NASA’s Title IX Compliance Review Program

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STEM Programs NASA has evaluated under Title IX or related civil rights laws:

- Aerospace Engineering
- Electrical/Computer Engineering
- Physics
- Geology/Geosciences
- Biology
- Chemistry
- Astronomy/Planetary Science
- Oceanography/Marine Sciences
- Meteorology/Atmospheric Sciences

Support of STEM education and programs in schools, colleges, and universities plus STEM job opportunities is a priority at NASA, since this has an impact on the future of the nation’s space program, and the STEM pipeline.
Background

- NASA ODEO conducts two university STEM program on-site reviews under Title IX per year and has done so since 2006
- Reviews are based on neutral selection criteria
- The Agency reviews University-wide Title IX policies and procedures but looks environmentally and administratively at individual NASA-funded STEM programs
- We look at how Title IX is applied in the STEM academic context
NASA Onsite Civil Rights Reviews 2007-2016
NASA’s Office of Diversity and Equal Opportunity’s Program Planning and Evaluation Division performs the following activities with respect to external civil rights compliance of NASA Recipients:

• Policy Development and Implementation
• Desk Audits
• Compliance Reviews (on-site)
• Discrimination Complaints Training
• Technical Assistance
• Interagency (Federal) Coordination
NASA Pre-Award Compliance Process

NASA Form 1206 – “Assurance of Compliance with the National Aeronautics and Space Administration Regulations Pursuant to Nondiscrimination in Federally Assisted Programs”

- Recipient/Selectee asserts that it does not and will not discriminate on the bases of race, color, national origin, gender, disability or age in the provision any of its programs, services and activities

- Outlines some basic compliance responsibilities

- Requests information on complaints and lawsuits filed against selectee in the past three years (Section 2) in STEM Programs Only

- Only one form is required per recipient, not per grant every three years.
Onsite Selection Process

NASA ODEO will identify and apply appropriate neutral criteria to select at least two recipients per fiscal year for a Title IX on-site compliance review. The selection criteria are:

• Grant-related criteria

• Geographic diversity of ODEO’s compliance review site selection

• Type of STEM program

• Program participation rates of women in the selected academic program

• Recent internal and external (NASA or other Federal agency) complaints or compliance reviews

• Other information received in the course of Title IX compliance activities.
Requesting Data and Information

- Pre-Onsite information request – comprehensive, statistical/factual:
  - Graduate and undergraduate statistics
  - EO policies
  - EO grievance procedures
  - Number of discrimination complaints based on gender
  - EO training, including sexual harassment prevention, of faculty and students
Onsite Compliance Review Process

- Onsite Selection Process
- Notification Letter to University President of Title IX onsite review
- Request for Information Letter to Title IX Coordinator (45 to 90 day response time)
- Review information/schedule onsite and coordinate onsite logistics
  - Schedule onsite for Fall or Spring Semester
- Opening Session with University, College, Departmental leadership and Title IX/Equal Opportunity leadership
- Interviews
- Lab/facility tours
- Closing Session with leadership; discuss preliminary findings
- Investigative Report is drafted and sent to the university for review and comment
- Final Report and Letter Is Issued
- One Year Follow-Up Letter
Onsite Interviews

- NASA interviews typically include:
  - Title IX Coordinator
  - Dean of College and Department Chair
  - Director of ADVANCE grant
  - Director of women’s program, e.g., WISE
  - Chairs of Graduate and Undergraduate Committees
  - Recruitment and retention staff
  - All female faculty of selected department
  - Principle investigators for NASA grants
  - Post-docs, graduate and undergraduate students
Focus Areas

- Title IX Coordinator
- Policy Dissemination
- Grievance Procedures
- Sexual Harassment Prevention
- Recruitment, Outreach, Admissions, Enrollment
- Learning Environment: Classroom/Lab/Activities
- Self-evaluation
- Academic Advising
- Family Friendly Policies
- Safety
Areas of Concern

- Lack of female role models
- Lack of gender diversity on department website and in other communication materials
- Fragmented and duplicative efforts across campus to address under-representation of women in STEM
- Inappropriate use of the Graduate Records Exam (GRE) for admissions
- Gender disparities in graduate exam pass/fail rates
- Professors not correcting inappropriate conduct, especially when it happens outside the classroom or lab
- Sexually harassing conduct in STEM programs
Compliance Actions Needed

- Expand recruitment sites and methods to reach more female graduate students and female faculty applicants.

