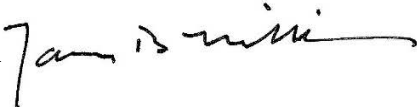




MEMORANDUM

TO: U. T. System Board of Regents

FROM: James B. Milliken 

DATE: October 6, 2023

RE: Chief Executive Officer Reporting Requirements Under Tex. Educ. Code § 51.253(c) for The University of Texas System Administration (“CEO Report”)

As U. T. System Administration’s Chief Executive Officer (CEO), Section 51.253(c) of the Texas Education Code (TEC) and Texas Administrative Code, Title 19, Sections 3.6(c) and 3.19(a) require that I submit a “CEO Report” to the U. T. System Board of Regents by October of each year and post the CEO Report on the system’s website.

For the purposes of complying with these CEO’s TEC reporting requirements, the attached CEO Report includes all of the required reporting to the U. T. System Board of Regents for the 2022-2023 academic year, as of October 1, 2023. The CEO Report is categorized based on the reporting requirements under TEC, Section 51.253(c).

While the attached report and the detail contained therein are required by statute, we received six reports of misconduct at U. T. System Administration reportable under this law for the 2022-2023 academic year.

This CEO Report will be posted on the U. T. System Administration’s CEO Report [webpage](#), as required by TEC, Section 51.253(c), and a copy of this Memorandum (along with an annual certification of compliance) will be submitted to the Texas Higher Education Coordinating Board (THECB) by October 31, as required annually by 19 Tex. Admin. Code Section 3.19(a).

JBM:bc

Attachment

2023 CEO Summary Report
The University of Texas System Administration
2022-2023 Academic Year: September 1, 2022 – August 31, 2023

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252 ¹	6
a. Employee submitted reports under Section 51.252	6
b. Confidential reports ² under Section 51.252	--
Number of investigations conducted under Section 51.252	3
a. Formal investigation ongoing	3
b. Formal investigation completed – Preliminary Determination (Preponderance of evidence <u>not</u> met) and no disciplinary referral	--
c. Formal investigation completed – Preliminary Determination (Preponderance of evidence met) and referred to a disciplinary process	--
Disposition of any disciplinary processes for reports under Section 51.252	--
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process.	3
a. Respondent’s identity is unknown	1
b. Respondent’s not UT System Administration affiliated	2

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
Number of investigations conducted regarding Section 51.255	--
Any disciplinary action taken, regarding failure to report or false reports to the institution under Section 51.255(c) :	--

¹ Not all reports of alleged sexual harassment, sexual assault, dating violence, and stalking against a student or employee are reflected in the CEO Report. Reports made by students and all other non-employees (including incidents under 19 Tex. Admin. Code Section 3.5(d)(3)) directly to the Title IX Coordinator are excluded. Further, if the Title IX Coordinator receives a report that a student or employee was a victim of sexual harassment, sexual assault, dating violence, or stalking prior to being enrolled at or employed by the institution, the report is excluded. 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. When identifiable, duplicate reports were consolidated and counted as one report in the summary data. For example, two employees may witness the same incident of sexual harassment and then report it to the Title IX Coordinator. If the Title IX Coordinator can identify the two reports as being the same incident, then the incident will be counted once. 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.

² A confidential report consists only of the “type of incident” from a confidential employee to the Title IX Coordinator; therefore, personally identifiable information is excluded under these circumstances.