

The College of New Jersey

Reporting Obligations in Connection with Allegations of Sexual Violence

Responsible Employees have a duty to report to the Title IX Coordinator all relevant details of any alleged sexual violence, dating violence, stalking and sexual harassment involving a TCNJ community member about which the Responsible Employees knows or should reasonably be aware. In accordance with the United States Department of Education Office for Civil Rights' 2001 Guidance, The College of New Jersey has classified a Responsible Employee as any individual who is described in this document below.

Individuals not classified as a Responsible Employee do not have the authority to take action to redress sexual violence; and have not been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; however, they are strongly encouraged to report this information as well. Students should understand that only Responsible Employees have that authority to take action or duty to report.

Employees are responsible for knowing whether they are a Responsible Employee and should consult with the Title IX Coordinator with any questions or concerns about their status or obligations. Students with questions about whether a particular employee is a Responsible Employee, may ask that employee or the Title IX Coordinator.

Responsible Employees

The following is a list of employees who are classified as Responsible Employees for purposes of Title IX and are REQUIRED to report allegations of sexual assault, dating violence, stalking, sexual harassment, and discrimination to the Title IX Coordinator:

Employees REQUIRED to Report	Includes	Exceptions
Employees with faculty rank with one or more of the following titles, positions or assigned responsibilities:	Provost, vice-provosts, associate provosts, and assistant provosts Deans ⁽¹⁾ Department Chairs Any faculty member leading, coordinating, or supervising off-campus academic activities or programs such as study abroad programs, special field trips, etc. Any faculty member who advises a recognized student organization ⁽²⁾	
Student Affairs Staff	All full time & part time employees under the Division Community Advisors ("CA")	Student Employees & CEIs
Club & Organization Advisors	All registered advisors of any recognized student organization (regardless of advisor's other role at the institution) ⁽²⁾	
Athletics	All full-time or part-time coaching staff Directors (including Athletic Director) ⁽³⁾ Athletic Trainers Strength & Conditioning Coaches All other athletic department staff	Student Employees
Admissions	Director ⁽³⁾ Advisors to Student Ambassadors Student Ambassadors	Office Support / Program Assistants
Alumni Affairs	Director ⁽³⁾	Office Support Program Assistants / Coordinators

Career & Community Studies (CCS) Program	All staff associated with Career & Community Studies Program	
Conference & Event Services	Associate Vice President Director ⁽³⁾ Student Employees	Office Support / Program Assistants
Accessibility Resource Center (ARC)	Director ⁽³⁾ All staff associated with Accessibility Resource Center	
Equal Opportunity Fund (EOF)	Director ⁽³⁾ All Coordinators All Specialists	Office Support / Program Assistants
Education Abroad Programs/Center for Global Engagement/International Student Services	Director ⁽³⁾ Professional Services Specialist Study Abroad Advisor	Office Support / Program Assistants
Center for Community Engaged Learning & Research	Director ⁽³⁾ Senior Program Coordinator All Coordinators & Specialists	Office Support / Program Assistants
Center for American Language & Culture	Director ⁽³⁾	Office Support / Program Assistants
Center for Student Success	Director ⁽³⁾	Office Support / Program Assistants
Human Resources	Vice President and Associate Vice President Director ⁽³⁾	
Liberal Learning Program	Director ⁽³⁾	Office Support / Program Assistants
Office of Institutional Diversity, Equity, and Inclusion	All full time & part time employees under the Department	Student Employees & CEIs
Records & Registration	All full time & part time employees under the Department	Student Employees & CEIs Office Support / Program Assistants
Student Accounts	All full time & part time employees under the Department	Student Employees & CEIs Office Support / Program Assistants
Student Financial Services	All full time & part time employees under the Department	Student Employees & CEIs Office Support / Program Assistants
Board of Trustees & Executive Management	Gubernatorially appointed Trustees Student, Faculty, and Staff Representatives to the Board of Trustees President Provost Other Cabinet Members	
Campus Police	Police Chief Police Lieutenant Police Sergeants Other Law Enforcement Officers within Campus Police Services Security Officers	Student Employees & CEIs

CEI = College Enhancement Intern

(1) Unless context clearly requires otherwise the use of term "Dean" should include Deans, Associate Deans, and Assistant Deans

(2) A list of student organizations that are recognized by Student Government along with their registered advisors may be found on TCNJ's Student Involvement website.

(3) Unless context clearly requires otherwise the use of term "Director" should include Executive Directors, Directors, Associate Directors, and Assistant Directors

Confidential Resources

Mental-health counselors, pastoral counselors, social workers, psychologists, health center employees, and any other person with a professional license requiring confidentiality, and employees who are supervised by such a person are **NOT REQUIRED** to report incidents of alleged sexual violence to the Title IX Coordinator in a way that identifies the student who allegedly experienced the sexual violence if that student does not consent to such disclosure.

Professional counselors and pastoral counselors⁽⁴⁾ whose official responsibilities include providing mental-health counseling to members of the TCNJ community are not required to report any information regarding an incident of alleged sexual violence to the Title IX Coordinator.

Some people who provide assistance to those who experience sexual violence are not professional or pastoral counselors. They include all individuals (including front desk staff and students) who work or volunteer in on campus victim advocacy offices or student health services (“non-professional counselors or advocates”). These individuals are not required to report incidents of sexual violence in a way that identifies the individual without the individual’s consent, but should still report aggregate (non-personally identifying) data about sexual violence incidents to the Title IX Coordinator.

The following Departments & organizations oversee individuals who are professional or pastoral counselors or non-professional counselors or advocates that serve as confidential resources and are NOT REQUIRED to report allegations to the Title IX Coordinator:

Anti-Violence Initiatives (AVI)

Mental Health Services (formerly known as CAPS)

Student Health Services (SHS)

Alcohol & Drug Education Program (ADEP)

Collegiate Recovery Program

Center for Integrative Wellness (formerly known as the TCNJ Clinic)

Employee Assistance Program (EAP)

Local Chaplains/Religious Advisors/Clergy

(4) - For these purposes TCNJ applies the definitions provided by the United States Department of Education Office for Civil Rights: “[A] professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of [TCNJ], but are under contract to provide counseling at [TCNJ]. This includes individuals who are not yet licensed or certified as a counselor, but are acting in that role under the supervision of an individual who is licensed or certified.” “A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.” (See Questions and Answers on Title IX and Sexual Violence (April 29, 2014) footnote 26 (<http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>))