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File ID Number	23-2704-1
Introduction Date	6/5/2024
Enactment Number	
Enactment Date	



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

Resolution No. 2324-0020A

**Equity Impact Analysis Metrics
for the Initiation of School Changes Per Education Code 41329**

WHEREAS, on March 9, 2023, the Board of Education adopted Resolution No. 2223-0040 Proposed Budget Adjustments for 2023-24 Budget, approving budget adjustments for the 2023-24 fiscal year and beyond;

WHEREAS, on February 28, 2024, the Board of Education adopted 2324-0137 - Proposed Budget Adjustments for Fiscal Year 2024-25 and Restructuring Recommendations for the 2025-26 fiscal year and beyond;

WHEREAS, one of the adopted budget adjustments was "the potential merger of schools effective 2024-25," but that "[b]efore any closures or consolidations take place, the District will comply with the guidelines set forth in [Assembly Bill No.] 1912 which requires a district, before approving the closure or consolidation of a school, to conduct an equity impact analysis in its consideration of school closures or consolidations";

WHEREAS, while the specific number or types of mergers was not specified in Resolution No. 2223-0040A, the potential merger of schools did involve shifting 17.70 Full-Time Equivalent positions from the General Fund (Fund 0000) to ESSER funding for 2023-24, for an estimated savings to the General Fund of \$2.48 million;

WHEREAS, Education Code section 41329, added by Assembly Bill No. 1912 ("AB 1912"), requires all school districts in financial distress (such as OUSD) to follow certain procedural steps prior to voting to "clos[e] or consolidat[e] . . . a school of the school district";

WHEREAS, the first procedural step is for the "governing board of the school district [to] develop a set of metrics for the development of [an] equity impact analysis and make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis";

WHEREAS, the Board held a public meeting on January 10, 2024 to review the recommended AB 1912 equity impact analysis metrics, solicit community input and launch further engagement by means of Town Hall meetings and district-wide surveying on the recommended equity impact analysis metrics; and

WHEREAS, in addition to soliciting feedback in the public meeting held on January 10, 2024, staff and Board members have solicited community input on proposed metrics for the equity impact analysis through town hall meetings, surveys, and community engagement;

WHEREAS, the Board seeks to further engage with the public through an ad hoc, time-limited advisory committee of community collaborators;

NOW, THEREFORE, BE IT RESOLVED, in light of Resolution No. 2223-0040A and Education Code section 41329, the Board hereby accepts the AB 1912 metrics as described by the legislation in 41329 (a)(1)(A) through(I).

Friendly Amendment-Director Jennifer Brouhard

~~**BE IT FURTHER RESOLVED**, that the Board recommends the Superintendent or designee consult with an ad hoc group to support community engagement and review local metrics, a time limited advisory committee, comprising up to 15 individuals, including at least three (3) students, families, one (1) representative from each labor union, community members and district staff (school site and central office).~~

~~**BE IT FURTHER RESOLVED**, that the Board recommends the Superintendent, or designee, consult with an ad hoc group, a time limited advisory committee, comprising of up to 19 individuals as follows:~~

- ~~A. **student representatives selected by All City Council ("ACC")(2);**~~
- ~~B. **one OUSD family representative selected by each of the following groups:**~~
 - ~~i. **Parent Student Advisory Committee ("PSAC")(1);**~~
 - ~~ii. **Community Advisory Committee ("CAC")(1);**~~
 - ~~iii. **District English Language Learners Subcommittee ("DELLS")(1);**~~
- ~~C. **a representative from the Black Reparations Taskforce (1);**~~
- ~~D. **a representative from the George Floyd Resolution ("GFR")Taskforce (1);**~~
- ~~E. **a representative from each labor union (AFSCME, BCTC, OEA, SEIU, Teamsters, UAOS)(6);**~~
- ~~F. **community members appointed by the Superintendent (2); and**~~
- ~~G. **School site and central District staff appointed by the Superintendent (4).**~~

~~**BE IT FURTHER RESOLVED**, the Board will review recommendations from the ad hoc committee established per this Resolution and take action on any additional metrics on August 28, 2024.~~

BE IT FURTHER RESOLVED, the Board directs staff to conduct the equity impact analysis using the approved metrics by the Fall 2024 and continue to follow the AB 1912 process as prescribed in the legislation.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 5th day of June 2024, by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSED:

ABSENT:

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at the Meeting of the Board of Education of the Oakland Unified School District held on June 5, 2024.

