

FINDINGS - REASONING DETAILS

(Note - The supporting and refuting statements are not all-inclusive and the entire report should be read for proper context.)

Allegation #1 - Accused PTA of Mishandling Funds - Tradition Was Not Followed

> Finding: **SUSTAINED**

Reasoning - (Admission.)

Mr. Ramirez admits that the process changed and ultimately, he should have not opened or even been handling PTA monies. He checked with PTA Council who told him the same. See Mr. Ramirez interview. Questions 58-70.

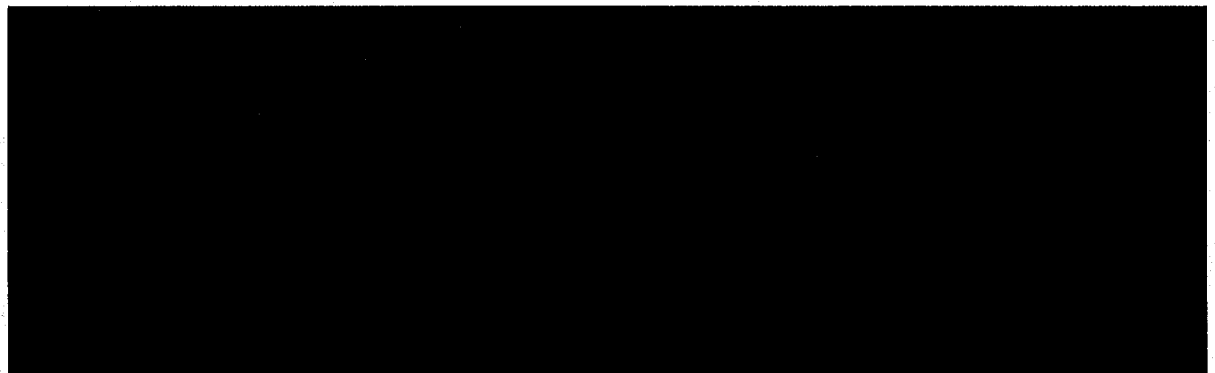
Allegation #2 - Use of Foul Language Towards Noeleen Acosta

> Finding: **NOT SUSTAINED**



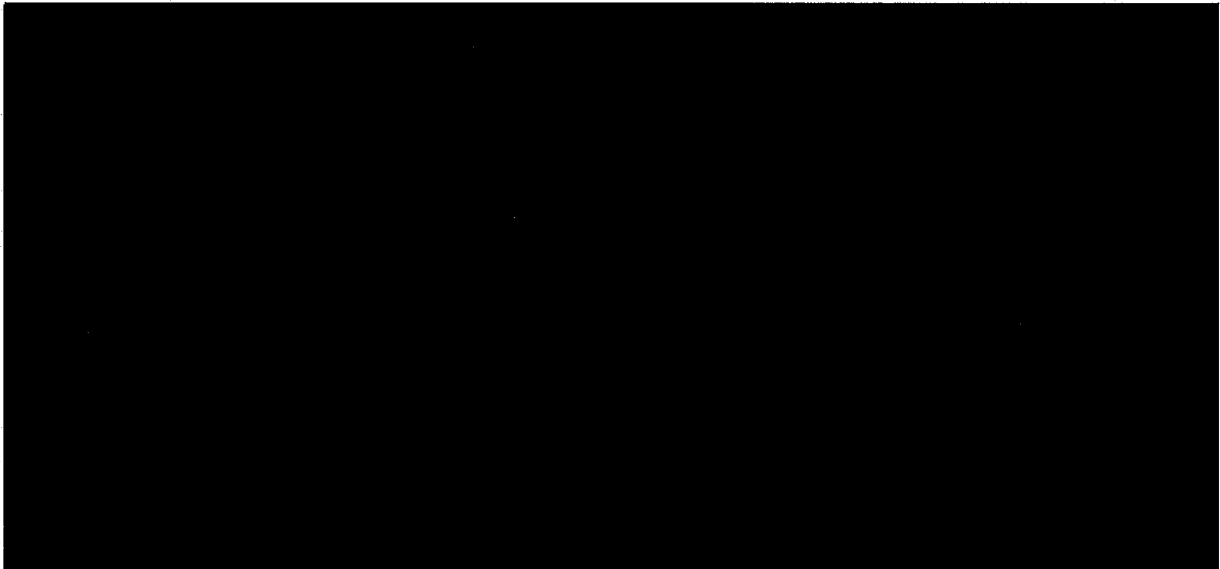
Allegation #3 - Called Mrs. Silvia Torres a derogatory name - (Fucking Bitch)

