

Taylor Andrews Academy Sexual Harassment Policy

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Taylor Andrews Academy Sexual Harassment Policy

I. STATEMENT OF NON-DISCRIMINATION, TITLE IX & VAWA

Taylor Andrews Academy - St. George (“Taylor Andrews Academy,” “Taylor Andrews,” or “the Academy”) prohibits any form of discrimination and harassment on the basis of sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital or family status, medical condition, genetic information, veteran status, or disability in any decision regarding admissions, employment, or participation in a Taylor Andrews Academy program or activity in accordance with the letter and spirit of federal, state, and local non-discrimination and equal opportunity laws, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, The Age and Discrimination in Employment Act, The Americans with Disabilities Act and ADA Amendments Act, The Equal Pay Act, and the Utah Anti-Discrimination Act of 1965.

Taylor Andrews Academy also complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Policy and Campus Crimes Statistics Act, as amended by the Violence Against Women Act (VAWA). Title IX prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled.

Taylor Andrews Academy has designated the Title IX Coordinator to coordinate the Academy’s compliance with Title IX and VAWA and to respond to reports of violations. Taylor Andrews has directed Shaylee Rivera to coordinate the Academy’s compliance with the Clery reporting related to VAWA requirements. The Academy will promptly and equitably respond to all reports of sex discrimination and sexual harassment in order to eliminate the prohibited conduct, prevent its recurrence, and redress its effects on any individual or the community.

II. POLICY STATEMENT

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. Taylor Andrews Academy is committed to the principles of equal opportunity and seeks to establish and maintain an environment which ensures equal access to education for all Taylor Andrews community members including students, applicants for admission, employees, applicants for employment, guests, and visitors. Taylor Andrews does not discriminate on the basis of sex in any education program or activity operated by the Academy including, but not limited to, admissions, employment, recruitment, compensation, and athletics as well as access to housing and facilities, classes and schools, counseling, employment assistance to students, health and insurance benefits and services, and fringe benefits. Taylor Andrews Academy is required by Title IX and the regulations thereunder not to discriminate in such a manner.

For additional information or inquiries about the application of Title IX and the regulations thereunder, contact Taylor Andrews Academy’s Title IX Coordinator and/or the Assistant Secretary of the United States Department of Education.

The contact information for Taylor Andrews Academy’s Title IX Coordinator is as follows:

Shaylee Rivera

Student Services Advisor & Title IX Coordinator
2214 E Riverside Drive
St. George, UT 84790
Phone: 435-673-8150
Email: Shaylee@taylorandrew.com

The United States Department of Education, Office for Civil Rights regional office contact information is as follows:

DENVER OFFICE

U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
Telephone: (303) 844-5695
Facsimile: (303) 844-4303
[Email: OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)

Complaints with the Office for Civil Rights must be filed within one hundred eighty (180) days of the last act that the Complainant believes was discriminatory. There is no time limit for making a report to Taylor Andrews Academy.

III. THE POLICY

A. SCOPE OF POLICY & GENERAL REPORTING INFORMATION

This policy applies to prohibited conduct (as defined in this policy) that occurs in a Taylor Andrews Academy educational program or activity that is likely to have a substantial adverse effect on any member of the Academy community. There is no time limit for reporting allegations of sex discrimination and sexual harassment, however, the Academy strongly encourages the prompt reporting of sex discrimination and sexual harassment to allow the Academy to respond promptly and effectively. If the reported respondent is not a member of the Taylor Andrews community or is no longer associated with the Academy at the time of the report or at the time of a resolution process is initiated, the Academy may be unable to conduct an investigation or take disciplinary action. The appropriate grievance or complaint process regarding a report will depend upon form of prohibited conduct and status of the complainant at the Academy.

Taylor Andrews Academy provides the following information on how to report sex discrimination and sexual harassment to Taylor Andrews and outlines Taylor Andrews' response to such reports.

Any person may experience sex discrimination or sexual harassment, irrespective of the identity of the complainant or respondent, and is encouraged to report such incidents to Taylor Andrews. Any person, regardless of whether or not the person reporting the alleged incident is the person alleged to be victimized by the incident, may report sex discrimination or sexual harassment to the Title IX Coordinator. Reports may be made at any time, including during non-business hours, in person, by mail to the office address listed for the Title IX Coordinator, by telephone, by email, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report.

Individuals may submit an Incident Report by email, mail, or in person directly to the Title IX Coordinator. The [Incident Report](#) can be found in this document.

The contact information for Taylor Andrews Academy's Title IX Coordinator is as follows:

Shaylee Rivera

Student Services Advisor & Title IX Coordinator

2214 E. Riverside Drive

St. George, UT 84790

Phone: 435-673-8150

Email: shaylee@taylorandrew.com

When the Title IX Coordinator receives a report (either written or oral) of sex discrimination or sexual harassment, they will contact the complainant to provide supportive measures. For more information about [Supportive Measures](#), see Section III.D.

Upon receipt of a report or formal complaint (as defined in [Section IV](#) of this policy), the Title IX Coordinator will review the details of the alleged incident and conduct a preliminary assessment to determine which of Taylor Andrews' grievance procedures will be applied to address the report. Regardless of the type of incident, Taylor Andrews Academy applies prompt and equitable grievance procedures to resolve complaints of sex discrimination and sexual harassment. Taylor Andrews grievance procedures apply equally to all persons regardless of sex, gender, sexual orientation or gender identity.

Formal complaints of incidents of sexual harassment as defined under Title IX involving Taylor Andrews students or employees will be addressed using the [Title IX Formal Complaint & Grievance Process](#) as described in [Section V.C](#) of this policy.

Incidents of sex discrimination which do not involve sexual harassment as defined under Title IX will be addressed using procedures outlined in the Student Catalog (for incidents involving students) or Employee Manual (for incidents involving employees).

When possible, the Title IX Coordinator will notify the reporting party of Taylor Andrews' grievance procedures which correspond to the alleged incident.

Please see [Section V.A. Reporting Sex Discrimination & Sexual Harassment](#) to make a report of prohibited conduct.

