



NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN the Board of Education of the Fresno Unified School District will meet in Closed Session on:

MONDAY, MAY 11, 2026, 12:00 P.M.

In the Education Center, Second Floor, Board Room, 2309 Tulare Street, Fresno, California 93721.

***12:00 P.M. CALL** Meeting to Order

OPPORTUNITY for Public Comment on Agenda

RECESS TO CLOSED SESSION

Immediately following public comments, the Board of Education will RECESS to the Cabinet Room for Closed Session to discuss the following:

1. Public Employee Discipline, Dismissal, Release (Government Code Section 54957).

RECONVENE TO OPEN SESSION

Immediately following Closed Session, the Board of Education will RECONVENE in Open Session to report action taken in Closed Session and to take action on the following items:

1. **DISCUSS and APPROVE Resolution No. 26-86, Authorizing the Board to Reduce or Eliminate Particular Kinds of Certificated Services and to Permit the Layoff of Certificated Employees for the 2026/27 School Year**

Included in the Board material is Resolution 26-86, authorizing the Board to reduce or eliminate particular kinds of certificated services and to permit the layoff of certificated employees for the 2026/27 school year pursuant to Education Code 44949 and 44955 and it is in the best interest of the District that the number of certificated employees be reduced or discontinued and approve related documents and actions. The Superintendent **recommends approval**. Contact person: David Chavez, telephone (559) 457-3713.

2. **DISCUSS and APPROVE Resolution No. 26-87, Authorizing the Board to Reduce or Discontinue Particular Classified Services for the 2026/27 School Year**

Included in the Board material is Resolution 26-87, authorizing the Board to reduce or discontinue particular classified services for the 2026/27 school year pursuant to Education Code 45117 and 45308 and it is in the best interest of the District that the number of classified employees be reduced for lack of work and/or lack of funds and approve related documents and actions. The Superintendent **recommends approval**. Contact person: David Chavez, telephone (559) 457-3713.

Unscheduled Oral Communications

Individuals who wish to address the Board on the topics listed on this agenda may do so when the Board President calls for public comment. While time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment. Individuals with questions on any item on this agenda may submit them in writing. The Board will automatically refer formal request to the Superintendent for response by the appropriate staff member.

By direction of the Board of Education.



**Mao Misty Her, Secretary to the
Board of Education**

Fresno, California

Posted: Friday, May 08, 2026

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 11, 2026

ACTION REQUESTED: DISCUSS AND APPROVE

TITLE AND SUBJECT: Discuss and Approve Resolution No. 26-86, Authorizing the Board to Reduce or Eliminate Particular Kinds of Certificated Services and to Permit the Layoff of Certificated Employees for the 2026/27 School Year

ITEM DESCRIPTION: Included in the Board material is Resolution 26-86, authorizing the Board to reduce or eliminate particular kinds of certificated services and to permit the layoff of certificated employees for the 2026/27 school year pursuant to Education Code 44949 and 44955 and it is in the best interest of the District that the number of certificated employees be reduced or discontinued and approve related documents and actions.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Annarita Howell

DIVISION: Human Resources/Labor Relations

CABINET APPROVAL PHONE: (559) 457-3713

CABINET APPROVAL: Chief of Human Resources/Labor Relations, David Chavez



**BEFORE THE BOARD OF EDUCATION OF THE
FRESNO UNIFIED SCHOOL DISTRICT
COUNTY OF FRESNO, STATE OF CALIFORNIA**

RESOLUTION NO. 26-86

**RESOLUTION REGARDING REDUCTION OR ELIMINATION OF
CERTAIN CERTIFICATED SERVICES**
(Education Code sections 44949 and 44955)

WHEREAS, on February 25, 2026, the Board of Education of the Fresno Unified School District adopted Resolution No. 26-60 reducing or eliminating particular kinds of services performed by certificated employees for the 2026-2027 school year; and

WHEREAS, on March 11, 2026, the Board of Education of the Fresno Unified School District adopted Resolution No. 26-66 reducing or eliminating particular kinds of services performed by certificated employees for the 2026-2027 school year; and

WHEREAS, before March 15, 2026, pursuant to the direction of this Board, the Superintendent and/or her designated representatives served notice to certain probationary and permanent certificated employees, that it has been recommended that each of their services will not be required for the 2026-2027 school year, pursuant to Education Code sections 44949 and 44955; and

WHEREAS, said notices served upon those probationary and permanent certificated employees advised them that they could request a hearing before an administrative law judge to determine if there is cause for not employing them for the 2026-2027 school year and if they failed to timely request a hearing, that failure would constitute a waiver of the right to a hearing, and his/her services would accordingly be terminated pursuant to the recommendation; and

WHEREAS, certain probationary and permanent certificated employees requested a hearing and thereafter became referred to as "Respondents"; and

WHEREAS, certain probationary and permanent certificated employees did not request a hearing and, thereby, became "non-Respondents" who waived their rights under the Education Code for a proposed determination of whether their seniority dates and other pertinent information were accurate, and ultimately, whether they should be laid off from employment with the District;

WHEREAS, the Superintendent, or her designee in their official capacity, filed a District Statement of Reduction in Force against Respondents, and served Respondents with copies thereof; and

