

Grant Reporting Requirements

Sexual Harassment, Other Forms of Harassment,
Sexual Assault, and Other Prohibited Conduct

HR Reps Meeting, June 9, 2020

Presenter: Jennifer Rodis, Research & Sponsored Programs

Sponsors with Reporting Requirements

- National Aeronautics & Space Administration – April 2020
- National Institutes of Health – clarification May 2018
- National Science Foundation – October 2018
- Simons Foundation – April 2020

Offices involved in notification process

- Office of Compliance
 - Receives reports of allegations of sexual harassment, other forms of harassment, or sexual assault
 - Conducts investigations related to Title IX and federal civil rights laws
- Office of Human Resources, Workforce Relations
 - Collaborates with other units regarding administrative actions or leaves imposed
- Research and Sponsored Programs
 - Receives information from Office of Compliance or Office of Human Resources
 - Submits required notification to sponsor and works with sponsor on grant implications

National Science Foundation (NSF), part 1

Reportable events	<p>(1) Any finding/determination regarding the PI or any co-PI that demonstrates a violation of awardee policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault; and/or</p> <p>(2) If the PI or any co-PI is placed on administrative leave <u>or</u> if any administrative action has been imposed on the PI or any co-PI by the awardee <u>relating to</u> any finding/determination <u>or</u> an investigation of an alleged violation of awardee policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault.</p>
About whom we report	<ul style="list-style-type: none">• Principal Investigator• Co-Principal Investigator
Reporting timeframe	<ul style="list-style-type: none">• Within ten business days from the date of the finding/determination, or the date of the placement of a PI or co-PI by the awardee on administrative leave or the imposition of an administrative action, whichever is sooner

National Science Foundation (NSF), part 2

Offices receiving allegations and/or information	<ul style="list-style-type: none">• Office of Compliance• Office of Human Resources, Workforce Relations
Office responsible for reporting to sponsor	Research & Sponsored Programs
Source requirement	https://www.federalregister.gov/d/2018-20574
Additional information	https://www.nsf.gov/od/odi/harassment.jsp

National Aeronautics & Space Administration (NASA), part 1

Reportable events	<p>(1) Any finding/determination regarding the PI or any Co-I that demonstrates a violation of the recipient's policies or codes of conduct, relating to sexual harassment, other forms of harassment, or sexual assault; and/or</p> <p>(2) If the PI or any Co-I is placed on administrative leave <u>or</u> if any administrative action has been imposed on the PI or any Co-I by the recipient <u>relating to any finding/determination</u> <u>or</u> an investigation of an alleged violation of the recipient's policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault.</p>
About whom we report	<ul style="list-style-type: none">• Principal Investigator• Co-Investigator
Reporting timeframe	<ul style="list-style-type: none">• Within 10 business days from the date of the finding/determination, or the date of the placement of a PI or Co-I by the recipient on administrative leave or the imposition of an administrative action

National Aeronautics & Space Administration (NASA), part 2

Offices receiving allegations and/or information	<ul style="list-style-type: none">• Office of Compliance• Office of Human Resources, Workforce Relations
Office responsible for reporting to sponsor	Research & Sponsored Programs
Source requirement	https://www.federalregister.gov/d/2020-04815
Additional information	https://missionstem.nasa.gov/term-condition-institutional-harassment-discr.html

National Institutes of Health, part 1

Reportable events	<ul style="list-style-type: none">• An administrative or disciplinary action against its employee(s)...that affects the ability of the employee(s) to continue as PI or other senior key personnel on an NIH award<ul style="list-style-type: none">• For example, limiting access to the institution's facilities or resources or modifying employment or leave status during an investigation of alleged sexual misconduct
About whom we report	<ul style="list-style-type: none">• Principal Investigator• Senior/Key Personnel
Reporting timeframe	<ul style="list-style-type: none">• Prior to seeking NIH approval for the individual's reduction in time spent, disengagement for a period of time, or replacement

National Institutes of Health, part 2

Offices receiving allegations and/or information	<ul style="list-style-type: none">• Office of Compliance• Office of Human Resources, Workforce Relations
Office responsible for reporting to sponsor	Research & Sponsored Programs
Source requirement	https://grants.nih.gov/grants/guide/notice-files/NOT-OD-18-172.html
Additional information	https://grants.nih.gov/grants/policy/harassment/policy-requirement.htm

