



FORMAL COMPLAINT FORM (TITLE IX SEXUAL HARASSMENT)

Using this Form

If you are uncertain whether the alleged conduct constitutes sexual harassment, or if you are not the person experiencing the alleged sexual harassment (or their legal guardian), you may file a "Report" of sexual harassment at www.spectrumcharter.org. Anyone may file a report of sexual harassment. A report of sexual harassment will not always require notification to the respondent. A formal complaint will always result in notification to the respondent. Supportive measures are available to a complainant through either process. A formal complaint must be dismissed if: 1) the conduct alleged in the formal complaint would not constitute sexual harassment, even if proven, 2) the conduct did not occur in a University education program or activity, or 3) the conduct did not occur against a person in the United States.

This formal complaint form is intended for use by the alleged victim of Title IX sexual harassment (referred to in Title IX Regulations as the "complainant"). Under Title IX and the Family Educational Rights and Privacy Act (FERPA), a parent or legal guardian may sign a complaint form and otherwise act on behalf of a minor in the formal complaint process.

Assurances & Notifications

- All parties have the right to an advisor of their own choosing (legal professional or otherwise) to support any or all components of the process.
- All parties (Complainant and Respondent) will receive equitable treatment through all steps of this process.
- There is a presumption of innocence for
- The evaluation of evidence will be conducted objectively.
- All Title IX Staff (Title IX Coordinator, Investigator, and Decision Maker) will receive in-depth training on all aspects of the Title IX Regulations including avoiding conflict of interest.
- All procedures of this process will be completed within reasonably prompt time frames.

Filing a Formal Complaint

- Complainant must be participating in/attempting to participate in a school education program/activity at the time of submission
- Physical or digital signature included
- May only be filed by a complainant or the Title IX Coordinator

Third Party Report

Under federal law, only an alleged victim of sexual harassment who is currently participating or attempting to participate in the school's education program or activity (such as an enrolled student, an employee, or an applicant for employment or admission) has the right to use the formal complaint process to initiate an investigation. All third party reports need to be made to the Title IX Coordinator.

Title IX Coordinator

Spectrum Academy
Liz Banner
Executive Director

1948 West 2425 South Suite 1A, Woods Cross, Utah 84087
801-936-0318 or 801-785-9019
lbanner@spectrumcharter.org


Complainant Information		Guardian Information (if under 18)	
Name		Name	
Address		Address	
Phone Number		Phone Number	
Email Address		Email Address	

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Date	
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Definitions	
<p>Sexual Harassment: conduct on the basis of sex that satisfies one or more of the following:</p> <ul style="list-style-type: none"> • An employee conditioning the provision of an aid, benefit, or service of the school on an individual's participation in unwelcome sexual conduct; • Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity;  • Sexual assault, dating violence, domestic violence, or stalking 	<p>Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment*</p> <p>Formal Complaint: a document filed with the Title IX Coordinator alleging sexual harassment against a respondent and requesting the University investigate the allegation</p> <p>Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment*</p> <p>Title IX Coordinator: responsible for upholding all tenets of Title IX, overseeing the grievance process, and coordinating the recipient's (school's) response to all complaints involving Title IX violations.</p>

Complaint Details	
<p>1) Description of the facts and circumstances of the alleged sexual harassment causing this complaint. <i>(Give specific, factual details. Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your complaint.)</i></p>	
<p>2) In a Title IX formal complaint process, the person who is alleged to have committed the sexual harassment is called the "respondent." Please provide the name(s) of the person or people you allege to be the respondent(s) responsible for the alleged sexual harassment. If applicable, please include the person's title or position:</p>	
<p>3) When and where did the alleged sexual</p>	

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harassment occur? Please provide specific dates, times, and locations, if possible.	
4) Please provide the names and contact information of anyone who may have witnessed the alleged conduct.	
5) Please explain how the alleged sexual harassment has impacted you. This could include physical injuries as well as impacts on your ability to access or benefit from the District's education program or activities.	
6) Please provide the names and contact information of anyone who may have witnessed the alleged conduct.	
7) If you have reported these allegations to another person, please state to whom you reported the alleged sexual harassment and provide their contact information (if known).	
8) Title IX does not require complainants to attempt to resolve complaints of sexual harassment informally before filing a formal complaint. Nonetheless, if you have reported these allegations to a District employee, please state when, to whom, and what response you received.	
9) Please list below any evidence that you believe is relevant to your allegations. This could include audio or visual media, physical objects,	

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<p>online materials, text messages, voicemail messages, screen captures, emails, or any other item you are attaching or intend to make available for the purpose of this complaint. If known, please also identify any information in the District's possession that you believe to be relevant to your allegations and would like the District to review (such as emails or security camera footage).</p>	
<p>10) Please provide any other information that would be helpful for the District in reviewing your allegations.</p>	
<p>11) Please describe the outcome or remedy you seek for this complaint.</p>	

Complainant Physical or Digital Signature	
<p>A record or signature is legally effective and enforceable; if a law requires a record to be in writing, an electronic record satisfies the law [Utah Code 46-4-201. Legal recognition of electronic records, electronic signatures, and electronic contracts].</p>	
Complainant Printed Name	
Complainant Signature	
Guardian's Printed Name (if under 18)	
Guardian's Signature	
Date of Filing	
Title IX Coordinator Physical or Digital Signature (if Complaint is being filed by the Title IX Coordinator)	
Title IX Coordinator's Printed Name	
Title IX Coordinators Signature	
Date of Filing	

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Notice to Complainant: This document is a legal record of the allegations of sexual harassment that you have reported to the School in order to request a formal investigation. Please keep a copy of this completed form and any supporting documentation for your records. Please also review your rights and responsibilities at Spectrum Academy, which is attached to this form and also available online at www.spectrumcharter.org, under the Policies Section. Any questions or concerns that you may have during this process may be directed to the school's Title IX Coordinator.

No Spectrum employee or student shall retaliate in any way against a person for making a complaint, assisting, participating, or declining to participate in any manner in an investigation or grievance proceeding. Retaliatory actions which are prohibited include intimidation, threats, coercion, or discrimination against any such individual. Any person may report retaliation to the Spectrum's Title IX Coordinators. Complaints of retaliation will be investigated by the school under the same complaint processes and standards which applied to the original underlying complaint.

If, after reviewing your complaint form, the Title IX Coordinator finds that the allegations are not appropriate for a Title IX sexual harassment formal complaint process but should be investigated by the school under a different policy or procedure, your formal complaint form will be forwarded to the appropriate personnel in accordance with Spectrum's policy. You have the right to appeal the dismissal of your formal complaint, as explained in Spectrum's Sexual Harassment and the Title IX formal complaint process.

This document is continually updated, and references to online resources are hyperlinked, at www.spectrumcharter.org.

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Title IX Coordinator

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Executive Director
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