



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
SOUTHERN DIVISION, DALLAS OFFICE

JAN 29 2007

Re: OCR Docket # 06072017

U.S. Equal Employment Opportunity Commission
Pedro Esquivel, Director
San Antonio Field Office
Mockingbird Plaza II
5410 Fredericksburg Road
Suite 200
San Antonio, TX 78229

Dear Mr. Esquivel:

On December 4, 2006, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the above referenced complaint against the University of Texas at San Antonio (UTSA) alleging individual employment discrimination on the basis of sex. The complaint alleges that UTSA discriminated against her based on sex because it allowed a hostile work environment when a fellow employee sexually assaulted and harassed her.

OCR enforces Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance. Although UTSA receives funds from the Department, government-wide regulations require us to refer this complaint to the Equal Employment Opportunity Commission (EEOC). The EEOC may have authority to investigate this complaint under Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of race, color, national origin, sex and religion. This referral also delegates to the EEOC our investigative authority under the applicable statutes and regulations enforced by OCR.

We have advised the complainant and the recipient of this referral and that the EEOC will consider the date of filing to be the date the complaint was filed with OCR unless an earlier complaint was filed with the EEOC. If you have any questions, please contact the EEOC at the number shown above or Sandra Stephens at 214-661-9600 or by email at Sandra.stephens@ed.gov.

1999 BRYAN STREET, SUITE 1620, DALLAS, TX 75201-6810
www.ed.gov

Our mission is to ensure equal access to education and to promote educational excellence throughout the nation.

Sincerely,


Sandra Stephens
Team Leader

Enclosures