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## AGENDA

I. Call to Order

II. Roll Call

III. Persons Wishing to Address the Senate

*Members of the public shall have an opportunity to address the committee either before or during the committee’s consideration of each item of business to be discussed at regular or special committee meetings, including closed session items. In addition, with limited exceptions, the committee will provide an opportunity at regular meetings to address the committee on any other item of interest which is within the subject matter jurisdiction of the Academic Senate. In order to efficiently manage the business of the committee, the committee chair may limit the amount of time allocated for public testimony for each individual speaker to three (3) minutes, and to limit the total time allocated on a particular issue to fifteen (15), unless waived by the committee (pursuant to Board Policy 2345). Decorum is to be expected by all members of the committee and public as outlined in Board Policy 2355.*

IV. New Business

A. Resolution Authoring Teleconferencing for Meetings Pursuant to AB 361 – Lara

*Description: The Academic Senate will consider a resolution to authorize teleconferencing pursuant to recent legislation AB 361, since meeting in person would present imminent risks to the health or safety of attendees. In order to continue to meet under these abbreviated teleconferencing procedures, AB 361 requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting and to make those findings every 30 days thereafter. Academic Senate will consider the circumstances of the state of emergency and determine if the emergency continues to directly impact the ability of members to meet safely in person OR if state and local officials have imposed or recommended measures to promote social distancing. Suspension of the rules are requested to take action at this meeting.*

V. Adjournment

An executive order issued on 3-18-20 by the Governor of California indicated that the requirements for having a physical space for meetings has been waived due to the coronavirus (COVID-19). Meetings will be held remotely until further notice. The public may observe the meeting and offer public comment. A link for remote viewing or calling in is attached to the agenda.

Therefore, Academic Senate (AS) meetings will be held via Zoom. If you wish to attend the meeting and you have another disability requiring special accommodation, please notify the Academic Senate Administrative Assistant at 760-795-6873. The California Relay Service (CRS) is available by dialing 711, or 1-800-735-2929 or 1-800-735-2922.

In compliance with Government Code section 54957.5, nonexempt writings that are distributed to a majority or all of the MiraCosta Community College District Academic Senate in advance of their meetings may be viewed at the Office of the Academic Senate President, One Barnard Drive, Oceanside, California, or by clicking on the Academic Senate’s website at <http://www.miracosta.edu/governance/academicsenate/index.html>. Such writings will also be available at the Senate meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Debby Adler, Administrative Assistant to the Academic Senate President, at 760.795.6873 or by email at [dadler@miracosta.edu](mailto:dadler@miracosta.edu).

Audio recordings of AS meetings are available upon request. Please contact the MiraCosta College AS President’s Office 760-757-2121 x6213 or [dadler@miracosta.edu](mailto:dadler@miracosta.edu).

**A Resolution of the MiraCosta College Academic Senate:  
Authorizing Teleconferencing for Meetings Pursuant to AB 361 (R. 2-21)**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act pertaining to teleconferenced meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 which indicated that Executive Order N-29-20's authorization for holding virtual meetings would expire on September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (Rivas) as urgency legislation effective immediately, which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

- (e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
  - (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

- (e)(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
  - (A) The legislative body has reconsidered the circumstances of the state of emergency.
  - (B) Any of the following circumstances exist:
    - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

NOW THEREFORE, BE IT RESOLVED that the MiraCosta College Academic Senate finds that the Governor's March 4, 2020 declaration of a state of emergency due to the COVID-19 pandemic remains active.

BE IT FURTHER RESOLVED, the MiraCosta College Academic Senate finds that due to the state of emergency, meeting in person would present imminent risks to the health or safety of attendees and/or the state of emergency continues to directly impact the ability of the members to meet safely in person due to the prevalence of the Delta variant of the COVID-19 virus, the indoor setting of meeting facilities, the potential presence of unvaccinated individuals attending meetings, the potential for noncompliance with mask wearing requirements, and desire to protect the health of immuno-compromised faculty, staff, students, and the public.