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Board Cover Memorandum

To Board of Education

From Rachel Latta, Director
Jennifer Brouhard, Board President

Meeting Date October 8, 2025

Subject School Stability and Belonging for Disabled Students in OUSD Special Education Programs

Ask of the Board Adoption by the Board of Education of Resolution No. 2526-0181 - School Stability and Belonging for Disabled Students in OUSD Special Education Programs

Background This Resolution would prevent the District from moving, redesigning, or closing a Special Education program in a manner that would bar students currently enrolled in the program from choosing to attend that school for the entirety of its grade span. It would also prevent any move, redesign, or closure from becoming effective for the school year following the one in which the relocation, redesign, or closure was proposed. With respect to any Special Education program relocation, redesign, or closure, this resolution would require that said changes must be:

- 1) approved by the OUSD School Board;
- 2) presented to the OUSD Community Advisory Committee (CAC) at least 30 days before being brought to the Board;
- 3) proposed before the start of the school enrollment process for the following school year and be effective no earlier than the school year thereafter.

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Discussion The proposed resolution includes an exception if a Special Education program relocation, redesign, or closure is necessary to address an urgent

health and safety issue, but only for the school year in which it arises, unless such health and safety issue cannot be otherwise remedied.

If this exception is utilized, the District must notify impacted students, families, and staff, as well as the Board and the CAC, within two business days of any decision.

Under the proposed resolution, the Superintendent or designee is directed to bring forward a proposed Board Policy to codify the requirements of the resolution.

Separately, the proposed resolution would require the publication by the first day of the school year of the Special Education guide to detail the types and locations of programs.

Fiscal Impact

The fiscal impact would be determined before a vote on the resolution.

Attachment(s)

Resolution No. 2526-0181 School Stability and Belonging for Disabled Students in OUSD Special Education Programs

Board of Education
of the
Oakland Unified School District

Resolution Number 2526-0181

**School Stability and Belonging for Disabled Students
in OUSD Special Education Programs**

WHEREAS, disabled students are full members of school communities and must be treated as such;

WHEREAS, disabled students need and deserve school stability and continuity;

WHEREAS, disabled students need and deserve lasting relationships with all members of their school community;

WHEREAS, all members of a school community need and deserve lasting relationships with disabled students;

WHEREAS, building schoolwide accessibility and inclusivity for disabled students requires sustained commitment, collaboration, and planning for the long-term by all members of the school community;

WHEREAS, the Oakland Unified School District serves as its own Special Education Local Plan Area (SELPA) and, as such, is responsible for overseeing the careful placement of Special Education programs across district sites, as well as the engagement of all stakeholders in the SELPA;

WHEREAS, disabled students served by a specific school or program have the right to help shape the decisions that impact their educational experience and belonging, and must be consulted about those decisions;

WHEREAS, the families and caregivers of disabled students served by specific schools and programs have the right to help shape the decisions that impact the educational experience and belonging of their children;

WHEREAS, the loss of a school community and all related community supports can have lasting and traumatic impact on students and families, and on the remaining school community;

WHEREAS, the loss of Special Education programs has a negative impact on general education students, families, and staff at school sites;

NOW, THEREFORE, BE IT RESOLVED, a Special Education program cannot be moved from a school, redesigned, or closed in such a way that bars students currently enrolled in the program from the choice of attending that school for the entirety of its grade span;

BE IT FURTHER RESOLVED, all Special Education program relocations, redesigns, or closures must be approved by the OUSD Board as part of a noticed agenda item for which public comment has been made available;

BE IT FURTHER RESOLVED, any relocation, redesign, or closure of any Special Education program cannot be made effective for the school year following the one in which the relocation, redesign, or closure was proposed;

BE IT FURTHER RESOLVED, any decision to relocate, redesign, or close a Special Education program must be made before the start of the school enrollment process for the following school year;

BE IT FURTHER RESOLVED, all Special Education program relocations, redesigns, or closures must be presented to the OUSD Community Advisory Committee (CAC) for Special Education at least 30 days before they are presented and approved by the Board;

BE IT FURTHER RESOLVED, the annual Special Education Program Guide will be published by the first day of the school year for that year and posted on the Special Education page of the OUSD website. The guide must include a printable format and must identify the locations of all Special Education programs at sites. The program guide must also be shared directly with all Special Education families during the first week of school.

BE IT FURTHER RESOLVED, this resolution does not apply if a Special Education program relocation, redesign, or closure is necessary to address urgent health and safety issues that cannot be otherwise remedied (when a facility becomes too dangerous for students or staff), provided, however, that (i) any such relocation, redesign, or closure be only for the school year in which it arises; ii) the Board and the CAC are notified within two business days of any decision to relocate, redesign, or close the program;

BE IT FURTHER RESOLVED, this resolution does not apply to a Special Education program relocation, redesign, or closure that is instituted when one or more unexpected vacancies (vacancies that arise suddenly without prior knowledge or notification) prevent the necessary supervision and support of students, provided, however, that (i) any such relocation, redesign, or closure be only for the school year in which it arises; (ii) the program relocation, redesign, or closure be brought before the School Board for approval before it is made effective, and (iii) the Board and the CAC are notified within two business days of any decision to relocate, redesign, or close such program;

BE IT FURTHER RESOLVED, the Superintendent or designee shall bring forward for Board consideration a proposed Board Policy to codify the requirements of this resolution.

Passed by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSE:

ABSENT:

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 _____, 2025.

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By:	

OAKLAND UNIFIED SCHOOL DISTRICT

Jennifer Brouhard
President, Board of Education

Denise G. Saddler, EdD, Interim Superintendent and
Secretary, Board of Education