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Guidance on Nondiscrimination and Federally Funded Programs

This document provides guidance for researchers pending or in receipt of grant funding, as well as deans, department chairs/directors, and academic vice presidents on UCF's requirements regarding nondiscrimination in federally funded programs and activities. This guidance was initially adopted on July 1, 2020.

UCF's Commitment to Nondiscrimination

The University of Central Florida is committed to maintaining safe and nondiscriminatory learning, living and working environments for all students, employees, registered student organizations, DSOs (Direct Support Organizations), and third-parties. Academic and professional excellence can exist only when each member of our community is assured an atmosphere of safety and mutual respect. This commitment, as well as the expectations of all students and employees regarding nondiscrimination, is codified in UCF Policy 2-004, UCF Policy 2-012, and Regulation UCF-3.001.

Over the past few years, the <u>National Science Foundation</u> (NSF), <u>National Aeronautics and Space Administration</u> (NASA), <u>National Institutes of Health</u> (NIH), and <u>Food and Drug Administration</u> (FDA) have strengthened their reporting requirements regarding unlawful harassment, including sexual harassment. UCF anticipates that other federal agencies will implement similar requirements in the future.

By law, the University's Office of Research Compliance must report certain instances of sex discrimination, sexual harassment, or sexual misconduct to federal grant agencies. As a grant recipient, you do not need to report discrimination directly to the federal grant agency; rather, we encourage all faculty and staff to report any suspected discrimination directly to UCF's Office of Institutional Equity (https://oie.ucf.edu).

Institutional Requirements as a Federal Grant Recipient

Consistent with agency requirements, UCF has adopted policies and procedures to manage grant activities in accordance with Federal laws, regulations, and policies protecting the rights and safety of individuals working on funded projects.

As a federal grant recipient, the UCF Office of Research Integrity and Compliance will:

- 1) Immediately notify NSF or NASA if any of its researchers (PI or co-PI) receiving funding from these agencies have been found in violation of UCF's sexual harassment policies and/or any other harassment policy, or notify NIH or FDA if any of its researchers or other key personnel attached to a funded project have been found in violation of the same; and
- 2) Immediately notify NSF, or NASA if UCF institutes any administrative action on a funded researcher (PI or co-PI) for allegations involving sexual harassment or unlawful harassment, or notify NIH or FDA if UCF similarly institutes any administrative action on a funded researcher or other key personnel attached to a funded project

UCF extends these nondiscrimination protections to all participants who attend a conference supported by one of these grants. It is the expectation of all that participate in any conference, whether within UCF or without, are able to engage in conference activities free from unlawful discrimination and harassment. If UCF sponsors programs or conferences which are funded by a federal grant, participants must be advised of UCF's nondiscrimination policy and procedures for filing grievances.

What is Sexual Harassment?

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted verbal, graphic or physical conduct of a sexual nature, which meet the definitions of hostile environment harassment or quid pro quo harassment as defined in UCF Policy 2-004. Sexual harassment also may include inappropriate touching, acts of sexual violence, suggestive comments and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any academic purpose. Sexual harassment includes acts of sexual misconduct, sexual assault, and sexual exploitation.

All forms of sexual harassment and other inappropriate sexual conduct undermine the integrity of the work and learning environments and have no place in the University. It is the expectation of every employee at UCF to report suspected sexual harassment and discrimination immediately to the appropriate UCF offices.

Prohibition of Inappropriate Amorous Relationships

All faculty and staff must be aware that amorous relationships with students are likely to lead to difficulties and have the potential to place faculty and staff at great personal and professional risk. The power difference inherent in the faculty-student or staff-student relationship means that any amorous relationship between a faculty or staff member and a student is potentially exploitative or could at any time be perceived as exploitative and should be avoided. Similarly, amorous relationships between supervisors and their subordinate employees often adversely affect decisions, distort judgment, and undermine workplace morale for all employees, including those not directly engaged in the relationship.

Accordingly, UCF has adopted the following prohibitions regarding inappropriate amorous relationships:

- All UCF employees and DSOs are prohibited from pursuing or engaging in an amorous relationship with any undergraduate students;
- All UCF employees and DSOs are prohibited from pursuing or engaging in an amorous relationship with a graduate student under that individual's authority;
- All UCF graduate students are prohibited from pursuing or engaging in an amorous relationship with any student over whom they exercise authority; and
- All UCF employees and DSOs are prohibited from pursuing or engaging in an amorous relationship with employees whom they supervise.

See UCF Policy 2-014 Amorous Relationships Prohibition for more information.

Reporting Sexual Harassment and Other Forms of Discrimination

To file a report of unlawful discrimination, harassment (including sexual harassment), or retaliation, please visit https://oie.ucf.edu (Office of Institutional Equity) or https://letsbeclear.ucf.edu (Let's Be Clear/Title IX). All employees are expected to immediately report to the Title IX Coordinator any sex discrimination, sexual harassment, or sexual or interpersonal violence involving a UCF student, and can do so by visiting https://letsbeclear.ucf.edu. See UCF Policy 2-015 Reporting Requirements Related to Nondiscrimination for more information.

Reporting Misconduct

To file a report of suspected misconduct, including but not limited to violations of the Employee Code of Conduct or research misconduct, please contact University Compliance and Ethics or file a report via the UCF IntegrityLine online or by calling 1-855-877-6049 toll-free. Individuals have the option to report misconduct anonymously via the IntegrityLine.

Protection from Retaliation

Individuals who, in good faith, file a report of discrimination or assist someone in doing so are protected from retaliation. Retaliation can include, but is not limited to, job loss, demotion, transfers, poor performance reviews without cause, low pay increases, public attacks on the character of the reporting individual, or other actions that would dissuade a reasonable person from reporting misconduct. Suspected retaliation regarding reports of discrimination should be reported immediately to the Office of Institutional Equity or University Compliance and Ethics (https://compliance.ucf.edu; 407-823-6263)

Additional Resources

Office of Institutional Equity

https://oie.ucf.edu 407-823-1336 oie@ucf.edu

Let's Be Clear/Title IX

https://letsbeclear.ucf.edu 407-823-1336

University Compliance and Ethics

https://compliance.ucf.edu

407-823-6263

Integrity Line: http://www.ucfintegrityline.com or 1-855-877-6049

UCF Victim Services

https://victimservices.ucf.edu/

24/7 confidential hotline: 407-823-1200 24/7 confidential text line: 407-823-6868

Office of Research Integrity & Compliance

https://www.research.ucf.edu/compliance.html

407-882-1168