

Department of Investigation and Adjudication (DIA)

ANNUAL REPORT 2023-24



The University of Texas at Austin
University Risk and
Compliance Services

Department of Investigation and Adjudication

100 W. Dean Keeton St., SSB 4.102 | Mail Code D9250 | Austin, TX 78712
512-471-3701 | dia.compliance.utexas.edu | dia@austin.utexas.edu

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Introduction

The University of Texas at Austin is an equal opportunity/affirmative action employer and Title IX institution that complies with all applicable federal and state laws. To ensure compliance, the [Department of Investigation and Adjudication \(DIA\)](#) investigates alleged violations of the following policies in the University’s Handbook of Operating Procedures (HOP):

[HOP 3-1022 — Protection from Retaliation for Suspected Misconduct Reporting \(Whistleblower\)](#)

[HOP 3-3010 — Disability Accommodation for Applicants and Employees](#)

[HOP 3-3012 — Religious Accommodation for Applicants and Employees](#)

[HOP 3-3013 — Workplace Accommodations Under the Pregnant Workers Fairness Act](#)

[HOP 3-3020 — Nondiscrimination Policy](#)

[HOP 3-3021 — Preventing Discrimination Against Pregnant and Parenting Students](#)

[HOP 3-3031 — Prohibition of Sexual Assault, Interpersonal Violence, Stalking, Sexual Harassment, and Sex Discrimination](#)

[HOP 3-3050 — Consensual Relationships](#)

[HOP 5-1260 — Employment of Close Relatives \(Nepotism\)](#)

[HOP 5-4310 — Family and Medical Leave](#)

As a neutral investigative unit, DIA supports the University in fostering a campus environment that is respectful and free from discrimination and harassment. DIA also oversees the University’s Title IX hearing process. The DIA team ensures all matters are treated with impartiality and discretion.

For a list of **DIA staff**, visit compliance.utexas.edu/about.

To learn more about **DIA’s investigative process**, visit dia.compliance.utexas.edu and click on the [investigative process](#) link.

This report covers the 2023-24 fiscal year (FY) and provides historical data for the previous two fiscal years.¹
The University’s fiscal year runs September 1 to August 31.

Executive Summary

In FY 2023-24, the department’s fourth full year, DIA’s **overall caseload was up by 17%** over FY 2022-23, due in large part to a sharp increase in cases opened in October and November 2023: 176 cases opened in October/November 2023 versus 102 and 100 during the same months in 2021 and 2022, respectively.

Although DIA’s caseload was up overall, **formal investigations were down by 26%** from 2022-23, returning to the level seen two years ago: 103 in FY 2023-24, 109 in FY 2021-22. After a spike in formal investigations in FY 2022-23 (140), this slower rate of new investigations enabled DIA to close out 30% more investigations in FY 2023-24 (148) than in FY 2022-23 (114), resulting in fewer pending cases going into FY 2024-25.

DIA continues to maintain its goal of keeping **average case closure times** below 165 business days. In FY 2023-24, DIA’s average closure times were **40 business days for non-formal cases** (those that do not move to a formal investigation) and **104 business days for formal cases** (those that do move to a formal investigation). As DIA’s annual caseload has continued to grow — from 467 in FY 2020-21 to 743 in FY 2023-24, a 59% increase — DIA has taken steps to ensure average closure times remain within the target. For example, in February 2024, DIA introduced an administrative closure process that allows for faster closures when parties are unknown, DIA does not receive a response to outreach attempts, and similar situations.

FY 2023-24 by the Numbers

743 Cases Opened incl. **103** Formal Investigations

Top 3 Months for Cases Opened

October
November
April

Top 3 Nondiscrimination Policy (HOP 3-3020) Allegations

Race
Sex/Gender
Ethnicity

832 Cases Closed* incl. **148** Formal Investigations

No. of Substantiated Allegations

Title IX Policy (3-3031)	55
Consensual Relationsh. Policy (3-3050)	3
Nondiscrimination Policy (3-3020)	1

Top 3 Substantiated Allegations

Unprofessional or Inappropriate Conduct
Sexual Assault
Stalking

Average Closure Times (in business days)

(in business days)

Non-Formal

40

Formal

104

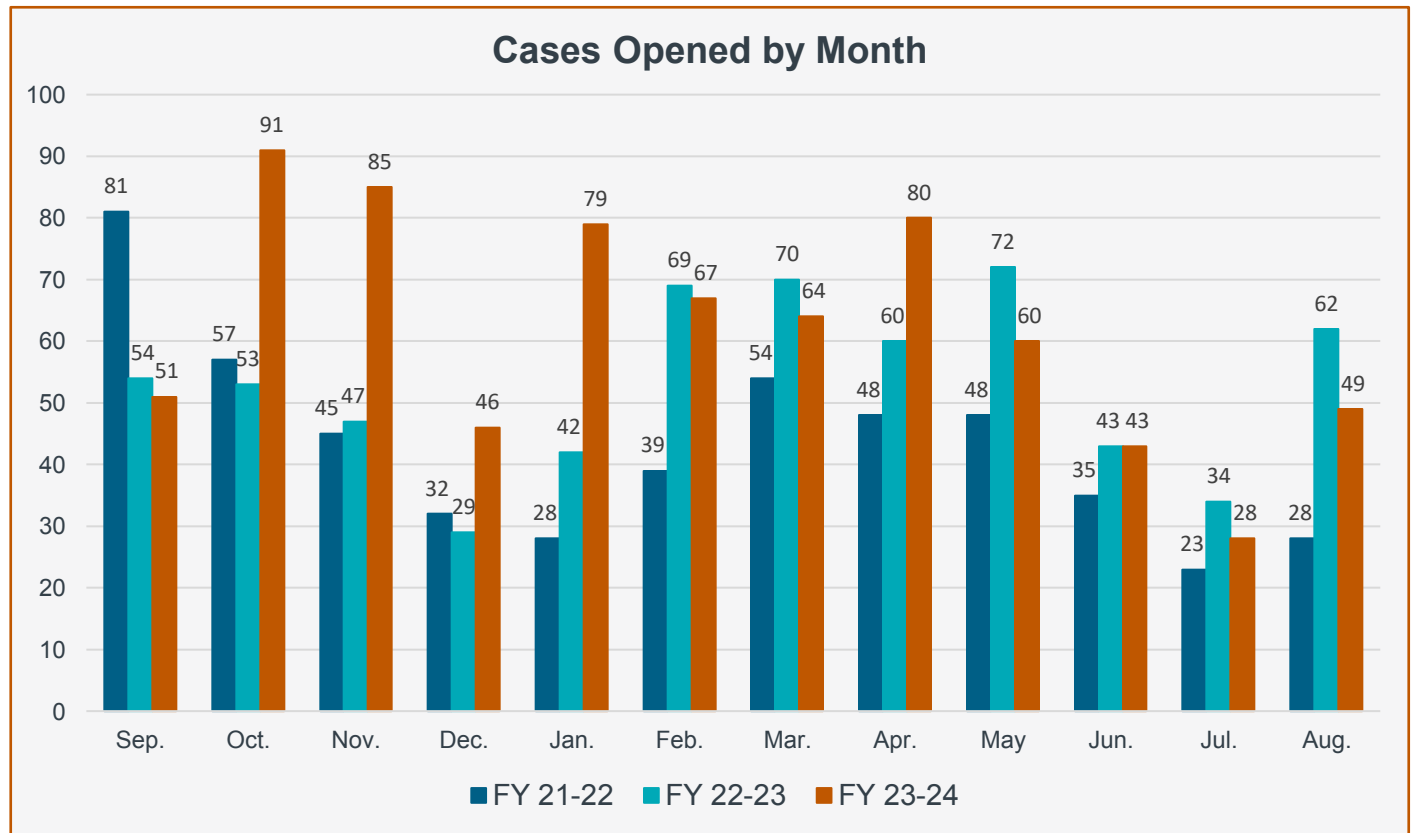
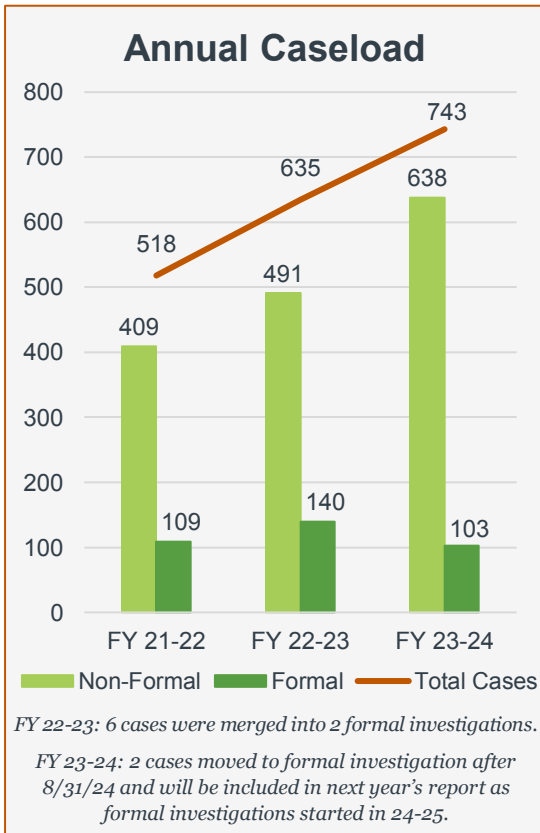
**Includes pending cases from FY 2022-23 that were closed in FY 2023-24.*

