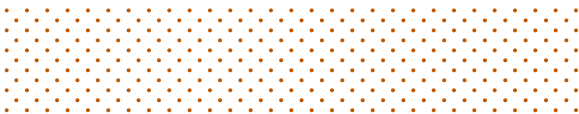




TITLE IX Office:

Chief Executive Report

2023-2024 Academic Year



Executive Summary: Chief Executive Report

2023-2024 Academic Year

Starting on August 21, 2023, to August 25, 2024

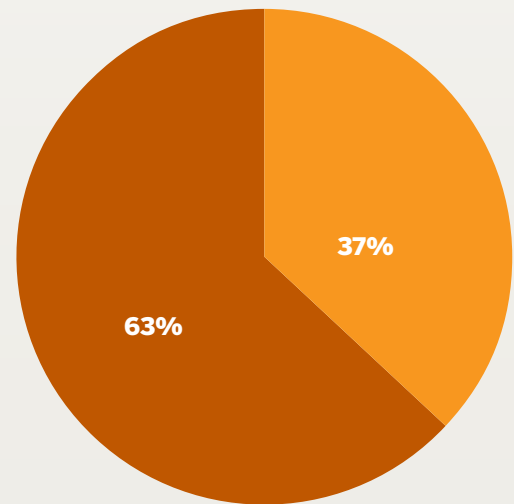
Pursuant to Texas Education Code (Tex. Educ. Code), Section 51.253 (c), the university's Chief Executive Officer (CEO) is required to submit to the institution's governing body and publish to the institution's website a written report regarding reports received from employees that witness or receive information regarding sexual harassment, sexual assault, dating violence, and stalking incidents as defined in Tex. Educ. Code, Section 51.251, and committed by or against a person that is an enrolled student or employee at the time of the incident per Tex. Educ. Code, Section 51, 252.

On October 31, 2024, The University of Texas at Austin (UT) published the CEO Report on the [Title IX Office website](#) as required by Tex. Educ. Code, Section 51.253 (c). This executive summary serves as an accompanying document to further explain the data included in the CEO Report pertaining to the reports submitted to the Title IX Office under Tex. Educ. Code, Section 51.252.

REPORTS SUBMITTED UNDER TEX. EDUC. CODE, SECTION 51.252

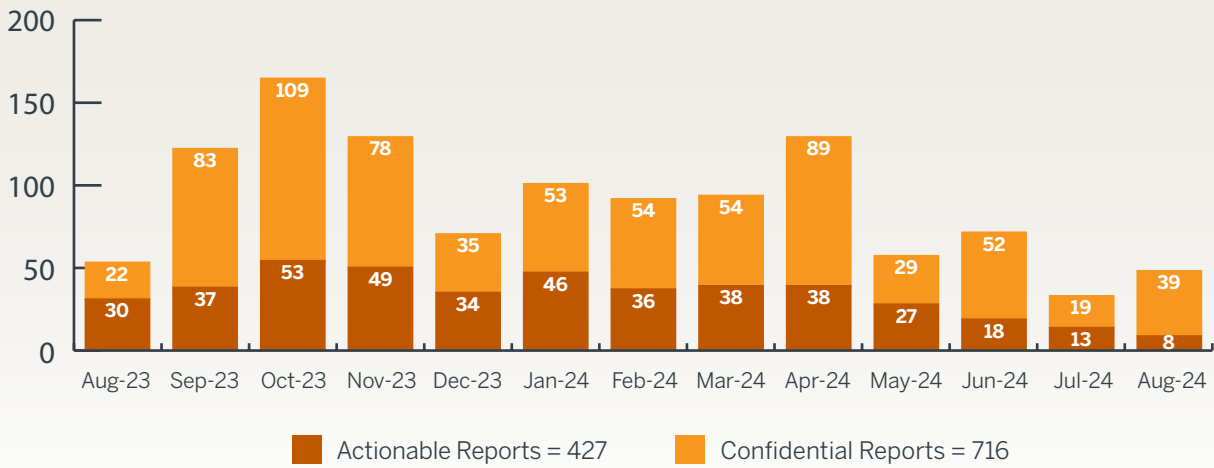
For the 2023-2024 academic year, the Title IX Office received a total of 427 actionable reports under Tex. Educ. Code, Section 51.252. Of those, 369 were seeking support and resources and 58 pursued the *Grievance Process*. In addition, 716 reports were made to confidential resources on campus for a total of 1,143 reports submitted under Tex. Educ. Code, Section 51.252.

