

## CLOSEOUT FOR M91010001

On January 3, 1991, Dr. [REDACTED], a program manager in the Office [REDACTED] in the Directorate for Computer and Information Science and Engineering, informed OIG that the complainant, Dr. [REDACTED], alleged that Dr. [REDACTED], the subject, had plagiarized material from his successful 1989 proposal [REDACTED] into her recent 1990 proposal submission [REDACTED]. The subject's proposal was submitted in the same review cycle as the complainant's 1990 renewal proposal [REDACTED]. The complainant informed the program manager that his allegation was being investigated by the institution and that the subject had withdrawn her proposal from consideration. In January 1991, the subject and the complainant were both faculty members in the Department of Computer Science and Engineering at the University [REDACTED] (the institution).

OIG addressed three issues in this case: the allegation of plagiarism, an allegation of retaliation against a good-faith whistleblower, and NSF's delayed termination of the complainant's 1990 funded renewal proposal.

### RETALIATION AGAINST A GOOD-FAITH WHISTLEBLOWER

In an extended series of telephone calls the complainant provided OIG with further information on the allegation of plagiarism. After reviewing this material OIG contacted the institution for further details. The Associate Director in the Office of Sponsored Programs at the institution informed OIG that the complainant's allegation had been reviewed by the Professional Conduct Committee and the Faculty Senate Grievance Committee and that both found that no misconduct had occurred. The Associate Director stated that the complainant was no longer associated with the institution.

The complainant supplied OIG with information about the circumstances surrounding his dismissal and alleged that his termination was motivated by his allegation of plagiarism against the subject. OIG brought this allegation to the attention of the institution and was provided with documents showing that the complainant had been informed by letter that his contract would not be renewed. This letter preceded his actions with regard to the allegation of misconduct. OIG found that the institution's Grievance Committee's decision had addressed the complainant's dismissal, not the allegation of plagiarism. The committee found that the complainant had been given proper warnings and the procedures outlined in the Faculty Handbook had been followed and concluded that there was insufficient evidence to warrant a formal hearing.

OIG could not find substance for an allegation of retaliation against a good-faith whistleblower and did not pursue the matter further.

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### **DELAYED CLOSURE OF THE COMPLAINANT'S 1990 FUNDED RENEWAL PROPOSAL**

OIG found that the complainant's 1990 renewal proposal had been funded. On his departure the institution submitted a change of PI request to NSF. This request was denied because the background and expertise of the substitutes were not appropriate. By a letter dated August 1991, the institution returned the award to NSF. OIG found that, as of January 1992, the grant had not been closed out by NSF. When informed, NSF staff stated that the oversight was the result of rotator staff changes and promptly terminated the grant. The findings with regard to the delayed recovery of funds and the allegation of retaliation were the subject of a discussion in OIG Semiannual Report to Congress number 6.

### **ALLEGATION OF PLAGIARISM**

The complainant provided OIG with documentation he had received or created concerning the allegation of plagiarism. OIG reviewed this material and requested further information from the institution about their evaluations of this allegation. OIG found that after hearing the complainant's allegation the University Ombudsman compared the complainant's 1989 proposal with the subject's proposal, documented the similarities, and forwarded his tabular comparison to the Dean of the College of Arts and Sciences. At the Dean's request the Department Chairman looked into the allegation. He found that, at the former Chairman's suggestion, the subject had obtained a copy of the complainant's 1989 proposal. The Chairman found that there were similarities between the proposals and the subject had benefited from her review of the complainant's 1989 proposal while preparing her own. However, he considered much of the similar material to be a boilerplate description of the institution's and department's facilities, faculty, and capabilities and that the remainder was so strictly dictated by the NSF brochure that there was little latitude in the language that could be used. He concluded that the subject had not committed academic dishonesty but a naive technical error. He noted that the subject had voluntarily withdrawn her proposal from consideration at NSF. The subject subsequently rewrote the proposal and received funding for her resubmitted proposal.

The Dean reviewed and accepted the Chairman's findings and suggested that the Chairman's memo detailing his findings be placed in the subject's personnel file. The memo was placed in her file.