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File ID Number:	23-2704-1
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By:	

OAKLAND UNIFIED SCHOOL DISTRICT

Benjamin Sam Davis
President, Board of Education

Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

Board Office Use: Legislative File Info.	
File ID Number	23-2704-1
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**RESOLUTION OF THE
BOARD OF EDUCATION OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

**Resolution No. 2324-0020A
(As Amended)**

**Equity Impact Analysis Metrics
for the Initiation of School Changes Per Education Code 41329**

WHEREAS, on March 9, 2023, the Board of Education adopted Resolution No. 2223-0040 Proposed Budget Adjustments for 2023-24 Budget, approving budget adjustments for the 2023-24 fiscal year and beyond;

WHEREAS, on February 28, 2024, the Board of Education adopted 2324-0137 - Proposed Budget Adjustments for Fiscal Year 2024-25 and Restructuring Recommendations for the 2025-26 fiscal year and beyond;

WHEREAS, one of the adopted budget adjustments was “the potential merger of schools effective 2024-25,” but that “[b]efore any closures or consolidations take place, the District will comply with the guidelines set forth in [Assembly Bill No.] 1912 which requires a district, before approving the closure or consolidation of a school, to conduct an equity impact analysis in its consideration of school closures or consolidations”;

WHEREAS, while the specific number or types of mergers was not specified in Resolution No. 2223-0040A, the potential merger of schools did involve shifting 17.70 Full-Time Equivalent positions from the General Fund (Fund 0000) to ESSER funding for 2023-24, for an estimated savings to the General Fund of \$2.48 million;

WHEREAS, Education Code section 41329, added by Assembly Bill No. 1912 (“AB 1912”), requires all school districts in financial distress (such as OUSD) to follow certain procedural steps prior to voting to “clos[e] or consolidat[e] . . . a school of the school district”;

WHEREAS, the first procedural step is for the “governing board of the school district [to] develop a set of metrics for the development of [an] equity impact analysis and make those metrics public

at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis”;

WHEREAS, the Board held a public meeting on January 10, 2024 to review the recommended AB 1912 equity impact analysis metrics, solicit community input and launch further engagement by means of Town Hall meetings and district-wide surveying on the recommended equity impact analysis metrics; and

WHEREAS, in addition to soliciting feedback in the public meeting held on January 10, 2024, staff and Board members have solicited community input on proposed metrics for the equity impact analysis through town hall meetings, surveys, and community engagement;

WHEREAS, the Board seeks to further engage with the public through an ad hoc, time-limited advisory committee of community collaborators;

NOW, THEREFORE, BE IT RESOLVED, in light of Resolution No. 2223-0040A and Education Code section 41329, the Board hereby accepts the AB 1912 metrics as described by the legislation in 41329 (a)(1)(A) through(I).

BE IT FURTHER RESOLVED, that the Board recommends the Superintendent, or designee, consult with an ad hoc group, a time limited advisory committee, comprising of up to 19 individuals as follows:

- A. student representatives selected by All City Council (“ACC”)(2);
- B. one OUSD family representative selected by each of the following groups:
 - i. Parent Student Advisory Committee (“PSAC”)(1);
 - ii. Community Advisory Committee (“CAC”)(1);
 - iii. District English Language Learners Subcommittee (“DELLS”)(1);
- C. a representative from the Black Reparations Taskforce (1);
- D. a representative from the George Floyd Resolution (“GFR”)Taskforce (1);
- E. a representative from each labor union (AFSCME, BCTC, OEA, SEIU, Teamsters, UAOS)(6);
- F. community members appointed by the Superintendent (2); and
- G. School site and central District staff appointed by the Superintendent (4).

BE IT FURTHER RESOLVED, the Board will review recommendations from the ad hoc committee established per this Resolution and take action on any additional metrics on August 28, 2024.

BE IT FURTHER RESOLVED, the Board directs staff to conduct the equity impact analysis using the approved metrics by the Fall 2024 and continue to follow the AB 1912 process as prescribed in the legislation.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 5th day of June 2024, by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Jennifer Brouhard, VanCedric Williams, Valarie Bachelor, President Benjamin Davis

NOES: Jorge Lerma, Clifford Thompson, Vice President Mike Hutchinson

ABSTAINED: None

RECUSED: None

ABSENT: None

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at the Meeting of the Board of Education of the Oakland Unified School District held on June 5, 2024.

