



**BEFORE THE BOARD OF TRUSTEES OF THE  
CAPISTRANO UNIFIED SCHOOL DISTRICT  
COUNTY OF ORANGE, STATE OF CALIFORNIA**

**RESOLUTION NO. 2324-28**

**RESOLUTION TERMINATING SERVICES OF  
CLASSIFIED EMPLOYEES FOR  
LACK OF WORK AND/OR LACK OF FUNDS  
(Education Code §§ 45117 and 45308)**

**WHEREAS**, on February 21, 2024, the Superintendent served notice to the Board of Trustees ("Board") recommending that classified positions be reduced or eliminated and that a corresponding number of classified employees receive notice that their services will not be required for the ensuing 2024-2025 school year, pursuant to Education Code sections 45117 and 45308; and

**WHEREAS**, on February 21, 2024, this Board adopted Resolution No. 2324-24 to reduce or discontinue the same classified positions not later than the beginning of the 2024-2025 school year, as set forth therein; and

**WHEREAS**, on or before March 15, 2024, and after the Board of Trustees was informed of the recommendation that affected classified employees, as identified below, received notice that their services will not be required for the ensuing school year (2024-2025), the Superintendent's designated representatives served notice on the affected classified employees that it has been recommended that their services will not be required for the 2024-2025 school year pursuant to Education Code sections 45117 and 45308 (referred to herein as a preliminary layoff notice);

**WHEREAS**, the preliminary layoff notices advised the recipients that they could request a hearing to determine if there was cause for not reemploying him or her for the 2024-2025 school year and that failure to timely request a hearing shall constitute a waiver of the right to a hearing and their services will accordingly be terminated pursuant to the recommendation, without a hearing;

**WHEREAS**, none of the recipients requested a hearing within the time allowed to determine if there is cause for not reemploying them for the ensuing school year. As such, the jurisdictional and statutory prerequisites have been satisfied as to all such employees as required by law;

**WHEREAS**, Education Code section 45117, subdivision (c), provides that this Board of Trustees shall make the final determination as to the sufficiency of the cause and disposition of the layoff;

**WHEREAS**, Education Code section 45117, subdivision (c), requires final Board action and notifications to employees no later than May 13, 2024;

**WHEREAS**, the services of no permanent or other classified employee are being terminated while any probationary or any other classified employee with less seniority is being retained to render a service which the permanent or other employee is competent to render, within the meaning of, and except as permitted by, Education Code section 45308;

**WHEREAS**, sufficient cause exists for the termination of the identified classified positions, and pursuant to and within the meaning of Education Code section 45117, said cause relates to the welfare of the schools and the pupils thereof;

**WHEREAS**, rights to reemployment pursuant to Education Code section 45117 and/or 45308 shall be provided to the qualifying classified employees whose services are terminated as a result of this layoff.

**NOW, THEREFORE, BE IT RESOLVED** that sufficient cause exists for the termination of the services of the following classified employees:

<b>Position Elimination: Classified Management and Classified Non-Management</b>	<b>Bargaining Unit</b>	<b>Number of Full-Time Equivalents</b>	<b>Total Number of Positions Eliminated</b>
Manager I, Grounds Operations	CUMA	1.0	1
Preschool Site Facilitator	CSEA	2.0	2
Bilingual Instructional Assistant-Preschool	CSEA	1.4375	2
Instructional Assistant- Preschool	CSEA	4.1875	7
<b>TOTAL</b>		<b>8.625</b>	<b>12</b>

**BE IT FURTHER RESOLVED** that the employment of the affected classified employees listed above be and hereby is terminated effective upon the close of this school year, i.e., the end of the last working day prior to July 1, 2024;

**BE IT FURTHER RESOLVED** that this decision is effective immediately and that the Superintendent or designee may take such actions as are necessary and appropriate to implement this Board's decision, including at least giving appropriate notice to the classified employee listed above of the termination because of lack of work and/or lack of funds to take effect upon the close of the school year, with these notices being given on or before May 13, 2024 in the manner prescribed in Education Code section 45117;

**BE IT FURTHER RESOLVED** that reemployment rights be afforded in accordance with the Education Code, if and when reemployment is offered and to the extent any reemployment rights are applicable to any of the above referenced employees.

CAPISTRANO UNIFIED SCHOOL DISTRICT  
San Juan Capistrano, California

**RESOLUTION NO. 2324-28**  
**RESOLUTION OF THE BOARD OF TRUSTEES**  
**OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT**

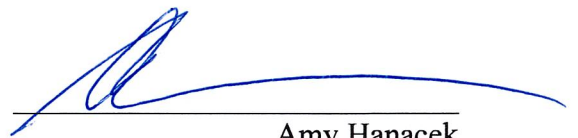
*PASSED AND ADOPTED* by the Board of Trustees of the Capistrano Unified School District on May 1, 2024, by the following vote:

AYES: 7  
NOES: 0  
ABSTENTIONS: 0  
ABSENT: 0

**BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT,  
COUNTY OF ORANGE, STATE OF CALIFORNIA**

  
Krista Castellanos  
President to the Board of Trustees

I, Amy Hanacek, Clerk of the Capistrano Unified School District Board of Trustees, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Trustees at its regular meeting held on May 1, 2024.

  
Amy Hanacek  
Clerk of the Board of Trustees