



Chief Executive Officer Report 2020-2021

TO: Our Lady of the Lake University Board of Trustees
FROM: Diane Melby, EdD, President
DATE: September 30, 2021
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 **Board of Trustees** for the time period of **August 14, 2020** through **August 13, 2021**. 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 <https://www.ollusa.edu/consumer-information/policies/title-ix/title-ix-compliance-reports.html>.

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
August 14, 2020 through August 13, 2021

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252²	27
Number of confidential reports ³ under Section 51.252	6
Number of initial assessments⁴ conducted for reports under Section 51.252	18
Number of investigations ⁵ conducted under Section 51.252	4
Disposition ⁶ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation ⁷	0
b. Concluded, with Employee Disciplinary Sanction	2
c. Concluded, with Student Disciplinary Sanction	0
d. SUBTOTAL	2
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process ⁸	25

² 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 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.

³ “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 and Health Services, Confidential Advisors or Clergy).

⁴ “Number of initial assessments” refers to instances when the Title IX Coordinator conducts an initial assessment of the incident, usually in coordination with the Title IX Deputy Coordinator assigned to handle the complaint. Initial assessments, as described in the OLLU Title IX Sexual Misconduct Policy and Grievance Procedures, may include meeting with the reporter/complainant, issuing supportive measures, initiating a violence risk assessment and/or emergency removal, and determining the appropriate resolution process, including referral to Human Resources or Student Conduct for behavior related to sexual harassment or other sexual misconduct that is outside the scope of Title IX. Initial assessments are completed prior to the Informal Resolution and Formal Grievance Processes.

⁵ “Number of investigations” is a sub-set of the total number of initial assessments that were received under Section 51.252. Title IX formal investigations are initiated when the Title IX Coordinator or Deputy Coordinator issues a written notice of the investigation and allegations to the respondent upon commencement of the Title IX Sexual Misconduct Formal Grievance Procedure, or alternatively, the Informal Resolution Process. The Formal Grievance Procedure is typically completed within 60-90 calendar days of the complaint. In the event that extenuating circumstances warrant an investigation taking longer than 90 calendar days until resolution, the reasons for the delay will be documented in the case file. A simultaneous criminal investigation is an example of a situation that may warrant a delay. Other disciplinary investigations related to sexual harassment or other sexual misconduct that is outside the scope of Title IX are initiated when the Title IX Coordinator assesses the report and determines that the incident does not constitute sexual harassment as defined by the Title IX regulations (34 CFR § 106.30) but will be addressed using the appropriate resolution process.

⁶ “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.

⁷ “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.

⁸ 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; administrative closure; insufficient information to investigate; confidential employee reporting (no identifiable information); the respondent’s identity was unknown or not reported; the institution had no jurisdiction; 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. At OLLU, jurisdiction includes a complaint of sexual misconduct against a member of the OLLU community.

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	0
b. Institutional intent to termination, in lieu of employee resignation	0