B. TITLE IX COORDINATOR RESPONSIBILITIES

All educational institutions receiving federal financial assistance must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX of the Education Amendment of 1972, which prohibits sex discrimination in education programs and activities. These designated employees are generally referred to as Title IX Coordinators.

The contact information for Taylor Andrews Academy's Title IX Coordinator is as follows:

Shaylee Rivera

Student Services Advisor & Title IX Coordinator

2214 E Riverside Drive

St. George, UT 84790

Phone: 435-673-8150

Email: shaylee@taylorandrew.com

The Title IX Coordinator is responsible for responding to reports and formal complaints of sex discrimination and sexual harassment on behalf of Taylor Andrews Academy. The Title IX Coordinator's responsibilities include, but are not limited to:

- Receiving the required training in relevant state and federal laws and Taylor Andrews Academy policies and procedures;
- Advising an individual, including a complainant, third-party reporter, or respondent, about Taylor Andrews Academy's policies and procedures related to sex discrimination and sexual harassment as well as explaining courses of action available at Taylor Andrews and the courses of action available externally regarding any such incidents, including reporting to law enforcement;
- Receiving incident reports of sex discrimination and sexual harassment;
- Informing complainants of the availability of supportive measures;
- Informing complainants of the process for filing a formal complaint under Title IX;
- Offering supportive measures to complainants designed to restore or preserve equal access to Taylor Andrews' education program or activity;
- Conducting Title IX investigations;
- Working with respondents to provide supportive measures, as appropriate;

- Coordinating the effective implementation of both supportive measures (to one or both parties) and remedies to a complainant as well as disciplinary sanctions which may be imposed upon a respondent after the formal complaint process;
- Handling other tasks and responsibilities as determined by the Title IX Coordinator.

C. PROHIBITED CONDUCT

Taylor Andrews Academy prohibits a broad spectrum of behavior, including sex discrimination and sexual harassment under Title IX.

Sexual harassment may also encompass criminal conduct under Utah and/or federal law. Additionally, sexual harassment under this policy may result in civil and/or administrative legal consequences.

The following conduct is specifically prohibited under this policy:

i. Sex Discrimination

Discrimination against an individual based on that person’s sex, gender, gender identity or sexual orientation.

ii. Sexual Harassment

Sexual harassment is a form of sex discrimination. Title IX defines sexual harassment as conduct on the basis of sex that satisfies **one or more of the following three types of behavior**:

1. Quid pro quo harassment

A Taylor Andrews employee conditioning provision of an aid, benefit or service of the Taylor Andrews on an individual’s participation in unwelcome sexual conduct. For example, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual’s educational or employment progress, development or performance. This includes when submission to such conduct would be a condition for access to receiving the benefits of or opportunities in any educational or employment program.

Quid pro quo harassment does not need to be severe and pervasive, as required under Paragraph iii. 2 below, because the abuse of authority in the form of even a single instance is inherently offensive and serious enough to jeopardize equal educational access.

2. Davis Standard: Denial of Equal Educational Access due to Severe, Pervasive, and Objectively Offensive 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 Taylor Andrews’ education program or activity.

Signs of enduring *unequal* educational access due to severe, pervasive, and objectively offensive sexual harassment may include skipping class to avoid a harasser, a decline in a student's grade point average, or having difficulty concentrating in class. However, no concrete injury is required to conclude that serious harassment would deprive a reasonable person in the complainant's position of the ability to access Taylor Andrews education program or activity on an equal basis with persons who are not suffering such harassment.

3. **Sexual Assault, Dating Violence, Domestic Violence, and Stalking**

Sexual Assault: Forcible or non-forcible sex offenses under the FBI's Uniform Crime Reporting program (U.C.R.). Various forms of sexual assault include:

Sex Offenses, Forcible: Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

Forcible Rape: (Except Statutory Rape) The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses, Nonforcible: (Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent. The state of Utah does not have a specific statutory rape statute, but various statutes define illegal sexual activities with minors. Rape of a Child occurs when a child is under the age of 14 (§75-5-402.1). Sexual Abuse of a Minor occurs when the adult is 18 years or older and the child is under the age of 14 (§75-5-401.1). Unlawful Sexual Activity with a Minor (which includes sexual intercourse) occurs when a person 18 years or older commits unlawful sexual

activity with a minor who is 14 years of age or older but younger than 16 years of age at the time the sexual activity occurred (§75-5-401). Unlawful Sexual Conduct with a 16-or-17-Year-Old occurs when the minor is 16 years of age or older, but younger than the age of 18, when the sexual activity occurred and 1) the individual is seven or more years older but less than 10 years older than the minor at the time the sexual activity occurred, and the individual knew or reasonably should have known the age of the minor; or 2) an individual is 10 or more years older than the minor at the time of sexual activity (§75-5-401.2).

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship
2. The type of relationship
3. The frequency of interaction between the persons involved in the relationship

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. 12291 (a)(8)

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Sexual assault, which includes rape, is referenced in the third prong of the definitions of sexual harassment. Note that any report of sexual assault, dating violence, domestic violence, or stalking is not subject to the Davis elements referenced in the second prong of definitions of sexual harassment, which consider whether the incident was "severe, pervasive, and objectively offensive." A single act of sexual assault, dating violence, domestic violence, and stalking does not need to demonstrate severity, pervasiveness, objective offensiveness, or denial of equal access to education because denial of equal access is assumed. Therefore, complainants can feel confident reporting such incidents to Taylor Andrews Academy and receive supportive measures without wondering whether sexual assault is 'bad enough' to report.

Taylor Andrews Academy is required under Federal Title IX regulations to respond to incidents of sexual harassment as stated above. Additionally, conduct outlined in the above definitions of sexual harassment may be considered a violation of Utah law and subject to mandatory reporting and/or criminal investigation.