WHEREAS, included with the District Statement of Reduction in Force were related materials, including a Notice of District Statement of Reduction in Force, which explained certain rights to Respondents; a Notice of Participation form, which if returned to the District constituted a demand for a hearing; a Notice of Hearing, which informed Respondents of the date and time of

the hearing before an administrative law judge; and various Education and Government Code sections; and

WHEREAS, based on the demand for hearing by 35 of certain certificated employees (“Respondents”), a full quasi-judicial hearing began on April 22-23, 2026; and

WHEREAS, the administrative law judge reserved the authority to continue the hearing for an additional week to prepare a proposed decision; and

WHEREAS, on April 22, 2026, the District was informed that the administrative law judge was exercising his authority to continue the hearing and extend the statutory deadlines by twelve (12) days; and

WHEREAS, the administrative law judge has jurisdiction over only the Respondents in OAH Case No. 2026040558, and his continuance of the hearing and extension of the statutory deadlines applies only to Respondents; and

WHEREAS, the administrative law judge’s action to continue the hearing and extend the statutory deadlines does not apply to non-Respondents, who must receive notice of their layoff notice prior to May 15, 2026, as required by law; and

WHEREAS, based on the continuance and extension of the statutory deadlines, this Board will consider the proposed decision of the administrative law judge and take final action regarding whether to layoff certain certificated employees before May 26, 2026; and

WHEREAS, pursuant to Education Code section 44949(c)(3), “the governing board shall make the final determination as to the sufficiency of the cause and disposition” for non-Respondents; and

WHEREAS, the Superintendent has recommended, and this Board agrees, that certain probationary and permanent certificated employees who are non-Respondents should be issued final notices of layoff that indicate their services will not be necessary following the 2026-2027 school year; and

WHEREAS, the particular kinds of services to be reduced and/or eliminated as referenced in this Board’s February 25, 2026 Resolution No. 26-60 and its March 11, 2026 Resolution No. 26-66 are determined to be particular kinds of services within the meaning of Education Code section 44955; and

WHEREAS, the particular kinds of services referenced in this Board’s February 25, 2026 Resolution No. 26-60 and its March 11, 2026 Resolution No. 26-66 will be reduced and/or eliminated within the meaning of Education Code section 44955 not later than the beginning of the 2026-2027 school year; provided, however, that this Board’s current review and analysis of the level at which the identified services should be affected dictates fewer probationary and permanent certificated employees should be laid off as specified in this Resolution; and

WHEREAS, except as permitted by law and as defined in this Resolution, the services of no probationary or permanent certificated employee who is a non-Respondent are being terminated, while any permanent, probationary, or other certificated employee with less seniority is being retained to render a service which said more senior employee is certificated and competent to render, within the meaning of Education Code section 44955(b); and

WHEREAS, except as permitted by law, the non-Respondents whose employment is being terminated are not certificated and competent (within the meaning of Education Code section 44955) to render service being performed by any employee with less seniority who is being retained; and

WHEREAS, sufficient cause exists for the termination of certain non-Respondents, and pursuant to and within the meaning of Education Code section 44949, said cause relates to the welfare of the schools and the pupils of thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Fresno Unified School District:

1. That all of the foregoing recitals are true and correct.

Services to Be Reduced or Eliminated

2. That the Board's February 25, 2026 Resolution No. 26-60 and its March 11, 2026 Resolution No. 26-66 listed the services to be reduced or eliminated based on a then-current analysis of the District's budget, staffing patterns for the 2026-2027 school year, and the need to provide flexibility for continued evaluation of anticipated service needs, attrition, and staffing; and, that the Board specifically indicated it reserved the right to amend and modify the list of service reductions as new information became available.
3. That the Board now determines through this Resolution that the particular kinds of services that must be reduced or eliminated no later than the end of the 2025-2026 school year, and prior to the 2026-2027 school year, are those listed in Exhibit C to this Resolution.
4. That because of the services identified in Exhibit C for reduction or elimination, it shall be necessary to terminate, at the end of the 2025-2026 school year, certificated employees equal in full-time equivalents (both Respondents and non-Respondents).
5. That in identifying the particular kinds of services listed in Exhibit C for reduction or elimination, the Board confirms that all other programs and services performed by certificated employees of the District that are not so identified shall be maintained and staffed with individuals who are both competent and credentialed to perform such services.

Seniority of Probationary and Permanent Certificated Employees

6. That the Board reaffirms the criteria used in determining the order of termination of certificated employees who first rendered paid service to the Board in a probationary position on the same date. The criteria so used are listed in Exhibit B to the Board's

February 25, 2026 Resolution No. 26-60 and its March 11, 2026 Resolution No. 26-66. To the extent such criteria were unable to determine the order of layoff, the Board hereby ratifies the use of lottery system, as agreed to and carried out by the Superintendent's designees and representatives from the Fresno Teacher's Association.

Effect of Administrative Law Judge's Continuance on Statutory Notice Deadlines

7. That the decision of the administrative law to continue the hearing for one week extends by the same duration the statutory deadlines defined in Education Code sections 44949 and 44955. That the May 14 deadline for issuance of final notices of layoff to Respondents is now May 26, 2026.
8. That the modified deadlines described above apply only to Respondents, and do not apply to non-Respondents.

