



621 Capitol Mall, Suite 1525
Sacramento, CA 95814
Main: 916.443.0000
Fax: 916.443.0030
www.f3law.com

Nia Franklin
Direct Dial: (916) 604-3085
nfranklin@f3law.com

October 17, 2025

Via Electronic Mail Only
jmrupert28@gmail.com
joneslegal@gmail.com

Jeanine Rupert
James T. Jones

Re: Notice of Production of Records in Response to Public Records Act Request

Dear Ms. Rupert and Mr. Jones:

The Sacramento City Unified School District ("District") recently received a request for records pursuant to the California Public Records Act ("CPRA"; Gov. Code, § 7920.000 et seq.) from Eric Lindstrom. The request seeks the following:

1. *Any complaints against Ms. Rupert since June 2025.*
2. *Any records related to requests for the removal of carpet in Ms. Rupert's classroom since July 1, 2015, including but not limited to any inspections, findings, or decisions related to such requests, and related correspondence.*
3. *Any records related to inspections of carpet in Ms. Rupert's classroom since July 1, 2015, and related correspondence.*
4. *Any records documenting or related to injuries or illnesses related to the removal of the carpet in Ms. Rupert's classroom since June 2025, and related correspondence.*
5. *Any records related to the costs of removing of carpet in Ms. Rupert's classroom since June 2025, including but not limited to invoices, payments, and accountings, and related correspondence.*
6. *Records showing District compliance with the Asbestos Hazard Emergency Response Act since July 1, 2015, specific to Phoebe Hearst Elementary School, including but not limited to any Management Plan, inspections, records required to be kept pursuant to 40 CFR 763.94, and related correspondence.*
7. *Any photographs, video, or other media showing carpet and tile conditions in Ms. Rupert's classroom since June 2025.*
8. *Any public statements issued by the District related to Ms. Rupert since June 2025.*
9. *Any communications to or from Stacey Shorey (including emails, text messages, and any other electronic or physical medium; including on work and personal devices), related to Ms. Rupert since June 1, 2025.*
10. *Any communications to or from Aprille Shafit (including emails, text messages, and*

Jeanine Rupert
James Jones
October 17, 2025
Page 2

*any other electronic or physical medium; including on work and personal devices),
related to Ms. Rupert since June 1, 2025.*

The District has determined that it has disclosable public records that are responsive, at least in part, to Mr. Lindstrom's request. As a courtesy, the District writes to inform you that, consistent with the CPRA's purpose of transparency in the conduct of the people's business, the District intends to produce the attached disclosable public records on or about **October 23, 2025**, unless you provide proof of successful legal action, (e.g., court injunction or other equitable relief) barring such production prior. If you plan to seek court intervention, please notify my office immediately. (See, e.g., *Marken v. Santa Monica-Malibu Unified School Dist.* (2012) 202 Cal.App.4th 1250.)

Alternatively, if you **do not** intend to seek legal action to prevent the District's release of the attached disclosable public records, please sign and return the enclosed Notice to the District. Absent court intervention, the District intends to release the attached records, on the above-referenced date, even if you do not return the Notice to the District.

Thank you for your attention to this matter. If you have any questions, please contact me directly.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP



Nia Franklin

Enclosures

cc: Lisa Allen, Superintendent
Cancy McArn, Chief Human Resources Officer

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Jeanine Rupert
James Jones
October 17, 2025
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NOTICE TO DISTRICT

I **do not object** to the District's release of my personnel records in response to the above-described CPRA request.

Signature

Date

Print Name



HUMAN RESOURCE SERVICES

P.O. Box 246870 • Sacramento, CA 95824-6870
(916) 643-9050 • FAX (916) 399-2016

*Lisa Allen, Superintendent
Cancy McArn, Chief Human Resources Officer
and Lead Negotiator
Stacey Shorey, Director II*

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Justine Chueh-Griffith
Student Board Member

EMAIL DELIVERY

DATE: July 11, 2025
TO: Jeanine Rupert, Teacher, Phoebe Hearst Elementary
FROM: Stacey Shorey, Director II, Human Resource Services
RE: Administrative Leave With Pay

This memorandum is to advise you that effective August 13, 2025 you are hereby placed on administrative leave with pay pending investigation regarding inappropriate conduct, including intentionally destroying district property and posing safety risk to student and staff safety.