Of the total 1,143 reports submitted during the 2023-2024 academic year, 493 reports (43.1%) were submitted between August 21, 2023, and December 15, 2023; 252 reports (22.0%) were submitted between December 16, 2023, and March 15, 2024; 267 reports (23.4%) were submitted between March 16, 2024, and June 15, 2024; and 131 reports (11.5%) were submitted between June 16, 2024, and August 20, 2024.



■ Actionable Reports = 427
■ Confidential Reports = 716

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



ACTIONABLE REPORTS SUBMITTED UNDER TEX. EDUC. CODE, SECTION 51.252

Of 427 actionable reports submitted to the Title IX Office under Tex. Educ. Code, Section 51.252, a total of 58 (5.1%) reports submitted were eligible to be investigated as the Title IX Office received a *Formal Complaint* signed by the Complainant² or the Title IX Coordinator to initiate the appropriate grievance process track (e.g., **Track A**, **Track B**, and **Track C**), of the *Grievance Process*³. In all cases, the parties impacted by the reported incident were provided with support and resources.

Reports Received under Tex. Educ. Code, Section 51.252 that were Not Investigated

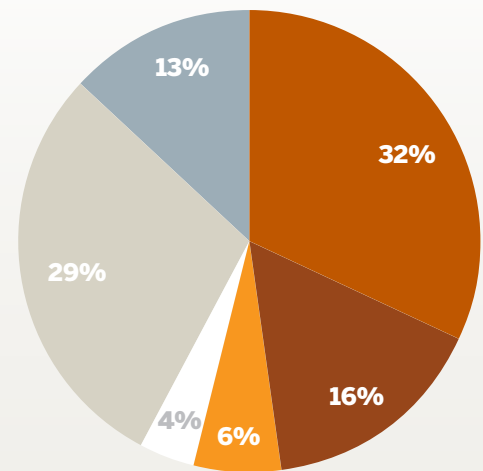
In the remainder of the cases, the university did not initiate the *Grievance Process* due to the following reasons:

- Respondent⁴ is Not Affiliated to UT:** A total of 118 reports submitted were not investigated because the alleged Respondent is not affiliated with the University. The Title IX Office confirmed that the alleged Respondent is not affiliated to the University; therefore, the University is unable to initiate a *Grievance Process* or *Restorative Practices Alternative Process*. The Complainants were referred to *Support and Resources* in the Title IX Office.

² Complainant is defined in **the Handbook of Operating Procedures 3-3031: Prohibition of Sexual Assault, Interpersonal Violence, Stalking, Sexual Harassment, and Sex Discrimination** (HOP 3-3031) as: "The individual who is alleged to be the victim of any prohibited conduct under this Policy."

³ Any person subject to an alleged incident of sexual assault, sexual harassment, dating violence, and stalking may file a *Formal Complaint* with the Title IX Office to initiate the appropriate grievance process under **HOP 3-3031**. The Title IX Coordinator may also file and sign a *Formal Complaint* based on any incident report received which will initiate the appropriate grievance process track. Information about the three grievance processes tracks under HOP 3-3031, **Track A**, **Track B**, and **Track C**, can be found in the Title IX Office [webpage](#).

⁴ Respondent is defined in **HOP 3-3031** as: "The individual and/or organization reported to be the alleged perpetrator of conduct that violates this Policy."