Additionally, certain acts defined in this section may be considered **Sexual Violence** under Utah state law. In accordance with U.C.A. 1953 §53B-28-301, sexual violence includes sexual abuse (18 U.S.C. Sec. 2242), aggravated sexual abuse (18 U.S.C. Sec. 2241), assault resulting in substantial bodily injury (18 U.S.C. Sec. 113(a)(7)), sexual assault, dating violence, domestic violence, and stalking. While Taylor Andrews is not required to adhere to the Title IX grievance process for acts that are not considered sexual harassment under Title IX, many of the acts defined in U.C.A. 1953 §53B-28-301 may overlap with the definitions of sexual harassment under Title IX and may be subject to the Title IX grievance process. Taylor Andrews Academy reserves the right to assess reports of sexual violence and determine if the alleged

conduct constitutes sexual harassment under Title IX. Incidents of sexual violence that do not meet Title IX requirements may still be subject to safety and threat assessments outlined in Section V.A. of this policy, mandatory reporting, and/or criminal investigation. The amnesty provisions defined in this policy also apply to victims of and witnesses to sexual violence, even if the incident is not considered sexual harassment under Title IX (U.C.A. 1953 § 53B-28-302-304).

D. ADDITIONAL INFORMATION

Amnesty Provision

Anyone, including a complainant, who reports an incident of sex discrimination, sexual violence, or sexual harassment in good faith may not be disciplined by Taylor Andrews Academy for any related Standard of Conduct violation arising out of the same facts or circumstances as the report unless a person's health or safety is at risk. Students may be entitled to additional amnesty under certain circumstances, as provided by Utah state statutes. However, involved parties who have violated the Standard of Conduct or Employee Manual may be offered and encouraged to seek support, counseling, or education efforts intended to benefit the individual and/or community by the Academy.

Privacy, Confidentiality & Privilege

The Academy is committed to protecting the privacy of all individuals involved in a report of sex discrimination and/or sexual harassment. In any report under this policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a careful assessment of the allegation and any necessary steps to eliminate the harassment, prevent its recurrence, and address its effects. Privacy, confidentiality, and privilege have distinct meanings under this policy.

Privacy

Privacy generally means that information related to a report of sex discrimination or sexual harassment will only be shared with a limited circle of individuals, including individuals who "need to know" in order to assist in the review, investigation, or resolution of the report or to deliver resources or support services. While not bound by confidentiality or privilege, these individuals will be discreet and respect the privacy of all individuals involved in the process. All participants in an investigation of sexual harassment, including advisors and witnesses, will be informed that privacy helps enhance the integrity of the investigation and protect the privacy interests of the parties and will be asked to keep any information learned in an investigation meeting or hearing confidential, to the extent consistent with applicable law.

In accordance with Title IX, the Academy will keep private the identity of any individual who has made a report 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, 20 U.S.C. 1232g and 34 CFR part 99, or 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.

Confidentiality

Certain individuals are designated as having confidentiality. For reports made to employees designated as having confidentiality, the Academy will respect the reporting party's expectations of privacy **to the extent permissible by law** while still ensuring compliance with other reporting obligations. For example, complaints involving minors are subject to mandatory reporting requirements.

Individuals designated as having confidentiality are required to report the nature, date, time and general location of an incident to the Title IX coordinator. Confidential resources will not share other information with the Title IX Coordinator or any other employee of the Academy without the express permission of the disclosing party. Confidential resources can provide information about the Academy and off-campus resources, support services and other options. As noted above, because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential resource does not constitute a report or complaint to the Academy and will not result in a response or intervention by Taylor Andrews. A person consulting with a confidential resource may later decide to make a report to the Academy and/or law enforcement.

Community members wishing to seek completely confidential assistance may speak with off-campus counselors, health service providers or rape crisis resources, who will maintain confidentiality.

Privilege

Communication with certain individuals may be privileged by operation of law and reports made to these individuals will not be shared with the Taylor Andrews Academy Title IX Coordinator or law enforcement except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law.

Release of Information: Pursuant to the Clery Act, anonymous statistical information must be shared with Campus Safety where required by the Clery Act. Annual Clery reporting to the U.S. Department of Education is required by educational institutions for certain offenses that have been reported at campus locations. The information contained in the Clery report tracks the number of Clery reportable offenses occurring at campus locations and does not include the names or any other identifying information about the persons involved in the incident.

The Academy may share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions.

Disciplinary Sanctions & Remedies

Respondents and complainants may be subject to the following disciplinary sanctions and remedies, respectively:

Disciplinary Sanctions: Respondents found responsible for sexual harassment as defined in this policy may be subject to disciplinary sanctions at the conclusion of the appropriate grievance process. For more information about disciplinary sanctions, see the Taylor Andrews Academy Student Catalog and/or Employee Manual.

The range of possible sanctions for students includes, but is not limited to:

- Official Warning
- Educational Sanctions
- Disciplinary Probation
- Suspension for a period of 1 day up to 1-week.
- A second suspension would result in an additional 1-week suspension.
- Termination or Dismissal from Taylor Andrews Academy

The range of possible sanctions for employees includes, but it not limited to:

- Verbal Discussion: There will be a review of guidelines outlined in handbooks, policy statements or memorandums and/or verbal warning will be issued.
- Team Build: The nature of the prohibited conduct and a course of corrective action should be documented and discussed with the employee. Equivalent to formal counseling.
- Corrective: If satisfactory improvement has not been made, then the employee may be given written warning (probation) or suspension. All decisions are made on a case-by-case basis, and management may determine, based upon the circumstances, to give additional warnings or suspensions.
- Termination (Final Corrective): If there is no improvement or the improvement does not meet the requirements set forth in earlier actions, the employee shall be terminated.

Remedies: Remedies are provided to the complainant and designed to restore or preserve their equal access to Taylor Andrews Academy’s education program or activity. Remedies may be the same individualized services as described on in Section III.D. as [Supportive Measures](#). However, remedies do not need to be non-disciplinary or non-punitive and do not need to avoid burdening the respondent.

Remedies may include, but are not limited to:

- Guidance in identifying external counseling services and assistance in setting up an initial appointment
- Imposition of an on-campus “no-contact” order
- Rescheduling of exams and assignments
- Change in class schedule, including the ability to transfer course sections or withdraw from a course without penalty
- Additional remedies, which can be tailored to the complainant to achieve the goals of this policy.

The Title IX Coordinator is responsible for implementation of any remedies.

