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By _____, Deputy
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10 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **IN AND FOR THE COUNTY OF SACRAMENTO**

12 **(Unlimited Civil Division)**

13 RACHEL CORMIER,

14 Plaintiff,

15 vs.

16 ELK GROVE UNIFIED SCHOOL DISTRICT
17 and DOES 1 through 10 inclusive

18 Defendants.

Case No.:

**VERIFIED COMPLAINT FOR
DAMAGES - RETALIATION IN
VIOLATION OF LABOR CODE
SECTION 1102.5, RETALIATION IN
VIOLATION OF PUBLIC POLICY AND
DECLARATORY RELIEF**

[Jury Trial Demanded]

19
20 _____/
21 Plaintiff, **RACHEL CORMIER**, alleges as follows:

22 **I.**

23 **PARTIES**

24
25 1. Plaintiff **RACHEL CORMIER** ("Plaintiff") is, and at all relevant times was, an
26 individual residing in the State of California.

27 2. Defendant **ELK GROVE UNIFIED SCHOOL DISTRICT** ("District") is, and at all
28

1 relevant times was, a public entity organized and existing under the laws of the State of
2 California, doing business in Sacramento County, California.

3 3. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as DOES
4 1 through 10, inclusive, and therefore sues these Defendants by such fictitious names. Plaintiff
5 will amend this Complaint to allege their true names and capacities when ascertained.
6

7 4. Plaintiff is informed and believes, and thereon alleges, that each Defendant was the agent,
8 employee, servant, alter ego, joint venturer, co-conspirator, and/or representative of each of the
9 remaining Defendants, and in doing the things alleged herein, acted within the course and scope
10 of such agency, employment, and/or relationship, and with the knowledge, consent,
11 authorization, and ratification of the other Defendants.
12

13 **II.**
14 **JURISDICTION AND VENUE**

15 5. This Court has jurisdiction over this action because the damages in controversy exceed
16 the jurisdictional minimum of this Court.
17

18 6. Venue is proper in this Court pursuant to Code of Civil Procedure sections 393 and 395.5
19 because the acts and omissions complained of occurred in Sacramento County, and Defendant
20 District is located and conducts business in Sacramento County.
21

22 **III.**
23 **COMPLIANCE WITH CLAIMS PRESENTATION REQUIREMENTS**

24 7. Plaintiff timely presented a written claim to Defendant District in compliance with the
25 California Government Claims Act, Government Code section 810 et seq.

26 8. Plaintiff's claim was rejected, deemed rejected, or more than 45 days elapsed without
27 action, thereby permitting this action pursuant to Government Code sections 912.4, 912.6, and
28 945.6.

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IV.

GENERAL ALLEGATIONS

9. Plaintiff was employed by Defendant District as a School Social Worker assigned to Monterey Trail High School.

10. Plaintiff was a conscientious employee who acted to protect student safety, fulfill her legal obligations as a mandated reporter and cooperate with law enforcement concerning credible threats of school violence.

11. In or about February 2024, tensions arose between Plaintiff and District Principal Lara Ricks.

12. On or about February 24, 2024, Principal Ricks made negative statements concerning Plaintiff's conduct and mental health to District Supervisor Katy Thomas.

13. Plaintiff is informed and believes, and thereon alleges, that said statements were retaliatory and motivated, at least in part, by Plaintiff's prior and/or ongoing protected activity, including making a CPS report as a mandated reporter pursuant to California Penal Code sections 11164-11174.3 and otherwise acting in compliance with legal obligations.

14. In late March 2025, Plaintiff received positive professional feedback from District Administration Supervisors, including statements that District leadership was "proud" of Plaintiff's work and performance.

15. Between approximately April 7, 2025, and April 9, 2025, Plaintiff became involved in a serious student safety matter involving credible threats of school violence.

16. Law enforcement contacted Plaintiff regarding a possible school shooting threat.

17. On or about April 8, 2025, District officials brought law enforcement officers to Plaintiff's office and instructed Plaintiff to speak openly with the School Resource Officer.

18. On or about April 8, 2025, and at law enforcement's request, Plaintiff provided

1 documents and information relevant to the threat investigation. The student involved was
2 subsequently arrested and recommended for expulsion for making credible threats of school
3 violence.

4 19. The student involved was previously placed on a 72-hour psychiatric hold.

5 20. Plaintiff reasonably believed that disclosure of information and cooperation with law
6 enforcement concerning the threat investigation were required and/or authorized by law and
7 necessary to protect student and campus safety.

8 21. Plaintiff is informed and believes, and thereon alleges, that Education Code section
9 49393 required school officials to immediately notify law enforcement of credible or perceived
10 credible homicidal threats related to school activities and to provide relevant evidence or
11 documentation.

