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Enactment Number	14-1759
Enactment Date	10-8-14



OAKLAND UNIFIED SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education
 From Antwan Wilson, Superintendent
 Jacqueline Minor, General Counsel

Board Meeting Date October 8, 2014

Subject **Resolution Delegating Authority To The Chief Academic Officer To Enter Into Individual Service Agreements To Implement Individual Education Plan (IEP) For Special Education Students**

Action Requested **ADOPTION OF RESOLUTION NO. 1415-0079 DELEGATING AUTHORITY TO THE CHIEF ACADEMIC OFFICER OR THE DEPUTY CHIEF, PEC, TO ENTER INTO INDIVIDUAL SERVICE AGREEMENTS TO IMPLEMENT INDIVIDUAL EDUCATION PLAN (IEP) FOR SPECIAL EDUCATION STUDENTS**

Background and Discussion Annually by Resolution the Board 1) approves Master Agreements with Non-Public Schools and Non-Public Agencies to provide specialized educational services to OUSD students with IEPs and 2) Board establishes the total not to exceed amount for the fiscal year.

In order to implement the IEPs that require specialized educational services provided by Non-Public Schools and Non-Public Agencies, PEC enters into Individual Service Agreements (ISA) with Non-Public Schools and Non-Public Agencies. In order to streamline the Board approval or ratification process for the ISAs, staff is recommending that the Board delegate to the Superintendent or his designee the authority to enter into the ISAs provided the ISAs are ratified within 60 days by the Board and do not exceed the Superintendent's delegated authority. In order to assist the Board in monitoring the fiscal year do not exceed cap, the ISAs are to be reported to the Board using the following format:

ISA #	NPA/NPS	Dates of Service (ISA Term)	Amount of ISA	Cumulative Total Amount with the NPA/NPS for FY

Recommendation **ADOPTION OF RESOLUTION NO. 1415-0079 DELEGATING AUTHORITY TO THE CHIEF ACADEMIC OFFICER OR THE DEPUTY CHIEF, PEC TO ENTER INTO INDIVIDUAL SERVICE AGREEMENTS TO IMPLEMENT INDIVIDUAL EDUCATION PLAN (IEP) FOR SPECIAL EDUCATION STUDENTS**



Fiscal Impact

As provided in the Resolution establishing the annual not to exceed limit for Non-Public Schools and Non-Public Agencies

Attachments

- **RESOLUTION NO. 1415-0079**

**RESOLUTION OF THE BOARD OF EDUCATION
OF THE OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 1415-0079

**RESOLUTION DELEGATING AUTHORITY TO THE CHIEF ACADEMIC OFFICER OR
DEPUTY CHIEF, PROGRAMS FOR EXCEPTIONAL CHILDREN, TO ENTER INTO
INDIVIDUAL SERVICE AGREEMENTS TO IMPLEMENT INDIVIDUAL EDUCATION PLAN
(IEP) FOR SPECIAL EDUCATION STUDENTS**

WHEREAS, annually by Resolution the Board of Education approves Master Agreements with Non-Public Schools and Non-Public Agencies to provide specialized educational services to OUSD students with IEPs; and

WHEREAS, annually in the Resolution approving the Master Agreements with Non-Public Schools and Non-Public Agencies providing specialized educational services to OUSD students with IEPs, the Board establishes the total not to exceed amount for the fiscal year; and

WHEREAS, in order to implement the IEPs that require specialized educational services provided by Non-Public Schools and Non-Public Agencies, the Deputy Chief for Programs for Exceptional Children or the Chief Academic Officer, on behalf of the Superintendent enters into Individual Service Agreements (ISA) with Non-Public Schools and Non-Public Agencies; and

WHEREAS, pursuant to Education Code Sections 17604 and 17605, the Board of Education may delegate to the Superintendent or his designee the authority to enter into Agreements with Non-Public Schools and Non-Public Agencies as necessary to implement OUSD student IEPs, provided said Individual Service Agreements are ratified within 60 days by the Board of Education and that the ISA does not exceed the Superintendent's delegated authority;

WHEREAS, because of the confidentiality of student records as provided in Family Educational Rights and Privacy Act (FERPA), Article 1, Section 1 of the California Constitution, and California Education Code Section 49062 *et seq*, no student identifying information can be submitted to the Board of Education for posting on the agenda or made available to the public, within 60 days after entering into the ISA, the Superintendent through the Deputy Chief, Programs for Exceptional Children, shall submit to the Board for ratification a report using the following format:

ISA #	NPA/NPS	Dates of Service (ISA Term)	Amount of ISA	Cumulative Total Amount with the NPA/NPS for FY

NOW THEREFORE BE IT RESOLVED, Board of Education hereby delegates to the Chief Academic Officer or the Deputy Chief, Programs for Exceptional Children, the authority to enter into ISAs with Non-Public Schools and Non-Public Agencies as necessary to implement OUSD student IEPs, provided said Individual Service Agreements are ratified within 60 days by the Board of Education, using the format provided for in this Resolution and do not exceed the Superintendent’s delegated authority limit.

PASSED AND ADOPTED by the Board of Education the Oakland Unified School District, this 8th day of October 2014, by the following vote:

AYES: Jody London, Jumoke Hinton Hodge, Roseann Torres, Christopher Dobbins, Vice President James Harris and President David Kakishiba

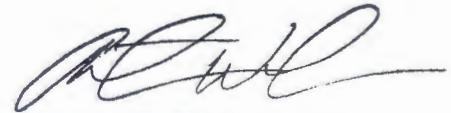
NOES: None

ABSTAINED: None

ABSENT: Anne Washington and Roseann Torres

CERTIFICATION

I, Antwan Wilson, Secretary of the Board of Education of the Oakland Unified School District, Alameda County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Education of said district at a meeting thereof held on the 8th day of October 2014, with a copy of such Resolution being on file in the Administrative Office of said District.



Secretary, Board of Education

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