

Supplemental Training Content: Title IX Coordinator and CEO Report Templates

Agenda Outline

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 - **Appendix B:** Summary Data Report (Table format)
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1. Title IX Coordinator (TIXC) Report

Title IX Coordinator Report: Introduction

- The institution's Title IX Coordinator (TIXC) is responsible for submitting a written report to the institution's Chief Executive Officer (e.g. President of the institution) at least once every three months; effective January 1, 2020.
 - **For the 2019-2020 academic year:** Reports compiled for the TIXC Report will include reports received by employees starting on January 1, 2020 through the reporting period of the TIXC Report.
 - **For the 2020-2021 academic year, and so forth:** Reports compiled for the TIXC Report can be compiled/organized (as an example) by academic year, for the reporting period of the TIXC Report.

Title IX Coordinator Report: Introduction (continued)

- The THECB will make available a “recommended template” to the institutions for the **Title IX Coordinator Report**, which will satisfy the reporting requirements of this section for the THECB.
- Using the report template is not required by the institutions, but for training purposes of this supplemental section, the recommended template will be used for this slideshow.

TIXC Report Template: "How-to" Guide

Title IX Coordinator Report Template

TO: [Insert Institution's President], Chief Executive Officer
 FROM: [Insert Institution's Title IX Coordinator]
 DATE: [Insert Date of Report Submission]
 RE: Title IX Coordinator Reporting Requirements under Tex. Educ. Code § 51.253(a)

Under the Texas Education Code TEC, Section 51.253(a), the institution's Title IX Coordinator is required to submit a written report no less than every three months to the institution's Chief Executive Officer regarding reports received from employees who are required to report under the TEC, Section 51.252 regarding incidents of "sexual harassment," "sexual assault," "dating violence," or "stalking" as defined in the TEC, Section 51.251.

The attached report includes information received between [Insert beginning date for report time period] through [Insert ending date for report time period].

For the purposes of complying with the Title IX Coordinator reporting requirements under Section 51.253(a), Appendix A, Table 1¹ of the attached report includes information regarding:

- (1) The investigation of reports received from employees;
- (2) The disposition, if any, of any disciplinary processes arising from those reports; and
- (3) The reports for which the institution determined not to initiate a disciplinary process, if any.

To assist the Chief Executive Officer in complying with the Chief Executive Officer's reporting requirements under TEC, Section 51.253(c), Appendix A, Table 2 provides information on any disciplinary actions taken under TEC, Section 51.255.

To further assist the Chief Executive Officer in complying with the Chief Executive Officer's reporting requirements under TEC, Section 51.253(c), Appendix B is included as summary of Appendix A. The summary data in Appendix B is categorized based on the reporting requirements under TEC, Section 51.253(c). The reports received may be applicable in multiple reporting categories, and therefore, the summary data in the categories may not add up to the totals of other categories.

Note: Any additional reports received by the Title IX Coordinator that do not meet the required reporting criteria in TEC Sec. 51.252 have been omitted for the compliance purposes of this specific report.

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

Appendix A Title IX Coordinator Report

[Insert beginning date for report time period] through [Insert ending date for report time period].

