



PERALTA COMMUNITY COLLEGE DISTRICT

Agenda Item Details

Meeting	Oct 26, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Category	10. ACTION ITEMS
Subject	10.2 Consider Adoption of Resolution No. 21/22-55 for Suspending Administrative Procedure 7213 Per California Community Colleges Chancellor's Office Executive Order 2020-04. Presenter: Board President Reiss
Type	Action
Preferred Date	Oct 26, 2021
Absolute Date	Oct 26, 2021
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to Adopt Resolution No. 21/22-55 for Suspending Administrative Procedure 7213 In Accordance with California Community Colleges Chancellor's Office Executive Order 2020-04.

TO: Peralta Board of Trustees

FROM: Cindi Napoli-Abella Reiss, Board President

PREPARED BY: Nitasha K. Sawhney, GHS, LLP

BACKGROUND/ANALYSIS:

This Governing Board of the Peralta Community College District, adopted Administrative Procedure 7213 on September 5, 2018, which provides that “interim appointments not exceed two years pursuant to Title 5 [of the California Code of Regulations], [S]ection 53021(b)(1).”

On April 27, 2020, the State Chancellor Eloy Ortiz Oakley issued Executive Order 2020-04, pursuant to Resolution of the California Community Colleges Board of Governor No. 2020-01 and Title 5, Section 52020, which confers on the State Chancellor emergency powers to allow for the temporary suspension of certain regulations. The State Chancellor’s Executive Order 2020-04 declared that “strict adherence to section 53021, subdivision (b)(1), of title 5, of the Code of California Regulations, will impose barriers to the continuity of educational services,” and thereby suspended Section 53021’s prohibition against interim appointments that exceed two years, which suspension shall last “for the duration of the COVID-19 state of emergency”;

The District has continued to conduct searches/recruitments with mixed success including conducting a nationwide search for a permanent Chancellor, which has not resulted in a successful candidate. Accordingly, the Governing Board and Chancellor seek to take all available, lawful steps to ensure the Interim appointments serve or continue to serve the District and provide for continuity of administrative and management services throughout the District.

EVALUATION AND RECOMMENDED ACTION:

The Board President recommends adoption.

[21_22-55 Resolution re AP 7213.pdf \(117 KB\)](#)

Motion & Voting

Motion to Adopt Resolution No. 21/22-55 for Suspending Administrative Procedure 7213 In Accordance with California Community Colleges Chancellor's Office Executive Order 2020-04.

Motion by Nicky Gonzalez Yuen, second by Julina Bonilla.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper