

National Aeronautics and Space Administration

**Headquarters**

Washington, DC 20546-0001



Reply to Attn of:

**Office of Diversity and Equal Opportunity**

Ronald J. Daniels  
President  
The Johns Hopkins University  
Office of the President  
242 Garland Hall  
3400 N. Charles Street  
Baltimore, Maryland 21218

Dear President Daniels:

The National Aeronautics and Space Administration (NASA) has completed its compliance review of the Johns Hopkins University (JHU), a recipient of NASA financial assistance. The review was conducted pursuant to Title IX of the Education Amendments of 1972 (Title IX) and NASA's Title IX implementing regulations at 14 C.F.R. Part 1253, which prohibit discrimination on the basis of sex in educational programs receiving Federal financial assistance through NASA. The review was limited in scope to the University's compliance with basic Title IX procedural requirements, such as internal complaint procedures, as well as an assessment of JHU's efforts to ensure equal opportunity regardless of sex within the NASA-funded Department of Earth and Planetary Sciences and the Department of Physics and Astronomy. Please find enclosed a copy of NASA's report of the compliance review and the NASA Title IX regulations.

Based on an evaluation of the data provided by JHU and from on-site interviews and observations from its April 2018 onsite review, NASA did not find evidence of non-compliance with basic institutional Title IX procedural requirements regarding coordination, grievance procedures, and self-evaluation. With respect to the Department of Earth and Planetary Sciences and the Department of Physics and Astronomy, NASA also did not find a Title IX violation in that we did not find evidence of denial of program access or limitation on participation based on sex.

NASA is pleased to report we identified a few promising practices through our compliance review. In addition, NASA provided recommendations throughout the report regarding both procedural requirements as well as program administration that are designed to assist JHU in furthering their efforts to ensure equal educational opportunity regardless of sex, as required by Title IX. Additionally, NASA will assess JHU's progress toward addressing the recommendations and strengthening Title IX efforts six months from the date of this report.

For additional civil rights technical assistance, JHU may also wish to visit our MissionSTEM Website at <http://missionstem.nasa.gov/>. The MissionSTEM Website is designed to assist NASA grant recipients in meeting their compliance obligations under equal opportunity laws and NASA's regulations. To this end, the site provides a host of information and resources on compliance requirements as well as promising practices of our grant recipients.

We appreciate JHU's cooperation in facilitating NASA's review prior to, during, and after the on-site visit. In particular, I would like to thank Ms. Joy K. Gaslevic, JD, Assistant Vice Provost and Title IX Coordinator, Dr. Thomas Haine, Department Chair of Earth and Planetary Sciences, Dr. Timothy Heckman, Department Chair of Physics and Astronomy, as well as the faculty, staff and students of JHU for their participation in the review.

Please be advised that, in the interest of transparency, ODEO posts NASA's Title IX compliance reports on the MissionSTEM Website. The report and related records also may be requested through the Freedom of Information Act. However, the reports are written, to the extent possible, without revealing personal information that could result in an unwarranted invasion of privacy.

If you have any questions regarding this correspondence, please contact Mr. Richard N. Reback, Director, Complaints and Programs Division, Office of Diversity and Equal Opportunity at 202-358-1597, or [Richard.N.Reback@nasa.gov](mailto:Richard.N.Reback@nasa.gov).

Sincerely,



Stephen T. Shih  
Associate Administrator  
for Diversity and Equal Opportunity

Enclosures

cc:

Ms. Joy K. Gaslevic, JD, Assistant Vice Provost and Title IX Coordinator  
Dr. Thomas Haine, Earth and Planetary Sciences Department Chair  
Dr. Timothy Heckman, Physics and Astronomy Department Chair



# **Title IX Compliance Report:**

## **Johns Hopkins University**

### **Department of Physics and Astronomy**

### **Department of Earth and Planetary Sciences**

**August 2019**



*Rev. 7-16-2019*

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**NASA Title IX Compliance Report  
August 2019**

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# NASA Title IX Compliance Report August 2019

## I. INTRODUCTION

NASA conducted a Title IX compliance review of the Johns Hopkins University (University or Johns Hopkins), Department of Earth and Planetary Sciences (EPS) and Department of Physics and Astronomy (Physics), a recipient of NASA funding. The review assessed compliance with Title IX of the Education Amendments of 1972, and NASA's implementing regulations prohibiting discrimination on the basis of sex in educational programs and activities receiving Federal financial assistance.<sup>1</sup> NASA Title IX regulations and Agency authorizing legislation provide for periodic review of NASA grant recipients.<sup>2</sup>

## II. COMPLIANCE REVIEW ANALYSIS

In conducting this compliance review, NASA reviewed documents provided by the University in response to the Agency's information requests and conducted a survey of students and post-doctoral researchers (post-docs). The Agency conducted an onsite review at Johns Hopkins on April 17-19, 2018, during which the review team interviewed 51 Physics and EPS faculty, graduate and undergraduate students, post-docs and University administrators involved in the implementation of Title IX requirements.

