



**MT. DIABLO UNIFIED SCHOOL DISTRICT GOVERNING BOARD
RESOLUTION 21/22-83
IN OPPOSITION TO PETITION FOR DISTRICT REORGANIZATION
NORTHGATE AREA, ON APPEAL TO THE STATE BOARD OF EDUCATION**

WHEREAS, Education Code section 35700 permits registered voters to submit a petition to the County Superintendent of Schools to form a new school district from an existing one, and

WHEREAS, such a petition was submitted to the Contra Costa County Superintendent of Schools on or about February 23, 2017 (the “Petition”); and

WHEREAS, the Petition sought the creation of a “Northgate Unified School District” from territory that included certain schools and attendance areas; to wit; Bancroft Elementary, Valle Verde Elementary, Walnut Acres Elementary, Foothill Middle, and Northgate High Schools; and

WHEREAS, three (3) schools located in the attendance areas identified in the Petition were excluded from the territory by Petitioners, thereby resulting in potential displacement of hundreds of District students; and

WHEREAS, The Contra Costa County Committee on School District Organization (“County Committee”) is the entity charged with reviewing such Petitions; and

WHEREAS, many factors and nine criteria are considered by the County Committee on School District Organization in determining whether to recommend the formation of a new school district; and

WHEREAS, in most circumstances, the California State Board of Education (“SBE”) will also review such Petitions, which if granted, ultimately lead to a general election on the question of whether to allow the formation of a new school district; and

WHEREAS, when the District analyzed the Petition in 2017, it concluded that it was not in the best interest of the District’s students; and the Board adopted Resolution 16/17-28, expressing its opposition to the Petition; and

WHEREAS, the County Committee rejected the Petition and found it failed to meet many key criteria including that the Petition would result in an equitable division of property between the districts, each affected district would have the ability to educate its students in an integrated environment and would not promote ethnic discrimination or segregation, would promote sound educational performance and would not significantly disrupt the educational programs in the affected districts, would not increase school facilities costs in a significant way, and would promote sound fiscal management and avoid substantial negative effects on the fiscal statuses of each district; and

WHEREAS, Petitioners appealed the rejection to the SBE; and

WHEREAS, the SBE will hear the appeal in July of 2022; and

WHEREAS, the District’s review of the criteria indicate that in the intervening years, the outlook on data underlying the criteria make each of the failed criteria even less viable; and

WHEREAS, the District values its ability to offer the best quality education to all its students in educational environments which embrace inclusion; celebrate all students; promote respect, collaboration, innovation and creativity and this ability will suffer greatly if the Petition were approved by SBE.

NOW, THEREFORE BE IT RESOLVED, that the Governing Board of the Mt. Diablo Unified School District hereby officially and formally opposes the appeal of the petition of the Northgate CAPS organization to divide the District that is now pending before the California State Board of Education, and

BE IT FURTHER RESOLVED that the Superintendent of the Mt. Diablo Unified School District or designees take appropriate actions to oppose said appeal, inform the public on this matter, and to present said opposition in the appeal or any subsequent administrative or legal proceedings on this matter.

AYES: NOES: ABSENCES: ABSTENTIONS :

Debra Mason, Board President

Keisha Nzewi, Board Vice President

Cherise Khaund, Board Member

Linda Mayo, Board Member

Erin McFerrin, Board Member

Dr. Adam Clark, Superintendent

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Adopted at the meeting of the MDUSD Governing Board of Education on 6/8/2022