Notices to Non-Respondents

9. That the current position of each non-Respondent listed in Exhibit D who received a notice of the recommendation that his or her services will not be required for the 2026-2027 school year, and who did not request a hearing, is hereby terminated effective upon the close of this school year.
10. That the employment of each employee identified on Exhibit D be and hereby is terminated effective upon the close of this school year.
11. That the District shall take into account the proposed decision of the administrative law judge, the final resolution of the Board which will be taken at a later date, and any known attrition occurring now through the end of the school year, when determining whether any notices to non-Respondents may be rescinded and the affected employees reinstated.

Other Actions

12. That the actions taken previously within the Board's February 25, 2026 Resolution No. 26-60 and its March 11, 2026 Resolution No. 26-66 are reaffirmed, that nothing in this current Resolution supersedes the actions taken in the Board's February 25, 2026 Resolution No. 26-60 and its March 11, 2026 Resolution No. 26-66, and that nothing within this Resolution grants reemployment rights or other rights not otherwise required by law to any certificated employee.
13. That this decision is effective immediately without any period for reconsideration, and the Superintendent, or her designee(s), is delegated authority to take all actions necessary and appropriate to the accomplishment of the purposes of this Resolution, including giving appropriate notice to those certificated employees identified in Exhibit D of the termination of their services because of the elimination and/or reduction of particular kinds of services to take effect upon the close of this school year, with these notices being given on or before the deadline.

14. This Board also designates authority to the Superintendent or her designee to rescind layoff notices to any employee, either Respondent or non-Respondent, based upon the employee's prior employment in the District, the employee's seniority, and/or pursuant to the Administrative Law Judge's decision(s).

The foregoing Resolution was **PASSED** and **ADOPTED** at a regular meeting of the Governing Board of the Fresno Unified School District on the 11th day of May, 2026 by the following vote:

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT _____

Dated: _____, 2026

Genoveva Islas
President, Board of Education
Fresno Unified School District
County of Fresno, State of California

STATE OF CALIFORNIA]
]
COUNTY OF FRESNO]

I, _____, Clerk of the Board of Education of the Fresno Unified School District of Fresno, California, hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by said Board at a regular meeting thereof held at its regular place of meeting at the time and by the vote above stated, which resolution is on file in the office of said Board.

Dated: _____, 2026

Andy Levine
Clerk, Board of Education
Fresno Unified School District
County of Fresno, State of California

EXHIBIT C

ELIMINATION OF PKS	FTE
Teacher, Pre-School	19.0
Supervisor, Child Development Ctr	4.0
Counselor, School	22.0
Superintendent, Assistant	4.0
Principal IV	1.0
Principal II, Special Assignment	1.0
Vice Principal I	5.0
Vice Principal III	4.0
Assistant Superintendent, School Leadership	1.0
Instructional Superintendent, School Leadership	1.0
Nurse	7.0
Psychologist, School	3.0
Manager II, Regional Instruction	4.0
Manager II, Infant Preschool	1.0
Manager II, Social Emotional Support	1.0
TOTAL	78.0

EXHIBIT D

First Name	Last Name
Alicia	Taylor
Alliyah	Marquez
Catherine	Xiong
Donna	Her
Jennifer	Cabrera
Jesica	Uriostegui Pavon
Jessica	Alloway
Leslie	Diaz
Lorissa	Rankin
Luis	Figuerola Palacios
Mary	Milan
Mayra	Villalobos
Miranda	White
Xiomara	Mendoza

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 11, 2026

ACTION REQUESTED: DISCUSS AND APPROVE

TITLE AND SUBJECT: Discuss and Approve Resolution No. 26-87, Authorizing the Board to Reduce or Discontinue Particular Classified Services for the 2026/27 School Year

ITEM DESCRIPTION: Included in the Board material is Resolution 26-87, authorizing the Board to reduce or discontinue particular classified services for the 2026/27 school year pursuant to Education Code 45117 and 45308 and it is in the best interest of the District that the number of classified employees be reduced for lack of work and/or lack of funds and approve related documents and actions.

Education Code section 45117 provides that the services of no classified employee may be terminated while any short-term employee is retained to render a service which the classified employee is qualified to render.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Annarita Howell

DIVISION: Human Resources/ Labor Relations

CABINET APPROVAL PHONE: (559) 457-3713

CABINET APPROVAL: Chief of Human Resources/ Labor Relations, David Chavez

A handwritten signature in blue ink, appearing to read 'DCV', is located at the bottom right of the page.

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

**RESOLUTION REDUCING AND/OR ELIMINATING SERVICES OF CLASSIFIED
EMPLOYEES DUE TO LACK OF WORK OR LACK OF FUNDS**

(CLASSIFIED FINAL LAYOFF RESOLUTION)

RESOLUTION NO. 26-87

WHEREAS, on or about February 25, 2026, this Board adopted Resolution No. 26-59 to reduce and/or eliminate 190 classified positions for lack of work and/or lack of funds effective June 30, 2026. On or about March 11, 2026, this Board adopted Resolution No. 26 - 61 to reduce and/or eliminate an additional 49 classified positions for lack of work and/or lack of funds effective June 30, 2026, as set forth therein;

WHEREAS, the classified positions referenced in Resolution No. 26-59 and Resolution No. 26 – 61 will be reduced or eliminated within the meaning of Education Code section 45117 effective June 30, 2026;

WHEREAS, on or about February 25, 2026, and March 11, 2026, the Superintendent caused notice to be served to this Board recommending that, as a result of the reduction and/or eliminations, classified employees will receive notice that their services will not be required for the 2026-27 school year, pursuant to Education Code section 45117;

WHEREAS, on or before March 15, 2026, the Superintendent served preliminary layoff notices on 204 classified employees stating that it has been recommended that their services will not be required for the 2026-27 school year, pursuant to Education Code sections 45117;

WHEREAS, many of the 204 preliminary layoff notices were “precautionary” in nature, necessitated by the potential displacement rights of the employees holding the positions to be reduced or eliminated, or who were displaced as a result;

WHEREAS, the preliminary layoff notices served upon the classified employees advised them that they may request a hearing to determine if there is cause for not reemploying them for the 2026-27 school year, and that if they failed to timely request a hearing, that failure shall constitute a waiver of their right to a hearing;

WHEREAS, of the 204 classified employees who were served a preliminary layoff notice, 16 employees signed and timely returned requests for hearing,

WHEREAS, of the 204 classified employees who were served a preliminary layoff notice, 2 employees were served a Rescission Notice by the District, and will be retained in employment;

WHEREAS, the remaining 16 classified employees who timely requested a hearing and who were not served with a Rescission Notice were granted an evidentiary hearing pursuant to Education Code section 45117 and Government Code section 11506;

WHEREAS, an evidentiary hearing took place on April 24, 2026, wherein 16 of the remaining classified employee respondents appeared and were provided the opportunity to present evidence and arguments concerning whether there is cause for not reemploying them for the 2026-2027 school year;

WHEREAS, every other recipient of a preliminary layoff notice that was not rescinded either failed to request a hearing within the time allowed and therefore waived any rights to a hearing, or failed or opted not to appear at the hearing, and the jurisdictional and statutory prerequisites have thus been satisfied as to all such employees to establish cause for layoff, reduction or displacement as required by law;

WHEREAS, on May 4, 2026, the District received the Administrative Law Judge's (ALJ's) proposed decision in OAH Case No. 2026040659, attached as Exhibit A;

WHEREAS, the ALJ's proposed decision authorizes the layoff, reduction, or displacement of 239 as described therein;

WHEREAS, pursuant to Education Code section 45117 and the extension granted, final Board action on the layoff and notifications to the affected employees must be served no later than May 14, 2026;

WHEREAS, the jurisdictional and statutory prerequisites have been satisfied as to the classified employees served preliminary layoff notices that were not rescinded, to the extent required by law; sufficient cause exists for such employees' reduction, displacement or termination of employment after consideration of facts including, but not limited to, the employees' seniority and classification(s) served and displacement rights; and that cause relates to the welfare of the schools and the pupils thereof within the meaning of Education Code sections 45117 and 45308.

NOW, THEREFORE, BE IT RESOLVED that the above recitals are true and correct, and this Board hereby adopts the ALJ's proposed decision and orders final layoff action in the proceeding described above;

BE IT FURTHER RESOLVED that the current positions of the 196 classified employees named in the attached Final Layoff Notice List, attached as Exhibit B, are hereby terminated or reduced, and the positions listed in attached Exhibit C are hereby eliminated, and the affected employees shall be retained but displaced for the 2026-2027 school year, effective upon the close of the current school year (i.e., the end of such employee's last working day on or prior to June 30, 2026), to the extent specified in Resolution No. 26 – 59 and No. 26 – 61.

BE IT FURTHER RESOLVED that this decision is effective immediately and that the 196 classified employees named in Exhibit B shall be given appropriate notice by the Superintendent or designee of the reduction or elimination of the employees' positions and resulting displacement, with said notice to be given on or before May 14, 2026, in the manner prescribed by law; and

BE IT FURTHER RESOLVED that rights to reemployment pursuant to Education Code section 45298 shall be provided to classified employees whose positions are reduced or eliminated, or they are displaced, as a result of this layoff, if and when reemployment is available.

BE IT FURTHER RESOLVED this Board also designates authority to the Superintendent or her designee to rescind layoff notices to any employee, either Respondent or non-Respondent, based upon the employee's prior employment in the District, the employee's seniority, and/or pursuant to the Administrative Law Judge's decision(s).

Adopted by the Board of Education of the Fresno Unified School District this 11 day of May, 2026.

(Record individual votes)

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT _____

Dated: _____, 2026

Genoveva Islas
President, Board of Education
Fresno Unified School District
County of Fresno, State of California

I, Misty Her, Superintendent of the Fresno Unified School District, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the District's Board of Education at a duly scheduled meeting thereof.

Dated: May ___, 2026

Misty Her
Superintendent

EXHIBIT A

**BEFORE THE
GOVERNING BOARD OF THE
FRESNO UNIFIED SCHOOL DISTRICT**

In the Matter of the Reduction in Force of:

CERTAIN CLASSIFIED EMPLOYEES, Respondents

OAH No. 2026040659

PROPOSED DECISION

Brian Weisel, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter by videoconference on April 24, 2026, from Sacramento, California.

Michael J. Davis and Dustin Stroeve, Attorneys at Law, represented the Fresno Unified School District (District).

Respondents are the 19 classified District employees that submitted a Request for Hearing and Notice of Participation, discussed further below. Respondents Amerissa Catano, Yndalecio Gonzales, Olivia Herrera, Jenifer Perez Carrazco, Veronica Reyes, and Nou Xiong appeared without an attorney.

Respondents Ceclia Aguayo, Raquel Velasco, and Berenice Torres withdrew their hearing requests and did not appear at hearing.

Respondents Sabrina Bailey, So Goodson, Jasmine Hall, Noah Jimenez, Jose Lopez, Amado Martinez, Yadira Rivera, Miguel Rodriguez Mondragon, Rebecca Salas,

and David Vargas did not withdraw their hearing requests but did not appear at hearing.

Evidence was received, the record closed, and the matter submitted for decision on April 24, 2026.

FACTUAL FINDINGS

Jurisdictional Matters

1. Jurisdiction for this proceeding exists pursuant to Education Code section 45117. This hearing must generally be conducted and a decision made in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. (Ed. Code, § 45117, subd. (c).)

2. On February 25, 2026, the District's Board of Education (Board) adopted Resolution 26-59 (February Resolution), pursuant to which the Board resolved to reduce or eliminate 238 full-time equivalent (FTE) classified positions across several classifications "due to a lack of funds and/or lack of work." The February Resolution directed the District superintendent or its designee to send appropriate notices to all affected classified employees.

The February Resolution affected each respondent in this matter except for Ms. Hall. A separate resolution was passed on March 11, 2026 (March Resolution, collectively, with the February Resolution, "Resolutions"), which included additional classified positions subject to reduction or elimination affecting only Ms. Hall's classification.

3. On February 25, 2026, David Chavez, Chief of Human Resources for the District, on behalf of the District superintendent, served the 204 affected District classified employees, including each respondent except Ms. Hall, with a "Notice of Reassignment/Reduction of Hours" (Notice) notifying them that the position in which each respondent serviced would be reduced and/or eliminated due to a lack of work or lack of funds. A copy of the February Resolution was served with the Notice.

On March 11, 2026, Mr. Chavez served a separate Notice to Ms. Hall identical to the other Notices in every respect except referencing the March Resolution instead of the February Resolution.

4. Of the 204 employees that received the Notice, 19 timely signed and returned the Notice of Participation to the appropriate District office requesting an evidentiary hearing. This hearing followed.

Cause to Eliminate or Reduce Services

5. Two District administrators testified at hearing. Annarita Howell is the District's Assistant Superintendent of Human Resources and Labor Relations. She stated that the District serves approximately 66,000 students and employs approximately 10,500 employees. The District has experienced decreased student enrollment each year since the COVID-19 pandemic. As a result, the District has received decreased state funding each of the last five years.

6. The District budget is currently in projected deficit spending for the 2026-2027 school year. There are insufficient funds to continue the staffing levels the District maintained during the 2025-2026 school year. If the projected deficits are not cured, the District is at risk of receivership by the California State Board of Education. The Board, in consultation with administration, determined that 238 FTE positions

needed to be reduced or eliminated to balance the 2026-2027 budget. Some vacant positions were reduced or eliminated. 204 positions held by current employees across several classifications were scheduled for reduction or elimination.

7. The Board adopted the Resolutions and served each of the affected 204 employees with the Notice and the Resolutions. The Notice included a seniority ranking, unique to each employee in their classification, determined by their hours worked in that classification, not including any overtime hours.

8. The Notice also informed each employee that they may have "bumping" rights that the employee may exercise to accept another assignment within the District, explained further below. Each Notice provided a signature line where the employee could state if they wish to assert their bumping rights.

9. Julie Nunes is the District's General Manager for the Human Resources Department in its operations division. She explained the District's seniority calculation and how each employee was notified of that calculation.

10. The District maintains a seniority list that calculates and ranks each employee's seniority with the District based on hours worked in their current classification and total hours worked at the District in any classification. The District used the seniority list to implement and determine the proposed layoffs, identifying the corresponding least senior classified employees in each affected classification.

11. Per the most recent collective bargaining agreement between the California School Employees Association and the District (CBA) and Education Code section 45308, subdivision (a), seniority is based on hours worked for the District, less any overtime hours. According to the CBA, any employee that previously worked for the District in another classification shall be offered the opportunity of replacing any

employee with lower seniority in the previous classification ("bumping"). To put it another way, an employee facing layoff has the option to return to a previous classification and "bump" a less senior employee in that classification, if available.

12. Ms. Howell and Ms. Nunes presented the entire District seniority list as an Excel spreadsheet at hearing. The seniority list showed each classification and the seniority ranking for all employees in that classification. For each classification, the seniority list highlighted the least senior employees scheduled for reduction or elimination. The District only sent layoff notices to those least senior employees. Ms. Howell and Ms. Nunes showed the seniority lists for the classifications of each respondent present at hearing. Each respondent ranks among the least senior employees for their respective classification.

13. Due to current vacancies, retirements and separations, and the bumping rights of the affected employees, the District does not anticipate full employment separation for any of the affected 204 employees. Ms. Howell stated that the District is committed to finding some position for each employee. However, some employees may need to relocate to a different work site or accept a position in another classification at a reduced pay rate.

Respondents' Evidence

14. Each respondent was provided the opportunity to testify on their behalf and present documentary evidence. Ms. Catano is a Customer Services Representative. She declined to testify. She only wished to say that she feels "defeated" by this process.

15. Mr. Gonzales is an Assistant Campus Safety Officer. He stated that eliminating positions like his will make schools less safe. He provided several letters

from District parents and certificates that show he is a valued member of Phoenix Secondary Academy and his community. He initially disputed the District's seniority calculation. However, after a review of his hours and an explanation by Ms. Nunes, he did not dispute his position on the seniority list.

16. Ms. Herrera is a Special Education Office Assistant for the District. She stated her duties are the same as an Office Assistant III, which is a different classification at the District. She does not believe it is equitable to separate the two classifications when they perform the same work. She did not dispute her seniority ranking on the Special Education Office Assistant seniority list.

17. Ms. Perez Carrasco is a Child Welfare and Attendance Specialist. She asked Ms. Nunes to confirm her seniority credits and her seniority rank compared to others in her classification. Ms. Nunes showed Ms. Perez Carrasco her seniority credits and showed her bumping rights into the classifications of Paraprofessional and After School/Extended Day Caretaker.

18. Ms. Reyes is an Attendance Liaison at Tenaya Middle School. She contacts the homes of students with excessive absences and works with them to increase their attendance. Ms. Reyes stated her work has helped increase school attendance by four percent since last year. She noted one specific student she successfully encouraged to return to school after being absent for several months. She stated that if positions like hers are eliminated or reduced, the District will continue to experience decreased attendance, which could result in continued budget cuts. She did not dispute her position on the seniority list.

19. Ms. Xiong is a Multi-lingual Liaison and Assistant. She translates documents and helps Hmong English Language Learner (ELL) students and their

families. She stated that if her position and others like hers are eliminated, ELL families will receive decreased services and could fall behind. She did not dispute her position on the seniority list.

LEGAL CONCLUSIONS

1. 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 order of layoff within the class shall be determined by length of service. The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first. Reemployment shall be in order of seniority.

2. 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 been recommended that the notice be given to the employee, stating the reasons that the employee's services

will not be required for the ensuing year, and informing the employee of the employee's displacement rights, if any, and reemployment rights.

3. On February 25, 2026, the District served each respondent less Ms. Hall with the February Resolution. On March 11, 2026, the District served Ms. Hall with the March Resolution. Each Notice was served before March 15, 2026. Thus, the District timely served notice of the Board's decision to reduce or eliminate each respondent's position for lack of work or lack of funds.

4. Nineteen respondents filed timely notices of participation and a request for a hearing. Respondents Cecilia Aguayo, Raquel Velasco, and Berenice Torres withdrew their hearing requests before hearing. Respondents Sabrina Bailey, So Goodson, Jasmine Hall, Noah Jimenez, Jose Lopez, Amado Martinez, Yadira Rivera, Miguel Rodriguez Mondragon, Rebecca Salas, and David Vargas did not withdraw their hearing requests before hearing but did not appear at the hearing. They are thus deemed to have waived their right to a hearing. The remaining respondents were offered the opportunity to testify and present evidence at hearing on their own behalf.

5. Pursuant to Education Code section 45117, subdivision (c)(3), the District must establish cause to layoff the relevant employees. This includes a finding that the layoff is related to the welfare of the schools and their pupils. Ms. Howell credibly stated that the District has experienced decreasing enrollment for several years. She further credibly stated that a reduction in force was necessary to maintain the fiscal viability of the District. Thus, the layoff notice is related to the welfare of the schools and their pupils.

6. The District also established it determined which positions to reduce or eliminate in accordance with each employee's seniority at the District. Ms. Nunes provided the District's seniority list, which showed each employee's hours worked for the District and their current employment classification. The Notices only were sent to employees that were the least senior for each classification scheduled for reduction or elimination. Each respondent was given their seniority rank in their classification when they received the Notice. The seniority ranks from the seniority list and the Notices both show only the least senior employees for each classification were selected for reduction or elimination. After the District's presentation and explanation of the seniority list, no respondent at hearing disputed their position on that list. Thus, the District only issued Notices to employees who had been employed for the shortest amount of time with the District, in accordance with Education Code section 45308, subdivision (a).

7. The respondents at hearing raised important policy issues and made compelling arguments that eliminating some positions may be unwise for the long-term health of the District and its students. However, the way the District chooses to allocate its resources to fund certain positions is an issue outside the jurisdiction of this proceeding. (See *Campbell Elementary Teachers Assn. v. Abbott* (1978) 76 Cal.App.3d 796, 810–811 [The District has discretion to determine how it provides services and whether it will reduce services by eliminating them or by having fewer people perform them].)

8. In summary, the District complied with the procedural requirements for the reduction or elimination of services in this case. Therefore, cause for the reduction or elimination of respondents' classifications was established. Each employee retains

their displacement or "bumping" rights to other classifications, as provided in their respective Notices.

RECOMMENDATION

Sufficient cause exists to eliminate or reduce respondents' classified positions for the 2026-2027 school year. Notice may be given to respondents that their services will not be required for the 2026-2027 school year because of a lack of funds and/or work.

DATE: May 4, 2026

Brian Weisel

Brian Weisel (May 4, 2026 12:34:51 PDT)

BRIAN WEISEL

Administrative Law Judge

Office of Administrative Hearings

EXHIBIT B

FRESNO UNIFIED SCHOOL DISTRICT
CLASSIFIED LAYOFF
FINAL NOTICE LIST

The classified employees listed below will receive a Final Notice of Layoff, Displacement, or Reduction:

Employee Name
Adriana Martinez
Ahtziri Ruelas
Alba Juvet
Alicia Rivera
Alyana Ramos
Amado Martinez
Amaris Lucio
Amber Tarango
Amerissa Catano
Amesha Ayers
Ana Gonzalez
Ana Jauregui
Anais Do
Andrea Galvan
Andrea Ocampo
Andrea Perez
Anita Gurule
Anna Marie Ronquillo Grisby

Anna Martinez
Anna Torres
Annaket Saechao
Annette Martinez
Anthony Alcaraz
Anthony Soto
Araceli Montes Casillas
Armando Arambula
Audrianna Meza
Berenice Torres
Brandon Yang
Brittney Huskey
Cecilia Aguayo
Chelsea Garcia
Cheng Vang
Christian Pino
Christina Chavez
Christina Torres
Cindy Salinas
Clarissa Cavazos
Consuelo Soto
Craig Gough
Cynthia Pettigrew Moore
Daisy Rodriguez
Dalia Valencia-Gomez

Daniel Polanco
Darrian Alcorn
David Stone
David Vargas
Dequana Rogers
Desiree Washington
Diana Arenivas
Elisa De Alba
Elisa Lopez
Elizabeth Roman
Ellen Fogarty Miller
Emery Ellis
Eric Yang
Erica Diaz
Eva Morgan
Evelyn Gentry
Evelyn Silva
Fernando Villanueva
Francisco Jacobo-Medrano
Gaolee Vang
Goretti Medrano
Hanisha Marshall
Isabella Vidrio
Izela Gonzalez Alvarado
James Tillman

Januara Vang
Jany Lee
Jared Tijerina
Jasmine Meraz
Jaswinder Sran
Jenifer Perez Carrazco
Jenny Fang-Xiong
Jesse Parra
Jesse Torres
Jessica Arteaga
Jesus Quezada-Gonzalez
Jewels Neal
Jillian Cervantez
Joel Caraballo Mejia
Johnathon Thao
Jose Estrada
Jose Garcia
Jose Lemus III
Jose Lopez
Juan Barajas-Adame
Julyynn Xiong
Karin Erikson
Katie Xiong
Kevin Vang
Kevin Woods

Kimberly Valencia
Kou Lee
Kristopher Madden
Kuljit Kaur
Leonard Safford Jr.
Lessther Pena Romero
Leticia Gonzales
Linda Ledezma
Lupita Arias
Madison Diaz
Magdalena Gonzalez Morales
Mai Yang
Malee Yang
Marcela Garcia
Marciano Corona
Marcus Gilstrap Hawkins
Margarita Del Carpio
Margarita Gonzalez
Margarita Sandoval- Cazares
Maria Melendez
Maria Nunez
Maria Ortiz
Maria Ruiz
Maria Ruvalcaba

Mariah Duarte
Maricela Nava
Maricruz Figueroa Renteria
Mayra Serratos-Jimenez
Meagan Evans
Michelle Mondragon
Miguel Rodriguez Mondragon
Misty Cameron
Monica Henderson
Montae Tennison
Moua Yang
Mylena Santana-Bailey
Nancy Damas
Naomi Cholula
Narinder Jawanda
Nina Garcia
Noah Jimenez
Norma Galvez
Nou Xiong
Olivia Herrera
Patricia Gutierrez
Patricia Guzman
Patricia Morales
Patricia Villa

Paula Bryant
Quentin Stewart
Rachelle White Castaneda
Raquel Velasco
Rebeca Razo
Rebecca Salas
Rene Mata Garcia
Richard Castillo
Richard Lucio Jr
Robert Chambas
Roberto Mendoza III
Rocio Escalante
Rosa Arredondo
Rosa Mora Santiago
Rosalia Hernandez
Roxanne Garcia
Ruth Nogueron
Sabrina Bailey
Salvador Martinez
Samantha Castro Gonzalez
Sandra Carranza Lopez
Sarai Fernandez
Saul Velazquez
Say Xiong
Serina Thao

Shelsey Powell
So Goodson
Star Guzman
Stephanie Maxwell
Tamara Cummings
Tami Whaley
Theresa Sanchez
Tiffany Vargas
Timothy White
Tracee McCarty
Trina Ocegueda
Ty Hernandez
Valerie Williams
Vang Yang
Veronica Jazmin Medina
Veronica Reyes
Victoria Aranda
Yadira Rivera
Yesenia Hernandez De Sandoval
Yndalecio Gonzales
Yuri Florez

