

**SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
RESOLUTION #20-08
March 23, 2020**

A resolution declaring a State of Emergency and delegating authority to the Chancellor to close District Centers, Campuses, and Offices, and to otherwise respond to the Novel Coronavirus (COVID - 19) if necessary

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

WHEREAS, on March 15, 2020, the Chancellor of the South Orange County Community College District declared a State of Emergency due to the outbreak and spread of the novel coronavirus (COVID-19); and

WHEREAS, as of March 18, 2020, there are 675 cases reported of COVID-19 in California, 53 cases in Orange County, and officials expect the number of cases to continue increasing; and

WHEREAS, on March 17, 2020, the Orange County Health Officer issued an order prohibiting “all public and private gatherings of any number of people, including at places of work, for all non-essential activities” until 11:59 p.m. on March 31, 2020. Educational institutions are listed as “essential activities” for the purpose of “facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible”; and

WHEREAS, in compliance with the order issued by the Orange County Health Officer, the Chancellor effectively closed all District and college campuses, centers, offices and facilities on March 18, 2020 for all non-essential functions through March 31, 2020; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, ordering “all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors”; and

WHEREAS, Education facilities are a subsector of one of the federal critical infrastructure sectors and Chancellor Oakley has advised that local Board of Trustees, along with the District CEO, have the authority to determine which positions are deemed “essential functions” in order to maintain instruction; 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 spread of COVID-19; and

WHEREAS, it is imperative to have the tools to ensure the health and safety of students, employees, and families in our campus communities; and

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

WHEREAS, with the guidelines provided by Governor Newsom on March 15, 2020, it is imperative that employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries; if they are 65 or over, in a high-risk population, a caregiver for family, or sick from Coronavirus or other illnesses with similar symptoms (e.g., cough, fever, shortness of breath) during this state of emergency; and

WHEREAS, the protection of the health and safety and preservation of the lives and property of the students and employees of the District from the effects of natural emergencies such as COVID-19 is of paramount District importance requiring the responsible efforts of the District; and

WHEREAS all District employees are required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their supervisors 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 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 20654, in an emergency when any repairs, alterations, work, or improvement are necessary to any facility of the college, or to permit the continuance of existing 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 during only the timeframe of this state of emergency do the following: 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; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the South Orange County Community College District determines that the circumstances described in the Resolution herein constitute an emergency condition and affirms the Chancellor’s declaration of a state of emergency; and

BE IT FURTHER RESOLVED, that the Board authorizes the Chancellor and/or designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and employees, including, but not limited to: relocating students and employees, providing alternative educational program options, and/or directing employees to serve as disaster service workers pursuant to Government Code 3100; and

BE IT FURTHER RESOLVED, by unanimous vote, pursuant to Section 20113 of the Public Contract Code, and pending the expected approval by the Orange County Superintendent of Schools, that the Board authorizes the Chancellor or designee to execute contracts without advertising or inviting bids in order to respond to the emergency at District and college sites, subject to subsequent ratification of the contracts by the Board; and

BE IT FURTHER RESOLVED, that the Board authorizes the Chancellor, in her discretion, to order closed beyond March 31, 2020, if necessary to comply with the State of California Executive Order N-33-20, District and college centers, campuses, offices, and facilities, all or in part, to ensure the safety of the students and employees of the District; and

BE IT FURTHER RESOLVED, that the Board authorizes the Chancellor to take any other action that she deems necessary during this Emergency, including excluding students and employees from District and college facilities, and to keep the Board and the District community informed of all actions taken pursuant to this Resolution; and

BE IT FURTHER RESOLVED, that the Board establishes the following positions as “essential functions” and authorizes the employees within these positions to work on District and college centers, campuses, offices, and facilities, **as needed**, to ensure the continuity of instruction:

District Services (58 employees)

- Chancellor’s Office (5 employees)
 - Chancellor; District Director, Chancellor and Board Operations; Manager, Office of the Chancellor and Trustee Services; District Director of Public Affairs and Government Relations; and Communications Specialist
- Business Services (42 employees)
 - Vice Chancellor, Business Services (2 employees) - Vice Chancellor, Business Services and Executive Assistant of Vice Chancellor
 - Accounting (5 employees) – Director of Fiscal Services; Senior Accounting Specialists; and Accounting Specialist
 - Facilities Planning (6 employees) – Executive Director of Facilities Planning; Director of Facilities Planning; Senior Project Manager; Project Managers; and Administrative Assistant
 - Fiscal Services (3 employees) – Executive Director, Fiscal Services/Comptroller; Accountant; and Administrative Assistant
 - Payroll (10 employees) – Payroll and Benefits Manager; Payroll Systems Specialist; Payroll Specialists; Senior Benefits Specialist; and Benefits Specialist
 - Procurement, Central Services, and Risk Management (16 employees) – Executive Director of Procurement, Central Services and Risk Management; Purchasing and Contracts Manager; Risk Manager; Central Services Manager; Contracts Specialists; Senior Administrative Assistant, Program Technician; Mailroom Assistant; Warehouse Workers, Central Services Specialist; Lead Warehouse Workers; and Warehouse Worker/Delivery Driver
- Tech and Learning Services (9 employees)
 - Vice Chancellor, Tech and Learning Services; Director, IT – Infrastructure/Security; Director of Information Technology, Academic Systems; Systems Manager – Computer and Networking Operating Systems; Network Systems Technician III; Network Systems Technician II; Applications Specialist II; Database Administrator; and Senior Programmer/Analyst
- Human Resources (2 employees)
 - Human Resources Operations Supervisor and Human Resources Specialist

