



Special Session

10:30-11:00am



National Science Foundation  
WHERE DISCOVERIES BEGIN

# National Science Foundation Policy on Sexual Harassment

Jennifer Rodis (Research & Sponsored Programs) &  
Lauren Hasselbacher (Title IX Office)

With support from Rachel Jeris and Cathy Trueba,  
Office of Legal Affairs



# National Science Foundation Requirements

Sexual Harassment

Other Forms of Harassment

Sexual Assault



# National Science Foundation

## Important Notice No. 144

- ▶ NSF does not tolerate sexual or any kind of harassment.
- ▶ NSF is committed to promoting safe working environments for all current and future scientists and engineers.
- ▶ NSF expects the PI, co-PI, and all award personnel to conduct themselves in a responsible manner, regardless of the location of activities being funded (on campus, field sites, conferences, online, etc.).



# NSF Expectations

- ▶ The grant recipient, UW-Madison, must exercise due diligence in handling allegations of sexual harassment, other forms of harassment, or sexual assault.
- ▶ UW-Madison must notify the National Science Foundation in certain circumstances related to principal investigators or co-principal investigators on their grant awards.



# What UW-Madison divisions receive NSF funding?

- ▶ The following divisions currently receive NSF funding:

CALS	SMPH
Education	SOHE
Engineering	VCRGE
Letters & Science	Vet Med
Nelson Institute	

- ▶ New awards arrive continually, so other divisions may be added at any given time.



# NSF Term and Condition

The NSF recently began including a term and condition in:

- ▶ New grant awards
- ▶ Funding amendments to existing awards

The new term and condition became effective October 22, 2018.



# NSF Term and Condition

UW-Madison is required to provide notifications within ten (10) days to NSF regarding the **PI** or any **co-PI** in the event of:

- ▶ A **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.



# Definitions of sexual or other forms of harassment

- ▶ **Sexual harassment:** May include but is not limited to gender or sex-based harassment, unwelcome sexual attention, sexual coercion, or creating a hostile environment, as set forth in organizational policies or codes of conduct, statutes, regulations, or executive orders.
- ▶ **Other Forms of Harassment:** Non-gender or non-sex-based harassment of individuals protected under federal civil rights laws, as set forth in organizational policies or codes of conduct, statutes, regulations, or executive orders.  
(emphasis added)





# From NSF FAQ on administrative actions

- ▶ Please provide clarification regarding definition of “any administrative action.” Our institution uses a variety of interim measures... [they] include but are not limited to no-contact orders, alternate work schedules, telework, or assigning the complainant a new supervisor/mentor/evaluator. Do such interim measures meet the definition of an “administrative action?”
- ▶ Interim or other measures taken by the awardee organization at the beginning of an investigation or that are in place during an investigation are reportable to NSF as an “administrative action” under NSF’s new notification term and condition... including but not limited to the following: teaching, advising, mentoring, research, management/administrative duties, or presence on campus...” (emphasis added).



# 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



## Offices involved in notification process, continued...

### Research and Sponsored Programs

- ▶ Receives information from Office of Compliance or Office of Human Resources
- ▶ Submits required notification to National Science Foundation

Within 10 days of  
finding/  
determination  
OR administrative  
leave/action

### National Science Foundation, Office of Diversity and Inclusion

- ▶ Receives notifications from grant recipients



# Information flow

- ▶ Office of Compliance or Office of Human Resources, Workforce Relations
- ▶ Research and Sponsored Programs
- ▶ National Science Foundation, Office of Diversity and Inclusion
- ▶ RSP will work with NSF on grant implications (for example, change of PI or co-PI)



# Wrap-up and questions

- ▶ Questions about NSF notification process: [odinotifications@rsp.wisc.edu](mailto:odinotifications@rsp.wisc.edu)
- ▶ Questions about administrative leaves or actions: [wr@ohr.wisc.edu](mailto:wr@ohr.wisc.edu)
- ▶ Inquiries regarding non-discrimination: [letissa.reid@wisc.edu](mailto:letissa.reid@wisc.edu)
- ▶ Inquiries regarding sexual harassment and sexual violence: [lauren.hasselbacher@wisc.edu](mailto:lauren.hasselbacher@wisc.edu)



# Web resources

- ▶ Information about NSF requirements and UW-Madison's implementation of requirements:  
[rsp.wisc.edu/policies/NSFSexualHarrass.cfm](http://rsp.wisc.edu/policies/NSFSexualHarrass.cfm)
- ▶ UW-Madison Process for NSF Notification Requirements:  
[rsp.wisc.edu/policies/NSF\\_notification\\_process.cfm](http://rsp.wisc.edu/policies/NSF_notification_process.cfm)
- ▶ FAQs: [rsp.wisc.edu/policies/nsfharassmentfaq.cfm](http://rsp.wisc.edu/policies/nsfharassmentfaq.cfm)
- ▶ NSF Harassment website: [nsf.gov/od/odi/harassment.jsp](http://nsf.gov/od/odi/harassment.jsp)
- ▶ NSF FAQs:  
[nsf.gov/od/odi/docs/Sexual\\_Harassment\\_FAQs.pdf](http://nsf.gov/od/odi/docs/Sexual_Harassment_FAQs.pdf)