The complainant disagreed with this finding and brought the allegation to the attention of the institution's Professional Conduct Committee, the committee responsible for the assessment of allegations of misconduct. This committee found that the subject had committed an error in using material similar to the complainant's but noted that other sections of her proposal were quite original. It concluded that her actions were insufficient to justify a charge of professional misconduct and dismissed the case.

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OIG concluded that the institution had provided insufficient evidence to support its conclusions and opened an investigation into the allegation. OIG reviewed the subject's and the complainant's proposals and found that the subject's 1990 proposal contained 12 passages, of varying length, that were identical or substantially similar to passages in the complainant's 1989 proposal. The same material was also found in the complainant's 1990 renewal. The subject's proposal did not state that permission to use the material had been obtained from the complainant and did not acknowledge the source of the material. OIG found that the material considered by the Chairman to be boilerplate was a substantive part of the proposal and that the NSF brochure did not stringently dictate the language to be used in the proposal. OIG contacted the subject for further information.

The subject responded that she had not obtained the complainant's permission to use material from his proposal in her submission and she had not, but should have, acknowledged his material. She said the department did not have a public boilerplate file available to the faculty and that the NSF brochure did not strictly dictate the language to be used in the proposal.

OIG concluded that the subject had committed plagiarism by using the words of the complainant without his permission and without attribution in her 1990 proposal. Neither the alleged boilerplate nature of the copied text nor the presence of original work in other areas of her proposal were considered mitigating factors. OIG prepared an investigation report recommending that the subject be found to have committed misconduct in science and made several recommendations as to the actions the Foundation should take to protect its interests. The draft report was forwarded to the subject for comment. OIG incorporated some minor changes requested by the subject and forwarded the final report to the Deputy Director of NSF.

The Foundation concluded that the subject had committed misconduct in science and, in the settlement agreement, required that if the subject is a PI or co-PI on an NSF proposal submission, for each proposal, the subject will certify that she has (a) reviewed her institution's misconduct regulations, (b) that her proposal is free of any such misconduct, and (c) that her proposal was reviewed by her Department Chairman. Her Department Chairman will, based on his reading, certify that her proposal does not contain any plagiarized material. These actions were consistent with OIG's recommendations.

The agreement was signed by the subject and by the Deputy Director of NSF. This case was closed.

 12/11/93  
Staff Scientist, Oversight

**CLOSEOUT FOR M91010001**

**Concurrence:**

Donald E. Buzzelli 12/17/93  
Donald E. Buzzelli  
Deputy Assistant Inspector General for  
Oversight

*noted*  
James J. Zwolenik  
James J. Zwolenik  
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MTK 6 Dec 93  
Montgomery K. Fisher  
Counsel to the Inspector General

cc: Signatories  
Inspector General

NATIONAL SCIENCE FOUNDATION

WASHINGTON, D.C. 20550



OFFICE OF THE  
DEPUTY DIRECTOR

October 15, 1993

Dr. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Re: OIG Investigation of Alleged Scientific Misconduct in  
Connection with Grant Proposal [REDACTED]

Dear Dr. [REDACTED]:

As you are aware, our Office of Inspector General prepared an Investigative Report [REDACTED] in which it concluded that the above-referenced National Science Foundation (NSF) proposal contained text that you plagiarized from another NSF funded proposal, [REDACTED] submitted by Dr. [REDACTED]. We agree with the Inspector General's Report that your copying or paraphrasing from Dr. [REDACTED] proposal without his attribution or permission constitutes misconduct in science, specifically plagiarism, under NSF's regulation, 45 C.F.R. Part 689.

The Office of Inspector General's Investigative Report recommends that NSF require future proposals from you to include certifications from you and your Department Chairman that the proposals do not contain plagiarized materials. You agreed to implement these sanctions in your August 18, 1993 letter to the Office of Inspector General. Accordingly, I am enclosing a Settlement Agreement for your signature that memorializes this understanding. Please sign both copies of the Settlement Agreement and return them to me for my signature, so that we both may have an original for our files.

