**Formal Complaint Form 23-24**

The purpose of this form is for a complainant to initiate a formal complaint with the JMU Title IX Office under applicable JMU policy in order to initiate the formal complaint investigation and hearing procedure or an alternative resolution process (if one is available).

* Prior to completing this form a complainant is welcome and encouraged but not required to contact the Title IX Office to find out more about formal complaint procedures and options.
* A complainant may receive reasonably available supportive measures without filing a formal complaint.
* Third parties may not initiate the formal complaint process on behalf of a complainant but can report an incident of concern on behalf of another party by completing the online reporting form on the JMU Title IX Office website at jmu.edu/access-and-enrollment/title-ix/index.shtml or email at titleix@jmu.edu.

**READ ALL INSTRUCTIONS THOROUGHLY AND DETACH THIS PAGE BEFORE SUBMITTING YOUR COMPLETED FORM TO THE TITLE IX OFFICE**

**Instructions**

Upon completion and signing of this form (complainant may include their physical or digital signature), the form and any additional pages should be submitted directly to the Title IX Office via email (titleix@jmu.edu), or mail (JMU Title IX Office, MSC 7806, Harrisonburg, VA 22807), or in person (office location is 4th floor Holland Yates Hall) weekdays during university hours of operation.

* Complainants who for any reason may need assistance with filing a formal complaint in the format recommended can contact the Title IX Office for assistance. Such assistance is not to be construed in any way as pressure to file a formal complaint or a presumption on the part of the Title IX Office that a violation of policy has occurred.
* A complainant is not required to use this form to file a formal complaint and instead may choose an alternative written format such as a letter or email, but the letter or email must include the information in the items on this form and must include a physical or digital signature of the complainant.
* Filing a formal complaint with Title IX does not restrict a complainant’s ability to also report criminal conduct to law enforcement and pursue both options simultaneously or not at all.
* Upon receipt, the Title IX Office will review the formal complaint utilizing procedures listed in applicable policy and will confirm receipt of the formal complaint with the complainant and to request additional information or clarification if needed. The purpose of the review is to determine what if any action under applicable policy is most appropriate and should not be construed as a determination as to whether or not a policy violation has occurred.
* Information in the formal complaint such as the names of the complainant and respondent and the full detailed account of the alleged incident(s) will be included with the notice of allegation sent to the respondent and complainant. The presumption is that no policy violation has occurred unless proven otherwise by a preponderance of the evidence in an adjudication process.
* Participation in the formal complaint process is voluntary and the Title IX Office has no mechanism for compelling participation or submission of any information.
* Complainants and respondents may have someone with them (an advisor of choice) at any meetings and proceedings with the Title IX Office.

**Formal Complaint *Complainant* Information 23-24**

The ***complainant*** is the JMU affiliated employee or student who the conduct described in the complaint was directed to/is described as the victim of the conduct.

**Full Name:** **Your pronouns:**

**Circle** current JMU affiliation: **Student Employee** *(faculty or staff)* **Other** *(specify)*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**JMU issued Email Address:** **Alternate Email Address:**

**Preferred Phone Number:** **JMU Student ID#** *(if applicable):*

**Procedure**

A complainant may request an investigation and hearing process for reaching an outcome in the formal complaint filed and at any time prior to a decision being made in a hearing, may contact the Title IX Coordinator to pause the process to explore an alternative resolution option, if one is available. Conversely, the complainant may voluntarily elect to pursue alternative resolution process (if one is available) as the mechanism for reaching an outcome in a formal complaint, which the respondent must also voluntarily agree to enter into, and at any time prior to signing a written agreement in the alternative resolution process, either party may exit the process and request to initiate or resume an investigation and hearing process. (jmu.edu/access-and-enrollment/title-ix/index.shtml “formal complaint process”)

***Please check the procedure you are choosing to initiate for this formal complaint:***

[ ]  **Investigation and Hearing Process**

[ ]  **Alternative Resolution** (if available)

[ ]  **I don’t know and would like someone from Title IX to contact me so I can learn more about the options before deciding.** *I understand that notice of allegation of formal complaint will not be issued until I choose a procedure and in the event I have not communicated to the Title IX Office in writing my choice of initiating either the Investigation and Hearing Process or Alternative Resolution Process (if available) within 30 days of submission of this formal complaint, the Title IX Office reserves the right to send notice of allegation for this complaint and initiate either the Investigation and Hearing Process or the Alternative Resolution Process (if available).*

**Requests**

*Please check requests/needs that you have related to this formal complaint (click to check box):*

[ ]  I would like the Title IX Office to contact me because I am interested in learning more about supportive measures available to me.