> Finding: **UNFOUNDED**



Allegation #4 - Possible Harassment Towards Lourdes Rivera

Finding - NOT SUSTAINED



Allegation #5 - Unprofessional Behavior and Statements - October 4, 2019

Finding - PARTIALLY SUSTAINED

Reasoning - (Admissions / Conflicting Accounts and Preponderance Standards)

The following people were interviewed and asked to recount what occurred at the October 4, 2019 "Fall Festival" planning meeting:

1. Ingrid Sanchez
2. Lorena Hernandez
3. Sandi Hidrogo
4. Silvia Torres
5. Perez Pullen
6. Jennifer Delgadillo
7. Rudy Ramirez

(Refused to Participate - Erika Avelar)

The statements of Mrs. Sanchez and Mrs. Hernandez form the basis of Allegation #5. Some of the incidents that are alleged to have occurred in that meeting are admitted to by some participants and refuted by others. There is nevertheless, a preponderance, based on admissions and statements that at least some of the contentious conduct occurred.

Mrs. Sanchez and Mrs. Hernandez Allegations

- Mr. Ramirez pointed his finger at Mrs. Hernandez and told her to step down.
- Mr. Ramirez was verbally aggressive and physically agitated. (Eye rolling, raising voice.)
- Mr. Ramirez said he could slap or hit a child and not get fired.
- Mrs. Torres said Mrs. Hernandez should not have complained.
- Mr. Ramirez made unacceptable statements such as, How's that working out for you, my resume is good, I'm principal of the year, I'm not going anywhere, District is tired of you, PTA council is tired of you.)
- Mr. Ramirez came into that meeting, "hot, for Lorena's head, let his rage out, thinks he's untouchable, promises one thing and does another and does not have the same behavior with everyone."

• Statements supporting Allegation #5

- Q18 - Mr. Ramirez was "really mad" and told Mrs. Hernandez, "It sounds like he wants your head."
- Q24 - There's nothing that can be done against him. He knows that.
- Q32 - Mr. Ramirez raised his voice at Lorena.

• Statements refuting Allegation #5

- Q15 and Q16 - Hidrogo can't remember if Mr. Ramirez said anything about hitting a child.
- Q17 - Mr. Ramirez did not specifically say the District is tired of you to Mrs. Hernandez.
- Q26 - They were both heated at each other.
- Q40 - The problem lies with both of them.
- Q75 - It was heated and he was mad and upset but not to the point where he should be disciplined for anything that happened in that meeting.

• Statements supporting Allegation #5

- Q15 - Mr. Ramirez was firm in asking, "How's this working for you."
- Q17 - Mr. Ramirez wasn't screaming but he was serious.
- Q18 - Mr. Ramirez was serious and direct.
- Q29 - Mr. Ramirez said, "I'm principal of the year."
- Q39 - Mr. Ramirez told Mrs. Hernandez that PTA Council was tired of her.
- Q42 - Mrs. Torres told Mrs. Hernandez that she did not have to reach out to the district to complain.

• Statements refuting Allegation #5

- Q15 - Mr. Ramirez did not raise his voice.
- Q18 - Mr. Ramirez didn't say anything inappropriate.
- Q26 - Reference requirements of electrical issues ... Mr. Ramirez wanted them to be safe. It was about logistics and fuses blowing.
- Q27 - It was not implied that the meeting shouldn't be talked about outside.
- Q28 - Mr. Ramirez did not say, "My resume looks good."
- Q31 - Mr. Ramirez did not say, "I have insurance, so I'm covered."
- Q32 - Mr. Ramirez did not say, "I could slap a kid and not get fired."

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- **Statements supporting Allegation #5**

- None.

- **Statements refuting Allegation #5**

- Q5 - Mr. Ramirez did not change electrical requirements from the past.
- Q9 - Mr. Ramirez was not mad in the meeting.
- Q13 - Mr. Ramirez made no reference to slapping a child.
- Q14 - Mr. Ramirez did not say to Hernandez, "The district is tired of you."
- Q15 - Mr. Ramirez did not say to Hernandez, "PTA Council is tired of you."
- Q29 - Mr. Ramirez has not been rude to anyone.