Sincerely,

*Mary E. Clutter*

Mary E. Clutter  
Acting Deputy Director

Enclosures

NATIONAL SCIENCE FOUNDATION  
WASHINGTON, D.C. 20550

SETTLEMENT AGREEMENT

RECITALS

- A. In November 1990, the Office [REDACTED] Directorate for Computer & Information Science and Engineering, National Science Foundation (NSF), received a Research Experiences for Undergraduates (REU) proposal ([REDACTED] from the University [REDACTED] (University) entitled "[REDACTED]" The proposal named two individuals as collaborators. One of these individuals, Dr. [REDACTED] Assistant Professor in the Department of [REDACTED], was identified as the Principal Investigator (PI).
- B. NSF's Office of Inspector General (OIG) subsequently received an allegation that the PI's proposal contained sections which had been plagiarized from an NSF funded proposal, [REDACTED] submitted by Dr. [REDACTED] entitled "[REDACTED]" The University informed OIG that it was evaluating the allegation.
- C. After evaluating the allegation, the Dean of the College of Arts and Sciences at the University concluded that the PI had engaged in a technical error and placed a letter describing the institution's evaluation and findings in her file.
- D. Following a request for an independent evaluation of the allegation, OIG prepared an investigative report (M91010001) on this allegation and concluded that the PI's proposal contained text copied from the original author's funded 1989 proposal without attribution or the original author's permission. The PI acknowledges that she copied or closely paraphrased from Dr. [REDACTED] proposal without his permission or attribution.
- E. The PI voluntarily withdrew her proposal from consideration by NSF. The PI also joined with two other REU site grant PIs at the Institution in providing a series of seminars entitled "Ethical Issues in the Conduct of Research."

AGREEMENT

After careful evaluation, Dr. [REDACTED] and NSF agree to settle this matter as follows:

1. If, prior to September, 1996, Dr. [REDACTED] is a principal investigator or co-principal investigator on a proposal submitted to the NSF for funding, she will obtain a signed Assurance from her Department Chairman stating that, on the basis of the Chairman's reading of the proposal, the proposal does not, to the best of the Chairman's knowledge, contain any plagiarized material. Concomitant with submission of the proposal, a copy of the Chairman's Assurance shall be sent to the Assistant Inspector General for Oversight in NSF's OIG, to be placed in that Office's

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file for this matter.

2. If, prior to September, 1996, Dr. [REDACTED] is a principal investigator or a co-principal investigator on a proposal submitted to NSF for funding, Dr. [REDACTED] will certify in writing that: (a) she has recently reviewed her institution's guidelines on misconduct in science; (b) to the best of her knowledge, her grant application is free of any such misconduct; and (c) her grant application has been reviewed by the Department Chairman as required in Paragraph 1. Concomitant with the submission of the proposal, a copy of certification shall be sent to the Assistant Inspector General for Oversight in NSF's OIG, to be placed in that Office's file for this matter.

3. The assurance and certification received by the OIG in accordance with Paragraphs 1 & 2 above will remain in the OIG and will not be further distributed within the NSF, nor made available to reviewers of Dr. [REDACTED] future proposals to the NSF.

4. The NSF will take no further action against the PI for her actions in this matter.


5. This Agreement constitutes the entire agreement between the parties regarding the above-described matter. No modification to this Agreement shall be valid unless written and executed by both parties thereto.

6. This Agreement terminates and settles this matter, and no party may bring legal action regarding this matter except concerning breach of this Agreement.

7. This Agreement will be null and void if it is not executed by the Acting Deputy Director of NSF within ten (10) calendar days after the signing of this Agreement by the PI.

