

RESOLUTION NO. 21-04

A RESOLUTION OF THE BOARD OF TRUSTEES PASO ROBLES JOINT UNIFIED SCHOOL DISTRICT AUTHORIZING RESTRICTION ON FACILITIES USE TO LIMIT THE SPREAD OF CORONAVIRUS (COVID-19)

WHEREAS, on March 4, 2020, Governor Gavin Newsom (the Governor”) declared a statewide emergency arising from the spread of the 2019 Novel Coronavirus (COVID-19); and

WHEREAS, on March 11, 2020, the World Health Organization classified COVID-19 as a global pandemic; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency arising from the COVID-19 pandemic; and

WHEREAS, on March 18, 2020, the County of San Luis Obispo Emergency Services Director issued a shelter-in-place order (“County Shelter-in-Place Order”), directing individuals to self-isolate in their residences to the maximum extent feasible in order to slow the spread of COVID-19, except as needed to perform essential activities, or to provide any services necessary to the operations and maintenance of the essential infrastructure; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, due to the COVID-19 pandemic, directing Californians to shelter in place, to avoid any non-essential activities, and to implement social distancing of at least six feet from any other person when outside their place of residence; and

WHEREAS, beginning March 27, 2020, the District closed all school sites and suspended in-person instruction indefinitely pursuant to Board Policy 3516.5, in order to ensure and protect the welfare, safety, and educational wellbeing of all students and staff, and to prevent the further spread of COVID-19; and

WHEREAS, on July 13, 2020, following a significant increase in new cases of COVID-19, the Governor ordered designated businesses to close once again across the State of California, and expanded the closure of indoor operations in counties on the COVID-19 County Data Monitoring Project watch list; and

WHEREAS, on July 16, 2020, the California Department of Public Health placed San Luis Obispo County on the COVID-19 County Data Monitoring Project watch list in response to elevated disease transmission within the County; and

WHEREAS, Board Policies 0450 and 3516 provide direction on the creation of the District’s comprehensive safety plan and the District’s emergencies and disaster preparedness plan, which provide reasonable steps to prevent and/or mitigate the impact of an emergency on District students, staff, and schools; and

WHEREAS, consistent with guidance from state and local officials, the Chief Business Official and the District Board of Trustees (the “Board”) are developing a comprehensive safety plan to address COVID-19 and the reopening of schools for the 2020-2021 school year; and

WHEREAS, the Civic Center Act (“Act”) (Ed. Code § 38130, *et seq.*) ordinarily authorizes community groups to use public school facilities when those facilities are not utilized for school activities; and

WHEREAS, Education Code section 38133(b) says: “The management, direction, and control of school facilities under [the Civic Center Act] are vested in the governing board of the school district which shall promulgate all rules and regulations necessary to provide, at a minimum, for the following: ... (b) Preservation of order in school facilities and on school grounds, and protection of school facilities and school grounds ...;” and

WHEREAS, District Board Policy 1330 and its related Administrative Regulation 1330 regulate the non-school use of school facilities and grounds pursuant to the Civic Center Act; 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 hereby desires to delegate to the District’s Chief Business Official certain powers and duties to address the non-school use of District-owned facilities and grounds during the COVID-19 pandemic.

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Board declares that the 2019 Novel Coronavirus (COVID-19) pandemic necessitates the temporary suspension of all non-school use of District-owned facilities and grounds in order to ensure and protect the welfare, safety, and educational wellbeing of all District students and staff, consistent with the District’s comprehensive safety plan. This suspension shall remain in effect until the Chief Business Official determines that the reopening of District-owned facilities and grounds for non-school use is safe and appropriate based on the guidance from federal, state and local officials.

BE IT FURTHER RESOLVED AND ORDERED that the Chief Business Official is hereby delegated the authority to take all appropriate action to permit or otherwise modify use of school facilities and grounds consistent with direction from federal, state and local officials and the District’s comprehensive safety plan.

BE IT FURTHER RESOLVED AND ORDERED that the Chief Business Official is hereby authorized to take all other appropriate actions as necessary to protect District property, ensure and protect the welfare, safety and wellbeing of all District students and staff, and otherwise address the use of District-owned facilities and grounds during the COVID-19 pandemic.

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 Board of Trustees of the Paso Robles Joint Unified School District, Paso Robles, California at a public meeting thereof duly called and held on August 11, 2020 by the following vote: **7-0**

AYES: *Peterson, Summers, Gannon, Gearhart, Bausch, Arend, Ulibarri*

NAYS:

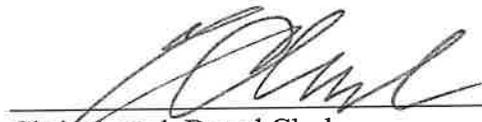
ABSENT:

ABSTAIN:

APPROVED:

By: *A. Ulibarri*
Stephanie Ulibarri, Board President

ATTEST:

By: 
Chris Arend, Board Clerk

I, Chris Arend, Board Clerk of the Board of Trustees of the Paso Robles Joint Unified School District, do hereby certify that the foregoing is a full and correct copy of a Resolution adopted by the Board at a duly called and conducted meeting held on August 11, 2020.