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- **Statements supporting Allegation #5**

- Q8 - Mr. Ramirez raised his voice as did other people in the meeting.
- Q9 - Mr. Ramirez was irked and upset.
- Q12 - Mr. Ramirez took his time in signing the permit.
- Q15 - Anything to do with PTA irked Mr. Ramirez. He probably did wait a little bit long in signing it.
- Q17 - Mr. Ramirez refers to Mrs. Hernandez as sneaky.
- Q18 - Mr. Ramirez sometimes "stonewalls" PTA.
- Q19 - Mr. Ramirez might "needle" PTA.
- Q33 - Mr. Ramirez said, "I'm principal of the year."
- Q37 - Mr. Ramirez said to Mrs. Hernandez, "The District is tired of you."
- Q38 - Mr. Ramirez said to Mrs. Hernandez, "PTA Council is tired of you."
- Q41 - Delgadillo told Mrs. Hernandez she did not need to reach out to District over disagreements with Mr. Ramirez.

- **Statements refuting Allegation #5**

- Q21 - Mr. Ramirez was calm and clear until everybody else raised their voice.
- Q28 - Mr. Ramirez walked out of the meeting but only because he had another commitment scheduled.
- Q30 - Nobody said anything about not talking about what happened in the meeting outside closed doors.
- Q35 - Delgadillo can't remember if Mr. Ramirez said anything about being able to slap a child.

Ramirez

- **Statements supporting Allegation #5**

- Q69 - Q93 - Mr. Ramirez said, "I'm a big boy. I use big words."
- Q79 - Reference saying he could hit a child; Mr. Ramirez does not know if he said it or not.
- Q80 - Mr. Ramirez denies saying that he could hit a child unless Mrs. Torres, Mrs. Delgadillo or Mr. Pullen said that he did then he did say it. But if a PTA parent is the only ones who make the allegation then he didn't say it.
- Q81 - Mr. Ramirez denies saying he was principal of the year unless Mrs. Torres or Mrs. Delgadillo said he did then he would admit to it.
- Q85 - Mr. Ramirez admits to saying his resume was good.
- Q88 - Mr. Ramirez admits to saying he is not going anywhere.
- Q89 - Mr. Ramirez admits to saying, "How's that working out for you?"

- Q89 - Mr. Ramirez admits to telling Mrs. Hernandez the District is ignoring her because she complains so much.
- Q90 - Mr. Ramirez told Mrs. Hernandez she needs to step down.
- Q92 - Mr. Ramirez admits to saying something about having insurance.
- Q93 - Mr. Ramirez admits to saying that PTA Council member told him that Mrs. Hernandez causes the most trouble for him out of all the PTA presidents.
- Q95 - Mr. Ramirez admits to the meeting being "direct."
- Q96 - Mr. Ramirez said he told the PTA in the meeting, "how things are going to be."
- **Statements refuting Allegation #5**
 - Q86 - Mr. Ramirez denies saying he was untouchable.
 - Q98 - Mr. Ramirez denies pointing his finger at Mrs. Hernandez or standing over her in a threatening manner.

(Note - Because of these admissions by Mr. Ramirez, and several corroborating statements by Mrs. Delgadillo, there exists a preponderance of evidence that at least parts of this meeting were contentious. See Board Policy 4030. Paragraph 1. Also see preponderance justifications under Part 2 of this report.)

Allegation #6 - Talking Derogatorily About Mrs. Hernandez Publicly

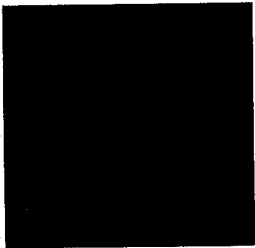
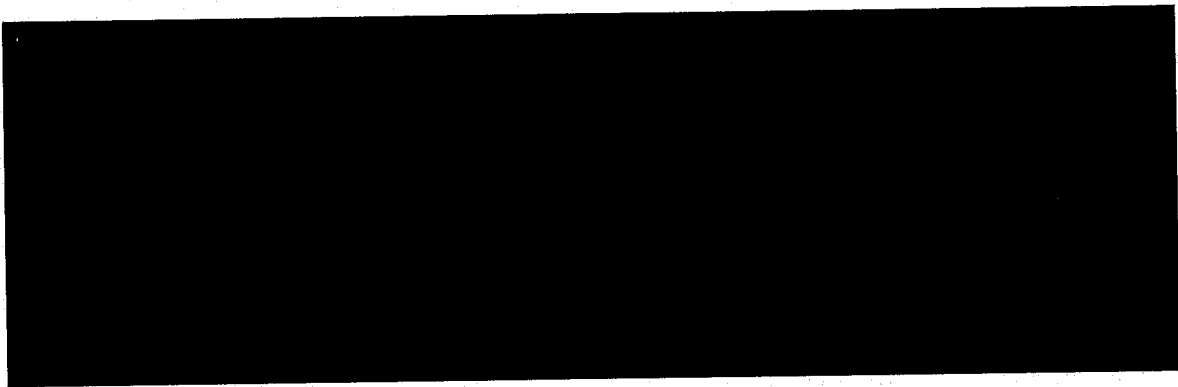
~~SUSPENDED - June 12, 2020 - To be addressed internally by PUSD~~

