

Chief Executive Officer Summary Data Report

TO: Board of Trustees
FROM: Thomas Hibbs, President
DATE: October 26, 2020
RE: Chief Executive Officer Reporting Requirements under
Tex. Educ. Code § 51.253(c)

Under Texas Education Code (TEC), Section 51.253(c), the University's Chief Executive Officer is required to submit a data summary listing reports received by employees at least once during each fall or spring semester to the University's governing body and post it on the University's internet website. TEC Section 51.252 defines the types of incidents that must be listed in the data report as those alleging "sexual harassment," "sexual assault," "dating violence," or "stalking" (defined in the TEC Section 51.251), and any disciplinary actions taken under TEC Section 51.255.

For the purposes of complying with the Chief Executive Officer's reporting requirements under TEC, Section 51.253(c), the attached summary data report¹ (Appendix A) includes all of the required reporting information to the Board of Trustees for the 2019-2020 academic year. The summary data in Appendix A is categorized based on the reporting requirements under TEC, Section 51.253(c). The reports received may be listed in multiple reporting categories.

[Note: Any additional reports received by the Title IX Coordinator that do not meet the required reporting criteria in the Texas Education Code have been omitted for the compliance purposes of this specific report.]

¹ When identifiable, duplicate reports were consolidated and counted as one report in the summary data, and confidential employee reporting is noted as a sub-set to the total number of reports received.

Appendix A
Summary Data Report
2019-2020 Academic Year

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252	43
Number of confidential reports ² under Section 51.252	11
Number of investigations conducted under Section 51.252	11
Disposition ³ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation ⁴	0
b. Concluded, with Employee Disciplinary Sanction	0
c. Concluded, with Student Disciplinary Sanction	3
d. SUBTOTAL	3
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process ⁵	
a. Insufficient Information to Investigate	15
b. Complainant's Request	5
c. Respondent Was Not University-Affiliated	1
d. Investigation, No Finding of Policy Violation	8
e. Investigation On-Going	0
f. Confidential Reporting	11
g. SUBTOTAL	40

Texas Education Code, Section 51.255	
Number of reports received that include allegations of an employee's failure to report or who submits a false report to the institution under Section 51.255(a)	0
Any disciplinary action taken, regarding failure to report or false reports to the institution under Section 51.255(c) :	
a. Employee termination	--
b. Institutional intent to termination, in lieu of employee resignation	--

² "Number of confidential reports" is a sub-set of the total number of reports that were received under Section 51.252, by a confidential employee or office (e.g., Counseling Center, Student Health Center, or Campus Ministry).

³ "Disposition" means "final result under the institution's disciplinary process" as defined in the Texas Higher Education Coordinating Board's (THECB) rules for TEC, Section 51.259 [See 19 Texas Administrative Code, Section 3.6(3) (2019)]; therefore, pending disciplinary processes will not be listed until the final result is rendered.

⁴ "No Finding of a Policy Violation" in this section refers to instances where there is no finding of responsibility after a hearing or an appeal process; investigations completed with the standard of evidence not met are excluded, because it would not have moved forward into a disciplinary process.

⁵ The institution may have determined "not to initiate a disciplinary process." The reasons for not initiating a discipline process can include, but are not limited to: case dismissal; insufficient information to investigate; confidential employee reporting (no identifiable information); the respondent's identity was unknown or not reported; the respondent was not university-affiliated; the complainant requested the institution not investigate the report; informal resolution was completed; investigation is ongoing; or investigation was completed with the standard of evidence not met.