# National Science Foundation ("NSF" ) Sexual Harassment, Other Forms of Harassment, and Sexual Assault Policy and Procedures

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## General Description

### Policy Summary:

The NSF Sexual Harassment, Other Forms of Harassment, and Sexual Assault Policy and Procedures are designed to comply with the University's obligations regarding receiving grant funds from the National Science Foundation (NSF). The NSF requirements are designed to foster a safe, respectful environment for all students, faculty, and staff involved in NSF-funded projects.

### Purpose:

This policy applies to all Trinity University community members, including faculty, staff, students, and any participants in NSF-funded programs or activities.

### Scope:

This policy applies to all Trinity University community members, including faculty, staff, students, and any participants in NSF-funded programs or activities.

### Responsible Department:

Academic Affairs

## Policy Content

### Disclosure Requirements

As of September 21, 2018, NSF published a new term and condition regarding sexual harassment, other forms of harassment,[1] and sexual assault.

The terms and conditions require Trinity to notify NSF:

1. Of any finding/determination[2] regarding the Principal Investigator (PI) or any co-PI that demonstrates a violation of Trinity 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 Trinity 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.

Such notification must be submitted by the Authorized Organizational Representative (AOR) to NSF's Office of Diversity and Inclusion at www.nsf.gov/harassment **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. The Senior Director of Research & Sponsored Programs serves as Trinity's AOR.

Each notification must include the following information:

- NSF Award Number;
- Name of PI or co-PI being reported;
- *Type of Notification, including:*
    - 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.

Trinity may propose a substitute investigator at any time if it determines that the PI or any co-PI may not be able to carry out the funded project or activity and/or abide by the award terms and conditions.

In reviewing the notification, NSF will consider, at a minimum, the following factors:

1. The safety and security of personnel supported by the NSF award;
2. The overall impact to the NSF-funded activity;
3. The continued advancement of taxpayer-funded investments in science and scientists; and
4. Whether the awardee has taken appropriate action(s) to ensure the continuity of science and that continued progress under the funded project can be made.

After receiving and reviewing the information provided, NSF will consult with the AOR or designee. Based on the results of this review and consultation, NSF may, if necessary, assert its programmatic stewardship responsibilities and oversight authority to initiate the substitution or removal of the PI or any co-PI, reduce the award funding amount, or where neither of those previous options is available or adequate, to suspend or terminate the award.

Other personnel supported by an NSF award must likewise remain in full compliance with Trinity policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault. With regard to any personnel not in compliance, Trinity must make appropriate arrangements to ensure the safety and security of other award personnel and the continued progress of the funded project. Notification of these actions is not required under this term and condition.

[1] NSF defines other forms of harassment as: "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."
[2] NSF defines this as: "The final disposition of a matter involving sexual harassment or other form of harassment under organizational policies and processes, to include the exhaustion of permissible appeals exercised by the PI or co-PI, or a conviction of a sexual offense in a criminal court of law."

### NSF-Sponsored Conferences Held at Trinity

Effective February 25, 2019, NSF's Proposal and Award Policies and Procedures Guide (NSF 19-1)—Chapter II.E.7 requires NSF-sponsored conference awardee organizations to have a policy or code of conduct that addresses sexual harassment, other forms of harassment, or sexual assault and that includes clear and accessible means of reporting violations of the policy or code of conduct. The policy or code of conduct must address the method for making a complaint and how any complaints received during the conference will be resolved. This policy or code of conduct must be disseminated to conference participants before they attend the conference and made available at the conference itself.

Conferences or workshops partially or wholly funded by the NSF on Trinity's campus must comply with NSF's policy on conferences, and the conference host must create and implement a plan to disseminate to meeting attendees prior to the event and make available during the meeting the applicable Trinity policies. The plan must also include dissemination of information on the various ways to report policy violations of this policy.

### Safe and Inclusive Working Environments for Off-Campus or Off-Site Research

The NSF requires proposers to certify that they have developed a plan for a Safe and Inclusive Working Environment(s) if the proposed research includes "off-campus or off-site research," as defined by the NSF. For the purposes of this requirement, "off-campus or off-site research" is defined by the NSF as "data/information/samples being collected off-campus or off-site, such as fieldwork and research activities on vessels and aircraft." PIs should contact the Office of Research and Sponsored Programs with questions about the applicability of this requirement to their projects.

## NSF Sexual Harassment and Other Forms of Harassment Procedures

At Trinity, the Office of Equal Opportunity Services ("EOS") is charged with addressing allegations regarding the Policies Prohibiting Sex-Based Harassment, Discrimination, and Misconduct, including allegations of sexual harassment, other forms of harassment, or sexual assault, as defined in the NSF Notice.

If an administrative action is imposed upon or a determination of responsibility is made for the PI or co-PI due to such alleged misconduct, the EOS official will request from the Office of Research & Sponsored Programs a list of all active PIs or Co-PIs on NSF-funded awards or sub-awards to determine if the individual meets the reporting criteria established by the NSF. The search will occur as soon as possible after the finding or determination is made and/or the imposition of the administrative action.

If the respondent is found to be a PI or co-PI on any applicable NSF award(s), including sub-award(s), the EOS official will notify the Provost or their designee of the finding and/or administrative action that is to be imposed upon the respondent. As the Authorized Organizational Representative for the reporting of such findings, the Director of Research & Sponsored Programs will notify the NSF via https://www.nsf.gov/od/oecr/notification_form.jsp 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. Each notification to the NSF will include the required information per the NSF Notice.

The Provost or their designee will work with other appropriate offices and departments within the University and with the NSF, as needed, to facilitate the safety and security of other award personnel and the continued progress of the funded project. Throughout this process, the Director of Research & Sponsored Programs will seek to minimize disclosures within the University to the greatest possible extent. It may be necessary for the University to take additional actions, including, but not limited to:

- Initiating the substitution or removal of the PI or any co-PI
- Reducing the award funding amount
- Reviewing expenditures of the award
- When necessary, transferring unallowable charges off the award
- Suspending or terminating the award

When Trinity University is a sub-awardee or non-lead institution under an NSF award, notifications will be made directly to NSF, per current NSF guidance and the terms of this policy. However, the University may also communicate with the prime awardee as necessary or appropriate under the circumstances.

**This procedure addresses NSF reporting only. However, the University may have other legal or contractual obligations, such as reporting harassment or sexual misconduct to third parties, e.g., to other government agencies or sponsors in connection with specific awards or collaborations, and will act in accordance with those obligations.**

## *Related Documents*

### Related Content:

Trinity University Sex Discrimination, Sexual Harassment and Sexual Misconduct Policy and Procedures
Faculty Handbook 2026-2027

## *Revision Management*

### Revision History Log:

| Revision #: | Date: | Recorded By: |
|---|---|---|
| v1.1 | 3/20/2025 10:47 AM | Pamela Mota |
| v1.0 | 7/22/2024 2:23 PM | Pamela Mota |

### Vice President Approval:

| Name: | Title: |
|---|---|
| Megan Mustain | Provost and Vice President for Academic Affairs |