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Board Cover Memorandum

To Board of Education

From Denise G. Saddler, EdD, Interim Superintendent
Tara Gard, Deputy Superintendent of Business and Operations

Meeting Date April 22, 2026

Subject Establishing Oversight and Stability Parameters for Special Education Program Changes

Action Requested Adoption by the Board of Education of Resolution No. 2526-0181A
- Establishing Oversight and Stability Parameters for Special Education Program Changes

Background

The Board of Education has expressed a strong commitment to:

- Ensuring stability and continuity for students receiving Special Education services
- Increasing transparency and communication with families and stakeholders
- Strengthening Board oversight of significant Special Education program decisions

The originally proposed resolution sought to address these priorities by broadly regulating Special Education program relocations, redesigns, and closures.

Following administrative review, it was determined that the original proposal would:

- Create significant fiscal impact (estimated ~\$2.0M initial, ~\$3.1M ongoing)
- Limit the District's ability to manage programs and staffing efficiently
- Require operational decisions to be elevated to the Board level beyond standard governance practice

In response, the Superintendent and administrative team developed a focused alternative resolution that achieves the Board's goals while maintaining operational viability and fiscal solvency.

Summary of Modified Approach

The proposed resolution:

- Applies to significant Special Education program changes
- Requires advance Board notification and approval before implementation
- Establishes student transition and stability expectations
- Includes annual reporting to the Board on program status and planned changes
- Provides emergency flexibility for urgent situations

This approach balances:

- Student stability and transparency
- Board governance and oversight
- Administrative flexibility and fiscal responsibility

Fiscal Impact

The modified resolution is expected to have minimal fiscal impact, limited to administrative reporting and communication.

This is in contrast to the previously proposed framework, which was projected to result in:

- ~\$2.0 million in 2026–27
- ~\$3.1 million in ongoing annual costs

The modified resolution avoids these costs by:

- Allowing program integration when appropriate
- Not requiring full grade-span replication across sites

Preserving staffing and resource flexibility

Student Impact

The Resolution ensures:

- Reduced disruption through planned transitions
- Continued IEP-aligned services
- Improved family communication and predictability

Equity Impact

The Resolution supports equitable outcomes by:

- Promoting stability for students with disabilities
- Ensuring families are informed and engaged
- Maintaining flexibility to allocate resources where most needed

Implementation

Upon adoption, the Superintendent will:

- Develop administrative procedures
- Establish reporting protocols
- Integrate requirements into existing planning cycles

Why This Version Works Addresses the core concern

- Limits excessive or disruptive movement
- Requires Board visibility and approval

Avoids major fiscal impact

- Does NOT require:
 - maintaining low-enrollment programs
 - full grade-span replication
 - artificial program expansion

Preserves operational flexibility

- Admin can still:
 - consolidate programs
 - adjust staffing
 - respond to enrollment

Aligns with governance best practice

- Board oversees major decisions
- Admin manages operations

Practical Impact

Area	Original Resolution	Modified Version
Fiscal Impact	\$3.1 M	Minimal
Flexibility	Highly restricted	Preserved
Board Oversight	Great (All Changes)	Target (major change only)
Student Stability	High	High (through transition planning)
Implementation Risk	High	Low

Results

This version delivers:

- Governance team direct oversight
- Ongoing stability protections
- No structural budget damage
- Manageable and accountable implementation

OPTIONS ANALYSIS AND RECOMMENDATIONS:

ORIGINAL RESOLUTION

What Happens:

- All program changes require an extensive process
- Programs cannot be consolidated efficiently
- Low-enrollment programs remain open
- New programs created even without demand

Result:

~\$3.1M Annual Cost

Reduced flexibility

Staffing inefficiencies

Increased fiscal challenges

OPTION B: MODIFIED RESOLUTION (RECOMMENDED)

What Happens:

- Board reviews and approves major program changes
- Families are informed in advance
- Students receive transition support
- District can still manage programs efficiently

Result:

Minimal Cost Impact

Stability plus transparency

Maintained flexibility

Sustainable operations

OPTION C: NO ACTION

What Happens:

- Current practices continue
- Less formal Board oversight
- Continued community concern about program changes

Result:

No new cost

Lower transparency

Risk of community dissatisfaction

ADMINISTRATIVE RECOMMENDATION

Adopt the Modified Resolution

Provides student protection and continuity

Maintains program trust and transparency

Avoids \$3M structural cost

COMPARATIVE ANALYSIS: ORIGINAL VS. MODIFIED RESOLUTION

Area	Original Resolution	Modified Resolution	Impact of Change
Scope	All program moves, redesigns, and closures	Significant program changes	Focused, manageable
Board Role	Required for all changes	Required only for major changes	Preserves governance role
CAC Requirement	Mandatory 30-day review	Not required for all actions	Removes the delay bottleneck
Timing	Must be decided before enrollment, and implemented a year later	Flexible timing with advance notice	Aligns with real operations
Student Continuity	Guarantees full grade span at the same site	Guarantees transition support and service continuity	Maintains stability without inefficiency
Program Consolidation	Effectively restricted	Allowed with oversight	Restores cost control
Staffing Flexibility	Limited	Preserved	Enables compliance and efficiency
Emergency Action	Highly restricted	Allowed with Board ratification	Enables responsiveness
Fiscal Impact	~\$3.1M ongoing	Minimal	Avoids structural deficit increase
Operational Impact	High constraint	Balanced	Sustainable implementation