- Respondent is Not Affiliated to UT
- Third Party Report – Complainant Opted Not to File a Formal Complaint
- Complainant opted to report the incident but not sign a Formal Complaint
- Complainant Was Only Seeking Support and Resources from the Confidential Case Manager for Students
- Administration Closure
- Other (see below)



2. **Administrative Closure – Insufficient Information to Investigate at this Time:** A total of 107 reports submitted were not investigated and were closed administratively because the report provided limited information about the alleged conduct. The Title IX Office was unable to gather details about the alleged conduct for multiple reasons including, but not limited to, the report was submitted by a third party, the Complainant declined to participate in the Grievance Process, or the identity of the Complainant and/or Respondent is/are unknown. The Complainants were referred to *Support and Resources* in the Title IX Office.
3. **Third-Party Report. The Complainant Opted to Not File a Formal Complaint to Initiate the Grievance Process:** A total of 57 reports submitted were not investigated because the report was submitted by a third party. During the preliminary fact-finding inquiry, the Complainant opted to not sign a Formal Complaint to initiate the Grievance Process or the Restorative Practices Alternative Process. The Complainants were referred to *Support and Resources* in the Title IX Office.
4. **Complainant opted to report the incident but not sign a Formal Complaint to initiate the Grievance Process or the Restorative Practices Alternative Process:** A total of 23 reports submitted were not investigated because the Complainant indicated they wanted the University to be aware of the incident, but the Complainant did not wish to sign a Formal Complaint to initiate the Grievance Process or the Restorative Practices Alternative Process.
5. **Complainant seeking support and resources from the Confidential Case Manager for Students:** A total of 16 reports submitted were not investigated because the report was submitted by a third party. During the preliminary fact-finding inquiry, it was determined that the Complainant was solely seeking support and resources from the Confidential Case Manager for Students and did not wish to provide additional information.
6. **Other (48 reports):**
 - a. **Unknown Respondent:** A total of 15 reports submitted were not investigated because the identity of the Respondent is unknown to the Complainant; therefore, the University is unable to initiate the Grievance Process or Restorative Practices Alternative Process.
 - b. **Complainant Was Only Seeking Support and Resources:** A total of 13 reports submitted were not investigated because the report was submitted by a third party. During the preliminary fact-finding inquiry, it was determined that the Complainant was solely seeking support and resources and did not wish to provide additional information.
 - c. **Respondent is No Longer Affiliated to the University:** A total of 11 reports submitted were not investigated because the Title IX Office confirmed that the alleged Respondent was affiliated to the University at the time of the alleged incident, but once the matter was reported, the Respondent was no longer affiliated to the University. Therefore, the University is unable to initiate the Grievance Process or Restorative Practices Alternative Process.
 - d. **Determined this was a supplemental report during the preliminary fact-finding stage:** A total of six reports submitted were not investigated because during the preliminary fact-finding inquiry, the Title IX Office concluded the report was a supplemental report to a previously reported matter.
 - e. **Matter Was Previously Investigated:** A total of one report submitted was not investigated because the reported conduct was previously investigated by the University and no new or additional information was provided; therefore, the University did not initiate a Grievance Process or Restorative Practices Alternative Process.
 - f. **Witness Was Seeking Support and Resources:** A total of one report submitted was not investigated because the report was submitted by a third party. During the preliminary fact-finding inquiry, it was determined that the Witness was solely seeking support and resources and did not wish to provide additional information.
 - g. **Determined this was not a HOP 3-3031 matter during the preliminary fact-finding stage:** A total of one report submitted was not investigated because the Title IX Office confirmed that the conduct alleged did not meet the definition of any conduct prohibited under HOP 3-3031.



Reports Received under Tex. Educ. Code, Section 51.252 that were Investigated

The information provided below explains the status of all *Formal Complaints* received by the Title IX Office, which are matters that were investigated under Tex. Educ. Code, Section 51.252.

Preliminary Fact-Finding Stage

After receiving a report, The Title IX Office Intake and Assessment Team contacts the Complainant to provide information on support and resources, learn more information about the alleged conduct reported, and explain the *Grievance Process*. As of September 15, 2024, none of the 58 *Formal Complaints* submitted during the 2023-2024 academic year were in the preliminary fact-finding stage.

