



# Seminar for Administrators

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- ✓ Partnerships between an Office of Inspector General, Awardees, and PIs
- ✓ Federal and awardee procedures for review of allegations of misconduct
- ✓ Procedural concerns for administrators, subjects and informants
- ✓ Issues to consider when making a recommendation or finding
- ✓ Techniques for prevention of misconduct
- ✓ Discussion of selected misconduct case studies
- ✓ Consideration of ethical dilemmas for new researchers



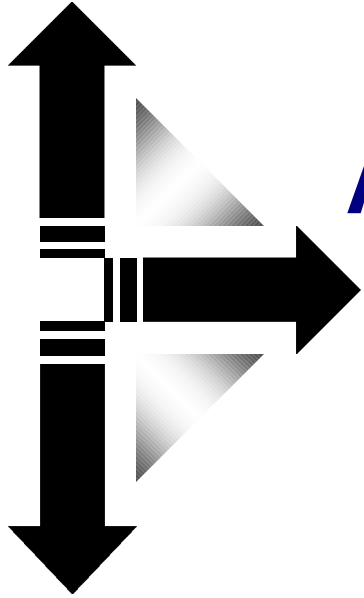


# The Office of Inspector General

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- ✓ Recommend policies and practices to promote economy and efficiency and to detect and deter fraud, waste, and abuse.
- ✓ Work with NSF and its awardees to resolve issues
- ✓ Independently Report to National Science Board





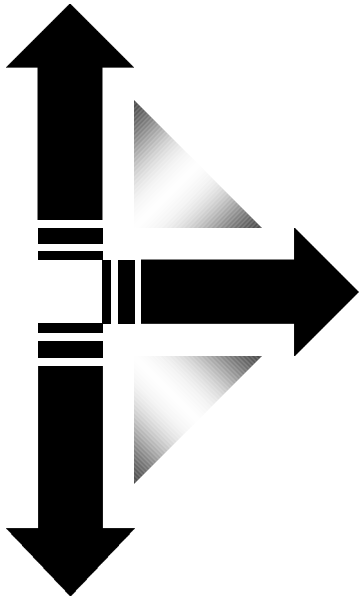
# Audit, Investigations and Outreach

**Audit:** Administrative, financial and programmatic reviews

**Investigations:** Investigate, and recommend resolutions of allegations of wrongdoing.

**Outreach:** On-site orientations and briefing on issues of mutual interest.





## Notify our office if

you have concerns about:

- ✓ Allegations of misconduct in science,
- ✓ Significant administrative or financial problems, or
- ✓ Financial fraud or theft,

that involve NSF activities.

Internet: [www.nsf.gov/oig/oig.htm](http://www.nsf.gov/oig/oig.htm)

Hotline: 1-800-428-2189





# What is Misconduct in Science?

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✓ NSF's definition:

Fabrication, falsification, plagiarism or other serious deviation from accepted practices in proposing, carrying out, or reporting results from activities funded by NSF; or  
Retaliation of any kind against a person who reported or provided information about suspected or alleged misconduct and who has not acted in bad faith.

✓ **What is your institution's definition?**





# OSTP Policy on Research Misconduct

- ✓ Federal Policy for addressing RESEARCH misconduct
- ✓ Contains definition and guidelines for procedures
- ✓ Defines F, F, P
  - \* violation of peer review
  - \* defines “research” and the “research record”
- ✓ All Federal agencies that support internal or external research will adopt

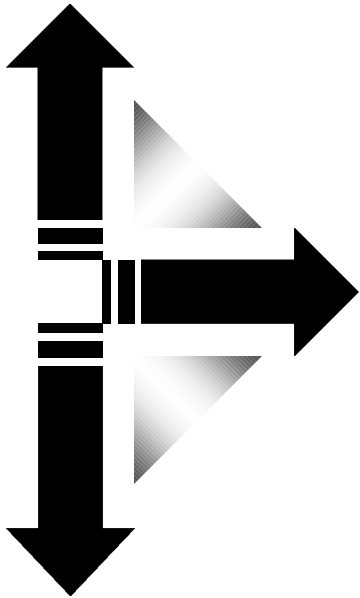


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# Common Features of OSTP Policy and NSF Regulation

- ✓ Discrete, separate phases: inquiry, investigation, adjudication, appeal
- ✓ Reliance on community-based standards (“serious deviation” or “significant departure”)
- ✓ Partnership with institutions
- ✓ Level of intent and standard of proof
- ✓ Confidentiality for subjects and informants
- ✓ Fair, accurate, timely, fact- and document- based process
- ✓ Similar actions to protect Federal interests





