

**MT. DIABLO UNIFIED SCHOOL DISTRICT GOVERNING BOARD  
RESOLUTION NUMBER 20/21-#23**

**A RESOLUTION OF THE BOARD OF EDUCATION OF THE  
MT. DIABLO UNIFIED SCHOOL DISTRICT ADOPTING AND APPROVING  
THE ASSOCIATE MEMBERSHIP AGREEMENT JOINING  
THE EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY**

**WHEREAS**, MT. DIABLO UNIFIED SCHOOL DISTRICT has been considering methods to better address the procurement costs, data privacy protection, and pricing of its education software, and;

**WHEREAS**, other California public agencies, such as school districts, community college districts, and county offices of education who have also considered these issues have determined that there is a need to form a coalition of public districts to acquire education technology and services for use at their respective facilities, and;

**WHEREAS**, Title 1, Division 7, Chapter 5, Article 1, (Section 6500 et seq.) of the Government Code authorizes joint exercise by two or more public agencies of any power common to them, and;

**WHEREAS**, California law enables school districts, county superintendent of schools, community college districts, and joint power agencies to actively control procurement and privacy terms and to acquire educational software and services for use at their respective facilities, and to establish a coalition to accomplish those ends; and

**WHEREAS**, the Irvine Unified School District, Capistrano Unified School District, Fullerton Unified School District, and the Clovis Unified School District and have formed the Education Technology Joint Powers Authority (Ed Tech JPA), a California joint powers authority, and have agreed to be the Founding Members of Ed Tech JPA, and appointed their respective District's Chief Technology Officer, Chief Business Official, or person with equivalent duties and background, to serve as a member of the Ed Tech JPA Board; and

**WHEREAS**, the governing Board of MT. DIABLO UNIFIED SCHOOL DISTRICT ("District") has considered the proposed Associate Member Agreement, a draft of which is attached hereto as ATTACHMENT 1, under which the District will become an associate member of Education Technology JPA; and

**WHEREAS**, the District has determined that entering into an Associate Membership Agreement to avail the District to the benefits of the Ed Tech JPA, including obtaining legally compliant and economically priced technology services and products, as well as the financial, technical and professional development services to support the successful implementation of products and services purchased through a JPA, is in the best interests of the District.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Governing Board of MT. DIABLO UNIFIED SCHOOL DISTRICT hereby declares and formally approves its membership in Education Technology Joint Powers Authority, a California Joint Powers Authority, and instructs its duly authorized agent to execute and deliver on its behalf any necessary or appropriate documents to carry out the intent of this resolution, including the Education Technology Joint Powers Authority Membership Agreement and any agreements necessary or appropriate to participate in Ed Tech JPA programs.

2. The Governing Board authorizes the Superintendent or designee to appoint District's Purchasing Director, or person with equivalent duties and background in education technology procurement, who shall serve as the authorized representative to the Education Technology Joint Powers Authority (JPA).

ADOPTED by the following called vote on this 28th day of September, 2020.

AYES:

NOES:

ABSENCES:

ABSTENTIONS:

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Brian Lawrence, Board President

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Debra Mason, Board Vice President

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Linda Mayo, Board Member

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Joanne Durkee, Board Member

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Cherise Khaund, Board Member

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Dr. Adam Clark, Superintendent

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*Adopted at the regular meeting of the Governing Board of Education on 09/28/2020*

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CERTIFICATION

I, Dr. Adam Clark, Secretary/Clerk to the Governing Board of the MT. DIABLO UNIFIED SCHOOL DISTRICT, do hereby certify that the foregoing is a full, true, and correct copy of the resolution adopted by the said Board at a regular meeting thereof held at its regular place of meeting at the time and by the vote stated, which resolution is on file in the office of the said Board.