35 Hearings Held for **47** Separate Formal Complaints

Cases Opened

Unique cases opened between September 1 – August 31

As in prior years, most formal cases in FY 2023-24 involved the University’s Title IX policy, HOP 3-3031 (80%). Most non-formal cases – i.e., those resolved through DIA’s efficient intake/due diligence process – involved the University’s nondiscrimination policy, HOP 3-3020 (83%).



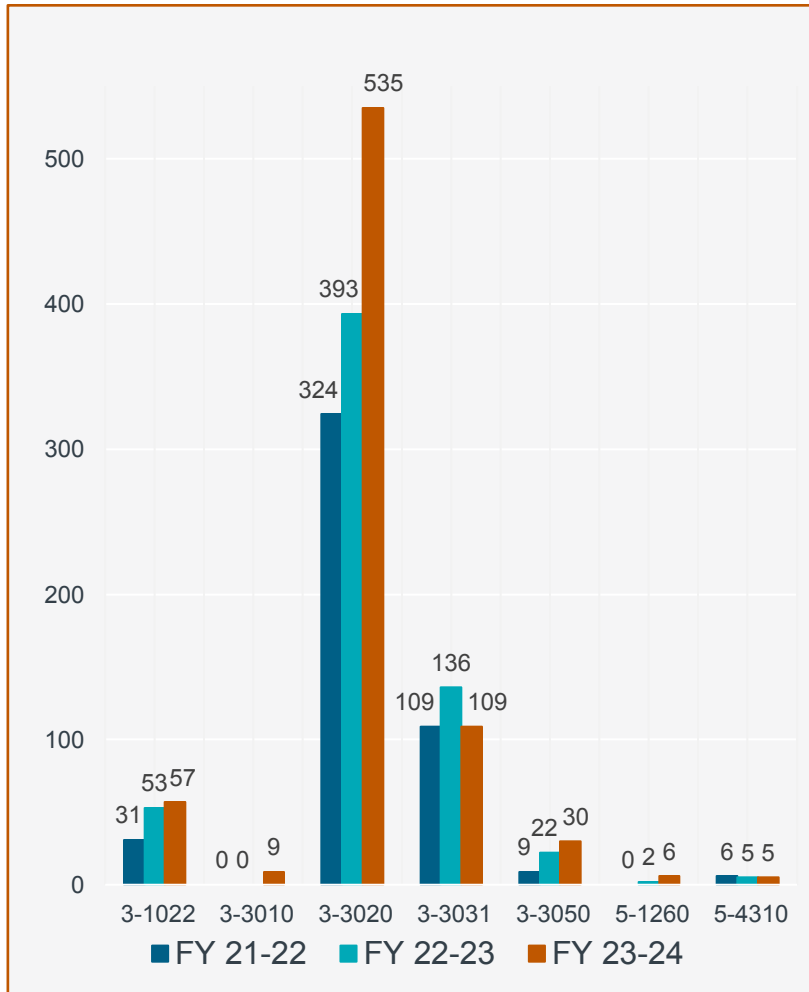
Source of FY 2023-24 Cases²



Cases Opened

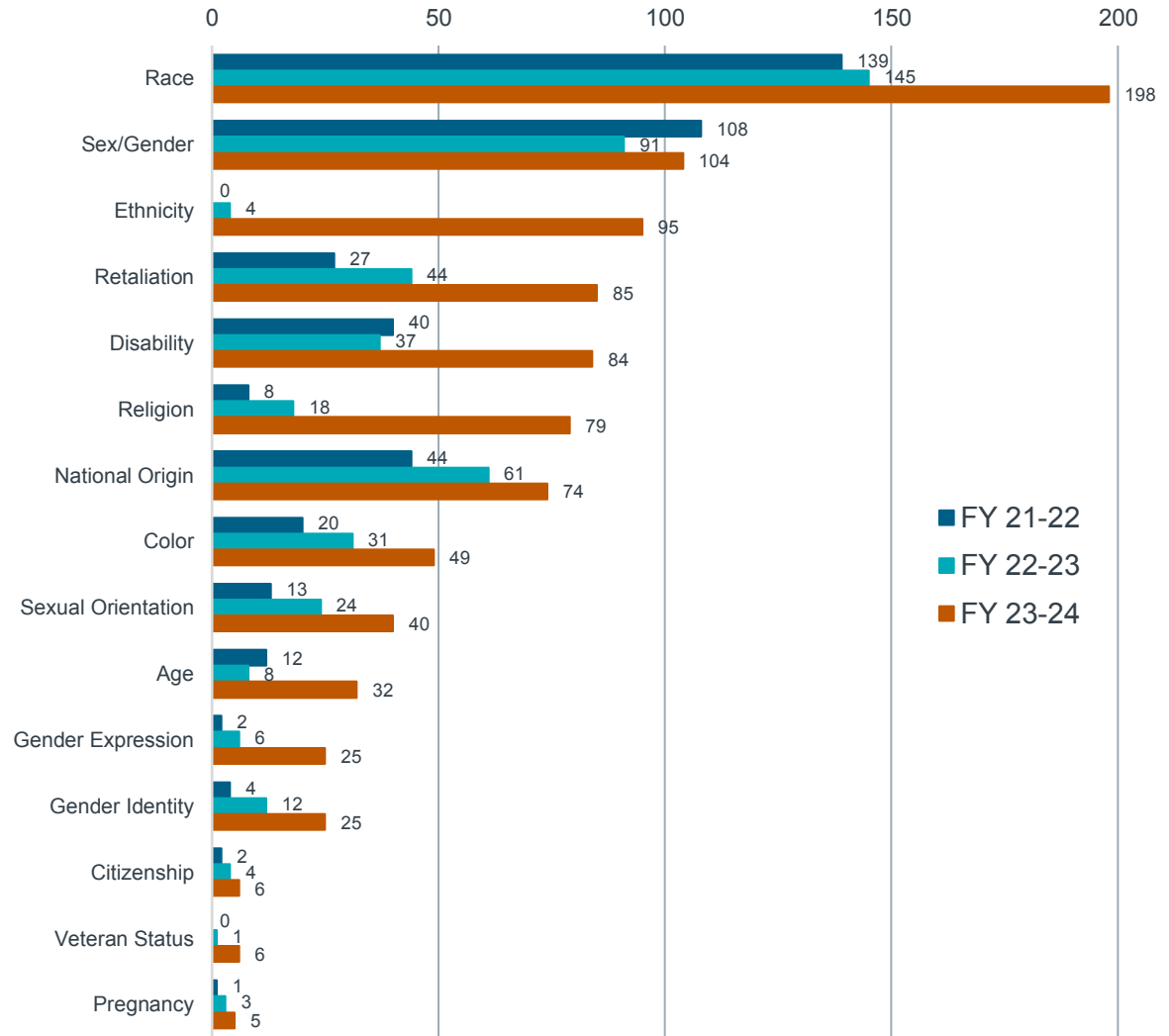
Unique cases opened between September 1 – August 31

