



Order of the Superintendent / President

WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency, due to the outbreak and spread of COVID-19, to make additional resources available, formalize emergency actions already underway, and to help the state prepare for the broader spread of COVID-19; and

WHEREAS, on March 19, 2020, the Governor of California issued Executive Order N-33-20, directing all Californians “to stay home or at their place of residence except as needed to maintain continuity of operation of the federal critical infrastructure sectors,” and whereas the continued operation of an Education Facility is determined to be a critical sector of federal infrastructure; and

WHEREAS, on April 14, 2020, the Governing Board of the Palo Verde Community College District adopted Board [Resolution No. 14.04.20-8.1](#), declaring an emergency and authorizing the Superintendent/President and/or his designee to “take any and all actions necessary to ensure the continuation of public education through remote operations or other methods as appropriate, and preserve the health and safety of the District’s students and staff...;” and

WHEREAS, the District’s Administrative Procedure 2430 delegates to the Superintendent/President “authority to act on behalf of the Board in an emergency for the protection of life, health, and safety of individuals and the protection of property,” and

WHEREAS, it is imperative for the District to prepare for and implement formal measures to address the threat and potential spread of the virus during a limited offering of some essential course sections to meet and perform limited instructional activities on campus; and

WHEREAS the District ‘s Board Policy 3505, Emergency Response Plan, requires the Superintendent/President to “establish procedures that ensure that the District implements a plan to be activated in the event of an emergency” and the District has an [Emergency Response Plan](#) as contemplated in BP 3505; and

WHEREAS, pursuant to the District’s Student Code of Conduct, students are expected to conduct themselves in accordance with District standards and to comply with District rules and those adopted by state and local authority, the parameters of which have shifted in light of the viral pandemic and which necessitate more specific District regulations than are currently adopted by the Board of Trustees in order to safeguard the Public Health;

WHEREAS, pursuant to the Governor's California Blueprint for a Safer Economy, which as of September 22, 2020, placed Riverside County at Tier Level Substantial Red, and the Guidance for Higher Education issued by California Department of Public Health on September 30, 2020, the District may offer limited instruction for indoor lectures and student gatherings provided the capacity is limited to 25% or 100 people, whichever is less, and some courses conducted in certain indoor settings, like labs and studio arts, may be open at regular capacity;

NOW, THEREFORE, I, DONALD G. WALLACE, in accordance with the circumstances described herein and which constitute a declared local emergency, and in accordance with the authority vested in me as the Superintendent/President by, but not limited to, the Education Code, Government Code, and those Policies and Procedures adopted by the Governing Board of the Palo Verde Community College District, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

- 1) As a condition of authorized presence on District property for participation in a limited offering of instructional activities, students must acknowledge the risks associated with participating in traditional instructional activities and those inherent risks associated with public exposure as a result of the viral pandemic.
- 2) Social distancing requirements, including the maintenance of at least six (6) feet from other members of the campus community and frequent hand washing with soap and water or using hand sanitizer that contains at least 60% alcohol, will be required of all participants (including faculty, staff, students, and employees) in instructional activities on property controlled by the District.
- 3) All faculty, staff, and students participating in instructional activities on property controlled by the District shall be required to wear a CDC approved face covering in accordance with state and federal recommendations while in contact with other members of the campus community, including inside District buildings and facilities, including the grounds and buildings of the Palo Verde College Main Campus, and the grounds and buildings of the Palo Verde College Needles Center in San Bernardino County, and the grounds of all other sites and properties maintained and controlled by the District.
- 4) All faculty, staff, and students participating in instructional activities on property controlled by the District shall be subject to non-invasive medical screening, including the measurement of body temperature for the limited purpose of evaluating the risk that an individual's presence poses to others in the classroom/laboratory as a result of the COVID-19 pandemic.
- 5) Any student who refuses or fails to comply with the provisions of this Order and subsequently disrupts the instructional activities of the District may be immediately excluded from the College or District property pursuant to California Penal Code Section 626.4; shall be immediately disqualified from participation in in-person instruction; shall be subject to the disciplinary procedures set forth in Administrative

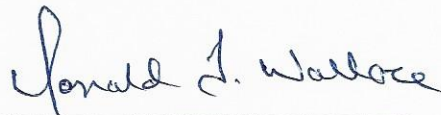
Procedure ("AP") 5520; and shall be presumed to have engaged in the following misconduct for the purpose of any disciplinary action:

- a. Disruptive behavior, willful disobedience, ... or the open and persistent defiance of the authority of... college personnel. (AP 5500,)
 - b. Unauthorized use of District facilities. (Id.)
 - c. Violation of other state, federal, or local statutes, or District policies, rules or regulations while on college property, or in defined college activities elsewhere. (Id.)
- 6) The authority to enforce the terms of this Order is hereby delegated to the designees of the Superintendent/President of the Palo Verde Community College District.

IT IS FURTHER ORDERED, that as soon hereafter as possible, this Order be filed with the Board of Trustees, posted conspicuously on the District's website, and provided electronically to all faculty, staff, and students participating in the limited offering of in-person activities described herein.

IT IS FURTHER ORDERED that this Order shall remain in effect for not more than thirty (30) days, or until adopted, rescinded, or modified by majority vote of the Board of Trustees.

October 7, 2020, at Riverside County, CA



Donald G. Wallace, Ph.D.
Superintendent-President