

Title IX Website Testing

University Compliance Services



August 2018

**The University of Texas at Austin
Office of Internal Audits
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This report has been distributed to Institutional Audit Committee members, the Legislative Budget Board, the State Auditor's Office, the Sunset Advisory Commission, the Governor's Office of Budget and Planning, and The University of Texas System Audit Office for distribution to the Audit, Compliance, and Management Review Committee of the Board of Regents.

**Title IX Website Testing
Project Number: 17.018**



OFFICE OF INTERNAL AUDITS
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August 29, 2018

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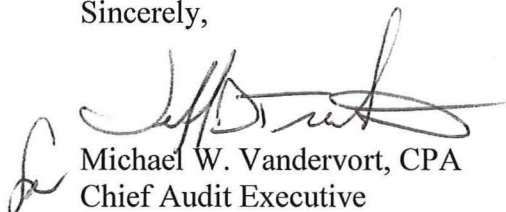
Dear President Fenves,

We have completed our audit of Title IX Website Testing. Our scope included the current Title IX website and related websites across departments on campus at The University of Texas at Austin.

Based on website testing performed by the certified public accounting firm Baker Tilly, opportunities for improvement were identified in the following areas: Updating Policies and Procedures, Improving Consistency, and Correcting Links and Contact Information. Seven recommendations were made to improve the clarity, accuracy, and consistency of online Title IX resources presented on The University of Texas at Austin's websites.

We appreciate the cooperation and assistance of University Compliance Services throughout the audit and hope that the information presented herein is beneficial.

Sincerely,



Michael W. Vandervort, CPA
Chief Audit Executive

cc: Institutional Audit Committee Members
Ms. Krista Anderson, Associate Vice President, Title IX Coordinator
Mr. Leo Barns, Chief Compliance Officer, University Compliance Services
Mr. William O'Hara, Chair, Institutional Audit Committee
Ms. Patricia Ohlendorf, Vice President for Legal Affairs
Mr. Carlos Martinez, Chief of Staff, Office of the President
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EXECUTIVE SUMMARY

Conclusion

Based on website testing performed by the certified public accounting and consulting firm Baker Tilly, opportunities for improvement were identified in the following areas: Updating Policies and Procedures, Improving Consistency, and Correcting Links and Contact Information. Seven recommendations were made to improve the clarity, accuracy, and consistency of online Title IX resources presented on The University of Texas at Austin's (UT Austin) websites.

Summary of Recommendations

Internal Audits ranked each of the seven issues identified by Baker Tilly and included in this report as medium. Recommendations are provided, but are considered minor in significance. Each issue has been ranked according to The University of Texas System Administration Audit Issue Ranking guidelines. Please see **Exhibit C** for ranking definitions.

Management agrees with our observations and has provided corrective action plans which are expected to be implemented on or before January 15, 2019.

Audit Scope and Objective

The scope of this review includes the current UT Austin Title IX website and related websites across departments on campus. The specific audit objective was to review UT Austin's online Title IX resources presented on the UT Austin websites and assess the policies, procedures, websites, and resources against industry compliance requirements.

Background Summary

Title IX is a comprehensive federal civil rights law that prohibits discrimination, on the basis of sex/gender, in any federally funded education program or activity. "Title IX incidents include many types of behaviors, such as sex discrimination, sexual harassment, dating and domestic violence, sexual misconduct, and stalking."¹

Internal Audits engaged certified public accounting and consulting firm Baker Tilly to review UT Austin's online Title IX resources and assess the policies, procedures, websites, and resources against industry compliance requirements.

Internal Audits plans to continue to monitor the risks associated with Title IX during the annual risk assessment process. When permanent federal guidance is in place, Internal Audits will work with executive leadership to determine whether additional reviews are needed and whether those reviews should be completed internally or by an external firm.

