

Texas Tech University Health Sciences Center
Chief Executive Officer Annual Report
January 1, 2020 – June 30, 2020

TO: **Texas Tech University System Board of Regents**
FROM: **Dr. Lori Rice-Spearman, PhD, Chief Executive Officer**
DATE: **September 28, 2020**
RE: **CEO Reporting Requirements under Tex. Educ. Code § 51.253(c)**

Under the Texas Education Code TEC, Section 51.253(c), at least once during each fall or spring semester, the chief executive officer of a postsecondary educational institution shall submit to the institution's governing body a written report regarding reports received from employees¹ 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 Chief Executive Officer reporting requirements under Section 51.253(c), the attached written report² (Appendix A, Table 1) includes all of the required reporting information to the Board of Regents of the Texas Tech University System from Quarters 1 and 2 (January 1, 2020 through June 30, 2020). Appendix A, Table 2 features disciplinary actions taken under TEC, Section 51.255.

An attached summary data report (Appendix B), based on Appendix A has also been included. 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.³

¹ Employee is defined as an individual who receives a W-2 or 1042-S from the University, including full- and part-time faculty, staff, and students.

² 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.

³ For example, 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 the Title IX Coordinator determined that the type of incident described in a report, as alleged, 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. It is the responsibility of the Title IX Coordinator to assess each report received and determine whether it is properly included in this report, and if so, to correctly identify the type of incident.

Appendix A

Quarter 1: January 1, 2020 – March 31, 2020

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
001-2020	01/07/20	Confidential Employee Reporting: Dating Violence	<i>Investigation: Not Applicable; Not enough information to investigate⁴</i>	<i>Disciplinary Process: Not Applicable</i>
002-2020	02/17/20	Dating Violence	<i>Investigation: Not Applicable; No jurisdiction to investigate</i>	<i>Disciplinary Process: Not Applicable</i>
003-2020	02/18/20	Dating Violence	<i>Investigation: Not Applicable; No jurisdiction to investigate</i>	<i>Disciplinary Process: Not Applicable</i>
004-2020	02/21/20	Confidential Employee Reporting: Dating Violence	<i>Investigation: Not Applicable; Not enough information to investigate</i>	<i>Disciplinary Process: Not Applicable</i>
005-2020	03/18/2020	Sexual Assault	<i>Investigation: Not Applicable; No jurisdiction to investigate</i>	<i>Disciplinary Process: Not Applicable</i>
006-2020	03/24/20	Confidential Employee Reporting: Sexual Assault	<i>Investigation: Not Applicable; Not enough information to investigate</i>	<i>Disciplinary Process: Not Applicable</i>

⁴ “Not enough information to investigate” indicates reports where the Title IX Coordinator has no way of obtaining additional information to conduct an investigation of the matter.

Quarter 2: April 1, 2020 – June 30, 2020

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
007-2020	05/05/20	Dating Violence	<i>Investigation not applicable; No jurisdiction to investigate</i>	<i>Disciplinary process not applicable</i>
008-2020	05/10/20	Sexual Harassment	<i>Formal Investigation Completed</i>	<i>Policy Violation; Employee Disciplinary Sanction</i>
009-2020	05/26/20	Dating Violence	<i>Investigation not applicable; No jurisdiction to investigate</i>	<i>Disciplinary process not applicable</i>
010-2020	06/24/20	Sexual Assault	<i>Investigation not applicable; No jurisdiction to investigate</i>	<i>Disciplinary process not applicable</i>

Quarter 1: January 1, 2020 – March 31, 2020

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

Report Number	Date Received	Alleged Conduct Under § 51.255(a)	Investigation Status	Disciplinary Status
<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>

Quarter 2: April 1, 2020 – June 30, 2020

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

Report Number	Date Received	Alleged Conduct Under § 51.255(a)	Investigation Status	Disciplinary Status
<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>

Appendix B
Summary Data Report
Quarter 1: January 1, 2020 – March 31, 2020

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252⁵	6
Number of confidential reports ⁶ under Section 51.252	3
Number of investigations conducted under Section 51.252	0
Disposition ⁷ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation ⁸	0
b. Concluded, with Employee Disciplinary Sanction	0
c. Concluded, with Student Disciplinary Sanction	0
d. SUBTOTAL	0
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process ⁹	6

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) :	
a. Employee termination	--
b. Institutional intent to termination, in lieu of employee resignation	--

⁵ For example, 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, as alleged, 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. It is the responsibility of the Title IX Coordinator to assess each report received and determine whether it is properly included in this report, and if so, to correctly identify the type of incident.

⁶ “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).

⁷ “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.

⁸ “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.

⁹ 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.

Appendix B
Summary Data Report
Quarter 2: April 1, 2020 – June 30, 2020

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252¹⁰	4
Number of confidential reports ¹¹ under Section 51.252	0
Number of investigations conducted under Section 51.252	1
Disposition ¹² of any disciplinary processes for reports under Section 51.252:	
e. Concluded, No Finding of Policy Violation ¹³	0
f. Concluded, with Employee Disciplinary Sanction	1
g. Concluded, with Student Disciplinary Sanction	0
h. SUBTOTAL	1
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process ¹⁴	3

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) :	
c. Employee termination	--
d. Institutional intent to termination, in lieu of employee resignation	--

¹⁰ For example, 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, as alleged, 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. It is the responsibility of the Title IX Coordinator to assess each report received and determine whether it is properly included in this report, and if so, to correctly identify the type of incident.

¹¹ “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).

¹² “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.

¹³ “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.

¹⁴ 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.