

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



October 7, 2010

Reply to Attn of:

Office of Diversity and Equal Opportunity

Cert. Mail No.: 7007 2680 0001 2215 8982

Mr. William Powers Jr.
President
The University of Texas at Austin
Main Building 400 (G3400)
Post Office Box T
Austin, Texas 78713-8920

Dear Mr. Powers:

The National Aeronautics and Space Administration (NASA) has completed a compliance review of the University of Texas at Austin (UTA or the University), a recipient of NASA financial assistance. This limited scope review, focused on the Cockrell School of Engineering's (CSE) Aerospace Engineering and Engineering Mechanics (AEEM) program, was conducted pursuant to the Age Discrimination Act of 1975 (Age Act or the Act), as amended, 42 U.S.C. §§ 6101, et seq. and NASA's implementing regulations at 14 C.F.R. Part 1252, which prohibit discrimination on the basis of age in programs and activities receiving Federal financial assistance through NASA. The review was conducted to determine whether UTA was in compliance with NASA's Age Act regulations; specifically, to ensure that the AEEM program provides equal educational opportunity regardless of age. Please find enclosed a copy of NASA's report of the compliance review and the NASA Age Act regulations.

Based on an evaluation of the data provided by UTA and from on-site interviews and observations, we find UTA and the AEEM program to be in compliance with NASA Age Act regulations. More specifically, we find that UTA and the AEEM program are meeting Age Act legal obligations and are implementing policies and procedures appropriate to achieving equality of access for all students, regardless of age.

In fact, NASA observed many strengths in UTA's and CSE/AEEM's programs regarding Age Act considerations. For example, UTA has a well-designed internal discrimination complaints policy and procedures including investigation, adjudication, remedies and penalties. With respect to admissions, outreach, and retention, the University does not require transfer students to submit SAT/ACT scores. Such policies are consistent with efforts to address the needs of both traditionally aged and nontraditionally aged students (e.g., undergraduates over age 25), as the latter group may have been away from a traditional learning environment and subject matter associated with these testing methods for much longer than their younger peers.

In addition, the University attempts to show diversity of the student population through visual imagery on its Web site depicting the presence and participation of adult learners in both undergraduate and graduate studies. Importantly, the University appears to make efforts to help students succeed, regardless of age or other demographic category, by offering remediation,

coping programs, and programs to support recruitment and retention to students and prospective students.

In terms of areas for improvement, NASA recommends that the University enhance its civil rights informational and training materials to refer specifically to the Age Discrimination Act, and provide practical examples of how the Act may affect the University, such as ensuring equal opportunities for both traditional and nontraditional or adult learners. In addition, UTA may wish to consider broader changes to institutional policy that would expand access for nontraditional learners to its programs and services through expanded night-time and weekend course offerings, and alternative forms of program delivery, e.g., greater focus on online platforms and video-taping. While the Age Discrimination Act does not require affirmative efforts that may facilitate education for nontraditionally aged (and other) students, such efforts are entirely consistent with the purpose and intent of the Act and NASA's implementing regulations.

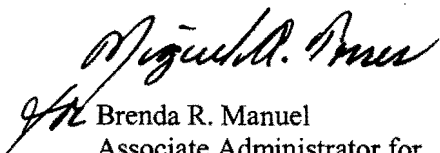
NASA has provided specific recommendations regarding these and other equal opportunity matters. We are pleased to note that UTA reports it has already begun implementation of some of our key recommendations. We will contact UTA in one year to follow up on its progress in implementing these recommendations.

UTA has been very helpful in facilitating the review prior to, during, and after the on-site visit. NASA wishes to thank UTA's Associate Vice President for Institutional Equity and Workforce Diversity, Ms. Linda Millstone, as well as the faculty, staff, and students of the AEEM program, for their participation in the review.

Under the Freedom of Information Act, it may be necessary to release the report and related records on request. If NASA receives such a request, it will seek to protect, to the extent provided by law, personal information which, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

If you have any questions regarding this correspondence, please contact Mr. David R. Chambers, Age Discrimination Act Program Manager, on 202-358-2128 at david.r.chambers@nasa.gov.

Sincerely,



Brenda R. Manuel
Associate Administrator for
Diversity and Equal Opportunity

Enclosures

cc:

Linda Millstone, Associate Vice President
for Institutional Equity and Workforce Diversity
Dr. Vigor Yang, Chair, AE Department