

Chief Executive Officer 2022-2023 Annual Report

TO: Board of Regents
FROM: Dr. Steve Westbrook, Chief Executive Officer
DATE: April 1, 2023
RE: Chief Executive Officer Reporting Requirements under Tex. Educ. Code § 51.253(c)

Under the Texas Education Code (TEC), Section 51.253(c), the institution's Chief Executive Officer is required to submit a report at least once during each fall or spring semester to the institution's governing body and post on the institution's internet website said report concerning the reports received by employees under the TEC, Section 51.252. This report must include the number of reports received of alleged "sexual harassment," "sexual assault," "dating violence," or "stalking" as defined in the TEC, Section 51.251, the number of investigations conducted as a result of those reports, the number of reports for which the institution determined not to initiate disciplinary process, and any disciplinary actions taken under TEC, Section 51.255.

For the purposes of complying with the Chief Executive Officer's reporting requirements under TEC, Section 51.253(c), the attached summary data report¹ includes all of the required reporting information to the Board of Regents for the time period of April 1, 2022 through March 31, 2023. The summary data report 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 institution's website as per the public reporting requirements under TEC, Section 51.253(c) at <https://www.sfasu.edu/titleix/university-reports/tec-section-51.253> .

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.

¹ When clearly identifiable, duplicate reports were consolidated and counted as one report in the summary data, and confidential employee reporting is noted as a sub-set to the total number of reports received.

CEO Summary Data Report

April 1, 2022 through March 31, 2023

| Texas Education Code, Section 51.252 | |
|---|------------|
| Number of reports received under Section 51.252 | 677 |
| Number of confidential reports ² under Section 51.252 | 27 |
| Number of unique cases created from reports received under Section 51.252 | 231 |
| Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process at this time | |
| a. Supportive Measures | 2 |
| b. Administrative Measures | 5 |
| c. Informal Resolution | 1 |
| d. Unidentified Complainant | 12 |
| e. Complainant Declined Formal Process | 45 |
| f. Complainant Did Not Respond to Contact attempts | 72 |
| g. Respondent Not Identified | 1 |
| h. Witness Report- Complainant nor Respondent Identified | 8 |
| i. Determined not to rise to a Violation of 2.13 | 30 |
| j. No Jurisdiction- Resources Provided | 20 |
| k. No Jurisdiction- Interim Measures Provided | 0 |
| l. No Jurisdiction- For Informational Purposes | 2 |
| SUBTOTAL | 198 |
| Number of investigations in progress under Section 51.252 | |
| a. Under review pending Complainant's response | 17 |
| b. Investigation under policy 2.13 | |
| • Informal Resolution | 0 |
| • Formal Investigation | 10 |
| c. Administrative Adjudication | 1 |
| d. Hearing or Appeal | 3 |
| SUBTOTAL | 31 |
| Disposition ³ of any disciplinary processes for reports under Section 51.252: | |
| a. Concluded, No Finding of Policy Violation | 1 |
| b. Concluded, with Employee Disciplinary Sanction | 0 |
| c. Concluded, with Student Disciplinary Sanction | 1 |
| SUBTOTAL | 2 |

| Texas Education Code, Section 51.255 | |
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| 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) | 6 |
| 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 |
| Disciplinary action or final investigation pending conclusion of formal process | 5 |
| Concluded, No Finding of failure to report | 1 |
| SUBTOTAL | 6 |

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 (e.g., Counseling Center, Student Health Center, or a Victim Advocate for Students).

³ "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 Texas Administrative Code, Section 3.6(3) (2019)]; therefore, pending disciplinary processes will not be listed until the final result is rendered.