

# Title IX Decision-Maker Training for K-12 Districts & COEs

2022 Title IX Training Academy Module 3 (Session 1)

December 8, 2022

**Presented by:** 

**Eve Fichtner, Partner** epeekfichtner@aalrr.com • (916) 923-1200

**Georgelle Cuevas, Partner** gcuevas@aalrr.com • (925) 227-9200

Ashlee Reece, Associate ashlee.reece@aalrr.com • (562) 653-3200



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## Title IX Decision-Maker Training for K-12 Districts

Session One | December 8, 2022

PRESENTED BY: *Eve Fichtner, Partner Georgelle Cuevas, Partner Ashlee Reece, Associate* 



## Agenda

Definitions for Training

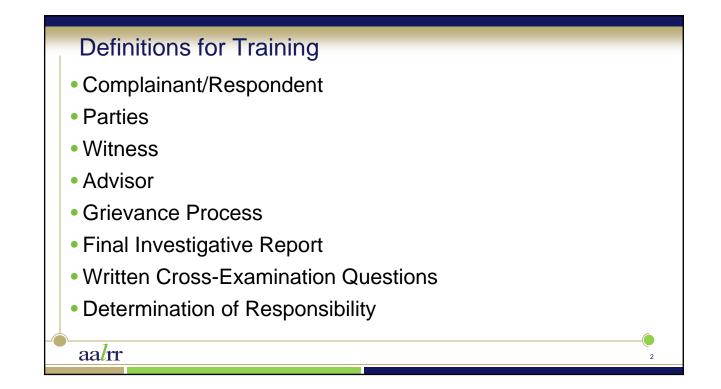
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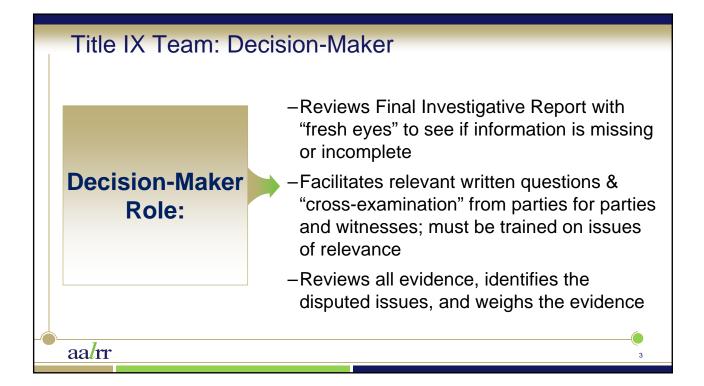
- Review Title IX Decision-Maker Role
- Review Final Investigative Report
- Facilitate Written Questions for the Parties
- Review Hypothetical "Cross-Examination" Questions
- Preparation for Session Two

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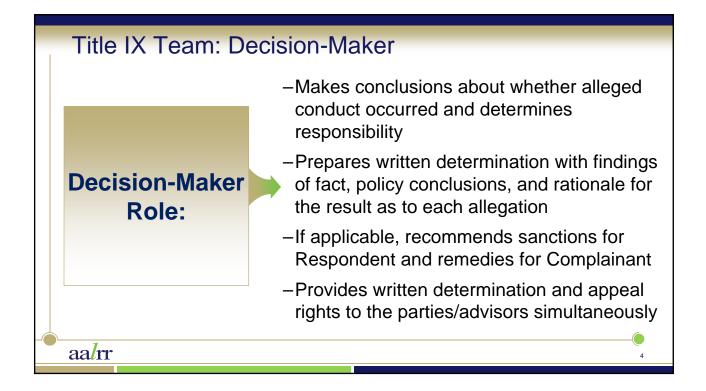






