



Sacramento City Unified School District
BOARD OF EDUCATION
Special Board Meeting

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

Agenda Item# 3.1

Meeting Date : May 8, 2024

Subject : Adopt Resolution No. 3403: Resolution Regarding Proposed Decision of Administrative Law Judge and Implementing Classified Layoffs

- Information Item Only
- Approval on Consent Agenda
- CoBT/P ~~MCIn~~11.52 -11.52 IO -11.52tA35Tw 0.13.(/Armatio7 ET/Arrn/Anforo6 (l35a51-1da51-1q

Documents Attached:

1. Resolution No. 3403
2. Executive Summary

Estimated Time of Presentation: 5 minutes

Submitted by: Cancy McArn, Chief Human Resources Officer

Approved by : Lisa Allen, Superintendent

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

RESOLUTION NO. 3403

RESOLUTION REGARDING PROPOSED DECISION OF ADMINISTRATIVE
LAW JUDGE AND IMPLEMENTING CLASSIFIED LAYOFFS

WHEREAS, the Board of Education of the Sacramento City Unified School District adopted Resolution 3384 on February 15, 2024, authorizing and directing the Superintendent, or Superintendent's designee, to initiate and pursue procedures necessary to discontinue and/or reduce services of classified staff totaling 145.63695 full time equivalents classified positions, including vacancies of this District pursuant to Education Code sections 45117 and 45308 due to a reduction in

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 8th day of May,2024, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Lavinia Grace Phillips
President of the Board of Education

ATTESTED TO:

Lisa Allen
Secretary of the Board of Education

ATTACHMENT A

	Last Name	First Name
1	Lau	Genevie Lei
2	Rincon	Silvia
3	Santiago	Marilou
4		

ATTACHMENT B

[ALJ'S PROPOSED DECISION]

**BEFORE THE
GOVERNING BOARD OF THE
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
STATE OF CALIFORNIA**

In the Matter of the Reduction in Force of Certified

[REDACTED]

Employees:

**VINCE ASUNCION; CHRISTY BLACKSIRE; SUSANNA
KAPUZAS; JAVIER LAMINE; MARILOU SANTIAGO; and CATIE**

YANAGIOTO, Respondents

OA No. 2024040444

PROPOSED DECISION

Evidence was received and the hearing concluded on April 22, 2024. The record was held open until April 23, 2024, to allow the District to submit redacted copies of Exhibits 6, 7, 9, 12, 13, and 15. The District did so, the record closed, and the matter submitted for decision on April 23, 2024.

FACTUAL FINDINGS

Jurisdictional Matters

[REDACTED]

District's Chief Human Resources (HR) Officer. The actions of Superintendent Allen, Ms.

4. Respondents timely filed Requests for Hearing. On March 25, 2024, the District served respondents with Statements of Reduction in Force and related information. Respondents timely requested a hearing to contest the Statements of Reduction in Force. Jurisdiction for the subject proceedings exists pursuant to Education Code section 45117.

Cause to Eliminate or Reduce Services

At hearing, Mr. McAnn, James Medina, and Jake Henson testified for the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

services. At hearing, Ms. McArn testified consistently with her presentation to the

Board.

