



Kutztown University Policy DIV-010

Title IX Exemptions Policy

Purpose:

To identify university positions that will not be required to report the name or other personal identifiable information of an adult victim of sexual violence, dating violence, domestic violence and/or stalking, without the victim's consent, to the university Title IX Coordinator pursuant to the university's Sexual Harassment Policy.

Exempt Positions:

- Director, Assistant Director, Nurses, Medical Records and Clerical Staff at the Health and Wellness Center.
- Director, Clerk Typist 3, and Graduate Assistant(s) in the Women's and GLBTQ Centers.

Training:

The individuals holding the exempt positions listed above must receive training as to their responsibilities when presented with a report alleging an incident of sexual violence. Absent unusual circumstances, within two (2) weeks of beginning their employment/appointment, the above exempt individuals must receive the required training from the Title IX Coordinator or his designee. If employed/appointed for more than one year, training must be completed on an annual basis.

Responsibilities:

Pursuant to guidance from the Office for Civil Rights, a complainant/victim must be informed "of their right to file a Title IX complaint with the school and a separate complaint with campus or local law enforcement."¹ The above exempt individuals must also indicate to a complainant/victim he/she is available to assist in filing such complaints. In addition, the complainant/victim must be informed "about campus resources for counseling, medical, and academic support," as well as, "explain that Title IX includes protections against retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs."²

¹ United States Department of Education Office for Civil Rights (2014, April 29) Questions and Answers on Title IX and Sexual Violence. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>

² United States Department of Education Office for Civil Rights (2014, April 29) Questions and Answers on Title IX and Sexual Violence. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>

The above exempt individuals must still report information and details regarding the alleged incident including, but not limited to, the nature of the offense, the name of the respondent/accused, as well as the date, time, and place of the alleged incident of sexual violence, to the university Title IX Coordinator.

Approved By

University President

Effective Date

September 15, 2015

Review Date

July 2017