The purpose of this administrative leave is to:

1. Allow the District to conduct an investigation into the allegations, and,
2. Remove you from active employment since such could pose a risk of harm to persons and/or property.

You will remain on administrative leave status until further written or verbal notice, which will be followed by written communication.

During the period of time that you are on administrative leave, you are required to be available for either job-related purposes or participation in investigatory interviews.

Until further written notice, you are directed to refrain from visiting the school site, other District administrative offices, or school sites. You are also required to avoid contact with either students or employees of the Sacramento City Unified School District.

You are to return any keys, District cellular phone, identification badge, or other District property in your possession to us immediately upon receiving this notice. If you need to pick up personal belongings or participate in a public event or activity on District property as a member of the public, please notify my office in advance. I can be reached at (916) 643-7433.

A copy of this letter will be placed in your personnel file after 14 days. You may prepare a response and we will attach your response to this document.

cc Principal, Phoebe Hearst Elementary
HR Analyst
SCTA Representative
Personnel File



HUMAN RESOURCE SERVICES

P.O. Box 246870 • Sacramento, CA 95824-6870
(916) 643-9050 • FAX (916) 399-2016

Lisa Allen, *Superintendent*
Cancy McArn, *Chief Human Resources Officer*
and *Lead Negotiator*
Stacey Shorey, *Director II*

VIA EMAIL and US MAIL DELIVERY

BOARD OF EDUCATION

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Trustee Area 7

Maggie Kemper
Student Board Member

August 29, 2025

Jeanine Rupert

RE: Notice of Unprofessional Conduct

Dear Ms. Rupert:

Pursuant to Education Code sections 44938 (Exhibit A) this letter constitutes notice of and the need to correct your unprofessional conduct. The statute requires that the Sacramento City Unified School District provide a teacher with notice at least forty-five (45) days prior to initiating formal disciplinary proceedings for dismissal on the grounds of unprofessional conduct. Please be advised that section 44938 does not, however, preclude the initiation of formal disciplinary proceedings for causes other than unprofessional conduct.

This formal notice is designed to provide you with sufficient information to understand the nature of your unprofessional conduct, and to illustrate to you specific instances of that behavior with enough particularity to provide you with an opportunity to correct these faults and overcome the grounds for charges based on unprofessional conduct. Please be advised that, while this notice is being issued pursuant to Education Code section 44938, your conduct may also constitute violations of, or refusal to obey, school laws and rules, constitute evident unfitness for duty, and/or constitute other violations of Education Code section 44932 (Exhibit B). Your unprofessional conduct is based more particularly upon the following:

1. This Notice of Unprofessional Conduct summarizes the validation meeting held on August 26, 2025. Present at this meeting were you, SCTA Vice President Vanessa Cudebac, Instructional Assistant Superintendent Aprille Shafto, and myself.
2. During the meeting, we discussed the incident that occurred on or around June 10, 2025 where you intentionally damaged public property by ripping out the carpet in your classroom, disregarding the safety and well being of students and staff at Phoebe Heart Elementary, and wasting instructional minutes by pulling up the carpet with student assistance during the school day. This action has also brought a significant and unexpected expense to the district.
3. The final cost to repair and replace the flooring in the classroom was \$22,185.72, in addition to work time lost when district staff had to leave other projects to attend to this damaged classroom.

J Rupert - Notice of Unprofessional Conduct
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4. You did not have permission nor did you notify the site principal of your intent to remove the carpet. Your previous requests via work orders to replace the carpet were denied after district Supervisors had inspected the classroom carpet, and stated it was in good shape, but noticed stains on the carpet, possibly waste from the animal(s) you kept in the classroom.

When asked who you expected to clean up the classroom and repair the damage you caused, you said you thought you would save the district some time and money; facilities would take care of it. You also shared that you thought this action would 'move' you up on the list to be replaced by the time the next school year begins. Your actions demonstrate a disregard for taxpayer funds, policies and procedures, and the safety and well being of the students, staff and anyone who entered the classroom.

5. When asked about student involvement, you shared that at least three students helped you remove the carpet using hammers and a crowbar(s). These students, as well as you, could have been seriously injured or become ill when removing the carpet, causing the district to be liable for any injuries or illnesses. A student was reported ill after the removal of the carpet.

