

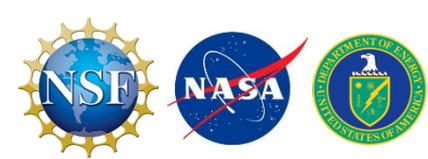
Federal Agency Policies on Sexual Harassment Issues in Conduct of Research Awards

January 5, 2016

Jim Ulvestad, NSF

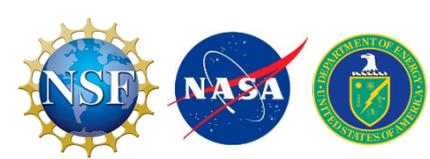
Paul Hertz, NASA

Kathy Turner, DOE



Introduction

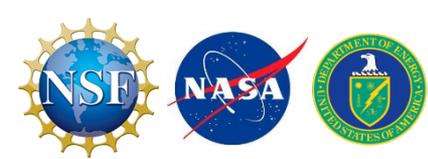
- Issue of sexual harassment at universities and/or federal research centers have been in the news over the past year
- The NSF Division of Astronomical Sciences, NASA Astrophysics Division, and DOE Office of Science Division of High Energy Physics have compiled a joint presentation for this Town Hall



Administration Initiative

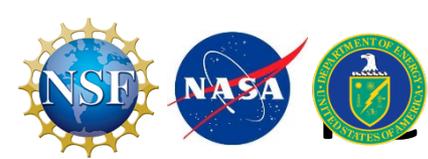
- In January 2014, President Obama established the White House Task Force to Protect Students from Sexual Assault
 - First task force report, **Not Alone**, was released in April 2014
 - Established **Not Alone** web site, containing information and “resources on how to prevent and respond to sexual assault on college and university campuses and in our schools”

<https://www.whitehouse.gov/1is2many/notalone>



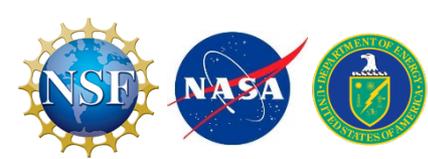
Awardees

- In general, federal funding awards are made to institutions, not to individuals
- Individuals who perform work under federal assistance awards remain employees of their home institutions, not of the federal government
 - Specific harassment policies beyond the mandated terms and conditions of the awards, and enforcement of those policies for their employees, are the responsibility of the institutions receiving the awards
- At federal centers/institutes/observatories, adherence to sexual harassment laws and policies is the responsibility of the managing organization or the local center management



Requirements of Federal Awards

- Terms and Conditions of federal assistance awards include adherence to the following:
 - Title VI of Civil Rights Act of 1964
 - Executive Order 11246 (1965) covers awards involving construction
 - Title IX of Education Amendments of 1972
 - Section 504 of the Rehabilitation Act of 1973
 - Age Discrimination Act of 1975
 - Agency implementing regulations
- E.g., for NSF, see pp. 11-12 (“Nondiscrimination”) of http://www.nsf.gov/bfa/dias/policy/gc1/policymatrix_dec14.pdf
- For contracts (e.g., DOE labs), federal requirements for contracts apply



Pathway for Complaints

- NSF: referred to Office of Diversity and Inclusion
- NASA: Office of General Counsel (on-line form at http://odeo.hq.nasa.gov/complaint_formal.html)
- DOE: Office of Economic Impact and Diversity (assistance awards or lab visitors), or Department of Labor's Office of Federal Contract Compliance Programs (for contracts)
- First step for above offices often will be to contact the institution in question
- In extreme cases of misuse of federal funds (not limited to sexual harassment), investigations by Department of Justice or other federal agencies may result in debarment of institutions or PIs from receipt of federal funds for some period of time.