

Board Office Use: Legislative File Info.	
File ID Number	20-1070
Introduction Date	6/24/20
Enactment Number	20-1032
Enactment Date	6/24/2020 os



Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Sondra Aguilera, Chief Academic Officer
Jennifer Blake, Executive Director, Special Education Department

Board Meeting Date June 24, 2020

Subject Resolution - SELPA Local Plan Update - Participation of Students with Disabilities in State and District Assessments - Special Education Department

Action Requested Approval by the Board of Education of Resolution No. 1920-0236 Adopting and Complying With Requirements for Specific Resolutions that are Necessary for the Special Education Local Plan Area's ("SELPA") Policy Regarding Participation in State and District-wide Assessments.

Background and Discussion This resolution is required as a provision of the SELPA Local Plan for Oakland Unified School District SELPA. The OUSD SELPA, pursuant to section 56195 of the California Education Code, has the responsibility to adopt a plan (in accordance with California Education Code 56200) to assure that special education and services for all eligible individuals with disabilities residing in the geographic area served by OUSD SELPA are delivered. Specific resolutions are called for as a part of that plan that do not currently exist within OUSD Board Policy. SELPA policy requires that the body governing OUSD SELPA is the Oakland Unified Board of Education, which must adopt SELPA policies when additions or adaptations become necessary.

The Board adopts a SELPA Policy prescribing that students with disabilities will demonstrate their progress through State- and District-wide assessment opportunities and all students with disabilities shall participate in state and district-wide assessment programs described in 20 USC Section 6311. The IEP team shall determine how a student will access assessments with or without accommodations or access alternate assessments where necessary and as indicated in their respective IEPs.

Fiscal Impact No fiscal impact.

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**RESOLUTION
 OF THE
 BOARD OF EDUCATION
 OF THE
 OAKLAND UNIFIED SCHOOL DISTRICT
 NO. 1920-0236**

Adopting and Complying With Requirements for Specific Resolutions that are Necessary for the Special Education Local Plan Area’s (“SELPA”) Policy Regarding Participation in State and District-wide Assessments

WHEREAS, Education Code section 56195.5 prescribes that the district governing board shall have authority over the programs it directly maintains, consistent with the local plan submitted pursuant to 56195.1; and

WHEREAS, Oakland Unified School District (“OUSD”) is a single-district Special Education Local Plan Area (“SELPA”); and

WHEREAS, Oakland Unified School District’s Governing Board (“Board”) has authority over the programs provided through the OUSD SELPA; and

WHEREAS, pursuant to Education Code section 56195, the OUSD SELPA has the responsibility to adopt a plan in accordance with Education Code section 56200 to assure that special education and services for all individuals residing in the geographical area served by the OUSD SELPA are delivered; and

WHEREAS, policies governing OUSD SELPA shall be adopted by the Board; and

WHEREAS, pursuant to Education Code section 56122 and 56205(a), OUSD SELPA Local Plan must ensure conformity with Title 20 United States Code (USC) and Title 34 Code of Federal Regulations Section 300.201 and identify whether or not for each of 23 areas the SELPA has a specific written policy or a specific board adopted resolution where the policy can be found,

NOW, THEREFORE, BE IT RESOLVED, that the Board acknowledges the SELPA’s responsibility to comply with 20 USC section 1412(a)(16) and include students eligible for special education and related services under the Individuals with Disabilities Education Act (“IDEA”) in all general State and District-wide assessments with appropriate accommodations and alternate assessments when necessary;

BE IT FURTHER RESOLVED, that the Board hereby adopts the following: “It shall be the policy of this SELPA that all students with disabilities shall participate in state and district-wide assessment programs described in 20 USC section 6311 and the IEP team shall determine how a student will access assessments with or without accommodations or access alternate assessments where necessary and as indicated in their respective IEPs.”

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Passed by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Roseann Torres, Gary Yee, Jumoke Hinton Hodge, Aimee Eng, James Harris, Vice President Shanthi Gonzales, President Jody London

NOES: None

ABSTAINED: None

RECUSED: None

ABSENT: Student Directors Garibo and Smith-Dahl

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on June 24, 2020.

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By:	OS

OAKLAND UNIFIED SCHOOL DISTRICT



Jody London
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

Approved as to form
Andrea Epps
Deputy General Counsel