False Accusations

Taylor Andrews Academy prohibits parties, including complainants, respondents, and witnesses, from knowingly making false statements or knowingly submitting false information during the grievance process.

Taylor Andrews Academy reserves the right to charge an individual with a Standard of Conduct or other internal policy violation for making a materially false statement in bad faith during the course of the

grievance process. Such charges do not constitute retaliation on behalf of Taylor Andrews Academy against the individual as the individual has violated Taylor Andrews own policy.

Jurisdiction of this Policy

Any person may experience sex discrimination or sexual harassment anywhere. Therefore, any individual may report any incident to the Title IX Coordinator. However, Taylor Andrews Academy's response to such incidents is dependent upon the location of the alleged incident.

The [Title IX Formal Compliant & Grievance Process](#) described in this policy must be applied when alleged incidents of sexual harassment as defined in [Section III.C.ii](#). occur in Taylor Andrews Academy's own education program or activity as defined in [Section IV.](#) of this policy and in the United States.

Alleged incidents of sex discrimination and sexual harassment which occur outside of a Taylor Andrews Academy education program or activity (as defined in this policy) or outside of the United States are not covered under this policy. However, complainants are still encouraged to seek supportive measures in the event of prohibited conduct, regardless of where the incident occurred.

Taylor Andrews Academy's jurisdiction extends to electronic, digital, and online sexual harassment which occurs in an education program or activity (as referenced in [Section IV.](#)), in which Taylor Andrews exercises substantial control over the respondent and the context in which the harassment occurs. Factual circumstances of electronic, digital, and online sexual harassment will be analyzed on a case-by-case basis to determine the context in which the harassment occurred.

Electronic, digital, and online forms of [sexual harassment](#) under Title IX will be addressed using the [Title IX Formal Complaint and Grievance Process](#) outlined in Section V.C.

For clarification regarding incidents which occur on-campus versus off-campus, see the definition of Education Program or Activity in Section IV.

Retaliation

Taylor Andrews Academy prohibits any person from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX and its implementing regulations.

This retaliation provision may apply to 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, any witness, or any other individuals who participate (or refuse to participate) in any manner in an investigation, proceeding, or hearing of Taylor Andrews Academy Title IX grievance process. This policy includes protecting the complainant, respondent, and witnesses from being coerced, intimidated, threatened, or otherwise discriminated against based on their participation or refusal to participate in the Title IX grievance process.

Retaliation includes intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations.

Charging an individual with a Standard of Conduct or other Academy policy violation for making a materially false statement in bad faith in the course of the grievance process does not constitute retaliation. However, a determination regarding responsibility alone is not sufficient to conclude that an individual made a materially false statement in bad faith. A complainant's allegations may not have been false even where the ultimate determination is that the respondent is not responsible and/or that the complainant may not have acted subjectively in bad faith (and conversely, that a respondent may not have made false, or subjectively bad faith, denials even where the respondent is found responsible).

Exercising rights protected under the First Amendment does not constitute retaliation.

The parties have the right to discuss the allegations under investigation, but this right does not preclude Taylor Andrews from warning the parties not to discuss or disseminate the allegations in a manner that constitutes retaliation or unlawful tortious conduct. It is unacceptable for any person to leak or disseminate information to retaliate against another person.

Complaints alleging retaliation may be filed with Taylor Andrews Academy's Title IX Coordinator, which will be handled using the prompt and equitable grievance procedures available for non-sexual harassment sex discrimination complaints by students and employees, as referenced in the Taylor Andrews Academy Student Catalog and Employee Manual.

In accordance with U.C.A. § 53B-28-304, an individual is guilty of a third degree felony if an individual inflicts, communicates an intention, or threatens to inflict bodily injury or damage upon a complainant or witness involved in a report or formal complaint in retaliation for the individual's report of the alleged incident or involvement in the investigation initiated by the formal complaint.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant and respondent without unreasonably burdening the other party.

Supportive measures are designed to:

- Restore or preserve equal access to the party's education at Taylor Andrews Academy;
- Protect the safety of all parties or the Taylor Andrews Academy educational environment; or
- Deter sexual harassment.

Taylor Andrews Academy's Supportive Measures include, but are not limited to:

- Assistance in identifying external counseling services;
- Extensions of deadlines or other course-related adjustments;
- Modifications of work or class schedules;
- Mutual restrictions on contact between the parties;
- Leaves of absence;
- Increased security and monitoring of certain areas of the campus when possible; and
- Other similar measures as necessary

Taylor Andrews will offer supportive measures to every complainant when the Title IX Coordinator receives a report of an incident of sexual harassment. Examples of a report may include written or oral reports submitted by a complainant or third-party reporter.

Upon receiving a report of an alleged incident of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures and explain the option for filing a formal complaint under Title IX as well as the Title IX grievance process. The complainant will have the opportunity to express what they would like in the form of supportive measures, and the Title IX Coordinator will take into account the complainant's wishes in determining which supportive measures to offer. Supportive measures will be available to complainants regardless of whether or not they wish to file a formal complaint to initiate a grievance process.

Supportive measures remain available to the complainant before and after filing a formal complaint of sexual harassment as well as when no formal complaint has been filed. Additionally, Taylor Andrews Academy will provide supportive measures to complainants even when the alleged incident does not constitute sexual harassment under Title IX or fall within the jurisdictional conditions of this policy. For example, a complainant may still seek supportive measures when an incident of sexual harassment occurs outside of Taylor Andrews' education program or activity or outside of the United States.

Supportive measures may remain in place throughout an appeal process.

Regardless of the result of the Title IX grievance process, Taylor Andrews reserves the right to continue supportive measures. Therefore, if Taylor Andrews determines that a respondent is not responsible for violating Title IX, Standard of Conduct, or Employee guidelines, Taylor Andrews may continue providing supportive measures to a complainant or respondent to restore or preserve equal access to their education.

Taylor Andrews Academy adheres to Federal Title IX regulations, which require the equitable treatment of complainants and respondents. Equitable treatment under Title IX includes providing supportive measures

and remedies for complainants and avoiding disciplinary action against respondents until the formal grievance process as outlined in this policy is completed. While respondents will be offered supportive measures, Title IX does not require equality or parity with respect to the supportive measures provided to complainants and respondents.

