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Board Cover Memorandum

To Board of Education

From Dr. Denise Saddler, Interim Superintendent
Tara Gard, Deputy Superintendent Business & Operations
Jenine Lindsey, General Counsel

Meeting Date May 13, 2026

Subject Resolution No. 2223-0221 to Promote School Stability and Belonging for Disabled Students in OUSD (staff recommendation)

Ask of the Board Approval of Resolution No. 2223-0221 establishing districtwide processes, notice requirements, and community engagement expectations regarding significant Special Education program relocations and closures within the District per staff recommendation.

Background The proposed Resolution to Promote School Stability and Belonging for Disabled Students in OUSD affirms the District’s commitment to ensuring continuity, inclusion, and meaningful community engagement when considering significant changes to Special Education programs and placements.

The Resolution recognizes that disabled students are integral members of school communities and that stability in school placement, relationships, and educational programming is critically important to student well being, educational access, and belonging. The Resolution further acknowledges that relocation or closure of Special Education programs may have substantial impacts on students with disabilities, their families, school communities, and District staff.

Discussion The proposed Resolution establishes procedural expectations for significant Special Education program changes, including:

- Advance presentation of proposed program relocations or closures to the Community Advisory Committee (CAC) for Special Education;
- Advance written notice and presentation to the Board of Education sitting as the SELPA Board;
- Public discussion and opportunity for public comment before Board action;
- Required consideration of transition planning, enrollment impacts, fiscal impacts, and operational feasibility; and
- Emergency procedures for urgent circumstances requiring immediate action.

The Resolution also clarifies that nothing contained therein supersedes Individualized Education Program (IEP) team authority or alters the District's obligations under the Individuals with Disabilities Education Act (IDEA) or other applicable law.

The District has experienced ongoing community concern regarding the relocation, redesign, or closure of Special Education programs and the resulting impacts on students, families, and school communities. Stakeholders have expressed concerns regarding school continuity, transportation impacts, disruption of relationships and services, and the effect that programmatic changes may have on student belonging and educational outcomes.

The proposed Resolution seeks to establish a more transparent and collaborative governance process for significant Special Education program changes. Specifically, the Resolution creates procedural guardrails intended to ensure:

- Early stakeholder engagement;
- Transparency in decision making;
- Consideration of educational and operational impacts;
- Meaningful consultation with the CAC; and
- Public Board review prior to implementation whenever practicable.

The Resolution defines "significant Special Education program changes" to include the relocation of a Special Education program from one school site to another and Closure of a Special Education program.

Fiscal Impact

See Fiscal Impact Analysis

Attachment(s)

- *Resolution No. 2223-0221 to Promote School Stability and Belonging for Disabled Students in OUSD (staff recommendation)*
- *Fiscal Impact statement for Resolution No. 2223-0221 to Promote School Stability and Belonging for Disabled Students in OUSD (staff recommendation)*

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

Resolution No. 2526-0181B

Promotion of School Stability and Belonging for Disabled Students in OUSD

(Prospective Alternative Legislation In Lieu of Legislative File 25-2447A)

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 school communities need and deserve lasting relationships with disabled students attending the school,

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 placement of Special Education programs in particular schools is the concern of all stakeholders in our SELPA, which is our district,

WHEREAS disabled students served by specific school and programs have the right to help shape the decisions that impact their educational experience and belonging,

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 moving specific Special Education programs from one school to another is the loss of a school and community for the disabled students attending those programs,

WHEREAS the loss of a school community and all related community supports can have lasting traumatic effects for students and families,

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

NOW, THEREFORE, BE IT RESOLVED,

For purposes of this Resolution, the following definitions apply:

- "Special Education Program" means any identified program, classroom, or cluster of services at a school site that serves students with IEPs.
- "Relocation" means the movement of a Special Education Program from one school site to another school site.
- "Closure" means the elimination of a Special Education Program at a school site without replacement at that same site.
- "Grade Span" means the range of grades served by the school at which a student is currently enrolled.
- "Emergency" means an unforeseen, urgent circumstance beyond the District's reasonable control such as, a facility safety hazard, a state or federal compliance mandate, or an imminent health or safety risk that makes immediate program action necessary and that is documented in writing by the Superintendent or designee prior to action.
- "Significant Special Education program changes" means the Relocation of a Special Education program from one school site to another; or the Closure of a Special Education program

This Resolution applies to significant Special Education program changes. Routine staffing adjustments, scheduling changes, or minor program modifications are not subject to this Resolution.

BE IT FURTHER RESOLVED A special education program may not be relocated or closed in such a way that prevents students currently enrolled in the program from the choice of continuing to attend that school for the entirety of its grade span, prior to the process requirements in this Resolution being fulfilled.

BE IT FURTHER RESOLVED All proposed Special Education Program relocations, redesigns, or closures must be formally presented to the OUSD Community Advisory Committee (CAC) for Special Education at least 30 days before they are presented to the Board of Education for approval allowing the CAC to perform its advisory role. The presentation to the CAC shall include:

- A written description of the proposed change, including the rationale, affected students, and school sites involved;
- Data on current enrollment, projected enrollment, and any demographic or programmatic analysis conducted;
- A description of how the change aligns with or impacts IEP obligations for affected students;
- Any fiscal analysis supporting the proposed change; and
- A transition plan describing how students and families will be supported through the change.

The CAC shall have the opportunity to provide written advisory input to the Board of Education prior to the Board vote.

BE IT FURTHER RESOLVED All significant special education program changes as defined above must be approved by the Board of Education, which also serves as the SELPA Board, as part of a noticed agenda item for which public comment has been made available. The Superintendent, or designee shall provide advance written notice to the Board of the proposed significant program change, including:

- Rationale for the proposed change;
- Number of students impacted;
- A written explanation of whether grade-span reconfiguration at the current site was considered and, if not feasible, the enrollment and operational reasons it is not possible;
- Written advisory input from the Community Advisory Committee (CAC) for Special Education
- Timeline for implementation; and
- Fiscal impact statement.

