

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

**RESOLUTION NO. 2022-23-14:
ALLOWING SCHOOL BOARD AND BOARD-APPOINTED COMMITTEES
TO CONTINUE TO HOLD VIDEO/TELECONFERENCE MEETINGS
UNDER CALIFORNIA ASSEMBLY BILL (AB) 361**

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

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 September 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 September 23, 2021, the Director of Alameda County Health Care Services Agency recommended social distancing measures for safely holding public meetings based on the continued threat of COVID-19 to the community and the continued increased safety protection that social distancing provides as one method to reduce the risk of COVID-19 transmission; and

WHEREAS, on September 28, 2021, the governing board of the Albany Unified School District voted to approve the extension of electronic (virtual) meetings under AB 361; and to revisit this every 30 days, and

WHEREAS, on October 18, 2021, Albany City Council adopted a Resolution Allowing for Video and Teleconference (Public) Meetings During the COVID-19 State of Emergency Under AB 361; and

WHEREAS, on October 26, 2021, the governing board of the Albany Unified School District voted to approve the extension of electronic (virtual) meetings under AB 361; and to revisit this every 30 days, and

WHEREAS, social distancing measures have been imposed and implemented by Alameda County Health Care Services Agency] to mitigate the spread of COVID-19; and

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

WHEREAS, the Board and board-appointed committees are conducting virtual meetings by way of telephonic and/or internet-based services so 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 Albany Unified School District recognizes that a State of Emergency in the State of California continues to exist due to the COVID-19 pandemic.

BE IT FURTHER RESOLVED, that governing board of the Albany Unified School District recognizes that social distancing measures remain recommended by state and local officials.

BE IT FURTHER RESOLVED, the governing board of the Albany Unified School District 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).

PASSED AND ADOPTED by the governing Board of Education of the Albany Unified School District of the County of Alameda, this 13th day of December, 2022, by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

President of the Board of Trustees
Albany Unified School District
Alameda County, California

Secretary of the Board of Trustees
Albany Unified School District