Table 1. Alleged Conduct Reported by Employees under TEC, Section 51.252

Report Number	Date Received	Alleged Conduct Reported by Employees Under § 51.252	Investigation Status	Disciplinary Status
0001-20XX	08/25/XX	Sexual Assault	Formal Investigation Completed, Preponderance of Evidence Met for Sexual Assault	Final Result: Student Hearing Appeal Decision: No Finding of Policy Violation
0002-20XX	09/02/XX	Sexual Harassment	Informal Resolution Completed	Disciplinary Process: Not Applicable
0003-20XX	09/10/XX	Dating Violence	Case Dismissed (Administrative Closure), Insufficient Complaint Information	Disciplinary Process: Not Applicable
0004-20XX	09/11/XX	Confidential Employee Reporting: Sexual Assault	Investigation: Not Applicable; no identifiable information	Disciplinary Process: Not Applicable
0005-20XX	09/21/XX	Stalking	Formal Investigation Completed, Preponderance of Evidence Met for Stalking	Final Result: Student Disciplinary Suspension through Spring 20XX
0006-20XX	10/5/XX	Dating Violence	Formal Investigation Completed, Preponderance of Evidence Not Met	Disciplinary Process: Not Applicable
0007-20XX	10/30/XX	Sexual Harassment	Formal Investigation Ongoing	Disciplinary Process: Not Applicable
0008-20XX	10/31/XX	Sexual Assault	Formal Investigation Completed, Preponderance of Evidence Met for Sexual Assault	Disciplinary Process: Student Discipline Process Pending
0009-20XX	10/31/XX	Confidential Employee Reporting: Dating Violence	Investigation: Not Applicable; no identifiable information	Disciplinary Process: Not Applicable
0010-20XX	10/7/XX	Sexual Harassment	Formal Investigation Completed, Preponderance of Evidence Met for Sexual Harassment	Final Result: Employee Reprimand
0011-20XX	10/18/XX	Sexual Harassment	Formal Investigation Completed, Preponderance of Evidence Met for Sexual Harassment	Disciplinary Process: Faculty Grievance Process Pending

Table 2. Alleged Conduct under TEC, Section 51.255(a)

Report Number	Date Received	Alleged Conduct Under § 51.255(a)	Investigation Status	Disciplinary Status
0012-20XX	10/21/XX	Employee's Failure to Report	Formal Investigation Ongoing	Disciplinary Process: Not Applicable

Appendix B Summary Data Report

[Insert beginning date for report time period] through [Insert ending date for report time period].

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252	11
Number of confidential reports ¹ under Section 51.252	2
Number of investigations conducted under Section 51.252	7
Disposition ² of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation	1
b. Concluded, with Employee Disciplinary Sanction	1
c. Concluded, with Student Disciplinary Sanction	1
d. SUBTOTAL	3
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process	7

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)	1
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	--

¹ "Number of confidential reports" is a subset of the total number of reports that were received under Section 51.252, by a confidential employee or office.

² "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 Tex. Admin. Code Section 3.6(a) (2019)); therefore, pending disciplinary processes will not be listed until the final result is rendered.

Appendix A: TIXC Report

- **Table 1:** Alleged Conduct Reported **by Employees** (that constitutes sexual harassment, sexual assault, dating violence or stalking)
- **Table 2:** Alleged Conduct Reported **about Employees** (that constitutes an employee's failing to report or false reporting on sexual harassment, sexual assault, dating violence or stalking)

Table 1: Alleged Conduct Reported by Employees

- Sexual harassment
- Sexual assault
- Dating violence
- Stalking

1. Criteria for including a report on the TIXC Report

Include the report when the following criteria is met:

- The information was submitted **by an employee** (e.g. employee third-party reporter, employee bystander, employee witness); and
- The type of incident described in the employee's report constitutes "sexual harassment," "sexual assault," "dating violence," or "stalking"

Example 1

A parent of a student reports to the institution's TIXC that a student has been sexually harassed by Faculty A throughout the semester. The TIXC hasn't received any reports about this incident from any employees at this time.

*Answer: The TIXC determines that since the report was submitted by a **non-employee third-party** (parent), and no reports have been submitted about this incident from employees (required reporters under the new law), the TIXC could omit this report from the TIXC Report.*

Example 2

Student directly reports to the TIXC that they were sexually assaulted (raped) by another student, using the institution's online report form. The TIXC hasn't received any reports about this incident from any employees at this time.

Answer: The TIXC determines that since the report was submitted directly from the complainant (alleged victim), and no reports have been submitted about this incident from employees (required reporters under the new law), the TIXC could omit this report from the TIXC Report.

Example 3

Student discloses to an employee (academic advisor) that "something bad happened to them over the weekend." The advisor gently interrupts and tells the student that they (the advisor) are a responsible employee and are required to report information to university officials (e.g. Title IX Coordinator) regarding certain types of incidents. The student declines to say anything further to the advisor.

