

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
GOVERNING BOARD OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT

SPECIAL MEETING ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room

Los Angeles, CA 90017

5:00 p.m., Tuesday, March 10, 2020

Roll Call

Pledge of Allegiance

Public Speaking at Special Meetings

The public may address the Board on the item that is described in this notice.

Individuals wishing to speak at a Board meeting must sign up at the meeting. Speakers to items for action on this agenda should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

Each speaker is allowed a maximum of three minutes for his or her presentation. Accommodations are made for translation and for those needing assistance. Each speaker may only make a single appearance at each Board Meeting, but exceptions are made for items labeled "Public Hearing".

New Business for Action

1. Board of Education Report No. 308 – 19/20
Office of the Superintendent
(Declaring Emergency Conditions Exist at Los Angeles Unified School District Schools and Offices and Authorization to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19) Recommends authorization for the Superintendent to take any and all actions necessary to ensure the continuation of public education and the health and safety of District students and staff. Additionally, adopts a resolution declaring emergency conditions exist, and, by unanimous vote, allows the Superintendent to enter into necessary contracts to respond to emergency conditions at District sites in accordance with the Public Contract Code.

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, which meets on the Thursday immediately after this meeting.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat in person or by calling (213) 241-7002.

Individuals wishing to speak at a Board meeting must sign up at the meeting. There will be no sign ups in advance of the meeting. Speakers must sign up prior to the item being acted upon by the Board. Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

If you or your organization is seeking to influence an agreement, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit <http://ethics.lausd.net/> to determine if you need to register or call (213) 241-3330.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters, and at:
<http://laschoolboard.org/03-10-20SpclBd>

Items circulated after the initial distribution of materials are available for inspection at the Security Desk.



Board of Education Report

File #: Rep-308-19/20, **Version:** 1

Adoption of Authorization to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19) Resolution Declaring Emergency Conditions Exist at Los Angeles Unified Schools and Offices (District)

March 10, 2020

Office of the Superintendent

Action Proposed:

Staff proposes that 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 with pay due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (e.g., cough, fever, shortness of breath), or co-habitants of any individuals without any impact to their benefit time, 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 her 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; continued instruction of students; 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 M & O Staff, notwithstanding section 20114, to enable and support the District Sites

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 75 countries including the United States. As of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 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.

Expected Outcomes:

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

Board Options and Consequences:

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.

Policy Implications:

The proposed actions are consistent with Rules 1757 and 1758 of the Rules of the Board of Education.

Budget Impact:

There will be a budget impact, however the amount is unknown at this time.

Student Impact:

Ensures instructional and business continuity to provide students with learning environments that help them achieve their educational goals

Issues and Analysis:

See attached Resolution.

Attachments:

Resolution by the Los Angeles Unified School District Board of Education Declaring Emergency Conditions Exist at Los Angeles Unified Schools and Offices (District) and Authorization to Take Any and All Necessary Actions to Prepare and Respond Effectively to the Novel Coronavirus (COVID-19)

Informatives:

Not Applicable

Submitted:

03/09/20

RESPECTFULLY SUBMITTED,

APPROVED & PRESENTED BY:

AUSTIN BEUTNER
Superintendent

Insert Name
Insert Title
Insert Division/Office

REVIEWED BY:

APPROVED & PRESENTED BY:

DAVID HOLMQUIST
General Counsel

Insert Name *(Delete if not applicable)*
Insert Title
Insert Division/Office

___ Approved as to form.

REVIEWED BY:

TONY ATIENZA
Director, Budget Services and Financial Planning

___ Approved as to budget impact statement.

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

Bd. of Ed Rpt No. 308-19/20
March 10, 2020

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 9, 2020, there are 110 cases reported of COVID-19 in California, 14 cases in LA County, 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

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 staying home after recently returning from Level 3 countries or sick from Coronavirus or illnesses with similar symptoms (e.g., cough, fever, shortness of breath) without suffering pay loss; 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.”

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; and

NOW, THEREFORE BE IT RESOLVED, That the Board of Education of the Los Angeles Unified School District:

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

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

(3) 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, continued daily student transportation, provision of alternative educational program options, provision of leave of absence to employees with pay due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or co-habitants of any individuals without any impact to their benefit time 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.

PASSED AND ADOPTED by the Governing Board of the Los Angeles Unified School District at 333 South Beaudry Avenue, Los Angeles, California, on the 10th Day of March, 2020, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTENTIONS: _____

Richard Vladovic
Board President

(STATE OF CALIFORNIA) (SS. COUNTY OF LOS ANGELES)

I, Jefferson Crain, Clerk of the Governing Board of the Los Angeles Unified School District of Los Angeles California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by said board at the regularly scheduled and conducted meeting held at the time and place stated, which resolution is on file and of record in the office of said board.

Clerk