The compliance review analysis provides an assessment of issues within two focus areas of procedural compliance requirements and methods of program administration. Regulatory requirements and findings of fact are set forth as part of the compliance assessment under each main topic. NASA relies on guidance from the Department of Education's (DOEd) Office of Civil Rights (OCR) and the Department of Justice (DOJ) Civil Rights Division to analyze Title IX statutory and regulatory requirements. The associated recommendations are intended to strengthen existing compliance. Promising practices associated with each of the compliance areas are also reported.

### A. Designation of Official for Title IX Coordination and Enforcement

#### 1. *Compliance Assessment*

The NASA Title IX regulations state that a recipient must designate an official responsible for Title IX coordination and enforcement, i.e., a "Title IX Coordinator."<sup>3</sup> NASA focused on the following key aspects of Title IX coordination: (1) effective functioning, including skills and competencies, regarding the key responsibilities of administrating and implementing the University's Title IX grievance process; (2) the

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<sup>1</sup> Title IX of the Education Amendments, as amended (20 U.S.C. §§ 1681-1688); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 14 C.F.R. Part 1253; NASA Policy Directive 2081.1A, Subject: Nondiscrimination in Federally Assisted and Federally Conducted Programs of NASA – Delegation of Authority.

<sup>2</sup> See 65 Fed. Reg. 52,859 (Aug. 30, 2000). Enforcement Procedures, 14 C.F.R. § 1253.605 (incorporating compliance requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)).

<sup>3</sup> 14 C.F.R. § 1253.135(a).

authority and access of the Title IX Coordinator to University senior leadership needed to effectively perform roles and responsibilities; and (3) appropriate training of faculty, staff, and students.<sup>4</sup>

<i>Review Criteria: Designation of Title IX Coordinator, Dissemination of Contact Information, Skills and Competencies, Access and Authority</i>	<i>Yes</i>	<i>No</i>
1. The University has designated a Title IX Coordinator.	X	
2. The Title IX Coordinator has notified faculty, staff, and students regarding his or her contact information (including name, office address, and telephone number).	X	
3. A majority of Departmental faculty, students, and staff interviewed are familiar with the name and/or office of the Title IX Coordinator.		X
4. The Title IX Coordinator has the appropriate skills and competencies regarding the key responsibilities of administering the University's Title IX grievance process.	X	
5. Title IX Coordinator has the authority and access to university senior leadership needed to effectively perform roles and responsibilities.	X	

<i>Review Criteria: Provision of Title IX Training</i>	<i>Yes</i>	<i>No</i>
1. Title IX Coordinator provides appropriate training to faculty, staff, and students.	X	
2. Students interviewed recall having had education and awareness opportunities on:		
a. Sex discrimination		X
b. Sexual harassment		X
c. Sexual assault awareness		X
d. Implicit (unconscious) bias		X
3. If training is provided, is it mandatory?	X	
4. If training is provided, are there education and awareness modules designed to resonate with science, technology, engineering, and mathematics (STEM) students and faculty, e.g., using hypothetical examples of inappropriate conduct or actions that might occur in a STEM setting such as a lab?	X	

## 2. Analysis and Findings

As required, the University must notify all students and employees of the Title IX Coordinator's name, office address, and telephone number. NASA reviewed the University's dissemination of contact information for its Title IX Coordinator and the extent to which faculty, staff, and students are aware of her role on campus. A majority of faculty and students interviewed during the compliance review did not know the identity of the Title IX coordinator. While this is common on large campuses, the Title IX Coordinator may address this by more widely distributing, using multiple avenues, contact information (see Recommendation below). The University administers a training that includes many specific examples in both the employee and student context, many nuanced points and incorporation of strong material on

<sup>4</sup> While the NASA Title IX regulations do not provide further specificity regarding the effective functioning of the Title IX Coordinator's role, the U.S. Department of Justice (DOJ), which has oversight responsibility for all Federal Title IX compliance and enforcement activities, has provided additional considerations for Federal agencies evaluating recipient compliance with the Title IX Coordinator regulatory provision (DOJ, "Questions and Answers Regarding Title IX Procedural Requirements" Title IX Q&A), accessed at <http://www.justice.gov/crt/about/cor/coord/TitleIXQandA.php>. More recently, in April 2015, the U.S. Department of Education (DOEd) Office for Civil Rights (OCR) offered a Dear Colleague Letter (DCL) and Resource Guide specifically addressing Title IX coordination, focusing on the authority, responsibilities, and training of Title IX Coordinators (accessible at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf> and <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf>). For example, with regard to authority of the Title IX Coordinator the guide states: "Title IX coordinators can be effective agents for ensuring gender equity within their institutions only when they are provided with the appropriate authority and support necessary to coordinate their institution's Title IX compliance, including access to all of their institution's relevant information and resources." (Title IX Resource Guide, p. 6).

implicit bias and micro-aggressions. However, it appears this training was only taken by faculty as students did not seem to recall.

Under Title IX, responsible employees with authority to take action to redress sexual violence, or who have been deemed mandatory reporters by their institutions are required to report discrimination. Faculty and staff interviewed during the compliance review were aware of their designations as Mandatory Reporters; however, they were unsure of their duties. This presents a concern because it suggests that some individuals raising potential Title IX matters may not be receiving effective responses.

**NASA finds that the University is in compliance with its obligations to designate an Official for Title IX Coordination and Enforcement.**

### *3. Recommendations*

**Strategic Efforts to Enhance Contact Information Dissemination.** NASA recommends that the Title IX Coordinator enhance her efforts to provide various colleges and programs of the University to ensure that Title IX information is distributed to all faculty, staff and students. This may include a strategic communications plan designed to better publicize this information online and in well-travelled areas campus-wide.

**Enhanced Title IX Training:** NASA recommends annual Title IX training designed to resonate with participants, including STEM faculty, staff and students. Such training should focus both on subtler forms of bias based on sex as well as on more egregious examples of sexual harassment. NASA also recommends utilization of its “Unconscious Bias in STEM” learning tool, accessible at: <http://missionstem.nasa.gov/eLearn.html>.

**Provision of Information on Mandatory Reporting:** NASA recommends that the University create and distribute an easy to understand, written explanation for all aspects of the role of the Mandatory Reporter to appropriate faculty and staff.

## **B. Adoption of Grievance Procedures and Policy Dissemination**

### *1. Compliance Assessment*

The NASA Title IX regulations require that recipient educational institutions adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX.<sup>5</sup> NASA’s Title IX regulations also require grant recipients to take specific and continuing steps to notify students, employees, applicants for admission and employment, and unions or professional organizations having collective bargaining or professional agreements with the recipient, that the recipient does not discriminate based on sex in the educational programs or activities that it operates, and that it is required by Title IX not to discriminate in such a manner.<sup>6</sup> The University’s compliance with regard to: (a) the content of the grievance procedures and how they are implemented; and (b) policy dissemination, is discussed below.

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<sup>5</sup> Designation of responsible employee and adoption of grievance procedures, 14 C.F.R. § 1253.135(b).

<sup>6</sup> Dissemination of policy, 14 C.F.R. § 1253.140.

a. *Grievance Procedures – As Written and Disseminated*

<i>Review Criteria: Grievance Procedures As Written – Required by OCR</i>	<i>Complaints Against Faculty/Staff<sup>7</sup></i>		<i>Complaints Against Students<sup>8</sup></i>	
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>
<i>In evaluating whether a school's grievance procedures are prompt and equitable, thus satisfying the Title IX requirement, NASA looks to applicable DOJ and OCR guidance to determine whether the procedures provide for:</i>				
1. Notice of right to file with appropriate Federal agency, either simultaneously or after unsatisfactory resolution of internal grievance. <sup>9</sup>	X		X	
2. Notice to students and employees of procedure, including where complaints may be filed.	X		X	
3. Application of procedure to complaints alleging harassment carried out by employees, other students, or third parties.	X		X	
4. Provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.	X		X	
5. Designated and reasonably prompt timeframes for the major stages of the complaint process.	X		X	
6. Written notice to complainant and alleged perpetrator of the outcome of complaint.	X		X	
7. Assurance that the school will take steps to prevent recurrence of any harassment and correct its discriminatory effects on the complainant and others, if appropriate. <sup>10</sup>	X		X	
8. Clear definitions of key terms, such as harassment and hostile environment.	X		X	
9. Clear prohibition against retaliation.	X		X	
10. Appeals, if included, must be accorded equally between the parties.	X		X	