12 22. Soon after Plaintiff cooperated with law enforcement, District administrators accused
13 Plaintiff of violating confidentiality rules by sharing documents with police.

14 23. Plaintiff was verbally reprimanded despite the urgent safety context and despite acting at
15 law enforcement's request and in furtherance of student safety.

16 24. Throughout mid-to-late April 2025, Plaintiff continued documenting safety concerns and
17 communicating with District leadership regarding campus risk.

18 25. During that same period, Plaintiff was instructed not to discuss the matter with
19 colleagues.

20 26. On or about April 24, 2025, Plaintiff received a written performance evaluation rating her
21 as "Meets Standards."

22 27. In late May 2025, Plaintiff became involved in a second mandated-reporting matter
23 involving suspected child abuse.

24 28. Plaintiff prepared and submitted a report to Child Protective Services despite alleged
25

1 administrative resistance and/or direction to proceed differently.

2 29. On or about June 2, 2025, Principal Ricks issued Plaintiff a formal written reprimand
3 alleging insubordination, violation of confidentiality, and dishonesty, primarily tied to Plaintiff's
4 April 2025 law enforcement disclosure and May 2025 mandated-reporting activity.
5

6 30. The allegations in the reprimand were false, misleading, exaggerated, pretextual, and/or
7 unsupported.

8 31. Plaintiff submitted rebuttal documentation disputing the allegations and providing
9 supporting evidence.

10 32. On or about July 24, 2025, Plaintiff received a second written reprimand escalating the
11 allegations and accusing Plaintiff of again disclosing confidential information relating to a CPS
12 matter.
13

14 33. That reprimand warned Plaintiff that continued alleged noncompliance could result in
15 termination.

16 34. Plaintiff sought transfer opportunities and reassignment away from the administrators
17 involved, but such requests were denied.
18

19 35. In or about August 2025, while on medical leave due to a fractured heel, Plaintiff
20 continued responding to disciplinary actions and submitting rebuttal materials.

21 36. District leadership acknowledged receipt of Plaintiff's rebuttals.

22 37. During this period, Plaintiff learned that administrative personnel had jointly drafted
23 disciplinary correspondence directed at her.
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25 38. The District's disciplinary campaign against Plaintiff was motivated, at least in
26 substantial part, by Plaintiff's protected activities, including:
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- 1 a. cooperating with law enforcement regarding credible threats of school violence;
- 2 b. disclosing information Plaintiff reasonably believed was required by law;
- 3 c. making and/or assisting with mandated reports to CPS; and
- 4 d. opposing conduct Plaintiff reasonably believed endangered students and violated law
- 5 and public policy.
- 6

7 39. As a direct and cumulative result of Defendants' retaliatory conduct, Plaintiff became
8 increasingly demoralized, distressed, and professionally undermined. Following Plaintiff's
9 cooperation with law enforcement in April 2025 regarding a credible school violence threat, after
10 being instructed by District officials to speak openly with officers, Defendants reversed course
11 and began disciplining Plaintiff for that same conduct, falsely characterizing her actions as
12 violations of confidentiality.

14 40. Thereafter, Defendants subjected Plaintiff to a pattern of escalating adverse actions,
15 including a verbal reprimand, a formal written reprimand on June 2, 2025, alleging
16 insubordination, dishonesty, and policy violations, and a second written reprimand on July 24,
17 2025, further escalating those allegations and threatening termination. These reprimands were
18 issued despite Plaintiff's documented compliance with legal obligations, including mandated
19 reporting and cooperation with law enforcement, and despite her prior positive performance
20 evaluation.

22 41. During this same period, Plaintiff was instructed not to discuss safety concerns with
23 colleagues, had her professional judgment questioned, and was effectively isolated within the
24 workplace. Plaintiff sought transfer or reassignment to avoid the retaliatory environment, but
25 those requests were denied. While on medical leave in August 2025 due to a fractured heel,
26 Plaintiff was required to continue responding to disciplinary actions and defending herself
27 against allegations she reasonably believed to be false and pretextual. Plaintiff further learned
28

1 that multiple administrators had collaborated in drafting the disciplinary actions against her,
2 reinforcing her belief that the retaliation was coordinated and ongoing.

