



TEXAS
The University of Texas at Austin

2021 - 2022

EXECUTIVE SUMMARY: CHIEF EXECUTIVE REPORT

TITLE IX OFFICE, UNIVERSITY COMPLIANCE SERVICES

2021-2022 Academic Year, Starting on August 25, 2021, to August 21, 2022

Executive Summary: Chief Executive Report

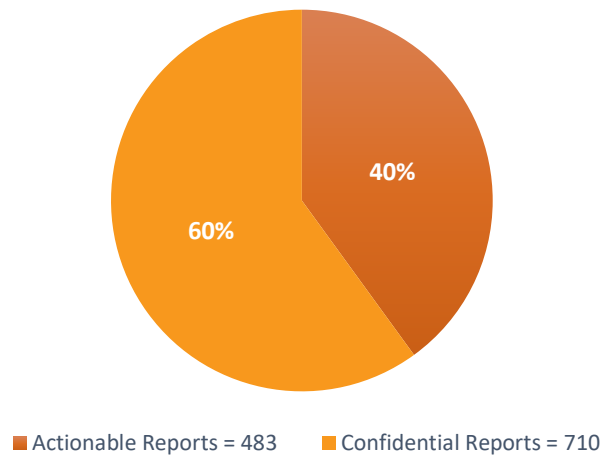
2021-2022 Academic Year, Starting on August 25, 2021, to August 21, 2022

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, 2022, The University of Texas at Austin (UT) published the CEO Report on the [Title IX 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.

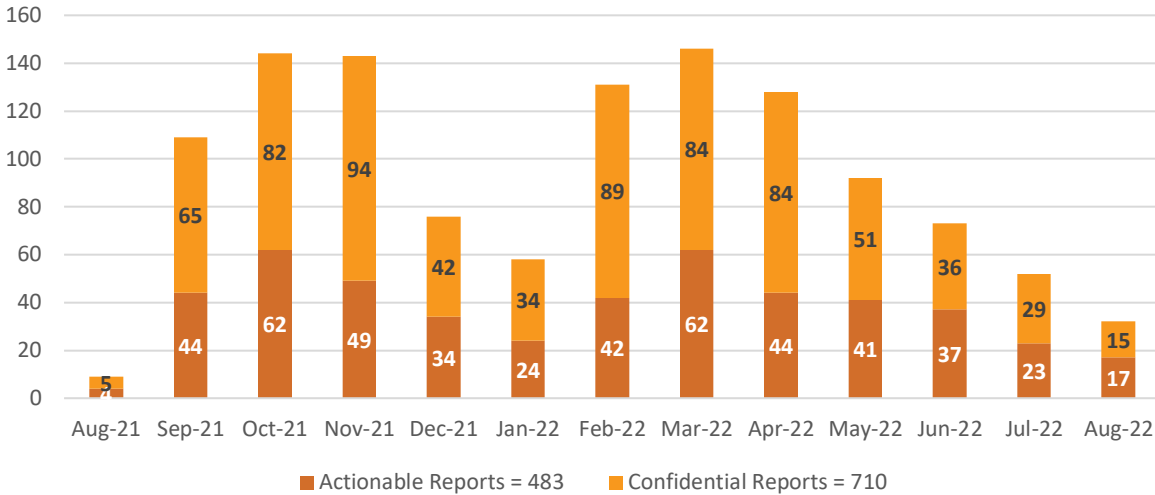
Reports Submitted under Tex. Educ. Code, Section 51.252

For the 2021-2022 academic year, the Title IX Office received a total of 483 actionable reports under Tex. Educ. Code, Section 51.252. Of those, 414 were seeking support and resources and 69 pursued the Formal Grievance Process. In addition, 710 reports were made to confidential resources on campus for a total of 1,193¹ reports submitted under Tex. Educ. Code, Section 51.252.



Of the total 1,193 reports submitted during the 2021-2022 academic year, 463 reports (39%) were submitted between August 25, 2021, and December 15, 2021; 293 reports (25%) were submitted between December 16, 2021, and March 15, 2022; 327 reports (27%) were submitted between March 16, 2022, and June 15, 2022; and 110 reports (9%) were submitted between June 16, 2022, and August 21, 2022.

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 of the total number of reports received.