Confidentiality & Supportive Measures: Taylor Andrews Academy will keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Taylor Andrews to provide the supportive measures. For example, where a no-contact order is appropriate, the respondent would need to know the identity of the complainant in order to comply with the no-contact order, or campus security is informed about the no-contact order in order to help enforce its terms. For more information about confidentiality during the Title IX grievance process, see Section III.D [Privacy, Confidentiality & Privilege](#).

In order for Taylor Andrews to provide supportive measures to the complainant, Taylor Andrews must know the identity of the complainant. Therefore, it is not possible for the complainant to remain anonymous and receive supportive measures because at least one school official (such as the Title IX Coordinator) must know the complainant's identity in order to offer and implement any supportive measures. A complainant or third party may desire to report sexual harassment without disclosing the complainant's identity, but Taylor Andrews will be unable to provide supportive measures in response to the report without knowing the complainant's identity.

Implementation of Supportive Measures: The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Although supportive measures may require collaboration with various Departments on campus, the Title IX Coordinator will serve as the point of contact for complainants and respondents.

EMERGENCY REMOVAL

Taylor Andrews Academy reserves the right to remove a respondent from a Taylor Andrews education program or activity without undergoing a grievance process on an emergency basis in the event that Taylor Andrews undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

In the event of emergency removal, Taylor Andrews will provide the respondent with post-removal notice and the opportunity to challenge the decision immediately following the removal.

ADMINISTRATIVE LEAVE

Taylor Andrews Academy reserves the right to place a non-student employee respondent on administrative leave during the pendency of a grievance process outlined in this policy.

IV. DEFINITIONS

The following terms are related to the Sexual Harassment policy:

Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment delivered to Taylor Andrews Academy's Title IX Coordinator. Such notice includes reports sent to the Title IX Coordinator in person, by mail, by telephone, by email, telephone call, in-person, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report. Individuals may also submit an [Incident Report](#) to the Title IX Coordinator via email, mail, or in person.

Advisor: An individual who provides support, guidance, and/or assistance to the complainant or responding party throughout the investigation, hearing, appeals, and/or informal resolution process. Complainants and respondents have the right to select an advisor of their choice. Advisors may be a friend, mentor, family member, attorney, or any other supporter a party chooses to advise them who is both eligible and available. Advisors are required during the hearing process. If a party does not have an advisor present at the hearing process, Taylor Andrews Academy will provide the party with an advisor. Additional information about the role of advisors can be in [Section V.C.ii. Right to an Advisor](#).

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may, but is not required to be, a student, employee, or other Taylor Andrews community member.

Consent: An agreement between participants to engage in sexual activity. Consent is not present if the victim expresses lack of consent through words or conduct; the perpetrator overcomes the victim through physical force, violence, concealment, or the element of surprise; the perpetrator threatens retaliation through physical force, kidnapping, or extortion; the victim is unconscious, unaware, or physically unable to resist; the perpetrator intentionally impaired the power of the victim to appraise or control his or her conduct by administering any substance without the victim's knowledge.

Consent cannot be given by someone who is incapacitated for any reason (i.e., because of the victim's age, disability, unconsciousness, or use of drugs or alcohol). Additionally, consent cannot be implied by silence, the absence of resistance, or past consent with the same or another person. Even if a person has given his or her consent to engage in sexual activity, consent to engage in further sexual activity can be withdrawn at any time. Consent is invalid where it is given under coercion, force, or threats.

Education Program or Activity: All of the operations of Taylor Andrews Academy, which may be on or off campus, as well as locations, events, or circumstances over which Taylor Andrews exercises substantial control over both the respondent and the context in which an incident of sexual harassment occurs. Additionally, any building owned or controlled by student organizations which are officially recognized by Taylor Andrews Academy are also considered to be part of Taylor Andrews' education program or activity.

Taylor Andrews Academy's education program or activity also extends to operations which include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Taylor Andrews.

Formal Complaint: A document that initiates the grievance process outlined in [Section V.C.ii](#) of this policy against a respondent alleging sexual harassment. A formal complaint must be filed by the complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that Taylor Andrews investigate the allegation of sexual harassment. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in an education

program or activity at Taylor Andrews Academy. A formal complaint may be a document delivered to the Title IX Coordinator's office or electronic submission sent via email which contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the complaint. Individuals may download the [Formal Complaint form](#) and submit it via email, mail or in-person to the Title IX Coordinator.

Submission of a formal complaint to Taylor Andrews Academy is not equivalent to filing charges with local law enforcement and does not require a complainant to file charges with local law enforcement. For more information about reporting incidents of sexual harassment to local law enforcement, see [Section V.A. Reporting Sex Discrimination & Sexual Harassment](#).

Report: Notice, either written or oral, provided to the Title IX Coordinator of an alleged incident of sex discrimination or sexual harassment. Any person, regardless of whether or not the person reporting the alleged incident is the person alleged to be the victim the incident may report sex discrimination or sexual harassment. Reports may be made at any time, including during non-business hours, in person, by mail to the office address listed for the Title IX Coordinator, by telephone, by email, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report. Individuals may also download and submit an [Incident Report](#) by email, mail, or in person directly to the Title IX Coordinator. A report is distinguished from a formal complaint as defined above.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Standard of Evidence (Preponderance of Evidence): The standard used to determine if a sexual harassment policy violation occurred. Taylor Andrews Academy uses a "preponderance of evidence" standard, which means that the evidence demonstrated in the grievance process demonstrates that it is more likely than not that the alleged conduct or policy violation occurred.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Taylor Andrews Academy's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Taylor Andrews Academy's educational environment, or deter sexual harassment. Supportive measures are described in further detail in [Section III.D](#).

V. PROCEDURES

A. REPORTING SEX DISCRIMINATION & SEXUAL HARASSMENT

Any person may report an incident(s) of sex discrimination or sexual harassment to the Title IX Coordinator. The reporting party may be the person directly affected by the alleged incident (referred to as “complainant”) or a third party. Reports of sex discrimination and sexual harassment may be written or verbal and may be made at any time (including non-business hours) in person, by using the telephone number or email address, or by mail to the office address, of the Title IX Coordinator.

