

# Title IX Coordinator Report

*Title IX Coordinator Reporting Requirements*

*Under TEX. EDUC. CODE § 51.253(A)*

## **TEXAS SOUTHERN UNIVERSITY Title IX Coordinator Report**

TO: Mr. Kenneth Huewitt, Interim President/ Chief Executive Officer  
FROM: Dr. Dwalah Brown – Fisher, Interim Title IX Coordinator  
DATE: August 19, 2020  
RE: Title IX Coordinator Reporting Requirements under Tex. Educ. Code § 51.253(a) – Corrected Copy

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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 and the type of incident described in the employee’s report constitutes “sexual harassment,” “sexual assault,” “dating violence,” or “stalking” as defined in the TEC, Section 51.251.

For the purposes of complying with the Title IX Coordinator reporting requirements under Section 51.253(a), the attached written report<sup>1</sup> (Appendix A, Table 1) includes all the required reporting information to Mr. Kenneth Huewitt, Chief Executive Officer for Texas Southern University, for the 2019-2020 academic year, as of June 30, 2020. For the purposes of complying with the Chief Executive Officer’s reporting requirements under TEC, Section 51.253(c), Appendix A, Table 2 features information necessary for the Chief Executive Officer’s Report to report on any disciplinary actions taken under TEC, Section 51.255.

An attached summary data report (Appendix B), based on the Title IX Coordinator’s written report (Appendix A), has also been included for your review. 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 the Texas Education Code have been omitted for the compliance purposes of this specific report.<sup>2</sup>

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<sup>1</sup> When 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.

<sup>2</sup> For example, reports made by students and all other non-employees [including incidents under 19 Texas Administrative Code, Section 3.5(d)(3) (2019)] are excluded from Appendices A and B. Additionally, if a Title IX Coordinator or Deputy Coordinator determines that the type of incident described in a report does not constitute “sexual harassment,” “sexual assault,” “dating violence,” or “stalking” as defined in the TEC, Section 51.251, the report is excluded from Appendices A and B.

**Appendix A**  
**Title IX Coordinator Report**  
**2019-2020 Academic Year**

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

	<b>Date of Receipt</b>	<b>Alleged Conduct Reported by Employees Under § 51.252</b>	<b>Investigation Status</b>	<b>Disciplinary Status</b>
1	5/25/2020	Sexual Harassment	<b>Formal Investigation Completed</b>	Disciplinary Process: No action taken Preponderance of Evidence for Sexual Harassment <b>NOT MET</b> Case referred to the Office of the Provost
2	6/8/2020	Sexual Harassment	<b>Formal Investigation Completed</b>	Disciplinary Process: No action taken Preponderance of Evidence for Sexual Harassment <b>NOT MET</b>
3	6/26/2020	<b>Confidential Employee Reporting: Sexual Harassment</b>	<b>Preliminary Investigation</b> Case CLOSED	Disciplinary Process: No action taken Employee stated they did not want to pursue Title IX complaint.
4	6/27/2020	Sexual Harassment	<b>Preliminary Investigation:</b> Case CLOSED	Disciplinary Process: Not Applicable. Case Remained in Student Services. Student stated they does not want to pursue Title IX complaint.

## Appendix B Summary Data Report

**2019-2020**

**Year**

**Academic**

<b>Texas Education Code, Section 51.252</b>	
<b>Number of reports received under Section 51.252<sup>3</sup></b>	<b>4</b>
Number of confidential reports <sup>4</sup> under Section 51.252	1
<b>Number of investigations conducted under Section 51.252</b>	<b>2</b>
Disposition <sup>5</sup> of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation <sup>6</sup>	2
b. Concluded, with Employee Disciplinary Sanction	0
c. Concluded, with Student Disciplinary Sanction	0
d. <b>SUBTOTAL</b>	<b>0</b>
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process <sup>7</sup>	<b>2</b>

<b>Texas Education Code, Section 51.255</b>	
<b>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)</b>	<b>0</b>
Any disciplinary action taken, regarding failure to report or false reports to the institution under <b>Section 51.255(c)</b> :	
a. Employee termination	

<sup>3</sup> Reports made by students and all other non-employees (including incidents under 3.5(d)(3)) are excluded from Appendices A and B. Additionally, if a Title IX Coordinator or Deputy Coordinator determines that the type of incident described in a report does not constitute "sexual harassment," "sexual assault," "dating violence," or "stalking" as defined in the TEC, Section 51.251, the report is excluded from Appendices A and B.

<sup>4</sup> "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).

<sup>5</sup> "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(e) (2019)); therefore, pending disciplinary processes will not be listed until the final result is rendered.

<sup>6</sup> "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 a preponderance of evidence not met are excluded, because it would not have moved forward into a disciplinary process.

<sup>7</sup> 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 a preponderance of evidence not met.

<b>b.</b> Institutional intent to termination, in lieu of employee resignation	-- --
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