BURBANK UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION
SPECIAL MEETING

Friday, March 13, 2020

EMERGENCY MEETING ORDER OF BUSINESS - AMENDED
Including Closed Session Items - 6:00 p.m.

Burbank USD - District Office
1900 West Olive Avenue
Burbank, California

AGENDA

The entire agenda packet is available for review online at www.burbankusd.org; at the District Office Building, Superintendent's Office, 1900 W. Olive Ave., Burbank, 91506; and at the Reference Desk in all Burbank City Libraries at: 110 N. Glenoaks, Burbank, 91502; 300 N. Buena Vista, Burbank, 91505; and 3323 W. Victory Blvd., Burbank, 91505.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. REQUESTS TO ADDRESS THE BOARD

2.a Public Communications
An individual or group representative may address the Board of Education on any agenda item or subject within its jurisdiction by completing a blue request card. Speakers are requested to state their name prior to speaking to the Board. Not more than five (5) minutes may be allotted to each speaker, except by unanimous consent of the Board of Education. The Superintendent may refer the matter to the proper department for review.

2.b Staff Responses

2.c Board Members' Comments and Responses

3. OPEN SESSION ITEMS

3.a Motion that an emergency situation exists in accordance with Government Code Section 54956.5, as determined by a majority of the members of the Board of Education. An emergency is defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both.

Any individual with a disability who requires reasonable accommodation to participate in a Board meeting may request assistance by contacting the Superintendent's Office at (818) 729-4422.

3.b Motion finding the Board of Education can meet in Closed Session pursuant to Government Code Section 54957 which must be agreed to by a two-thirds vote of the members of the Board of Education, or if less than two-thirds of the members are present, by a unanimous vote of the members present.

3.c Consideration of action regarding District response to Coronavirus Disease 2019 (COVID-19) including but not limited to authorizations and measures to promote social distancing.

4. CLOSED SESSION
The Board will meet in Closed Session for the purpose of the following:

4.a Threat to Public Services or Facilities (Government Code Section 54957)
Consultation with: Matt Hill, Superintendent

5. RECONVENE IN PUBLIC SESSION

6. REPORTING ON CLOSED SESSION
When the Board of Education reconvenes in Public Session, the Board may make any required disclosures regarding actions taken in Closed Session or adopt any appropriate resolutions.

6.a Report of any actions taken

6.b Adoption of Resolution 36 – Authorizing to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19) Pandemic
Matt, Hill, Superintendent, recommends that the Board of Education adopt Resolution 36 – Authorizing to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19) Pandemic, as presented.

RESOLUTION 36 - LOCAL EMERGENCY Board Report 2020.pdf

7. ADJOURNMENT
Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.2(b)(3)). The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board of Education. Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting in person or by calling (818) 729-4422.

Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting. Materials related to an item on this Order of Business distributed to the Board of Education will be available by contacting the Superintendent's Office at (818) 729-4422.

BURBANK UNIFIED SCHOOL DISTRICT
Office of the Superintendent

REPORT TO THE BOARD

TO:	Members of the Board of Education
FROM:	Matt Hill, Superintendent
PREPARED BY:	Sally Chew, Emergency Planning and Safety Coordinator
SUBMITTED BY:	Sally Chew, Emergency Planning and Safety Coordinator
DATE:	March 13, 2020
SUBJECT:	Adoption of Resolution 36 – Authorizing to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19) Pandemic

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Background

In December 2019 an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was identified and has impacted more than 100 countries including the United States. As of March 13, 2020, there are 1,875 confirmed cases of COVID-19 in the United States, including 237 in California. Officials expect the number of cases in California, the United States, and worldwide to increase. As of March 4, 2020, Governor Gavin Newsom declared a State of Emergency to enable State and local agencies to more effectively respond to the threat of spread of COVID-19. On March 4, 2020, the County of Los declared a local health emergency due to COVID-19. On March 11, 2020, the World Health Organization officially declared COVID-19 a global pandemic. On March 12, 2020, the City of Burbank declared a local state of emergency. On March 13, 2020, the President of the United States declared a national emergency due to COVID-19.

As such, it is recommended the Board of Education take the following actions related to the emergency conditions related to the novel coronavirus (COVID-19):

1. Authorize the Superintendent and/or his designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District Sites, including, but not limited to: the relocation of students and staff, provision of daily student transportation, provision of alternative educational program options, provision of leave of absence to employees due to quarantine or recently returning from level 3 countries or sick from COVID-19, or cohabitating with any individual with COVID-19, directing staff to serve as disaster service workers, and/or make alterations, repairs or improvements to school property.

