WHEREAS, Education Code section 17604 authorizes the Board, by a majority vote, to delegate to the District’s Superintendent, or to such persons as the Superintendent may designate, the authority to enter into contracts subject to the provision that “no contract made pursuant to the delegation and authorization shall be valid or constitute an enforceable obligation against the district unless and until the same shall have been approved or ratified by the governing board, the approval or ratification to be evidenced by a motion of the board duly passed and adopted.”

WHEREAS, on March 18, 2020, the Board adopted Resolution No. 19/20-17 delegating authority to the Superintendent to take all appropriate action to respond to the coronavirus (Covid-19) pandemic.

WHEREAS, Resolution No. 19/20-17 provided that the Resolution was an emergency measure that would remain in effect until repealed by formal Board action.

NOW THEREFORE, BE IT RESOLVED AND ORDERED the Superintendent has made a determination in consultation with the Board President that the authority delegated under Resolution No. 19/20-17 is no longer needed at this time.

BE IT FURTHER RESOLVED AND ORDERED that the Board hereby repeals the authority delegated by Resolution No. 19/20-17.

BE IT FURTHER RESOLVED AND ORDERED that the Board will continue to monitor the situation and may consider a resolution in the future as an emergency measure should circumstances so warrant.