

It's Final: Colleges Now Must Report Sexual Harassment to National Science Foundation

BY CHELSIE A. VOKES • OCTOBER 22, 2018

In September, the National Science Foundation ("NSF") released its final notice imposing sexual harassment and assault-related reporting requirements on college and universities.

The final rule, which went into effect on October 21, 2018, requires an institution to notify NSF within ten business days if it finds that a principal investigator ("PI") or co-principal investigator has engaged in sexual harassment or assault (collectively, "sexual harassment"). Institutions must also notify NSF through its Organizational Notification of Harassment Form if they take administrative action against a PI or Co-PI, including forced administrative leave, in relation to a finding or allegation of sexual assault.

In its final rule, NSF "strongly encourage[s]" institutions "to conduct a thorough review of the term and condition to determine whether the new requirements necessitate any changes to the institution's policies and procedures."

The final rule replaces the proposed rule, which we previously reported on in "National Science Foundation Proposes Sexual Harassment and Assault Reporting Requirements." Now that the final rule is in effect, NSF is the first research funding agency in the United States to take such a severe stance on sexual harassment.

Client Tip: *Institutions should review their policies and procedures to ensure compliance with the final rule and should seek counsel immediately upon hearing of conduct involving a PI or co-PI that could be sexual harassment, to determine whether a report to NSF is required.*

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