2. Adopt a Resolution, attached hereto, declaring emergency conditions exist throughout the District schools and offices (collectively known as “District Sites”) as a result of the threat of COVID-19 virus.

3. Authorize, by unanimous vote, under the provisions of section 20113 of the California Public Contract Code:
    a. The Superintendent and/or his designee(s) to enter into any and all contracts necessary, without advertising or inviting bids, and for any dollar amount necessary to respond to the

emergency conditions at the District Sites, including, but not limited to: the relocation of students and staff; closing school; continued instruction of students; deep cleaning and disinfection of facilities; maintenance of food supplies, instructional materials, operational support supplies, equipment in support of virtual learning, daily student transportation; and provision of additional personnel such as nurses; and

b. The flexibility with use of staff, notwithstanding section 20114, to enable and support the District Sites.

Staff anticipates that the Board of Education will adopt the attached Resolution declaring that emergency conditions exist at District Sites. It is further anticipated that the Board of Education will authorize the Superintendent to take any and all actions necessary to ensure the health and safety of students and staff and to ensure public education continues to be provided to the students.

If the Board of Education does not approve the proposed actions contained in this Board Report, staff will be unable to take immediate and necessary action to 1) protect the short-term health of students and staff, and 2) ensure the delivery of public education is not impaired for the students at District Sites.

Approval of this item supports the goals identified within the District's Strategic Plan.

Fiscal Impact

Unknown at this time.

Recommendation

Matt, Hill, Superintendent, recommends that the Board of Education adopt Resolution 36 – Authorizing to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19) Pandemic, as presented.

RESOLUTION 36

AUTHORIZING TO TAKE ANY AND ALL NECESSARY ACTIONS TO PREPARE AND RESPOND EFFECTIVELY TO THE NOVEL CORONAVIRUS (COVID-19) RESOLUTION BY THE BURBANK UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION DECLARING EMERGENCY CONDITIONS EXIST AT BURBANK UNIFIED SCHOOL DISTRICT SCHOOLS AND OFFICES (DISTRICT)

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, on March 4, 2020, the Los Angeles County Board of Supervisors declared a state of emergency due to COVID-19; and

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

WHEREAS, on March 12, 2020, the City of Burbank declared a state of local emergency due to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to COVID-19; and

WHEREAS, as of March 13, 2020, there are 237 cases of COVID-19 reported in California, and officials expect the number of cases to increase; and

WHEREAS, strict compliance with various statutes and regulations would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, it is imperative to prepare for and implement measures to respond to the potential spread of COVID-19; and

WHEREAS, it is imperative to have the tools to ensure the health and safety of students, staff, and families on our campuses; and

WHEREAS, it is imperative to have the tools to ensure student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and

WHEREAS, it is imperative that employees be allowed to take a leave of absence due to being quarantined or recently returning from level 3 countries or sick from COVID-19, or cohabitating with any individual with COVID-19; and

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 State 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 3100; 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 CCR 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. 'Emergency' includes such occurrences as fire, flood, earthquake, or other soil or geological movements, as well as such occurrences as riot, accident, or sabotage"; and

WHEREAS, under California Public Contract Code Section 20113, 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 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 bid; and, notwithstanding section 20114.

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

(1) Determines that the circumstances described in the Resolution herein constitute an emergency condition; and

(2) By unanimous vote pursuant to section 20113 of the Public Contract Code and subject to approval by the Burbank Superintendent of Schools, authorizes the execution of contracts without advertising or inviting bids; and, notwithstanding section 20114, authorizes the flexibility of staff, notwithstanding section 20114, to respond to the emergency conditions at District Sites; and

(3) Authorizes the Superintendent and/or his designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District Sites, including, but not limited to: the relocation of students and staff, continued daily student transportation, provision of alternative educational program options, provision of leave of absence to employees due to being quarantined or recently returning from level 3 countries or sick from COVID-19, or cohabitating with any individual with COVID-19 pursuant to Education Code sections 44964 and 45199, directing staff to serve as disaster service workers pursuant to Government Code 3100, and/or make alterations, repairs or improvements to school property.

THE FOREGOING RESOLUTION was adopted this 13th day of March, 2020, at an emergency Board of Education meeting of the Burbank Unified School District, Los Angeles County, California.

Ayes:
Noes:
Abstain:
Absent:

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Clerk, Board of Education