

## Report on Research Compliance Volume 15, Number 3. March 31, 2018

### NSF Plan for Sexual Harassment Reports Follow Increasing Concerns, Congressional Attention

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By Theresa Defino

Later this month, the National Science Foundation (NSF) is expected to publish its plans for a new award term and condition that will require institutions to share information with NSF related to investigations and findings of sexual harassment by investigators and other agency-funded researchers.

The move puts NSF in the lead among federal agencies grappling with harassment and growing concern about its impact on research. The House Science, Space and Technology Committee has been holding hearings on the topic, with one scheduled for Feb. 27 titled, "A Review of Sexual Harassment and Misconduct in Science." Among those testifying is Rhonda Davis, head of NSF's Office of Diversity and Inclusion. In addition, the committee has requested the Government Accountability Office conduct a thorough review of the practices of how funding agencies address sexual harassment (see story, p. 4).

According to comments NSF emailed to RRC, the new condition will "stipulate that awardee organizations must report" to NSF:

"1) any findings/determinations regarding the PI [principal investigator] or any co-PI on an NSF award that demonstrate a violation of organizational codes of conduct, regulations or statutes relating to sexual harassment; and

2) if the awardee places the PI, or any co-PI on administrative leave relating to a finding or investigation of a violation of organizational codes of conduct, regulations or statutes relating to sexual harassment."

"To clarify, NSF is not requiring individuals to be put on leave," only notification if it occurs. In addition, "NSF funds organizations, not individuals, so these new award requirements apply to our awardee organizations," the agency told RRC.

In a Feb. 8 announcement, NSF Director France Córdoba also said NSF "expects all awardee institutions to establish and maintain clear and unambiguous standards of behavior to ensure harassment-free workplaces wherever science is conducted, including notification pathways for all personnel, including students, on the primary and supplemental awards. This expectation includes activities at all research facilities and field sites and during conferences and workshops. All such settings should have accessible and evident means for reporting violations and awardee organizations should exercise due diligence with timely investigations of allegations and corrective actions."

The requirements are new, as "awardees are not currently required to report findings/determination of sexual harassment" or related leave, NSF said.

NSF noted, "Everyone is entitled to due process and an allegation is not a finding." The agency also said it "expects fair investigations on the part of the awardee organization."

Some academic department heads have struggled to conduct sexual harassment investigations. For the

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experiences of one, see box, p. 5.

In the statement to RRC, Córdova said:

“NSF does not tolerate sexual harassment or other forms of harassment, and these new steps are designed to help eliminate such transgressions from science and engineering. NSF’s mission is to protect and promote the progress of science, and so we are bolstering our commitment to safe research workspaces by instituting new grant term and condition requirements, enhancing web resources and establishing clear, unambiguous standards of behavior wherever NSF funded science is conducted. These steps make it clear that NSF will take unilateral action as necessary to protect the safety of researchers and to help ensure a healthy, productive research environment.”

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