



Case: Fraudulent Data

Allegation:

University learned a graduate student allegedly received Ph.D. based on a dissertation containing fabricated data



The Process:

Inquiry, Investigation, Adjudication:

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

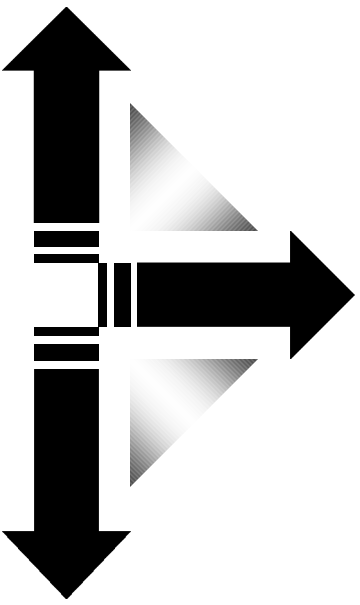




The Facts after University Inquiry

- ❑ Graduate student did not contest the allegation that data were fabricated
- ❑ Student withdrew thesis
- ❑ Thesis research supported by an NSF award
- ❑ Committee concluded there is substance to case



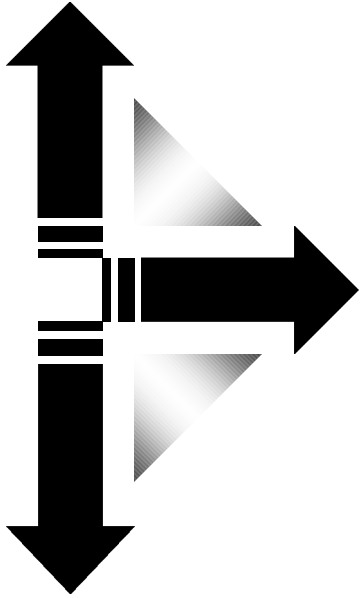


What should you, as the Institutional Official, do next?

- ❑ 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

* most of these steps were not done



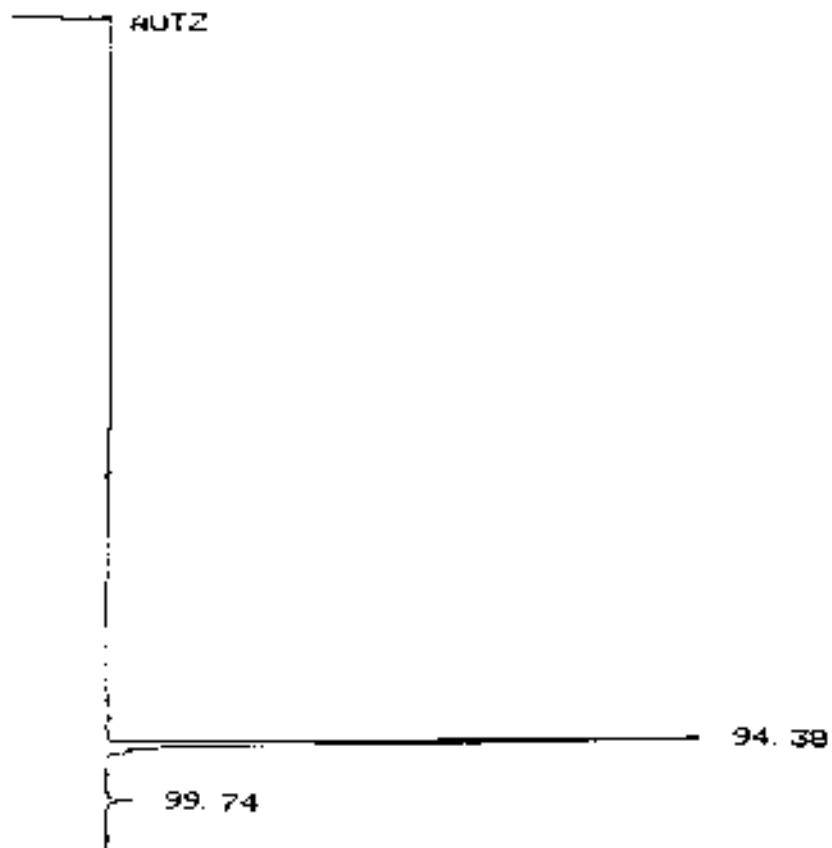


Facts after University Investigation

- ❑ Key chapter of the dissertation reported 3 kinds of measurements that were altered by cutting and pasting the spectra
- ❑ Information published in one paper and appeared in the draft of another