Cases Opened by Policy at Issue



See Note 3.

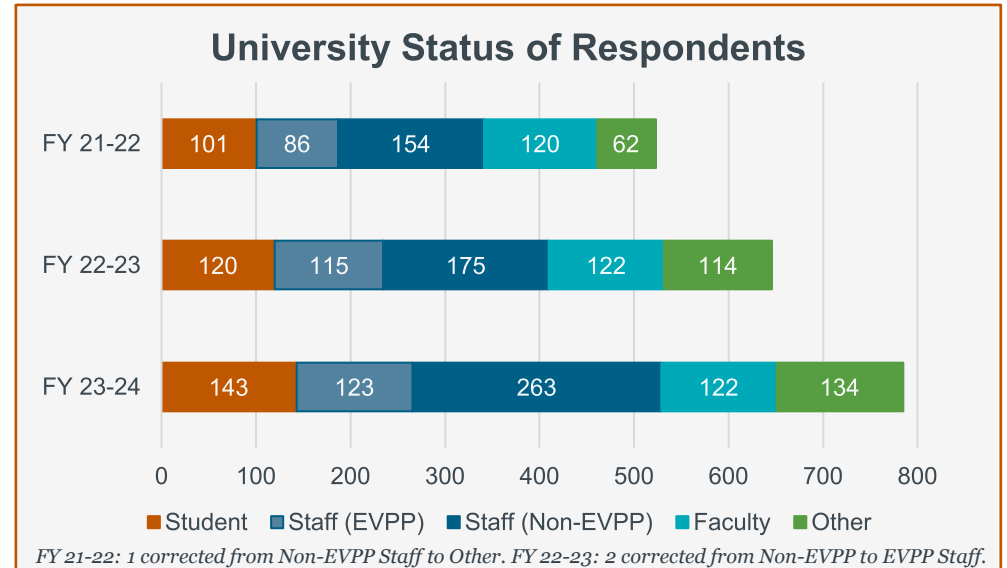
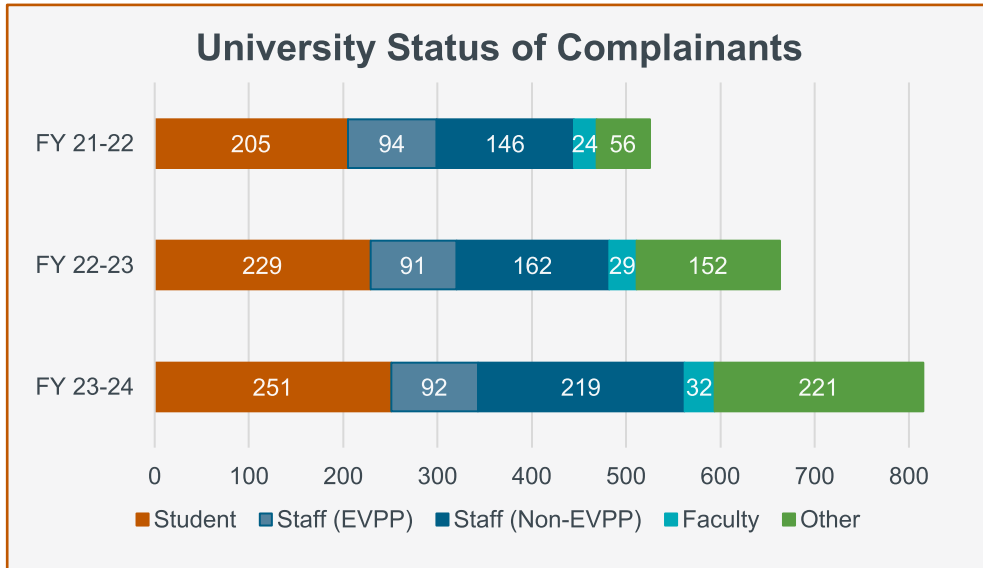
Bases of Nondiscrimination Policy Allegations (HOP 3-2020)



Cases Opened

Unique cases opened between September 1 – August 31

Complainants and Respondents: All Cases (Formal and Non-Formal)



NUMBER OF COMPLAINANTS FOR EVERY 1,000 ...

	21-22	22-23	23-24
Students	3.9	4.4	4.7
Staff	18.4	18.6	21.3
Faculty*	5.3	6.3	7.0

NUMBER OF RESPONDENTS FOR EVERY 1,000 ...

	21-22	22-23	23-24
Students	1.9	2.3	2.7
Staff	18.4	21.3	26.4
Faculty*	26.4	26.5	26.7