<i>Review Criteria: Grievance Procedures As Written – Recommended Best Practices</i>	<i>Complaints Against Faculty/Staff</i>		<i>Complaints Against Students</i>	
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>
<i>Although not required by OCR, NASA recommends that grievance procedures include the following:</i>				
1. Identification of employee(s) responsible for evaluating requests for confidentiality.	X		X	
2. Notice of:				
• Student's right to file a criminal complaint and Title IX complaint simultaneously.	X		X	

<sup>7</sup> <https://sexualassault.jhu.edu/policies-laws/>

<sup>8</sup> <https://sexualassault.jhu.edu/policies-laws/>

<sup>9</sup> DOJ, Title IX Q&A, "Grievance Procedures."

<sup>10</sup> See OCR Revised Sexual Harassment Guidance, § IX. Prompt and Equitable Grievance Procedures (citations omitted).

<ul style="list-style-type: none"> <li>• Available interim measures that may be taken to protect the student in the educational setting.</li> </ul>	X		X	
<ul style="list-style-type: none"> <li>• Potential remedies for students.</li> </ul>		X		X
<ul style="list-style-type: none"> <li>• Potential sanctions against perpetrators.</li> </ul>	X		X	
3. Sources of counseling, advocacy, and support.	X		X	

<i>Review Criteria: Dissemination of Title IX Policies and Grievance Procedures</i>	<i>Complaints Against Faculty/Staff</i>	<i>Complaints Against Students</i>
1. The University’s grievance procedures have been appropriately disseminated and efforts have been made to ensure ease of access and understanding. <sup>11</sup>	X	X
2. Title IX policies and procedures are posted in the following locations:		
a. On University Web site for Title IX Coordinator	X	X
b. On University Web site for Student Affairs or other office	X	X
c. In University handbook and/or catalog	X	X
d. In the Department under review (i.e., on a poster or other notice)		X
3. The Title IX procedures are easily found through a search on the University Web site.	X	X
4. Students are regularly reminded of Title IX policies and procedures via email or letter (e.g., at the start of each semester).		X
5. Students interviewed seem to understand the process for filing a Title IX complaint.	X	X
6. Faculty members interviewed seem to understand the process for filing a Title IX complaint.	X	X

*b. Grievance Procedures – As Implemented by the University and Department*

<i>Review Criteria: Grievance Procedures As Implemented by the Department</i>	<i>Yes</i>	<i>No</i>
1. In the Department in the past 5 years, there have been formal complaints of:		
<ul style="list-style-type: none"> <li>• Sex discrimination</li> </ul>	X	
<ul style="list-style-type: none"> <li>• Sexual harassment</li> </ul>	X	
<ul style="list-style-type: none"> <li>• Sexual assault</li> </ul>		X
2. If yes, did the University follow the written Title IX procedures in addressing the incident(s)?	X	
3. During interviews, faculty, staff, and/or students reported other or potential incidents of:		
<ul style="list-style-type: none"> <li>• Sex discrimination</li> </ul>		X
<ul style="list-style-type: none"> <li>• Sexual harassment</li> </ul>		X
<ul style="list-style-type: none"> <li>• Sexual assault</li> </ul>		X

<sup>11</sup> Importantly, OCR states that “[a] grievance procedure . . . cannot be prompt or equitable unless students know it exists, how it works, and how to file a complaint. Thus, the procedures should be written in language appropriate to the age of the school’s students, easily understood, and widely disseminated.” Revised Sexual Harassment Guidance, § IX. Prompt and Equitable Grievance Procedures.

## 2. Analysis and Findings

As required, the University must notify all students of their right to file a complaint under Title IX. A complaint must ordinarily be filed within 180 days of the last act of discrimination. Complaints involving matters that occurred after this timeframe must include a showing of good cause as to why the complaint could not be filed within the 180-day period. NASA reviewed the University's Sexual Misconduct Policy and Discrimination and Harassment Procedures and the extent to which students were made aware of their rights to file complaints under Title IX. The University notified all students of their right to file a complaint in its grievance procedures. The University displays a simplified rendering of the process that is easy to find on its webpage. However, the timeliness for filing complaints with federal agencies were not adequately addressed.

