

UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM

SECTION: General Administration

NUMBER: 01.G.02

AREA: Research

SUBJECT: Sponsored Research Agency Project Reporting Requirements on Harassment and Sexual Assault

1. PURPOSE

- 1.1. The University of Houston System (University) is committed to ensuring that its work, research and teaching environment is free of all forms of harassment and discrimination based upon a protected class, including sexual misconduct.
- 1.2. It is the expectation of all University research personnel to conduct themselves in a responsible and accountable manner during the performance of their employment duties, whether it is in the classroom, on-line, or outside the organization, such as at field sites or facilities, or during conferences and workshops.
- 1.3. University personnel must comply with all applicable federal and state laws and regulations. All University personnel supported by a grant or award must comply with all applicable rules from the sponsoring research agency, and related administrative requirements.
- 1.4. Additionally, all University personnel supported by a sponsored research contract or award must comply with all University policies, including the [Sexual Misconduct Policy \(01.D.08\)](#), [Anti-Discrimination Policy \(01.D.07\)](#) and [Consensual Relationship Policy \(01.D.10\)](#).
- 1.5. This document describes the University's policy to comply with the terms and conditions of any sponsored research award. This policy describes the process by which the University will report any findings/determinations of sexual harassment, other forms of harassment or sexual assault by any University-funded principal investigators (PI) or co-principal investigators (co-PI).
- 1.6. The [Office of Equal Opportunity Services \(EOS\)](#), in collaboration with the Division of Research (DOR), will prepare and submit to the Sponsored Research Agency the information required under the award terms and conditions. Harassment and sexual assault allegation reports are confidential. Only staff with a specified need to know (e.g. EOS, DOR and the Office of the General Counsel) will have access to the information.

2. POLICY

- 2.1. When the term or condition of an award requires it, the University, through its Authorized Organizational Representative (AOR), will notify the sponsored research agency of the university PI or co-PI affiliated with the sponsor's award who is placed on administrative leave or if the University has imposed any administrative action on the PI or any co-PI relating to any finding/determination or an investigation of an alleged violation of University policies or codes of conduct, statutes, regulations, or executive orders relating to sexual harassment, other forms of harassment, or sexual assault.
- 2.2. This notification must be submitted to the Sponsored Research Agency within ten (10) 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.
- 2.3. When required by the conditions of a sponsored research award, the University will include relevant language in subaward agreements requiring subrecipient organizations to promptly disclose the requisite information to the University, so that the AOR may report as required.

3. DEFINITIONS

For purposes of this procedure, the following definitions apply:

- 3.1 Authorized Organizational Representative or AOR: The administrative official who, on behalf of the University, is empowered to make certifications and assurances and can commit the University to the conduct of a project that the Sponsored Research Agency is being asked to support as well as adhere to various policies and grant requirements of the Sponsored Research Agency.
- 3.2 Sexual harassment: May include but is not limited to gender or sex-based harassment, unwelcome sexual attention, sexual coercion, or creating a hostile environment, as set forth in the University's [Sexual Misconduct Policy \(01.D.08\)](#), or federal civil rights laws, statutes, regulations, or executive orders.
- 3.2 Other Forms of Harassment: Non-gender or non-sex-based harassment of individuals protected under the University's [Anti-Discrimination Policy \(01.D.07\)](#), or federal civil rights laws, statutes, regulations, or executive orders.
- 3.3 Finding/Determination: The final disposition of a matter involving sexual harassment or other form of harassment under the University's 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.
- 3.4 Administrative Leave/Administrative Action: Any temporary/interim suspension or permanent removal of the PI or co-PI, or any administrative action imposed on the PI or co-PI by the University under its policies or codes of conduct, statutes,

regulations, or executive orders, relating to activities, including but not limited to the following: teaching, advising, mentoring, research, management/administrative duties, or presence on campus.