Allegation #7 - Impugning Mrs. Sanchez' Character

~~SUSPENDED - June 12, 2020 - To be addressed internally by PUSD~~

Allegation #8 - Mr. Ramirez Shared Confidential Student Information

~~Finding: Not Sustained~~



PART 2 - Allegations or Stonewalling / Roadblocking PTA - Allegation #9

Finding: PARTIALLY SUSTAINED

Reasoning - There are numerous corroborating allegations from the complainants. In addition there are supporting statements from PUSD staff on some of the allegations along with some vague admissions made by Mr. Ramirez.

There also exists several "Coincidental" events that just seem to happen when Lorena Hernandez was PTA President.

There is a preponderance of evidence that at least some level of non-cooperation and vitriol existed between Mr. Ramirez and Mrs. Hernandez / PTA. The finding of "Partially Sustained" was made because some of the things that were changed were probably correctly changed but the fact they were all discovered and changed under this PTA is what is suspicious preponderance. In addition, there are other witness statements that support that there were stonewalling type issues between Mr. Ramirez and PTA.

Ramirez

- **Statements / Admissions supporting Allegation #9**
- "Coincidental Events" - *(Note - It should be noted that some of these "Coincidental Events" may have been changed for legitimate reasons. Again, the timing and volume is being pointed out as preponderance.)*
 - Q40 - Annual Fund became a priority over PTA fundraising.
 - Q51 - Procedure in storing food for the "Fall Festival" changed.
 - Q58 - A change in the way PTA monies are handled.
 - Q66-69 - Mr. Ramirez doesn't know how PTA monies came to be allowed stored in the SRE safe.
 - Q90 - Mr. Ramirez chooses 2020 to not participate in a "Read-a-Thon" principal event.
 - Q132 - Mr. Ramirez took access to "Raz-Kids" away from PTA.
 - Q139 - The PTA calendar meetings become of no use.
 - Q145 - 2020 was chosen as the first year in the past four to not have a 2nd Book Fair.
 - Q151 - Mr. Ramirez said it has always been policy from Mrs. Shirley Barrett about having permits approved 60 days in advance but no one ever followed it in the past. (PTA under Mrs. Hernandez was made to follow it.)
 - Q207 - Mr. Ramirez states he is not going to do the parents of PTA students any favors emphasizing, "I'll go on record for that."