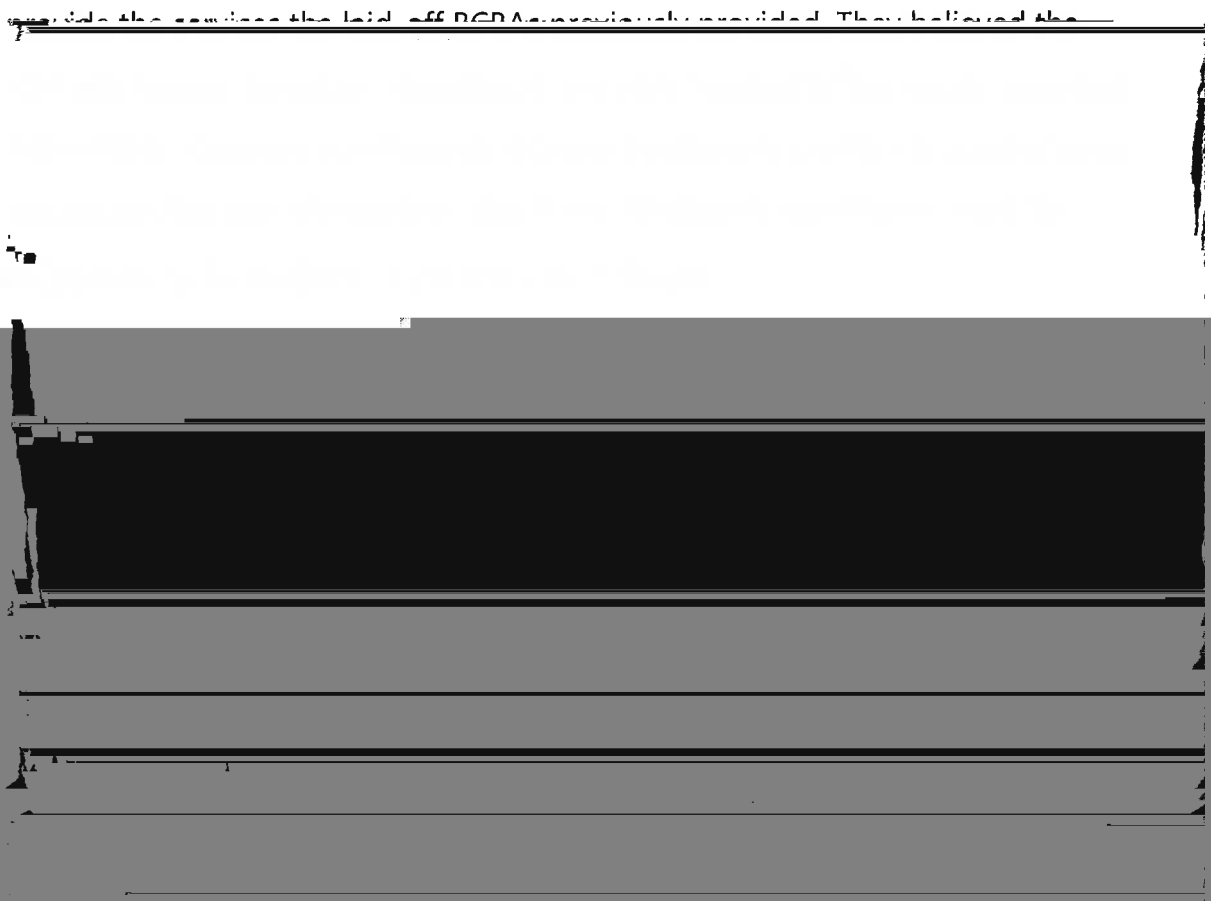
7. Ms. Marking's duties include strategic planning and ensuring the District's financial stability. On March 7, 2024, she presented information to the Board

2025/2026 school year. She explained to the Board that, based on projected declining enrollment, increasing salaries and benefits, and rising costs of providing services such as special education, the District would face a budget shortfall by the 2025/2026 school year unless it took action to cut its expenses. In her budget calculations, she

the District considered attrition, including resignations and retirements, when selecting the employees to receive layoff notices.