The contact information for Taylor Andrews Academy’s Title IX Coordinator is as follows:

Shaylee Rivera

Student Services Advisor & Title IX Coordinator

2214 E Riverside Drive

St. George, UT 84790

Phone: 435-673-8150

Email: shaylee@taylorandrew.com

When the Title IX Coordinator receives notice through a report (either written or oral) or formal complaint of an alleged incident of sex discrimination or sexual harassment, the Title IX Coordinator will promptly contact the complainant to:

1. Discuss the availability of supportive measures, as defined in [Section III. D.](#) of this policy;
2. Consider the complainant’s wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures with or without filing a formal complaint;
4. Explain to the complainant:
 - a. Taylor Andrews Academy’s procedures for handling non-sexual harassment sex discrimination; or
 - b. Process for filing a formal complaint under Title IX , as outlined in [Section V.C.](#) of this policy.

The Title IX Coordinator will conduct a preliminary assessment of the report or formal complaint to assist the complainant in determining if the complainant may initiate a grievance process, if they desire. For more information about the Preliminary Assessment, see [Section V.B.](#)

Note: If a report submitted by a third party does not contain the identity of the reporting party but does contain the identity of the complainant, upon receipt of the report, the Title IX Coordinator will contact the complainant to offer supportive measures and explain the process for filing a formal complaint. However,

After conducting the assessment, the Title IX Coordinator will send a written notification of their preliminary assessment to the complainant.

The complainant may appeal the Title IX Coordinator's preliminary assessment of the alleged incident to the **Taylor Andrews Academy Corporate Director** within five (5) days of receiving written notice from the Title IX Coordinator. If a formal complaint is filed, the respondent may appeal the Title IX Coordinator's preliminary assessment to the **Taylor Andrews Academy Corporate Director** within five (5) days of receiving the notice of the complaint.

Regardless of whether an alleged incident is determined to constitute sexual harassment or sex discrimination, and regardless of whether or not the complainant files a formal complaint under Title IX, Taylor Andrews will provide supportive measures to the complainant. For more information about Supportive Measures, see [Section III.D.](#)

C. TITLE IX FORMAL COMPLAINT & GRIEVANCE PROCESS

i. Filing a Formal Complaint

Filing of a formal complaint of an alleged incident of sexual harassment under Title IX initiates the investigation and grievance process outlined in [Section V.C.](#) of this policy.

Who Can File a Formal Complaint?

The complainant or Title IX Coordinator must file the formal complaint.

Third parties cannot file formal complaints. Additionally, fundamental fairness and due process principles require that a respondent be informed of the details of the allegations made against them, to the extent that the details are known, to provide an adequate opportunity for the respondent to respond. Therefore, a complainant cannot remain anonymous and file a formal complaint. However, the Title IX Coordinator will keep confidential the identities of the complainant and respondent (and witnesses) from anyone not involved in the grievance process, except as permitted by FERPA, required by law, or as necessary to conduct the grievance process. For more information about confidentiality, see [Section III.D. Privacy, Confidentiality & Privilege.](#)

While a formal complaint requires the complainant's identity, Title IX does not require a complainant to identify the respondent in a formal complaint. If a complainant does not know the respondent's identity and files a formal complaint, Taylor Andrews is still required to investigate the formal complaint because an investigation may reveal the respondent's identity. If the respondent's identity becomes known, Taylor Andrews will send both parties the written notice of allegations (see [Section V.D.ii.](#)), follow the grievance process outlined in this policy, and may impose disciplinary sanctions against the respondent at the conclusion of the grievance process. However, if a respondent's identity remains unknown, Taylor Andrews will be unable to comply with the required grievance process outlined in this policy and therefore unable to impose disciplinary sanctions against the respondent.

Under certain circumstances, the Title IX Coordinator may determine that an investigation is necessary, even when the identity of the complainant is unknown or the complainant does not want an investigation. In this case, the Title IX Coordinator may choose to sign a formal complaint and initiate the grievance

ii. Grievance Process for Formal Complaints of Sexual Harassment

GENERAL INFORMATION

The following grievance process complies with 34 CFR § 106.45 of Title IX. All processes, provisions, and rules stated in this policy apply equally to both parties—complainants and respondents.

Taylor Andrews Academy will treat complainants equitably by providing the complainant and respondent with supportive measures throughout the grievance process, following the grievance process before imposing any disciplinary sanctions (or other actions that are not supportive measures) against a respondent, and providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against a respondent.

Taylor Andrews Academy grievance process relies upon an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Taylor Andrews applies the preponderance of the evidence standard which means that it is more likely than not that the alleged conduct or policy violation occurred. Taylor Andrews applies the same standard of evidence for formal complaints against students and employees, including faculty, and applies the same standard of evidence to all formal complaints of sexual harassment.

Determination of a party's credibility will not be based on a person's status as a complainant, respondent, or witness. Taylor Andrews presumes that the respondent is not responsible for the alleged conduct until a determination regarding responsibility at the conclusion of the grievance process.

Individuals may decline to participate in any proceedings.

All Taylor Andrews Academy employees involved in the Title IX investigation and grievance process have received the appropriate training to participate in the Title IX grievance process, and training materials have been made publicly available on the Taylor Andrews Academy [website](#). Training topics include, but are not limited to, the definition of sexual harassment under Title IX, steps to conducting a Title IX investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of facts, conflicts of interest, and bias.

If a complainant or respondent believes Taylor Andrews Academy's treatment of a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX, they may file a report of sex discrimination with the Title IX Coordinator.

CONFLICTS OF INTEREST

Taylor Andrews Academy employees participating in the Title IX grievance process including the Title IX Coordinator, investigators, decision-makers, and informal resolution facilitators as well as external parties employed by Taylor Andrews to complete Title IX investigation and adjudication functions (hearings, appeals, and informal resolution options) are prohibited from having a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

In an effort to avoid potential conflicts of interest, Taylor Andrews may provide the names and titles of internal and external Title IX investigators and adjudicators to the parties at the initiation of the

Taylor Andrews Academy Sex Discrimination & Sexual Harassment Incident Report

If this is an emergency, call 911.