The advisor provides the student with a handout listing various support services (in case the services may help the student, including confidential support services). The academic advisor reports all of this information to the TIXC, just in case this incident is applicable for required reporting. (example continued on next slide)

Example 3 (continued)

Answer: The TIXC attempts to outreach to the student to understand the situation further, but the student does not respond to any of the TIXC attempts at contact. The TIXC determines that there is not enough information to categorize this report in any of the alleged reportable conduct categories ("sexual harassment," "sexual assault," "dating violence," or "stalking"), and therefore, could omit this report from the TIXC Report.

The TIXC documents/categorizes this report as "Unknown" at this time, for the TIX internal record keeping. If additional information is discovered later, this report could be recategorized, and added to the TIXC Report, once applicable.

2. Report compilation for a reporting period

Compile the following information:

- Case number: Establish an “anchor” on the report that is non-identifiable of the individuals involved, but can be tracked back to the record, for accuracy of reporting updates on the case.
- When identifiable, consolidate duplicate reports into **one** case number, and count the report one time in the CEO Report’s summary data.
- Optional: Note any reports that were received by confidential employees.

Duplicate Reports: Example

Report 1: The TIXC received a report from an employee (faculty member) that Student X disclosed in class that they (Student X) were "pushed around by their ex-boyfriend last semester" during a class activity.

Report 2: The TIXC received another report from another employee (student's faculty mentor) about 2 weeks after report #1 was received, that Student X shared that "last semester" they (Student) X sustained "bruises on their arms and shoulder" after being "thrown into the wall by their ex-boyfriend."

Duplicate Reports: Example (continued)

A: The TIXC followed-up with Student X, determines that there is enough information to collapse the two reports into one case number, since the reports identify the same complainant (alleged victim), includes descriptions of the same respondent (alleged perpetrator), and includes descriptions of similar types of dating violence during the same time period.

Confidential Employee Reports: Example

Report Number	Date Received	Alleged Conduct Reported by Employees Under § 51.252	Investigation Status	Disciplinary Status
0001-20XX	08/25/XX	Sexual Assault	Formal Investigation Completed, Preponderance of Evidence Met for Sexual Assault	Final Result: Student Hearing Appeal Decision: No Finding of Policy Violation
0002-20XX	09/01/XX	Sexual Harassment	Informal Resolution Completed	Disciplinary Process: Not Applicable
0003-20XX	09/10/XX	Dating Violence	Case Dismissed (Administrative Closure), Insufficient Complaint Information	Disciplinary Process: Not applicable
0004-20XX	09/13/XX	Confidential Employee Reporting: Sexual Assault	Investigation: Not Applicable; no identifiable information	Disciplinary Process: Not Applicable

2. Report compilation for a reporting period (continued)

Compile the following information:

- Date Received: The date the report was received by the TIXC; If duplicate reports are consolidated, use the date the first report was received.
- Alleged Conduct Reported by Employees under § 51.252: The type of incident described constitutes “sexual harassment,” “sexual assault,” “dating violence,” or “stalking”
- Investigation Status: See examples on the TIXC Report Template and/or in this training slideshow
- Disciplinary Status: See examples on the TIXC Report Template and/or in this training slideshow

3. Investigation Status

Examples of Investigation Statuses can include but are not limited to:

- Case dismissal (administrative closure); insufficient complaint information
- Informal resolution pending; or completed
- Formal investigation ongoing
- Formal Investigation completed; preponderance of evidence met; or not met
- Optional for confidential employee reports: Investigation not applicable; no identifiable information

4. Disciplinary Status

Examples of Disciplinary Statuses can include but are not limited to:

- Disciplinary process not applicable
- Student/Employee disciplinary process pending
- Final result of the disciplinary sanction
- Final result of a disciplinary process (e.g. hearing/appeal); no finding of a policy violation

Table 2: Alleged Conduct About Employees

Regarding sexual harassment, sexual assault, dating violence, or stalking:

- Employee's failure to report
- Employee's false report

1. Report compilation for a reporting period

Compile the following information:

- Case number: Establish an “anchor” on the report that is non-identifiable of the individuals involved, but can be tracked back to the record, for accuracy of reporting updates on the case
- When identifiable, consolidate duplicate reports into **one** case number, and count the report one time in the CEO Report’s summary data.

