

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Ramirez v. Oakland Unified School District, et al.

Ramirez · No. 24-cv-09223-LB · Decided October 20, 2025

SUMMARY

The court granted defendants’ motion to dismiss Mirella Ramirez’s second amended complaint. It dismissed the plaintiff’s claims under 42 U.S.C. § 1983 with prejudice based on sovereign immunity and qualified immunity, concluding that the alleged First Amendment rights were not clearly established in this context. The court also dismissed the Title VII claims with prejudice as untimely because the action was filed more than ninety days after the EEOC’s right-to-sue notice, and equitable tolling was not warranted.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Laurel Beeler
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 20, 2025
DOCKET	24-cv-09223-LB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the second amended complaint. The court granted the motion and dismissed all claims with prejudice.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts factual allegations as true and construes them in the plaintiff’s favor, but requires sufficient factual matter to state a claim that is plausible on its face. Threadbare recitals and conclusory allegations are insufficient.
PRECEDENTIAL VALUE	unpublished
PARTIES	Mirella Ramirez v. Oakland Unified School District, School administrators and board members

TOPICS

- motions to dismiss
- title vii
- religious discrimination
- qualified immunity
- civil procedure

PRACTICE AREAS

civil procedure

employment law

civil rights

constitutional law

religious discrimination

title vii

QUESTIONS PRESENTED

1. Whether the individual defendants were entitled to qualified immunity on Ramirez's § 1983 claims based on the absence of clearly established law concerning a public-school teacher's refusal to use a student's preferred pronouns.
2. Whether the new allegations of religious hostility plausibly defeated qualified immunity or stated a viable constitutional claim.
3. Whether Ramirez's Title VII claims were barred because the amended complaint was filed more than ninety days after issuance and presumed receipt of the EEOC right-to-sue letter.
4. Whether equitable tolling excused the untimely filing of the Title VII claims.

HOLDINGS

1. The individual defendants were entitled to qualified immunity because no Supreme Court or Ninth Circuit precedent clearly established that requiring a public-school teacher to use a student's preferred pronouns violated the teacher's First Amendment rights.
2. The alleged comments by the school officials did not defeat qualified immunity or alter the prior dismissal of the § 1983 claims.
3. Ramirez's Title VII claims were untimely because she filed the amended complaint more than ninety days after the EEOC issued the right-to-sue letter and three days after mailing was the presumed date of receipt.
4. Equitable tolling did not excuse the late filing because Ramirez did not demonstrate the diligence required for tolling.

KEY QUOTATIONS

"No Supreme Court or Ninth Circuit case has addressed whether requiring a teacher's use of preferred pronouns in a public school violated rights, putting defendants on notice "beyond debate." (at 8)

"Title VII requires a plaintiff to file suit within ninety days of receiving an EEOC right-to-sue letter." (at 9)

"The equitable-tolling doctrine applies when a plaintiff pursues her rights diligently, and (2) "some extraordinary circumstance stood in [her] way." (at 10)

"The facts do not establish the requisite diligence for equitable tolling." (at 10)

FACTUAL BACKGROUND

Mirella Ramirez was a kindergarten teacher in the Oakland Unified School District and, based on her Catholic beliefs, refused to use a student's requested male pronouns. District officials directed her to use the pronouns, investigated complaints, offered accommodations that she rejected, and ultimately terminated her for violating California Education Code § 220 and District Policy 5145.3. Ramirez filed an EEOC charge and received a

right-to-sue letter dated March 4, 2025, which was mailed to the address of record and made available through the EEOC's online portal. She added Title VII claims on July 7, 2025, more than ninety days after the presumed receipt date.

PROCEDURAL HISTORY

Ramirez initially filed the action on December 19, 2024, asserting claims under 42 U.S.C. § 1983. The court previously dismissed the § 1983 claims against the District on sovereign-immunity grounds and against the individual defendants on qualified-immunity and failure-to-state-a-claim grounds. After receiving leave to amend, Ramirez filed a second amended complaint adding Title VII claims. The court granted defendants' motion to dismiss the second amended complaint with prejudice.

DISPOSITION

dismissed

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Woods v. U.S. Bank N.A., 831 F.3d 1159, 1162 (9th Cir. 2016)
- Interpipe Contracting, Inc. v. Becerra, 898 F.3d 879, 886-87 (9th Cir. 2018)
- Pearson v. Callahan, 555 U.S. 223, 231, 236 (2009)
- Ashcroft v. al-Kidd, 563 U.S. 731, 741-42 (2011)
- Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission, 584 U.S. 617, 635 (2018)
- Fellowship of Christian Athletes v. San Jose Unified School District Board of Education, 82 F.4th 664, 692 (9th Cir. 2023) (en banc)
- Meriwether v. Hartop, 992 F.3d 492 (6th Cir. 2021)
- Kluge v. Brownsburg Community School Corp., 432 F. Supp. 3d 823 (S.D. Ind. 2020)
- Vlaming v. West Point School Board, 302 Va. 504 (2023)
- Wilson v. Layne, 526 U.S. 603, 618 (1999)
- Scholar v. Pacific Bell, 963 F.2d 264, 267-68 (9th Cir. 1992)
- Payan v. Aramark Management Services Ltd. Partnership, 495 F.3d 1119, 1122-26 (9th Cir. 2007)
- Jones v. Wal-Mart Stores, Inc., No. CV-07-0775-PHX-SMM, 2009 WL 2382435, at *5 (D. Ariz. Aug. 3, 2009), aff'd, 405 F. App'x 155 (9th Cir. 2010)
- St. Louis v. Alverno College, 744 F.2d 1314, 1316-17 (7th Cir. 1984)
- Roberts v. Marshall, 627 F.3d 768, 771-72 (9th Cir. 2010)
- Stoll v. Runyon, 165 F.3d 1238, 1242 (9th Cir. 1999), as amended (Mar. 22, 1999)
- Nelmidia v. Shelly Eurocars, Inc., 112 F.3d 380, 384 (9th Cir. 1997)
- Irwin v. Department of Veterans Affairs, 498 U.S. 89, 96, 111 (1990)
- Baldwin County Welcome Center v. Brown, 466 U.S. 147, 151 (1984) (per curiam)

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