Your negligence and total disregard for the safety and well being of the students and staff of Phoebe Hearst Elementary, has had a direct negative impact on the community by violating trust, willfully and unlawfully vandalizing district property, failing to maintain a safe environment for yourself and others, demonstration of a lack of professionalism or care for district and school property, and failing to follow a standard of ethical decision making in the presence of students in your care. This behavior is in direct violation of our commitment to maintaining a safe environment for all students and staff.

Your conduct violates Board Policy 4119.24 which states in part:

"The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate."

Your actions have shown a demonstration of not meeting standard in the following CSTP:

- By encouraging and involving students in the willful destruction and vandalism of district property you have demonstrated a lack of understanding or regard for : CSTP 2: Creating and Maintaining Effective Environments for Student Learning
 - • 2A–5: Nurture students' leadership capacities by facilitating opportunities for students to apply those capacities in purposeful and meaningful ways.
- Further your actions demonstrated a lack of concern for creating a safe environment, care for the well being of students, colleagues, district personnel, and yourself and indicates deficiency in the area of:
 - 2C: Teachers organize and manage learning structures, processes, resources, and supports in order to provide a safe and productive learning environment in which each student can grow and thrive. More specifically:
 - 2C–4: Understand and implement health, safety, and emergency procedures to ensure the collective and individual well-being of all students

Your actions have shown you violated California Penal Code 594, which briefly states:

J Rupert - Notice of Unprofessional Conduct
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"Defined as vandalism as the malicious defacement, damage, or destruction of someone else's property...the property must not belong to the perpetrator...the severity of the punishment depends on the amount of damage caused...and greater damage above \$400 often leading to a felony charge..."

Finally you showed a lack of ethical, professional, and moral judgement and integrity through your actions in which you:

- purposefully and intentionally ignored district process after not receiving a response you favored
- failed to communicate your actions putting others at risk of harm
- assumed others would clean up your mess demonstrating a lack of respect for the work others perform
- involved students in a potentially harmful activity
- involved yourself in a potentially harmful activity
- required the district to re allocate resources, time, and personnel meant for other projects
- destroyed district property at an expense of \$22,185.72,
- worked outside your job classification subsequently taking a position away from other labor units
- violated the inherent trust placed in teachers by using your access and privilege to destroy district property while still under contract hours meant for instructional or preparatory purposes

These actions show clear deficiency in the standards of the teaching profession as outlined below:

- 6E: Teachers demonstrate honesty, trustworthiness, and integrity in their professional behavior and decision-making as they conduct their responsibilities with a focus on each student's learning and well-being.
 - 6E-1: Perform non-instructional (or adjunct) duties in accordance with school and district guidelines, policies, contracts, and other applicable expectations.
 - 6E-2: Interact respectfully and supportively with students, colleagues, families, guardians, and community members inside and outside the classroom.
 - 6E-3: Understand and comply with relevant laws and policies related to students' rights and responsibilities; reporting mandates for students' learning, behavior, health, and safety; and confidentiality protections for students, staff, and families.

Please be advised that the District reserves its right to proceed with a dismissal proceeding prior to the expiration of the 45-day remediation periods specified in Education Code section 44938 in the event and to the extent that past or future instances of misconduct may constitute causes for disciplinary action on grounds other than unprofessional conduct or unsatisfactory performance.

Within the next 45 days you are directed to eliminate your unprofessional conduct. In an effort to assist you in overcoming this deficiency, you will be expected to comply with the following directives effective immediately:

1. Adhere to all school and district policies and procedures
2. Refrain from the destruction of public property
3. Conduct only the responsibilities outlined in your job description
4. Maintain the confidentiality of this investigation

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5. Follow all protocols for communicating facilities concerns to site administrators
6. Refrain from putting students, colleagues, and yourself at risk of harm
7. Conduct yourself in accordance with all CSTPs and more specifically with Standard 6E:
 - i. *Teachers demonstrate honesty, trustworthiness, and integrity in their professional behavior and decision-making as they conduct their responsibilities with a focus on each student's learning and well-being.*

Failure to adhere to these expectations may result in further disciplinary action, up to and including suspension or termination.

The District is willing to assist you in overcoming these deficiencies. However, please be further advised that the undersigned insists that you correct these deficiencies immediately. Your failure to do so may result in your dismissal in accordance with the provisions of the Education Code.

