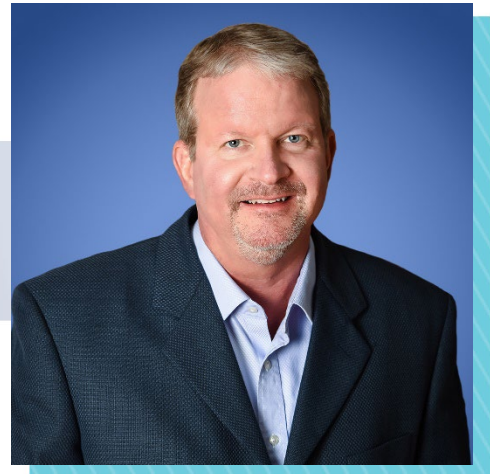


Thomas E. Gauthier

Partner



Sacramento Office
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Overview

Tom Gauthier is a Partner in Lozano Smith's Sacramento office. With over 20 years of experience representing public agencies and public officials, Tom serves as general counsel to school districts and community colleges throughout Northern California. He specializes in labor and employment law, and also has broad expertise in key governance laws such as open meetings rules, public records, ethics, and conflicts of interest.

Focusing on prevention of legal disputes and ensuring best practices, Tom provides day-to-day support to public agencies with the goal of creative problem solving. He regularly counsels clients on employee/employer relations and negotiates labor agreements throughout California.

When conflict arises, public agencies turn to Tom for successful representation in employee disciplinary hearings, arbitration hearings, court litigation, and administrative forums such as Public Employment Relations Board hearings. A practical and solution-focused approach helps clients resolve conflict in their best interests.

Experience

Tom's practice focuses on the following areas:

- General Governance
 - Brown Act compliance
 - Effective board governance
 - Conflicts of interest
 - Public records laws
- Labor & Employment Law
 - Employee discipline & dismissal
 - Effective evaluation systems
 - Leaves of absence
 - Employment contracts & recruitment
 - Wage & hour rules
 - Free speech
 - Employment discrimination & harassment
 - Employee complaints & investigations
- Student Discipline & Student Rights
 - Free speech
 - Equity & access laws
 - Uniform complaint procedures
 - Constitutional law on campus

Practices

Labor & Employment
Community Colleges
Municipal
Student
Governance

Education

J.D., University of California, Davis
B.A., University of California, Riverside
(cum laude)

Admissions

California

- Technology & Innovation
 - Lawfully managing data & records
 - Best practices for public records requests
 - Student supervision & rights
 - Technology contract requirements

Trainings & Presentations

Tom leads interactive, hands-on seminars on topics such as best personnel practices, open government laws, student-related laws, constitutional law, ethics in public service, and school board governance. He is a frequent presenter on behalf of leading statewide associations, including for example:

- Association of California School Administrators (ACSA):
 - Student Records, Privacy and Parental Consent
 - Laws as They Apply to Superintendency
 - Brown Act, Public Records Act and Conflicts of Interest
 - Signing on the Dotted Line
 - LCAP/Dashboard Evaluation
- California School Boards Association (CSBA):
 - Reporting Gifts on Your Form 700
 - Legal Update: Collective Bargaining, LCFF
 - Brown Act
- California Association of School Business Officials (CASBO):
 - California Voting Rights Act
 - Workers' Compensation Insurance
 - Principles of School Law
- Small School Districts' Association (SSDA):
 - Effective Practices in Personnel Management
 - Preparing for Negotiations with Retirement System Changes
 - Teacher Evaluation and Discipline
 - How to Win a Certificated Dismissal Case
 - Developing the Board Agenda
 - Employee Leaves
 - Brown Act and Beyond: Successful Board Relationships

Publications and Resources

Mr. Gauthier is a frequent author of legal updates and client resources. He regularly publishes articles in response to changes in the law or legal decisions affecting public agencies.

Representative articles include:

- California Passes New Laws to Protect Student-Athletes AED's
- #MeToo Movement Leads to Increased Harassment Prevention Training and Related Requirements for California Employers
- Asking Job Applicants about Criminal Conviction History: What You Need to Know about Assembly Bill 1008
- California Travel Ban Does Not Apply to Local Agencies

- Board Member Toolkit (Lozano Smith Resource)
- It's Time to Fill Out Your Form 700! (Podcast Episode)

Education

Mr. Gauthier received his J.D. from the University of California at Davis School of Law in 1996. He received his B.A. from the University of California at Riverside in Political Science and Administrative Studies, *cum laude*. Mr. Gauthier has received certification through ATIXA as a participant in Level 1 and Level 3 ATIXA Civil Rights Investigator Trainings.

Professional Affiliations

Member, California Council of School Attorneys