Taylor Andrews Academy encourages individuals with knowledge or concerns of an incident of sex discrimination or sexual harassment to report the incident to our Title IX Coordinator.

In accordance with the [Taylor Andrews Academy Sexual Harassment Policy](#), any person may report an incident(s) of sex discrimination or sexual harassment to the Title IX Coordinator. The reporting party may be the person directly affected by the alleged incident or a third party. Detailed information about filing this report can be found in the section titled “[What Do I Need to Know About Filing an Incident Report](#)” in this document.

The contact information for Taylor Andrews Academy’s Title IX Coordinator is as follows:

Shaylee Rivera

Student Services Advisory & Title IX Coordinator

2214 E Riverside Drive

St. George, UT 84790

Phone: 435-673-8150

Email: shaylee@taylorandrew.com

In this form you will see the following terms:

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Once you have completed this report, please submit via email, mail, or deliver to the office of the Title IX Coordinator.

Thank you for reaching out with this important information. You can find additional resources about the Academy’s policies and protocols regarding incidents of sex discrimination and sexual harassment on our [website](#).

WHAT DO I NEED TO KNOW ABOUT FILING AN INCIDENT REPORT?

Taylor Andrews Academy - St. George is committed to the principles of equal opportunity and seeks to establish and maintain an environment which ensures equal access to education for all Taylor Andrews Academy community members including students, applicants for admission, employees, applicants for employment, guests, and visitors. To foster this environment, Taylor Andrews encourages individuals with knowledge or concerns of an incident of sex discrimination or sexual harassment to report the incident to our Title IX Coordinator.

In accordance with the [Taylor Andrews Academy Sexual Harassment Policy](#), any person may report an incident(s) of sex discrimination, or sexual harassment to the Title IX Coordinator. Forms of sexual harassment include sexual assault, dating violence, domestic violence, and stalking. The reporting party may be the person directly affected by the alleged incident (referred to as “complainant”) or a third party.

For more information about prohibited forms of conduct at the Academy, supportive measures, and Taylor Andrews Academy’s response to incidents, refer to the [Sexual Harassment Policy](#). You may find additional resources on Taylor Andrews’s [website](#).

Reports of sex discrimination and sexual harassment may be written or verbal and may be made at any time (including non-business hours) in person, or by using the telephone number or email address, or by mail to the office address of the Title IX Coordinator. Individuals may also submit this Incident Report by email, mail, or in person directly to the Title IX Coordinator.

The contact information for Taylor Andrews Academy’s Title IX Coordinator is as follows:

Shaylee Rivera

Student Services Advisor & Title IX Coordinator

2214 E Riverside Drive

St. George, UT 84790

Phone: 435-673-8150

Email: shaylee@taylorandrew.com

WHAT HAPPENS AFTER I COMPLETE THE INCIDENT REPORT?

Once you have completed this report, please email, mail, or deliver to the Title IX Coordinator.

After submitting this incident report form, the Title IX Coordinator will contact the complainant to discuss supportive measures and explain how to file a formal complaint, if applicable and desired by the complainant. Supportive measures will be available to complainants regardless of whether or not they wish to file a formal complaint to initiate a grievance process or a complaint to initiate other procedures at the Academy.

See the [Sexual Harassment Policy](#) for more information about Taylor Andrews Academy's formal complaint and grievance process.

Reports submitted anonymously will be reviewed by the Title IX Coordinator and included in campus safety assessments. If a report is submitted by an unnamed third-party and contains the identity of the complainant, the Title IX Coordinator will contact the complainant to inquire about the incident, offer supportive measures, and explain the process for filing a formal complaint. If a report does not contain the identity of the complainant, the Academy will be unable to contact the complainant and offer supportive measures. While the Title IX Coordinator will keep confidential the identity of the complainant (unless disclosing the complainant's identity is necessary to provide supportive measures such as no-contact orders), the Title IX Coordinator must know the identity of the complainant to offer supportive measures.

INCIDENT REPORT VERSUS FORMAL COMPLAINT

This Incident Report provides community members with the opportunity to notify the Title IX Coordinator of prohibited conduct. However, this report form is not a formal complaint and does not initiate the formal grievance process outlined in the [Sexual Harassment Policy](#), the grievance procedures outlined in the Student Catalog (for incidents involving students) or the complaint procedures outlined in the Employee Manual (for incidents involving employees). Individuals who wish to file a formal complaint under Title IX may complete a [Formal Complaint](#) or discuss this option when contacted by the Title IX Coordinator.

As this is not a formal complaint, generally the respondent will not be contacted without the consent of the complainant. However, should the Academy undertake an individualized safety and risk analysis and determine that the respondent poses an immediate threat to the physical health or safety of any student or other individual based on the allegations contained in this report, Taylor Andrews Academy may remove the party from campus.

The respondent may be contacted in the event that the complainant requests specific supportive measures (i.e. no-contact orders) and will be contacted if a formal grievance or complaint process is initiated.

Confidentiality: Taylor Andrews Academy will keep confidential the identity of any individual who reports sex discrimination and/or sexual harassment. Taylor Andrews will also keep confidential the identity of any complainant (if not the reporting party), 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, 20 U.S.C. 1232g and 34 CFR part 99, or required by law, or to carry out the purposes of 34 CFR part 106, including implementing supportive measures and the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

ADDITIONAL WITNESS INFORMATION

WITNESS TWO

Name:

Academy ID #:

Email Address:

Phone Number:

Status at Taylor
Andrews Academy:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

WITNESS THREE

Name:

Academy ID #:

Email Address:

Phone Number:

Status at Taylor
Andrews Academy:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

Taylor Andrews Academy

Formal Complaint of Sexual Harassment under Title IX

If this is an emergency, call 911.