Dr. [REDACTED]

8 November 1993  
Date

  
Dr. Mary E. Clutter  
Acting Deputy Director, NSF

17 November 1993  
Date

Dr. Frederick M. Bernthal  
Deputy Director, NSF

# CONFIDENTIAL

## INVESTIGATION REPORT

OIG Case Number M91010001

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# REPORT OF INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT IN SCIENCE AND ENGINEERING

## SUMMARY

The Office of Inspector General (OIG) has determined that Dr. [REDACTED] (the subject) of the University [REDACTED], committed plagiarism in a grant proposal she submitted to NSF. This conclusion is based on an investigation performed by OIG. OIG recommends that NSF make a finding of plagiarism and that it take the following actions as a final disposition in this case. First, until September 1996, when proposals are submitted by the subject to NSF, she should simultaneously certification to OIG at NSF that, to the best of her knowledge, they contain nothing which violates NSF's Misconduct in Science and Engineering Regulation (45 C.F.R. §689), and second, the subject should send a letter of apology to the original author of the plagiarized proposal. These actions should in no way adversely influence the processing, review, or funding of proposals submitted by the subject in the future.

## BACKGROUND

Dr. [REDACTED] (the subject) is an Assistant Professor in the Department of [REDACTED], University of [REDACTED] (the institution), [REDACTED]. In November 1990, the Office of Cross-Disciplinary Activities in the Directorate for Computer & Information Science & Engineering (CISE) received a Research Experiences for Undergraduates (REU) Site proposal. The proposal [REDACTED] was entitled "[REDACTED]". The proposal named the subject as the Principal Investigator (PI) and [REDACTED], an Assistant Professor in the [REDACTED] Department at [REDACTED] University, [REDACTED], as the co-PI.

OIG subsequently received an allegation that the subject had plagiarized sections of her proposal from [REDACTED], a funded proposal submitted by Dr. [REDACTED] (the original author), and entitled "[REDACTED]". Dr. [REDACTED] was, at that time, a faculty member in the same department as the subject. OIG was informed that the institution was evaluating the allegation. In January 1991, the subject withdrew her proposal from consideration by NSF. OIG subsequently learned that the institution's evaluation had not found sufficient substance to the allegation to warrant a finding of serious "academic dishonesty." A letter describing the evaluation and concluding that her technical error was naive and unintentional was placed in the subject's personnel file at the institution. At the original author's request the institution's Professional Conduct Committee (the Committee) conducted an inquiry into the allegation. The Committee's inquiry concluded that the subject's error was not sufficient to formally charge her with professional misconduct. OIG subsequently received a letter requesting an independent evaluation of the allegation.

## THE INSTITUTION'S EVALUATION OF THE ALLEGATION

In October 1990, the original author of the plagiarized proposal informed the institution's Ombudsman, [REDACTED], of the allegation of plagiarism and requested an investigation. One month later the original author informed [REDACTED] Dean of the College of Arts and Sciences, of the allegation. In a statement to the Professional Conduct Committee, [REDACTED], Chairman of the Department of Computer Science and Engineering, said that the Dean had requested that the Chairman "investigate the allegation." The Chairman reported his findings of his inquiry in a December 17, 1990 letter to the Dean (attached as Tab A).

In that letter the Chairman stated that the subject had, at the previous Chairman's direction, obtained the departmental copy of the original author's proposal, and that there were

"substantial similarities in the section 'Research Environment' in both proposals . . . It is my judgement that [the subject] had prepared her proposal with the benefit of reading [the original author's] proposal."

However the Chairman pointed out that except for one section the similar sections were "standard descriptions of a boilerplate." He said that he and other members of the department had, at various times in their careers borrowed proposals from other colleagues and "adapted materials that are non-intellectual and standard descriptions" into their proposals. He found that the one section he did not consider "boilerplate", the description of the plan for student recruitment, was part of the proposed work. He stated that that text was so stringently dictated by the NSF program announcement that there was little latitude in the language that could be used in the proposal (see text of letter attached as Tab A).

The Chairman concluded

"that [the subject] has not committed a serious case of academic dishonesty. However, she has, unintentionally and out of naiveness, committed a technical error in following to [sic] closely the standardized materials in [the original author's] proposal. I recommend that a letter, pointing out her error, be placed in her file. [The subject] intends to voluntarily withdraw the proposal from NSF consideration based on my judgement that she made a technical error."

