



Resolution recognizing a state of emergency and authorizing teleconferenced meetings pursuant to AB 361

WHEREAS, in response to the novel coronavirus (“COVID-19”) pandemic, Governor Newsom adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference so long as other provisions of the Ralph M. Brown Act (“Brown Act”) were followed; and

WHEREAS, on Sept. 16, 2021, Governor Newsom signed AB 361, which immediately amended the Brown Act allowing governing boards to continue holding virtual meetings outside the teleconferencing requirements of Government Code section 54953(b), if the board makes a finding that there is a proclaimed State of Emergency, and either (1) state or local officials have imposed or recommended social distancing measures, or (2) meeting in person would present imminent risks to the health or safety of attendees due to the emergency; and

WHEREAS, on March 4, 2020, Governor Newsom declared a statewide emergency arising from COVID-19 pursuant to Government Code section 8625; and

[OPTIONAL] WHEREAS, social distancing measures have been imposed and implemented by [State or Local Agency] to mitigate the spread of COVID-19; and

WHEREAS, the governing board of the **NAME OF SCHOOL DISTRICT OR COUNTY BOARD OF EDUCATION** believes the spread of COVID-19 poses an imminent risk to the health and safety of in person meeting attendees; and

WHEREAS, the governing board is committed to open and transparent governance in compliance with the Brown Act; and

WHEREAS, the governing board is conducting virtual meetings by way of telephonic and/or internet-based services as to allow members of the public to fully participate in meetings and offer public comment.

NOW THEREFORE, BE IT RESOLVED, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED, that the governing board of the **NAME OF SCHOOL DISTRICT OR COUNTY BOARD OF EDUCATION** recognizes that a State of Emergency in the State of California continues to exist due to the COVID-19 pandemic.

[OPTION 1] BE IT FURTHER RESOLVED, that the governing board recognizes that social distancing measures remain recommended by state and local officials.

[OPTION 2] BE IT FURTHER RESOLVED, that the governing board finds that holding in-person meetings would present imminent risks to the health or safety of attendees due to the cause of the State of Emergency and that the cause of the State of Emergency directly impacts the ability of the governing board members to meet safely in person.

BE IT FURTHER RESOLVED, the governing board of the **NAME OF SCHOOL DISTRICT OR COUNTY BOARD OF EDUCATION** authorizes the use of teleconferencing for all meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, for a period of thirty (30) days from the adoption of this resolution, or such a time that the Governing Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3).

Adopted this _____ day of the month of _____ in 2021.

Motion made by: _____

Second made by: _____

List members voting "aye:" _____

List members voting "no:" _____

List members abstaining: _____

List members not present: _____