



# TITLE IX SEXUAL HARASSMENT FORMAL COMPLAINT FORM

F.I.R.S.T. Institute does not discriminate regarding sex, gender, sexual orientation, age, race, color, ethnicity, disability, national origin, creed, or religion. All formal complaints will be responded to within two weeks of submission. F.I.R.S.T. Institute will do its best to complete the grievance process within 90 days of the formal complaint's submission to the Title IX Coordinator. However, should the school need to have a limited, short-term, and temporary extension of the process for a good cause, both parties will be notified in writing. (85 FR 30270)

Our full policy can be found at [www.first.edu](http://www.first.edu) under the downloads section

SCHOOL AFFILIATION	
<input type="checkbox"/> Faculty	<input type="checkbox"/> Student Applicant
<input type="checkbox"/> Administrative Staff	<input type="checkbox"/> Employment Applicant
<input type="checkbox"/> Currently Enrolled Student	<input type="checkbox"/> Graduate
<input type="checkbox"/> Other:	
COMPLAINANT	
First Name	
Last Name	
Address	
Phone	
Email	
TYPE OF COMPLAINT	
<input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Domestic Violence
<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Stalking
<input type="checkbox"/> Dating Violence	
Other:	
RESPONDENT	
NAME	
RELATIONSHIP TO SCHOOL	





#### Title IX Coordinator Contact Information

Cara Cieslak 407.316.8310 423 S Keller Rd Suite 100 Orlando FL 32810 [cara.cieslak@first.edu](mailto:cara.cieslak@first.edu)

#### Emergency

- i. Contact local law enforcement at 911 immediately. Then contact the Title IX Coordinator.
- ii. Under the new Title IX regulations, F.I.R.S.T. Institute is allowed "to remove a respondent from the [school's] educational programs or activities on an emergency basis, with or without a grievance process pending, as long as post-deprivation notice and opportunity to challenge the removal is given to the respondent." (85 FR 30046)

#### Non-Emergency

If this policy is believed to be violated, anyone in the F.I.R.S.T. Institute community can submit a formal complaint to the Title IX Coordinator. F.I.R.S.T. Institute employees must do so. Simply contact the Title IX Coordinator or fill out the Sexual Harassment Formal Complaint Form.

#### Formal Complaint Process

F.I.R.S.T. Institute must respond to all reports of sexual harassment once the school has actual knowledge of the incident(s) and document why the response was not deliberately indifferent. The sexual harassment must have occurred within F.I.R.S.T. Institute's education programs or activities and the United States. Anyone can make a report to the Title IX Coordinator (in person, by email, phone, or mail). F.I.R.S.T. Institute will investigate all formal complaints through the school's Title IX policy through a fair grievance process that treats both the complainant and respondent equally. Respondents are not considered responsible for the policy violation until the grievance process has concluded. If a report is found not to be a violation of this policy, then F.I.R.S.T. Institute has the right to address the issue through the school's regular disciplinary procedures. Supportive measures will be offered to all complainants even if no formal complaint is completed and respondents if a formal complaint has been filed. In the case of a respondent is found responsible for the reported policy violation, the school will take appropriate disciplinary measures.

#### Discretion and Privacy Statement

- i. F.I.R.S.T. Institute will "keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute or regulations, 30 U.S.C. 1232g and 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder." (85 FR 30444)
- ii. Once exception is if "the complainant's identity is necessary to provide supportive measures for the complainant (e.g., where a no-contact order is appropriate and the respondent would need to know the identity of the complainant in order to comply...or campus security is informed about the no-contact order in order to help enforce its terms)." (85 FR 30132)
- iii. The exception is if the complainant and/or respondent is a minor, in which case "a parent or guardian has the legal right to act on behalf of the individual." (85 FR 30030)
- iv. F.I.R.S.T. Institute will do its best to use discretion with grievance procedures in order to protect the privacy of the individuals involved. However, "[i]nvestigations almost always require some intrusion [of] privacy." (85 FR 30107)
  - a. Reporting Options
    - i. The following are options that can be taken either individually or simultaneously.
      1. Title IX Coordinator
        - a. Under new Title IX regulations, F.I.R.S.T. Institute is required to "initiate a grievance process when a complainant files, or a Title IX Coordinator signs, a formal complaint, so that the Title IX Coordinator takes into account the wishes of a complainant and only initiates a grievance process against the complainant's wishes if doing so is not clearly unreasonable in light of the known circumstances." (85 FR 30045)
      2. Local Law Enforcement
        - a. If a report includes criminal activity, F.I.R.S.T. Institute has the right to report to local law enforcement.
        - b. Maitland Police Department
          - i. Addresses
            1. 1837 Fennell St Maitland, FL 32751
          - ii. Phone Numbers
            1. Emergency: 911
            2. Non-emergency: 407-539-6261
            3. General: 407-539-6261
          - iii. Email [dmanuel@maitlandpd.org](mailto:dmanuel@maitlandpd.org) (Not for criminal complaints)
        3. U.S. Department of Education, Office for Civil Rights Contact Information
          - a. Lyndon Baines Johnson Department of Education Building, 400 Maryland Avenue SW, Washington, DC 20202-110. 800-421-3481. [OCR@ed.gov](mailto:OCR@ed.gov)

Any concerns over F.I.R.S.T. Institute's Title IX policy may be submitted to the Title IX Coordinator and/or the U.S. Department of Education, Office for Civil Rights.

#### Anonymous Reporting

- v. A non-formal complaint report of a possible Title IX policy violation can be submitted anonymously. However, when "a complainant desires to initiate a grievance process, the complainant cannot remain anonymous or prevent the complainant's identity from being disclosed to the respondent (via the written notice of allegations)." (85 FR 30133)
- vi. While there are some supportive measures that can be provided while keeping the complainant's identity confidential from the respondent, there are some supportive measures that cannot be provided unless the complainant's identity is revealed. (85 FR 30134)

#### Title IX Statute

- vii. Title IX of the Education Amendments of 1972 was amended by the Secretary of Education on May 19, 2020. Educational institutions receiving federal funding are expected to adhere to the updated statute. It prohibits discrimination on the basis of sex in education programs or activities for both students and employees. The new Title IX regulations went into effect August 14, 2020. It is enforced by the U.S. Department of Education's Office for Civil Rights. (85 FR 30026)