

**SOLANO COMMUNITY COLLEGE DISTRICT  
GOVERNING BOARD**

**The Board of Trustees of the Solano Community College District Declares  
Emergency Conditions and Takes Additional Action in Response to the Threat of  
COVID-19**

**RESOLUTION NO. 19/20-17**

**WHEREAS** on January 23, 2020, the Centers for Disease Control activated its Emergency Response System to provide ongoing support for the response to a novel coronavirus (COVID-19) across the country; and

**WHEREAS** on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

**WHEREAS**, on March 4, 2020, the Governor of California proclaimed a State of Emergency, due to the outbreak and spread of COVID-19, to make additional resources available, formalize emergency actions already underway, and to help the state prepare for the broader spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 to be a worldwide pandemic; and

**WHEREAS**, as of March 11, 2020, the President of the United States restricted travel to and from certain countries around the world; and

**WHEREAS**, as of March 12, 2020, the COVID-19 pandemic is a dynamic situation that is changing by the minute with varying current and future impacts on local, state, national, and global communities and governments that include public health emergencies, restrictions on movement, and anticipated economic setbacks; and

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**WHEREAS**, on March 12, 2020, the Governor of California issued further Executive Order N-25-20 because despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed; and

**WHEREAS**, guidance provided to institutions of higher education throughout California and the United States considers the temporary transition of courses, instruction, and other operations to an online and/or telecommuting environment to be an effective measure against the threat of COVID-19; and, in accordance with that guidance, various institutions of higher education, including community college districts within the state of California, have or are planning to temporarily transition courses, instruction, and other operations to an online and/or telecommuting environment; and

**WHEREAS**, strict compliance with various statutes, regulations and contractual agreements could prevent, hinder or delay appropriate actions on the part of the District to prevent and mitigate the effects of COVID-19; and

**WHEREAS**, it is imperative for the Solano Community College District (District) to prepare for and implement measures to respond to the threat and potential spread of COVID-19; and

**WHEREAS**, it is imperative that the District’s Superintendent-President have the tools necessary to ensure the health and safety of students and staff on campuses and other District facilities, to ensure that student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and

**WHEREAS**, District Unit Collective Bargaining Agreements contain provisions that allows for the amendment, modification, or rescinding of the policies and practices under those Agreements in cases of an emergency; and

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**WHEREAS**, Section 8558 subdivision (b) of the Government Code defines “state of emergency” to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a “state of war emergency,” which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission; 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 section 21060.3 of the Public Resources Code and California Environmental Quality Act Guidelines, 14 California Code of Regulations 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;” and

**WHEREAS**, under California Public Contract Code section 20654, in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of a community college to permit the continuance of existing community college 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 bids; and, notwithstanding California Public Contract Code section 20655.

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**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 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 section 3100; and

**NOW, THEREFORE BE IT RESOLVED**, that the Solano Community College District Board of Trustees (Board of Trustees) hereby determines that the circumstances described in this Resolution constitute an emergency for purposes of, including, but not limited to the Education Code, Government Code, Public Contract Code, and the Solano Community College District’s Collective Bargaining Agreements; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees authorizes the Superintendent-President and/or designee to take any and all actions necessary, expending up to \$500,000, to ensure the continuation of public education through remote operations or other methods as appropriate, and preserve the health and safety of the District’s students and staff, including, but not limited to: (a) the relocation of students and staff, (b) provision of alternative educational program and operational options including, without limitation, temporarily transitioning courses, instruction and other operations to remote operations in the online and/or telecommuting environment, (c) directing faculty and staff to serve as disaster service workers pursuant to Government Code 3100, and/or (d) make alterations, repairs or improvements to school property, services and programs.

**BE IT FURTHER RESOLVED**, that the District is committed to working closely with all collective bargaining units as it deals with the complicated and varied employment questions that will arise in the coming weeks and how a transition to a remote operations environment will impact its students, faculty and staff.

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**BE IT FURTHER RESOLVED** that this resolution shall remain in effect until rescinded by majority vote of the Board of Trustees.

**PASSED AND ADOPTED** as Solano Community College District Resolution No. 19/20-16 this 18th day of March 2020.

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QUINTEN R. VOYCE, PRESIDENT

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CELIA ESPOSITO-NOY, ED.D., SECRETARY

STUDENT TRUSTEE ADVISORY VOTE: Yes

AYES: Board President Voyce, Vice President Honeychurch, Trustee Chapman, Trustee Karah, Trustee Martin, Trustee Thurston, and Trustee Young

NOES: 0

ABSENT: 0

ABSTAIN: 0