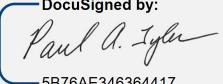


The University of Texas at San Antonio

# UTSA Auditing & Consulting Services

## FY25 TEC §51.3525 Compliance Audit

August 25, 2025

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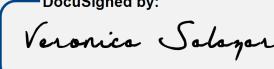
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# Executive Summary

## Conclusion

The University of Texas at San Antonio implemented a monitoring and certification program to support institution-wide compliance with TEC §51.3525 and UTS 197. Based on the documentation reviewed, state appropriations were not used to fund diversity, equity, and inclusion practices. The institution complied with both TEC §51.3525 and UTS 197.

## Background

[Texas Education Code Section 51.3525](#) (TEC §51.3525) was enacted to establish statutory requirements for public higher education institutions in Texas regarding diversity, equity, and inclusion (DEI) practices. The statute prohibits institutions from implementing practices that reference or give preference based on race, color, ethnicity, gender identity, or sexual orientation. It also restricts the use of DEI statements or offices unless required by federal law and prohibits using state appropriations to support activities that violate these restrictions. Each University of Texas (UT) System institution is expected to maintain an environment free from requirements that advantage or disadvantage individuals based on these characteristics. To support compliance with TEC §51.3525, the UT System implemented UTS 197 [Compliance with State Law Regarding Diversity, Equity, and Inclusion in Institutions of Higher Education](#), which requires each institution to implement an ongoing monitoring program and annual certification process. Refer to Appendix A for TEC §51.3525 requirements.

## Audit Objectives and Scope

- Our methodology aligned with the approach used by the State Auditor's Office in its [Audits of Diversity, Equity, and Inclusion Requirements at Institutions of Higher Education Report](#). Specifically, we determined whether the University of Texas at San Antonio spent state appropriations on diversity, equity, and inclusion initiatives in violation of TEC §51.3525 between September 1, 2024, and July 21, 2025.
- Validated the implementation of an ongoing monitoring program and an institution-wide certification process for TEC §51.3525 and UTS 197 compliance. The specific items reviewed included:
  - Staff job descriptions,
  - Employee midyear goals,
  - Annual compliance training,
  - Annual TEC §51.3525 sub-certification,
  - Department and registered student organization events,
  - Compliance hotline, and
  - TEC §51.3525 compliance webpage.

# Appendix A

TEC §51.3525 Requirements: "Does not, except as required by federal law:

- (A) establish or maintain a diversity, equity, and inclusion office[.]"
- (B) hire or assign an employee of the institution or contract with a third party to perform the duties of a diversity, equity, and inclusion office[.]"
- (C) compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement [.]"
- (D) give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution[.]"
- (E) require as a condition of enrolling at the institution or performing any institution function any person to participate in diversity, equity, and inclusion training, which:
  - (i) includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation; and
  - (ii) does not include a training, program, or activity developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law[.]"

"(2) adopts policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Subdivision (1)."



This engagement was conducted in accordance with the Global Internal Audit Standards and with Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Auditors communicated other, less significant issues separately in writing to university management.