

Investigating Complaints of Discrimination, Harassment, and Bullying: With a Twist!

ACSA Every Child Counts Symposium January 16, 2014

Sarah L.W. Sutherland, Attorney Dannis Woliver Kelley 619.595.0202 ssutherland@DWKesq.com





About Our Firm

Dannis Woliver Kelley is a diverse firm that has distinguished itself over a 30-year history as the best education law firm in California. One of the nation's largest women-owned law firms, DWK is proud to be considered the "thought leaders" in education law: the firm that best knows the legal issues our clients face, and even more importantly, how to resolve them. Our range of experience at Dannis Woliver Kelley and the communication between our practice groups provide an unmatched resource. Since we have clients throughout the state, we are aware of trends that impact your interests. We recognize issues that others may fail to spot, and work in close collaboration with clients to devise practical strategies for resolution.

We were one of the first law firms in California to dedicate its practice to serving public schools. We advise school districts, community college districts and county offices of education with passionate conviction and insight. We find our work enormously rewarding. Since 1978, we have stood shoulder-to-shoulder with our clients, working together for the betterment of California education.

We offer high-quality, effective, and prompt legal services in any area the district may require. Our practice groups are comprised of experienced attorneys who possess thorough knowledge of the issues and challenges facing public schools. Our practice groups cover the areas of:

- Labor Relations
- Personnel Management & Human Resources
- Business, Property & Construction
- Special Education & Student Services
- Counsel to Governing Boards
- Charter Schools
- Litigation

Because we have clients throughout the state, we are aware of trends that enable us to represent you better. Our team approach to client service means that while specific attorneys represent your district, several others will remain informed of the district's issues so that they may assist if needed. We pride ourselves on the breadth and depth of experience within the firm and on the promptness with which we respond to clients' inquiries. We regard ourselves as members of your team at all levels of our service.



Sarah L.W. Sutherland



Shareholder

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Sarah L.W. Sutherland is a Shareholder in the San Diego office and co-chair of the firm's Special Education and Student Issues Practice Group. She is an advocate for public education, and has dedicated her career to serving school districts, county offices and special education local plan areas (SELPA). Sarah's legal experience on behalf of school districts includes petitioning and responding to requests for due process, due process hearings, appeals of special education due process hearings, student discipline proceedings, policy development and revision, student transfers, and student's first amendment rights and responsibilities. She is also well versed and experienced in legal issues surrounding charter schools, including petition review, oversight, special education compliance, student rights and discipline, and revocation. Sarah litigated one of the longest due process hearings in the history of the Individuals with Disabilities Education Act (IDEA), has successfully compelled charter school compliance with special education and other laws, and guided authorizers through charter revocations where needed. She has also proven successful in practical, results oriented representation and dispute resolution, and effectively represented special education local plan areas and county offices of education involving cutting edge charter school and special education cross-over issues. Sarah's expertise in student, special education and charter school issues uniquely poises her to deal with the complex issues that require in-depth knowledge and experience in each area. While at the University of Hawai'i she was actively involved in the community, serving various non-profit organizations and government agencies. She became interested in charter schools when working at the Governor's Office in Hawai'i, and special education and student issues while working at the San Diego Unified School District. Her interest was peaked because both areas allowed her to work directly with educators on issues involving education.

Education

- >> University of Colorado, Boulder (B.A., summa cum laude)
- >> William S. Richardson School of Law at the University of Hawai'i, Manoa (J.D. and Public Policy Certificate with an emphasis on public education)

Practice Areas

- Special Education and Students
- >> Charter Schools
- >> Governing Boards

Admission

>> State Bar of California

Memberships & Associations

California Bar Association



Sarah L.W. Sutherland

>> California Council of School Attorneys

Media/Publications

- Special Education & Students Coffee Break Webinar Unilateral Residential Placements: Where Are We?
- Special Education & Student Coffee Break Webinar Diastat Administration & Related Sticky Issues
- >> Charter Authorizers "201" Webinar: Charter Petitions Tips, Tricks and Politics
- Special Education & Students Coffee Break Webinar: County Mental Health Services Following Suspension of AB 3632 - Now What?
- >> Charter Authorizers "201" Webinar Series: Charter Renewal, Revisions and Revocation
- >> Charter Authorizers Webinar Series: Charter Schools As LEAs
- >> The Uneasy Mix of Charter Schools and Special Education
- » Charter Authorizers Webinar Series: Setting High Standards Before and During the Petition Process, Part I