3 42. The totality of these circumstances, including being disciplined for complying with legal
4 duties, the escalation of baseless accusations, threats of termination, denial of transfer, and
5 continued pressure during medical leave, created working conditions that were objectively
6 intolerable. By October 2025, Plaintiff reasonably believed that she could not continue her
7 employment without subjecting herself to further retaliation and professional harm. A reasonable
8 person in Plaintiff's position would have felt compelled to resign under the same circumstances.
9 Accordingly, Plaintiff's resignation on or about October 26, 2025, was not voluntary but
10 constituted a constructive termination directly caused by Defendants' unlawful and retaliatory
11 conduct.
12
13

14 43. As a direct and proximate result of Defendants' conduct, Plaintiff experienced escalating
15 stress, humiliation, anxiety, loss of professional standing, damage to reputation, and deterioration
16 of her working conditions.
17

18 44. The District's actions created intolerable and aggravated working conditions.

19 45. On or around October 26, 2025, the Plaintiff resigned from employment due to the
20 intolerable working conditions that were wrongfully created and perpetuated by Defendants.

21 46. Plaintiff later sought placement in the substitute pool and pursued re-employment,
22 accommodation, and leave-related issues.
23

24 47. Plaintiff ultimately returned to work in or about March 2026, to finish her school year
25 contract, but not before suffering substantial damages.

26 48. At all relevant times, Defendants' stated reasons for disciplining and mistreating Plaintiff
27 were merely pretexts for retaliation.

28 49. Defendants' conduct was a substantial factor in causing Plaintiff harm.

FIRST CAUSE OF ACTION
Retaliation in Violation of Labor Code Section 1102.5
(Against All Defendants and Does 1-10)

50. Plaintiff realleges and incorporates by reference paragraphs 1 through 49 as though fully set forth herein.

51. At all relevant times, Plaintiff engaged in protected activity within the meaning of Labor Code § 1102.5, including but not limited to:

- a. cooperating with law enforcement regarding credible threats of school violence;
- b. providing documents and information to law enforcement in connection with an activity investigation;
- c. making and/or participating in mandated reports of suspected child abuse; and
- d. disclosing and opposing conduct she reasonably believed violated state law, including laws governing student safety and mandated reporting.

52. Plaintiff had reasonable cause to believe that the information she disclosed and the conduct she opposed constituted violations of law and/or noncompliance with legal obligations, including but not limited to Education Code § 49393 and California's mandated reporting laws. Education Code section 49393 requires school officials to immediately report credible threats of violence to law enforcement and to provide relevant information and documentation. Plaintiff's cooperation with law enforcement was therefore legally required and protected.

53. Defendants were aware of Plaintiff's protected activity.

54. Plaintiff's protected activity was a contributing factor in Defendants' decision to subject her to adverse employment actions.

55. Defendants subjected Plaintiff to adverse employment actions, including but not limited to:

- a. verbal and written reprimands;

- b. false accusations of misconduct, including dishonesty and policy violations;
- c. escalating disciplinary measures and threats of termination;
- d. denial of transfer or reassignment opportunities;
- e. interference with Plaintiff's ability to perform her professional and legal duties; and
- f. the creation and maintenance of working conditions so intolerable that Plaintiff was constructively discharged.

56. The reasons asserted by Defendants for these actions were false, pretextual, and not the true motivating reasons for the adverse treatment of Plaintiff.

57. Pursuant to Labor Code § 1102.6, Plaintiff alleges that her protected activity was a contributing factor in the adverse employment actions taken against her, and Defendants cannot meet their burden of proving by clear and convincing evidence that they would have taken the same actions for legitimate, independent, and non-retaliatory reasons in the absence of that protected activity.

58. As a direct and proximate result of Defendants' unlawful conduct, Plaintiff suffered and continues to suffer damages, including:

- a. lost wages and employment benefits;
- b. loss of future earning capacity;
- c. emotional distress, anxiety, and humiliation; and
- d. other general and special damages according to proof.

59. Defendants' conduct was willful, knowing, and in conscious disregard of Plaintiff's rights.

60. Plaintiff is entitled to all remedies available under Labor Code § 1102.5 and applicable law, including compensatory damages, injunctive relief, equitable relief, attorney's fees, and costs.

SECOND CAUSE OF ACTION
Retaliation in Violation of Public Policy
(Against Defendant District and Does 1-10)

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3 61. Plaintiff realleges and incorporates by reference paragraphs 1 through 60 as though fully
4 set forth herein.

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6 62. Plaintiff's employment with Defendant District was subject to termination only in
7 compliance with fundamental public policies embodied in California statutory law.

8 63. California has well-established and fundamental public policies that:

- 9 a. require school officials to report credible threats of violence to law enforcement
10 and provide relevant information (Education Code § 49393);
11 b. require mandated reporters to report suspected child abuse and neglect;
12 c. protect employees who disclose information to law enforcement or government agencies
13 regarding violations of law (Labor Code § 1102.5); and
14 d. protect the safety and welfare of students and the public.

