

Chief Executive Officer Annual Certification to THECB


Texas Southern University
2022 – 2023 Fiscal Year, Starting on September 1, 2022, to August 31, 2023

Under Texas Education Code (TEC), Section 51.258, the institution's Chief Executive Officer is required to annually certify in writing to the Coordinating Board that the institution is in substantial compliance with TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-2. Per THECB Rule 3.19, this certification is made annually in October of each year.

By signing this statement, I certify that Texas Southern University is in substantial compliance with TEC, Title 3, Subtitle A, Chapter 51, Subchapter E-2.

As evidence of the institution's compliance with Subchapter E-2:

1. The annual Chief Executive Officer Report was submitted to the institution's governing board on **September 15, 2023**.
2. A summary data report is posted on the institution's website at:
<https://tsu.edu/about/administration/office-of-compliance/title-ix/state-required-reporting>.

Signature of CEO: 

Printed Name: Dr. Mary Evans Sias

Date: October 13, 2023



2022 – 2023

EXECUTIVE SUMMARY:

CHIEF EXECUTIVE REPORT

TITLE IX OFFICE, DIVISION OF COMPLIANCE

CHIEF EXECUTIVE OFFICER REPORT

Chief Executive Officer Reporting Requirements Under TEX. EDUC. CODE § 51.253(c)

Texas Southern University

2022 – 2023 Fiscal Year, Starting on September 1, 2022, to August 31, 2023

TO: Texas Southern University – Board of Regents (Office of Board Relations)
FROM: Dr. Mary Evans Sias, TSU – Interim President
Dr. Dakota Doman, TSU – Acting Chief Executive Officer
DATE: September 15, 2023
RE: Office of Title IX/Coordinator Reporting Requirements under Tex. Educ. Code § 51.253(a) and (c)

Under the Texas Education Code (TEC), Section 51.253(c), the institution’s Chief Executive Officer is required to submit to the institution’s governing body TSU Board of Regents, and publish to the institution’s website a written report regarding reports received from employees that witness or receive information regarding sexual harassment, sexual assault, dating violence, and stalking incidents as defined in Tex. Educ. Code, Section 51.251, and committed by or against a person that is an enrolled student or employee at the time of the incident per Tex. Educ. Code, Section 51, 252.

For the purposes of complying with the Chief Executive Officer’s reporting requirements under TEC, Section 51.253(c), the CEO Summary Data Report (Appendix A) includes all of the required reporting information to the TSU Board of Regents from September 1, 2022 – August 31, 2023. The summary data included in Appendix A 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 TSU website as per the public reporting requirements under TEC, Section 51.253(c). 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.

Reports Submitted under Tex. Educ. Code, Section 51.252

For the 2022-2023 academic year, the Office of Title IX received a total of (45) actionable reports under Tex. Educ. Code, Section 51.252. Of those, (14) were provided with support and resources and (4)¹ pursued the Formal Grievance Process. No reports were made to confidential resources on campus for a total of (45) reports submitted by employees under Tex. Educ. Code, Section 51.252.

APPENDIX A

CEO SUMMARY DATA REPORT

2022 – 2023 Fiscal Year, Starting on September 1, 2022, to August 31, 2023

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252	45
Number of confidential reports ² under Section 51.252	0
Number of formal investigations conducted under Section 51.252	4
Disposition ³ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation	2
b. Concluded, with Employee Disciplinary Sanction	0
c. Concluded, with Student Disciplinary Sanction ⁴	1
d. Pending formal investigation	1
e. SUBTOTAL	4
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process	7

¹ August 25, 2023, Formal Grievance Process concluded on a case from August 29, 2022. This case is not included as a part of the (45) actionable reports received in academic year 2022-2023.

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.

³ “Disposition” means “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.

⁴ August 25, 2023, Formal Grievance Process concluded on a case from August 29, 2022.

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)	1
Any disciplinary action taken, regarding failure to report or false reports to the institution under Section 51.255(c) : <ul style="list-style-type: none"> a. Employee termination b. Institutional intent to termination, in lieu of employee resignation 	0