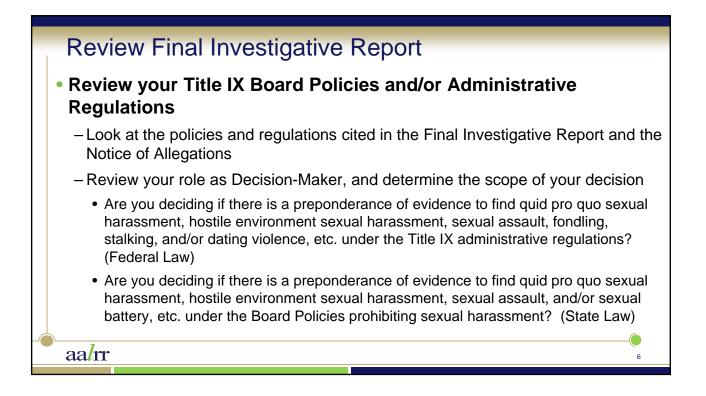


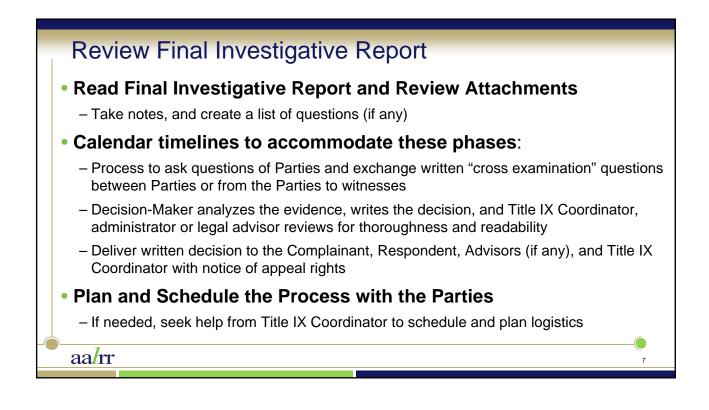




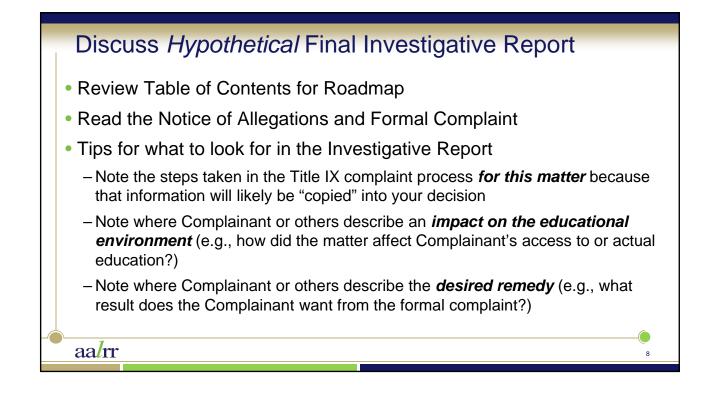


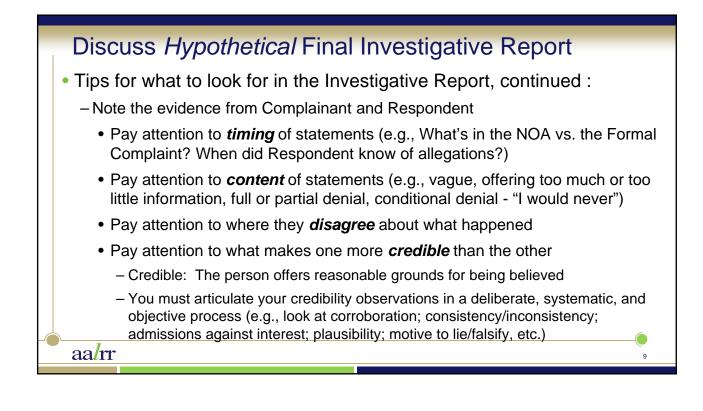




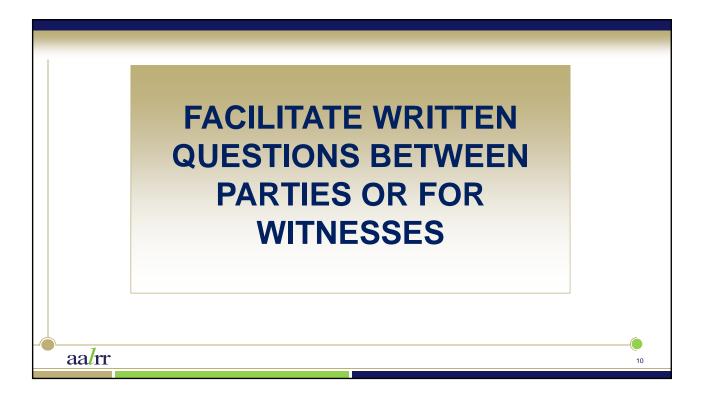


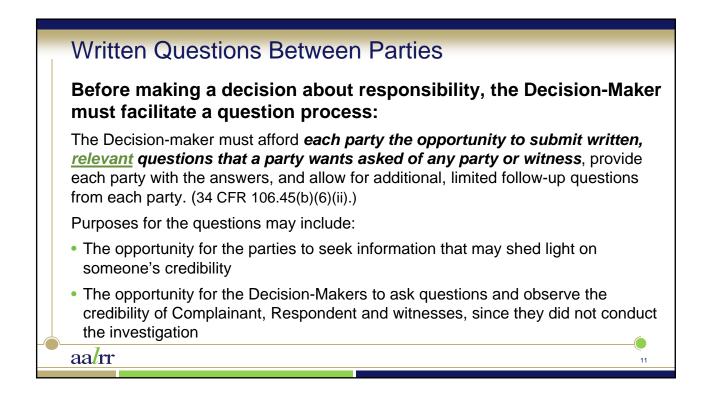




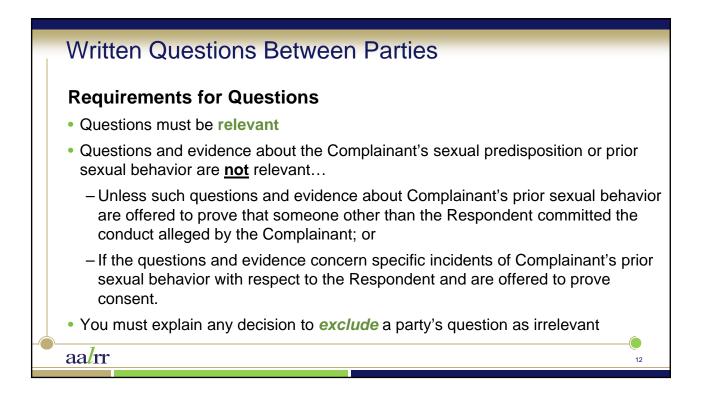


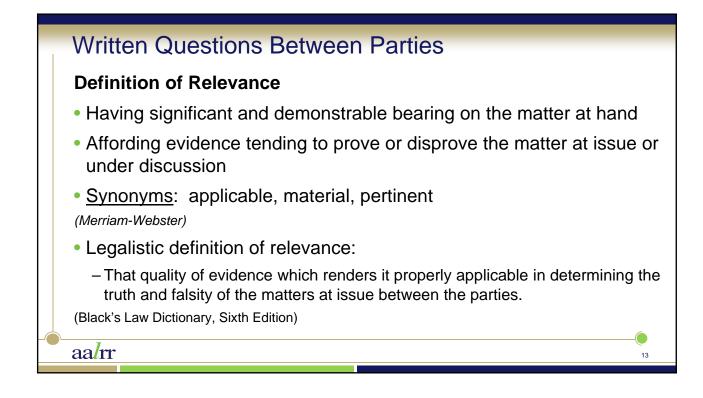




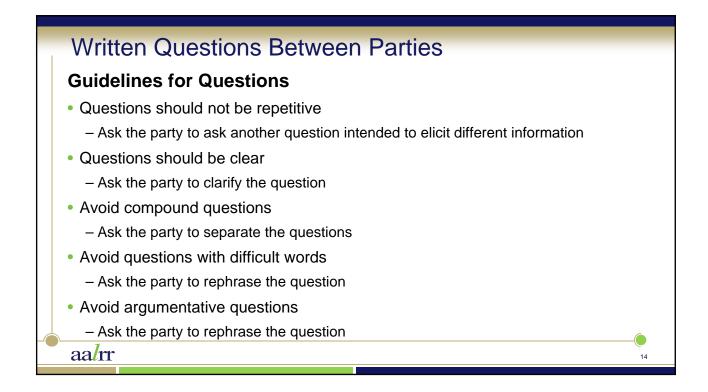


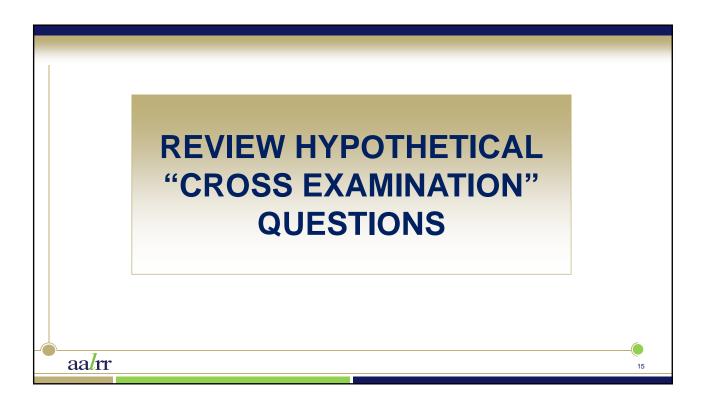




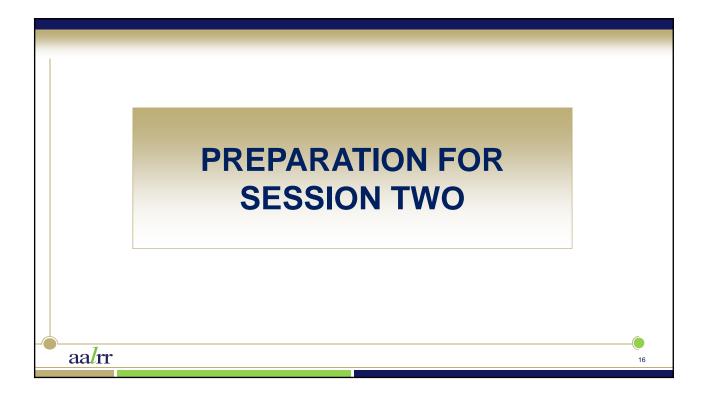


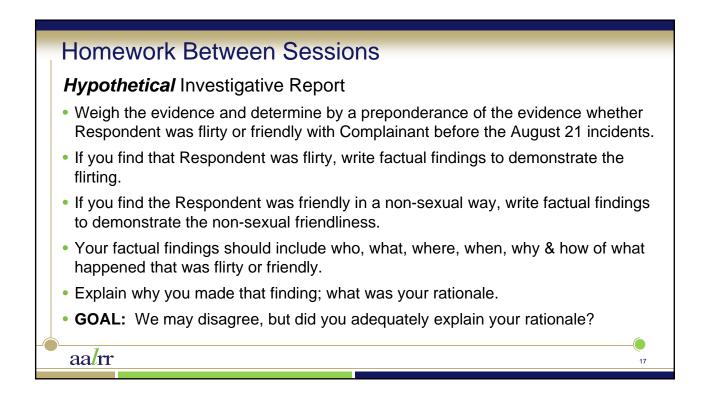




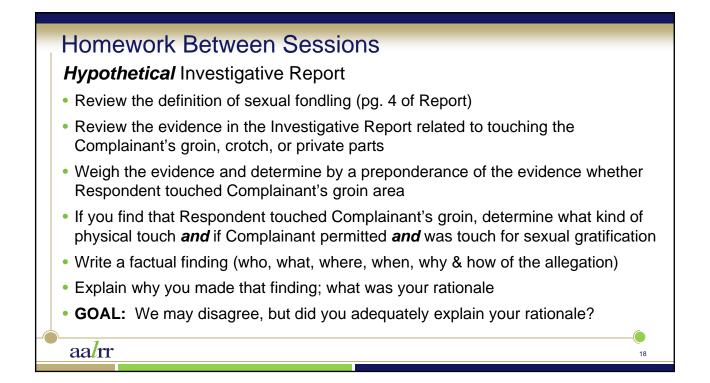
















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## Disclaimer

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## **Eve P. Fichtner**

Partner 916-923-1200 epeekfichtner@aalrr.com



I go beyond identifying potential legal problems. I try to anticipate our clients' strategic options which are consistent with their values.

Eve Peek Fichtner represents school districts, county offices of education, community colleges, and private employers for personnel matters, student issues, and all forms of discrimination and harassment claims. Ms. Fichtner has certification and significant experience conducting impartial, prompt, thorough, and