15
16 64. These public policies are fundamental, substantial, and well-established, and inure to the
17 benefit of the public at large rather than merely private interests.

18
19 65. Plaintiff engaged in conduct protected by these public policies, including cooperating
20 with law enforcement regarding a credible school violence threat, providing relevant
21 documentation in connection with that investigation, and making and/or participating in
22 mandated reports of suspected child abuse.

23 66. Defendants were aware of Plaintiff's protected conduct.

24
25 67. In retaliation for Plaintiff's protected conduct, Defendants subjected Plaintiff to adverse
26 employment actions, including but not limited to false accusations of misconduct, escalating
27 written reprimands, threats of termination, denial of transfer opportunities, and interference with
28 Plaintiff's ability to carry out her professional and legal duties.

1 68. The foregoing conduct created working conditions that were intolerable, aggravated, and
2 adverse, such that a reasonable person in Plaintiff's position would have felt compelled to resign.

3 69. As a direct and proximate result of Defendants' conduct, Plaintiff was constructively
4 terminated on or about October 26, 2025.

5
6 70. Plaintiff's protected conduct and Defendants' violation of the above-described public
7 policies were a substantial motivating reason for Plaintiff's constructive termination.

8 71. Defendants' actions were wrongful, unlawful, and in violation of fundamental public
9 policy.

10 72. As a direct and proximate result of Defendants' conduct, Plaintiff suffered damages,
11 including but not limited to lost wages and benefits, loss of future earning capacity, emotional
12 distress, humiliation, and other damages according to proof.

13
14 73. California has fundamental public policies, embodied in statutes and regulations,
15 protecting:

- 16 a. reporting of credible threats of school violence;
17 b. cooperation with law enforcement;
18 c. mandated reporting of suspected child abuse; and
19 d. whistleblowing and reporting violations of law.
20

21 74. These public policies are reflected in, among other authorities, Labor Code section
22 1102.5, Education Code section 49393, California's child abuse reporting laws, and related
23 statutes protecting public safety and mandated reporting.
24

25 75. Defendants retaliated against Plaintiff and constructively terminated her employment for
26 acting in furtherance of these fundamental public policies.

27 76. Defendants' conduct violated fundamental public policy and was a substantial factor in
28 causing Plaintiff's resignation and damages.

1 77. As a direct and proximate result of Defendants' conduct, Plaintiff suffered economic and
2 non-economic damages in an amount according to proof.

3 **THIRD CAUSE OF ACTION**
4 **Declaratory Relief**
5 (Against District and Does 1-10)

6 78. Plaintiff realleges and incorporates by reference paragraphs 1 through 77 as though fully
7 set forth herein.

8 79. An actual controversy exists between Plaintiff and Defendant District concerning the
9 propriety of the disciplinary actions taken against Plaintiff, the status of those reprimands,
10 Plaintiff's personnel record, and Plaintiff's right to be free from retaliation for engaging in
11 protected activity.

12 80. Plaintiff seeks declaratory and injunctive relief, including removal and rescission of
13 retaliatory reprimands and related adverse material from her personnel file, and such further
14 equitable relief as the Court deems just and proper.
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17 **PRAYER FOR RELIEF**

18 **WHEREFORE**, Plaintiff prays for judgment against Defendants, and each of them, as
19 follows:

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- 21 1. For general damages according to proof;
 - 22 2. For special damages according to proof;
 - 23 3. For compensatory damages, including back pay, front pay, lost benefits, and other
24 economic losses according to proof;
 - 25 4. For damages for emotional distress and mental suffering according to proof;
 - 26 5. For prejudgment interest as permitted by law;
 - 27 6. For declaratory and injunctive relief, including removal of retaliatory discipline from
28 Plaintiff's personnel file;
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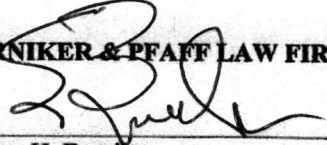
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- 7. For reinstatement, transfer, reassignment, restoration of seniority, and/or other equitable relief as permitted by law;
- 8. For attorney's fees as permitted by statute;
- 9. For costs of suit incurred herein;
- 10. For punitive damages against the individual Doe defendants to the extent permitted by law; and
- 11. For such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury on all issues so triable.

Dated this 30th day of March 2026.

BERNIKER & PFAFF LAW FIRM

 By: _____
 Steven H. Berniker
 Attorneys for Plaintiff RACHEL CORMIER

VERIFICATION

I, **RACHEL CORMIER**, am the Plaintiff in the above-entitled action. I have read the foregoing Verified Complaint and know the contents thereof.

The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 31 day of March, 2026, at Elk Grove, Sacramento County, California.


 RACHEL CORMIER, Plaintiff