



American
Physiological
Society

Empowering discovery to improve health

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May 4, 2018

Suzanne H. Plimpton
Reports Clearance Officer
Office of the General Counsel
National Science Foundation
2415 Eisenhower Avenue
Alexandria, VA 22314

Re: FR Doc. 2018-04374

Dear Ms. Plimpton:

The American Physiological Society (APS) appreciates the opportunity to comment on the National Science Foundation's (NSF) recent notice entitled "Reporting Requirement Regarding Findings of Sexual Harassment, other Forms of Harassment, or Sexual Assault".

A productive scientific workplace should be free from discrimination and harassment. As NSF makes clear in its proposed policy, principal investigators (PI) hold positions of trust and are responsible for their actions wherever research is carried out, whether at their home institution, in the field, online, at field sites or at conferences.

Requiring grantee institutions to report findings of harassment against funded investigators in a timely manner is an important first step toward ensuring that research and training are conducted in a safe environment. Under the proposed reporting requirement, findings of harassment must be reported to the NSF within seven days of the determination or of placing a funded investigator on leave due to a harassment investigation. While the proposal goes on to note the possible consequences for the funded investigator, no consequences are specified for the grantee institution if it has failed to make a timely report of these matters. **The APS recommends that NSF clarify what actions may be taken against a grantee institution should that happen. To avoid confusion, NSF should also specify which institutional officials are responsible for conveying information about harassment investigations involving funded investigators.**

Reporting sexual harassment by a colleague or mentor may have a significant negative impact on a scientist's career, particularly for trainees. As the proposed policy details, investigators found to have engaged in inappropriate behavior may lose funding or be removed from a grant. Since this may also have a negative impact on the person reporting the harassment, this could discourage people from coming forward. **The APS recommends that NSF consider ways to**

support scientists who report harassment to mitigate damage to their careers. One possible remedy would be to provide temporary fellowship support so reporting scientists can continue their work with another investigator.

The NSF's harassment policy should also address protections for investigators who are placed on leave following accusations of engaging in inappropriate behavior. **APS recommends that there be mechanisms in place to allow for possible reinstatement of award should the institutional investigation conclude that a PI did not engage in wrongdoing.**

As the NSF moves forward to implement the new reporting requirements, APS urges you to conduct ongoing consultations with the investigator community to assess whether the policy is effective in addressing harassment in the scientific workplace. Eliminating harassment and discrimination in research settings is one essential step toward the goal of developing a more diverse scientific workforce.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Sands".

Jeff M. Sands, MD
President

The American Physiological Society is a professional society dedicated to fostering research and education as well as the dissemination of scientific knowledge concerning how the organs and systems of the body work. The Society was founded in 1887 and now has more than 11,000 member physiologists. APS members conduct NSF-supported research at colleges, universities, medical schools, and other public and private research institutions across the U.S.