



CORCORAN UNIFIED SCHOOL DISTRICT

NOTICE OF ONLINE SPECIAL BOARD MEETING

NOTICE is hereby given that a **telephonic, online** regular meeting of the Governing Board of the Corcoran Joint Unified School District is hereby called by the board president and will be held at 3:00 PM on Friday, April 3, 2020.

The District is taking all necessary steps to prevent and mitigate the effects of COVID-19 on our community. Therefore in the interest of public health, and in compliance with California Governor Gavin Newsom's recently issued Executive Orders N-25-20 and N-35-20, the California State Public Health Officer's Order, including social distancing guidelines and avoiding group gatherings, and all applicable provisions of federal and state law, this Board meeting will be held telephonically and online. All Board members, staff and others presenting at the meeting will be calling in via the Zoom video conferencing platform from separate locations.

Unfortunately, **physical attendance by the public cannot be accommodated** given the current circumstances and the need to ensure the health and safety of the members, staff, and the public as a whole; however, the District is making significant efforts to ensure public participation during this Board meeting, and has taken the following steps to help the public access the meeting:

1. **Zoom Video Conferencing.** Members of the public can call into the meeting to observe via the Zoom video conferencing platform. Members of the public can access Zoom from a computer, mobile device or tablet.

<https://corcoranunified.zoom.us/j/5437437365?pwd=SnlHNVpFY3hyTGpCTjdLNDZLeml0QT09>

Meeting ID: 543 743 7365

Password: CUSDBoard

Dial by your location

+1 253 215 8782 US

+1 301 715 8592 US

Meeting ID: 543 743 7365

Find your local number: <https://corcoranunified.zoom.us/u/aeolS8mvxD>

2. **Disability Accommodations.** If you need special assistance to participate in a Board meeting, please contact the Section 504 Coordinator, DeLinda Chubbuck, at (559) 992-8888, extension 1242. Notification at least 48 hours prior to a meeting will assist the staff in ensuring that reasonable accommodations can be made.

3. **Equal Opportunity.** The Corcoran Unified School District is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Thank you in advance for your cooperation. Our community's health and safety is our highest priority. The business to be considered at this board meeting is on the agenda following.

SPECIAL BOARD MEETING AGENDA

Order of Business

- A. CALL MEETING TO ORDER

- B. PLEDGE OF ALLEGIANCE

- C. APPROVE APRIL 3, 2020 SPECIAL MEETING AGENDA

- D. ADMINISTRATION
 - a. Corcoran Unified School District Sunshine Proposal to Corcoran Faculty Association
 - b. Corcoran Faculty Association Sunshine Proposal to Corcoran Unified School District

- E. SUPERINTENDENT REPORT
 - a. Discuss and update School Facility Closure
 - b. Discuss and update Distance Learning
 - c. Discuss Resolution Delegating Authority
 - d. District operations update, issues and concerns

- F. RESOLUTIONS
 - a. Discuss and possibly approve Resolution No. 1289 – Emergency Resolution

- G. ADJOURNMENT

**Corcoran Unified School District
Sunshine Proposal**

To

**Corcoran Faculty Association
2020-2021 Collective Bargaining Negotiations**

April 2020

Since we are entering into a successor contract, the District's intent is to review each and every article for common understanding and possibly modify as a result of negotiation including but not limited to:

Article XVII, Article XVIII, Article XIX

- Salary and benefits for certificated unit members (both active employees and retirees), Payment for Extracurricular Duties

Corcoran Faculty Association
Sunshine Proposal – April-2020

Article III: Definitions

Article VII: Hours of Employment

Article VIII: Work Year

Article IX: Class Size

Article X: Safety Conditions of Employment

Article XII: Leaves

Article XVII: Employee Benefits

Article XVIII: Wages

Article XIX: Payment for Extra-Curricular Duties

Article XX: Teacher Travel

Article XXI: Miscellaneous Provisions

Article XXV: Term

**BEFORE THE BOARD OF TRUSTEES OF THE
CORCORAN UNIFIED SCHOOL DISTRICT
KINGS COUNTY, CALIFORNIA**

**IN THE MATTER OF
DELEGATION OF BOARD
AUTHORITY**

**RESOLUTION NO. _____
RESOLUTION DELEGATING
AUTHORITY TO SUPERINTENDENT
OR DESIGNEE(S)**

WHEREAS, Education Code section 35161 provides that the Board of Trustees (“Board”) of the Corcoran Unified School District (“District”) may delegate to an officer or employee of the District any power or duty granted to the Board by law, provided that the Board retains the ultimate responsibility for the performance of delegated duties;