Other Relevant Statements From Mr. Ramirez - Forming Preponderance

- Q69 - Mr. Ramirez - "I'm a big boy. I use big words."
- Q80 - Mr. Ramirez said he would admit that he said something about being able to hit a child and not get fired but only if one of his staff members said he did. Otherwise, he denies saying it.
- Q90 - Mr. Ramirez told Mrs. Hernandez to step down as president of PTA.
- Q96 - Mr. Ramirez said about PTA - They don't like being told how things are going to be.
- Q114 - Despite being requested, Mr. Ramirez does not provide a date for a second "Book Fair."
- Q118 - Mr. Ramirez accuses Mrs. Schneiderman of being a "little bit off" if she is off of her medication.
- Q129 - Mr. Ramirez told people Mrs. Hernandez killed the Linda Vista project.
- Q131 - Mr. Ramirez said that PTA members are called, "The friends of the friendless."
- Q133 and 138 - Mr. Ramirez admits that his actions look like he is retaliating against PTA, calling it the "perfect storm." (Mr. Ramirez later says just the opposite in Q188.)
- Q139 - Mr. Ramirez said the PTA planning calendar and meetings that occurred in the past are of no use.
- Q146 - Mr. Ramirez admits that not having a second "Book Fair" could like retaliation.
- Q148 and 151 - Mr. Ramirez said Mrs. Hernandez is never a consideration and he could care less how she feels about things. He adds that she needs to get a therapist.
- Q159 - When confronted that a staff member said they told Mr. Ramirez he shouldn't be holding up PTA requests Mr. Ramirez replied, "I don't think so."
- Q161 - When confronted that a staff member said he was "needling" PTA, Mr. Ramirez replied, "They don't know what I'm thinking."
- Q162 - Mr. Ramirez states his memo reference getting prior approval for all use of SRE property he said he did not mean PTA board meetings and that Mrs. Hernandez knew this.
- Q167 - Mr. Ramirez displayed retaliatory behavior when asked about the "Roxy" event. Mr. Ramirez said he might be able to hold that in referring to possibly telling Roxy's family what the allegation was and how PTA was disrespecting them. Mr. Ramirez said he would tell them and then deal with the consequences.
- Q175 - Mr. Ramirez said he did not participate in a fun principal "Read-a-Thon" event because of the relationship with PTA and that he did not want to be the "monkey on display."
- Q178 - Mr. Ramirez admits to not attending as many PTA board meetings but only because he was not invited.
- Q181 - Mr. Ramirez cites as an example of not responding to PTA emails because they go to his staff and not to him.

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(Note - Serious weight must be given to statements that ██████████ made that support allegations against Mr. Ramirez. ██████████ is part of Mr. Ramirez's staff. ██████████ has nothing to gain by being honest and conversely risks possible damage to her relationship with her supervisor, Mr. Ramirez. Also, she does contradict herself in places, also leading to the stated Finding.)

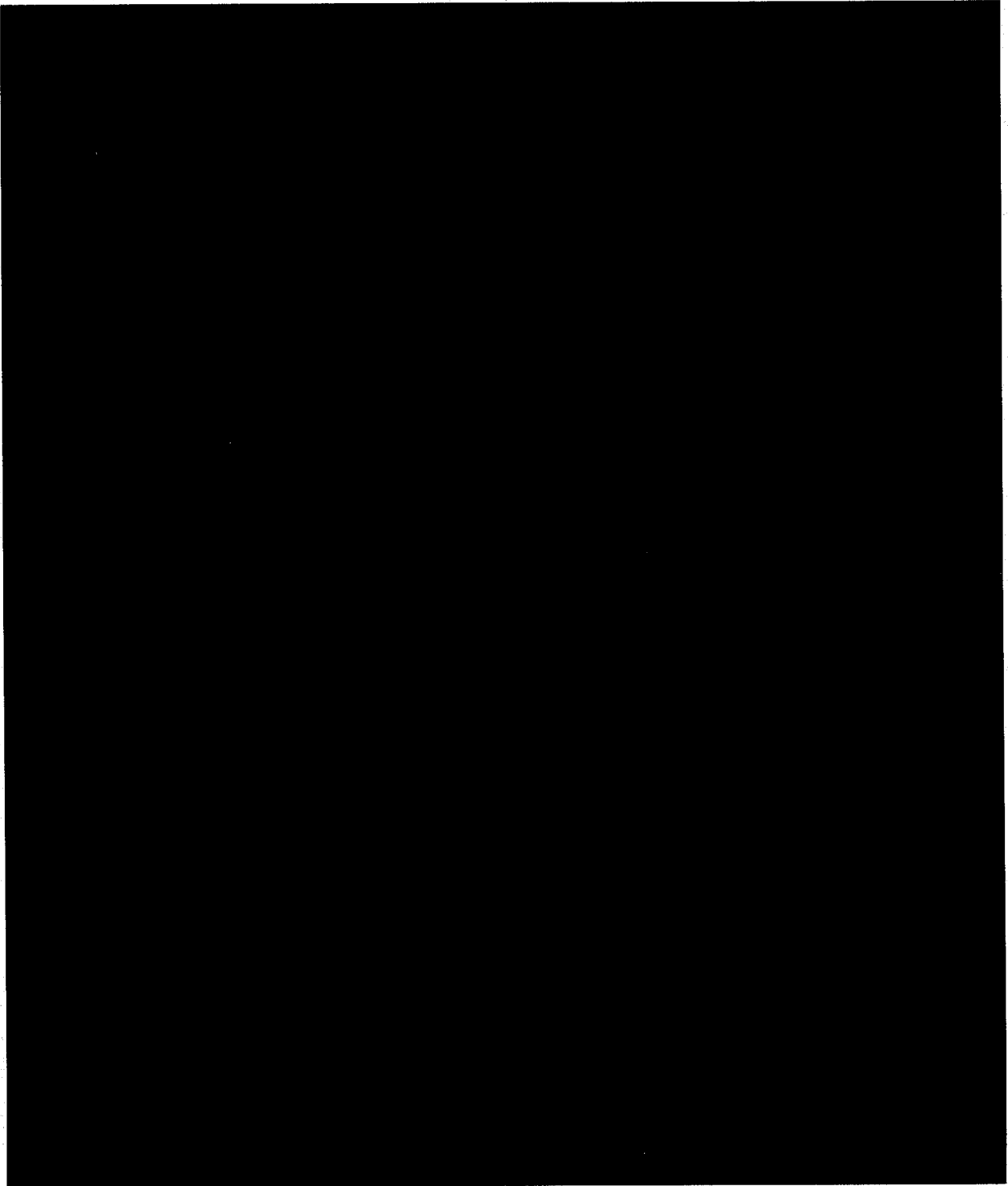
- **Statements supporting Allegation #9.**