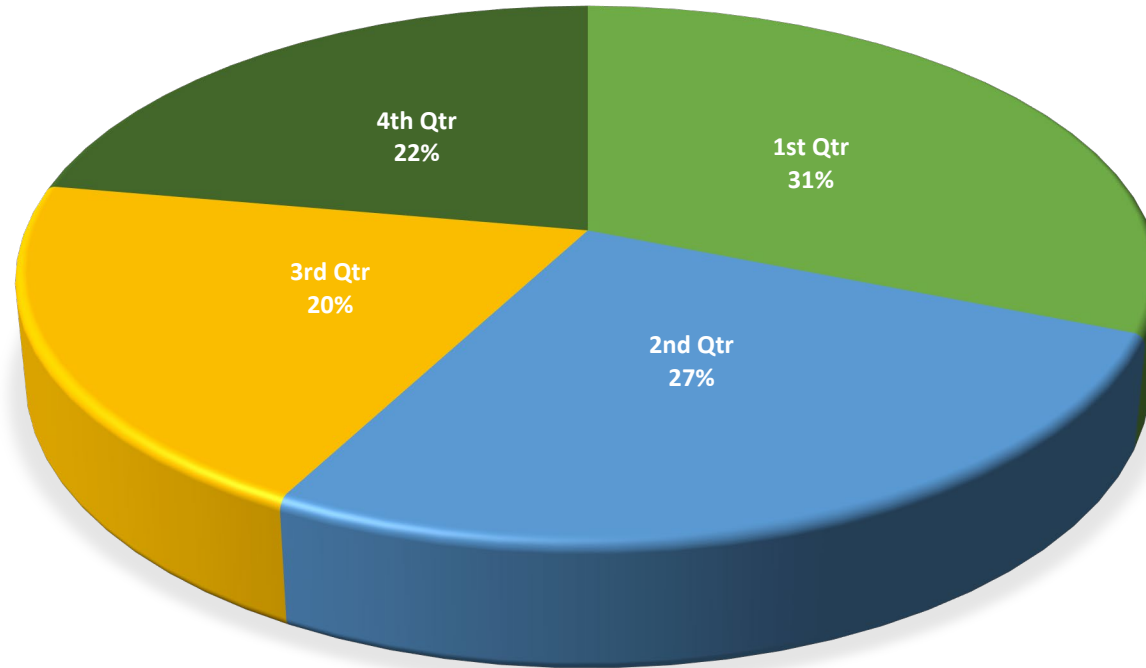
Notes on the tables above:

- ***Investigations:** The Title IX Coordinator conducts a preliminary investigation into all reports received under Texas Education Code Section 51.252. A "formal investigation" indicates a formal complaint was filed, followed by a full investigation and disciplinary process, if applicable. A formal investigation is initiated when the complainant or University files a formal complaint against the respondent.
- **Confidential reports:** "Number of confidential reports" is a sub-set of the total number of reports. Confidential reports are provided in a non-identified format by a confidential employee or office (for example, a university health or counseling facility).
- **Dispositions:** "Disposition" means "final result under the institution's disciplinary process" as defined in the Texas Higher Education Coordinating Board's rules for the Texas Education Code Section 51.259. Therefore, pending disciplinary processes will not be listed until the result is final.
- **No Finding of Violation:** "No Finding of a Policy Violation" refers to instances where there is no finding of responsibility after a formal investigation and an appeal process.
- **Determination Not to Initiate Discipline Process:** The reasons to not initiate a discipline process can include but are not limited to: administrative closure; insufficient information to investigate further; confidential employee reporting (no identifiable information for complainant); the respondent's identity was unknown or not reported; the respondent was not university-affiliated; the complainant requested the university not investigate the report further; an informal resolution was completed; an investigation is ongoing; or the formal investigation was completed with no finding of a policy violation.

EXECUTIVE SUMMARY

Of the total (45) reports submitted during the 2022-2023 fiscal year, (14) reports (31%) were submitted between September 1, 2022 – November 31, 2022; (12) reports (27%) were submitted between December 1, 2022, and February 28, 2023; (9) reports (20%) were submitted between March 1, 2023 – May 31, 2023; and (10) reports (22%) were submitted between June 1, 2023 – August 31, 2023.

AY2022 - 2023 TITLE IX EMPLOYEE SUBMITTED REPORTS



INVESTIGATION STATUS

Respondent (RP) is Not Affiliated with TSU, or The Identity of RP is Unknown:

A total of (22) of reports submitted were not investigated because the alleged RP is not affiliated with the university. During the preliminary fact-finding stage, the Office of Title IX was able to confirm that RP is not affiliated with TSU. The complainants were referred to Support and Resources in the Office of Title IX.

The Complainant (CP) Opted to Not File a Formal Complaint to Initiate the Grievance Process:

A total of (5) reports submitted were not investigated because the report was submitted by a third-party and CP indicated to the Office of Title IX that they did not wish to file a Formal Complaint to initiate the Formal Grievance Process or the Restorative Practice Process. The complainants were referred to Support and Resources in the Office of Title IX.

Administrative Closure – Insufficient Information to Investigate at this Time:

A total of (21) reports submitted were not investigated and were closed administratively because the report included limited information about the alleged incident. Furthermore, when the Office of Title IX outreached to CP, CP opted to not share additional information pertaining to the reported incident. The complainants were referred to Support and Resources in the Office of Title IX.