**NASA finds that Johns Hopkins is in compliance with its obligations to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints.**

## 3. Recommendation

**Additional Information on Filing with Federal Agencies.** NASA recommends that the University update its Sexual Misconduct Policy and Discrimination and Harassment Procedures to reflect the 180 day timeframe for filing a complaint with a federal agency under Title IX. Additionally, the University should state that participants in programs funded by other federal agencies may file directly with those agencies.

## 4. Promising Practice

**Process Flowchart.** The University's Complaint Process Flowchart provides all the necessary process elements in a single visual pictorial that is easy to understand and available on its website. Students, faculty and staff can become familiar with the process which enhances transparency and can eliminate anxiety that may prevent people from filing complaints.

## C. Recruitment, Admissions, Enrollment, Degrees Earned, and Faculty Recruitment<sup>12</sup>

### 1. Compliance Assessment

The NASA Title IX regulations state that grant recipients may not discriminate on the basis of sex in admissions and recruitment. Specifically, the regulations prohibit educational institutions from such activities as:<sup>13</sup>

- Giving preference to one person over another on the basis of sex, by ranking applicants separately on such basis, or otherwise;
- Applying numerical limitations upon the number or proportion of persons of either sex who may be admitted;
- Administering or operating any test of other criterion for admission that has a disproportionately adverse effect on persons on the basis of sex;

<sup>12</sup> All data in this section pertaining to Johns Hopkins students was provided by the University in response to NASA's information request.

<sup>13</sup> 14 C.F.R. §1253.300–1253.455.

- Making pre-admission inquiries as to the marital status of applicants for admission; and
- Applying rules concerning actual or potential parental, family, or marital status of an applicant that treats persons differently on the basis of sex when determining whether a person satisfies admission criteria.

In addition, NASA’s regulations regarding the prohibition of discrimination on the basis of sex in employment in educational programs also apply to the recruitment, advertising, and the process of application for employment.<sup>14</sup>

*a. Outreach and Recruitment*

<i>Review Criteria: Outreach and Recruitment</i>	<i>Yes</i>	<i>No</i>
1. The Department participates in programs to provide outreach to high school students (particularly for female students).	X	
2. The Department has undertaken recruitment efforts to attract more female applicants.		X
3. The Department’s website and outreach materials reflect gender diversity through images and other information.	X	

*b. Graduate Admissions, Enrollment, and Degree Progress*

<i>Review Criteria: Graduate Admissions, Enrollment, and Financial Aid</i>	<i>Yes</i>	<i>No</i>
1. Graduate admissions criteria appear to be neutral, valid predictors of success; are fairly applied; and have no adverse impact based on sex.	X	
2. There is no evidence of a differential based on sex between those accepted and those enrolling.	X	
3. Admissions processes and policies are set forth in writing and clearly described.	X	
4. Procedures for selecting students for fellowships, research assistantships, teaching assistantships, and other types of funding are set forth in writing and clearly described.		X

*c. Undergraduate Admissions, Enrollments, and Degree Progress*

<i>Review Criteria: Undergraduate Admissions, Enrollment, and Financial Aid</i>	<i>Yes</i>	<i>No</i>
1. Undergraduate admissions criteria are neutral, valid predictors of success; are fairly applied; and have no adverse impact based on sex.	X	
2. There is no evidence of a differential based on sex between those accepted and those enrolling.		Data not available
3. Admissions processes and policies are set forth in writing and clearly described.	X	

*d. Faculty Hires*

<i>Review Criteria: Faculty Hires</i>	<i>Yes</i>	<i>No</i>
1. Search committees receive training/education regarding diversity and implicit gender bias.	X	
2. Gender diversity is a requirement for search committees.	X	

<sup>14</sup> 14 C.F.R. § 1253.500.

3. The University or Department tracks gender diversity of applicant pools.	X	
4. The University or Department takes steps to ensure the gender diversity of applicant pools.	X	

## 2. Analysis and Findings

For prospective students, one of the most important sources of funding to consider are scholarships, grants, and fellowships. As merit-based financial support that does not have to be repaid, the process to secure such funding is increasingly competitive. For graduate students, NASA examined financial assistance awarded to students and success on the comprehensive and qualifying exams. Students interviewed during the compliance review were unaware of any procedures used to select students for fellowships, research assistantships, teaching assistantships, and other types of funding.

