



Title IX Coordinator Report

TO: Diane Melby, EdD, President
FROM: Nicole Monsibais, JD, Title IX Coordinator
DATE: August 31, 2020
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 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 report¹ (Appendix A, Table 1) includes all of the required reporting information to **Dr. Diane Melby, President**, Chief Executive Officer for **Our Lady of the Lake University**, for the 2019-2020 academic year, as of **August 30, 2020**. Because the reporting requirements under Section 51.253(a) are effective January 1, 2020, the reporting period will start with January 1, 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.²

¹ 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.

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 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

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

**Because the reporting requirements under Section 51.253(a) are effective January 1, 2020, the reporting period will start with January 1, 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
0001-2020	1/10/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process: Not Applicable
0002-2020*	1/15/2020	Sexual Assault	Preliminary Inquiry Completed; Formal Investigation in Progress	Student Disciplinary Process Pending
0003-2020	1/22/2020	Stalking	Administrative Closure: No Response from Complainant	Disciplinary Process: Not Applicable
0004-2020	1/27/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; Complainant Requested Not to Investigate	Disciplinary Process: Not Applicable
0005-2020	1/31/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; Complainant Requested Not to Investigate	Disciplinary Process: Not Applicable
0006-2020	1/31/2020	Sexual Harassment	Administrative Closure: No Response from Complainant	Disciplinary Process: Not Applicable
0007-2020	1/31/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; Complainant Requested Not to Investigate	Disciplinary Process: Not Applicable
0008-2020	2/3/2020	Confidential Employee Reporting: Sexual Assault	Investigation Not Applicable (No Identifiable Information)	Disciplinary Process: Not Applicable
0009-2020*	2/10/2020	Sexual Assault	Administrative Closure: No Response from Complainant	Disciplinary Process: Not Applicable
0010-2020	2/11/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process: Not Applicable

the Title IX Coordinator or Deputy 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.

0011-2020	2/12/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process: Not Applicable
0012-2020	2/13/2020	Confidential Employee Reporting: Stalking	Investigation Not Applicable (No Identifiable Information)	Disciplinary Process: Not Applicable
0013-2020*	2/17/2020	Sexual Assault	Administrative Closure: No Response from Complainant	Disciplinary Process: Not Applicable
0014-2020*	2/25/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; Insufficient Information	Disciplinary Process: Not Applicable
0015-2020	3/5/2020	Sexual Harassment	Preliminary Inquiry Conducted; Informal Resolution Completed	Employee Disciplinary Process: Corrective Action
0016-2020	3/31/2020	Sexual Assault	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process: Not Applicable
0017-2020*	4/3/2020	Domestic Violence	Administrative Closure: No Response from Complainant	Disciplinary Process: Not Applicable
0018-2020	4/22/2020	Sexual Assault	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process Not Applicable
0019-2020	5/6/2020	Dating Violence	Administrative Closure: No Response from Complainant	Disciplinary Process Not Applicable
0020-2020*	6/4/2020	Sexual Assault	Administrative Closure: Preliminary Inquiry Conducted; Complainant Requested Not to Investigate	Disciplinary Process Not Applicable
0021-2020*	6/4/2020	Sexual Harassment	Preliminary Inquiry Conducted; Formal Resolution Completed	Student Disciplinary Process: Expulsion
0022-2020*	6/4/2020	Sexual Harassment	Preliminary Inquiry Conducted; Formal Resolution Completed	Student Disciplinary Process: Expulsion
0023-2020	6/8/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process Not Applicable
0024-2020*	6/10/2020	Domestic Violence	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process Not Applicable
0025-2020	6/12/2020	Stalking	Administrative Closure: No Response from Complainant	Disciplinary Process Not Applicable
0026-2020	7/7/2020	Sexual Harassment	Administrative Closure: Preliminary Inquiry Conducted; No Jurisdiction	Disciplinary Process Not Applicable

*Indicates duplicate reports were consolidated into one case number.

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

Report Number	Date Received	Alleged Conduct Under § 51.255(a)	Investigation Status	Disciplinary Status
N/A	N/A	N/A	N/A	N/A

Appendix B

Summary Data Report 2019-2020 Academic Year*

**Because the reporting requirements under Section 51.253(a) are effective January 1, 2020, the reporting period will start with January 1, 2020.*

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252³	26
Number of confidential reports ⁴ under Section 51.252	2
Number of preliminary inquiries⁵ conducted for reports under Section 51.252	17
Number of formal investigations ⁶ conducted under Section 51.252	3

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 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 or Deputy 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.

⁴ “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).

⁵ “Number of preliminary inquiries” refers to instances when the Title IX Deputy Coordinator handling the complaint conducts a preliminary investigation of the incident and prepares an internal preliminary analysis for consultation with the Title IX Coordinator. Preliminary investigations, as defined in the OLLU Title IX Policy and Grievance Procedures, are completed prior to the Informal and Formal Resolution Processes.

⁶ “Number of formal investigations” is a sub-set of the total number of preliminary Inquiries that were received under Section 51.252. Formal investigations are completed within 60 calendar days of the complaint as part of the Formal Resolution Process in the OLLU Title IX Policy and Grievance Procedures. In the event that extenuating circumstances warrant an investigation taking longer than 60 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.

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	1
c. Concluded, with Student Disciplinary Sanction	2
d. SUBTOTAL	3
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process ⁹	22

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

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; 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 complaint of sexual misconduct against employees, students, visitors, and authorized users of OLLU facilities and/or resources.