The Ombudsman forwarded a copy of his notes from his comparison of the two proposals to the Dean's office "some time late last Fall [1990]." These notes show that the Ombudsman had identified several similar sections in the two proposals. He did not draw any conclusions from his comparison.

In a December 21, 1990 memo to the Chairman (attached as Tab B) the Dean stated that he accepted the Chairman's conclusions that

"[The subject] committed a 'technical' error in using some of the language contained in [the original author's] proposal from the standard sections referring to factual information about the Department of Computer Science and Engineering. I suggest that your letter to me concerning this allegation be placed in [the subject's] file."

The Dean's letter addressed the "boilerplate" material: no mention was made of the other material in the subject's proposal that the Chairman had considered part of the proposed work.

#### THE PROFESSIONAL CONDUCT COMMITTEE DECISION

A new complaint regarding this matter was brought to the attention of the institution's Professional Conduct Committee (the Committee) on February 27, 1991.

The Committee is empowered to receive allegations of misconduct, to perform the appropriate inquiries and investigations, and to recommend sanctions. It is not empowered to impose sanctions. The "Statement of Charges of Professional Misconduct" to the Committee alleged that

[The subject] did willfully and intentionally plagiarize a grant proposal that [was] submitted last October to the National Science Foundation (NSF) . . . ."

A 5-member subcommittee of the Committee performed an inquiry into the allegation in a series of meetings in late March and early April 1991. In an April 10, 1991 letter (attached as Tab C) to the original author the Committee Chairwoman stated

". . . we conclude that [the subject] committed an error in describing the faculty and students similarly to the descriptions in your proposal. However, the Project Management and Follow-up sections were quite different in the two proposals."

"We note that [the Chairman's] conclusions were that [the subject's] actions showed questionable judgment but were unintentional and that a letter to that effect was placed in her file. We also note that the appropriate administrators were made aware of her actions.

After comparing the two documents, we concur with [the Chairman and the Dean], that the case is not sufficient to justify a formal statement of charges of professional misconduct."

## EVALUATION BY THE OFFICE OF INSPECTOR GENERAL

Subsequent to the Committee decision OIG received a letter requesting that OIG "independently investigate [the] charges of professional misconduct against [the subject] . . . ."

OIG collected and reviewed information from the original author and the institution, and compared the proposals by the original author and the subject. In October 1989, the original author submitted, and subsequently received funding from NSF for, proposal [REDACTED] (original author's 1989 proposal). In October 1990, the original author and the subject separately submitted proposals requesting REU funds for projects in computer science. The subject's proposal [REDACTED] (subject's 1990 proposal) was signed by institutional officials two days before the original author's proposal [REDACTED] (original author's 1990 proposal). The subject's 1990 proposal was withdrawn during the institution's inquiry into the allegation of plagiarism; the original author's 1990 proposal was funded by NSF.

OIG found 12 passages (of varying length) in the subject's 1990 proposal that were identical or substantially similar to 12 passages in the original author's 1989 proposal. This text was also found in the original author's 1990 proposal. The subject's 1990 proposal did not contain an acknowledgment to the original author or cite his 1989 proposal as the source for this material. Attached (Tab D) to this report is a copy of the body of the subject's 1990 proposal and the original author's 1989 proposal. The passages in the subject's 1990 proposal containing the identical, or substantially similar text, are sequentially numbered. The same number is placed next to the corresponding material in the original author's 1989 proposal.

According to the NSF brochure for the REU program, REU proposals should be a description of 1) the nature of the student activities, 2) the research environment, 3), the student participants (recruitment and selection), 4) the budget, and 5) the PI's biographical sketch and list of individual support. OIG's comparison of the two proposals found that the student activity described by each proposal, as well as the budget and supporting biographical materials on the PIs, was unique to each and was not relevant to this investigation. The Research Environment section of the subject's proposal included three subsections entitled "Facilities and Equipment," "Faculty," and "Students." With the exception of seven sentences, all of the text in these subsections, amounting to about two and a half pages of text (10 of the 12 passages of identical or substantially similar text), was copied from the original author's 1989 proposal.

