

Blochman Union School District
Benjamin Foxen School * 4949 Foxen Canyon Road
Santa Maria, CA 93454 * (805) 937-1148

BOARD OF TRUSTEES EMERGENCY MEETING AGENDA
Friday, March 20, 2020
Via Teleconference
Noon – Regular Session

Any materials required by law to be made available to the public prior to a meeting of the Board of Education of the District can be inspected at the above address during normal business hours. Individuals who require special accommodations including, but not limited to, American Sign Language interpreter, accessible seating or documentation in accessible formats should contact the superintendent or designee within a reasonable time before the meeting date.

Governing Board Members

Shannon Clay, President
Kelly Salas-Ernst, Clerk
Thomas Gibbons, Trustee
Daniella Pearce, Trustee
Juania Reasner, Trustee

I. PUBLIC SESSION: Noon - Call to Order and Flag Salute

II. ITEMS SCHEDULED FOR INFORMATION

A. State of California Executive Order N-26-20

III. ITEMS SCHEDULED FOR ACTION

A. Approval of the Emergency Resolution to Take Actions Necessary to Protect Students and Staff from the Spread of Coronavirus.

***** IT IS RECOMMENDED THAT the Board of Education take action to approve the the Emergency Resolution to Take Actions Necessary to Protect Students and Staff from the Spread of Coronavirus.**

MOVED:

SECOND:

VOTE:

Shannon Clay:

Juania Reasner:

Daniella Pearce:

Kelly Salas-Ernst:

Thomas Gibbons:

IV. PUBLIC COMMENTS
PUBLIC COMMENTS ARE WELCOME

The Blochman Union School District will receive public comments about items not appearing on today's agenda, as well as other matters within the subject matter jurisdiction of the Board. All such comments will be received during the Public Comments section of the agenda. Individuals who address the Board are limited to three (3) minutes to speak on any item and a total of 10 minutes on all items for their presentation. The Board may limit the total time for all public comment to 30 minutes. Persons needing additional time are requested to submit the information in writing.

For comments concerning matters not on the agenda, open meeting laws and fairness to other residents who may have an interest in your topic prohibit the Board from taking action or engaging in extended discussion of your concerns. The Board may direct staff to meet at a later date with speakers who have specific concerns or needs. The Board may also direct that an issue be placed on a future agenda for discussion and consideration. This permits the Board and staff members to prepare and receive necessary information and for the public to be aware that a topic is being formally considered. We appreciate your cooperation.

V. MISCELLANEOUS AGENDA ITEMS

A. Items Proposed for Future Action or Discussion

B. Blochman Union School District Board Member Items

C. Items not on the Agenda

D. Next Scheduled Board Meeting: April 14, 2020; closed session at 5:00 p.m.; open session at 5:30 p.m.; Library.

VI. Adjourn

TIME: _____

MOVED:

VOTE:

Shannon Clay:

Daniella Pearce:

Thomas Gibbons:

SECOND:

Jeania Reasner:

Kelly Salas-Ernst:

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-26-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS responses to the threat of COVID-19, including decisions about schools, should be informed by and commensurate with scientific evidence and real-time data related to protecting public health; and

WHEREAS schools are critical to the daily lives of many Californians; and

WHEREAS local public health and education officials, in collaboration, are best positioned to measure and balance competing considerations, including the community's current public health, access to food and care, availability of resources, and other factors informing responses to the threat of COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

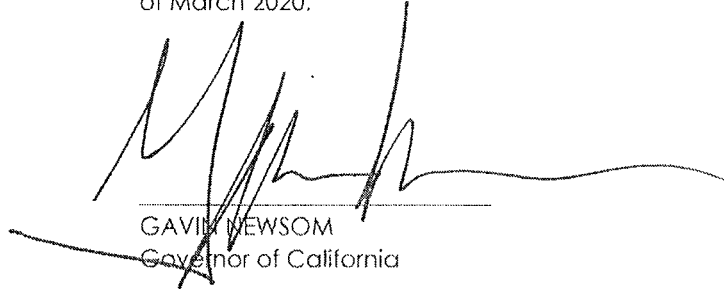
1. For purposes of this Order, Local Educational Agency (LEA) means school districts, county offices of education, and charter schools.
2. If an LEA closes its schools to address COVID-19, as provided in Paragraph 4 of this Order, the LEA will continue to receive state funding to support the following during the period of closure:
 - (i) Continue delivering high-quality educational opportunities to students to the extent feasible through, among other options, distance learning and/or independent study; and
 - (ii) Provide school meals in noncongregate settings through the Summer Food Service Program and Seamless Summer Option, consistent with the requirements of the California Department of Education and U.S. Department of Agriculture;
 - (iii) Arrange for, to the extent practicable, supervision for students during ordinary school hours; and
 - (iv) Continue to pay its employees.