¹ Title IX Compliance. Accountability. Resources. Education. Support. (C.A.R.E.S) Handout - <https://titleix.utexas.edu/wp-content/uploads/Title-IX-C.A.R.E.S.-Spring-2018-1.pdf>



BACKGROUND

Title IX is a comprehensive federal civil rights law that prohibits discrimination, on the basis of sex/gender, in any federally funded education program or activity. "Title IX incidents include many types of behaviors, such as sex discrimination, sexual harassment, dating and domestic violence, sexual misconduct, and stalking."²

The University of Texas at Austin (UT Austin) is committed to providing an educational and working environment that is free from discrimination and misconduct based on sex/gender, including discrimination on the basis of sexual orientation, gender identity, or gender expression.³ As part of this commitment, UT Austin provides many online resources spread across multiple departments including helpful handouts, report options, relevant policies, and answers to frequently asked questions.

Internal Audits included a comprehensive audit of Title IX Sexual Misconduct at UT Austin as part of the fiscal year 2017 audit plan. During the planning stages for the audit, federal guidance changed. On September 22, 2017, a press release from the United States Department of Education Office for Civil Rights (OCR) announced new *Interim Questions and Answers on Campus Sexual Misconduct* and the withdrawal of both the *2011 Dear Colleague Letter on Sexual Violence* and the *2014 Questions and Answers on Title IX Sexual Violence*. Because of these changes and the fact that only interim guidance was put into place until permanent guidance could be established, the scope of this audit was narrowed to only include website testing. Internal Audits plans to continue to monitor the risks associated with Title IX during the annual risk assessment process. When permanent federal guidance is in place, Internal Audits will work with executive leadership to determine whether additional reviews are needed and whether those reviews should be completed internally or by an external firm.

Internal Audits engaged certified public accounting and consulting firm Baker Tilly to review UT Austin's online Title IX resources and assess the policies, procedures, website and resources against industry compliance requirements.

SCOPE, OBJECTIVES, AND PROCEDURES

The scope of this review included the current UT Austin Title IX website and related websites across departments on campus. The specific audit objective was to review UT Austin's online Title IX resources presented on the UT Austin websites and assess the policies, procedures, websites, and resources against industry compliance requirements.

² Title IX Compliance. Accountability. Resources. Education. Support. (C.A.R.E.S) Handout - <https://titleix.utexas.edu/wp-content/uploads/Title-IX-C.A.R.E.S.-Spring-2018-1.pdf>

³ Title IX Compliance. Accountability. Resources. Education. Support. (C.A.R.E.S) Handout - <https://titleix.utexas.edu/wp-content/uploads/Title-IX-C.A.R.E.S.-Spring-2018-1.pdf>



To achieve these objectives, Internal Audits engaged Baker Tilly to test and review UT Austin's online Title IX resources to determine whether data and links:

- Reflect the most up-to-date information;
- Include working links and take the user to the correct website;
- Contain consistent information; and
- Present information that aligns with UT Austin policies and procedures regarding sexual misconduct.

This audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing* and with *Government Auditing Standards*.

AUDIT RESULTS

Internal Audits engaged the certified public accounting and consulting firm Baker Tilly to review UT Austin's Title IX resources presented on the UT Austin websites and assess the policies, procedures, websites, and resources against industry compliance requirements. See **Exhibit B** for a list of the policy and procedure documentation reviewed with a description of the purpose of each policy for reference.

The following seven recommendations were made to improve the clarity, accuracy, and consistency of online Title IX resources presented on the UT Austin websites. Each issue has been ranked according to The University of Texas System Administration (UT System) Audit Issue Ranking guidelines. Please see the **Exhibit C** for ranking definitions.

Opportunities to Improve Consistency – “Survivors” Page Audit Issue Ranking: Medium

The “Survivors” page on the Title IX website includes links to a variety of medical services in the Austin area; however, it is not clear which medical resources offer Sexual Assault Nurse Examiners (SANE) for survivors of sexual assault. Management may not be aware that medical resources offering SANE are not clearly identified on the “Survivors” page of the Title IX website. Without clearly identifying where to find SANE resources, there is an increased risk that survivors may not get needed and timely services.