Highest rate

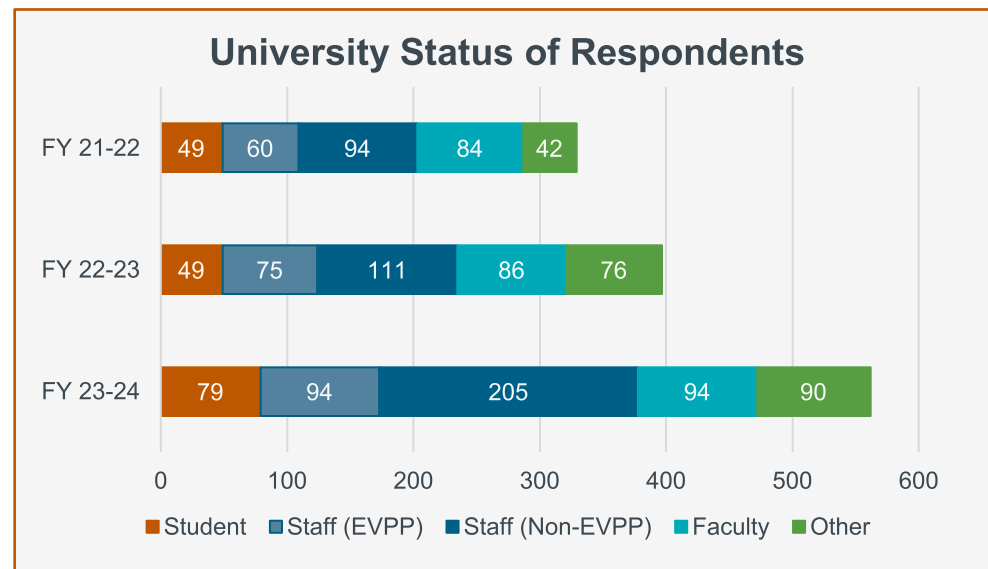
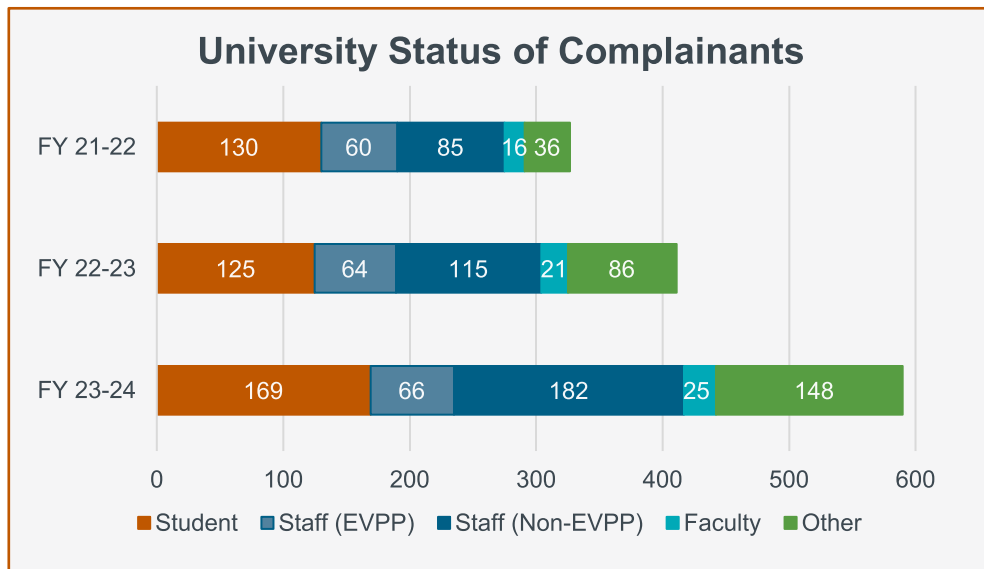
*Faculty rates for FYs 2021-22 and 2022-23 have been revised based on updated demographic information.

See Notes 4 and 5.

Cases Opened

Unique cases opened between September 1 – August 31

Complainants and Respondents: Nondiscrimination Policy Cases (HOP 3-2020)



NUMBER OF COMPLAINANTS FOR EVERY 1,000 ...

	21-22	22-23	23-24
Students	2.5	2.4	3.2
Staff	11.1	13.2	17.0
Faculty*	3.5	4.6	5.5

Highest rate

*Faculty rates for FYs 2021-22 and 2022-23 have been revised based on updated demographic information.

See Notes 4 and 5.

NUMBER OF RESPONDENTS FOR EVERY 1,000 ...

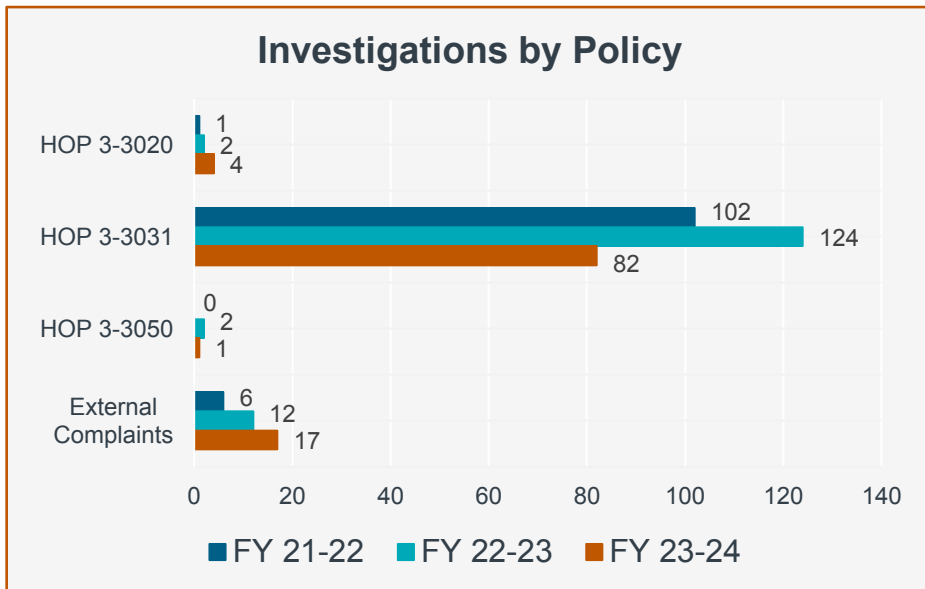
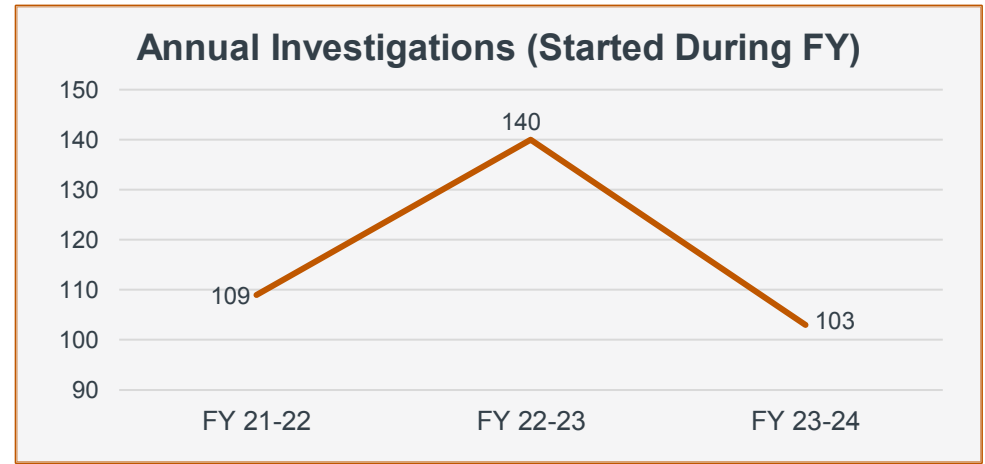
	21-22	22-23	23-24
Students	0.9	0.9	1.5
Staff	11.8	13.7	20.5
Faculty*	18.5	18.7	20.6

Formal Investigations

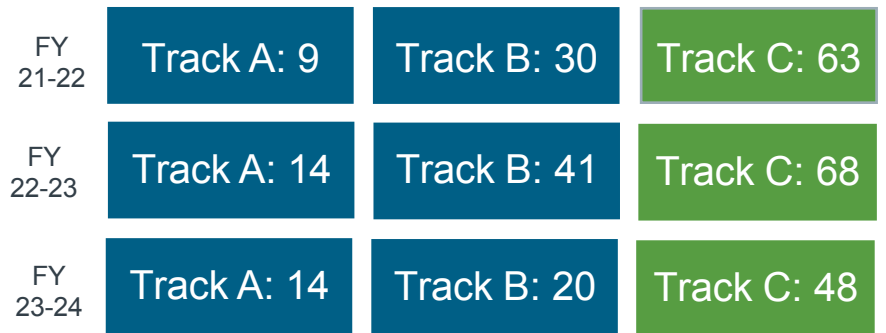
Started between September 1 – August 31

Formal investigations are typically opened when DIA:

- Receives a Formal Complaint that the Title IX Office has assigned to a grievance process track under the University’s Title IX policy (HOP 3-3031): 82 in FY 2023-24.
- Elevates a case to a formal investigation after a due diligence inquiry implicates a possible violation of any other policy in DIA’s purview: 4 in FY 2023-24.
- Receives notice of an external complaint filed with an outside agency: 17 in FY 2023-24.