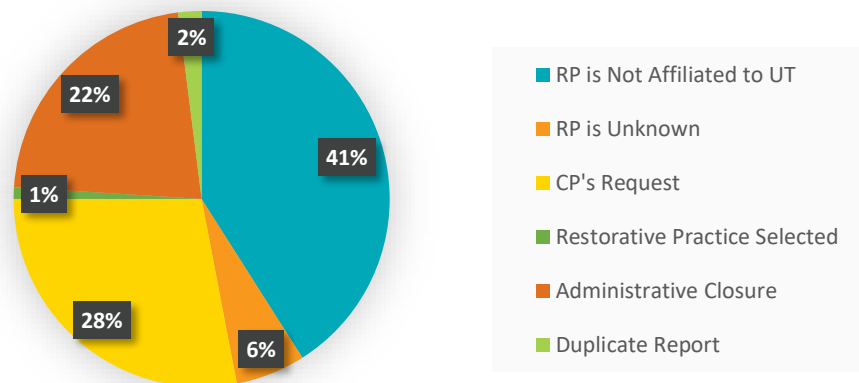


Actionable Reports Submitted under Tex. Educ. Code, Section 51.252

Of 483 actionable reports submitted to the Title IX Office under Tex. Educ. Code, Section 51.252, a total of 69 (14%) 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 *Formal 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 *Formal Grievance Process* due to the following reasons:



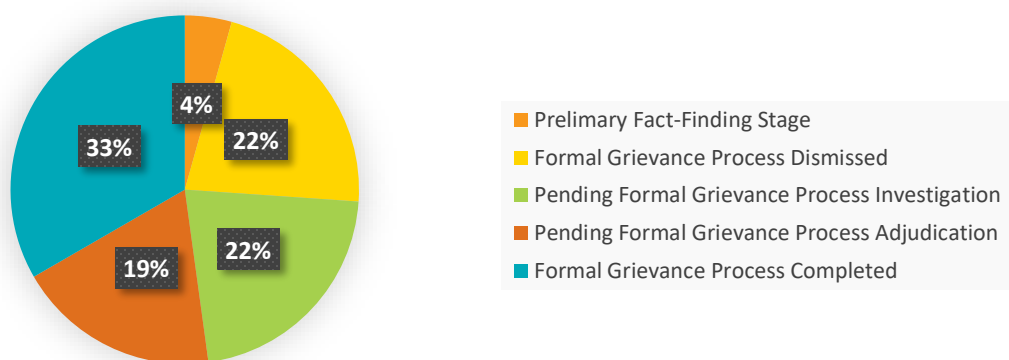
² Complainant is defined in [HOP 3-3031](#) as: “The individual who is alleged to be the victim of any prohibited conduct under this Policy.”

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 the [Handbook of Operating Procedures 3-3031: Prohibition of Sexual Assault, Interpersonal Violence, Stalking, Sexual Harassment, and Sex Discrimination](#) (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 under HOP 3-3031, [Track A](#), [Track B](#), and [Track C](#), can be found in the Title IX Office [webpage](#).

1. Respondent⁴ (RP) is Not Affiliated to UT: A total of 169 of reports submitted were not investigated because the alleged RP is not affiliated with the university. During the preliminary fact-finding stage, the Title IX Office was able to confirm that RP is not affiliated with UT. The complainants were referred to *Support and Resources* in the Title IX Office.
2. Third-Party Report. The Complainant (CP) Opted to Not File a Formal Complaint to Initiate the Grievance Process: A total of 117 reports submitted were not investigated because the report was submitted by a third-party and CP indicated to the Title IX Office that they did not wish to file a *Formal Complaint* to initiate the *Formal Grievance Process* or the *Restorative Practice Process*. The complainants were referred to *Support and Resources* in the Title IX Office.
3. Administrative Closure – Insufficient Information to Investigate at this Time: A total of 92 reports submitted were not investigated and were closed administratively because the report included limited information about the alleged incident. Furthermore, when the Title IX Office outreached to CP, CP opted to not share additional information pertaining to the reported incident. The complainants were referred to *Support and Resources* in the Title IX Office.
4. The Identity of RP is Unknown: A total of 25 reports submitted were not investigated because the identity of RP is unknown. During the preliminary fact-finding stage, the Title IX Office was able to confirm with CP that the identity of RP is unknown. The complainants were referred to *Support and Resources* in the Title IX Office.
5. Duplicate Referral: A total of 10 reports submitted were not investigated because the Title IX Office was able to confirm that the reported matter was a duplicate report that was previously reported to UT.
6. Restorative Practice Process⁵ Completed: A total of 1 report submitted was not investigated because both CP and RP selected to resolve the matter via the Restorative Practice Process. The complainant and respondent were referred to *Support and Resources* in the Title IX Office.

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.



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.”