(jmu.edu/access-and-enrollment/title-ix/index.shtml “Resources and Supportive Measures”)

[ ]  I have an advisor of choice and would like for the Title IX Office to send me an *authorization form* which I can fill out with the name of my advisor of choice and their contact information so that my advisor of choice can be included in correspondence from the Title IX Office and/or receive access to the investigation materials*. I understand that my advisor of choice can be anyone I choose and that they may accompany me to any meetings and proceedings with Title IX and that I only have to complete the authorization form if I wish for my advisor of choice to be included in correspondence and/or to also have access to the investigation materials.*

[ ]  I would like a supportive measure two-way no contact order issued by Title IX between me and the respondent at the time the notice of allegation is sent out.

[ ]  I do not want a two-way no contact order issued at this time.

[ ]  I already have a two-way no contact order with the respondent in place.

*(Include the name of the office that issued the no contact order and the date it is set to expire: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ )*

**Formal Complaint Incident(s) Information**

Provide all information about the incident(s) that are the focus of the formal complaint **to the best of your knowledge and ability.** You may include additional pages if needed.

*Formal complaint incident information provided here will be included with notice of allegation when it is sent to the respondent and complainant.*

**Complainant Information**

The ***complainant*** is the JMU affiliated employee or student who the alleged conduct described in the complaint was directed to/is described as the victim of the alleged conduct.

**Your Full Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Circle** your current JMU affiliation: **Student Employee** *(faculty or staff)*

**Other** *(specify)*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

At the time of the incident(s) was your JMU affiliation different from your current JMU affiliation (circle one)? **Yes No**

If **yes**, what was your JMU affiliation at that time? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Respondent Information**

The ***respondent*** is the JMU affiliated employee or student who is described as committing the conduct alleged in the complaint.

**Respondent’s Full Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Circle** the respondent’s current JMU affiliation: **Student Employee** *(faculty or staff)*

**Other** *(specify)*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

At the time of the incident(s) was the respondent’s JMU affiliation different from their current JMU affiliation (circle one)? **Yes No**

If **yes**, what was the respondent’s JMU affiliation at that time? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Incident(s) Description**

**Do you know the date of the incident?**

*Check the one that applies below and provide requested information. If you are not sure of exact day or time then you can use “approximately” or “on or about” to describe the dates and times (e.g., “From approximately 1:00 AM on January 1, 2023, to January 3, 2023 in the afternoon” or “On or about the afternoon and evening of July 14, 2023”). Years must be included with all dates.*

[ ]  **Yes** (*list month, date, and year*):

[ ]  **No** *(list any elements of the date that you do know)*:

[ ]  **There are multiple dates or the conduct is ongoing** *(list dates)*:

**Do you know the location of the incident?**

*Check the one that applies below and provide requested information.*

[ ]  **Yes** *(list address)*:

[ ]  **No** *(list what you do know about the location):*

[ ]  **There are multiple locations** *(list each location with address):*

Using specific, concise, descriptive language (*who, what, where, when, how*) describe here all incidents/conduct that you are reporting for this formal complaint. *Additional pages may be used.* You may, if you wish, include other information such as your experience of the effect that the incidents/conduct has had on your ability to access the programs and activities of the institution.

**Complainant Signature 23-24**

By signing my full name here, I certify that I am the complainant and have completed the form in good faith and to the best of my ability. I am also certifying by signing here that I am voluntarily initiating the formal complaint process, and that I understand that all information about the formal complaint incident will be shared with the respondent when notice of allegation of the formal complaint is issued and that I will also receive the notice of allegation when it is issued.

**Complainant’s Physical or Digital Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Today’s Date (include month, day, and year): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Complainant’s First and Last Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**