WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from COVID-19; and

WHEREAS, on March 10, 2020, the Santa Clara County Board of Supervisors and the Department of Public Health declared the existence of a local and public health emergency arising from COVID-19; and

WHEREAS, the Santa Clara County Superintendent of Schools in collaboration with the superintendents of the districts has determined that it is advisable for all public schools within the county to prepare for school closures resulting from the COVID-19 outbreak; and

WHEREAS, on March 12, 2020, Governor Newsom issued an executive order directing Californians to cancel large public gatherings and to enforce social distancing; and

WHEREAS, the Santa Clara County Superintendent of Schools with the full support of the Santa Clara Department of Public Health considers it a matter of public interest to develop plans to implement the guidance related to reducing the spread of COVID-19 in our schools to protect our students, their families, our employees and our community; and

WHEREAS, the Santa Clara County Office of Public Health has reported that multiple persons in Santa Clara County have contracted COVID-19 and the extent to which other members of the Santa Clara County community may have contracted COVID-19 is unclear; and

WHEREAS, on March 13, 2020, the Santa Clara County Office of Public Health issued an Order of the Public Health Officer, imposing a mandatory moratorium countywide on gatherings of more than 100 persons, and a conditional countywide moratorium on gatherings of between 35 and 100 persons, to mitigate the spread of COVID-19; and

WHEREAS, on March 16, 2020, the Santa Clara County Office of Public Health issued an Order of the Public Health Officer requiring all individuals in the County to shelter-in-place with the exception of essential activities; and

WHEREAS, Education Code section 35161 permits the Board of Education to delegate to the Superintendent broad authority to carry on activities and programs including the expenditure of funds for programs and activities which, in the determination of the Board of Education and the Superintendent are necessary to meet the needs of the District to address the COVID-19 pandemic and which are not inconsistent with the purposes for which the funds were appropriated.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Palo Alto Unified School District:

1. Determines that the circumstances described herein constitute an emergency condition or situation;

2. Delegates to the Superintendent authority to take all appropriate action, upon appropriately notifying the Board, to respond to the COVID-19 pandemic, including, but not limited to, any action:
a) To ensure and protect the welfare, safety, and educational well-being of all students;

b) To cancel or modify any activities, programs, or courses, up to and including the temporary closure of schools and program sites;

c) To protect District property;

d) To make further declarations of emergency and to take emergency action as permitted by law.

3. Authorizes the Superintendent to determine, upon appropriately notifying the Board, the reopening of schools when the emergency conditions no longer exist and take such action to reopen schools; and

4. Authorizes the Superintendent, upon appropriately notifying the Board, to take such actions as necessary to immediately close one, some, or all District schools as may be necessary to protect students and staff health and safety, or to adjust or reduce the length of the school day without further approval, or to take such other action as may be necessary and prudent to protect the health and safety of District students and staff.

BE IT FURTHER RESOLVED 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 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 at a meeting of the Board of Education of the Palo Alto Unified School District on this day of March 17, 2020.

AYES: 

NOES: 

ABSTAIN: 

ABSENT:

M. Todd Collins, President
Palo Alto Unified School District
Board of Education