



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: I-18-0002-O

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A University conducted an Inquiry into allegations that a former Associate Professor (Subject 1) and a former Research Faculty member (Subject 2, the wife of Subject 1) committed multiple acts of research misconduct in two publications that acknowledged funding from NSF. The two publications were retracted by the journal in which they appeared. The Inquiry Committee reviewed the retraction notices, statements on behalf of the subjects, and correspondence from journal editorial staff. It also interviewed the subjects, who stated that numerous errors were made upon generating figures from data in laboratory notebooks. The Inquiry Committee recommended an investigation, which the University conducted.

The Investigation Committee (IC) reassessed the material and made a determination that Subjects 1 and 2 engaged in acts of fabrication and falsification that were culpable, and not the result of error. The acts were found to be a significant departure from accepted practices of the research community and constituted a pattern of misconduct. As Subjects 1 and 2 had already departed the University, no disciplinary actions were imposed. In response to the IC's findings, Subjects 1 and 2 objected to a variety of university procedural issues and reiterated their claims that the discrepancies were the results of errors.

We adopted the IC's findings that research misconduct occurred, but because the IC did not specify individual acts of research misconduct for each of the figures delineated in the retraction notices for Publications 1 and 2, we conducted our own analysis of the figures. We concluded that the evidence against Subject 2 was insufficient for a finding. By a preponderance of the evidence, we concluded Subject 1 intentionally falsified data in Publications 1 and 2, his actions fit a pattern of misconduct, and those actions were a significant departure from accepted practices in the research community. Accordingly, we concluded Subject 1 committed research misconduct.

We recommended that NSF debar Subject 1 for 3 years. We further recommended that for 6 years (concurrent with the debarment plus 3 years afterward), NSF: require certifications and assurances; require submission of a detailed data management plan with annual certifications of adherence for any resulting awards; and bar him from participating as a peer reviewer, advisor, or consultant for NSF. NSF made a finding of research misconduct and imposed most of our recommendations; it did not debar Subject 1. Accordingly, this case is **closed** with no further action taken.