

1.5 DECLARATION OF EMERGENCY

CAMPUS

In an emergency, and as the conditions warrant, an official proclamation by the University President or his/her designee will have the following effects and provide legal authority to:

- Promulgate orders and regulations necessary to provide for the protection of life and property, including closure of campus.
- Facilitate participation in mutual aid from State agencies, CSU campuses, or local jurisdictions.
- Activate campus personnel, logistical resources (and campus facilities) for emergency response to an emergency.
- Ensure emergency response personnel are acting with authority to manage, control, and participate in activities outside the regular scope of employees' duties.
- Provide an appropriate procedure for rostering emergency workers.
- Ensure appropriate coverage of Workers' Compensation, reimbursement for extraordinary expenses, and state and Federal disaster relief funds, where applicable.
- Implement documentation of damages, expenses, and recording of cost for reimbursement for extraordinary expenses and to seek federal disaster relief where appropriate.
- Impose penalties for violation of lawful orders under Education Code Section 89031.
- Conduct emergency operations without facing liabilities for performance, or failure of performance (Article 17 of the Emergency Services Act).

Cal State Fullerton will proclaim a formal CAMPUS EMERGENCY when additional assistance is required from other CSU campuses or if local, State, and possibly Federal assistance will be needed. Cal State Fullerton will request a resolution from the City of Fullerton if conditions extend into the larger community. The University's formal declaration will also be submitted to the Chancellor's Office.

Procedures to declare a CAMPUS EMERGENCY are shown in Part Two. The President may follow the procedures stated to allow for a campus closure and issuance of administrative leave to university employees

Requests for mutual aid will be initiated when additional material and/or personnel are required to respond to the emergency. Fire and law enforcement agencies will request or render mutual aid directly through established channels. The University President or his/her designee must authorize any action, which involves financial outlay by the campus, or a request for military assistance.

LOCAL EMERGENCY

The emergency may include the City of Fullerton as well as the campus. In that case the authority to proclaim a Local Emergency lies with the Fullerton City Council, or in their absence, the City Manager or designated alternate. The governing body must also proclaim the termination of the LOCAL EMERGENCY as soon as conditions warrant. A proclamation of LOCAL EMERGENCY provides the governing body the authority to:

- Provide mutual aid consistent with the provisions of local ordinances, resolutions, emergency plans, and agreements.
- Receive mutual aid from State agencies.
- In the absence of a State of War Emergency or State of Emergency, seek recovery of the cost of extraordinary services incurred in executing mutual aid agreements.
- Promulgate orders and regulations necessary to provide for protection of life and property.
- Promulgate orders and regulations imposing curfew.
- Additionally, certain immunities from liability are provided for in the Emergency Services Act.

When the local resources are overwhelmed, the City of Fullerton will make an appeal to the County Operational Area. The County can proclaim a local area emergency that will include all jurisdictions.

STATE OF EMERGENCY

The Governor may declare a STATE OF EMERGENCY when conditions warrant and/or when the mayor or chief executive of a city or the chairman of the Board of Supervisors or county administrative officer, requests the proclamation. Alternately, the Governor may proclaim a STATE OF EMERGENCY in the absence of a request if it is determined that 1) conditions warrant a proclamation and 2) local authority is inadequate to cope with the emergency.

The proclamation must be in writing, be well publicized, and filed with the Secretary of State as soon as possible following issuance. The proclamation is effective upon issuance.

During a STATE OF EMERGENCY, the Governor has the authority to promulgate, issue, and enforce orders and regulations within the affected area and employ State personnel, equipment, facilities, and other resources to mitigate the effects of the emergency. A STATE OF EMERGENCY must be terminated as soon as conditions warrant.

If the Governor requests and receives a Presidential declaration of an EMERGENCY or a MAJOR DISASTER under Public Law 93-288 (Federal Disaster Relief Act of 1974), he/she will appoint a State Coordinating Officer (SCO). A duly appointed Federal

Coordinating Officer and the SCO will coordinate and control State and Federal efforts in support of City and County operations.