Although no formal policy requires that SANE resources be clearly identified, it is critical for survivors to be able to easily and promptly locate medical facilities with SANE nurses.

<p>Recommendation 1: UT Austin management should consider enhancing the “Survivors” page, as well as any other policies, procedures, and websites where medical services are listed, to clearly identify which hospitals and medical centers offer assistance from SANE nurses. Due to the importance of preserving physical</p>



evidence in cases of sexual assault, it is critical for survivors to be able to easily and promptly locate medical facilities with SANE nurses.

Management's Response and Corrective Action Plan:

Sexual Assault Nurse Examiners ("SANE nurses") perform sexual assault forensic exams ("SAFE exams"). The most comprehensive center that offers SAFE exams in Austin is Eloise House at Safe Alliance. Safe Alliance has a Memorandum of Understanding with Austin Police and the UT Austin Police Department for victims of sexual violence. While victims can also access SAFE exams at the local hospital emergency rooms in Austin, the emergency rooms offer to connect victims to Safe Alliance due to the most comprehensive care that they provide to individuals. Safe Alliance and the other SAFE exam locations are noted in the Institutional Rules, Appendix D, Sect. XII and HOP 3-3031, Sect. VII(J)(1) (as of August 2018, editorial updates were made to both policies), and the SAFE exam locations are also noted on Resource Handouts currently accessible on the Title IX website.

The Title IX Office is in the process of reorganizing the Title IX website for easier readability and navigation to critical information, such as the "Survivors" Page (which will be renamed to "Resources" Page) and including all applicable locations in Austin to access SAFE exams.

Responsible Person: Krista Anderson, Title IX Coordinator (Title IX website updates)

Planned Implementation Date: 9/30/18

Post Audit Review: Internal Audits will follow-up on this recommendation during the first quarter of FY 19.

Opportunities to Improve Consistency – Title IX Resources

Audit Issue Ranking: Medium

Various UT Austin policies and websites provide Title IX resources, but the resources are not consistently presented when listed in different locations. For examples of inconsistent presentation of resources across locations, please see **Exhibit A**. UT Austin has chosen to keep policies separate. Without presenting consistent information in a central location, there is an increased risk that inefficiencies will occur and/or there could be confusion for users who may be relying on outdated information depending on the policy or website they access.

Although no formal policy requires that the information be contained in a central location, housing Title IX resources in a central location may minimize confusion. Maintaining information for resources in one location can also prevent UT Austin from needing to identify multiple websites and policies that refer to a resource when resource contact information or names change.



Recommendation 2: UT Austin management should consider creating a central location to house resources related to Title IX to ensure that survivors have access to the same resources and assistance regardless of which policy or website they access. Other policies or procedures can reference the central location, similar to the streamlining effort described in recommendation 7 below.

Management's Response and Corrective Action Plan:

The Title IX website is referenced in the Institutional Rules, Appendix D, HOP 3-3031, and the Office of Inclusion and Equity Procedure and Practice Guide, and the Title IX website acts as the central location for relevant resources. Subsequent or additional UT websites may also reference resources applicable to Title IX, but it is not uncommon that various resources/websites will manage their own resource content.

The Title IX Coordinator and the Office for Inclusion and Equity are in the process of revising Appendix D and HOP 3-3031 to reflect updated/corrected contact information for offices. In addition, UT System is updating the Sexual Misconduct Model Policy that may impact additional updates to the current UT Austin policies and implementation of updates in Fall 2018.

Responsible Person: Krista Anderson, Title IX Coordinator

Planned Implementation Date: 9/30/18 (initial updates)

Post Audit Review: Internal Audits will follow-up on this recommendation during the first quarter of FY 19.

Incorrect Links and Contact Information – UT Austin Website

Audit Issue Ranking: Medium

There are links and resources on the Title IX website that are either not operational, inaccurate, or out of date. For instances in which links are not operational, inaccurate, or out of date, please see **Exhibit A**. Updates have not been maintained. Without maintaining updates, there is an increased risk that inefficiencies will occur and/or there could be confusion for users who would be more likely to get outdated information depending on the policy or website they access.

