Frequently Asked Questions (FAQs)
Regarding NSF’s Award Term and Condition
Entitled, “Notification Requirements Regarding Sexual Harassment, Other Forms of Harassment, or Sexual Assault”
September 21, 2018

Q: How does the new term and condition impact Title IX regulations?

A: The new term and condition does not impact Title IX regulations. The new term and condition is distinct from Title IX regulations.

Q. Does the notification requirement apply even if the actions of the PI or co-PI leading to the findings/determinations or to administrative leave/administrative action occurred outside the scope of the NSF award?

A. Yes, the notification requirement applies even if the actions of the PI or co-PI leading to findings/determinations, placement on administrative leave, or the imposition of administrative action(s) occurred outside the scope of the NSF award.

Q. Does the term and condition cover conduct that occurs prior to the effective date of the term and condition?

A. Yes, the term and condition covers conduct of a PI or co-PI that occurred prior to the effective date of the term and condition if the finding/determination or imposition of administrative leave/administrative action occurs after the term and condition becomes effective and if the award on which the individual is the PI or a co-PI is subject to the term and condition. The term and condition will apply to new awards and any funding amendments made on or after the effective date of the term and condition.

Q. Under what circumstances would NSF take action to remove a PI or co-PI from awards?

A. Action to remove a PI or co-PI only will occur after consultation with the awardee, and after considering the safety and security of personnel supported by the NSF award, the overall impact to the NSF-funded activity, the continued advancement of taxpayer investments in science and scientists, and whether the awardee has taken appropriate actions to ensure the continuity of science and continued award progress.
Q. Does NSF have a process for investigating allegations reported directly to NSF?

A: NSF has a process to address allegations reported to NSF. NSF’s Office of Diversity and Inclusion handles this process. Complaints can be forwarded to ProgramComplaints@nsf.gov.

Q. How is NSF addressing sexual harassment, other forms of harassment, or sexual assault that occurs off campus, such as at field sites, facilities, or conferences/workshops?

A: NSF’s Office of Diversity and Inclusion has developed a website that contains examples of promising practices, codes of conduct, and policies that may be useful to institutions. In addition, NSF’s Proposal and Award Policies and Procedures Guide (PAPPG) effective January 28, 2019, contains a new policy statement that will require NSF-sponsored conference awardees to provide policies or clear codes of conduct that address sexual harassment, other forms of harassment, and sexual assault. The policy further requires that the awardee establish procedures for reporting violations that occur at conferences and provides that these codes of conduct and reporting procedures are to be disseminated to all participants in advance of the event. In addition, NSF is encouraging awardees who use NSF award funds to send individuals to field stations, vessels, summer schools, etc., to implement promising practices to ensure the safety of individuals, to include providing clear reporting mechanisms.

Q. How is confidentiality maintained — who sees the information that an awardee organization reports to NSF?

R: Notifications must be submitted electronically via a secure web mechanism that will transmit the information directly to NSF’s Office of Diversity and Inclusion (ODI), as opposed to other reporting requirements that are contained in NSF’s terms and conditions which direct the information to the Program Officer or the Division of Grants and Agreements. Only ODI and other NSF staff with a specified need to know (e.g., Office of the General Counsel, Policy Office, and program staff, as applicable), will have access to the information upon release by ODI. The information will not be available in NSF corporate systems such as Research.gov or FastLane.

Q. What about other personnel on grants who might be impacted by reductions in award grant funding based on PI or co-PI actions?

A: NSF very much appreciates that personnel other than the PI or co-PI are impacted by reductions in award funding. NSF will consider the continued advancement of the research and researchers in making any decisions about changes to award operations.

Q. What is NSF doing to prevent PIs from retaliating against complainants?

A: NSF awardee organizations and their staff, including PIs and co-PIs on NSF funded awards are prohibited by law from retaliating, harassing, coercing, or taking any adverse action against individuals who filed a complaint or participated in a discrimination, harassment, or retaliation
inclusion. NSF’s Office of Diversity and Inclusion investigates complaints of retaliation. To file a complaint, contact 703-292-8020 or Program Complaints@nsf.gov.

Q: Why do the notification requirements only apply to new awards and funding amendments on existing awards and not all currently active NSF awards?

A: In implementing this new term, NSF is following its longstanding policy that new award terms and conditions are not applied retroactively. Consistent application of this policy for over 40 years has served the research community well and has ensured that NSF awardees are fully aware of new award requirements prior to the application of any new terms and conditions.