Due Diligence Process

After receiving the report, the Title IX Office referred the matter to the Department of Investigation and Adjudication (DIA) to conduct the *Due Diligence Process*. A *Due Diligence Process* is initiated when the Title IX Office concludes during the preliminary fact-finding stage that more information is needed to determine whether the alleged conduct could implicate a possible violation of HOP 3-3031. If the *Due Diligence Process* reveals sufficient information to infer a possible policy violation, the Title IX Coordinator may sign a *Formal Complaint* to initiate the *Grievance Process*. As of September 15, 2024, one report (2%) out of the 58 *Formal Complaints* was undergoing the Due Diligence Process.

Formal Grievance Process Dismissed

A total of seven *Formal Complaints* (12%) out of 58 were dismissed by the Title IX Coordinator. These *Formal Complaints* were dismissed for the following reasons:

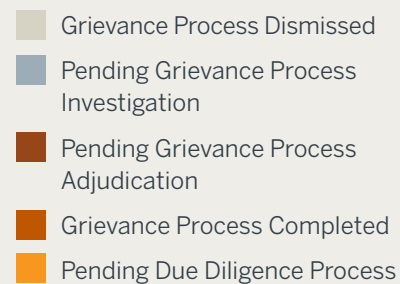
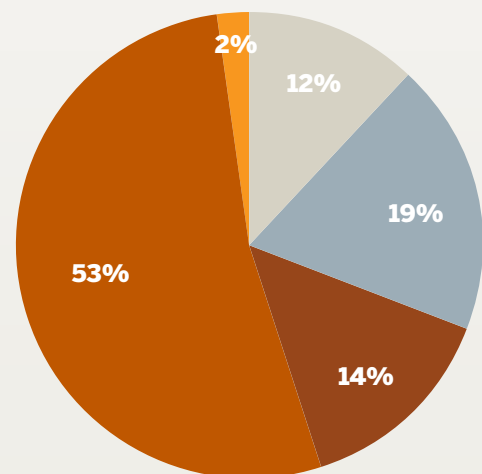
1. Any specific circumstances that prevent the university from gathering the evidence sufficient to reach a determination as to the *Formal Complaint* or any allegation therein. (5)
2. Complainant requested the dismissal of the *Formal Complaint*. (2)

Formal Grievance Process

After the Title IX Office Intake and Assessment Team reached out to the Complainant to provide information on support and resources, learn more information about alleged conduct reported, and explain the *Grievance Process*, 50 out of 58 *Formal Complaints* submitted proceeded with the *Grievance Process*.

As of September 15, 2024, 11 out of 58 *Formal Complaints* (19%) are pending completion of the investigation under the *Grievance Process*.

Actionable Reports Investigated/
Grievance Process Initiated
(Total = 80)

