

A decorative graphic on the left side of the slide. It features a vertical double-headed arrow with a central horizontal bar. From the center of this bar, a horizontal arrow points to the right, and two diagonal arrows point outwards towards the top-right and bottom-right corners. The arrows have a gradient and a 3D effect.

Case: Proposal Seeking Funds for Already Completed Research

Allegation:

Reviewers alleged that a recent Ph.D. recipient misrepresented research already completed as work that would be done under the NSF proposal



The Process:

Inquiry, Investigation, Adjudication

The Facts after OIG Inquiry

- ❑ The subject admitted that all of his proposed work was completed when he submitted the proposal
- ❑ He directed that his collaborator's signature be signed on the proposal's certification page without obtaining the collaborator's permission.
- ❑ Inform institution of need for investigation





Deferred Inquiry and Investigation

You are the responsible University official notified of the allegation, what must you consider and what must you do?

- Review university's policies
- Review existing evidence
- Inform subject, university counsel
- Confidentiality and Conflict of Interests
- FOIA and Privacy Act considerations
- Initiate Inquiry: Convene and brief inquiry committee
- Timely, thorough, document-based

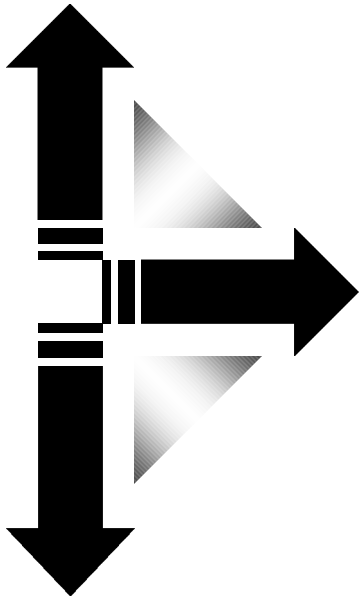




What should you, as the Institutional Official, do next?

- Initiate Investigation
- Notify NSF Office of Inspector General (OIG)
- Provide inquiry report
- Accept deferral of investigation
- Consider offer for on-site help
- Convene and brief investigation committee





Facts after University Investigation

- ❑ Concluded subject's proposal was "misleading" and did not "discuss research in progress or to be done in the future."
- ❑ Subject intended to use NSF award to support new research that was an outgrowth of the completed work.





What Happened? University Adjudication

- ❑ Concluded no misconduct, but “emphatically agreed that the subject’s action was a serious deviation from accepted practices.”
- ❑ Concluded the subject had committed misconduct in falsifying a signature.
- ❑ Provided OIG with complete investigation report.





What does our Office do?

- Assess report
- Determine Federal interest and jurisdiction
- Seek additional information about investigation
- Conduct additional investigation to gather facts for Federal case

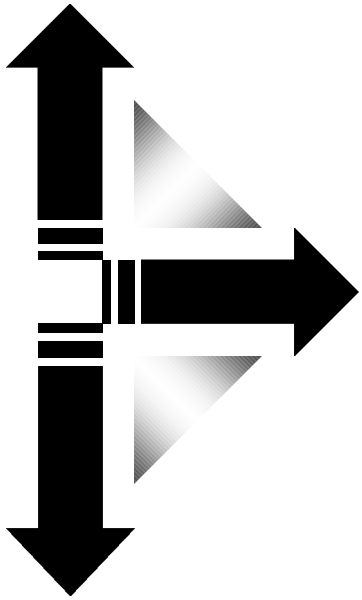


A decorative graphic on the left side of the slide. It features a vertical double-headed arrow pointing up and down. A horizontal arrow points to the right, overlapping the vertical one. Two smaller arrows point diagonally outwards from the center of the vertical arrow. A thick grey line extends from the tip of the horizontal arrow across the top of the slide.

Additional Mitigating Factors

- ❑ No evidence that the subject's action was part of a purposeful, coordinated deception.
- ❑ Subject took responsibility for his actions and fully cooperated with us.
- ❑ Subject's inexperience.

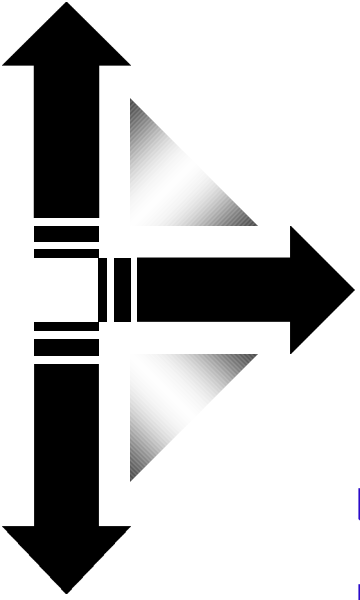




Additional University Actions

- ❑ University officials discussed the seriousness of the subject's acts with him, warned him about serious repercussions of future misconduct.
- ❑ Subject's department chair to "carefully review" the subject's next proposal.
- ❑ Ensure that new faculty members learn ethical requisites of proposal writing and develop mentoring by senior colleagues.





What do we consider when assessing whether this is misconduct and what to recommend?

- Substantive matter?
- Need to protect Federal interest?
- Is institution action sufficient?
- Documentable evidence?
- Need to correct record, prospective impact
- What were actions in prior, similar cases?
- Send report with recommendation to adjudicator (NSF's Deputy Director)



Adjudication:

What finding and actions should NSF take?

- Letter of reprimand
- Misconduct in science for submitting a proposal for research already performed and causing the collaborator's name to be signed on the certification page without consent
- 2-year certification requirement for subject
- 2-year certification by institutional representative on subject's NSF proposals