1. Report compilation for a reporting period (continued)

Compile the following information:

- Date Received: The date the report was received by the TIXC; If duplicate reports are consolidated, use the date the first report was received.
- Alleged Conduct under § 51.255(a): “employee’s failure to report” or “employee’s false report”
- Investigation Status: See examples on the TIXC Report Template and/or in this training slideshow
- Disciplinary Status: See examples on the TIXC Report Template and/or in this training slideshow

3. Investigation Status

Examples of Investigation Statuses can include but are not limited to:

- Case dismissal (administrative closure); insufficient complaint information
- Formal investigation ongoing
- Formal Investigation completed; preponderance of evidence met; or not met

4. Disciplinary Status

Examples of Disciplinary Statuses can include but are not limited to:

- Disciplinary process not applicable
- Employee disciplinary process pending
- Final result of the disciplinary sanction (e.g. employment termination)
- Final result of a disciplinary process (e.g. hearing/appeal); no finding of a policy violation

Appendix B: Summary Data Report

- Since the TIXC is responsible for completing a written report to the CEO at least every three months, which includes statuses for each report received by employees, the TIXC would be able to prepare a summary data report that could satisfy the CEO's reporting requirement (e.g. CEO Report).
- The summary data in Appendix B is categorized based on the CEO reporting requirements.
- The reports received may be applicable in multiple reporting categories, and therefore, the summary data in the categories may not add up to the totals of other categories.

Appendix B: Summary Data Report (continued)

- Appendix B in the TIXC Report Template correlates to the sample cases listed in Appendix A (Tables 1 & 2).
- The purpose of the footnotes on the TIXC Report Template: Explains the context or meaning of the terminology used in Appendix B, or caveats in the reporting data.

2. Chief Executive Office (CEO) Report

CEO Report: Introduction

- The institution's Chief Executive Officer (CEO) is responsible for:
 1. Submitting a summary report (CEO Report) to the institution's governing body (e.g. Board of Regents, Board of Trustees) at least once annually, during either the fall or spring semester; and
 2. Posting the summary report (CEO Report) on the institution's website at least once annually, during either the fall or spring semester; both effective January 1, 2020.

CEO Report: Introduction (continued)

- The THECB will make available a “recommended template” to the institutions for the **CEO Report**, which will satisfy the reporting requirements of this section for the THECB.
- Using the report template is not required by the institutions, but for meeting the reporting requirements of this section, the recommended template will be used for training purposes of this slideshow.

CEO Report Template: "How-to" Guide

Chief Executive Officer Report Template

TO: [Insert Institution's Governing Board]
 FROM: [Insert Institution's President], Chief Executive Officer
 DATE: [Insert Date of Report Submission]
 RE: Chief Executive Officer Reporting Requirements under Tex. Educ. Code § 51.253(c)

Under the Texas Education Code (TEC), Section 51.253(c), the institution's Chief Executive Officer is required to submit a report at least once during each fall or spring semester to the institution's governing body and post on the institution's internet website a report concerning the reports received by employees under the TEC, Section 51.252, concerning "sexual harassment," "sexual assault," "dating violence," or "stalking" as 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 includes all of the required reporting information to the [Insert Institution's Governing Board] for the time period of [Insert beginning date for report time period] through [Insert ending date for report time period]. The summary data report is categorized based on the reporting requirements under TEC, Section 51.253(c). The reports received may be applicable in multiple reporting categories, and therefore, the summary data in the categories may not add up to the totals of other categories.