District staff intend to continue to work with you to assist you in overcoming these deficiencies. However, you must immediately implement the directives for improvement in this letter, and other recommendations of your principal and school site administrators. Your failure to do so immediately will result in the termination of your employment. Please contact me or your immediate supervisor if you have any questions regarding the District's concerns with your conduct or the directives contained in this notice.

In addition to incidents which may be considered unsatisfactory performance or unprofessional conduct, please be advised that the undersigned reserves the right to proceed with a dismissal action prior to the expiration of the periods described in Education Code section 44938 in connection with any incidents of misconduct.

Additionally, this letter serves as notification that the district is going to be invoking SCTA Article 8.7, Administrative Transfers. If you would like to schedule a meeting to further discuss this transfer, please feel free to contact this office to schedule a meeting. This office will be in contact with you at a later time to discuss the assignment.

You are hereby informed that pursuant to Education Code section 44031, a copy of this Notice will be placed in your personnel file. You have the right to prepare a written response to this Notice within fourteen (14) days following receipt that will be attached hereto before placement in your file.

Sincerely,



Stacey Shorey
HR Director

CC: Aprille Shafto, Instructional Assistant Superintendent
SCTA Representative
Personnel File

Enc.: Exhibit A—*Education Code §44938*
Exhibit B—*Education Code §44932*
Exhibit C— Photos of damaged carpet and flooring
BP 4119.24
CPC: 594

State of California

EDUCATION CODE

Section 44938

44938. (a) The governing board of any school district shall not act upon any charges of unprofessional conduct unless at least 45 calendar days prior to the date of the filing, the board or its authorized representative has given the employee against whom the charge is filed, written notice of the unprofessional conduct, specifying the nature thereof with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct his or her faults and overcome the grounds for the charge. The written notice shall include the evaluation made pursuant to Article 11 (commencing with Section 44660) of Chapter 3, if applicable to the employee.

(b) The governing board of any school district shall not act upon any charges of unsatisfactory performance unless it acts in accordance with the provisions of paragraph (1) or (2):

(1) At least 90 calendar days prior to the date of the filing, the board or its authorized representative has given the employee against whom the charge is filed, written notice of the unsatisfactory performance, specifying the nature thereof with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct his or her faults and overcome the grounds for the charge. The written notice shall include the evaluation made pursuant to Article 11 (commencing with Section 44660) of Chapter 3, if applicable to the employee.

(2) The governing board may act during the time period composed of the last one-fourth of the schooldays it has scheduled for purposes of computing apportionments in any fiscal year if, prior to the beginning of that time period, the board or its authorized representative has given the employee against whom the charge is filed, written notice of the unsatisfactory performance, specifying the nature thereof with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct his or her faults and overcome the grounds for the charge. The written notice shall include the evaluation made pursuant to Article 11 (commencing with Section 44660) of Chapter 3, if applicable to the employee.

(c) "Unsatisfactory performance" as used in this section means, and refers only to, the unsatisfactory performance particularly specified as a cause for dismissal in Section 44932 and does not include any other cause for dismissal specified in Section 44932.

"Unprofessional conduct" as used in this section means, and refers to, the unprofessional conduct particularly specified as a cause for dismissal or suspension

in Sections 44932 and 44933 and does not include any other cause for dismissal specified in Section 44932.

(Amended by Stats. 1995, Ch. 392, Sec. 4. Effective January 1, 1996.)

State of California

EDUCATION CODE

Section 44932

44932. (a) A permanent employee shall not be dismissed except for one or more of the following causes:

(1) Immoral conduct, including, but not limited to, egregious misconduct. For purposes of this chapter, “egregious misconduct” is defined exclusively as immoral conduct that is the basis for an offense described in Section 44010 or 44011 of this code, or in Sections 11165.2 to 11165.6, inclusive, of the Penal Code.

(2) Unprofessional conduct.

(3) Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by Chapter 188 of the Statutes of 1919, or in any amendment to that chapter.

(4) Dishonesty.

(5) Unsatisfactory performance.

(6) Evident unfitness for service.

(7) Physical or mental condition unfitting him or her to instruct or associate with children.

(8) Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed for the government of the public schools by the state board or by the governing board of the school district employing him or her.

(9) Conviction of a felony or of any crime involving moral turpitude.

(10) Violation of Section 51530 or conduct specified in Section 1028 of the Government Code, added by Chapter 1418 of the Statutes of 1947.

