

**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**RESOLUTION ON UTILIZING FLEXIBILITY AUTHORIZED BY SBX3 4**  
Resolution #09/10-70

**WHEREAS**, the students in the Mt. Diablo Unified School District deserve the highest quality education; and

**WHEREAS**, the Legislature and governor already imposed \$11.6 billion in education cuts since September 2008, resulting in significant reduction of essential programs and services to students that are integral to their success, and

**WHEREAS**, these statewide budget reductions have resulted in serious cuts in the Mt. Diablo Unified School District including hundreds of certificated and classified layoffs and millions of dollars worth of reductions of key programs; and

**WHEREAS**, SBX3 4 provided limited fiscal flexibility for the fiscal years 2008/09 through 2012/13 to allow school districts to utilize funding received from the state budget act for “Tier 3” categorical programs for any educational purpose; and

**WHEREAS**, the governing board of the Mt. Diablo Unified School District took testimony at a regularly scheduled public hearing from the public, including parents, community members, and representatives from all school personnel including teachers, administrators and classified employees; and

**WHEREAS**, following the public testimony, the board discussed the flexibility provision, how to prioritize the use of limited resources, and the effect on the specific programs offered by the school district; and

**WHEREAS**, any transfer of funds will be used to ensure that the district’s overall goals for student learning will be at the forefront of the use of this flexibility.

**NOW, THEREFORE, BE IT RESOLVED** that, following a public hearing in which input was provided by a broad array of stakeholders, the Mt. Diablo Unified School District will utilize the flexibility provided through SBX3 4 during the state’s fiscal crisis to transfer funds in Tier 3 categorical programs for any educational purpose.

**THEREFORE, BE IT FURTHER RESOLVED**, that, in order to provide transparency and accountability, the superintendent shall establish an accounting procedure that identifies the funding sources affected and the program to which the funding will be transferred.

**PASSED AND ADOPTED** on June 22, 2010 by the following vote:

AYES:

NOES:

ABSENT:

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced, passed and adopted by the Governing Board at a regularly called and conducted meeting held on said date.

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Secretary/Clerk of the Board