⁵ UT recognizes that in some limited circumstances (but never in cases involving sexual violence and/or dating violence) voluntary informal resolution options may be an appropriate means of addressing some behaviors reported. If the informal resolution process is deemed appropriate by the university’s Title IX Coordinator, or designees, then the complainant and respondent will be provided assistance in informally resolving the issue via the *Restorative Practice Process*.

Preliminary Fact-Finding Stage

After receiving a report, The Title IX Office Intake and Assessment Team contacts CP to provide information on support and resources, learn more information about the alleged conduct reported, and explain the *Formal Grievance Process*. As of September 15, 2022, only 3 (4%) of 69 Formal Complaints submitted were in the preliminary fact-finding stage, all other reports had been processed past the intake stage or closed.

Formal Grievance Process Dismissed

A total of 15 of 69 Formal Complaints (22%) signed by CP to initiate the appropriate grievance process track under the *Formal Grievance Process* were dismissed by the Title IX Coordinator. These *Formal Complaints* were dismissed for the following reasons:

1. CP requested in writing the dismissal of the *Formal Complaint*. (8)
2. Specific circumstances prevented UT from gathering the evidence sufficient to reach a determination as to the *Formal Complaint* or any allegation therein. These circumstances included three instances where CP opted to not to participate in the investigation process, and two instances where it was confirmed that RP is not affiliated to UT.
3. The conduct alleged does not meet the definition of sexual assault, sexual harassment, dating violence, and stalking under Tex. Educ. Code, Section 51. 251. (2)

Formal Grievance Process

After the Title IX Office Intake and Assessment Team reached out to CP to provide information on support and resources, learn more information about alleged conduct reported, and explain the *Formal Grievance Process*, 51 of the 69 *Formal Complaints* (74%) proceeded to the *Formal Grievance Process*.

As of September 15, 2022, 15 of the 69 *Formal Complaints* (22%) are pending completion of the investigation under the appropriate grievance process track (e.g., [Track A](#), [Track B](#), and [Track C](#)), of the *Formal Grievance Process*.

A total of 13 of the 69 *Formal Complaints* (19%) have been investigated and moved to the adjudication phase of the *Formal Grievance Process*. Specifically, two *Formal Complaints* proceeded to a live hearing under [Track A](#) of the *Formal Grievance Process*, while nine *Formal Complaints* proceeded to a live hearing under [Track B](#) of the *Formal Grievance Process*. Lastly, two *Formal Complaints* proceeded to the disciplinary determination process under [Track C](#) of the *Formal Grievance Process*.

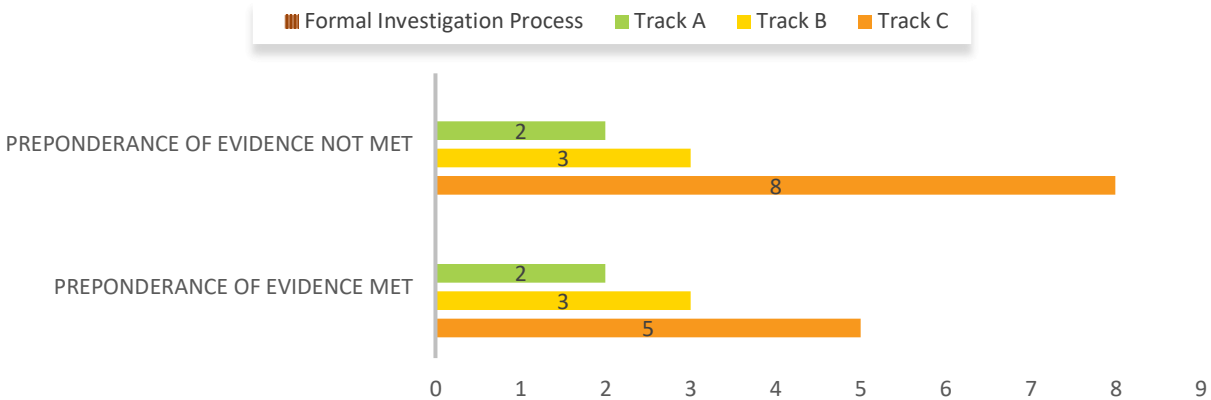
A total of 23 of 69 *Formal Grievance Processes* (33%) have been completed. The preponderance of evidence standard was not met for 13 of 69 *Formal Complaints* (19%), while 10 *Formal Complaints* (14%) met the preponderance of the evidence standard.

Disposition⁶ of the Formal Grievance Process

As of September 15, 2022, 23 of 69 *Formal Complaints* (33%) have been investigated and adjudicated under the *Formal Grievance Process*. Of those 23 *Formal Complaints*, 13 *Formal Complaints* (19%) did not meet the preponderance of evidence standard and there was no finding of violation, while 10 *Formal*

⁶ “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)].

