



NPD 2081.1A
 Effective Date: August 14, 2007
 Expiration Date: July 13, 2017

COMPLIANCE IS MANDATORY

[Printable Format \(PDF\)](#)

Request Notification of Change (NASA Only)

Subject: Nondiscrimination in Federally Assisted and Conducted Programs of NASA (Revalidated on July 13, 2012)

Responsible Office: Office of Diversity and Equal Opportunity

Chg #	Date	Description/Comments
1	07/13/12	Revalidated with administrative changes to include content and structure to comply with NPR 1400.1, NASA Directives Procedural Requirements, with updates to Sections 2,3 & 4.

[NASA Policy Instruction: NASA Language Access Plan 2011, NPI 2081-79](#)

[NASA Policy Instruction: Guidance on Providing Language Assistance Services in NASA Conducted Programs and Activities, NPI 2081-57A](#)

[NASA Policy Instruction: NASA Policy Guidance on the Prohibition Against National Origin Discrimination as It Affects Persons With Limited English Proficiency, NPI 2081-78](#)

1. POLICY

- a. It is NASA's policy to ensure nondiscrimination in federally assisted and conducted programs of NASA, nondiscrimination in federally conducted education and training programs, and access for individuals with disabilities to Federal electronic and information technology.
- b. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or discriminated against in a program that receives Federal assistance from NASA.
- c. No person in the United States shall, on the ground of sex, be excluded from participation in, denied the benefits of, or discriminated against in an educational program that receives Federal assistance from NASA.
- d. No person in the United States shall, on the ground of age, be excluded from participation in, denied the benefits of, or discriminated against in a program that receives Federal assistance from NASA.
- e. No otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from NASA or under any program or activity conducted by NASA.
- f. When developing, procuring, maintaining, or using electronic and information technology, NASA shall ensure, unless an undue burden would result, that the electronic and information technology allows, regardless of the type of medium of the technology: (1) Federal employees with disabilities to have access to and use of information and data that is comparable to the access and use of information and data by Federal employees who do not have disabilities; (2) members of the public with disabilities who seek information or services from NASA to have access to and use of information and data that is comparable to the access to and use of information and data available to members of the public who do not have disabilities.

g. No individual, on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in an education or training program or activity conducted by NASA.

h. No grant or agreement with a nonprofit institution or organization (including training grants and facilities grants) shall be entered into until the institution or organization has agreed, in writing, to compliance with the applicable terms of this directive. The written agreement must be signed by the institution's or organization's president, chairperson of the board, or other official who is authorized to contractually bind the nonprofit institution or organization.

2. APPLICABILITY

This NPD is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers. This language applies to JPL (a Federally Funded Research and Development Center), other contractors, grant recipients or parties to agreements only to the extent specific or referenced in the appropriate contracts, grants, or agreements.

3. AUTHORITY

- a. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d.
- e. Age Discrimination Act of 1975, as amended, 42 U.S.C. §§ 6101, et seq.
- b. Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, et seq.
- d. Nondiscrimination Under Federal Grants and Programs, 29 U.S.C. § 794.
- f. Electronic and Information Technology, 29 U.S.C. § 794(d).
- c. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681, et seq.
- g. Exec. Order No. 12,898, 3 C.F.R. 859 (1994).
- i. Exec. Order No. 13,166, 3 C.F.R. 289 (2000).
- h. Exec. Order No. 13,160, 3 C.F.R. 279 (2000).
- j. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 14 C.F.R. Part 1253.
- i. Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance, 14 C.F.R. Part 1252.
- h. Nondiscrimination on Basis of Handicap, 14 C.F.R. Part 1251.
- j. Nondiscrimination in Federally Assisted Programs of NASA, 14 C.F.R. Part 1250.
- k. Electronic and Information Technology Accessibility Standards, 11 C.F.R. Part 1194.

4. APPLICABLE DOCUMENTS AND FORMS

- a. Exec. Order No. 13160, 66 Fed. Reg. 5397-5410 (January 18, 2001)
- b. Small Business Policy, 14 C.F.R. pt. 1204, Subpart 4.
- c. Agreement Between National Aeronautics and Space Administration and Department of Education to Delegate Certain Civil Rights Compliance Responsibilities for Elementary and Secondary Schools and Institutions of Higher Education, C.F.R. 52 Fed. Reg. 43,385 (1987).
- d. NASA Form 1206, "Assurance of Compliance With the National Aeronautics and Space Administration Regulations Pursuant to Nondiscrimination in Federally Assisted Programs."
- e. Grants and Cooperative Agreements, 14 C.F.R. pt. 1260.