effective workplace investigations and Title IX investigations. She also serves as a hearing officer for K-12 expulsion matters and for Title IX hearings with the University of California, the California State University system, and private universities. In addition, Eve provides resolution-based services to clients, including workplace coaching for employees and supervisors, conflict resolution training, and facilitated meetings.

Ms. Fichtner provides representation, advice, and counsel on numerous school and employment matters, including employee leave, evaluation, discipline and dismissal, student discipline, bullying, reasonable accommodation, interactive meetings, release of public records, search and seizure law, restraining orders, and motions to quash defective subpoenas. Ms. Fichtner has represented clients before state courts and administrative bodies. She has served as General Counsel to several school districts, including Davis Joint Unified School District for over ten years.

Ms. Fichtner is an experienced and effective trainer on a variety of legal issues, including Title IX sexual misconduct matters; prevention of sexual harassment, discrimination, bullying and retaliation; understanding student discipline laws; conducting internal investigations; addressing electronic misconduct; effective conflict resolution techniques; and the FRISK® Documentation Model.

#### OFFICE

2151 River Plaza Drive Suite 300 Sacramento, CA 95833

#### **EDUCATION**

J.D., University of California, Davis School of Law B.A., University of California, Santa Barbara

#### **ADMISSIONS**

1994, California U.S. District Court, Eastern District of California

#### **PRACTICE AREAS**

Board Governance Discrimination & Harassment Education Employee Performance & Evaluation Equity in Education/Office for Civil Rights Investigations Student Discipline Workplace Training



## **Eve P. Fichtner**

#### **Events & Speaking Engagements**

Ms. Fichtner developed a comprehensive Title IX training series for K-12 and CCD's to address the new Title IX regulations released in 2020. She also developed an investigation training seminar, PROOF, which she has presented throughout California. She has prepared and presented workshops on a variety of other topics as well, including sexual harassment prevention, cyber-misconduct, bullying, free speech/religion, the Brown Act, California Public Records Act, employee evaluation, student discipline, and ADA/FMLA.

