

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	23-2704
Introduction Date	4/10/2024
Enactment Number	
Enactment Date	



**OAKLAND UNIFIED  
SCHOOL DISTRICT**

Community Schools, Thriving Students

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

**Resolution No. 2324-0020**

**DIRECTOR BACHELOR -**

**DIRECTOR BROUHARD**

**PROPOSED AMENDMENT**

**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 2024-25, 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 engage further with the public through an ad hoc, time-limited advisory committee of community collaborators; and

**WHEREAS**, in response to January 10, 2024 proposed metrics, on January 29, 2024 the California Attorney General issued a letter to Oakland Unified School District identifying concerns with the metrics proposed and suggesting changes to the proposed metrics in order to ensure compliance with California Constitution Article 1, Section 7 and AB 1912;

**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) with the following modifications per the January 29th letter from the Attorney General:

- a) 1912(a): In addition to or in lieu of Facility Condition Index staff will conduct an assessment of past and present inequitable resource allocation by analyzing historical resource decisions to determine whether district disinvestment resulted in unequal school infrastructure conditions. The analysis will be presented to the public before a list of schools is presented. Where unequal resources, facilities, and recreational space are identified, the Facilities Committee will discuss, assess and provide recommendations to the full board for how to repair the harm going forward within the closure and redesign process;
- b) 1912 (b): Adopt as is but the analysis must not include restricted resources that follow the students;
- c) 1912 (c): Staff must propose an alternative to the “underutilized classrooms” metric which negatively impacts students with disabilities and bring back to the board for approval;
- d) 1912(d): Adopt, but must include qualitative evaluations of how schools serve specific populations of students;
- e) 1912 (e): In addition to the stated metric, staff will conduct a safety analysis to ensure that as many students as possible are able to travel to and from schools using safe routes and passages;
- f) 1912 (f): Staff will conduct an analysis to determine if the decision to close or consolidate will have a disproportionate impact on any particular demographic group;
- g) 1912 (g): Must identify transportation needs before a list of school selections are made and should include an analysis of impact on closed school communities since 2012;
- h) 1912 (h): Staff must consider and report on the aesthetics, blight, negative impact on community including gentrification;
- i) 1912 (i): staff must determine whether closure, consolidation or merger will have a disproportionate impact on any particular demographic group and also if the action will maintain or exacerbate segregation or isolation and if so, create a plan to alleviate the harm.

**BE IT FURTHER RESOLVED**, that the Board ~~recommends~~ requires the Superintendent or designee consult with an ad hoc group, a time limited advisory committee, comprising up to ~~15~~ 20 individuals, including

students an ACC represent selected by ACC, families family representatives selected by PSAC, CAC, DELLS, Black Reparations Taskforce and GFR Taskforce, labor partners, community members and district staff (school site and central office).

~~**BE IT FURTHER RESOLVED**, the Board will review and take action on any additional metrics, if any, recommended by the ad hoc group established as per the above on or before June 5, 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 10th day of April 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 April 10, 2024.

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By:	

**OAKLAND UNIFIED SCHOOL DISTRICT**

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Benjamin Sam Davis  
President, Board of Education

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Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education