9. None of the District's witnesses knew how the District intended to

provide the services the laid-off BCRAs previously provided. They believed the

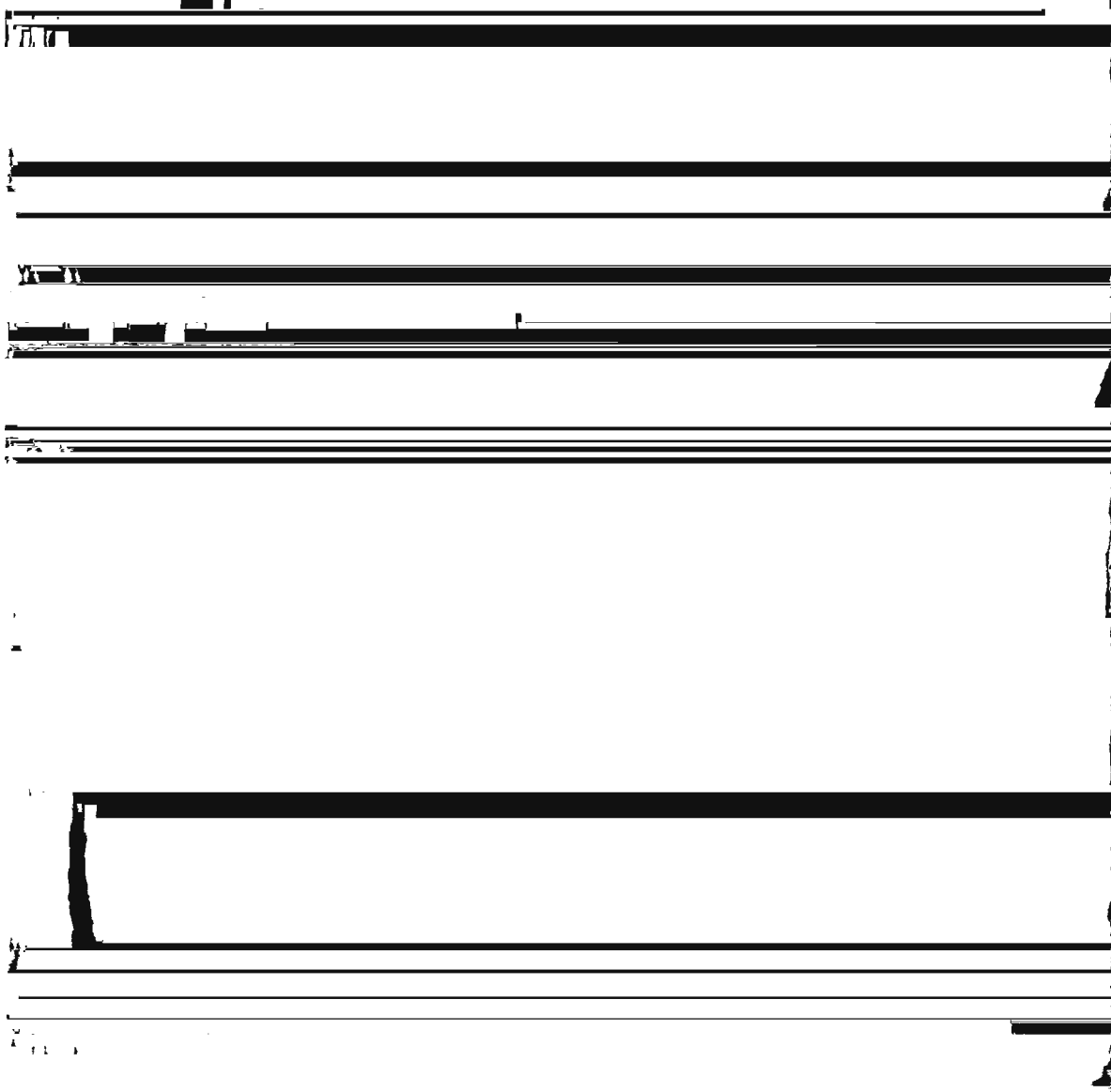


District's Special Education Department and Chief Budget Officer would have that information. However, all witnesses believed the Board's decision to eliminate and reduce services was necessary to ensure the District can continue to meet its obligations to its students in the short-term future.

