Preface

P.1 Purpose

The purpose of this directive is to establish procedural requirements of the National Aeronautics and Space Administration (NASA's or "the Agency") Office of Diversity and Equal Opportunity (ODEO) on:

a. Processing administrative complaints of discrimination filed with NASA in any program or activity assisted by NASA, excluding those covered under the Department of Education/National Aeronautics and Space Administration/Department of Justice, "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 FR 43385 (November 12, 1987). This NPR does not alter the agreement between NASA and the Department of Education designating the Department of Education responsible for certain specific civil rights complaint investigation duties, with respect to elementary and secondary schools and institutions of higher education.

b. Conducting civil rights compliance reviews to ensure programs and activities receiving NASA financial assistance are compliant with applicable civil rights laws and regulations.


d. Processing administrative complaints of discrimination filed under DOJ, Guidance Document: Ensuring Equal Opportunity in Federally Conducted Education and Training Programs, E.O. 13160, 66 FR 5397 (January 18, 2001) regarding any program or training program or activity conducted by NASA.

e. Processing reports of harassment pursuant to NASA's award term and condition published in NASA, Reporting Requirements Regarding Findings of Harassment, Sexual Harassment, Other Forms of Harassment, or Sexual Assault, 85 FR 13934 (March 10, 2020).

f. Conducting internal compliance reviews of Center equal opportunity (EO) operations, including EO requirements pertaining to NASA conducted programs.

g. This NPR does not alter any NASA employee's rights to due process or redress related to a discrimination charge as currently guaranteed under any locally negotiated bargaining agreements or established practices.

P.2 Applicability

a. This directive is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers. This language applies to the Jet Propulsion Laboratory (JPL), a Federally
Funded Research and Development Center, and other contractors only to the extent specified or referenced in the applicable contracts.

b. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms: "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but is not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

c. In this directive, all document citations are assumed to be the latest version unless otherwise noted.

d. This directive is applicable to NASA directives developed or revised after the effective date of this NPR.

P.3 Authority

a. The National Aeronautics and Space Act, 51 U.S.C. § 20113(e),
i. Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964, 28 CFR § 50.3.
j. Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs, 28 CFR pt. 42, subpt. F.

P.4 Applicable Documents and Forms

h. NASA, Reporting Requirements Regarding Findings of Harassment, Sexual Harassment, Other Forms of Harassment, or Sexual Assault, 85 FR 13934 (March 10, 2020).
i. NPD 1210.2, NASA Surveys, Audits, and Reviews Policy.
j. NRSS 1441.1, NASA Records Retention Schedule.
k. NASA Form 1206, Assurance of Compliance with the National Aeronautics and Space Administration Regulations Pursuant to Nondiscrimination in Federally Assisted Programs.
l. U.S. Commission on Civil Rights, Federal Title VI Enforcement to Ensure Nondiscrimination in Federally Assisted Programs, June 1996 (USCCR Title VI Report), p. 147.
P.5 Measurement/Verification

a. In order to determine if the process specified in this NPR is functioning effectively and efficiently, ODEO will periodically evaluate the operations and success of its External Civil Rights Programs including policy, technical assistance, and pre- and post-award compliance auditing in accordance with the requirements of this directive.

b. Consistent with the Department of Justice and Department of Health and Human Services' reporting requirements, ODEO submits annual reports on its compliance efforts as described in The Age Discrimination Act of 1975, 42 U.S.C. §§ 6101, et seq., and have in place and periodically update Agency and Center Language Assistance Plans covering NASA conducted programs and activities.

c. ODEO will maintain case files pertaining to this NPR, in accordance with NRRS 1441.1, NASA Records Retention Schedule.

P.6 Cancellation

NPR 2081.1A, Nondiscrimination in Federally Assisted and Conducted Programs, dated May 11, 2010.