Although no formal policy requires that the information be consistent across policies and procedures, consistent presentation minimizes confusion.

Recommendation 3: UT Austin management should correct the file paths for the links that are not operational and the inaccurate contact information within the policies and procedures. Consider implementing a process for periodically (e.g., annually) evaluating whether links to key policies and websites are functional, and contact information (i.e., phone numbers, email addresses) are accurate. Locating resources centrally, as described in recommendation 2, can help



maintain consistent and accurate information by allowing UT Austin to make updates in one place.

Management's Response and Corrective Action Plan:

The Title IX Coordinator and the Office for Inclusion and Equity are in the process of revising the Institutional Rules, Appendix D and HOP 3-3031 to reflect updated website links to resources. The Office for Inclusion and Equity is in the process of updating the OIE Procedure and Practice Guide with updated website links.

The Title IX Office will review the Title IX website and relevant policy content annually to update contact information and website links.

Responsible Person: Krista Anderson, Title IX Coordinator (Title IX website updates; policy updates); Tony Brown, Office for Inclusion and Equity (policy updates)

Planned Implementation Date: 9/30/18

Post Audit Review: Internal Audits will follow-up on this recommendation during the first quarter of FY 19.

Opportunities to Improve Consistency – Policy Information

Audit Issue Ranking: Medium

UT Austin publishes a number of different policies and procedures related to sexual violence (i.e., Appendix D, Chapter 11, Handbook 3-3020, Handbook 3-3031, and the Procedure and Practice Guide)⁴. These policies contain similar information (e.g., definitions, scope and policy statements, resources, and processes for responding to complaints), creating the risk that information is not presented consistently across the policies. For examples of inconsistent information across policies, please see **Exhibit A**. UT Austin has chosen to keep policies separate. Without consolidating similar information, the separate policies could cause confusion for users when information is not consistent across all policies and procedures.

It is a leading practice to have consistency of information across policies.

Recommendation 4: UT Austin management should consider consolidating similar information in one document (e.g., definitions, resources, processes for responding to complaints). As policies are developed for specific situations (e.g., for complaints against students versus complaints against employees), consider including references to the document with the standard information, rather than restating similar information in multiple places.

For example, UT Austin could have:

- A general nondiscrimination policy

⁴ See Exhibit B for definitions



- A policy that is a singular source of definitions, resources, and complaint processes for sexual violence and sexual misconduct
- A policy describing the process for the student investigation and resolution process only
- A policy describing the process for the faculty/staff investigation and resolution process only

Streamlining policies can also help complainants and respondents more easily locate the information relevant to them based on their status at UT Austin and desired outcome (e.g., counseling services, accommodations, formal hearing).

Management's Response and Corrective Action Plan:

The current UT policies are separated because faculty, staff and students have different governing rules for the conduct, sanctioning, and grievance procedures:

- Title IX Training and Investigations (Office of the Dean of Students) implements the student investigations for Title IX related allegations under the Institutional Rules, Chp. 11 and Appendix D.
- Student Conduct and Academic Integrity (Office of the Dean of Students) implements the student conduct process for Title IX related policy violations under Chp. 11.
- Office for Inclusion and Equity (OIE) implements the employee investigations for Title IX related allegations (sex/gender as protected class under Title VII) under HOP 3-3031 and OIE's Procedure and Practice Guide.
- Provost's Office implements the faculty conduct process for Title IX/Title VII related policy violations under HOP 2-2310 (Faculty Grievance Procedure).
- Vice President of the staff's respective employment assignment implements the staff conduct process for Title IX/Title VII related policy violations under HOP 5-2420 (Employee Grievance/Discipline Procedures).

The distinct policies are consistent to the extent of the law, and the respective processes are different dependent of classification of student, faculty, or staff.

