

CLOSEOUT FOR M96010001

This case came to OIG on January 23, 1996, when we received a letter and supporting documentation from Dr. [REDACTED] (the complainant), formerly a graduate student at [REDACTED]. The complainant made various allegations against Dr. [REDACTED] (the subject), who was his dissertation advisor at the university. The subject was PI on NSF award [REDACTED], entitled "[REDACTED]" One allegation involved another former graduate student of the subject, [REDACTED] (the other student).

The complainant alleged that the subject had committed misconduct by claiming coauthorship of two conference papers¹ that the complainant had written. OIG determined that the subject had initiated the research reported in the two papers and secured NSF funding for it. We further determined that the research was carried out under the subject's direction and along lines projected in the subject's NSF proposal. OIG concluded that under these circumstances the subject's claim of coauthorship could not be considered a serious deviation from accepted practice and that the allegation lacked substance.

The complainant alleged that the subject refused to use grant funds to enable the complainant to attend a conference and present their joint work. OIG decided that the subject had no obligation to do so and that the subject's refusal could not be considered misconduct in science.

The complainant also alleged that the subject's proposal to NSF misappropriated work that the other student did for his Ph.D. dissertation. OIG examined the proposal and determined that the other student's contributions were acknowledged in the proposal and that the proposal was submitted to NSF before the dissertation was approved and while the other student was working under the subject's direction. We concluded that this allegation lacked substance.

¹ The papers are entitled [REDACTED] and [REDACTED]. Both were submitted for presentation at the [REDACTED] meetings [REDACTED] under the complainant's name, withdrawn, and subsequently resubmitted with the subject listed as a coauthor.

CLOSEOUT FOR M96010001

The complainant alleged that the subject published a paper in two different places. He supplied copies of the two publications. OIG determined that there were enough differences between the two papers that publishing both of them as parts of the proceedings of different professional conferences could not be considered misconduct in science.

The complainant alleged that the subject caused arbitrary delays before the complainant's dissertation could be accepted. The complainant did not link this alleged misconduct to the subject's NSF related activities. Because the evidence the complainant supplied indicated that the delays were brief and could not have affected the complainant's graduation date, OIG concluded that the allegation did not rise to the level of misconduct and did not seek further evidence as to whether we had jurisdiction over it.

The complainant alleged that he had been treated badly by the university after he made complaints about the subject. OIG examined the evidence the complainant provided to determine whether it provided substantial reason to believe that any person had committed misconduct in science by retaliating against a whistleblower. We concluded that the written evidence provided by the subject gave no indication that he had been subject to retaliation. We determined that university officials repeatedly urged the complainant to provide the evidence necessary for the university to inquire into his allegations and did not threaten him in writing. Although, in the material the subject sent to OIG, he alleged that he had been threatened, he was unable, when we questioned him, to supply any evidence to support this allegation. OIG concluded that there was no substantial evidence that the subject had been threatened or penalized for making his allegations.

Among the materials that the complainant supplied to OIG was a copy of a letter from his department head to him threatening to suspend inquiry into the complainant's allegations if the complainant did not cease violating an agreement with the university by publicizing the allegations. OIG decided that the department head's action was inappropriate. When we closed the case, we wrote to the university's authorized organizational representative, who oversees compliance with NSF regulations, informing him that the purpose of misconduct inquiries was to ensure the integrity of the research and that such inquiries therefore needed to go forward regardless of the complainant's alleged misbehavior. We asked the authorized representative to inform department heads and other responsible administrators at the university of their obligations in situations such as this.

The complainant's other allegations involve discourtesy or incompetence in mentoring, and not misconduct in science. OIG did not consider these allegations.

The complainant alleged that the subject drew a summer salary from his NSF grant for 1995 despite having spent the summer on vacation in a foreign country. OIG investigators found that the evidence did not support the allegation.

CLOSEOUT FOR M96010001

This inquiry is closed and no further action will be taken on this case.