(11) Alcoholism or other drug abuse that makes the employee unfit to instruct or associate with children.

(b) The governing board of a school district may suspend without pay for a specific period of time on grounds of unprofessional conduct a permanent certificated employee or, in a school district with an average daily attendance of less than 250 pupils, a probationary employee, pursuant to the procedures specified in Sections 44933, 44934, 44934.1, 44935, 44936, 44937, 44943, and 44944. This authorization does not apply to a school district that has adopted a collective bargaining agreement pursuant to subdivision (b) of Section 3543.2 of the Government Code.

(Amended by Stats. 2015, Ch. 303, Sec. 86. (AB 731) Effective January 1, 2016.)

Policy 4119.24: Maintaining Appropriate Adult-Student Interactions

Status: ADOPTED

Original Adopted Date: 11/04/2021 | **Last Reviewed Date:** 11/04/2021

The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

All adults with whom students may interact at school or in school-related activities are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

All adults with whom students may interact at school or in school-related activities who observes or has knowledge of another adult's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall take necessary steps to protect anyone who reports a violation from retaliation from individuals who are within the control of the district. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred

from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

In addition to being provided to district employee's, the district's applicable professional standards and/or employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Employee conduct that may undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others for reasons other than those related to legitimate educational purposes, such as tutoring
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent outside of a district-sponsored program or activity
4. Personally contacting a student without any legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal

When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

5. Creating or participating in social networking sites for communication with students, other than those created

by the district, without the prior written approval of the principal or designee

6. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
7. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
8. Addressing a student in an overly familiar manner that would make a reasonable student feel uncomfortable and/or that would not be welcomed by a reasonable student
9. Socializing or spending time with students outside of school-sponsored events, without invitation from the student's parent/guardian and except as participants in community activities
10. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
11. Transporting a student in a personal vehicle without prior authorization
12. Encouraging students to confide their personal or family problems and/or relationships
13. Disclosing personal, family, or other private matters to students or sharing personal secrets with students that have no legitimate educational purposes

The aforementioned examples do not include professional adult conduct necessary in an emergency or legitimately sought to serve students' interests related to instruction, counseling, student health, or student or staff safety or professional adult conduct that a reasonable person would consider appropriate in light of students' age and personal circumstances.

State of California

PENAL CODE

Section 594

594. (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, furnishings, or property belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property.

(b) (1) If the amount of defacement, damage, or destruction is four hundred dollars (\$400) or more, vandalism is punishable by imprisonment pursuant to subdivision (h) of Section 1170 or in a county jail not exceeding one year, or by a fine of not more than ten thousand dollars (\$10,000), or if the amount of defacement, damage, or destruction is ten thousand dollars (\$10,000) or more, by a fine of not more than fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

(2) (A) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), vandalism is punishable by imprisonment in a county jail not exceeding one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment.

(B) If the amount of defacement, damage, or destruction is less than four hundred dollars (\$400), and the defendant has been previously convicted of vandalism or affixing graffiti or other inscribed material under Section 594, 594.3, 594.4, 640.5, 640.6, or 640.7, vandalism is punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment.

(c) Upon conviction of any person under this section for acts of vandalism consisting of defacing property with graffiti or other inscribed materials, the court shall, when appropriate and feasible, in addition to any punishment imposed under subdivision (b), order the defendant to clean up, repair, or replace the damaged property himself or herself, or order the defendant, and his or her parents or guardians if the defendant is a minor, to keep the damaged property or another specified property in the community free of graffiti for up to one year. Participation of a parent or guardian is not required under this subdivision if the court deems this participation to be detrimental to the defendant, or if the parent or guardian is a single parent who must

care for young children. If the court finds that graffiti cleanup is inappropriate, the court shall consider other types of community service, where feasible.

(d) If a minor is personally unable to pay a fine levied for acts prohibited by this section, the parent of that minor shall be liable for payment of the fine. A court may waive payment of the fine, or any part thereof, by the parent upon a finding of good cause.

(e) As used in this section, the term "graffiti or other inscribed material" includes any unauthorized inscription, word, figure, mark, or design, that is written, marked, etched, scratched, drawn, or painted on real or personal property.

(f) The court may order any person ordered to perform community service or graffiti removal pursuant to paragraph (1) of subdivision (c) to undergo counseling.

