

IRB Policy: Title IX and Research Studies

Obligations Regarding Sexual Misconduct Reporting and Research Studies

In compliance with Texas law, all University employees have the duty to report any knowledge of incidents of sexual assault, sexual harassment, dating violence, or stalking committed by or against a person who was a UH student or a UH employee at the time of the incident. The report must be made to the Title IX Coordinator or designee. Employees designated by the University as Confidential Resource Employees are only required to report census-level data, and are not permitted to report any individually identifiable information about the incident or the individuals involved.

Some sponsored research studies may relate to subjects where incidents of sexual misconduct may be disclosed to the researchers as part of the study. In those studies, the IRB may make a determination that the researchers involved in the study are Confidential Resource Employees for purposes of the information gathered in the study. This means that if the designated researchers learn about any incidents of sexual assault, sexual harassment, dating violence, or stalking, *as part of the designated research study*, the researcher is only required to report limited information via the [Confidential Employees Title IX Report Log](#).

Designation as a Confidential Resource Employee – Researchers should request designation as a Confidential Resource Employee from the IRB if they believe that a research project may elicit disclosure of incidents of sexual misconduct, *and* that the reporting of all known information regarding sexual misconduct to the Title IX Coordinator would interfere with the legitimacy of the research project and the ability to recruit participants for the study.

Support Resources and Services – Researchers who are designated as Confidential Resource Employees should be prepared to offer and provide information on sexual misconduct resources or services to study participants that disclose being involved in an incident of sexual misconduct, whether they were the victim or the perpetrator. Information resources can be found on the [UH EOS Title IX Sexual Misconduct Resources Page](#).

Informed Consent Process – Researchers who are designated as Confidential Resource Employees should include the following statements as part of their Informed Consent (see page 2).

Notice to Participants:

The researchers working on this study have been designated by the University as Confidential Resource Employees. In compliance with Texas law, all University faculty and staff have the duty to report any knowledge of incidents of sexual assault, sexual harassment, dating violence, or stalking committed by or against a person who was a UH student or a UH employee at the time of the incident; however, Confidential Resource Employees are not permitted to report individually identifiable information about the incident or the individuals involved.

Because the researchers working on this study have been designated as Confidential Resource Employees, if we learn in the course of this study about any incidents of sexual assault, sexual harassment, dating violence, or stalking, we are only required to report the type of incident reported and the date we learn about the incident. We will not report any information that could identify you or violate your expectation of privacy, unless you let us know that you want identifying information to be reported to the Title IX Coordinator. If you wish to receive information about Sexual Misconduct support resources or services, that information can be provided to you confidentially.

Reporting Obligations for Researchers Who Have NOT been designated as Confidential Resource Employees – Unless designated as a Confidential Resource Employee, all University faculty and staff are mandatory reporters; therefore, if you find out about an incident of sexual assault, sexual harassment, dating violence, and/or stalking, you are required by Texas law to promptly report to the Title IX Coordinator any information you have about the incident. Reports can be made on the [Discrimination and Sexual Misconduct Report Form](#), via email or phone, through the Fraud and Non-Compliance Hotline, or in person at the Office of Equal Opportunity Services.

Reporting Obligations for Researchers Who HAVE BEEN Designated as Confidential Resource Employees

1. For information received as a part of the designated research study: Researchers must still file a report with the Title IX Coordinator if you receive information about an incident of sexual assault, sexual harassment, dating violence, and/or stalking; however, you are not required or permitted to report any individually identifiable information about the incident or the person making the disclosure. Confidential reports can be made via the [Confidential Employees Title IX Report Log](#).
2. For information received outside of the designated research study: Researchers are still considered mandatory reporters outside of the research study, and thus are required to report incidents you witness or about which you receive information to the Title IX Coordinator, including any information you have about the incident. Your confidential employee designation only applies to information received through the course and scope of the research project.

Resources:

[Texas Education Code Chapter 51, Subchapter E-2 Reporting Incidents of Sexual Assault, Sexual Harassment, Dating Violence, and Stalking](#)

[SAM 01.D.08 – Sexual Misconduct Policy](#)