Pamela S. Townsend



Associate

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Pamela S. Townsend is an associate in the San Diego office and a member of the firm's Labor, Employment and Personnel and Special Education and Student Issues Practice Groups. Prior to joining DWK, Ms. Townsend volunteered as an attorney with the Family Justice Center Legal Network where she counseled and represented underprivileged victims of domestic violence through the restraining order process. While in law school, Ms. Townsend was a law clerk at a San Diego-based law firm. In this position, she gained extensive experience handling a wide range of civil litigation matters at various stages including conducting substantial legal research, drafting dispositive motions, drafting strategy memoranda, and assisting with trial preparation, mediation conferences, and court appearances. Ms. Townsend also assisted in the representation of public entities including San Diego Unified School District.

Education

- >> University of San Diego School of Law (J.D.)
- >>> University of California, San Diego (B.A.)

Practice Areas

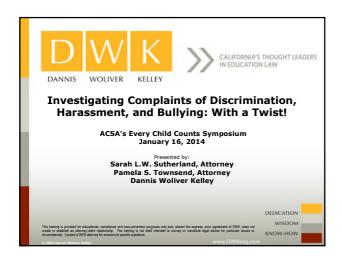
- >> Labor, Employment and Personnel
- Special Education and Students

Admission

>> State Bar of California

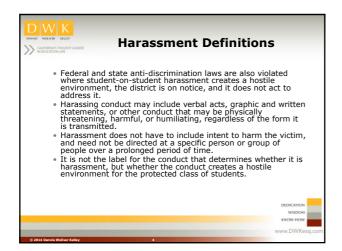
Memberships & Associations

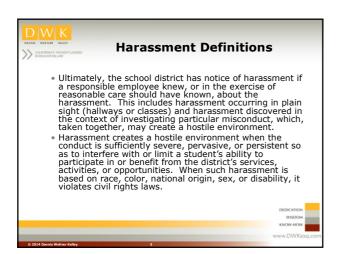
- >>> San Diego County Bar Association
- >> San Diego Lawyers Club