Investigations Under Title IX Policy (HOP 3-3031) by Grievance Process Track



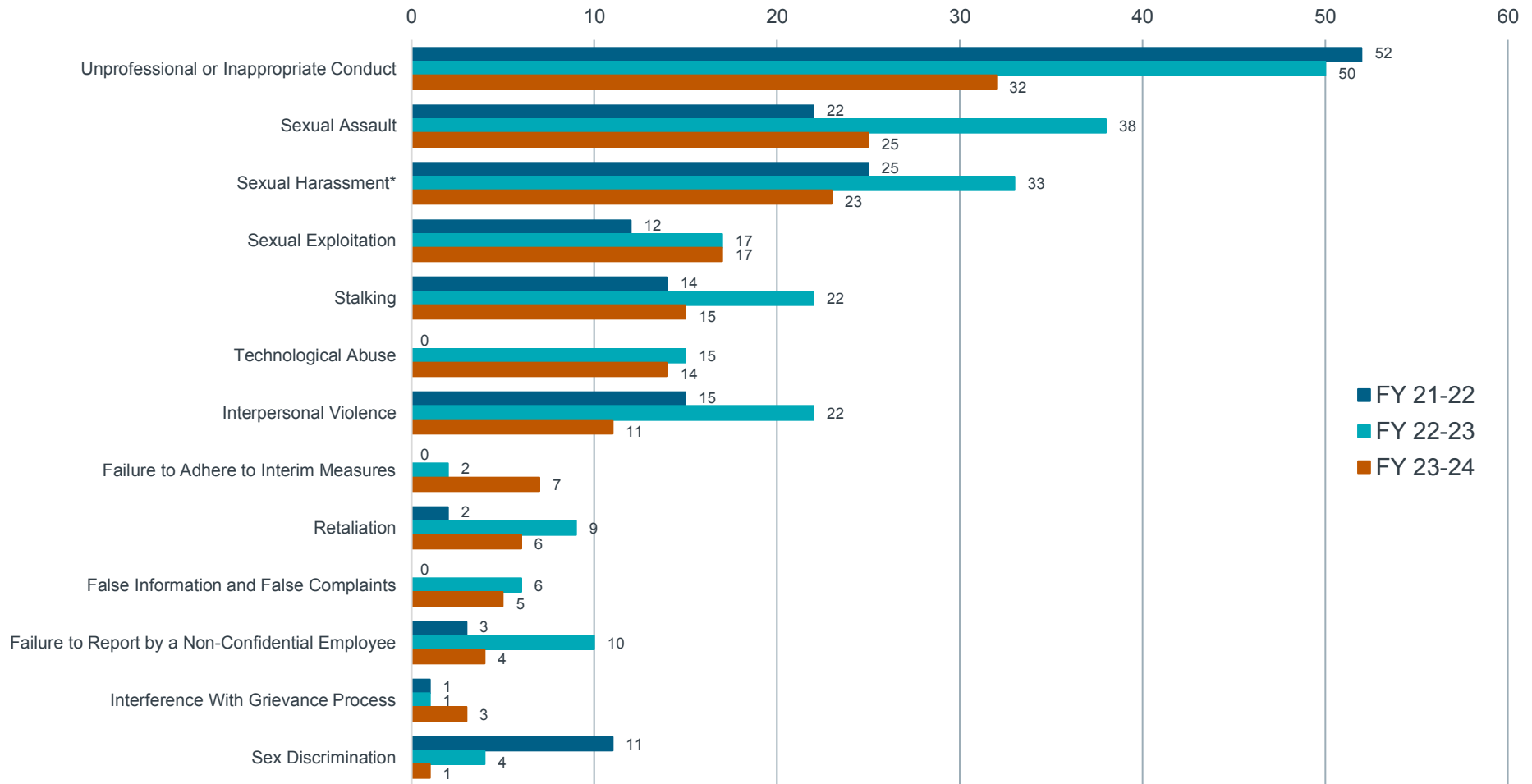
FY 22-23 does not include 1 case that was not assigned to a track and was ultimately dismissed.

See Notes 6 and 7.

Formal Investigations

Started between September 1 – August 31

Bases of Title IX Policy Allegations, Formally Investigated (HOP 3-3031)



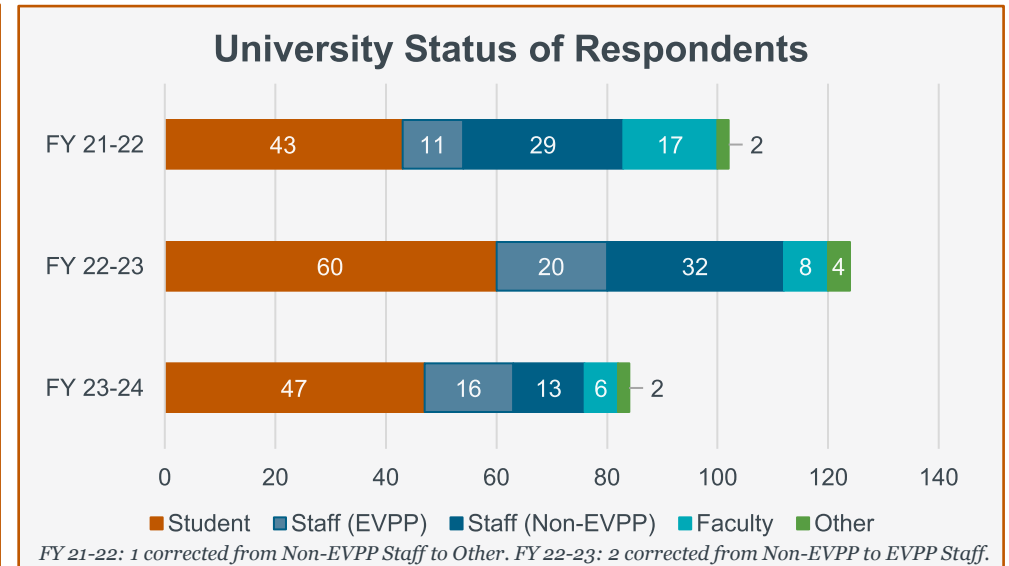
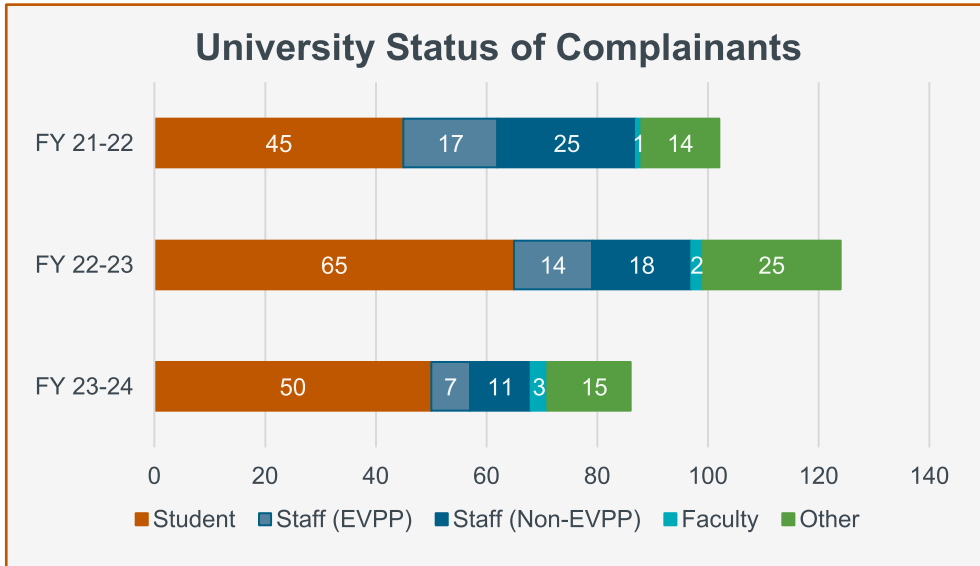
FY 21-22 revised to reflect change in recording practices.