NASA reviewed Johns Hopkins' faculty and student recruitment and admissions practices, as well as data on student departures and degrees earned. While not uncommon, female faculty numbers were lower than their male counterparts. Though the overall diversity of the program is good, the admission process is not transparent and there is no written departmental guidance that explains how the process works.

**NASA finds that, based on the data submitted, the Department of EPS and Physics is in compliance with its obligations to provide an environment free of discrimination on the basis of sex in its admissions and recruitment activities.**

## 3. Recommendations

**Financial Assistance:** NASA recommends that Johns Hopkins define procedures for selecting students for fellowships, research assistantships, teaching assistantships, and other types of funding.

**Evaluation of Low Numbers of Female Faculty.** NASA recommends that Johns Hopkins regularly evaluate its policies and procedures to determine if gender bias or institutional barriers are a factor in the disparity between male and female faculty.

## 4. Promising Practice

EPS graduate admissions Website suggests, "Though not a requirement, we recommend that you directly contact the department faculty members whose research programs interest you."<sup>15</sup> This type of encouragement is helpful information for prospective students who may not know how to navigate the admissions process. Thus, this is a promising practice NASA recommends other STEM departments adopt.

## D. Program Administration and Environment

### 1. Compliance Assessment

The NASA Title IX regulations provide that a recipient shall not, on the basis of sex, exclude from participation in, deny the benefits of, or otherwise limit any person in any advantage or opportunity pertaining to academic, extracurricular, research, occupational training, or other education program or activity operated by the recipient.<sup>16</sup> Additionally, the Title IX regulations incorporate by reference the

<sup>15</sup> JHU, Department of Earth & Planetary Sciences, "Admissions," accessed at <<https://eps.jhu.edu/graduate/admissions/>>.

<sup>16</sup> Education programs or activities, 14 C.F.R. § 400(a), (b)(7).

NASA Title VI regulatory provision prohibiting a recipient from utilizing methods of administration which have the effect of defeating or substantially impairing accomplishment of the objectives of the program for an individual based on sex.<sup>17</sup> In order to assess the areas discussed above, NASA examined Johns Hopkins' program administration in a variety of specific arenas, including academic advising,<sup>18</sup> research participation, classroom and lab experiences, pregnancy and parental leave policies, and physical safety of the program environment.

*a. Academic Environment (Advising, Classroom, and Lab Experiences)*

<i>Review Criteria: Advising</i>	<i>Yes</i>	<i>No</i>
1. Johns Hopkins has a written process for matching students to advisors.	X	
2. There is a standard process for changing advisors, and students are able to do so without repercussions.		X
3. NASA heard gender-related concerns regarding one or more faculty advisors.	X	
4. Overall, students believe that faculty advising is fair and equitable regardless of sex.	X	

<i>Review Criteria: Classroom/Lab Experiences</i>	<i>Yes</i>	<i>No</i>
1. Johns Hopkins has incorporated methods to improve female undergraduate representation, such as providing dedicated resources or modified curricula to better engage women in STEM, especially early in the program.	X	
2. There is equal access to lab equipment and participation in labs.	X	
3. Students perceive bias based on sex in high-stakes exams.		X
4. Statistical data suggests differential outcomes based on sex in high-stakes exams.	X	
5. Students of both sexes feel as though interactions in the classroom and lab are generally appropriate and respectful.	X	
6. Students feel professors or TAs doubt their abilities because of sex.		X
7. Students have been “warned” to stay away from certain professors because of their treatment of or interactions with students (e.g., rumors of sexual harassment, etc.).		X
8. NASA heard concerns regarding the following:		
• Professors/TAs recognizing and calling on one sex more often than another in class discussions.		X
• Professors/TAs interrupting students of one sex but not students of the other, or allowing others in the class to do so.		X
• Use of sexist stereotypes through subtle, often unintentional means.		X
• Offensive jokes or inappropriate gender-related remarks in the lab or classroom.		X
• Disrespect of abilities, based on gender (e.g., she got into that program because they’re saying “we need more women”).	X	
• Unfair grading, based on gender.		X
• Other inappropriate gender-related conduct or actions.		X
9. The Department or Program has support organizations dedicated to sex equity, e.g., women in science and engineering.		X

<sup>17</sup> Enforcement procedures, 14 C.F.R. § 605.