With that being said, the Title IX Coordinator and the Office for Inclusion and Equity are in the process of revising the Institutional Rules, Appendix D and HOP 3-3031 to reflect updated and consistent information among the policies addressing sex discrimination/sexual misconduct. The Office of the Dean of Students (Student Conduct and Academic Integrity) is in the process of revising the Institutional Rules, Chapter 11 to reflect updated and consistent information for student processes. The Office for Inclusion and Equity is in the process of revising HOP 3- 3020 for non-discrimination, and the OIE Procedure and Practice Guide for employee and visitor processes.

Responsible Person: Krista Anderson, Title IX Coordinator; Tony Brown, Office for Inclusion and Equity; Andel Fils-Aime, Student Conduct and Academic Integrity



Planned Implementation Date: 1/15/19

Post Audit Review: Internal Audits will follow-up on this recommendation during the second quarter of FY 19.

Opportunities to Improve Consistency – Title IX Coordinator Contact Information
Audit Issue Ranking: Medium

The Title IX Coordinator contact information is not consistent between UT Austin's Title IX website and the policies and procedures. For instances in which Title IX Coordinator contact information is not consistent, please see **Exhibit A**. The Title IX Coordinator changed three times in recent years and all areas were not updated timely. Without updating Title IX Coordinator information, users may not be able to locate accurate contact information for a Title IX Coordinator.

Although no formal policy requires that the Title IX Coordinator information to be consistent across policies and procedures, consistent presentation minimizes confusion.

Recommendation 5: UT Austin management should update Title IX Coordinator contact information across policies and all pages of the website, including listing contact information for the Deputy Title IX Coordinator for Athletics. Consider using titleix@austin.utexas.edu as the main email contact rather than the Interim Title IX Coordinator's email address for consistency as Title IX roles change in the future.

Management's Response and Corrective Action Plan:

Note: The Title IX Office updated the website to reflect current contact information for the incoming Title IX Coordinator as of October 2017.

The Title IX Office is in the process of revising and reorganizing the Title IX website for better navigation and organization of content. The Title IX Coordinator and the Office for Inclusion and Equity are in the process of revising Appendix D and HOP 3-3031 to reflect updated contact information for Title IX Deputies.

The Title IX Office will review the Title IX website and relevant policy content annually to update applicable contact information.

Responsible Person: Krista Anderson, Title IX Coordinator (Title IX website updates)

Planned Implementation Date: 9/30/18

Post Audit Review: Internal Audits will follow-up on this recommendation during the second quarter of FY 19.



Opportunities to Improve Consistency – Confidential vs Non-Confidential Resources

Audit Issue Ranking: Medium

Confidential versus non-confidential resources are not consistently distinguished across policies. For examples of inconsistent presentation of confidential and non-confidential resources, please see **Exhibit A**. UT Austin has chosen to keep policies separate. Without distinguishing confidential versus non-confidential resources consistently across policies, there could be confusion for complainants wishing to report sexual misconduct confidentially, or complainants wishing to report sexual misconduct to UT Austin formally.

Although no formal policy requires that the information to be consistent across policies and procedures, consistent presentation minimizes confusion.

Recommendation 6: UT Austin management should specify which resources are confidential, or present confidential and non-confidential resources separately. Resources should be presented consistently across policies and the Title IX website so complainants are more easily able to distinguish which party to contact depending on their needs.

Management's Response and Corrective Action Plan:

The "Here to Help" Student Emergency Services handout organizes resources based on the timing and various needs after an incident. HOP 3-3031, Sect. VI is a quick reference to resources, however, additional resources are categorized by confidential and non-confidential in Sect. VII(J).

The Title IX Office is in the process of revising and reorganizing the Title IX website for better navigation and organization of content, including Title IX related resources. The Title IX Coordinator and the Office for Inclusion and Equity are in the process of revising Appendix D and HOP 3-3031 to reflect updated confidential and non-confidential resources.