Title IX is a federal law that prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance. Sexual harassment is a form of sex discrimination, and Title IX defines sexual harassment as conduct on the basis of sex that constitutes one or more of the following three types of behavior:

1. Quid Pro Quo harassment
2. Severe, Pervasive, and Objectively Offensive Conduct that Denies a Party Equal Educational Access
3. Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Under Title IX, Taylor Andrews Academy is obligated to investigate formal complaints of sexual harassment and will treat parties equally and equitably throughout the grievance process. For more information about the definitions of sexual harassment, filing a formal complaint, and the Title IX investigation and grievance process, refer to the [Taylor Andrews Academy Sexual Harassment Policy](#).

IMPORTANT: ONLY THE INDIVIDUAL WHO IS THE ALLEGED VICTIM OF CONDUCT THAT COULD CONSTITUTE SEXUAL HARASSMENT (“COMPLAINANT”) MAY FILE A FORMAL COMPLAINT.

Filing a formal complaint will initiate the Title IX grievance process, which requires notifying the respondent of the allegations and grievance process.

If you are a Complainant and would like to discuss Taylor Andrews’ policies and grievance procedures before filing a formal complaint, please complete the [Incident Report](#) rather than this form.

If you are a third-party reporter, you may report the incident using the [Incident Report](#) rather than this form.

If the Title IX Coordinator receives a formal complaint which does not meet the Title IX definition of sexual harassment, they will contact the complainant to discuss available options.

If you have questions about filing a formal complaint, we encourage you to contact a Title IX Coordinator.

Shaylee Rivera

Student Services Advisor & Title IX Coordinator

2214 E Riverside Drive

St. George, UT 84790

Phone: 435-673-8150

Email: shaylee@taylorandrew.com

In this document, you will see various terms. The definitions of these terms are below:

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment

Witness: An individual with first-hand knowledge of the alleged incident. This may include someone you told about the alleged incident after it occurred.

Once you have completed the formal complaint, please submit via email, mail, or deliver to the office of the Title IX Coordinator.

Thank you for filing a formal complaint of sexual harassment under Title IX. You can find additional resources about Taylor Andrews Academy's policies and protocols regarding incidents of sex discrimination and sexual harassment on our [website](#).

TITLE IX SEXUAL HARASSMENT FORMAL COMPLAINT

NOTE: The fields with an asterisk (*) indicate information that must be completed to file a formal complaint under Title IX. If you are unable to complete the required fields or wish to remain anonymous, please complete an [Incident Report](#) rather than this formal complaint.

COMPLAINANT INFORMATION

*Your Full Name:

*Academy ID #:

*Email Address:

*Phone Number:

Nature of Complaint:

- Complaint against Taylor Andrews Academy employee
- Complaint against Taylor Andrews Academy Student
- Complaint against Taylor Andrews Academy Community Member
- Complaint against Non-Taylor Andrews Academy Community Member
- Unknown

*Date of Incident:

*Approximate Time of
Incident:

*Location of Incident
(be as specific as
possible):

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

DOB (YYYY-MM-DD):

Address:

INVOLVED PARTIES

Please complete the following information to the best of your knowledge, including the name of the Respondent (if known) and the names of any witnesses. If you do not know the name of the Respondent, please type “Unknown Respondent” in the name field.

If you would like to list more than one witness, please fill out the fields on the last page of this document.

RESPONDENT INFORMATION

Name or
Organization:

Academy ID #:

Email Address:

Phone Number:

Status at Taylor
Andrews Academy:

- Student Faculty Member Staff Member
 Non-Community Member Other/Unknown (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

DOB (YYYY-MM-DD):

Address:

WITNESS INFORMATION

Name or
Organization:

Academy ID #:

Email Address:

Phone Number:

Status at Taylor
Andrews Academy:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

DOB (YYYY-MM-DD):

Address:

*DESCRIPTION OF THE INCIDENT

*Please describe the incident in detail, using specific, concise, and objective language to explain the who, what, where, when, why and how of the incident. If you need more space to describe the incident, you may attach an additional document to this report. (*required*)

FORM OF SEXUAL HARASSMENT

*I allege that the behavior described is considered to be the following form of sexual harassment as defined in the Taylor Andrews Academy Sexual Harassment Policy: *(required)*

Quid Pro Quo Sexual Harassment

Severe, Pervasive, and Objectively Offensive Behavior that Denies Me Equal Access to Educational Opportunities at Taylor Andrews Academy

Sexual Assault

Dating Violence

Domestic Violence

Stalking

ADDITIONAL INFORMATION

Please provide any additional information that you would like the Title IX Coordinator to know such as your reason for reporting this incident, immediate security concerns, or questions about next steps.

RELEVANT DOCUMENTS OR PHOTOS

Please attach to this report any documents, emails, photos, screenshots of relevant texts or social media posts/messages, or any other materials that may be relevant to your report. If you do not have access to these materials at this time, you will have additional opportunities to present them during the investigation.

AUTHORIZATION & SIGNATURE

*I understand that by submitting this formal complaint, I am knowingly initiating the formal grievance process (i.e. formal investigation) related to the allegations that have been described. *(required)*

Yes, I understand

* I understand that upon receipt of this formal complaint, the Title IX Coordinator may contact me to gather additional information, if necessary. *(required)*

Yes, I understand

* I understand that upon the Title IX Coordinator's review, Taylor Andrews Academy will dismiss the formal complaint if the alleged conduct:

1. Would not constitute sexual harassment as defined in the Sexual Harassment Policy if proven;
2. Did not occur in Taylor Andrews Academy's education program or activity;
3. Did not occur in the United States; or
4. Occurred prior to August 14, 2020.

I also understand that if the formal complaint is dismissed, the Title IX Coordinator will notify the respondent and me of the dismissal. However, the behavior that does not meet the above criteria may still be addressed under different Taylor Andrews Academy policies. (If you are unsure if the alleged incident would meet the above criteria, we encourage you to use the [Incident Report](#) and/or contact the Title IX Coordinator with questions). *(required)*

Yes, I understand

By signing my name below, I confirm that I am the Complainant making a Formal Complaint of Sexual Harassment under Title IX. I also confirm that the information provided in this formal complaint is true to the best of my knowledge.

Signature: _____

Date: _____

