

**RESOLUTION OF THE BOARD OF EDUCATION OF THE  
VISTA UNIFIED SCHOOL DISTRICT**

**EMERGENCY RESOLUTION No. 20-30**

**RESOLUTION DELEGATING AUTHORITY TO TAKE NECESSARY ACTION TO PROTECT  
STUDENTS AND STAFF FROM THE SPREAD OF CORONAVIRUS (COVID-19)**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus ("COVID-19");

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 virus a world-wide Pandemic;

**WHEREAS**, on March 12, 2020, Governor Newsom issued Executive Order N-25-20, directing Californians to cancel large public gatherings and to enforce social distancing;

**WHEREAS**, in consultation with local public health agencies and the San Diego County Office of Education, the Vista Unified School District ("District") ordered all schools to close in order to curb the potential transmission of COVID-19, beginning March 16, 2020 through April 3, 2020;

**WHEREAS**, on March 13, 2020, Governor Newsom issued Executive Order N-26-20, specifying the services the District must provide to receive state funding during school closures;

**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 COVID-19 pandemic.

**BE IT FURTHER RESOLVED AND ORDERED** the Superintendent is hereby delegated the authority to take all appropriate action to respond to the 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. By unanimous vote pursuant to section 20113 of the Public Contract Code and subject to approval by the San Diego County Superintendent of Schools, to execute contracts without advertising or inviting bids; and, notwithstanding section 20114, authorize the flexibility of maintenance and operations, to respond to the emergency conditions at District Sites;
- G. To exercise the provisions of California Public Contract Code section 20113 on the determination that an emergency condition exists because of COVID-19 and related extraordinary conditions.
- H. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of any of the District's schools.
- I. To protect District property.
- J. To determine, in consultation with the Board, the reopening of schools when the emergency conditions cease to exist and take such action to reopen schools; and
- K. 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 Board of Education of the Vista Unified School District, County of San Diego, State of California on March 17, 2020.

AYES: 3  
 NOES: 2  
 ABSENT: \_\_\_\_\_

  
 Rosemary Smithfield  
 President

  
 Dr. Matt Doyle  
 Superintendent