5. RESPONSIBILITY

- a. Officials-in-Charge of Headquarters Offices and Center Directors shall cooperate with the NASA Principal Compliance Officer, the Associate Administrator for Diversity and Equal Opportunity, in carrying out the provisions of

the NASA Federally assisted/conducted regulations.

b. The Assistant Administrator for Procurement shall ensure that NASA grants and contracts are awarded and administered within the framework of applicable civil rights statutes, regulations, and policies. See Grants and Cooperative Agreements, 14 C.F.R. Part 1260. The Assistant Administrator for Procurement shall ensure the issuance of guidance regarding procurement of electronic and information technology that complies with Section 508 of the Rehabilitation Act.

c. The Associate Administrator for Small Business Programs shall exercise responsibilities regarding small and disadvantaged businesses as described in 14 C.F.R. Part 1204, Subpart 4, "Small Business Policy," and applicable Federal statutes which encourage contracting with socially and economically disadvantaged businesses.

d. The NASA Chief Information Officer shall ensure the issuance of policies and guidance governing the technical aspects of accessibility of Agency electronic and information technology consistent with Federal statutes and regulations, for ensuring Agency compliance with those policies, and for organizing and providing leadership to Agencywide teams promoting accessibility to NASA electronic and information technology.

e. The Department of Education shall be the delegated complaint investigation responsibilities at educational institutions as provided by the Agreement between NASA and the Department of Education. See "Agreement Between National Aeronautics and Space Administration and Department of Education to Delegate Certain Civil Rights Compliance Responsibilities for Elementary and Secondary Schools and Institutions of Higher Education," 52 Fed. Reg. 43,385 (1987). In the event that the Department of Education is unable to obtain voluntary compliance from recipients found in noncompliance, the matter will be referred to NASA for final compliance determination in accordance with the Agreement and NASA regulations.

6. DELEGATION OF AUTHORITY

a. The Associate Administrator for Diversity and Equal Opportunity, as NASA's Principal Compliance Officer, shall be the delegated authority to administer the Federally assisted/conducted program regulations (see para. 4(a)-(e)) including assessment of grant recipient civil rights compliance pre-award through the NASA Form 1206, "Assurance of Compliance With the National Aeronautics and Space Administration Regulations Pursuant to Nondiscrimination in Federally Assisted Programs."

b. The Associate Administrator for Diversity and Equal Opportunity, as NASA's Principal Compliance Officer, shall be the delegated authority to administer Section 508(f) of the Rehabilitation Act of 1973, as amended, which allows any individual with a disability to file a complaint alleging that a Federal department or agency has failed to comply with the Act in providing electronic and information technology.

c. The Associate Administrator for Diversity and Equal Opportunity shall be the delegated authority to ensure compliance with Executive Order 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.

d. The Associate Administrator for Diversity and Equal Opportunity shall be the delegated authority for ensuring compliance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

7. MEASUREMENT/VERIFICATION

a. Consistent with the Department of Justice reporting requirements, NASA will submit periodic reports on its compliance efforts pursuant to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973.

b. Consistent with the Department of Health and Human Services reporting requirements, NASA will submit annual reports on its compliance efforts pursuant to the Age Discrimination Act of 1975.

c. Consistent with Executive Order 13160 and the Executive Order 13160 Guidance Document: Ensuring Equal Opportunity in Federally Conducted Education and Training Programs, issued by the Attorney General, NASA will submit to the Attorney General a report that summarizes the number and nature of complaints filed pursuant to Executive Order 13160 and the disposition of such complaints. For the first three years after the date of the Executive Order, such reports will be submitted annually within 90 days of the end of the preceding year's activities. Subsequent reports will be submitted every three years and within 90 days of the end of each three-year period (see Section 6 of Executive Order 13160).

d. Consistent with Executive Order 13166 and relevant Department of Justice guidance, NASA will implement an Agency Language Access Plan and NASA Centers will implement Center Language Access Plans.

8. CANCELLATION

NPD 2025.1, Nondiscrimination in Federally Assisted and Conducted Programs, dated August 14, 2007.

REVALIDATED WITH CHANGE 1, DATED JULY 13, 2012, ORIGINAL SIGNED BY:

**/s/ Michael Griffin
Administrator**

ATTACHMENT A: (TEXT)

None.

(URL for Graphic)

None.

**DISTRIBUTION:
NODIS**

This Document Is Uncontrolled When Printed.
Check the NASA Online Directives Information System (NODIS) Library
to Verify that this is the correct version before use: <http://nodis3.gsfc.nasa.gov>
