

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



August 24, 2009

Reply to Attn of:

Office of Diversity and Equal Opportunity *Cert. Mail No. 7007 2680 0001 2215 9255*

Dr. Dennis Bartels
Executive Director
Exploratorium
3601 Lyon Street
San Francisco, CA 94123

Dear Dr. Bartels:

The National Aeronautics and Space Administration (NASA) has completed a compliance review of the Exploratorium museum (the Museum), a recipient of NASA financial assistance. This limited scope review was conducted pursuant to Title VI of the Civil Rights Act of 1964 (Title VI), NASA's Title VI implementing regulations at 14 C.F.R. Part 1250, which prohibit discrimination on the basis of race, color, or national origin in programs receiving Federal financial assistance through NASA, and NASA's Policy Guidance on the Prohibition Against National Origin Discrimination as It Affects Persons With Limited English Proficiency (68 Fed. Reg. 70039). A copy of the regulations and policy guidance (NASA Title VI LEP Guidance) are enclosed.

The review was conducted to determine whether the Museum was in compliance with NASA's Title VI regulations and policy guidance; specifically, to ensure that the Museum was taking adequate steps to ensure meaningful access to its programs and services to persons with limited English proficiency (LEP). Please also find enclosed a copy of NASA's report of the compliance review.

Based on an evaluation of data provided by the Museum and on-site interviews and observations, we find that the Museum is not currently in full compliance with the requirement to take adequate steps to ensure meaningful access to LEP individuals, as clarified in the NASA Title VI LEP Guidance. While the Museum has taken a number of steps to provide this access, NASA finds that the Museum's compliance efforts can be greatly strengthened by taking additional steps outlined in NASA's Title VI LEP Guidance, which include conducting a "Four-Factor Analysis" and developing and implementing a Language Assistance Plan (LAP), to better ensure meaningful access to LEP individuals and communities.

To bring the Museum into full voluntary compliance with NASA Title VI LEP requirements, NASA recommends that the Museum undertake a Compliance Action Plan based on the recommendations set forth in the enclosed report to:

1) Conduct a Four Factor Analysis consistent with the NASA Title VI LEP Policy Guidance and recommendations contained in this report to determine the number, proportion and frequency of contacts of LEP individuals, as well as the nature and importance of programs and services based on an exhibit-by-exhibit assessment; and to identify the resources, costs and ways to take reasonable steps to ensure meaningful access within the parameters set by available resources, including cost-reduction measures (see "Recommendation" sections, pp. 7-11).

2) Incorporate the findings of the Four Factor Analysis into a multi-year LAP with clearly defined actions and timetables for completion (see "Recommendation" sections, pp. 13-15; pp 17-18).


3) Develop the LAP, including milestones for completion of all efforts, within 90 days of the date of the compliance report.

NASA stands ready to provide any technical assistance the Museum may request as it develops and implements its Compliance Action Plan.

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. Robert Cosgrove, External Compliance Program Manager, Program Planning and Evaluation Division, Office of Diversity and Equal Opportunity, on 202-358-0446 or at robert.cosgrove@nasa.gov.

Sincerely,



Brenda R. Manuel, Esq.
Assistant Administrator for
Diversity and Equal Opportunity

Enclosures

cc:

Diana Buchbinder, Director of Organizational Development