

## Report on Research Compliance Volume 17, Number 8. July 23, 2020 NSF OIG Recommends Debarment In Three of Seven New Misconduct Cases

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In its most recent semiannual report to Congress, the National Science Foundation Office of Inspector General (OIG) reported that NSF failed to take any action in a case where it found research misconduct and recommended sanctions be imposed (see story, p. 1).<sup>[1]</sup> In addition, OIG described the following cases where it has found misconduct and is now awaiting a final decision by NSF.<sup>[2]</sup>

### **OIG: Associate Professor Responsible**

NSF OIG reserved the most severe sanction it recommended in the recent report for a former associate professor whose university originally considered him or her jointly responsible with another individual—a conclusion OIG rejected. It appears that two papers that contained falsified data were previously retracted, perhaps as a result of a university's investigation and request. According to OIG, the university "committee determined that the former associate professor and research faculty member engaged in acts of fabrication and falsification that were intentional, knowing, and not the product of carelessness or error." OIG agreed "that research misconduct occurred," but said "it was not clear who was responsible for each of the specific acts of research misconduct for each of the figures delineated in the retraction notices for the two publications." Based on its analysis, OIG found that the "evidence against the former research faculty member was insufficient." But the agency said the former associate professor "committed research misconduct by intentionally falsifying data in the two publications and that his actions were a significant departure from accepted practices in the research community."

OIG recommended a three-year debarment, a letter of reprimand, training in the responsible conduct of research (RCR), and for six years the submission of certifications, assurances, a detailed data management plan and a ban on serving as an NSF peer reviewer. The university, OIG noted, "did not impose disciplinary action because both individuals had already departed the university."

### **Research Team Suffered 'Major Setback'**

A one-year debarment is being recommended for an NSF graduate research fellow who didn't initially come entirely clean when confronted with discrepancies in his experiments and who was expelled by his university. It was not clear how or why this came to their attention, but OIG said an adviser and a graduate student were told by the fellow that he "conducted an experiment on a specific day under well-defined experimental conditions. A review of the data indicated the data files were labeled with the wrong experimental conditions and were created 3 days before the fellow supposedly did the experiment," OIG said.

When confronted, "the fellow admitted he had not done an experiment on the day claimed but said it was the first time he had falsified data," but a subsequent review uncovered "multiple instances where he took data from experiments he had conducted and represented it as the results of experiments from different dates and different conditions," OIG said. In addition to reuse, "graphs were manipulated to make the data appear as if it had been taken under different experimental conditions."

OIG added that the fellow “confessed to all the instances of data falsification” when he was being investigated by the university. All experiments involving the fellow had to be redone, leading to a “major setback” for fellow researchers. “Ultimately, the university found the fellow committed research misconduct by falsifying data, withdrew him from the university without a degree, and banned him from seeking re-admittance,” according to the report. In addition to the one-year debarment, OIG is recommending that NSF require certifications and assurances and that he be banned from peer review and advising for four years.

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