EXHIBIT C

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<u>Classification</u>	<u>Number</u>	<u>Hours</u>	<u>Months</u>
Coordinator I, Energy Manager	1 FTE Vacant	8 hours	12 months
Custodian	15 FTE PARS/Vacancies	8 hours	12 months
Dispatcher/SPED	1 FTE Vacant	8 hours	12 months
Driver, Bus	2 FTE PARS	8 hours	12 months
Manager, Grounds and Landscape	1 FTE Vacant	8 hours	12 months
Roofer	1 FTE Vacant	8 hours	12 months
Trainer, Bus Driver	1 FTE Vacant	8 hours	12 months
Supervisor, Mobile Unit	1 FTE PARS	8 hours	12 months
Lead, Mobile Maintenance	1 FTE PARS	8 hour	12 months
High School Custodial Supervisor (Yard)	1 FTE Vacant	8 hour	12 months
District Custodial Supervisor	1 FTE	8 hour	12 months
Nutrition Services Manager	4 FTE PARS	8 hours	10 months
Food Production Utility Tech	4 FTE PARS/Vacancies	8 hours	1 - 12 months 1 - SDO
Nutrition Services Assistant	14 FTE PARS/Vacancies	6 - 7 hours 1- 6 hours 7 – 3.5 hours	SDO
Cook/Baker	1 FTE	7 hours	10 Months

<u>Classification</u>	<u>Number</u>	<u>Hours</u>	<u>Months</u>
Assistant, Campus Safety	25 FTE 6.19 Vacancies	1-3 hours 7-6 hours 12-8 hours	9 months
Assistant, Office I	2 FTE No Vacancies	8 hours	12 months
Assistant, Resource Cnslg	20 FTE 5.06 Vacancies	1-3 hours 6-3.5 hours 1-5.5 hours 3-6 hours 1-7 hours 8-8 hours	9 months
Assistant, Spec Ed Office	3 FTE 1 Vacancy	8 hours	12 months
Developer, Job II	11 FTE No Vacancies	8 hours	1-11.5 months 10-9 months
Emp Service Center Specialist	2 FTE No Vacancies	8 hours	12 months
Liaison, Community Relations	1 FTE No Vacancies	8 hours	12 months
Liaison, Home/School	2 FTE No Vacancies	8 hours	10 months
Liaison, Home/School Hmong	2 FTE No Vacancies	1-6 hour 1-8 hour	9 months 12 months
Liaison, Home/School Spanish	42 FTE 3 Vacancies	2-6 hour 40-8 hour	9 months
Liaison, School/Community	2 FTE 1 Vacancy	1-6 hour 1-8 hour	9 months 12 months
Manager, Department Office	5 FTE 3 Vacancies	8 hours	12 months
Operator, Telecommunication I	8 FTE 2 Vacancies	3-8 hours 5-3.2 hours	12 months
Paraprof, Computer Lab Asst I	1 FTE No Vacancies	6 hours	9 months
Paraprof, Computer Lab Asst II	1 FTE No Vacancies	6 hours	10.5 months
Paraprof, PE/Athletics	3 FTE 2 Vacancies	8 hours	9 months
Paraprof, Resource Lab	1 FTE No Vacancies	3.5 hours	10 months
Payroll Specialist	2 FTE No Vacancies	8 hours	12 months
Representative, Customer Services	4 FTE 5 Vacancies	8 hours	12 months

Secretary II	3 FTE 1 Vacancy	8 hours	12 months
Secretary, Administrative I	2 FTE No Vacancies	8 hours	12 months
Specialist, Child Wel & Attn I	3 FTE No Vacancies	8 hours	9 months
Specialist, Child Wel & Attn II	11 FTE 4 Vacancies	8 hours	2-9 months 7-11 months 2-12 months
Specialist, Primary Lang Instr	2 FTE 1 Vacancy	8 hours	12 months
Specialist, Technical I	2 FTE No Vacancies	8 hours	12 months
Technician, Library Media-Middle	12 FTE 2 Vacancies	8 hours	10 months
Technician, Printing	1 FTE No Vacancies	8 hours	10 months
Technician, Testing	3 FTE No Vacancies	8 hours	2-11.5 months 1-12 months
Executive Director	3 FTE No Vacancies	8 hours	12 months
Manager I Prevent & Intervention	2 FTE No Vacancies	8 hours	11 months
Manager II Social Emot Supp	2 FTE No Vacancies	8 hours	11 months
Specialist, Tier II Intervention	3 FTE 9.50 Vacancies	8 hours	2-11 months 1-12 months

<u>Classification</u> <u>Y-Rated</u>	<u>Number</u>	<u>Hours</u>	<u>Months</u>
School Office Assistant	1 FTE 2.63 Vacancies	From 8 hours decrease to 7 hours 2026-2027	10 months
Paraprof, Instructional Asst	4 FTE 15.56 Vacancies	From 6.5 hours decrease to 6 hours 2026-2027	9 months