See Note 6.

Formal Investigations

Started between September 1 – August 31

Complainants and Respondents: Title IX Policy Formal Investigations (HOP 3-3031)



NUMBER OF COMPLAINANTS FOR EVERY 1,000 ...

	21-22	22-23	23-24
Students	0.9	1.2	0.9
Staff	3.2	2.4	1.2
Faculty*	0.2	0.4	0.7

NUMBER OF RESPONDENTS FOR EVERY 1,000 ...

	21-22	22-23	23-24
Students	0.8	1.1	0.9
Staff	3.1	3.8	2.0
Faculty*	3.7	1.7	1.3

Highest rate

*Faculty rates for FYs 2021-22 and 2022-23 have been revised based on updated demographic information.

See Notes 4 and 5.

Cases Closed

Unique cases closed between September 1 – August 31

Case Outcomes⁸

This section covers cases with closure dates between Sept. 1 and Aug. 31.

Cases closed in FY 2023-24 included 669 cases opened in 2023-24 and 163 cases opened in 2022-23.

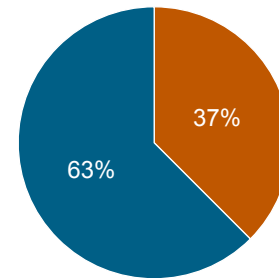
Outcomes of Cases Closed During FY	21-22	22-23	23-24
Merged With Other Case(s)	1	4	5
Closed: Outside DIA's Purview	17	3	37
Administrative Closure (started in Feb. 2024)	N/A	N/A	138
Closed at Intake (before 23-24) / Dismissed After Intake Review (starting in 23-24)	226	241*	317
Referred at Intake to Other Department (before 23-24) / Dismissed and Referred to Other Department After Intake Review (starting in 23-24)	105	120	97
Due Diligence Inquiry Completed: Closed/Referred (before 23-24) / Dismissed, or Dismissed and Referred to Other Department (starting in 23-24)	101	73	90
Closed, Referred, or Dismissed During Formal Investigation	20	21	16
Formal Investigation Completed: Finding of Violation	27	31	43
Formal Investigation Completed: No Finding of Violation	45	49**	73
Formal Investigation Into External Complaint: Position Statement Issued by DIA	7	11	15
Formal Investigation Into External Complaint: Other (e.g., closed by agency, assigned to VPLA)	1	2	1
TOTAL CASES CLOSED SEPT. 1 – AUG. 31	550	555	832

*Corrected to remove 1 case that was closed in FY 2023-24.

Ratio of Finding / No Finding of Violation

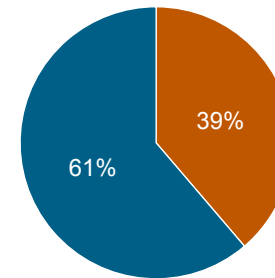
Cases in Which a Hearing Officer or Investigator Made a Determination of Responsibility

FY 21-22:
72 Cases with Finding (27) / No Finding (45)



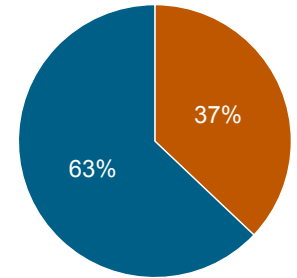
■ Finding of Violation
■ No Finding of Violation

FY 22-23:
80 Cases with Finding (31) / No Finding (49)**



■ Finding of Violation
■ No Finding of Violation

FY 23-24:
116 Cases with Finding (43) / No Finding (73)



■ Finding of Violation
■ No Finding of Violation

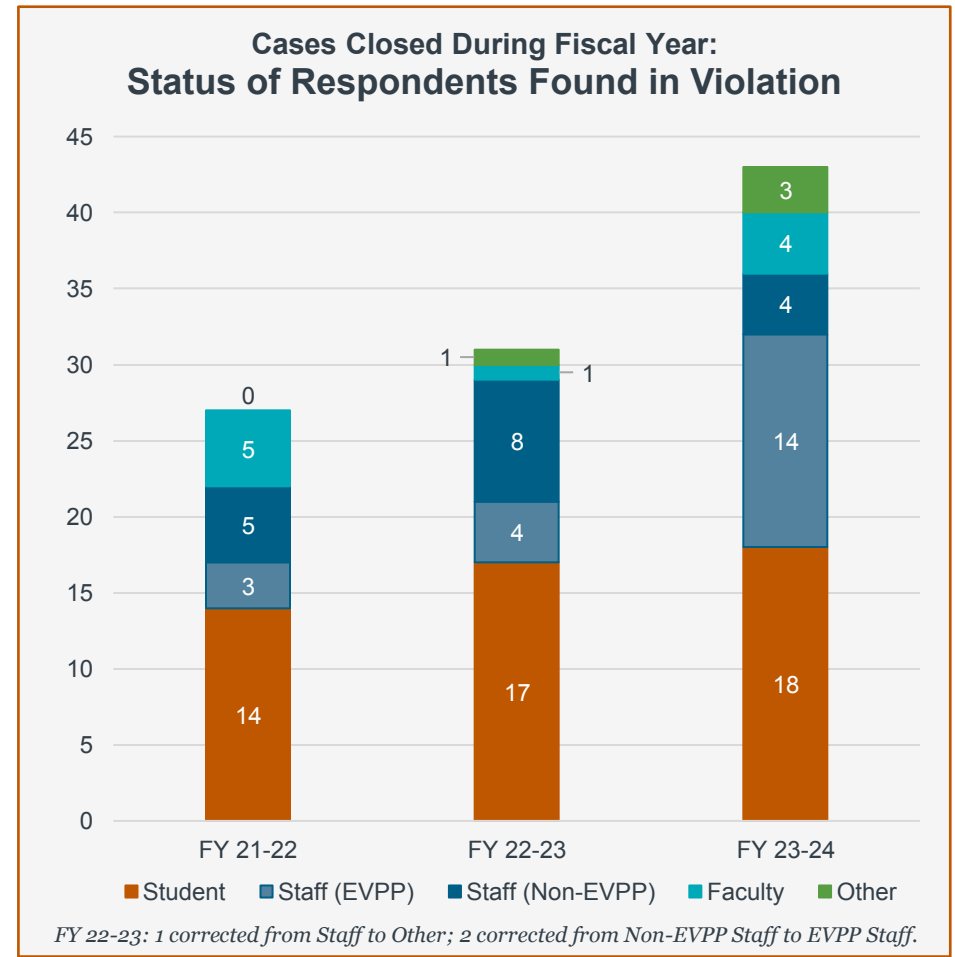
**Corrected to include 2 cases closed before, but recorded after, August 31, 2023.