Complaints (14%) 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 Formal Grievance Process

1. Respondent was placed on deferred suspension through May 31, 2025. Respondent was issued a *No Contact Directive*. (1)
2. Respondent was placed on a deferred suspension through July 31, 2025. Respondent was issued a *No Contact Directive*. (1)

Track B Formal Grievance Process

1. Respondent is not eligible for future employment with UT. (1)
2. Respondent was placed on deferred suspension through May 31, 2024. Respondent was issued a *No Contact Directive*. (2)

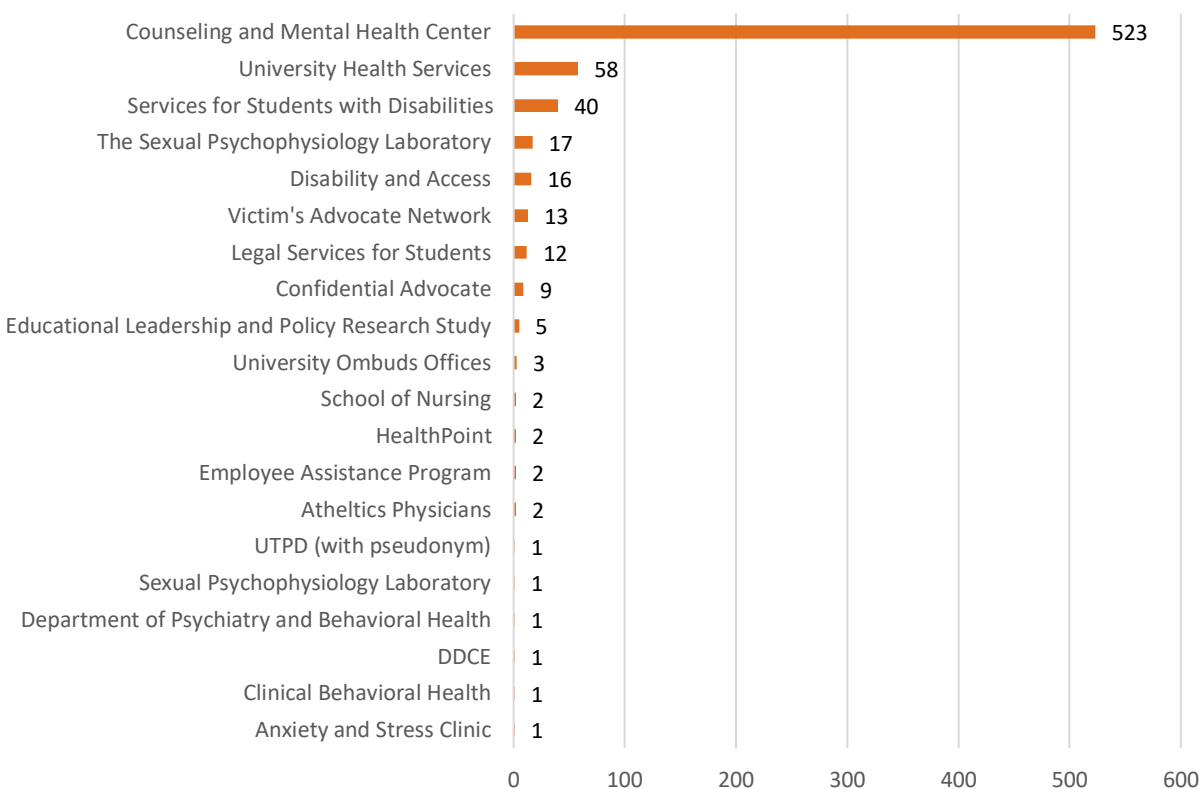
Track C Formal Grievance Process

1. Respondent is not eligible for future employment with UT, including volunteer positions or any other affiliation arrangement. (2)
2. Respondent is barred against enrollment through May 6, 2023. Respondent will be on disciplinary probation for one calendar year after re-enrollment. (1)
3. Respondent’s employment contract with UT was not renewed. (1)
4. Respondent will have a formal letter of reprimand placed on their personnel file. Respondent will be suspended without pay from June 13, 2022, to September 11, 2022. Respondent is required to participate in one or more discussions with the Director of Education and Prevention regarding UT’s prohibition against unprofessional or inappropriate conduct. Respondent is precluded from being considered for any salary increases, including merit increases, until September 1, 2023. (1)

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 report 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 710 of 1,193 reports (60%) 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](#).



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.