DEVICE 01 SAMPLE 477 METHOD METHOD1 TIME 01:58:47 DATE 99:00:00



RUN TIME 101.50

DEFAULT 0
NORMALIZATION METHOD USING AREA

TIME	AREA	PK NAME
94.38	4421582	P 94.93302274
99.74	141968	P 3.295125414

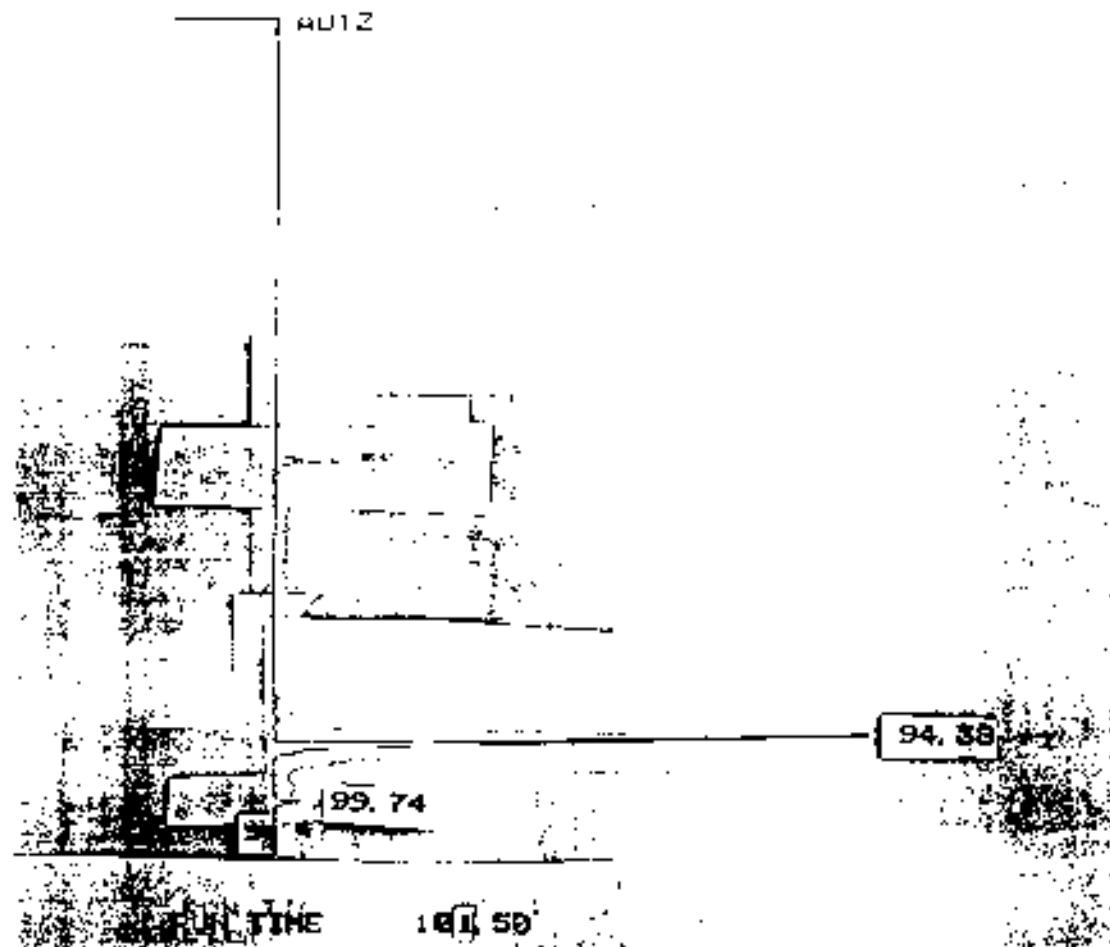
DEVICE
01

SAMPLE
477

METHOD
METHOD1

TIME
01:58:47

DATE
00:00:00



DEFAULT 0

NORMALIZATION METHOD USING AREA

TIME	AREA	%AREA	PK NAME
94.38	4421502	P 94.03302274	
99.74	141960	P 3.295125414	



What Happened? University Adjudication

- ❑ University rescinded student's degree
- ❑ Letter of correction to journal
- ❑ Notified appropriate people (letters of recommendations) or organizations (where she taught)
- ❑ Provided OIG with complete investigation report





What does our Office do?

- ❑ Assess report and documentary evidence
- ❑ Determine Federal interest and jurisdiction
- ❑ Seek additional information from investigating committee
- ❑ Conduct additional investigation to gather facts for Federal case





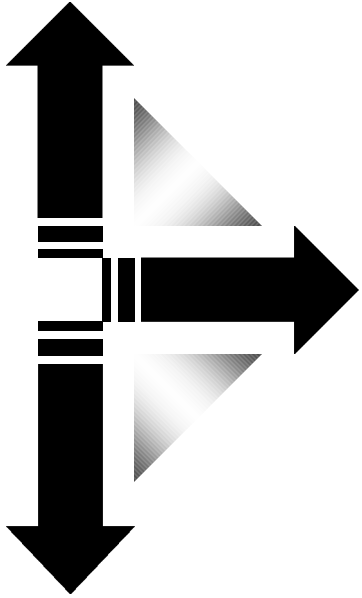
Jurisdiction

- Graduate student received a stipend for thesis work from her Ph.D. advisor's NSF award

Additional Information obtained from the Committee

- Institution records relating to the subject and investigation records as well as the original evidence of the fraudulent data





Additional Investigative Facts

- ❑ Student said was not working in the field since forfeiting degree
- ❑ Confirmed University conclusion that determinations, spectra, and analyses in thesis were fabricated





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?

- ❑ Deliberate fabrication of data
- ❑ Finding of misconduct
- ❑ University took appropriate action in rescinded the Ph.D. and notifying appropriate institutions
- ❑ 3-year certification requirement
- ❑ Assurance by supervisor or PI if on an NSF project