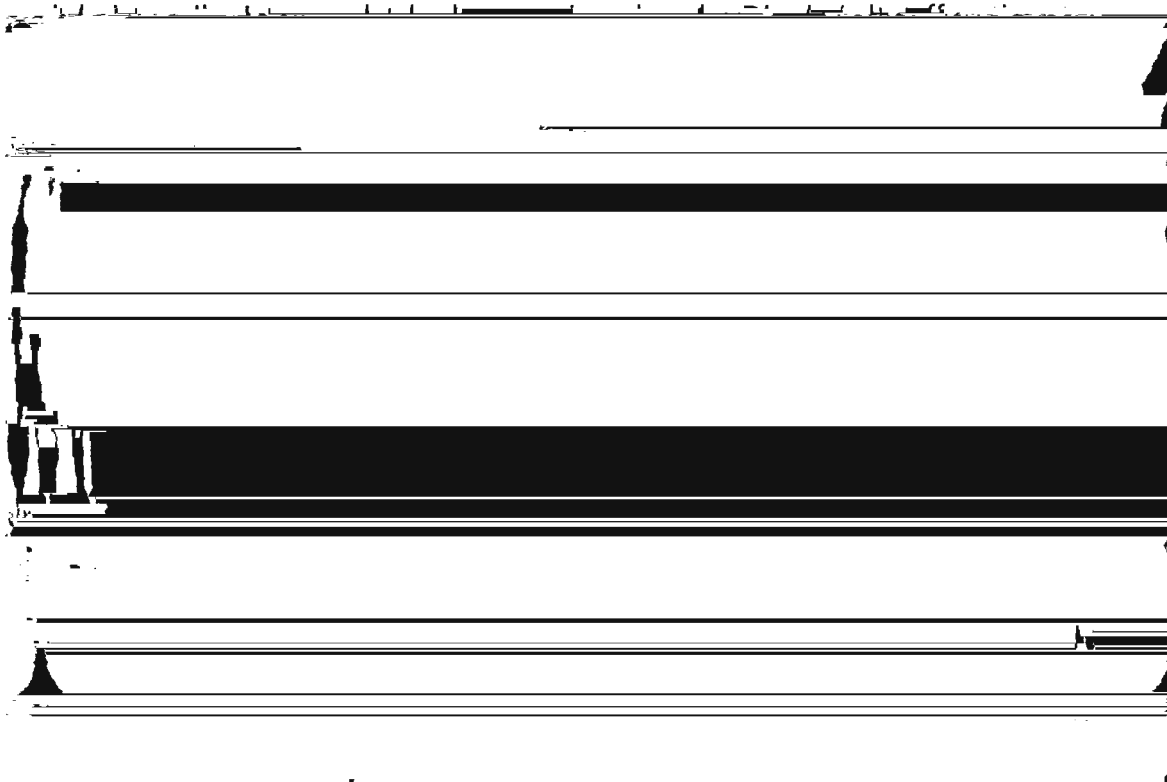
Respondents' Evidence



fidelity. Ethical guidelines, Ed-Code, and SELPA [Special Education Local Plan Area] recommend that Behavior



BCBA[s]. A new BPSB [Black Parallel School Board] settlement includes BCBA[s] as an essential service to help curve the significant disproportionality that is happening in our school district. This includes high disciplinary actions for students with color and placement of more restrictive settings.



respondents be confirmed.

LEGAL CONCLUSIONS

1. Pursuant to Education Code section 45117, subdivision (a)(1):

No later than March 15 and before a classified employee is given notice by the governing board of a school district that the employee's services will not be required for the ensuing year due to lack of work or lack of funds, the governing board of the school district and the employee shall be given written notice by the superintendent of the school district or the superintendent's designee, or, in the case of a school district that has no superintendent, by the clerk or secretary of the governing board of the school district. that it has

[REDACTED]

requirements of Education Code section 45117, subdivision (a)(1).

3. Pursuant to Education Code section 45308, subdivision (a)

Classified employees shall be subject to layoff for lack of

work or lack of funds. If a classified employee is laid off, the

[REDACTED]

RECOMMENDATION

Sufficient cause exists to eliminate seven of the District's nine BCBA positions, including those held by each of the respondents. Notice may be given to respondents that their services will not be required for the 2024/2025 school year because of a lack of funds.

DATE: April 25, 2024


Sean Gavin (Apr 25, 2024 16:50 PDT)

SEAN GAVIN

Administrative Law Judge

Office of Administrative Hearings

I. Overview/History of Classified Layoffs for 2024-2025 Due to Lack of Funds and/or Lack of Work:

Due to concerns associated with District program needs, reduced funding, and declining enrollment, it was recommended that the Board approve a Reduction in Force Due to Lack of Funds and/or Lack of Work. (11/14/24) (5/15/25) (4/15/2024)

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Board of Education Executive Summary

Human Resource Services

Adopted Resolution No. 2403: Resolution Regarding Proposed

Sacramento
City Unified
School District

M 8 2024

Education Code section 45117 requires that final layoff notices be served on affected employees before May 15.

[REDACTED]