WHEREAS, Education Code section 17604 permits the Board to delegate its authority to contract to the Superintendent or the Superintendent’s designee(s) with such limitations as to time, money and subject matter as the Board may prescribe, so long as any contract entered into by the Superintendent or his designee(s) is approved or ratified by the Board;

WHEREAS, Education Code section 17605 permits the Board to delegate to any officer or employee of the District the authority to purchase supplies, materials, apparatus, equipment and services consistent with section 20111 of the Public Contract Code with prescribed limits as to time, money and subject matter, provided that such purchases are reviewed by the Board every sixty (60) days;

WHEREAS, Education Code section 17605 further provides that if malfeasance in office occurs, the District officer or employee invested by the Board with the power to contract and purchase shall be personally liable to the District for all monies of the District paid out as the result of the malfeasance;

WHEREAS, Education Code sections 42631, 42632 and 42633 permit the Board to delegate to any officer or employee the authority to sign District orders drawn on the District’s funds on the Board’s behalf;

WHEREAS, the Board desires to promote administrative efficiency with respect to management of the District’s schools in general; and

WHEREAS, the Board wishes to delegate authority to contract and otherwise provide for the efficient management of the District in the public interest on the terms set forth below.

NOW THEREFORE, BE IT RESOLVED AS FOLLOW:

1. Pursuant to the authority of Education Code sections 17604, 17605 and other applicable provisions of law, the Board hereby delegates to the District Superintendent or the Superintendent's designee(s), the power to undertake the following acts so long as the acts undertaken are exercised in a manner consistent with this Resolution, Board policies and administrative regulations, the District's adopted budget, existing personnel rules, collective bargaining agreements, and state and federal laws:

- A. **General Power to Contract.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the power to enter into any contracts deemed reasonable and necessary for the District's operations so long as such contracts do not exceed the monetary limitations set forth in section 20111(a), as that amount is changed from time-to-time.
- B. **Purchase of Equipment/Supplies.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the power to issue warrants to pay or to otherwise authorize the purchase or acquisition of supplies, materials, apparatus, equipment, so long as such expenditures do not exceed the monetary limitations set forth in section 20111(a), as that amount is changed from time-to-time, subject to any limitation of time prescribed by law.
- C. **Construction Projects.** The Board hereby delegates to the District Superintendent or his designee(s) the power to enter into contracts for public construction projects that do not require competitive bidding to the extent permitted by Public Contract Code section 20111(b) (e.g., contracts that need not be awarded to the lowest responsive and responsible bidder and that are less than \$15,000).
- D. **Construction Change Orders.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the power to approve change orders related to construction projects previously approved or ratified by the Board to the extent permitted by law as long as the change orders do not cause the cost of the project to exceed the overall budget for the construction project.
- E. **Authority to Issue Orders and Warrants.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the authority to issue and execute orders and warrants to expend District funds on the Board's behalf. The signatures of all persons authorized to sign District orders on the Board's behalf

shall be filed with the County Superintendent of Schools as required by Education Code section 42633. All orders shall meet the requirements of Education Code section 42634. *[NOTE: Section 42633 requires the District to submit forms to the County Office regarding signatories for all orders drawn on the funds of the District.]*

- F. **Personnel Management.** The Board hereby delegates to the District Superintendent and the Superintendent's designee(s) authority to sign personnel agreements, including but not limited to, settlement agreements, employment contracts, and other personnel related contracts. The Board also hereby delegates to the District Superintendent or the Superintendent's designee(s) the authority to accept the resignation or retirement of any employee in the District and to hire certificated and classified employees, other than management employees employed in the position of _____ or higher, whose hiring shall be subject to prior approval by the Board. This delegation of authority also includes the Superintendent's right to assign, transfer or reassign employees.
- G. **Field Trips.** Notwithstanding any board policy or administrative regulation to the contrary, the Board hereby delegates to the administration the power to approve all student field trips, including out-of-state field trips, subject to subsequent board ratification.
- H. **Special Education Student Services.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the authority to approve expenditures for student services necessary to provide a Free and Appropriate Public Education if such services are requested by a student's IEP team, including but not limited to, a non-public school placement.
- I. **Sale of Surplus Personal Property at Public Auction.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the authority to sell at public auction surplus property in accordance with the procedures set forth in Education Code section 17545. The District Superintendent or the Superintendent's designee(s) are also delegated authority to (a) reject bids; and (b) transfer personal property to the highest responsible bidder upon completion of the auction and after payment has been received by the District. Sale of surplus property shall also be conducted in accordance with BP 3312.

