

COMPLIANCE ALERT

THE UNIVERSITY OF VERMONT

THE OFFICE OF AUDIT, COMPLIANCE & PRIVACY SERVICES

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NATIONAL SCIENCE FOUNDATION (NSF) Amendment to Awards:

Notification Requirements Regarding Findings of Sexual Harassment, Other Forms of Harassment, or Sexual Assault

Effective on October 21, 2018, for any new award from the National Science Foundation (NSF), or funding amendment to an existing award, the NSF will incorporate a new term and condition into its award agreements that will require awardee organizations to notify NSF of certain administrative actions taken against an NSF funded PI or co-PI related to allegations of sexual harassment, other forms of harassment, or sexual assault. See the Federal Register (link below) for more details. This compliance alert provides additional information on this change.

Summary:

As it relates to NSF funded awards, the University is required to notify NSF of: (1) Any finding/determination regarding the PI or any co-PI that demonstrates a violation of University policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault; and/or (2) if the PI or any co-PI is placed on administrative leave or if any administrative action has been imposed on the PI or any co-PI by the University 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.

What is UVM doing to comply with this new requirement?

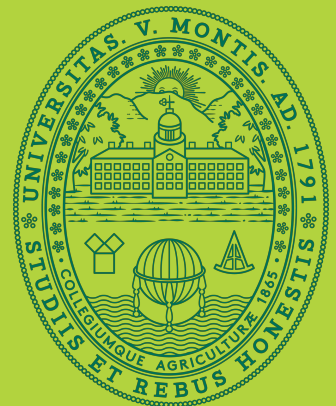
Historically, when a staff or faculty member Respondent has been found responsible for violating UVM Policy 7.11.2, Sexual Harassment and Misconduct or UVM Policy 7.12.2, Discrimination and Harassment, the Office of Affirmative Action and Equal Opportunity sends a letter to the Dean, VP, or Director to whom the Respondent reports.

UVM's standard letter template was recently updated to include the following statement:

"Please consider whether this Respondent performs duties that may be impacted by this finding, such as some sponsored research programs. If this Respondent is a PI or co-PI of a grant funded by the National Science Foundation (NSF) either directly or as a sub-recipient, you are required to inform the Director of Sponsored Project Administration (SPA) about this finding immediately. SPA is responsible for fulfilling NSF Notification Requirements Regarding Sexual Harassment, Other Forms of Harassment, or Sexual Assault."

In addition, this letter is also sent when certain administrative actions are taken (i.e., when an individual is placed on administrative leave pending the completion of an investigation.)

Deans, VPs, or Directors receiving the findings letter must notify the Director of SPA immediately if the Respondent is a PI or co-PI on an NSF award. Deans, VPs, or Directors are not responsible to report this to NSF directly, nor should they attempt to. The reporting to NSF will be handled by SPA in collaboration with OGC.



For more information:

- Federal Register: <https://www.federalregister.gov/documents/2018/09/21/2018-20574/notification-requirements-regarding-findings-of-sexual-harassment-other-forms-of-harassment-or>
- NSF FAQ's: https://www.nsf.gov/od/odi/docs/Sexual_Harassment_FAQs.pdf
- NSF Sexual Harassment Webpage: <https://www.nsf.gov/od/odi/harassment.jsp>
- UVM's Affirmative Action and Equal Opportunity: <https://www.uvm.edu/aaeo>
- UVM's Sponsored Project Administration: <https://www.uvm.edu/spa>