Simons Foundation, part 1

Reportable events	<ol style="list-style-type: none">i. Any Determination (as defined below) involving Personnel (as defined below) relating to Prohibited Conduct; andii. Any Administrative Action (as defined below) involving Personnel (as defined below) relating to Prohibited Conduct.
About whom we report	<ul style="list-style-type: none">• Principal Investigators• All other members of the research team working on a grant funded by the Simons Foundation
Reporting timeframe	<ul style="list-style-type: none">• Within 10 business days of any determination or administrative action

Simons Foundation, part 2

Offices receiving allegations and/or information	<ul style="list-style-type: none">• Office of Compliance• Office of Human Resources, Workforce Relations
Office responsible for reporting to sponsor	Research & Sponsored Programs
Source requirement	Grant Code of Conduct, https://www.simonsfoundation.org/funding-opportunities/policies-and-procedures/
Additional information	<p><u>Administrative Action</u>: Any disciplinary or corrective action, including termination or suspension, taken with respect to Personnel.</p> <p><u>Determination</u>: The final disposition of a matter involving Prohibited Conduct.</p> <p><u>Prohibited Conduct</u>: Any violation of applicable federal, state, and local anti-discrimination, anti-harassment, and anti-retaliation laws; criminal laws, including those with respect to physical assault; institutional policies and procedures relating to anti-discrimination, anti-harassment, and anti-retaliation, including this Grant Code of Conduct; and professional codes of conduct.</p>

Important Notes

- An individual may be principal investigator or co-investigator for multiple sponsors
 - Example 1: Professor Jones is PI on 4 NIH awards and 2 NSF awards
 - Example 2: Professor Smith is PI on 1 NSF award and 1 Simons Foundation award
- RSP is working to update the lookup tool used by Office of Compliance and Office of Human Resources, Workforce Relations
 - Current tool shows whether someone is PI/Co-I on an NSF award
 - Lookup tool will show whether someone is PI/Co-I, etc. on an NASA, NIH, or Simons Foundation award
- Questions: odinotifications@rsp.wisc.edu or rodیس@rsp.wisc.edu

Information Reported to Sponsor

Sponsor	Information Reported to Sponsor
<p>National Aeronautics and Space Administration (NASA) Source: https://www.federalregister.gov/d/2020-04815</p>	<ul style="list-style-type: none">• NASA Award Number• Name of PI or Co-I being reported• Type of Report: Select one of the following:<ul style="list-style-type: none">• Finding/Determination that the reported individual has been found to have violated the recipient's policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault; or• Placement by the recipient of the reported individual on administrative leave or the imposition of any administrative action on the PI or any Co-I by the recipient relating to any finding/determination, or an investigation of an alleged violation of the recipient's policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault.• A description of the finding/determination and action(s) taken, if any; and/or• The reason(s) for, and conditions of placement of the PI or any Co-I on administrative action or administrative leave.

Information Reported to Sponsor

Sponsor	Information Reported to Sponsor
<p>National Institutes of Health (NIH) Source: https://grants.nih.gov/grants/policy/harassment/policy-requirement.htm</p>	<p>NIH does not specify what information to report, though they want to know about administrative or disciplinary actions that affect an individual's ability to continue as PI or other senior/key personnel on an award. RSP has an established process for requesting the types of changes described in NOT-OD-18-172.</p>

Information Reported to Sponsor

Sponsor	Information Reported to Sponsor
<p>National Science Foundation (NSF) Source: https://www.federalregister.gov/d/2018-20574</p>	<ul style="list-style-type: none">• NSF Award Number• Name of PI or co-PI being reported• Type of Notification: Select one of the following:<ul style="list-style-type: none">• Finding/Determination that the reported individual has been found to have violated awardee policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault; or• Placement by the awardee of the reported individual on administrative leave or the imposition of any administrative action on the PI or any co-PI by the awardee relating to any finding/determination or an investigation of an alleged violation of awardee policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault.• Description of the finding/determination and action(s) taken, if any; and• Reason(s) for, and conditions of, placement of the PI or any co-PI on administrative leave or imposition of administrative action.

Information Reported to Sponsor

Sponsor	Information Reported to Sponsor
<p>Simons Foundation Source: Grant Code of Conduct, https://www.simonsfoundation.org/funding-opportunities/policies-and-procedures/</p>	<ul style="list-style-type: none">• Simons Foundation award ID• Institution name• Name of personnel being reported• Name, title, email, and phone number of person submitting report• Type of notification, select one:<ul style="list-style-type: none">• Determination• Administrative action• Explanation/Description of events