(g) This section shall become operative on January 1, 2002.

(Amended by Stats. 2011, Ch. 15, Sec. 406. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68. Note: This section was amended on March 7, 2000, by initiative Prop. 21.)













LAW OFFICE of MICHAEL N. McCALLUM, p.c.

5820 Landis Avenue, Suite 3
Carmichael, CA 95608
Telephone (916) 977-0854 - Facsimile (916) 977-0858

Michael N. McCallum
Attorney At Law

September 11, 2025

Sent via email and U.S. mail
Stacey-Shorey@scusd.edu

Stacey Shorey
HR Director
Sacramento City Unified School District
P.O. Box 268470
Sacramento, CA 95824-6870

RE: Jeanine Rupert Notice of Unprofessional Conduct

Dear Ms. Shorey:

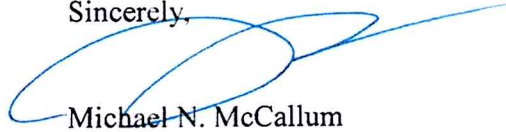
As you are aware, I have been retained by Ms. Rupert to assist her with regard to a 45 Day Notice dated August 29, (hereafter "the Notice") that she received, which included an administrative transfer from her current school site.

A companion Response to the Notice from Ms. Rupert is included herewith. The purpose of this letter is to bring to your attention certain matters of concern with regard to the Notice.

First, within the directives of the Notice is #4, which states Ms. Rupert is to "[M]aintain the confidentiality of this investigation." I write to ask under what authority you are asserting this? It is my understanding that while a District must maintain confidentiality of District investigations of an employee, there is not a specific duty that requires an employee to do the same. In fact, It is my understanding that EERA and PERB decisions confirm as such. If you believe I am mistaken, please provide me with the authority under which this directive is made.

Second, Ms. Rupert is directed under #7 to act in accordance with all CTSP's but particularly Standard E (which is quoted) and discusses a teacher being "honest and trustworthy" in their professional behavior. I am unaware of any allegations that Ms. Rupert was not honest or trustworthy in her dealings with the school or district. She will of course adhere to the general requirement as noted.

Sincerely,



Michael N. McCallum
Attorney at Law

cc: Jeanine Rupert
Vanessa Cudebac
Nia Franklin

Jeanine Rupert



9/11/25

Stacey Shorey
HR Director
Sacramento City Unified School District
P.O. Box 246870

Re: Notice of Unprofessional Conduct dated August 29, 2025

Dear Ms. Shorey:

This letter is submitted in response to the above Notice of Unprofessional Conduct I received from you dated August 29, 2025 (hereafter "the Notice"). I have already orally responded to the allegations against me at the Validation Meeting, however I will summarize those comments again here. I ask that this letter, as well as the companion letter from my attorney, Michael N. McCallum, be attached to the Notice if it is to be placed in my file.

As noted, I did attempt to remove the carpet, which comprised a portion at the front of the room. About 15 years ago small strips of carpet were laid down in my room over a patch of existing tile. This carpet, as well as similar carpet in nearby rooms, quickly became stained, foul-smelling, frayed and in the spring of 2025 riddled with fleas. I believe it was a potential health hazard for my students, and I continually complained about it, including making requests of our custodian for work orders to have it removed. Unfortunately, it never was. Contrary to #4 in the Notice, I never received any confirmation that my work orders had even been looked at. It appears as if I (and the students) were simply being ignored. Over the years, multiple nearby colleagues have told me they had similar issues with the carpet and some said they simply just removed it themselves. I also believe the frayed edges of the carpet were a tripping hazard for the students and I conveyed that to the custodian. I am including a picture of the carpet as it looked immediately after I attempted to remove it. As can be seen the carpet was in very bad shape. The Statements in the Notice (see #4) that my multiple requests to remove the carpet "were denied after District Supervisors had inspected the classroom carpet and stated it was in good shape, but noticed stains on the carpet, possibly waste from animals. . . , " was never conveyed to me. This is curious as if there were stains from animals in the classroom, one would have thought the unnamed supervisors would have treated those stains or advised me how I could do it, and would also have counseled me about it. This never happened though. I would request to know who these supervisors were and when they inspected my room and made the decision(s) that the carpet was "fine."