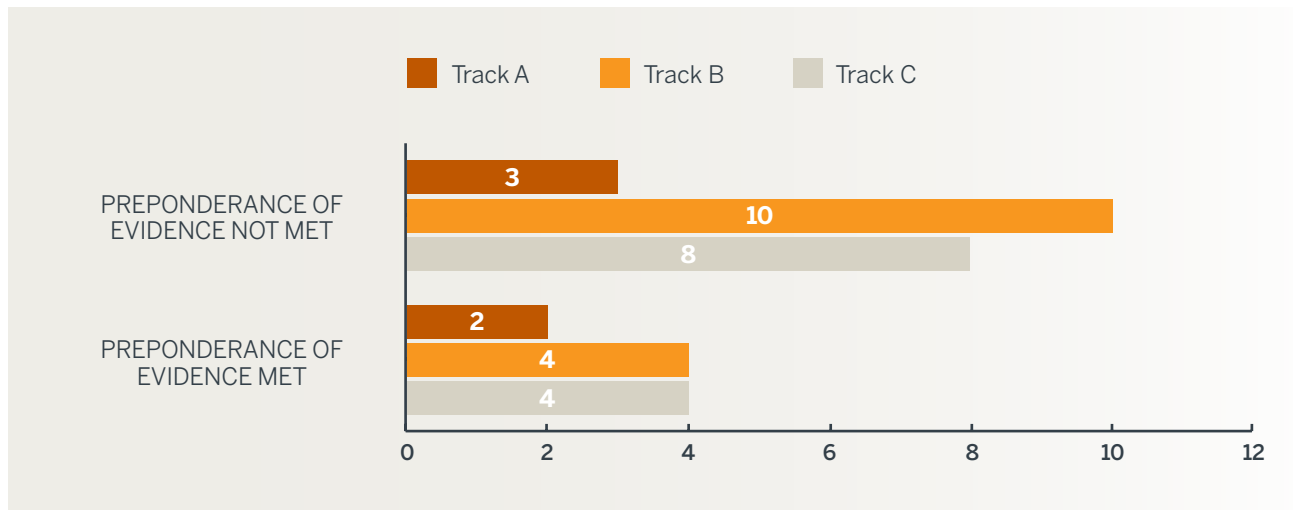


A total of eight of the 58 *Formal Complaints* (14%) have been investigated and are pending the adjudication phase of the *Grievance Process*. Specifically, two *Formal Complaints* are pending a live hearing under **Track A** of the *Grievance Process*, while one *Formal Complaint* is pending a live hearing under **Track B** of the *Grievance Process*. Two *Formal Complaints* proceeded to the Disciplinary Determination Process under **Track C** of the *Grievance Process*. Lastly, one *Formal Complaint*, under **Track C** of the *Grievance Process*, is pending the grievance process appeals process determination.

A total of 31 of 58 *Grievance Processes* (53%) have been completed. The preponderance of evidence standard was not met for 21 of 58 *Formal Complaints* (36%), while ten *Formal Complaints* (17%) met the preponderance of the evidence standard.

Disposition⁵ of the Formal Grievance Process

As of September 15, 2024, 31 of 58 *Formal Complaints* (53%) have been investigated and adjudicated under the *Grievance Process*. Of those 31 *Formal Complaints*, 21 *Formal Complaints* (68%) did not meet the preponderance of evidence standard and there was no finding of violation, while ten *Formal Complaints* (32%) met the preponderance of evidence standard and there was a finding of a violation.



The disposition of the ten *Formal Complaints* where the preponderance of evidence standard was met are:

Track A Grievance Process - 2

1. Respondent was placed on deferred suspension effective April 10, 2024, and extending through April 10, 2026. Respondent was also issued a *No Contact Provision*. Furthermore, Respondent is prohibited from enrolling in or attending the same course and/or section as Complainant.
2. Respondent was expelled from the University effective July 11, 2024. Respondent was also issued a *No Contact Provision*.

- for future employment at UT Austin following his separation from the University.
2. Respondent is not eligible for future employment at UT Austin, including all forms of employment and volunteer positions.
3. Respondent was placed on deferred suspension effective immediately and extending through May 5, 2025. Respondent was also issued a *No Contact Provision*. Furthermore, Respondent is prohibited from enrolling in or attending the same course and/or section as Complainant.
4. Respondent was permanently barred against readmission starting on September 11, 2024. In addition, Respondent is permanently prohibited from entering the campus of UT Austin. Respondent was also issued a *No Contact Provision*.

Track B Grievance Process - 4

1. Respondent was placed on full-time suspension without pay effective immediately and for the duration of their appointment which ended on August 31, 2024. Respondent is also prohibited from being eligible

⁵ “Disposition” means “final result under the institution’s disciplinary process” as defined in the Texas Higher Education Coordinating Board’s (THECB) rules for Tex. Educ. Code, Section 51. 259 [See 19 Texas Administrative Code, Section 3.6(3) (2019)].