3. If an LEA closes its schools to address COVID-19, the LEA is not prohibited from offering distance learning or independent study to impacted students. To the extent any state or local law might have been interpreted to the contrary, that law is waived.
4. For LEAs that initiate a school closure to address COVID-19, the closure shall qualify as a condition that prevents the maintenance of the LEA's schools during a fiscal year for at least 175 days pursuant to Education Code section 41422. Additionally, for such LEAs, the requirement in Education Code section 41422 to submit affidavits of the members of the governing board of the school district, the governing board of the county office of education, or the governing board or body of the charter school and of the county superintendent of schools are hereby suspended on the condition that the superintendent of the school district, the county superintendent of schools, or the charter school leader certifies in writing to the Superintendent of Public Instruction that the closure occurred to address COVID-19.
5. The California Department of Education and the Health and Human Services Agency shall jointly develop and issue guidance by March 17, 2020. The guidance shall include, but not necessarily be limited to, the following topics:
 - (i) Implementing distance learning strategies and addressing equity and access issues that may arise due to differential access to Internet connectivity and technology;
 - (ii) Ensuring students with disabilities receive a free and appropriate public education consistent with their individualized education program and meeting other procedural requirements under the Individuals with Disabilities Education Act and California law; and
 - (iii) Providing meals to be served in noncongregate settings at school and non-school sites in a manner that protects the safety of both students and school personnel, including classified employees.
6. The Labor and Workforce Development Agency and the Health and Human Services shall jointly develop and issue guidance by March 17, 2020 covering how to support parents to care for their children during ordinary school hours in the event of a school closure.
7. The Governor's Office of Business and Economic Development shall work with the California business community to encourage employers to exercise flexibility in the event of a school closure to enable parents to care for their children during ordinary school hours.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

**BEFORE THE BOARD OF TRUSTEES OF THE
BLOCHMAN UNION SCHOOL DISTRICT**

**EMERGENCY RESOLUTION
RESOLUTION DELEGATING AUTHORITY TO TAKE NECESSARY ACTION TO
PROTECT STUDENTS AND STAFF FROM THE SPREAD OF CORONAVIRUS
(COVID-19)**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19).

WHEREAS, on March 12, 2020, Governor Newsom issued an executive order directing Californians to cancel large public gatherings (over 250 people) and to enforce social distancing.

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency arising from the coronavirus (COVID-19).

WHEREAS, Article I, Section 28, of the California Constitution declares that “[a]ll students and staff of public, primary, elementary, junior high, and senior high school . . . have the inalienable right to attend campuses which are safe, secure and peaceful.”

WHEREAS, Education Code section 35161 permits the Board to delegate to an officer or employee of the District any of the Board’s powers and duties, and the Board desires to delegate to the District Superintendent certain powers and duties to address the Coronavirus (COVID-19) pandemic.

NOW, THEREFORE, BE IT RESOLVED:

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Board hereby declares the existence of an ongoing public health emergency within the District arising from the coronavirus (COVID-19) pandemic.

BE IT FURTHER RESOLVED AND ORDERED the Superintendent is delegated authority to take all appropriate action to respond to the coronavirus (Covid-19) pandemic, including, but not limited to, any action:

- A. To ensure and protect the welfare, safety and educational wellbeing of all students;
- B. To ensure and protect the welfare and safety of persons working for the District which shall include its agents, employees, representatives and all others acting for or on behalf of the District;
- C. To provide necessary staffing and instruction;
- D. To modify school and work schedules;

- E. To declare an emergency pursuant to Government Code § 3100 et seq., and to assign District employees (in their capacity as disaster service workers) to perform such disaster service activities as may be assigned to them;
- F. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of the District.
- G. To protect District property.
- H. To make further declarations of emergency and to take emergency action as permitted by law.

BE IT FURTHER RESOLVED AND ORDERED 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 AND ORDERED 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 by the following vote of the Board of Education of the Blochman Union School District, County of Santa Barbara, State of California on March 20, 2020.

AYES: _____

NOES: _____

ABSENT:: _____

President, Board of Trustees
Blochman Union School District