The summary data report is also posted on the institution's website as per the public reporting requirements under TEC, Section 51.253(c) at [Insert web address for page which includes the summary data report].

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.

CEO Summary Data Report

[Insert beginning date for report time period] through [Insert ending date for report time period].

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252	11
Number of confidential reports ² under Section 51.252	2
Number of investigations conducted under Section 51.252	7
Disposition ³ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation	1
b. Concluded, with Employee Disciplinary Sanction	1
c. Concluded, with Student Disciplinary Sanction	1
d. SUBTOTAL	3
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process	7

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)	1
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, Victim Advocate for Students, or Student Ombuds).

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.

Appendix A: Summary Data Report

- As noted in the TIXC Report section of this training slideshow, since the TIXC is responsible for completing a written report to the CEO at least once every three months, which includes statuses for each report received by employees, the TIXC can prepare a summary data report as part of the TIXC Report.
- The CEO could then “copy” the summary data report from the TIXC Report into their CEO Report that is required annually to the institution’s governing body and posted annually on the institution’s website, which could satisfy the CEO’s reporting requirements.
- The reports received may be applicable in multiple reporting categories, and therefore, the summary data in the categories may not add up to the totals of other categories.

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252	11
Number of confidential reports ² under Section 51.252	2
Number of investigations conducted under Section 51.252	7
Disposition ³ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation	1
b. Concluded, with Employee Disciplinary Sanction	1
c. Concluded, with Student Disciplinary Sanction	1
d. SUBTOTAL	3
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process	7

Number of Confidential Reports

“Number of confidential reports” is a sub-set of the total number of reports that were received by a confidential employee or office (e.g. Counseling Center, Student Health Center, Victim Advocate for Students, or Student Ombuds).

Disposition

“**Disposition**” means “final result under the institution’s disciplinary process.”

Therefore, pending disciplinary processes are not required to be listed in the CEO Report’s Summary Data Report until the final result of the disciplinary process is rendered.

No Finding of a Policy Violation

In the “Disposition” section of the Summary Data Report:
“No finding of a policy violation” refers to instances where there is no finding of responsibility after a hearing or an appeal process; investigations completed with a preponderance of evidence not met are excluded since it would not have moved forward into a disciplinary process.

Did Not Initiate a Disciplinary Process

Reasons can include, but are not limited to:

- Case dismissal (administrative closure);
- 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 pending or completed;
- Formal investigation is ongoing;
- Formal investigation was completed with a preponderance of evidence not met.

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)

1

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

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Posting the CEO's Summary Report (CEO Report) on the Institution's Website

- The CEO Report Template is written purposefully so that an institution could publish the summary report (CEO Report) in its entirety on an annual basis, including the memo introduction, the summary data report, and the included footnotes in the CEO Report to ensure the full context of the summary data report is explained publicly on the institution's website.
- The CEO must post the summary report (CEO Report) on the institution's website at least once annually, during either the fall or spring semester by **October** of each year in order to certify in writing that the institution is in substantial compliance.

Posting the Exception on the Institution's Website

- If for any semester an institution has fewer than 1,500 enrolled students, the CEO shall submit and post a summary report for that semester only if more than five (5) reports were received.
- **If an institution meets this exception criteria in a semester:** The institution may at its discretion, consider communicating to the institution's governing body that the exception criteria was met and post on the institution's website that the exception criteria was met, and therefore, explained publicly on the institution's website.

Summary Data Reports – Example of Annual Reporting Considerations

- An example of annual reporting of the CEO's Summary Data Report could be in the form of academic year compilations; with annual updates to the data sets, as appropriate/applicable.
- Then, each academic year's compilation could be a stand-alone data set, with its own sub-webpage dedicated by academic year
 - 2019-2020 (only January-August 2020)
 - 2020-2021 (full academic year compilation; September 2020-August 2021)
 - 2021-2022 (full academic year compilation; September 2021-August 2022);
 - So on and so forth

Questions or clarifications needed on the Reporting Templates?

Contact the THECB:

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