<sup>18</sup> The Title IX regulations state that a recipient may not discriminate on the basis of gender with regard to career counseling or guidance. Counseling and use of appraisal and counseling materials, 14 C.F.R. § 1253.425.

*b. Parental/Marital Status*

The NASA Title IX regulations include detailed provisions on matters pertaining to marital and parental status.<sup>19</sup> Generally, under the regulations, a recipient may not apply any rule concerning a student's actual or potential parental or marital status that treats students differently based on sex. The regulations also require that disabilities related to pregnancy and childbirth be treated in the same manner and under the same policies as any other temporary disability or physical condition.<sup>20</sup> Further, Title IX requires that in the case of a recipient that does not maintain a leave policy for its students, or in the case of a student who does not otherwise qualify for leave under such a policy, “a recipient shall treat pregnancy... as a justification for a leave of absence for as long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status that she held when the leave began.”<sup>21</sup> More recently, in its “Dear Colleague” letter of June 25, 2013, and the accompanying technical assistance document, “Supporting the Academic Success of Pregnant and Parenting Students,” OCR has provided a wealth of guidance and information to grant recipients on Title IX requirements pertaining to pregnancy and parental status.<sup>22</sup>

<i>Review Criteria: Parental Leave Policies</i>	<i>Yes</i>	<i>No</i>
1. The institution has a separate leave policy that addresses parental/marital status.	<b>X</b>	
<ul style="list-style-type: none"> <li>• If yes, does the policy treat pregnancy and child birth in the same manner as any other temporary disability or physical condition?</li> </ul>	<b>X</b>	
<ul style="list-style-type: none"> <li>• If no, does the policy treat pregnancy as a justification for a leave of absence for as long as deemed medically necessary by the student’s physician and that allows for reinstatement to the status she held when the leave began?</li> </ul>		<b>N/A</b>
<ul style="list-style-type: none"> <li>• Does the policy explicitly cover all members of the university community, e.g., faculty, staff and students?</li> </ul>	<b>X</b>	
2. Johns Hopkins regularly disseminates information to program participants, including faculty and students, regarding pregnancy-related policies.		<b>X</b>
3. The individual situations NASA heard about involving pregnancy indicate that individual faculty members are responding appropriately and consistent with Title IX requirements.	<b>X</b>	

*c. Safety*

<i>Review Criteria: Campus Safety</i>	<i>Yes</i>	<i>No</i>
1. Students believe the campus is a safe environment (e.g., has night-time shuttle service, night-time escort, police cars on patrol, information dissemination about safety issues)	<b>X</b>	
2. Information on safety policies is disseminated to students.	<b>X</b>	
3. Students are aware of the following safety measures:		

<sup>19</sup> Marital or parental status, 14 C.F.R. § 1253.445 and 1253.530.

<sup>20</sup> Admission, *Prohibitions relating to marital or parental status*, 14 C.F.R. § 1253.300(c)(3).

<sup>21</sup> Marital or parental status, 14 C.F.R. § 1253.445 (b)(5).

<sup>22</sup> The Dear Colleague letter is accessible at <<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201306-title-ix.pdf>>; “Supporting the Academic Success of Pregnant and Parenting Students” is accessible at <<http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>>.

• Night-time shuttle service	X	
• Night-time escort service	X	
• Regular security/police patrols on campus		X
• Regular security/police patrols in buildings where students work at night	X	
• Dissemination of information about safety issues		X
• Controlled-access buildings and labs	X	

## 2. Analysis and Findings

Interviews with faculty, students and staff revealed a significant amount of confusion regarding the University's pregnancy policies. Due to the customization of the University's pregnancy policy, interviewees reported feeling unsure what the policy is.

Interviews with faculty and students highlighted a need for affinity groups as part of a support network. Affinity groups are important tools in the creation of a diverse and inclusive environment as they can foster a community among people of similar backgrounds. These forums offer understanding, information and resource sharing that can ensure participants' collective success. Faculty and students interviewed expressed an interest in resource sharing groups and communities designed to offer various support. For example, aside from the Equity, Diversity, Inclusion committee, there are no affinity groups for women in STEM or other groups. Johns Hopkins should ensure that each student is equipped with the support needed to enjoy the benefits of its programs regardless of sex.

