



THE COLLEGE OF THE CANYONS ACADEMIC SENATE

RESOLUTION

No. 2021/22-01

RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

RESOLVED, the College of the Canyons Academic Senate finds, determines, declares, and orders the following:

1. That the foregoing recitals are true and correct and the Academic Senate incorporates them by this reference.

2. The Academic Senate finds, by a majority vote, the following:

a. That there exists a proclaimed state of emergency;

AND either:

- i. The Academic Senate is meeting to determine one of the following, or more than 30 days have passed since the Academic Senate met and determined one of the following and the Academic Senate now re-determines one of the following:
 - a) State or local officials have imposed or recommended measures to promote social distancing; OR
 - b) As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- ii. The Academic Senate has made the determination set forth in subdivision (i), above within the last 30 days and now makes the following determination:
 - a) The Academic Senate has reconsidered the circumstances of the state of emergency; AND
 - b) Any of the following circumstances exist:
 - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - 2. State or local officials continue to impose or recommend measures to promote social distancing.

3. The Academic Senate President is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.

4. That this Resolution shall take effect immediately upon its adoption.

Adopted, Academic Senate, October 21, 2021