

National Science Foundation

Important Notice 144: Sexual Harassment

Posted 9/1/2018

Overview

On February 8, 2018, the National Science Foundation released [Important Notice No. 144](#). The notice articulates the Foundation's policy that it will not tolerate sexual harassment, or any kind of harassments within the agency, at grantee organizations, field sites, or anywhere NSF research is conducted. The notice is a reminder to research community of its obligations to fully investigate complaints of sexual or other harassment and for complying with federal nondiscrimination law.

NSF plans to add a new award term and condition that identifies obligations for awardees and new reporting requirements. A notice and request for comment was published on March 5, 2018 in the Federal Register.

Anticipated Institutional Requirements

Maintain Harassment-Free Research Workplaces

- Establish and maintain clear and unambiguous standards of behavior
- Establish notification pathways for all personnel, include students, regardless of workplace location
- Provide accessible and evident means for reporting violations, including reporting when personnel are engaged in conferences, workshops, field work, or other research facilities
- Ensure institutional due diligence with timely investigations of allegations and corrective actions

Expanded Reporting to NSF

- Institution must report to NSF if it places a PI or a Co-PI on administrative leave related to a harassment investigation or finding.
- Institution must report to NSF if it issues a finding/determination of a violation of conduct, policy, regulation, or statute related to sexual or other harassment, or sexual assault, against a PI or Co-PI.
- If a Co-PI is affiliated with a subawardee, the subawardee must provide information to the awardee, which will report to NSF.
- Institution must submit the report to NSF within seven (7) business days from the placements on administrative leave or the date of the finding/determination.

Coverage

- All grant personnel (PI, Co-PI roles trigger reporting requirement)
- All locations where grant work is undertaken (including conferences, workshops, field sites, on- and off-campus research facilities, online)

Anticipated NSF Implementation

NSF indicates that they plan to issue final requirement before their typical annual regulatory update cycle, which suggests that the requirements may be implemented sometime in summer/early fall 2018.

The new term and condition will be applied to new NSF awards and funding amendments to existing awards made on or after the effective date of the terms and conditions.

Links to USA Information that Supports NSF Policy

- Title IX: <http://www.southalabama.edu/departments/studentaffairs/titlenine/index.html>
- [Title IX – Sexual Misconduct Policy & Compliant Resolution Procedures](#)
- [Equal Opportunity Complaint Compliant Procedure](#)
- [USA Human Resources Sexual Misconduct Policy](#)
- [Discrimination & Harassment Policy](#)

NSF

NSF may decide to unilaterally:

- Require the institution to remove or replace the PI or Co-PI,
- Suspend or terminate the award, or
- Reduce the award funding amount.

- NSF Harassment: <https://www.nsf.gov/od/odi/harassment.jsp>