The University promotes an environment free of discrimination through actionable steps. These steps include: recognizing the lack of diversity within its weekly seminar speaker's series and addressing the issue; developing a code of conduct for field work; the implementation of all gender bathrooms; and updating pictures on its website to reflect a more diverse student population.

**NASA finds that Johns Hopkins is in compliance with its obligations to provide an environment that promotes a positive and safe academic environment.**

## 3. Recommendations

**Regular Title IX Self-Evaluations.** NASA recommends that Johns Hopkins conduct robust self-evaluations on a regular basis to determine how they can further improve compliance with Title IX requirements in the academic, extracurricular, research, occupational training, or other education programs. In developing Title IX self-evaluations of Physics and EPS, Johns Hopkins should refer to NASA's guide:

[https://odeo.hq.nasa.gov/documents/TITLE\\_IX\\_STEM\\_Self-Evaluation\\_Fillable.pdf](https://odeo.hq.nasa.gov/documents/TITLE_IX_STEM_Self-Evaluation_Fillable.pdf)

**Formal Affinity Groups that Support Women in STEM.** NASA recommends that Johns Hopkins solicit interest in creating affinity groups for students in STEM programs.

**Provision of Information on Parental Leave Policies to Staff, Faculty, and Students.** NASA recommends that Johns Hopkins consider clarifying parental and marital policies in a user friendly, plain-English format that will facilitate understanding of the policy by faculty, staff and students.

### **III. CONCLUSION**

NASA's review of Johns Hopkins did not reveal evidence of a Title IX violation. Specifically regarding the University's Physics and EPS programs, NASA's review did not find evidence that the programs are treating program participants differently based on sex or that the programs' methods of administration are adversely impacting or otherwise limiting program participation based on sex. Thus, the recommendations contained throughout this report are designed to assist Johns Hopkins in strengthening existing compliance and furthering the University's efforts to ensure equal educational opportunity regardless of sex in its NASA-funded program and activities.

## **APPENDIX A: Methodology**

### ***1. Pre-onsite Review Activities***

NASA developed a Title IX compliance review plan (CRP) to identify relevant regulatory requirements, potential issues and specific inquiries needed to conduct a thorough compliance assessment of its grantees. The CRP was developed in consultation with the U.S. Department of Justice (DOJ), Civil Rights Division, and the U.S. Department of Education (ED) Office for Civil Rights (OCR), the lead agencies on Title IX investigations. The CRP identified two focal points for compliance assessment: 1) Title IX procedural compliance requirements; and 2) program administration, that is, policies, procedures, and practices affecting the academic environment (see “Objectives,” above). The CRP also identified the methods by which needed information would be gathered from grant recipients, including: information requests for statistical data and relevant policies and procedures, and an onsite visit to interview university officials, program faculty, and students. In addition, NASA developed a Title IX literature review to better understand national concerns regarding gender in science, technology, engineering, and mathematics (STEM) fields as well as strategies grant recipients should undertake to address such concerns, including stronger Title IX compliance efforts in the STEM context.

### ***2. Onsite Compliance Review Activities***

The NASA compliance team conducted an onsite review of the Department of Earth and Planetary Sciences and the Department of Physics and Astronomy, during April 17<sup>th</sup> 2019 to April 19<sup>th</sup>, 2018. During the visit, the compliance team conducted one-on-one interviews with faculty, staff and students from the Department of Earth and Planetary Sciences and the Department of Physics and Astronomy. NASA, through its NASA Shared Services Center (NSSC), a professional survey administration organization, partnered with Johns Hopkins in deploying an online survey to all Department of Earth and Planetary Sciences and Department of Physics and Astronomy students and postdocs. The purposes of the survey were to: 1) gain a greater understanding of gender dynamics in the University’s academic environment in support of the compliance review analysis and assessment; and 2) provide the University’s administration with an additional tool for assessing the gender dynamics of their academic environment, as part of their efforts to better ensure equal opportunities regardless of gender. Thus, focal points of the survey were program climate, gender discrimination/harassment, and campus safety, including sexual assault and sexual violence. The facts cited in our compliance analysis concerning Title IX compliance; student data (including recruitment, admissions, etc.); and program administration and academic environment were obtained from Johns Hopkins’ responses to our information request, onsite interviews, and the survey results, unless otherwise specified.