Duplicate Reports:

A total of (3) reports submitted were not investigated because the Office of Title IX was able to confirm that the reported matter was a duplicate report that was previously reported to TSU.

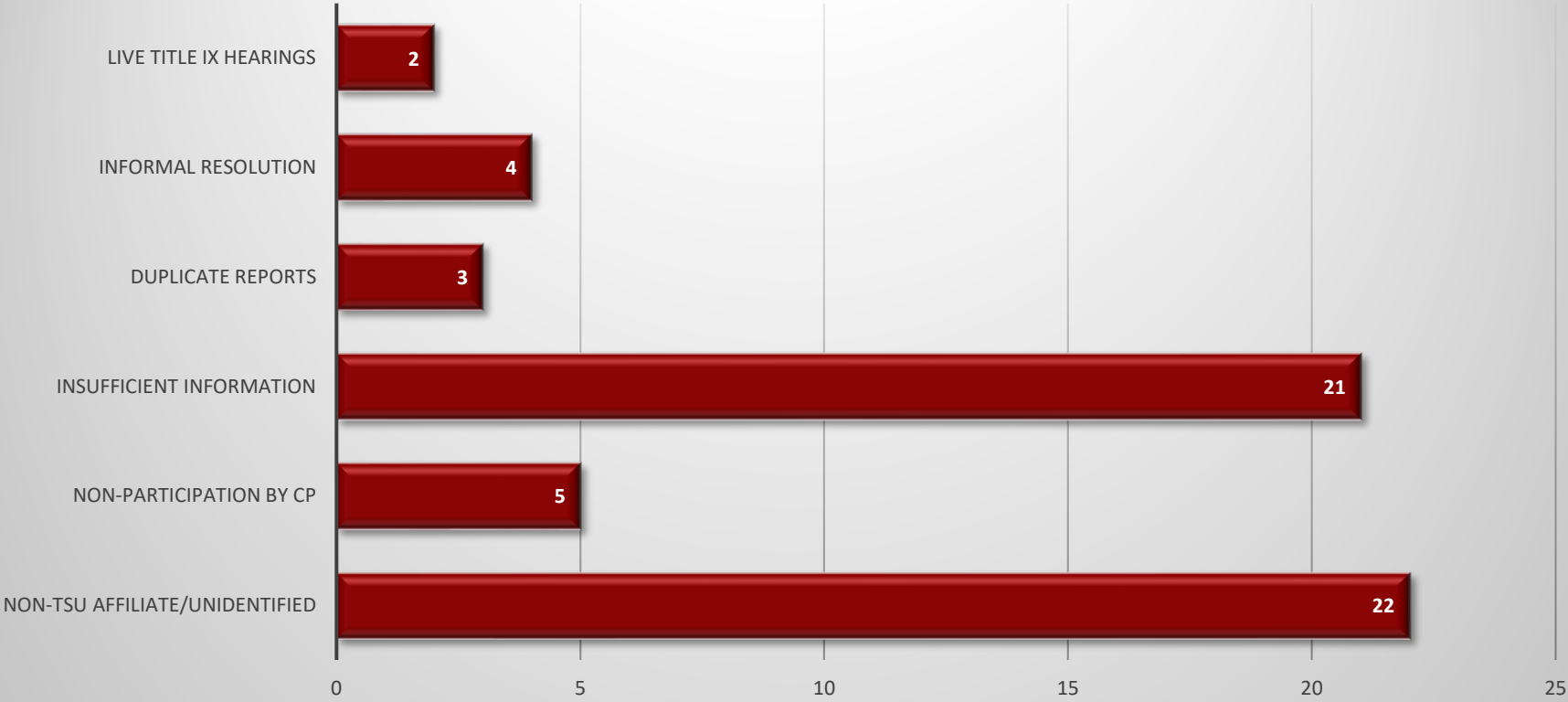
Informal Resolution Pursued:

A total of (4) reports submitted were not investigated because both CP and RP selected to resolve the matter via the Informal Resolution Process. The complainant and respondent were referred to Support and Resources in the Office of Title IX.

Title IX Live Hearings Held:

A total of (2) Live Title IX Hearings were held in accordance with *Title 34 CFR, Subtitle B, § 106.45(5)(6)*, concluding with (1) finding of policy violation, student disciplinary sanction; and (1) no finding of policy violation, employee referral.

Investigation Status



	Non-TSU Affiliate/Unidentified	Non-Participation by CP	Insufficient Information	Duplicate Reports	Informal Resolution	Live Title IX Hearings
Investigation Status	22	5	21	3	4	2

Investigation Status