

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	20-1073
Introduction Date	6/24/20
Enactment Number	20-1035
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 – Over-Identification and Disproportionality in Special Education - Special Education Department

**Action Requested** Approval by the Board of Education of Resolution No. 1920-0239 Adopting and Complying With Requirements for Specific Resolutions that are Necessary for Special Education Local Plan Area’s (“SELPA”) Policies Designed to Prevent the Inappropriate Over-identification or Disproportionality of Students with Disabilities.

**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 LEA must seek to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities.

**Fiscal Impact** No fiscal impact.

Legislative File Info.	
File ID Number:	20-1073
Introduction Date:	6/24/20
Enactment Number:	20-1035
Enactment Date:	6/24/2020 os

**RESOLUTION  
 OF THE  
 BOARD OF EDUCATION  
 OF THE  
 OAKLAND UNIFIED SCHOOL DISTRICT  
 NO. 1920-0239**

**Adopting and Complying With Requirements for Specific Resolutions that are Necessary for the Special Education Local Plan Area’s (“SELPA”) Policies Designed to Prevent the Inappropriate Over-identification or Disproportionality of Students with Disabilities**

**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 that the SELPA must have policies and procedures designed to prevent the inappropriate over-identification and disproportionate representation of children with disabilities;

**BE IT FURTHER RESOLVED**, that the Board hereby adopts the following: “It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities.”

Legislative File Info.	
File ID Number:	20-1073
Introduction Date:	6/24/20
Enactment Number:	20-1035
Enactment Date:	6/24/2020 os

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

Legislative File Info.	
File ID Number:	20-1073
Introduction Date:	6/24/20
Enactment Number:	20-1035
Enactment Date:	6/24/2020 os

### 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.

Legislative File	
File ID Number:	20-1072
Introduction Date:	06/24/2020
Enactment Number:	20-1035
Enactment Date:	6/24/2020
By:	os

### OAKLAND UNIFIED SCHOOL DISTRICT




---

Jody London  
President, Board of Education




---

Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education

Approved at to form  
*Andrea Epps*  
Deputy General Counsel