Cases Closed

Unique cases closed between September 1 – August 31

Case Outcomes (cont.)

Substantiated Allegations in Closed Cases	21-22	22-23	23-24
Prohibited Consensual Relationship (3-3050)	1		3
Failure to Report (3-3020)			1
Sex/Race-Based Harassment (3-3020)	1		
Retaliation (3-3020)	1		
Race/National Origin-Based Harassment (3-3020)		2	
Unprofessional or Inappropriate Conduct (3-3031)	10	16	17
Sexual Assault (3-3031)	8	3	10
Stalking (3-3031)	3	4	8
Interpersonal Violence (3-3031)	7	5	6
Technological Abuse (3-3031)		2	6
Sexual Exploitation (3-3031)	4	2	3
Sexual Harassment (3-3031)	4	1	2
Failure to Adhere to Interim Measures (3-3031)		1	2
Sex Discrimination (3-3031)			1
Interference With Grievance Process (3-3031)		1	
TOTAL SUBSTANTIATED ALLEGATIONS	39	37	59

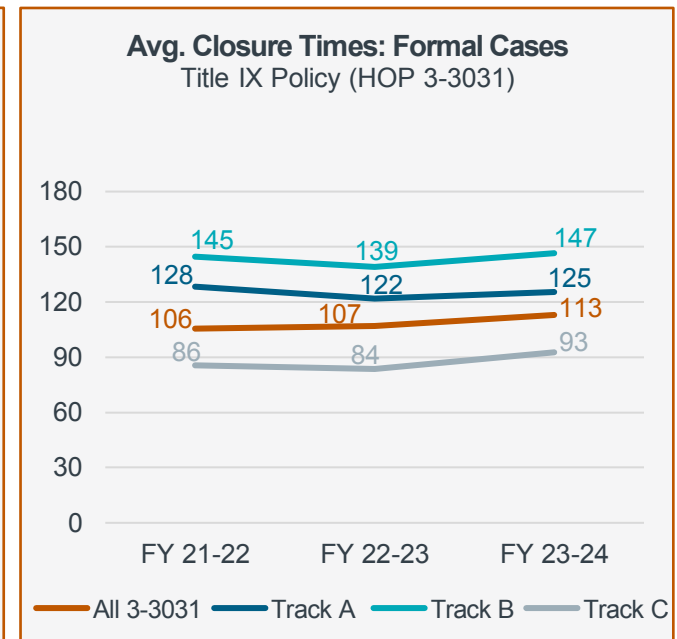
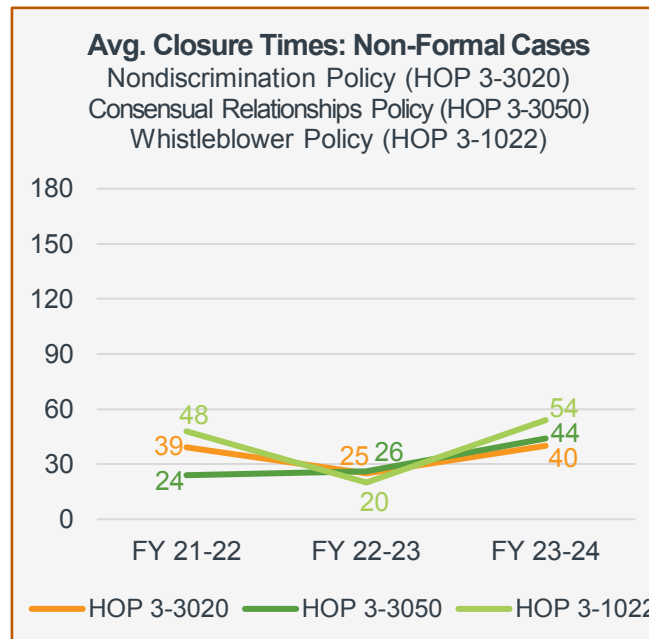
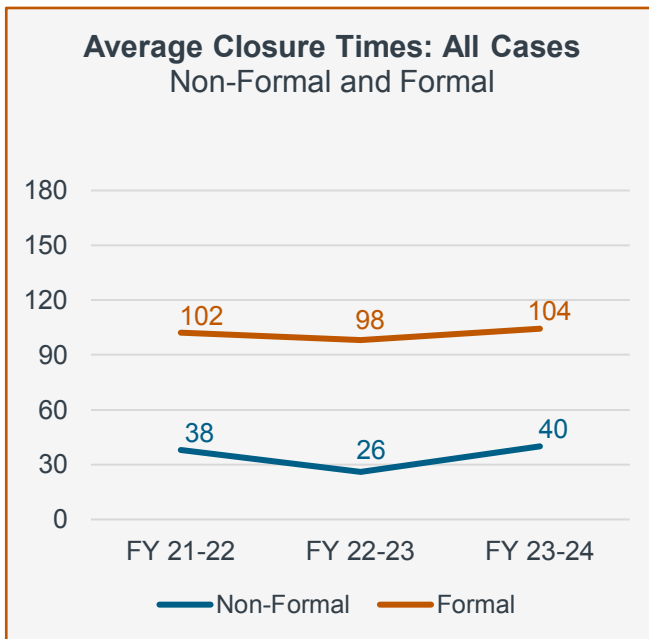


Cases Closed

Unique cases closed between September 1 – August 31

Closure Times

Closure times reflect the average time it takes DIA to close a case (from date of complaint/report/referral). *See Note 9.* Closure times are reported in business days (excludes weekends and University closures). For Title IX Formal Complaints (HOP 3-3031), closure times are calculated from the date DIA receives the Formal Complaint, or amended Formal Complaint if applicable, from the Title IX Office. For Title IX cases involving a live hearing and/or optional appeal (those assigned to Tracks A and B under HOP 3-3031, as well as certain Track C cases – *see Note 7*), closure times include the live hearing process and/or optional appeal.



“Non-Formal” means a case did *not* move to a formal investigation. “Formal” means a formal investigation was conducted (includes external complaints). *Previously reported times for formal cases have been revised based on a change in recording practices for amended Formal Complaints and to include a correction to FY 2022-23 cases closed.*

Title IX Hearings

DIA coordinates live hearings with University hearing officers for all cases assigned to Track A or Track B of the formal grievance process under the University’s Title IX policy (HOP 3-3031), as well as certain Track C cases. *See Note 7.* At DIA’s discretion, hearings into counter-complaints between two parties, or cases involving separate parties but arising from the same incident(s), may be combined into a single hearing.

Hearings Held for Cases Assigned to Tracks A and B of the University’s Title IX Policy (HOP 3-3031)

FY	Number of Hearings Held	% Change From Prior Year	Separate Formal Complaints Heard	Formal Complaints With Outcome Complete	Respondents Found in Violation	Respondents Not Found in Violation	Formal Complaints With Outcome Pending
21-22	25	+ 78%	25	25	11	14	0
22-23	32	+ 28%	37	37	13	24	0
23-24	35	+9%	47	47	21	26	0

Hearing Decisions Appealed for HOP 3-3031 Track A and B Cases

This page reports on annual hearings held based on hearing dates between Sept.1 and Aug. 31. It also reports on hearing outcomes, which may include final dispositions entered in the following fiscal year.

FY	Separate Formal Complaints Heard	No Appeal Received	Appeal Received	% of Decisions Appealed	Decisions Reversed on Appeal
21-22	25	20	5	20%	2
22-23	37	29	8	22%	0
23-24	47	32	15	32%	2

Glossary and Notes

Case — A complaint, report, or referral received by DIA that is entered in DIA’s database.

