



CLOSEOUT MEMORANDUM

Case Number: I-17-0092-O

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A University received an allegation that a Professor and a Graduate Student misrepresented data included in a publication acknowledging NSF support and deposited the data in a genetic sequence database. The University conducted separate investigations into the two Subjects. This memorandum discusses only the Professor; we discuss the Graduate Student in a separate closeout memorandum.

The Investigation Committee (IC) determined the Professor committed research misconduct and engaged in reckless acts by allowing the publication of falsified research data, which it deemed a significant departure from accepted practices of the research community. The IC recommended the Professor retract the publication, remove the falsified data from the database, and complete online responsible conduct of research training. The University upheld and implemented the recommendations and required that for 3 years a co-advisor be appointed for the Professor's students in the laboratory and that experienced co-PIs be added to the Professor's grant proposals on research outside of his expertise. The Professor subsequently blocked retraction of the publication.

We concurred with the IC and determined, by a preponderance of the evidence, that the Professor culpably committed research misconduct by reporting falsified data in research records and that his actions were a significant departure from accepted practices in the research community.

Based on the evidence, we recommended that NSF:

- Issue a letter of reprimand reflecting a finding of research misconduct;
- Require compliance with the requirements imposed by the University, including correction of the research record by retracting the publication;
- Require completion of interactive responsible conduct of research training; and
- For 3 years:
 - Require Certifications and Assurances,
 - Prohibit the Professor from participating as an NSF reviewer, advisor, or consultant,
 - Require a data management plan with annual certifications, and
 - Require a mentoring plan with annual certifications.

NSF concurred that the Professor committed research misconduct and implemented all but one of our recommendations. NSF did not require the submission and certification of a mentoring plan, and it imposed the remaining actions for 1 year instead of 3 years. The Professor appealed NSF's decision arguing that his actions did not meet the minimum degree of intent for culpability (reckless). He also objected to OIG's characterization of aggravating factors. NSF upheld its original decision. This case is ***closed*** with no further action.