- Strengthened institutional Title IX policies and procedures to better ensure that discrimination or harassment are appropriately addressed.

- Better program self-evaluation, including climate issues, such as presence of implicit bias or hostile environment (should address sexual harassment).

- Stronger emphasis on education and awareness efforts to take proactive measures against inappropriate or harassing conduct, including enhanced briefing/dialogue/information dissemination with faculty and training for graduate/teaching assistants utilizing real-world examples that can resonate.

- Improved safety measures for STEM and on campus, particularly around facilities used at night (e.g., labs, library, parking lots).

- Formalized and better communicated pregnancy and family leave policies.
Addressing Non-Compliance

- The NASA Principle Civil Rights Compliance Officer (Associate Administrator for Diversity and Equal Opportunity or AA, ODEO) has advised the recipient institution of its non-compliance, after an express finding on the record (for example, finding of a sexually hostile educational environment).

- The AA, ODEO has undertaken efforts to secure compliance voluntarily from the recipient, for example, through a signed resolution agreement, and determined that compliance cannot be secured by voluntary means.

- The recipient has been afforded an opportunity for a hearing, presided over by the Administrator or his designee, with the right to produce credible evidence, subject testimony to cross-examination, exclude irrelevant or immaterial evidence, and have all decisions based upon the hearing record and written findings made by the AA, ODEO.
Addressing Non-Compliance

• The Administrator has approved the decision to suspend or terminate finds, based on the recommendation of the AA, ODEO.

• The Administrator has provided a full written report of the circumstances and the grounds for suspension or termination and filed it with the committees of the House and Senate with legislative jurisdiction over the program involved.

• Thirty days have expired after the Administrator’s provision of the full written report to the appropriate Congressional committees.
Promising Practices

• Introductory science and engineering classes intentionally designed to appeal to a diverse group of students and includes racially and gender diverse guest lecturers

• Science and Engineering Advising Centers – for first year, undeclared majors

• Undergraduate Research Opportunities Program (UROP)

• Departmental town hall meetings demonstrating inclusion (e.g., recognizing students for excellent work)

• Physics Graduate Student Council deployed a survey that included gender equity issues for the physics program
Promising Practices

- Departmental funding and strong faculty support of student organizations e.g., Women in Science and Engineering, Women in Physics

- Collaborative partnerships between Title IX Coordinator and university leadership, including participation on faculty search committees

- Title IX Coordinator provides advice, briefings, dialogues, information dissemination to deans, chairs, and faculty on their roles and responsibilities under Title IX

- Title IX Coordinator provides training to all new graduate teaching assistants, covering roles and responsibilities associated with Title IX compliance
Promising Practices

- Adequate on-campus child care and lactation facilities for STEM faculty, staff, and students
- Family health care coverage and paid maternity leave for graduate students
- ADVANCE program to increase female faculty in STEM (and university funding of program after NSF grant expires)
- Safe-ride program, escort services, security cameras, safety emails, safety handbook, police presence, and other safety measures on and around campus
- ODEO’s website designed to broaden the reach of our technical assistance efforts to all of our grant recipients.
- Provide readily available critical information on civil rights compliance requirements.
- Serve as a vehicle for fostering active communication between NASA, our grant recipient institutions, and other stakeholders.
- Showcase best practices and help to address common challenges.
- Reach out to the beneficiaries of our grants, e.g., STEM students and science museum patrons, to provide support for pursuing career paths in STEM.