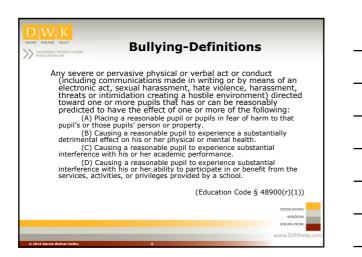


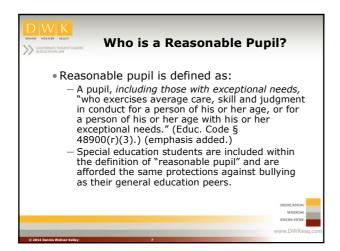


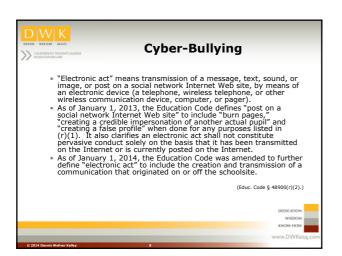


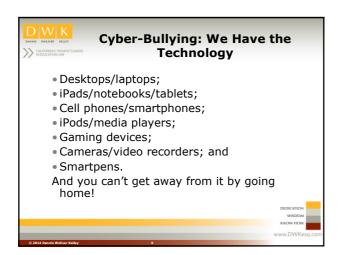


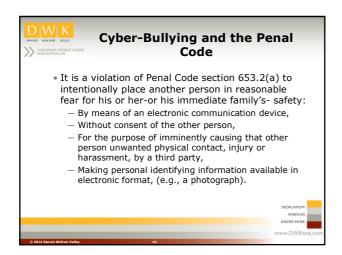






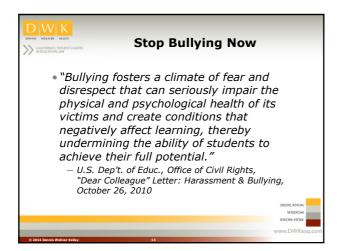


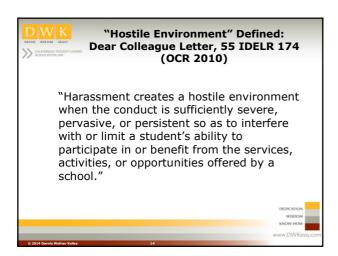


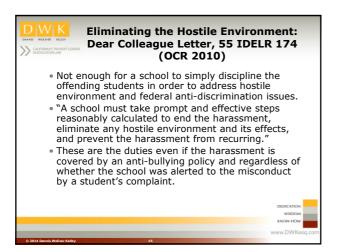


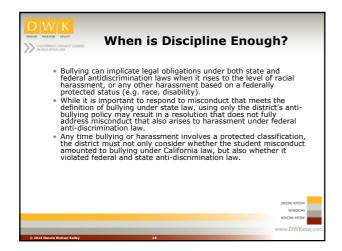


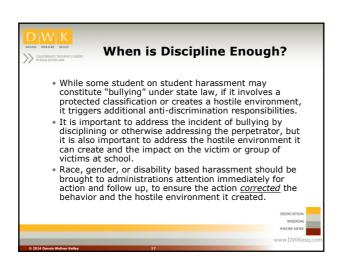


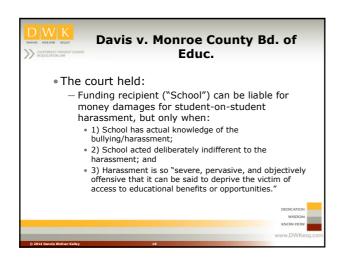


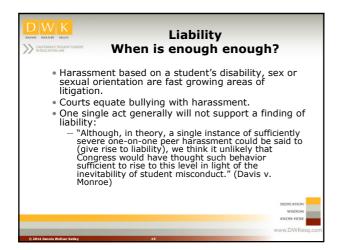


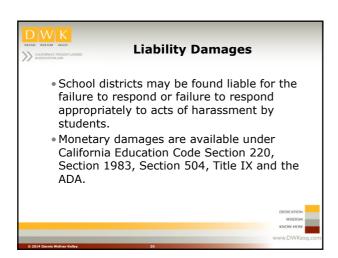


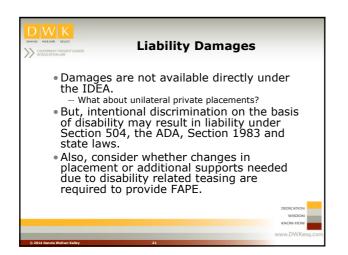




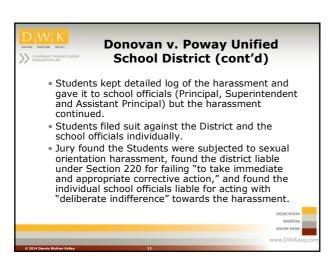


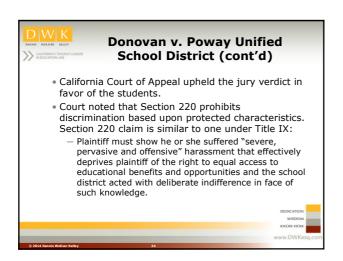






Donovan v. Poway Unified School District (2008) 167 Cal. App. 4th 567 Students sued in California state court alleging they were victims of peer sexual orientation harassment. Harassment included death threats, being spit on, physical violence, vandalism to personal property and anti-gay epithets. As a result, students became anxious and depressed and finished their senior year in an independent study program.





Donovan v. Poway Unified School District (cont'd) Court found the Principal did "little, if anything, to curb the anti-gay environment" and the testimony demonstrated students felt at ease making inappropriate comments openly in front of teachers and other students, even during classes." Court found the Assistant Principal failed to investigate or otherwise respond to complaints of harassment, other than to state that anti-gay language was against the rules.