Irvine Valley College (42 employees)

- College President (1 employee)
- Administrative Services (29 employees)
 - Campus Police (9 employees) - Chief of Police; Police Operations Lieutenant; Police Sergeant; Police Officers; Senior Dispatcher/Records; Dispatcher/Records; and Campus Security Officer
 - Facilities (8 employees) - Director of Facilities; Assistant Director of Facilities; Assistant Director of Facilities – Capital Outlay Projects; Night Facilities Operations Supervisor; Custodians; Building Maintenance Worker; and Groundskeeper
 - Technology Services (10 employees) - Director of Technology Services; Applications Specialist I; Applications Specialist II; Network Systems Technician III; Network Systems Technicians II; Network Systems Technician I; Alternate Media Specialist; Networks Systems Administrator; Senior Administrative Assistant; and Instructional Technologist

- Fiscal Services (2 employees) – Vice President of College Administrative Services and Manager, College Fiscal Services
- Student Services (9 employees)
 - Vice President of Student Services; Dean of Counseling; Dean of Enrollment Services; Director of Promise, Recruitment, and Outreach; Assistant Dean of Health, Wellness, and Veterans Services; Assistant Dean of Financial Aid and Student Support Services; Senior Financial Aid Specialist; Coordinator of Equity Programs; and Title IX Investigator
- Instruction (3 employees)
 - Vice President of Instruction; Dean of Math, Science and Engineering; and Dean of The Arts, Library, and Online Education

Saddleback College (51 employees)

- College President (1 employee)
- Student Services (16 employees)
 - Vice President of Student Services; Dean of Counseling; Dean of Enrollment Services; Dean of Student Equity and Special Programs; Dean of Wellness, Social Services, and Child Development Center; Registrar; Director of Financial Aid; Financial Aid Specialists; Senior Financial Aid Specialist; Outreach Assistant; Senior Administrative Assistants; Senior Counseling Office Assistant; Lead Charge Nurse; and Senior Matriculation Specialist
- Instruction (5 employees)
 - Vice President of Instruction; Executive Dean for Extended Learning; Dean for Math, Science and Engineering; Dean for Kinesiology & Athletics; and Grant Project Manager
- Administrative Services (29 employees)
 - Technology Services (4 employees) - Director of Technology Serv/Broadcast Systems; Assistant Director of Technology Services; Network Systems Technicians II; and Network Systems Technicians III
 - Facilities Maintenance and Operations (12 employees) - Senior Director of College Facilities; Assistant Director of Facilities; Assistant Director of Facilities – Capital Outlay Projects; Night Facilities Operations Supervisor; Facilities Maintenance/Energy Project Manager; Custodians; Building Maintenance Worker; and Groundskeepers
 - Campus Police (9 employees) - Chief of Police; Police Operations Lieutenant; Police Officers; Senior Dispatcher/Records; and Police Technical Services Specialist
 - Business Office (4 employees) - Vice President for College Administrative Services; Director of Fiscal Contract Services; Student Payment/Veterans Offices Manager; and Senior Fiscal/Veterans Specialist

BE IT FURTHER RESOLVED, that the Board of Trustees designates authority to the Chancellor or designee to amend the above list of essential functions as she deems necessary and to advise the Board of Trustees of any such action taken; and

BE IT FURTHER RESOLVED, that this Resolution will remain in effect until the state of emergency as determined by Governor Newsom to address the COVID-19 epidemic has ended; and

BE IT FURTHER RESOLVED, that the Chancellor, Vice Chancellor of Business Services, or Executive Director of Fiscal Services/Comptroller are hereby authorized to execute for and on behalf of the South Orange County Community College District, a public entity established under the laws of the State of California, any and all applications necessary for the purpose of obtaining certain federal financial assistance under

Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act and to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required. For purposes of this paragraph only, this is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

PASSED AND ADOPTED on this 23rd day of March, 2020 in the South Orange County Community College District.

AYES:

NOES:

ABSENT:

ABSTAINED:

President of the Board
South Orange County Community College District