These 10 passages are the text that was considered by the institution to be "boilerplate". That is, they contain what was considered to be standard descriptions of the institution, the department, the computing facilities, and the student body. However, OIG found that the NSF brochure states that the proposal should "reflect the unique combination of the proposing institution's interests and capabilities." Thus, competing PIs must carefully word a description of these capabilities to persuade the reviewers of the institution's capabilities to accomplish the particular project outlined in the REU proposal. Where PIs from the same department and institution are submitting competing REU proposals the wording of this material, as well as that

describing the research activities, in each proposal must be particularly persuasive for one or the other PI to receive REU funding. Among the criteria used to evaluate such proposals is research performance competence which includes an evaluation of the material in the proposal that demonstrates the adequacy of the institutional resources.

OIG concluded that the institutional capabilities description was not "boilerplate," and that it had direct bearing on the evaluated merit of the proposal. Also, to be "boilerplate," the language should be used routinely in proposals received from that institution's department. According to the subject (see below) such boilerplate material did not exist in her department. In this case the copied material determined by the institution to be "boilerplate" could be considered to be a relatively standard description of the institution; however, it was unique to the original author's 1989 proposal and had been developed by him specifically for that proposal. The original author had not provided that text to his colleagues for use in their proposals.

The Student Participant section of the subject's proposal contains two subsections, entitled "The REU Project Recruitment Plan" and "Student Selection." With the exception of five sentences all of the text in these subsections, amounting to about a page and a half of text (passages #7 and #9), was copied from the original author's proposal. In his letter to the Dean, the Chairman concluded that this was not boilerplate material but instead was "part of the proposed work." Nonetheless the Chairman concluded that the NSF brochure dictated the REU recruitment procedures. OIG compared the brochure with the subject's proposal. The brochure describes the important features of a recruitment plan; it does not dictate or provide text that should be used in a proposal. The REU Announcement and Guidelines uses phrases such as "proposals should address . . .", ". . . should provide detailed descriptions . . .", and the research environment ". . . should be summarized." With regard to the student participants the brochure states that "student recruitment and selection processes and criteria should be clearly described." The brochure specifically states that proposals that recruit women, minorities, disabled students, or students outside the host institution "will receive special consideration" and suggests a REU proposal targeted at 4-6 students. In addition to the standard review criteria which includes the effect of the research on the infrastructure of science and engineering, the brochure lists additional review criteria. One of these is "the adequacy of procedures for selecting participants, and for matching selected participants with research supervisors."

OIG concluded that the NSF brochure provided guidance on the important topics to be included in a proposal and emphasized the importance of these topics in NSF's evaluation of the proposal. OIG concluded, as did the subject (see below), that the brochure did not dictate the specific language to be used in a REU proposal. The subject's proposal followed the guidance provided by the brochure but did not contain the same language as the brochure.

A total of about four pages of text in the subject's proposal is identical or substantially similar to material in the original author's proposal. Under other circumstances some of this plagiarized material could have been considered a relatively standard description of the institutional capabilities; however, a significant portion of the plagiarized material described the student

recruitment and selection process--material that NSF would expect to be unique to each PI's proposal. The decision of the Committee implies that it did not consider this a sufficiently serious case to justify a formal statement of charges because the subject's proposal contained some original material. OIG does not agree that the presence of original work in a proposal minimizes the seriousness of the presence of plagiarized material in that proposal.

If the subject's 1990 proposal had not been withdrawn from consideration the subject's and the original author's 1990 proposals would have been in direct competition with each other for the NSF program's limited resources. Because both proposals contained text from the original author's 1989 proposal, the original author would have in essence competing against himself thereby reducing his chances of securing NSF funding.

### THE SUBJECT'S RESPONSE

On January 11, 1993, OIG contacted the subject and requested her views on the allegation of plagiarism.

OIG received the subject's response (attached as Tab E) on January 25, 1993. The subject stated that her co-PI on the proposal did not write the proposal.

The subject also stated:

"I did copy or closely paraphrase the materials indicated in your letter . . . . I did not have the permission of [the original author] to do so."

