



Chief Executive Officer Report Spring 2022

TO: **Austin College Board of Trustees**
FROM: **Steven O'Day, Chief Executive Officer**
DATE: **November 11-12, 2022**
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 **Austin College Board of Trustees** for the time period of **January 1, 2022** through **August 12, 2022**. 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) on the Austin College Title IX – Texas Compliance website at: <https://www.austincollege.edu/campus-life/title-ix-office/texas-compliance>.

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

January 1, 2022 through August 12, 2022.

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252	9
Number of confidential reports ² under Section 51.252	0
Number of investigations conducted under Section 51.252	3
Disposition ³ of any disciplinary processes for reports under Section 51.252:	3 ⁴
a. Concluded, No Finding of Policy Violation	3
b. Concluded, with Employee Disciplinary Sanction	1
c. Concluded, with Student Disciplinary Sanction	2
d. SUBTOTAL	
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process	6⁵

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):	N/A
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.

⁴ Three reports were investigated, however they ended through the informal resolution process. Two resolutions ended with student discipline, and one ended with employee discipline. The report that led to Informal Resolution employee discipline was a case that was handled in 2020.

⁵ In each case reported to the Title IX Coordinator, the Title IX Office reaches out to the reported victim to explain process options and offer supportive measures. In two cases the reported victims did not respond to the Title IX Coordinator’s reach out. In one case, the reported respondent was not an Austin College community member. In two cases the reported victims declined to file a formal complaint and requested no action be taken. One reported case was later determined not to meet the sexual harassment standard.