

Title IX Reporting Exception for Research

State and Federal law and university policies require that Wichita State University (WSU) employees, including researchers, report to the WSU Title IX Coordinator whenever a research subject discloses a Title IX sexual violence incident. These include sexual harassment, sexual assault, unwanted sexual contact, sexual misconduct, domestic violence, relationship abuse, stalking (including cyber-stalking) and dating violence by or against a WSU student.

WSU is permitting a limited exception to mandatory Title IX reporting when disclosures are made in the context of human subject research that is under the oversight of the WSU Institutional Review Board and is on certain topics such as sexual violence. Researchers are excepted from Title IX reporting obligations only for disclosures made during the research project for which a Title IX reporting exception has been approved by the WSU IRB.

WSU researchers contemplating requesting WSU IRB approval of a Title IX reporting exception for a specific research project need to know the following:

- The Title IX reporting exception is not available for research projects that contemplate the use of subjects who are minors (students under age 18).
- The Title IX reporting exception for research is only for reporting of student-on-student sexual violence incidents, and will not relieve researchers from other reporting responsibilities, including the duty to report hazing, suspected abuse/neglect of a child or of an incapacitated adult, and any sexual violence incidents potentially perpetrated by an employee against a WSU student.
- The Title IX reporting exception for research extends to all researchers on a project, including WSU faculty, staff and student researchers identified in the IRB application.
- The Title IX reporting exception for research applies only to disclosures made during the research project. Disclosures made to research personnel outside of the research protocols (e.g., to faculty during office hours or while providing academic advising) are NOT excepted from reporting requirements.
- In order to apply to the WSU IRB for approval of a Title IX reporting exception, the applicant must be either a WSU faculty or staff member.
- The WSU IRB will review all applications that include a request for approval of a Title IX reporting exception at the Full Board level (i.e., at a convened meeting of the IRB).
- Prior to any data collection, the researcher must make clear to the research participant that disclosures made during interviews are not considered sufficient notice to WSU for purposes of triggering an individual investigation under Title IX. The consent form approved by the IRB for the project will include language that provides the requisite information to research participants.

The following is the process for requesting WSU IRB approval of a Title IX reporting exception for research:

1. In order for the WSU IRB to consider a request for approval of a Title IX reporting exception, a WSU researcher must provide as part of the application materials a completed Application for a Title IX Reporting Exception for Research form and which is signed by the applicant.
2. The researcher needs to include in the narrative that all study participants will be given the WSU Title IX Resources and Reporting Options as well as the Information ad Resources found on their website at <https://www.wichita.edu/administration/oiec/> , as part of the debriefing process.
3. The researcher needs to submit in the application materials a proposed consent form using the following template, which includes language specific to the Title IX reporting exception.
4. The WSU IRB will review all applications that include a request for approval of a Title IX reporting exception at the Full Board level (i.e., at a convened meeting of the IRB).
5. Upon receipt of an application that includes a request for approval of a Title IX reporting exception, Research Integrity Services staff will forward a copy of the application materials to the WSU Office of Institutional Equity and Compliance (OIEC). Their review will take place concurrent with the WSU IRB's review of the application. The WSU IRB will not issue a final decision about the request for the use of human subjects in research, including the request of a Title IX reporting exception, until it receives the results of OIEC review.
6. If approved, the IRB will assign the letter "E" to the IRB four-digit identification number to denote that the project has a Title IX exception approved as part of the protocol.