

**BY THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT BOARD OF EDUCATION
DECLARING EMERGENCY CONDITIONS EXIST AT SCHOOLS AND OFFICES IN THE DISTRICT AND
GRANTING THE AUTHORIZATION NEEDED TO TAKE ANY AND ALL NECESSARY ACTIONS TO
PREPARE AND RESPOND EFFECTIVELY TO THE NOVEL CORONAVIRUS (COVID-19)**

WHEREAS, the World Health Organization has declared COVID-19 has to be a global pandemic; and

WHEREAS, on March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of a novel coronavirus (COVID-19); and

WHEREAS, as of March 12, 2020, there were cases of COVID-19 in California and 4 cases reported resulting; and

WHEREAS, there have been reported cases in San Diego County, and county, state and federal health officials expect the number of cases to increase; and

WHEREAS, strict compliance with various statutes and regulations would prevent, hinder or delay appropriate action necessary to prevent and mitigate the effects of COVID-19 if no action is taken; and

WHEREAS, it is in the best interests of students, staff and the community to prepare for and implement measures to respond to the imminent potential spread of COVID-19; and

WHEREAS, it is necessary to ensure that instruction continues in a manner best determined by the District which supports continued learning, including but not limited to distance learning; and

WHEREAS, California Public Contract Code Section 20113, provides that in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school 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 either of the following:

- (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.
- (2) Notwithstanding Section 20114, authorize the use of day labor or force account for the purpose; and

WHEREAS, an emergency exists requiring such action as defined in Public Contracts Code Section 1102 of the Public Contract Code and Public Resources Code and California Environmental Quality Act Guidelines 14 CCR section 1569(c); and

WHEREAS, the Superintendent requires that the Board declare that an emergency exists and grant the authority to take any and all action to ensure compliance with local, state and federal directives and legal mandates, ensure instruction continues, enter into any and all contracts to respond to emergency conditions at District sites and protect the health, safety and welfare of students and staff; and

WHEREAS, approval of this resolution would allow the Superintendent to immediately respond to rapidly changing health and safety concerns and designate employees as disaster service workers pursuant to Government Code 3100.

NOW, THEREFORE BE IT RESOLVED, that the Board of Education of the San Dieguito Union High School District determines that the circumstances described in this Resolution herein constitute an emergency condition for which immediate action may be necessary; and

BE IT FURTHER RESOLVED that the Board of Education by unanimous vote pursuant to section 20113 of the Public Contract Code and subject to approval by the San Diego County Superintendent of Schools, authorizes the execution of contracts without advertising or inviting bids; and, notwithstanding section 20114, authorizes the flexibility of the Superintendent to respond to the emergency conditions at district sites and offices; and

BE IT FURTHER RESOLVED that the Board of Education authorize the Superintendent and/or his designee to take any and all actions necessary to ensure the continuation of public education, protect the health and safety of the students and staff at district sites, including, but not limited to, the relocation of district resources, directing staff to serve as disaster service workers pursuant to Government Code section 3100, make provisions options for alternative educational programs and student transportation and take all action necessary pursuant to this Resolution to prepare and respond effectively to COVID-19.

PASSED AND ADOPTED by the Governing Board of the San Dieguito Union High School District at 710 Encinitas Blvd., Encinitas, CA 92024, on the 19th Day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Beth Hergesheimer, Board President