The Title IX Office will review the Title IX website and relevant policy content annually to update applicable contact information.

Responsible Person: Krista Anderson, Title IX Coordinator (Title IX website updates)

Planned Implementation Date: 9/30/18

Post Audit Review: Internal Audits will follow-up on this recommendation during the first quarter of FY 19.



Opportunities to Improve Consistency – Resources for Nondiscrimination

Audit Issue Ranking: Medium

Handbook 3-3020 contains a *Nondiscrimination Policy*,⁵ but the Title IX website includes a link on the “Relevant Policies” page to a different *Notice of Nondiscrimination on the Basis of Gender*,⁶ as well as a separate document titled *Appendix I – Nondiscrimination Policy*.⁷ The content on nondiscrimination differs across these resources. UT Austin has chosen to keep these documents separate. Without presenting consistent information across resources, there is an increased risk that users will be confused and/or get outdated information.

Although no formal policy requires that the information to be consistent across these resources, consistent presentation minimizes confusion.

Recommendation 7: UT Austin management should consider streamlining resources related to nondiscrimination so that consistent information is communicated in one place. Any outdated resources should be removed from the website.

Management’s Response and Corrective Action Plan:

HOP 3-3020 for non-discrimination refers to HOP 3-3031 specifically for the sex discrimination/sexual misconduct policy. Therefore, HOP 3-3031 is the central location for all relevant sex discrimination/sexual misconduct policy and resources information.

The Office for Inclusion and Equity is in the process of revising HOP 3-3020 for non-discrimination, which will also be reflected in Appendix I. The Title IX Office is in the process of revising and reorganizing the Title IX website for better navigation and organization of content, including Title IX related policies.

Note: The Office for Inclusion and Equity updated the Institutional Rules, Appendix I (Non-discrimination) to reflect the current HOP 3-3020 as of Jan/Feb. 2018.

Responsible Person: Tony Brown, Office for Inclusion and Equity

Planned Implementation Date: 1/15/19

Post Audit Review: Internal Audits will follow-up on this recommendation during the second quarter of FY 19.

⁵ The Non-Discrimination Policy in Handbook 3-3020 - <https://policies.utexas.edu/policies/nondiscrimination-policy>.

⁶ The Notice of Nondiscrimination on the Basis of Gender - <http://titleix.utexas.edu/wp-content/uploads/NOTICE-OF-NON-Discrimination-spring-2017.pdf>.

⁷ UT Austin’s General Information Catalog 2017-2018, Appendix I, Nondiscrimination Policy - <http://catalog.utexas.edu/general-information/appendices/appendix-i/>.



CONCLUSION

Based on website testing performed by the certified public accounting and consulting firm Baker Tilly, opportunities for improvement were identified in the following areas: Updating Policies and Procedures, Improving Consistency, and Correcting Links and Contact Information. Seven recommendations were made to improve the clarity, accuracy, and consistency of online Title IX resources presented on the UT Austin websites.

In accordance with directives from The University of Texas System Board of Regents, the Office of Internal Audits will perform follow-up procedures to confirm that audit recommendations have been implemented.



EXHIBIT A

Detailed Examples of Inconsistent Information

Recommendation 2: Examples of inconsistent presentation of resources across locations include:

- Resources listed in the same policy are not consistent throughout (e.g., the phone number for University Health Services is listed correctly in Section VII of the Handbook 3-3031, but incorrectly in Section VI of the same document)
- The Title IX website lists various resources that are not provided in Appendix D, including University of Texas Health Promotion and Prevention, Services for Students with Disabilities, Legal Services for Students, and the Gender and Sexuality Center
- The Procedure and Practice Guide does not include resources provided in other policies and on the Title IX website, such as contact information for the UT Austin Police Department, the Austin Police Department, SafePlace, and OCR
- The Handbook 3-3031 does not include resources provided on the Title IX website, such as SURE Walk, the National Sexual Assault Hotline (RAINN), and Texas Legal Aid for Survivors of Sexual Assault
- Handbook 3-3031 refers to “Student Judicial Services,” whereas Appendix D refers to the same resource as “Student Conduct and Academic Integrity”; the bullets describing the purpose of the resources are also inconsistent across both policies