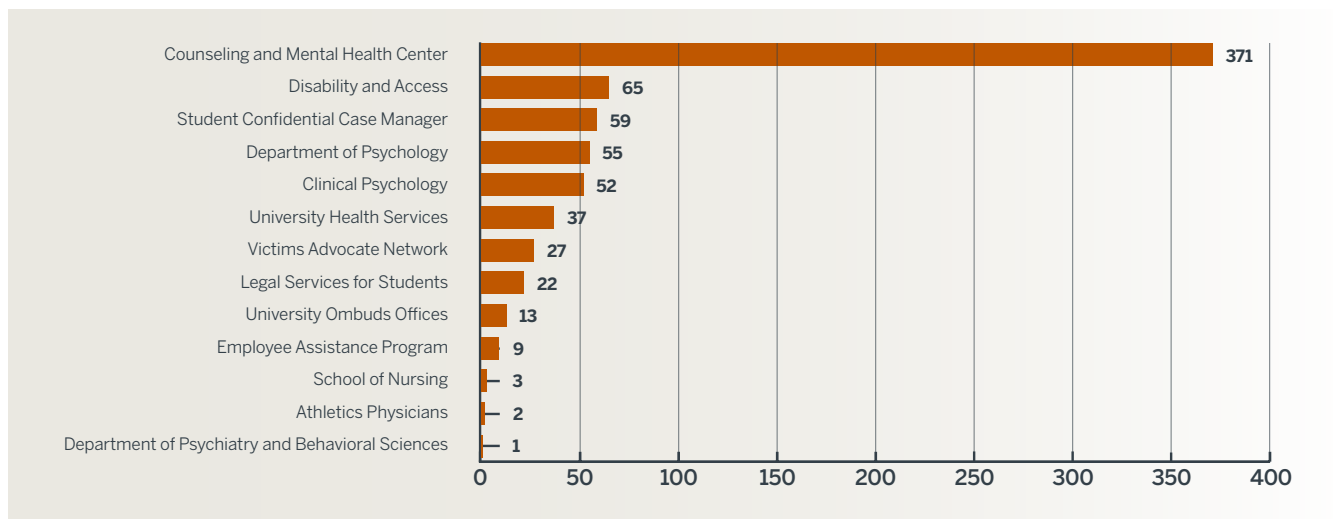
Track C Grievance Process - 4

1. Respondent was suspended from the University effective March 20, 2024, through March 20, 2027. Respondent was also issued a *No Contact Provision*. Furthermore, Respondent is not eligible for future employment with UT Austin, including all forms of employment and volunteer positions. (2)⁶
2. Respondent is not eligible for future employment with UT Austin, including all forms of employment and volunteer positions.
3. Respondent is not eligible for future employment with UT Austin, including all forms of employment and volunteer positions.

CONFIDENTIAL REPORTS⁷ SUBMITTED UNDER TEX. EDUC. CODE, SECTION 51. 252

Under Tex. Educ. Code, Section 51. 252, a university can designate certain employees as having confidentiality so that students may speak about sexual assault, sexual harassment, dating violence, and stalking incidents without concern that the matter will be reported to the Title IX Coordinator for the purposes of investigating these allegations. Additionally, employees that receive a report from a student or employee “under circumstances that render the employee’s communication confidential or privileged under other law,” including but not limited to healthcare, mental healthcare, and medical providers are also considered confidential employees. For each of these categories of employees, only the disclosure of the type of conduct (e.g., sexual assault, sexual harassment, dating violence, and stalking) is necessary for compliance. Therefore, the limited information contained in reports from confidential employees limits the Title IX Coordinator’s ability to track data related to these incidents and determine if they are duplicate reports. Because confidential employees routinely refer Complainants to the Title IX Office and the Title IX Office always refers Complainants³ to support services, many of which are confidential employees, it is highly likely that many of the confidential reports are duplicative of the official non-confidential reports submitted to the Title IX Coordinator. Thus, the total number of reports may be inflated as is likely to contain a significant number of duplicate reports in the confidential reports.

A total of 716 of 1,143 reports (62%) were submitted to confidential employees on campus, many of which may be duplicate reports as explained above. A complete list of all confidential employees on campus can be found on the university’s [Title IX Office website](#).



⁶ Matter involves one Respondent who was found in violation for two separate cases.

⁷ “Confidential Reports” is a sub-set of the total number of reports that were received under Tex. Educ. Code, Section 51.252, by a confidential employee or office.