



Title IX



What's it like to work with F3?

Title IX compliance can be complex and grievances beyond stressful. We've got you covered on all sides by caring about you, sharing your educational mission, removing compliance stress, and also doing what's best for individuals and families who may be in trauma.

What can F3 solve for you?

Preventing discrimination and harassment on the basis of sex may sound straightforward, but federal and state laws and regulations, including Title IX among others, have brought a level of complexity few school districts can manage on their own. At F3, we're known as the go-to law firm in California for Title IX training, investigations, and defense of allegations.

Title IX (20 U.S.C. §§ 1681–1688) states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” A wide range of activities fall within those categories, from admissions, athletics, and discipline to treatment of pregnant students, retaliation, sex-based harassment, and even assault, stalking, and rape. California requires schools to comply with federal Title IX regulations and others, including the California Education Code and the California Equity Education Act. In fact, California’s definition of sexual harassment may be broader than the federal definition. Working with F3 on Title IX matters gives clients the entire firm’s deep experience in all aspects of educational employment, discipline, student services and more. Our ability to help school districts with all things Title IX is a layer added to what we already do so well. As legal counsel for a school district or college, we know that institution well – its unique needs, its personnel, its policies – and apply our focused background exclusively in education law to helping them meet their goals.



We're here for our clients before they even know they need us. Effective August 14, 2020, for example, the U.S. Department of Education issued new regulations on sexual harassment in educational institutions. We were ready. These new regulations added significant procedural and training requirements for processing Title IX sexual harassment complaints, and they required districts to train the Title IX coordinators, investigators, decisionmakers, appeals decisionmakers, and informal resolution facilitators in their respective responsibilities. Even before the 2020 Title IX regulations became effective, we developed the toolkits, guides, and templates for implementing the complex procedures required under the law and began training all those affected. In developing and delivering training, we often partner with statewide organizations such as the Association of California School Administrators (ACSA). Today, we regularly provide every component of Title IX training and advise our clients on any proposed or enacted regulatory changes, so they can always be ready.

Conducting Title IX investigations

Clients call on F3 to conduct investigations because Investigators must be thoroughly versed in Title IX requirements. Our attorneys have done thousands of investigations, interviewing students and employees and witnesses to find the truth in what's typically a highly emotional situation. We conduct investigations in a trauma-informed manner, meaning that we do all we can to promote healing and recovery rather than engage in practices that may inadvertently re-traumatize. Our investigators are respectful of all participants and empower them to participate rather than withdraw. We're good listeners, and our attorneys give parties and witnesses a fair opportunity to tell their story without judgment. Other firms often fail to consider the emotional stress involved and unintentionally inhibit testimony by treating the situation as transactional rather than human and emotional. We do all we can to be comforting, inviting, and promote sharing.

Training in Title IX compliance and more

It may sound counter-intuitive, but one of our goals at F3 is to have clients need us less. Our clients learn from us as we explain options and walk them through procedures. We teach those with Title IX responsibility how to do their jobs – even perform investigations themselves. School administrators in California wear many hats and are expected to know a lot about Title IX, which is anything but simple. As a result, they call upon F3 to provide training to administrators and individuals with specific, legally required Title IX responsibilities. But we also provide training on related but non-statutory matters, such as implicit bias, DEI, and student and employee discipline. Our attorneys are often asked to present seminars and workshops on Title IX matters and are happy to do so.



Resolving Title IX allegations

A school with actual knowledge of Title IX sexual harassment in an education program or activity against a person has a legal duty to respond. And Title IX proceedings may present a dual issue: the student, faculty member, or other employee's relationship with the school may be in jeopardy, but the accused may also be subject to criminal liability in state court. Even on the civil (non-criminal) side, defending Title IX claims can be especially complex because doing so requires educational institutions to participate in an adversarial trial process for conduct what may be a non-criminal, which can discourage people from participating. The investigation is generally the first step, after which we represent our client in hearings and courts, arbitrations and mediations, and before various administrative agencies. Remedies with which we can assist may include disciplinary action against the perpetrator, counseling for the perpetrator and/or victim, changes to services or policies, remedies for the complainant and others, and more. We also help with public statements, such as drafting press releases, providing guidance for press interviews, and scripting video addresses.

F3 is known for these strengths

- Title IX training
- Title IX investigations
- Sexual harassment
- Sexual discrimination
- Title IX coordinator
- Informal resolution
- Interviews
- Trauma-informed investigations
- Grievance procedure
- Remediation
- Equal Opportunity Employment Commission (EEOC)
- Education Amendments of 1972
- California Education Code 221.5-231.5
- Office for Civil Rights (OCR)
- 20 U.S.C. §§1681-1688
- 34 C.F.R. Part 106—amended
- Clery Act, 20 U.S.C. § 1092(f)
- Violence Against Women Act, 34 U.S.C. § 12291(a)

Related Professionals



Peter K. Fagen
Partner
San Diego
760.304.6000
pfagen@f3law.com



Angela Gordon
Partner
Los Angeles
323.330.6308
agordon@f3law.com



Melanie Larzul
Partner
Oakland
510.550.8232
mlarzul@f3law.com



M. Alejandra León
Partner
Oakland
510.550.8237
aleon@f3law.com



Jacqueline M. Litra
Partner
Los Angeles
323.330.6329
jlitra@f3law.com



David R. Mishook
Partner
Oakland
510.550.8239
dmishook@f3law.com



Shawn Olson Brown
Partner
Oakland
510.550.8207
solsonbrown@f3law.com



Lyndsy B. Rodgers
Partner
Los Angeles
323.330.6332
lrodgers@f3law.com



Rachael B. Tillman
Partner
Sacramento
916.604.3087
rtillman@f3law.com



Jennifer Aardema
Associate
San Diego
760.814.6117
jaardema@f3law.com



Lauren Becker
Associate
Sacramento
916.604.3076
lbecker@f3law.com



Sabrina Buendia
Associate
Los Angeles
323.330.6318
sbuendia@f3law.com



F3 Law



Rebecca Diddams
Associate
Sacramento
(916) 443-0000
rdiddams@f3law.com



Art Garcia
Associate
Inland Empire
951.215.4916
agarcia@f3law.com



Amanda S. Georgino
Senior Counsel
Los Angeles
323.330.6313
ageorgino@f3law.com



Matejka M. Handley
Associate
Sacramento
916.604.3086
mhandley@f3law.com



Brandon A. Lallande
Associate
San Diego
760.814.6114
blallande@f3law.com



Vanessa Lee
Associate
Los Angeles
323.330.6834
vlee@f3law.com



Katy L. McCully Merrill
Associate
Fresno
559.860.4708
kmccully@f3law.com



Elizabeth Schwartz
Associate
Oakland
510.550.8223
eschwartz@f3law.com



Jennifer Nix
Partner
Oakland
510.550.8513
jnix@f3law.com



Lynn Wu
Senior Counsel
Oakland
510.550.8226
lwu@f3law.com