- 3.5 Sponsored Research Agency: Any organization that requires within its terms and conditions of a sponsored research award that the University must report harassment or sexual assault committed or alleged against PIs or co-PIs.

4. PROCEDURE

In order to comply with the above requirements regarding findings of harassment or sexual assault, the DOR shall designate the University's AOR and adopt the following procedures for all new awards, or any funding amendment to an existing award.

4.1. Step One: Notice of Award

- a. Upon receipt of a Notice of Award or a funding amendment to an existing award, the AOR will provide a list of named PIs and co-PIs along with the duration of the project period to EOS.
- b. During the project period, the AOR will monitor the project and notify EOS if there are any PI or co-PI changes.

4.2. Step Two: EOS Response

- a. Within five (5) business days of receiving the list of named PIs and co-PIs, EOS shall inform the AOR if there has been:
 - 1. A finding or determination that a PI or co-PI violated the University's policies or codes of conduct, statutes, regulations or executive orders relating to sexual harassment, other forms of harassment or sexual assault; or
 - 2. The placement of the PI or co-PI on administrative leave or the imposition of any administrative action:
 - 1) Based on a finding/determination of sexual harassment (including sexual assault);
 - 2) Other forms of harassment; or
 - 3) Any interim measure taken against the PI or co-PI in response to an alleged violation of the University's Sexual Misconduct or Anti-Discrimination policies.
- b. EOS' response to the AOR will include.

1. Type of Notification(finding/determination or administrative leave)
2. Explanation/Description of Events

4.3 Step Three: Notification to the Sponsored Research Agency

- a. Within three (3) business days of receiving notification from EOS, the AOR, after consultation with the Office of the General Counsel, will submit the required information to the Sponsored Research Agency.
- b. If the Sponsored Research Agency makes inquiry, the AOR will refer the Sponsored Research Agency to the Office of the General Counsel for further information about the finding/determination or administrative action.
- c. Based on the results of the Sponsored Research Agency’s review and consultation with the Office of the General Counsel, the Sponsored Research Agency may elect to impose restrictions or even terminate the award. The General Counsel will work with the Division of Research and the Dean of the relevant school to determine management of the relevant sponsored research contract or award.

4. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice Chancellor for Research and Technology Transfer

Review: Every five years

5. APPROVAL

Approved: Amr Elnashai
Vice Chancellor for Research and Technology Transfer

Renu Khator
Chancellor

Date: 1/15/2020

5. REFERENCES AND RESOURCES

Texas Statutes
[Texas Education Code Chapter 51, Subchapter E-2 – Reporting Incidents of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking](#)

NSF Agency Information

[NSF Notification Requirements Regarding Findings of Sexual Harassment, Other Forms of Harassment or Sexual Assault - Final Notice \(Sept. 21, 2018\)](#)

[Important Notice No. 144: Harassment \(Feb. 8, 2018\)](#)

[NSF, Office of the Director, Sexual Harassment](#)

[NSF Term and Condition: Sexual Harassment, Other Forms of Harassment, or Sexual Assault](#)

NIH Agency Information

[Update on NIH's efforts to address sexual harassment in science \(Feb. 28, 2019\)](#)

[NIH Director's statement on changing the culture of science to end sexual harassment \(Sept. 17, 2018\)](#)

[NIH Anti-Sexual Harassment Statement](#)

NASA Agency Information

[NASA Administrator communicates harassment policies to grantees \(Jan 15, 2016\)](#)

[Compliance Requirements for NASA Grantees](#)

[NASA Office of Diversity and Equal Opportunity_Mission STEM](#)

[Harassment and Discrimination Reporting for NASA Employees, Contractors and Grantee Beneficiaries](#)

UH System Policies

[UH System Sexual Misconduct Policy \(SAM 01.D.08\)](#)

[UH System Anti-Discrimination Policy \(SAM 01.D.07\)](#)

[UH System Consensual Relationship Policy \(SAM 01.D.10\)](#)