- J. **Acceptance of Gifts.** The Board hereby delegates to the Superintendent or the Superintendent's designee(s) the authority to accept gifts to the District and to acknowledge receipt and value of any gift accepted, so long as the item is clearly a benefit to the District. The District Superintendent or the Superintendent's designee(s) may refuse to accept a gift when to do so is in the best interest of the District. Monetary gifts and bequests not required for the immediate necessities of the District shall be brought to the attention of the Board, which may direct the investment of such funds in accordance with Education Code section 41030 *et seq.*
- K. **Emergency Action.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the authority to take such emergency action as may be required to protect the health, safety and property of students and staff in the best interests of the District.
- L. **Policy Implementation/Administrative Regulations.** The Board hereby delegates to the District Superintendent or the Superintendent's designee(s) the authority to carry out the policies adopted by the Board and to issue appropriate administrative regulations implementing such policies. Administrative regulations do not need to be approved by the Board; however, new or modified administrative regulations that substantively change District policy on matters of substance shall be presented to the Board and the Board reserves the right to modify or rescind any such regulations.
- M. **Revocation of Prior Delegations.** All prior delegations of authority by the Board that are inconsistent with the terms of this Resolution are hereby revoked.

2. No designee shall be deemed authorized to execute any of the powers delegated to the Superintendent unless such designee has been designated in writing by the Superintendent.

3. All contracts, payments, authorizations or other acts undertaken pursuant to this Resolution shall be subsequently ratified by the Board and such ratification must be evidenced by a motion duly passed and adopted by the Board and reflected in the Board's minutes as required by Education Code sections 35161, 35163 and 35164.

4. All contracts, payments, authorizations or other acts undertaken pursuant to this Resolution shall, to the maximum extent feasible state, in writing, that the contract, payment, authorization or other act shall not be effective unless and until approved or ratified by the Board. The purpose of this limitation is to ensure that all third parties

doing business with the District are notified that the contract, payment, authorization or other act is not final and binding without subsequent Board action.

5. No contract, payment, authorization or other act may be approved under authority granted by this Resolution that would result in a conflict of interest as a matter of law.

PASSED AND ADOPTED by the following vote on _____, 2020.

AYE: _____

NO: _____

ABSTAIN: _____

ABSENT: _____

Clerk of the Board of Trustees of
Corcoran Unified School District
Kings County, State of California

NOTE: Please review this document carefully, tailor it to the individual needs of your District, and seek legal advice about any questions you may have.

**CORCORAN UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

EMERGENCY RESOLUTION 1289

**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 11, 2020, the World Health Organization declared the COVID-19 virus a world-wide Pandemic;

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20, directing Californians to cancel large public gatherings and to enforce social distancing;

WHEREAS, in consultation with local public health agencies and the Kings County Office of Education, the Corcoran Unified School District ("District") ordered all schools to close in order to curb the potential transmission of COVID-19, beginning March 16, 2020 through June 2, 2020;

WHEREAS, on March 13, 2020, Governor Newsom issued Executive Order N-26-20, specifying the services the District must provide to receive state funding during school closures;

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"; and

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 AND ORDERED that the Board hereby declares the existence of an ongoing public health emergency within the District arising from the COVID-19 pandemic.

BE IT FURTHER RESOLVED AND ORDERED the Superintendent or designee is hereby delegated the authority to take all appropriate action to respond to the 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. By unanimous vote pursuant to section 20113 of the Public Contract Code and subject to approval by the Corcoran Unified School District Superintendent, to execute contracts without advertising or inviting bids; and, notwithstanding section 20114, authorize the flexibility of maintenance and operations, to respond to the emergency conditions at District Sites;
- G. To exercise the provisions of California Public Contract Code section 20113 on the determination that an emergency condition exists because of COVID-19 and related extraordinary conditions.
- H. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of any of the District's schools.
- I. To protect District property.
- J. To determine, in consultation with the Board, the reopening of schools when the emergency conditions cease to exist and take such action to reopen schools; and
- K. 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 Corcoran Unified School District, County of Kings, State of California on APRIL 3, 2020.

AYES: _____
 NOES: _____
 ABSENT: _____

 Board President

 Superintendent