



Background

On September 21, 2018, the National Science Foundation (NSF) published in final form a new award term and condition regarding sexual harassment, other forms of harassment, and sexual assault, found at [Federal Register | NSF | Sexual Harassment Policy Statement](#). That term and condition requires the University to notify NSF promptly of findings of sexual harassment, other forms of harassment, or sexual assault against an NSF-funded Principal Investigator (PI) or co-Principal Investigator (co-PI), as well as interim administrative actions imposed by the University, such as administrative leave or curtailment of certain University duties. NSF grants awarded on or after October 22, 2018 are subject to this notification requirement.

In addition, on February 25, 2019, NSF adopted a requirement that NSF conference proposers have a policy or code-of-conduct that addresses sexual harassment, other forms of harassment, and sexual assault, and that includes clear and accessible means of reporting violations of the policy or code-of-conduct. This policy or code-of-conduct must be disseminated to NSF conference participants prior to attendance at the conference and made available to the attendees at the conference itself.

University Response

The University, in full agreement with NSF, considers the PI and any co-PI(s) identified on an award to be in a position of trust. The PI and any co-PI(s) must comport themselves in a responsible and accountable manner during the award period of performance, whether at the University, on-line, or at locales such as field sites, facilities, or conferences and workshops. Moreover, this approach is consistent with the University's own commitment to the dignity of every human being.

The University of Dayton's [Nondiscrimination and Anti-Harassment Policy](#) states:

The Marianist vision of community living embraced by the University of Dayton is based on the conviction that every person has innate dignity because all people are made in the image and likeness of God. . . . A primary assertion of both our religious and civil traditions is the inviolable dignity of each person. Recognition of and respect for the person are central to our life as a Christian and educational community and are what allow us to pursue our common mission while being many diverse persons. Thus, discrimination, harassment, or any other



conduct that diminishes the worth of a person is incompatible with our fundamental commitment as a Catholic university conducted in the Marianist tradition.

Procedures

In support of NSF's requirements and consistent with the University's commitment to creating and maintaining an educational, working, and living community free from all forms of discriminatory harassment and sexual misconduct, the University has established this procedure to address the NSF reporting requirement.

At the outset of a University investigation into allegations of (i) discriminatory harassment (including sexual harassment) or (ii) any unwelcome sexual conduct (including sexual assault), the University of Dayton Title IX / Section 504 Coordinator and Equity Compliance Officer (Title IX Coordinator) or that person's designee will determine whether the individual whose conduct is under review is actively involved in research as an NSF PI or co-PI. If so, the Title IX Coordinator will confidentially notify the Authorized Organizational Representative ("AOR") in the University's Office of Contracts and Grants of (1) any finding/determination regarding the PI or any co-PI that demonstrates a violation of University policies or codes of conduct, or any statutes, regulations, or executive orders relating to sexual harassment, other forms of discriminatory harassment, or sexual assault; and/or (2) if the PI or any co-PI is placed on administrative leave or if any administrative action is imposed on the PI or any co-PI by the University relating to any finding/determination or an investigation of an alleged violation of University policies or codes of conduct, or any statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault. Upon receipt of this notice, the AOR will complete the required [NSF Organization Notification of Harassment Form](#) and submit it to NSF's Office of Diversity and Inclusion within ten business days from the date of the finding/determination, or the date of the placement of a PI or co-PI on administrative leave or the imposition of an administrative action, whichever is sooner.

To ensure additional coordination, the Office of Contracts and Grants will contact the Title IX Coordinator (or designee) when an NSF grant is awarded, thereby giving the Title IX Coordinator an opportunity to verify that there have been no findings or administrative actions imposed with regard to a specific NSF PI or co-PI.

Upon receipt and review of the information provided, and any subsequent updates, NSF is expected to consult with the University of Dayton AOR and may, if necessary, assert its programmatic stewardship responsibilities and



oversight authority to either initiate the substitution or removal of the PI or any co-PI or reduce the awarding funding amount, or where neither of those previous options are available or adequate, to suspend or terminate the award.

With regard to NSF conference grants, the Office of Contracts and Grants will work closely with the PIs on those grants to ensure that the University of Dayton's Nondiscrimination and Anti-Harassment Policy is disseminated to conference participants prior to attendance at the conference and made available to attendees at the conference itself.

More information on this topic can be found at [NSF | Office of the Director | Sexual Harassment](#). Any questions regarding this procedure may be directed to the [Title IX Coordinator](#) or the [Office of Contracts and Grants](#).

Please note the University may have other legal or contractual obligations to report discrimination, harassment or sexual misconduct to third parties, and this procedure will be expanded and developed as necessary to address the requirements of additional funding agencies or other legal or contractual obligations. For National Institutes of Health (NIH) funded studies, the community is encouraged to report sexual harassment via its webform. More information can be found in this [statement from NIH leadership](#).