Incorrect Links and Contact Information

Recommendation 3: The following links are not operational:

- Sections VI and VII.J.3 of Handbook 3-3031, and Section V of the Procedure and Practice Guide, which refer to the University Title IX website
- Section VII.J.3 of Handbook 3-3031 and Section V of the Procedure and Practice Guide, which refer to the Office for Inclusion and Equity and Student Emergency Services, but provide a broken link to the University Title IX website
- Section VII.J.3 of Handbook 3-3031, which refers to New Student Services under the Office of the Dean of Students
- Section VIII of Handbook 3-3031, which refers to the University’s Title IX Resource Guide for Sexual Assault
- Section IV of the Procedure and Practice Guide, which refers to additional information about retaliation from the U.S. Equal Employment Opportunity Commission (EEOC)
- The “Resources” section of the Title IX website and the Title IX Resource Guide, which refer to Texas Legal Aid for Survivors of Sexual Assault; additionally, the resource should be called “Legal Aid for Survivors of Sexual Assault (LASSA)”
- The “Resources” section of the Title IX website, which refers to the Behavior Concerns Advice Line

The following contact information provided for various resources was incorrect:



- Section VI of Handbook 3-3031 and Section V of the Procedure and Practice Guide, which include an incorrect phone number for making an appointment with University Health Services
- Section VII.J.3 of Handbook 3-3031, which includes incorrect phone numbers for Faculty and Staff Ombuds Services
- The Sexual Discrimination, Sexual Assault and Interpersonal Violence Information and Quick Reference Guide, which includes the incorrect phone number for the Texas Advocacy Project
- The Student Emergency Services Resource Guide, which includes the incorrect phone number for the Title IX Training and Investigations group, which is part of the Office of the Dean of Students
- The “Survivors” section of the Title IX website, which incorrectly lists a UTCMHC phone number under the contact information for Love Is Respect, and a Student Emergency Services phone number under the contact information for SafePlace
- The Supportive Response for Student Survivors handout, which lists the video phone number for the Services for Students with Disabilities, but not the regular telephone number
- The “Resources” section of the Title IX website (i.e., for both students, and faculty and staff), which lists Student Ombuds Services twice; does not provide contact phone numbers for Student Ombuds Services, Faculty Ombuds Services, or the Rape Aggression Defense System; and incorrectly includes the phone number for SafePlace as the hotline number for Texas Legal Aid for Survivors of Sexual Assault
- The “Resources” section of the Title IX website for students, which does not provide a complete phone number (i.e., the phone number is missing a digit) for the Behavior Concerns Advice Line

Opportunities to Improve Consistency

Recommendation 4: Examples of information that is not presented consistently across policies include:

- The Policy Statement in Appendix D contains language encouraging individuals to promptly report instances of sexual assault or harassment and mentions students who are also employees, but this language is not in the Policy Statement of Handbook 3-3031
- Section II in Appendix D describes the preponderance of the evidence standard and references Chapter 11, but these references are not present within a similar section in Handbook 3-3031
- There are definitions in the Procedure and Practice Guide (e.g., discrimination, discriminatory harassment, finding, verbal harassment) that are not in Appendix D; there are also definitions in Appendix D (e.g., consent, separate definition of sex discrimination) that are not in the Procedure and Practice Guide
- The Procedure and Practice Guide refers to “instructors” as responsible employees, whereas Appendix D refers to “associate/assistant instructors (AIs)” as responsible employees
- The definition for retaliation differs between the Procedure and Practice Guide and Appendix D (e.g., referring to employees/agents of the institution, including



individuals who requested a reasonable accommodation based on religion or disability)

Recommendation 5: Title IX Coordinator contact information is not consistent between UT Austin's Title IX website and the policies and procedures as follows:

- The Deputy Title IX Coordinator for Athletics is listed on the Title IX website, but not in the policies and procedures
- The title for the Deputy Title IX Coordinator for Faculty and Staff is incorrectly listed as the Deputy Title IX Coordinator for Employees, Visitors and Contractors
- The Title IX Impact Report for 2015-2017 indicates there are five Title IX deputies, but policies and procedures list contact information for only two deputies

Recommendation 6: Examples of inconsistent presentation of confidential and non-confidential resources include:

- Section VI of the Handbook 3-3031 and the Student Emergency Services Resource Guide list contacts that include both confidential (e.g., UT Counseling and Mental Health Center [UTCMHC]) and non-confidential (e.g., UT Austin Police Department) resources together
- The "Resources" page of the Title IX website incorrectly lists the Employee Assistance Program in the non-confidential resources section



EXHIBIT B

The following lists the UT Austin policy and procedure documentation reviewed with a description of the purpose of each policy for reference:

UT Austin's *General Information Catalog 2017-2018, Appendix D – Policy on Sex Discrimination, Sexual Harassment, Sexual Assault, Sexual Misconduct, Interpersonal Violence, and Stalking* (Appendix D)

- Applicable to students, employees, visitors, applicants for admission or to employment positions at the University, and University affiliates
- Describes processes for reporting, responding to, and investigating complaints; provides on and off-campus resources

UT Austin's *General Information Catalog 2017-2018, Appendix C, Subchapter 11 – Student Discipline and Conduct* (Chapter 11)

- Applicable to individual students
- Describes the disciplinary proceeding/hearing process conducted by the Office of the Dean of Students for students in general, including students accused of sexual misconduct, sexual harassment, sexual violence, etc.

UT Austin's *Handbook of Operating Procedures 3-3020 – Nondiscrimination Policy* (Handbook 3-3020)

- Applicable to visitors, applicants for admission or to employment positions at the University, and students and employees of the University
- Describes reporting and resolution procedures for complaints of discrimination, including sex discrimination

UT Austin's *Handbook of Operating Procedures 3-3031 – Prohibition of Sexual Discrimination, Sexual Harassment, Sexual Assault, Sexual Misconduct, Interpersonal Violence, and Stalking* (Handbook 3-3031)

- Applicable to students, employees, visitors, applicants for admission or to employment positions at the University, and University affiliates
- Describes the University's education and prevention efforts related to sexual violence, as well how the University will proceed once it becomes aware of a complaint

UT Austin's *Procedure and Practice Guide for the Investigation and Resolution of Discrimination, Harassment, Sexual Assault, Sexual Misconduct, Interpersonal Violence, Stalking, Retaliation, and Inappropriate Consensual Relationship Charges* (Procedure and Practice Guide)

- Applicable to employees (faculty and staff), students, visitors, applicants for admission or to employment positions at the University, and University affiliates
- Describes the disciplinary proceeding/hearing process conducted by the Office for Inclusion and Equity for employees accused of sexual misconduct, sexual harassment, sexual violence, etc.



EXHIBIT C

Audit Issue Ranking

Audit issues are ranked according to the following definitions, consistent with UT System Audit Office guidance. These determinations are based on overall risk to UT System, UT Austin, and/or the individual college/school/unit if the issues are left uncorrected. These audit issues and rankings are reported to UT System directly.

- **Priority** – A Priority Issue is an issue that, if not addressed immediately, has a high probability to directly impact achievement of a strategic or important operational objective of UT Austin or the UT System as a whole.
- **High** – An issue that is considered to have a medium to high probability of adverse effects to UT Austin either as a whole or to a significant college/school/unit level.
- **Medium** – An issue that is considered to have a low to medium probability of adverse effects to UT Austin either as a whole or to a college/school/unit level.
- **Low** – An issue that is considered to have minimal probability of adverse effects to UT Austin either as a whole or to a college/school/unit level. Issues with a ranking of “Low” are reported verbally to the unit and are not included in the final report.