I did not seek prior permission or acknowledge the materials because at the time I regarded them to embody standard materials or classical methods."

With regard to the material considered "boilerplate" by the Chairman, the subject said

"I was aware of institutions that maintained files of boilerplate information concerning facilities, equipment, faculty, and students, and much of the information I copied seemed to me to be of that type. Our department did not have a public boilerplate file for use by the faculty, but we [emphasis added] had the habit of sharing such information."

In the Chairman's letter to the Dean (Tab A) he said that his colleagues had

"borrowed proposals from their [emphasis added] colleagues and adapted materials . . . . I borrowed proposals from my [emphasis added] colleagues for consultation in preparing my own . . . ."

Both of these statements indicate that the sharing of such information was a collegial, collaborative effort, where an original author was directly asked for permission to use the original author's material in another's proposal. In the current case the subject did not ask the original author if he would share information from his proposal with her. He was unaware that his proposal was being "shared" with other faculty. The subject stated that

" . . . as a result of this incident, our current chair and his staff do not release any documents from their files without the permission of the author."

With regard to the recruitment and selection sections, the subject said

"The section of the proposal on recruitment procedures is unique to the REU program and so would not be a standard part of most proposals. However, I looked at the recruitment procedures described by [the original author] as classical methods of good recruitment . . . . I did not perceive them as unique procedures devised by him, but as a series of steps that would be used for student selection in many academic settings."

With regard to the NSF brochure, the subject said

"The relevant NSF brochure on the REU program did not dictate the text to be used in the proposal. It did explicitly indicate . . . the main headings to be included and what material should be included under them . . . ."

In summarizing her response the subject said

" . . . I thought of the sections copied to be standard descriptions and methods since they were not part of the REU research projects proposed to be carried out by the students . . . . I still see them as rather stereotyped supporting materials. However, I should have given attribution or obtained [the original author's] permission even for factual materials and normal methods, if the original source was [the original author's] grant applications."

The subject attributed her copying to "being naïve about [her] responsibilities." In the Chairman's December 1990 letter to the Dean (Tab A) he had also attributed her error to naïveté.

## OIG'S FINDINGS BASED ON THE SUBJECT'S RESPONSE

The subject's 1990 NSF proposal contained 12 passages amounting to about four pages of text copied from the original author's funded 1989 NSF proposal. The subject's 1990 proposal was withdrawn during the institution's inquiry into the allegation of plagiarism. The subject did not obtain the original author's permission to use his material and did not indicate, by citation and indentation or quotation marks, the material from the original author's 1989 proposal that was used in the subject's 1990 proposal. The subject did not provide an acknowledgment to the original author in her 1990 proposal.

OIG found that the passages copied by the subject which included both a description of the institution's capabilities and the student recruitment and selection process were important and integral parts of the proposal. Each element of an REU proposal is carefully evaluated in a funding decision and several elements of the proposal were plagiarized. The copied text cannot be considered boilerplate or dictated by the NSF brochure, when by the subject's own admission such boilerplate material did not exist in her department and the brochure did not dictate proposal text.

OIG was concerned that, in a proposal which is, in part, written to emphasize the unique capabilities of the institution and the particular recruitment plan, the subject's response indicates that she still does not view the original author's text and ideas as uniquely his. In this particular case, if the subject had not withdrawn her proposal it would have been in direct competition with the original author's 1990 proposal. Both the subject's and the original author's 1990 proposals contained text derived from the original author's 1989 proposal. In essence the original author would have been competing, in part, against himself. Although the subject's 1990 proposal was withdrawn prior to evaluation, the original author's 1990 proposal was funded.

The subject submitted a rewritten proposal [REDACTED] in October 1991. That proposal, the subject's 1991 proposal, was funded. The proposal did not contain material that was plagiarized from the original author's proposals.