Such notice shall be provided before implementation and, when practicable, at least one regular Board meeting in advance of the vote.

BE IT FURTHER RESOLVED The Superintendent may implement immediate program changes without prior Board approval only when necessary to:

- Address urgent health and safety concerns;
- Maintain legal compliance; or
- Respond to unforeseen staffing or operational conditions that cannot be deferred.

In such cases, the Superintendent shall:

- Notify the Board and the CAC in writing within two business days of the action; and
- Seek formal Board ratification at the next regular Board meeting. The ratification memo must include:
 - Rationale for the proposed change;
 - Number of students impacted;
 - A written explanation of whether grade-span reconfiguration at the current site was considered and, if not feasible, the enrollment and operational reasons it is not possible;
 - Timeline for implementation; and
 - Fiscal impact statement.

BE IT FURTHER RESOLVED Nothing in this Resolution shall:

- Supersede or interfere with IEP team decisions made on behalf of individual students;
- Alter the District's obligations under IDEA or any other applicable law or regulation; or
- Prevent the District from making necessary adjustments to ensure legal compliance.

BE IT FURTHER RESOLVED The District shall prioritize the use of one-time funds provided to OUSD by the state or federal government to minimize disruption to students during significant special education program changes. This Resolution does not require the maintenance of programs that are not fiscally or operationally sustainable, nor does it prevent the District from aligning programs with enrollment trends and resource availability. However, any decision to relocate or close a program must still comply with the process requirements established in this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be distributed to all OUSD school principals, special education program staff, the CAC, and affected families upon adoption.

Passed by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSED:

AYES:

NOES:

ABSTAINED:

RECUSED:

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 May 13, 2026.

Legislative File	
File ID Number:	25-2247B
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By:	

OAKLAND UNIFIED SCHOOL DISTRICT

Jennifer Brouhard
President, Board of Education

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

FISCAL IMPACT STATEMENT

Resolution No. 2526-0181B - Promotion of School Stability and Belonging for Disabled
Students in OUSD
(Prospective Alternative to Legislative File 25-2447A)

Prepared by: Tara Gard, Deputy Superintendent, Business and Operations

Assessment

The resolution to Promote School Stability and Belonging for Disabled Students in OUSD, fiscal impact has been assessed.

This resolution is a governance and process resolution. It establishes the procedural framework and student protections that apply to future Special Education program relocations and closures. It does not authorize any program change, appropriate any funds, or create any new financial obligation. The direct fiscal impact of adopting this resolution is zero.

Indirect operational costs are minimal and absorbable within existing staffing allocations.

It specifically establishes the procedural frameworks including noticing requirements, Community Advisory Committee (CAC) review rights, Board approval thresholds, emergency ratification requirements that must be satisfied before any future Special Education program relocation or closure may be implemented. It does not authorize, fund, or direct any specific program.

Specifically, this resolution:

- Does not relocate, close, or otherwise change any Special Education program;
- Does not create any new program, position, service, or benefit;
- Does not appropriate General Fund or restricted fund resources;
- Does not guarantee continuation of any program regardless of fiscal viability

The resolution governs the process by which future significant Special Education program changes must be made. Each such future change will carry its own fiscal impact, which must be assessed and presented to the Board at the time of that decision a requirement this resolution explicitly imposes.

Adoption of this resolution requires no new appropriation and has no direct cost to the General Fund or any restricted fund. The table below presents the direct fiscal impact across the current and two subsequent fiscal years.

Cost Category	FY 2025–26	FY 2026–27	FY 2027–28

New Appropriation Required	\$0	\$0	\$0
New Positions Created	0 FTE	0 FTE	0 FTE
New Programs Authorized	None	None	None
Ongoing General Fund Impact	\$0	\$0	\$0
One-Time General Fund Impact	\$0	\$0	\$0
Restricted/Categorical Fund Impact	\$0	\$0	\$0
Net Direct Fiscal Impact	\$0	\$0	\$0

Note: This table reflects the fiscal impact of adopting the resolution itself. It does not reflect the fiscal impact of any future program relocation or closure made pursuant to the resolution. Those impacts will each be assessed and presented separately, as required by the resolution.

Although adoption carries no direct fiscal impact, the process requirements established by the resolution will generate incremental administrative workload. Each future program relocation or closure action will require district staff to produce documentation in advance of CAC presentation and Board approval. Under the resolution, the Board notice packet must include, at minimum: a written rationale, the number of students impacted, an analysis of whether

grade-span reconfiguration at the current site was considered, CAC advisory input, an implementation timeline, and a fiscal impact statement.

This work should be incremental above ordinary-course operations but is expected to be absorbed within existing staffing allocations. No new FTE is required to implement the resolution. These costs are absorbed within existing operational budgets and do not require new appropriations. They are disclosed here for transparency and completeness.

The resolution explicitly requires that a fiscal impact statement accompany both the Board notice for each future program change and any emergency ratification memo. This means the resolution builds fiscal transparency directly into the process for every covered decision going forward.

The resolution directs the District to prioritize one-time state or federal funds to minimize disruption to students during any future significant program change. The availability and amount of applicable one-time funds will depend on the state budget cycle, federal allocations, and the specific nature of any program change at the time it is proposed. This provision does not commit the District to spending that does not yet exist.

The resolution itself requires no appropriation. The incremental staff time associated with implementing the resolution's process requirements will be absorbed within existing general administration, Special Education, and budget office staffing allocations.