WHAT THE ORIGINAL VERSION WOULD DO

- Force continuation of low-enrollment programs
- Require creation of programs without demand
- Add ~\$3M annually in structural costs and deficits
- Reduce the ability to manage staffing and resources

WHAT THE MODIFIED VERSION DOES

- Prevents unnecessary program movement
- Ensures Board approval and program accountability
- Protects student stability through transitions
- Maintains fiscal solvency and operational responsibility

CONCLUSION

Original: High cost, low flexibility

Modified: High stability, high accountability, sustainable costs

Action Requested Adoption by the Board of Education of Resolution No. 2526-0181A -
Establishing Oversight and Stability Parameters for Special Education
Program Changes

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

Resolution No. 2526-0181A

**Establishing Oversight and Stability Parameters for Special Education Program
Changes**

WHEREAS

The Board of Education affirms that students with disabilities:

- Benefit from stability, continuity, and consistent relationships within their educational programs; and
- Experience disruption when programs or placements are changed without sufficient planning, communication, and support; and
- Have the right to the same educational experience as their general education peers

and

The Board recognizes its responsibility to:

- Provide appropriate governance oversight of significant programmatic decisions; and
- Ensure that families and stakeholders are informed and engaged in decisions impacting Special Education services;

and

The Board further recognizes the need to:

- Preserve the District's ability to manage programs, staffing, and resources efficiently; and
- Maintain fiscal solvency and compliance with state and federal law;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Focus on Special Education Program Changes

This Resolution applies to significant Special Education program changes, defined as:

- Relocation of a Special Education program from one school site to another;
- Closure of a Special Education program; or
- Substantial redesign of a program that materially changes the type or level of services provided to students.

Routine staffing adjustments, scheduling changes, or minor program modifications are not subject to this Resolution.

2. Advance Notification to the Board

The Superintendent shall provide advance written notice to the Board of any proposed significant Special Education program change, including:

- Rationale for the change
- Number of students impacted
- When the consolidation or reconfiguration of a special education program would otherwise require a student to change school sites, the District shall first pursue options that allow the students to remain enrolled at the students current school, consistent with the practices applied in general education consolidation decisions. Specifically, before recommending a change in school placement, the District shall consider whether the students' needs can be met through an adjusted grade-span configuration at the current site. A recommendation to place the students at a different school shall be made only when grade-span reconfiguration at the current site is not feasible, and shall be accompanied by a written explanation of the enrollment reasons reconfiguration is not possible.
- Timeline for implementation
- Fiscal and operational impact

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

3. Board Review and Approval

Significant Special Education program changes shall be:

- Presented to the Board as an information item, and
- Brought forward for Board approval before implementation, except as provided below.

4. Student Stability and Transition Planning

For any approved program change, the District shall:

- Minimize disruption to students to the greatest extent practicable.
- Provide individualized transition planning and supports;
- Ensure continuity of services consistent with each student's IEP;
- Communicate clearly and in a timely manner with affected families prior to the enrollment window.

5. Annual Program Overview

The Superintendent shall present to the Board, at least annually and before the OUSD on-time enrollment window:

- A summary of Special Education programs and locations;
- Program utilization and enrollment trends;
- Any anticipated program changes for the upcoming school year.

6. Emergency Exception

The Superintendent may implement immediate program changes without prior Board approval when necessary to:

- Address urgent health and safety concerns;
- Maintain legal compliance; or
- Respond to unforeseen staffing or operational conditions.

In such cases, the Superintendent shall:

- Notify the Board within two business days, and

- Seek Board ratification at the next regular meeting.

7. No Limitation on Legal Obligations

Nothing in this Resolution shall:

- Supersede or interfere with IEP team decisions;
- Alter the District's obligations under IDEA, LRE, or FAPE, or any other applicable law or regulation; or
- Prevent the District from making necessary adjustments to ensure compliance and appropriate services.

8. Fiscal Responsibility

Implementation of this Resolution shall not:

- Require the maintenance of programs that are not fiscally or operationally sustainable; or
- Prevent the District from aligning programs with enrollment and resource availability.

BE IT FURTHER RESOLVED

That the Superintendent or designee is directed to:

- Develop administrative procedures to implement this Resolution, to be approved by the Board; and
- Ensure alignment with Board policies, fiscal sustainability, and legal requirements.

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 April 22, 2026.

Legislative File	
File ID Number:	26-2447A
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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