## CONCLUSION AND RECOMMENDATION

It is considered plagiarism to use the words or ideas of another person without permission and attribution even if the copied material is a description of common facilities or faculty. In deciding whether plagiarism occurred, the presence of unattributed copied material in a work is not mitigated by the presence of original text in that same work. Therefore, we recommend that the Deputy Director of NSF find that the subject has committed misconduct, and specifically plagiarism, under NSF's definition of misconduct in science and engineering. A letter describing the findings and the final administrative actions taken by NSF should be sent to the subject with copies to the current department Chairman, the Dean, the Committee, and the institution's Authorized Institutional Representative (AIR).



OIG found that the subject copied about four pages of text from the original author's proposal into her submitted proposal without obtaining his permission, and that she did not offset the copied text by indentation or quotation marks or provide a citation by each block of text to the original author's work. The subject's proposal did not contain an acknowledgement to the original author. OIG found that the subjects addressed in the copied material were important to determining the merit of the proposal, and their importance was highlighted by their inclusion as a review criteria.

In recognition of what the institution has labeled a "technical error" committed by the subject, the institution placed a copy of the Chairman's letter to the Dean in the subject's personnel file at the institution. However, when imposing that sanction the institution ignored the fact that a significant part of the plagiarized text was material it determined to be part of the "proposed work," material that described the student recruitment and selection process and that NSF expected was unique to the subject's proposal. After further institutional review, that sanction was considered appropriate, in part, because original work by the subject also appeared in her proposal.

Of her own volition the subject withdrew her 1990 proposal from consideration. During the summer of 1992, in connection with her funded 1991 proposal, she joined with two other REU site grant PIs at the institution in providing a series of seminars entitled "Ethical Issues in the Conduct of Research." OIG feels that the presence of the letter containing the Chairman's findings in the subject's personnel file and her remedial efforts constitute part of the appropriate administrative action that should be taken in this case.

NSF funds proposals that promote and advance progress in science and engineering, fundamental to that is the expectation that these proposals represent unique and original work. NSF's funding decisions rely, in part, on the expectation that PIs adhere to the generally understood tenet that proposals represent the original work of the PI and that appropriate credit and acknowledgements are given to the work of others. OIG believes that the subject's failure to observe this tenet breaks a trust with NSF. To reestablish that trust the subject should, for a period of three years, accompany any proposal submitted to NSF with a certification to OIG of her present responsibility and her understanding of that tenet. The institution, as a steward of ethical conduct in science, should accompany each certification with its own certification that the proposal appropriately acknowledges all original sources of information.

Given the circumstances of this case, OIG feels that the government's interest will be adequately protected if the following actions are taken:

- (1a) If, prior to September 1996, the subject is a principal investigator or co-principal investigator on a proposal submitted to NSF for funding, the [REDACTED] Authorized Institutional Representative (AIR) will ensure that the subject's department Chairman has signed an Assurance stating that, on the basis of the Chairman's reading of the proposal, the proposal does not, to the best of the Chairman's knowledge, contain any plagiarized material.

- (1b) If, prior to September 1996, the subject is a principal investigator or a co-principal investigator on a proposal submitted to NSF for funding, the PI will certify in writing that she has recently reviewed her institution's guidelines on misconduct in science, and that, to the best of her knowledge, her grant application is free of any such misconduct, and that her grant application has been reviewed as described above.
- (1c) The Chairman's Assurance and the PI's Certification will be sent to the Assistant Inspector General for Oversight in NSF's Office of Inspector General, to be placed in that office's file on this matter.
- (2) The subject will send a letter of apology to the original author by certified mail with a request for a return receipt. A copy of that letter along with the certified mail receipt will be forwarded to the Assistant Inspector General for Oversight in NSF's Office of Inspector General, to be placed in that office's file on this matter.

OIG sent a draft of this report to the subject with a request for comments. In an August 18, 1993 letter (Tab F) the subject accepted the findings of the report without comment, offered to "carry out the recommendations in . . . [the] report," but requested that the proposed Chairman's certification be qualified by the language, "on the basis of the Chairman's reading of the proposal, the proposal does not, to the best of the Chairman's knowledge, contain any plagiarized material." OIG has revised action (1a) above to contain that language.