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OAKLAND UNIFIED SCHOOL DISTRICT



Benjamin Davis
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

State of California

EDUCATION CODE

Section 41329

41329. (a) A school district under financial distress, as defined in subdivision (b), shall do all of the following before approving the closure or consolidation of a school of the school district:

(1) In deciding what schools to close or consolidate, the governing board of the school district shall conduct an equity impact analysis in its consideration of school closures or consolidations. The governing board of the school district shall develop a set of metrics for the development of the equity impact analysis and make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis. The metrics shall include, but are not limited to, all of the following:

(A) The condition of a school facility.

(B) The operating cost of a school and the associated savings resulting from a closure or consolidation.

(C) The capacity of a school to accommodate excess pupils.

(D) Special programs available at the schools being considered for closure or consolidation and whether those programs will be provided at the same current level at the schools to which pupils will be diverted.

(E) Environmental factors, including, but not limited to, traffic and proximity to freeway access.

(F) Balance of pupil demographics, including race or ethnicity, pupils with disabilities, English learners, foster youth, and homeless youth, in the schools being considered for closure or consolidation, and the resulting demographic balance of pupils after placement in other schools, in order to determine if the decision to close or consolidate will have a disproportionate impact on any particular demographic group.

(G) Transportation needs of pupils.

(H) Aesthetics and the opportunity for blight and negative impact on the surrounding community.

(I) Impact on feeder school attendance patterns with the closure of any particular school and whether the closure will attenuate attendance at other schools or specialized programs as a result.

(2) (A) The governing board of the school district shall provide its recommendations regarding school closures and consolidations to the public at a regularly scheduled meeting and share how it prepared its list and include, at a minimum, all of the following information:

(i) Factors used to identify the list of school closures or consolidations.

(ii) Equity impact analysis findings for each school closure or consolidation.
(iii) Plan for the use of the schools proposed for closure or consolidation once it becomes a vacated facility.

(iv) Criteria used to assign displaced pupils to other schoolsites, or a description of the process of reassignment that will be used by the school district.

(v) Options and timeline for transitioning pupils to their new schools, including improving safe routes to schools and home-to-school transportation needs.

(B) The governing board of the school district shall review and consider the feedback presented at the public meeting and make its decision on any school closures or consolidations at a subsequently scheduled regular meeting.

(C) At the subsequent regularly scheduled meeting, the governing board of the school district shall present its final recommendation for school closures or consolidations, which shall include a review of how public input was incorporated into the final recommendation. Any affirmative action by the governing board of the school district to implement a school closure or consolidation shall be made only after it adopts a resolution concluding that the community engagement process required pursuant to this section has been completed.

(D) (i) Upon an affirmative action by the governing board of the school district to implement a school closure or consolidation, the school district shall provide information to parents and pupils in multiple formats, including, but not limited to, email and paper notifications.

(ii) Notifications to parents shall be translated into their primary language pursuant to Section 48985.

(iii) The information shall include all of the following:

(I) The date of the approved closure or consolidation.

(II) The pupil's new school assignment, as applicable.

(III) School district resources for pupils and parents to support the pupil's transition.

(IV) School district contacts for additional information.

(b) For purposes of this section, "financial distress" means a school district with an emergency apportionment pursuant to Article 2 (commencing with Section 41320) or this article, a trustee appointed pursuant to Article 2 (commencing with Section 41320), or an administrator appointed pursuant to this article.

(c) For purposes of this section, "governing board of a school district" includes a trustee appointed pursuant to Article 2 (commencing with Section 41320), or an administrator appointed pursuant to this article.

(d) This section does not apply to a school district's closure of a school due solely to the unsafe condition of the school's facilities.

(e) The process outlined pursuant to this section shall not take more than 12 months from the initiation of the equity impact analysis pursuant to paragraph (1) of subdivision (a) to the notification to parents of the final determination of the governing board of the school district pursuant to subparagraph (D) of paragraph (2) of subdivision (a).

(f) This section shall become inoperative on July 1, 2028, and, as of January 1, 2029, is repealed.

(Amended by Stats. 2023, Ch. 131, Sec. 28. (AB 1754) Effective January 1, 2024. Inoperative July 1, 2028, by its own provisions. Repealed as of January 1, 2029, by its own provisions.)