Also, to be clear, the patch of carpet was glued down, not nailed down - which makes sense as it was laid over tile, and I did not see any nails when I attempted to remove it.

Finally, frustrated with the lack of the District acting on this and after talking with multiple colleagues who removed the carpet themselves, I decided on the last of school to try to remove the carpet myself with the help of some students who volunteered. Let me state at the outset that I deeply regret this choice. I should not have unilaterally tried to remove the carpet, nor allowed students to assist in any way.

In the process of attempting to remove the carpet, it quickly became apparent that I could not easily fully remove the carpet. As such, I stopped and immediately contacted our Plant Manager, [REDACTED] (the same person I had previously requested multiple times over the years to submit work orders about the carpet). I assumed that the carpet would be removed over the summer by [REDACTED] and his crew and that it would not be that difficult based on the stories of my colleagues who did it themselves.

It was at this point that I was contacted by HR. I offered to have the carpet taken out myself (via a paid district approved contractor) but that offer was rebuffed. I was then placed on leave and the District began this disciplinary process. I have been told that the final cost to replace the carpet was \$22,185. I was told a large portion of this cost was to test for asbestos. I do not know why the District felt compelled to do this. The carpet was installed around 15 years ago, well after asbestos was outlawed, and the work orders at the time should have confirmed that it was laid over tile. To be clear I did not disturb the tile at all. As such, there was no possibility of asbestos (if any was even in the subfloor) of being disturbed, a fact confirmed after the testing.

I also wish to take this time to formally object to the District's Administrative Transfer of me and invoke the provisions of Collective Bargaining Agreement in this regard. As the District is well aware, I have children attending the school, live nearby, and have been teaching there for 26 years without incident. Transferring me against my wishes for this mistake has been very difficult for me, and I believe will also negatively impact the students at the school. Frankly, I do not see any reason to transfer me related to any ongoing issues at the site, but instead the transfer appears to be to punish me.

I would like to end by stating again that I admit I made a mistake in trying to pull up the carpet myself and by allowing students to help, regardless of my good intentions in trying to remove the carpet, and I am and continue to be deeply regretful. I do not shirk from that responsibility, and I will not engage in such actions again. With respect, I simply feel that the punishment does not fit my actions and I would again implore the District to reconsider my transfer.

Sincerely,



Jeanine Rupert

cc: Vanessa Cudebac





HUMAN RESOURCE SERVICES
P.O. Box 246870 • Sacramento, CA 95824-6870
(916) 643-9050 • FAX (916) 399-2016

Lisa Allen, *Superintendent*
Cancy McArn, *Chief Human Resources Officer*
and *Lead Negotiator*
Stacey Shorey, *Director II*

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DATE: September 5, 2025
TO: Jeanine Rupert, Teacher, Elementary
FROM: Stacey Shorey, *Director II*, Human Resource Services
RE: **Return from Administrative Leave and New Work Assignment**

This memorandum is a follow-up to the August 26, 2025 meeting with you, SCTA Second Vice President Vanessa Cudebac, Instructional Assistant Superintendent Aprille Shafto, Office Assistant [REDACTED] and me. Effective September 8, 2025, you are released from administrative leave with pay. Subsequently your status will be reinstated on September 8, 2025.

Additionally, the District is invoking SCTA Article 8.7, Administrative Transfers, and your new work assignment is 5th grade at Isador Cohen Elementary. Details are below:

Former Location	New Location	Start Date/Time	Additional Data
Phoebe Hearst Elementary School	Isador Cohen Elementary 9025 Salmon Falls Drive Sacramento, CA 95826 (916) 395-44600 Principal: Belinda Bridgewater	Monday, September 8, 2025 Work Hours: 8:45 am - 3:22 pm School Hours: 9:00 am - 3:07 pm	<i>Classification:</i> Teacher, Elementary, 5th Grade <i>FTE:</i> 1.0 FTE 6 hours a day <i>Work Calendar:</i> SCTA G-1 11 month calendar

Your move day will take place on Monday, September 8, 2025 and you will begin your new assignment on Tuesday, September 9, 2025. This office will be in contact to coordinate a time for you to collect your personal items from Phoebe Hearst Elementary.

If you would like to schedule a meeting to discuss this letter, please contact me at (916) 643-7433.

cc: Aprille Shafto, Instructional Assistant Superintendent
SCTA Representative
HR Analyst
Personnel File