Complainant — Person alleged to be the victim of prohibited conduct under University policy.

Complaint — Information, including oral statements (if appropriately acknowledged), submitted to DIA by a complainant, alleging a violation of University policy.

Due diligence — A preliminary fact-finding inquiry when DIA concludes during the initial intake assessment that more information is needed to determine whether the alleged misconduct could implicate a possible violation of one or more policies within DIA’s purview. During the due diligence review, DIA properly and thoroughly evaluates the reported concerns to determine whether there is sufficient information to warrant a formal investigation. This includes conducting interviews and reviewing evidence, as needed. Due diligence is a non-formal process that does not require written notice to the respondent or preparation of an investigation report.

EVPP staff — Staff within the broad portfolio of units that report to the executive vice president and provost of the University.

External complaint — A complaint against the University filed with an outside agency, such as the Texas Workforce Commission, Equal Employment Opportunity Commission, or Department of Labor.

Formal Complaint — Initiates the grievance process under the University’s Title IX policy (HOP 3-3031) and may be filed by any person subject to an alleged incident under HOP 3-3031 or by the Title IX coordinator based on any incident report received.

Formal investigation — A formal process that starts when the respondent and complainant receive a written notice of the investigation. Then, a DIA investigator interviews the parties and relevant witnesses, gathers/reviews evidence relevant to the complaint, and prepares an investigation report. In cases not subject to a live hearing, the DIA investigator analyzes relevant information and evidence, determines whether the allegations are substantiated or unsubstantiated, and issues a completed investigation report to the parties with a statement of finding or no finding of violation of University policy. If the alleged policy violation is substantiated, the appropriate decision-maker (vice president or designee) determines what disciplinary sanction(s) to impose. In cases requiring a live hearing (certain Title IX allegations), the investigator prepares a neutral investigation report that summarizes relevant information and evidence, without a statement of finding or no finding of violation, and the report is issued to the parties and hearing officer ahead of the hearing.

Glossary and Notes

Intake — Initial assessment of a complaint or report received by DIA.

Parties — The complainant and respondent in a matter.

Referral — Information referred to DIA by another University department regarding an alleged violation of University policy.

Report — Information, including oral statements (if appropriately acknowledged), submitted to DIA by a reporter, alleging a violation of University policy.

Reporter — An individual, other than a complainant, making a report of an incident under University policy.

Respondent — Person alleged to have engaged in misconduct.

Title IX — A federal law that prohibits discrimination based on sex in any federally funded education program or activity. Title IX protects all members of the campus community who experience sex discrimination, sexual harassment, sexual assault, interpersonal violence (including dating and domestic violence), stalking, or discrimination based on pregnancy. The University's comprehensive Title IX policy, which applies to faculty, staff, employees, students, student organizations, visitors, contractors, University affiliates, and applicants for admission to or employment with the University, is found in [HOP 3-3031, Prohibition of Sexual Assault, Interpersonal Violence, Stalking, Sexual Harassment, and Sex Discrimination](#).

Reports of possible HOP 3-3031 violations are evaluated by the [University's Title IX Office](#) to determine whether they merit formal investigation, which is conducted by DIA after the Title IX Office assigns the matter to a grievance process track and refers the Formal Complaint to DIA. For matters that require a live hearing per HOP 3-3031, DIA holds the hearing with an appointed University hearing officer.

For more information about support, resources, and reporting options available through the Title IX Office, go to: <https://titleix.utexas.edu/>.

Glossary and Notes

Notes

¹ Historical data may be rerun to reflect corrections or updates due to changes in recording practices. This report uses rounded numbers in most places: .49 and below is rounded down to the nearest whole number, and .5 and above is rounded up.

² Cases can have multiple sources. For example, if someone calls DIA and fills out DIA's online reporting form, both are counted.

³ Cases can have multiple allegations and can involve more than one policy. New policies in FY 2023-24: HOP 3-3021 took effect January 15, 2024, and HOP 3-3013 took effect July 8, 2024. Policies with 0 cases are not listed in *Cases Opened by Policy at Issue* chart on page 5. The *Bases of Nondiscrimination Policy Allegations (HOP 3-3020)* chart on page 5 does not include allegations marked TBD, N/A, or Unknown.

⁴ Parties can have more than one applicable affiliation to the University (e.g., student and staff). "Other" category can include former student, former staff, former faculty, affiliate, applicant, external or unknown, University department or organization, anonymous, the University (as respondent to an external complaint), or initiated by Title IX or DIA (no named complainant).

⁵ Population numbers used for calculating per capita data:

Students: FY 23-24: 53,082 | FY 22-23: 52,384 | FY 21-22: 51,991. Source: <https://reports.utexas.edu/spotlight-data/students>.

Staff: FY 23-24: 14,599 | FY 22-23: 13,592 | FY 21-22: 13,064. Source: <https://hr.utexas.edu/current/trends-staff-data>.

Faculty: FY 23-24: 4,565 | FY 22-23: 4,601 | FY 21-22: 4,537. Source: <https://reports.utexas.edu/spotlight-data/faculty>.

*Faculty numbers for FYs 21-22 and 22-23 have been revised based on an updated source for faculty demographics and to include Dell Medical School faculty.

⁶ Investigations can involve more than one policy and can include multiple allegations. Policies with 0 formal investigations are not listed in the *Investigations by Policy* chart on page 8. In FY 2023-24, 1 investigation involved HOP 3-3031 and HOP 3-3020. Additionally, 2 investigations (1 started in FY 2022-23, and 1 started in FY 2023-24) included allegations of other policy or rule violations outside DIA's typical purview that were joined with allegations under HOP 3-3031.

⁷ Tracks A and B have a live hearing requirement. Track C does not, with the following exception: Effective August 21, 2023, HOP 3-3031 was revised to allow student respondents the option of requesting a live hearing, in front of a University hearing officer, in cases involving a sanction of suspension or expulsion when a DIA investigator has made a finding of violation. No hearings under this provision were requested or held in FY 2023-24. Student respondents in Track C cases can also appeal the discipline outcome, regardless of whether it involves suspension or expulsion, following the process outlined in HOP 3-3031.

⁸ (1) In 2024, DIA transitioned from issuing closure and referral memos to issuing dismissals with or without a referral. Categories for FY 2023-24 reflect the new process. In February 2024, DIA also introduced an administrative closure process for matters such as parties are unknown or there is no response to DIA's outreach.

(2) "Finding of violation" means the respondent was found responsible for one or more allegations that constituted a policy violation, either by a University hearing officer or a DIA investigator. A hearing officer makes the determination in Track A and B cases, as well as certain Track C cases (see Note 7). A DIA investigator makes the determination in all other cases. "Finding of violation" includes partially substantiated cases in which the respondent was found responsible for some but not all allegations. Respondents can be found responsible for multiple allegations.

(3) "No finding of violation" means the respondent was not found in violation of any University policy at issue.

⁹ Closure times are calculated through the final case disposition. For non-formal cases, this would be the date dismissed, referred, administratively closed, or deemed outside DIA's purview. For formal cases, this would be the date dismissed, referred, otherwise closed, or:

- (a) For HOP 3-3031 Track C cases that are ineligible for appeal/hearing and for cases under all other policies, the date the completed investigation report is issued.
- (b) For HOP 3-3031 Track A and B cases, as well as Track C cases with an eligible appeal or hearing request (see Note 7), the date the hearing officer determination letter is issued, or, if applicable, the appellate officer decision is issued.
- (c) For external complaints, the date the position statement is issued.