#### **Publications**

Ms. Fichtner contributes to the firm's publications and education law blog.

#### **Community & Professional**

Ms. Fichtner served as President of the Camerado Springs Middle School Parents Club for 5 years. Additionally, she is a member of the following organizations:

- Association of Title IX Administrators
- Association of Workplace Investigators
- California Council of School Attorneys
- Sacramento Bar Association, Labor and Employment Section



## Georgelle C. Cuevas

Partner 925-227-9200 gcuevas@aalrr.com

I feel privileged to have the opportunity to assist people with their problems.

Georgelle Cuevas regularly assists school districts, county offices of education, and community colleges in navigating the requirements of the Education Code, Public Records Act, the Brown Act, and conflict of interest laws. Ms. Cuevas is experienced in counseling and representing public and private sector employers in all aspects of labor and employment law, including discrimination/harassment, wrongful termination, disability, reasonable accommodation, wage and hour requirements, leave requirements, discipline and dismissal. She has significant experience conducting thorough and effective investigations concerning workplace issues and student complaints.

In addition to being a licensed attorney, Ms. Cuevas is also a certified Senior Professional in Human Resources (SPHR). Ms. Cuevas gained experience in employment law, retirement, education and civil rights at previous firms. Her prior experience also includes internships with the Equal Employment Opportunity Commission and the National Labor Relations Board.

During law school, Ms. Cuevas served as the Vice-President of External Affairs for the Moot Court Honors Society. In addition, she won a CALI award for receiving the highest grade in her Immigration Law class.

#### OFFICE

5075 Hopyard Road Suite 210 Pleasanton, CA 94588

#### **EDUCATION**

LL.M, University of California, Berkeley School of Law J.D., University of Akron School of Law M.S.M., University of Akron, College of Business Administration B.F.A., Kent State University

#### **ADMISSIONS**

2012, California 2012, Florida U.S. Court of Appeals, Ninth Circuit U.S. District Courts, Eastern and Northern Districts of California

#### **PRACTICE AREAS**

Collective Bargaining & Labor Relations COVID-19 Discrimination & Harassment Education Employee Performance & Evaluation Investigations Labor & Employment Law Student Discipline



## Georgelle C. Cuevas

#### **Events & Speaking Engagements**

Ms. Cuevas conducts engaging and interactive workshops and training seminars on such topics as collective bargaining, Title IX Grievance Process, preventing sexual harassment, the FRISK<sup>®</sup> Employee Documentation Model, employee leaves and accommodations, and maintaining public and student records. Some of the many sessions she has led include:

## **Publications**

Ms. Cuevas is a contributor to the firm's education publications and blog.

## **Community & Professional**

Ms. Cuevas volunteered as an attorney coach of the Amador Valley High School Mock Trial Team for the 2018-2019 competition season. She previously served as an attorney scorer for Contra Costa County's moot court and mock trial programs for high school students from 2012-2015.



## Ashlee B. Reece

Associate (562) 653-3200 Ashlee.Reece@aalrr.com

Ashlee Reece provides counsel and representation to California community college districts, county offices and public school districts in a wide variety of employment and education law matters. Ms. Reece also conducts investigations for school and community college districts with respect to Title VII, Title IX and other discrimination allegations.

Prior to joining Atkinson, Andelson, Loya, Ruud & Romo, Ms. Reece was a labor and employment law associate for a large law firm in Los Angeles where she handled matters including ADA, FEHA, wage and hour, wrongful termination, and Unruh Civil Rights Act litigation. Prior to working in litigation Ms. Reece was an Equity Officer at a private university in St. Louis, Missouri where she conducted Title VII and Title IX investigations.

#### **Events & Speaking Engagements**

Cultural Competence & Sensitivity Institute Virtual, February 10, 17 & 24, 2022

#### **Alerts & Articles**

Ms. Reece is a contributor to the firm's publications and blog.

#### OFFICE

12800 Center Court Drive Suite 300 Cerritos, CA 90703

**INDUSTRIES** Educational Agencies

#### **EDUCATION**

J.D., Saint Louis University B.A., University of Missouri

#### **ADMISSIONS**

2019, California 2017, Missouri United States District Court Central District of California

#### **PRACTICE AREAS**

Investigations Labor & Employment Law