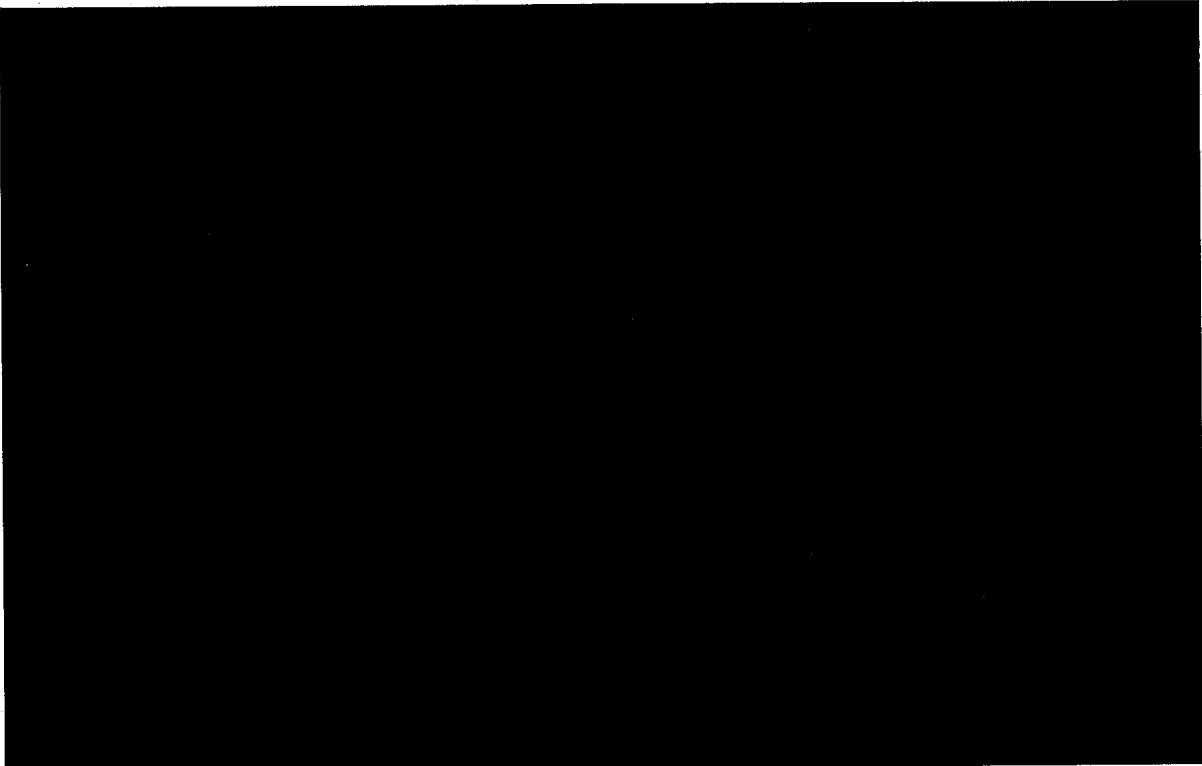
- Q12 - Mrs. Hernandez submitted the request permit for "Fall Festival" in August 2019.
- Q13 - Delgadillo took the request to Mr. Ramirez on the same day.
- Q15 - There was bad history and tension between Mr. Ramirez and PTA. Anything to do with PTA irked him. (Mr. Ramirez) probably did wait a little bit long on signing it.
- Q17 - Mr. Ramirez refers to Mrs. Hernandez as sneaky.
- Q18 - Mr. Ramirez stonewalls PTA sometimes.
- Q19 - Mr. Ramirez needles PTA.
- Q23 - Mr. Ramirez signed the permit several weeks after it was submitted.
- Q63 - Mr. Ramirez held the "Fall Festival" permit.
- Q64 - Mr. Ramirez holds the permit requests unnecessarily long.
- Q68 - Mrs. Delgadillo told Mr. Ramirez that holding the requests too long might not look good.
- Q71 - Mr. Ramirez held up the "Fall Festival" permit request.
- Q85 - Mrs. Delgadillo believes Mrs. Hernandez has valid grievances but also culpability.
- Q90 - Mr. Ramirez did not participate in "Read-a-Thon" because of the relationship with Mrs. Hernandez.
- Q93 - Mr. Ramirez has given staff a "head up" about Mrs. Hernandez saying she likes to prey on newbies.
- Q95 - Mr. Ramirez was offended that he wasn't asked to MC talent night.
- Q100 - Mr. Ramirez does not go to the PTA board meetings.
- Q105 - Mr. Ramirez held up the "Fall Festival" permit.
- Q106 - Sometimes his is stonewalling PTA and sometimes he is not.
- Q109 - Mr. Ramirez does not promote PTA as much as he did in the past.
- Q111 - Mr. Ramirez doesn't like Mrs. Hernandez and she doesn't like him.
- Q113 - As a parent, Mrs. Delgadillo thinks that Mr. Ramirez is stonewalling.

