February 2, 2011

Dr. Philip P. DiStefano
Chancellor
University of Colorado at Boulder
914 Broadway
Boulder, CO 80309

Dear Chancellor DiStefano:

The National Aeronautics and Space Administration (NASA) has completed its compliance review of the University of Colorado at Boulder (UCB), a recipient of NASA financial assistance. This limited scope review, focused on the Department of Astrophysical and Planetary Sciences (APS), 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 conducted to determine whether UCB was in compliance with NASA's Title IX regulations; specifically, to ensure that the APS program provides equal educational opportunity regardless of gender. 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 UCB and from on-site interviews and observations, NASA finds UCB to be in compliance with the Title IX procedural requirements regarding coordination, grievance procedures, policy dissemination, and self-evaluation efforts.

However, while NASA finds that UCB is in compliance with requirements to provide for methods of administration that do not differently impact or otherwise limit program participation of beneficiaries based on gender, some challenges remain. In this regard, NASA's review indicated that unconscious bias may still sometimes be present in various program settings and available education and awareness opportunities do not appear to be effectively addressing the issue. The recommendations in this report are designed to assist UCB and APS in this and other matters pertaining to its ongoing efforts to ensure equal opportunities regardless of gender.

Finally, despite the challenges that remain, NASA observed a number of promising practices of both the University and the APS program, particularly around education and awareness efforts regarding sexual harassment prevention. For example, the comprehensive work of the UCB Sexual Assault-Sexual Harassment (SASH) Committee
resulted in the publication of a Gender Violation Prevention Plan. The plan resulting from the study is groundbreaking in that it is a treatise on the underlying causes, behaviors and conditions that give rise to harassment and sets forth a holistic approach to eradicating it in the university setting. NASA has noted these in its report and plans to incorporate them into a future publication on promising practices for ensuring equal opportunities in science, technology, engineering, and mathematics (STEM) programs.

UCB has been very helpful in facilitating the review prior to, during, and after the on-site visit. NASA wishes to thank UCB’s Title IX Coordinator, Ms. Katherine Erwin, as well as the faculty, staff, and students of the APS 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, Senior Civil Rights Analyst, on 202-358-2128 or at david.r.chambers@nasa.gov.

Sincerely,

Brenda R. Manuel
Associate Administrator for
Diversity and Equal Opportunity

Enclosures

cc:
C. Katherine Erwin, Director, Offices of Discrimination and Harassment and Labor Relations
Dr. Mitch Begelman, Chair, APS Department