

**Peralta Community College District  
Board of Trustees Resolution  
For Suspending Administrative Procedure 7213  
Per California Community Colleges Chancellor's Office Executive Order 2020-04  
Resolution No. 21/22-55**

**WHEREAS**, this Governing Board of the Peralta Community College District, which includes Laney College, Merritt College, College of Alameda, and Berkley City 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)."

**WHEREAS**, 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.

**WHEREAS**, 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";

**WHEREAS**, the District has continued to conduct 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.

**NOW THEREFORE**, the Governing Board of the Peralta Community College District hereby:

1. Suspends the prohibition in District Administrative Procedure 7213 against interim appointments that exceed two years, consistent with State Chancellor Executive Order 2020-04. Administrative Procedure 7213 related to the term of interim appointments shall be reinstated following the sunset of the State Chancellor's Executive Order 2020-04.

**PASSED AND ADOPTED** by the Peralta Community College District Board of Trustees, this 26<sup>th</sup> day of October, 2021, by the following vote:

AYES:

NOES:

ABSTENTIONS:

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President, Board of Trustees  
Peralta Community College District

Attested to:

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Clerk, Board of Trustees  
Peralta Community College District