- **Statements refuting Allegation #9.**

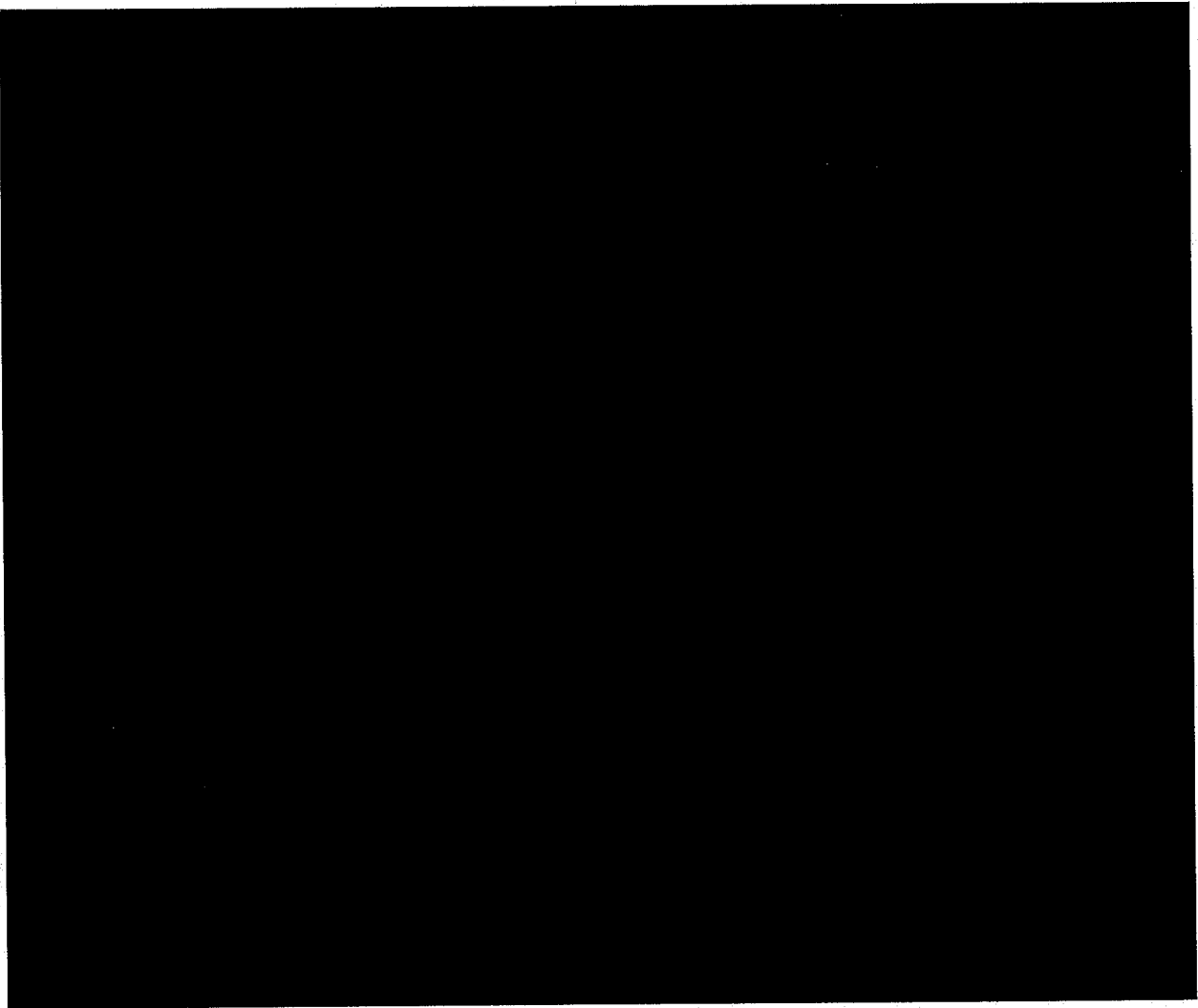
- Q56 - There are always rooms available. We can assign PTA a room 5 minutes before the meeting.
- Q61 - Mr. Ramirez is not holding permit requests.
- Q62 - It goes both ways. Mrs. Hernandez has put out fliers without prior approval.
- Q70 - Mrs. Delgadillo said had not specifically spoke to Mr. Ramirez on the issue of holding up permits.
- Q85 - Mrs. Delgadillo believes Mrs. Hernandez has valid grievances but also culpability.

