



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

REGION VI  
LOUISIANA  
MISSISSIPPI  
TEXAS

Renaissance Tower  
1201 Elm Street, Suite 1000  
Dallas, TX 75270-2102

November 10, 2021

Mark J. Perry, Ph.D.

*Via E-Mail Only*

Re: University of Texas, Austin  
OCR Case No. 06202219

Dear Dr. Perry:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has completed its evaluation of your March 16 and April 10, 2020, complaints against The University of Texas (University), in Austin, Texas. Your complaints allege the University discriminates based on sex by excluding males from the following programs:

- 1) LBJ School of Public Affairs' "LBJ Women's Campaign School;"
- 2) Department of Computer Science's "First Bytes Summer Camp;" and
- 3) College of Physics' "Alice in Wonderland."

By letter August 9, 2020 (in addition to information you had earlier provided December 8, 2019), you further alleged discrimination in the exclusion of males from the University Cockrell School of Engineering's:

- 4) "CREATEatUT Summer Camp;"
- 5) "WEatUT Summer Camp;"
- 6) "Women in Engineering Program" (WEP);
  - a. "1<sup>st</sup> Year Experience;"
    - i. "Living Learning Community;"
    - ii. "Chocolate Chats;"
    - iii. "Peer Assistance Leaders" mentoring program
  - b. "Women in the Second Year of Engineering" (WISE);
  - c. "Texas Girls Collaborative Project" services and resources (e.g., SciGirls); and
- 7) Pre-College or current Cockrell School of Engineering male students in "Partner with WEP."

Finally, by letters October 11 and September 10, 2020, and March 9, 2021 (respectively), you further alleged discrimination in the exclusion of males from the University's:

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

- 8) Center for Women’s & Gender Studies’ “NEW Leadership Texas” program;
- 9) College of Fine Arts’ “Kendra Scott Women’s Entrepreneurial Leadership Institute” (WEL Institute); and
- 10) College of Natural Sciences, Department of Computer Sciences’ “Academy for Women.”

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination based on sex in any education program or activity receiving Federal financial assistance. OCR determined the University a recipient of Federal financial assistance from the Department. Therefore, OCR has jurisdictional authority to process this complaint for resolution under Title IX.

OCR determined that it has jurisdiction, and the complaint allegations were timely filed and is therefore opening Allegations 2-6 and 8-10 for investigation. Please be advised that opening these allegations for investigation in no way implies that OCR has made a determination regarding their merits. During the investigation, OCR’s role is to be a neutral factfinder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of OCR’s *Case Processing Manual* (CPM).

Based on the foregoing, OCR has determined that it will not proceed with Allegations 1 and 7.

Pursuant to Section 108(c) of its CPM, OCR will dismiss a complaint allegation if, based on all the facts/information provided by the complainant or publicly available information, OCR cannot reasonably conclude that the recipient has violated a law OCR enforces. A review of the University’s *LBJ Women’s Campaign School* (School) website showed that while the School “trains women to run for office or manage campaigns ... [and] inspire[s] women to enter the political arena ...,”<sup>1</sup> its Frequently Asked Questions page clearly states that the School is not “only for those who identify as women,” but the School is “an inclusive training program [and] [p]eople of all gender identities are encouraged to apply.”<sup>2</sup> OCR’s evaluation of this allegation indicates that the School, while including language that may encourage women to apply, also includes language explicitly indicating that it is not restricted to female participants. Further, by email September 22, 2021, you responded to OCR’s inquiry of any information of identification of one or more individuals who have been excluded from the School because of their sex, neither providing OCR a direct response of “yes” or “no,” nor otherwise providing the name of such an individual. Therefore, based on all the information you provided and/or that is publicly available, OCR cannot reasonably conclude that the School violates Title IX so is dismissing Allegation 1 as of the date of this letter and will take no further action thereto.

In addition, OCR will not proceed with an investigation of Allegation 7 as provided under Section 108(c), as already explained. Based on a review of your August 9<sup>th</sup> assertions of additional allegations of discrimination, this Office is dismissing your allegation that the University’s “Partners with WEP” is a program that discriminates against “[p]re-college or

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<sup>1</sup> <https://lbjwcs.lbj.utexas.edu/>

<sup>2</sup> <https://lbjwcs.lbj.utexas.edu/faq>

current male engineering students” by “exclud[ing] [them] from this partnership program that is available exclusively for female engineering students.” Rather, a review of the website included in your complaint indicates that “Partners with WEP” is not an educational program offered by the University, but rather a means by which one may make “[f]inancial contributions to WEP [to] support all the program’s initiatives, student and program staff and student scholarships.”<sup>3</sup> Based on the information you provided, and that is publicly available, OCR cannot reasonably conclude that the University has violated a law OCR enforces. We are therefore dismissing Allegation 7.

OCR has a variety of options for resolving complaints, including facilitated resolutions and investigations. OCR does not act as an advocate for either party during the process. For example, OCR offers, when appropriate, a mediation process called *Facilitated Resolution Between the Parties* (FRBP) to facilitate the voluntary resolution of complaints by providing an opportunity for the parties involved (complainant and recipient) to resolve the complaint. If both parties are willing to try this approach, and if OCR determines that FRBP is appropriate, OCR will facilitate settlement discussions between the parties and work to assist both parties in understanding the legal standards and possible remedies. More information about the FRBP process may be found in OCR’s *Complaint Processing Procedures*, which was referenced in OCR’s March 23, 2020, email to you acknowledging our receipt of this complaint.

The University has been informed of OCR’s investigation, and information and documentation have been requested. OCR will contact you and the University regarding the next step in the resolution process after it receives the District’s response.

You have a right to appeal OCR’s determination of Allegations 1 and/or 7 within sixty (60) calendar days of the date indicated on this letter. An appeal can be filed electronically, by mail, or fax. You must submit a completed online appeal form at <https://ocrcas.ed.gov/content/ocr-electronic-appeals-form>, or written statement of no more than ten (10) pages (double-spaced, if typed). All information to support the appeal must be submitted in writing at the time you file the appeal, and you may not submit new evidence for consideration on appeal (rather, new evidence may be submitted by filing a new complaint). If your appeal is submitted by mail, please send to the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202. If submitted via e-mail, send to [OCR@ed.gov](mailto:OCR@ed.gov). If submitted via fax, please send to 202-453-6012. The filing date on an appeal is the date the appeal is postmarked, submitted electronically, or submitted via fax. In the appeal, you must explain why you believe the factual information was incomplete or incorrect, the legal analysis was incorrect, or the appropriate legal standard was not applied, and how the correction of any error(s) would result in Allegations 1 or 7 being opened for investigation. Failure to provide this information may result in denial of the appeal.

Please be advised that the University may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, that individual may file a complaint alleging such treatment.


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<sup>3</sup> <https://cockrell.utexas.edu/wep/partner>

Under the Freedom of Information Act, 5 U.S.C. § 552, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have questions during the investigation of this complaint, you may contact Thomas W. Stack at (214) 661-9650, or me at (214) 661-9687.

Sincerely,



Digitally signed by Terri  
Gonzales  
Date: 2021.11.10 15:30:57  
-06'00'

Terri Gonzales  
Supervisory Attorney/Team Leader  
Dallas Office