



MEMORANDUM

TO: Board of Trustees
FROM: Dr. Cesar Maldonado, Chancellor
CC: E. Ashley Smith, General Counsel
Melissa Mihalick, Board Counsel
Dr. David Cross, Title IX Coordinator
DATE: December 17, 2020
SUBJECT: Chief Executive Officer Reporting Requirements Under Tex. Educ. Code § 51.253(c)
Quarter Ending November 30, 2020

Ref: CM20-198
File: LLA

Under the Texas Education Code, Section 51.253(c), the institution’s Chief Executive Officer is required to submit a data report at least once during each fall or spring semester to the institution’s governing body and post on the institution’s internet website a report concerning the reports received by employees under the Texas Education Code, Section 51.252 and the type of incident described in the employee’s report constitutes “sexual harassment,” “sexual assault,” “dating violence,” or “stalking” as defined in the Texas Education Code, Section 51.251.

For the purposes of complying with the Chief Executive Officer’s reporting requirements under Section 51.253(c), the attached summary data report (Appendix A) includes all of the required reporting information to the Houston Community College System Board of Trustees for the 2020-2021 academic year, as of December 17, 2020. The summary data report is also posted on the HCCS Title IX webpage as per the public reporting requirements under 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.



Appendix A
Summary Data Report (Cumulative by Academic Year)
2020-2021 Academic Year: September 1, 2020 – November 30, 2020

Texas Education Code, Section 51.252	
Number of reports received under Section 51.252¹	16
Number of confidential reports² under Section 51.252	0
Number of investigations conducted under Section 51.252	4
Disposition³ of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation⁴	0
b. Concluded, with Employee Disciplinary Sanction	0
c. Concluded, with Student Disciplinary Sanction	1
d. SUBTOTAL	1
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process⁵	12
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):	0
a. Employee termination	0
b. Institutional intent to termination, in lieu of employee resignation	0

¹ Reports made by students and all other non-employees (including incidents under 3.5(d)(3)) are excluded from Appendix A. Additionally, if a Title IX Coordinator determines that the type of incident described in a report does not constitute “sexual harassment,” “sexual assault,” “dating violence,” or “stalking” as defined in the Texas Edu. Code, § 51.251, the report is excluded from Appendix A.

² “Number of confidential reports” is a sub-set of the total number of reports received under Section 51.252, by a confidential employee (e.g., Counselors).

³ “Disposition” means “final result under the institution’s disciplinary process” as defined in the Texas Higher Education Coordinating Board’s rules for Tex. Edu. Code, §51.259 (See Chapter 3, Subchapter A, Section 3.6(e)); Therefore, pending disciplinary processes will not be listed until the final result is rendered.

⁴ “No Finding of a Policy Violation” in this section refers to instances where there is no finding of responsibility after a hearing or an appeal process; investigations completed with a preponderance of evidence not met are excluded since it would not have moved forward into a disciplinary process.

⁵ The institution may have determined “not to initiate a disciplinary process.” The reasons for not initiating a discipline process can include but is not limited to: insufficient information to investigate; confidential employee reporting (no identifiable information); the respondent’s identity was unknown or not reported; the respondent was not an HCCS affiliate; the reporter requested the institution not investigate the report; informal resolution was completed; investigation is ongoing; or investigation was completed with a preponderance of evidence not met.