➤ Q88 - Mr. Ramirez is not stonewalling this particular PTA with more or unreasonable requests.





End Part 1



58. Q - Please address the change in rules from allowing PTA to take money home to requiring it to be put in the safe? Page #10 of Mrs. Sanchez' report says that is what you requested ... (Did you report this to your boss as you said you were going to do.) (Why did you retrieve the money at the first of the week until waiting until the end of the week?) Do you have the combination?

RR - This was a PUSD district wide process change. PUSD installed safes in every school and had them mounted on a wall or anchored into the floor. This also came about in Lorena's first year as PTA president. In the past PTA had a counting sheet. At the end of the each of the event they would have a count of the ones, fives, 10, etc. In the past at the end of the day PTA with any event, a few of us would break away with 3 people or more we would count the money and double check it and someone would take it home.

59. Q - Was it sealed and initialed in the past?

RR - Not that I'm aware of.

60. Q - So what went sideways this time?
RR - I felt it was responsibility to know how much money was in the safe for the liability of it.
61. Q - How did you know even know there was PTA money in the office safe?
RR - I don't know how I knew. I think I opened it. I have the combination and so does Jennifer Delgadillo.
62. Q - So you come into work ... how did you know to open the safe?
RR - Sometimes confiscated items are put in the safe. We keep petty cash in there if we need something, who knows (how I knew.)
63. Q - So you open it and find this taped up envelope?
RR - Yes. I videoed it and opened it and counted it with the office staff.
64. Q - You said you later learned from PTA council that you weren't responsible for PTA money?
RR - Correct ... and that I had no accountability for it and they never put money in the safe again.
65. Q - So, in reality you didn't need to open their envelope and count the money?
RR - Correct but also it should have never been in there ... knowing what I know now.
66. Q - How did it come to be allowed there in the first place then?
RR - I don't know. That's a good question. I believe there was a time when I saw PTA counting money for a t-shirt event and I offered for them to put it in the safe if they wanted to and it upset them. I think I told Lorena she could put the money in the safe and she should count it first. She said they didn't have the time and resources for that.
67. Q - Did you later call Sebastian and Lorena about this?
RR - Not Sebastian, maybe Lorena. It didn't go well. She was upset that it wasn't my right to open it. It was my responsibility to open it but I was set straight by PTA council. Technically knowing what I know now it shouldn't have been there in the first place and I should not have opened it.
68. Q - Was that conversation heated?
RR - I've been dealing with her for 6 years. She's not going to change.
69. Q - She says you yelled at her?
RR - I'm a big boy. I use big words. I've never been accused of being mild mannered.
70. Q - Could she have interpreted you as yelling at her?
RR - I don't know what she interpreted.