# Steps in Handling Allegations

<u>Step</u>	<u>Time-frame Targets</u>	
1. Receipt		
2. Inquiry	60 days - OIG	90 days - Awardee
3. Investigation	150 days - OIG	180 days - Awardee
4. Adjudication	45 days - NSF	
5. Appeal	30 days - NSF	

## What steps does your policy describe?

- \* Case may close at any step
- \* Referral:
  - Awardees - 88% of investigations
  - 66% reports accepted
- \* Provide on-site assistance







# Factors Considered in Making Recommendations

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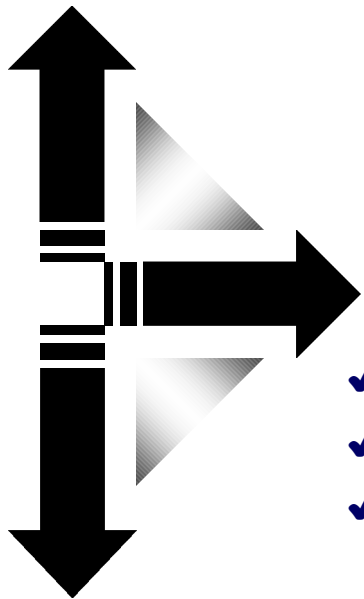
Based on an evaluation\* of:

- ✓ scientific community's assessment
- ✓ seriousness (potential interim action)
- ✓ intent
- ✓ evidence of a pattern
- ✓ involvement of other awards or agencies

**Does your policy address these issues?**

\* using a preponderance of the evidence





## Allegations Reviewed (%)

✓ Intellectual theft	24	Fabrication in proposal	3
✓ Verbatim plagiarism	16	Data sharing	3
✓ False statements (CV& CPS)	9	Impeding research progress	3
NSF procedures	8	Conflicts of interests	2
✓ Falsification in a proposal	7	✓ Duplicate submissions	2
✓ Peer review violation	7	✓ Mishandled investigation	1
✓ Mentoring or colleague abuse	6	✓ Data tampering	1
Retaliation	4	✓ Human subjects	1
✓ Fraud	3	Animal welfare	0.1
		Recombinant DNA	0.1

Findings of Misconduct as of April 2000:

- \* 67% Plagiarism
- \* 12% Fabrication
- \* 12% Falsification
- \* 9% Other

✓ Indicates a finding





# Procedural Considerations

## ✓ Administrators

- Confidential independent process
- FOLLOW INSTITUTION POLICY
- Notify OIG WHEN initiate an investigation
- Fair, accurate, timely, objective and thorough review
- Careful documentation
- OIG provide assistance
- Presumption of innocence
- Integrated policies for investigation, adjudication, appeal, grievance
- Free of inappropriate bias and conflict
- FOIA and Privacy Act considerations





# Procedural Considerations (con't)

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## ✓ Informants

- Confidential Review
- Fair, objective assessment
- Inform involved individuals of case resolution

## ✓ Subjects

- Confidential review
- Ask first for information
- Defer investigations to awardees **B** Assessment by peers
- Multiple opportunities to provide input
- Independent adjudication
- Inform involved individuals of case resolution





# Preventing Misconduct

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- ✓ Education
  - \* Support
  - \* Mentorship
  - \* Who's most vulnerable?
- ✓ Seminars, incorporate in courses
  - \* Definition of misconduct in science
  - \* Expectations for ethical conduct
  - \* Case studies or talking head
- ✓ Clarify Collaborations
- ✓ Consistent and fair enforcement



# Case Studies

## 1: Misrepresentation of Publication Status

University Inquiry followed by OIG Investigation

## 2: Plagiarism and Violation of Confidential Peer Review

OIG Inquiry to Deferred University Investigation (Joint ORI-OIG)

## 3: Seeking Funds for Research Already Completed

OIG Inquiry to Deferred University Investigation

## 4: Fraudulent Data

Incomplete University Inquiry followed by OIG Investigation

## 5: Misrepresentation of Credentials

Company employee, OIG Investigation





# Ethical Dilemmas Seminar

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- ✓ Data Selection and Sharing
- ✓ Sharing and Using Ideas
- ✓ Authorship and Acknowledgements
- ✓ Collaborations
- ✓ Paraphrasing and Plagiarism
- ✓ Mentorship/Advisor problems
- ✓ Training Students
- ✓ Merit Review
- ✓ Obtaining Oversight Reviews

Materials Available at

