

CLOSEOUT FOR CASE M-97040013

On 17 April 1997, we received information about allegations of misconduct in science from an NSF program director.¹ The complainant² alleged that his post-doctoral researcher³ (the subject), who was supported by the complainant's NSF award,⁴ falsified data in experiments he supervised for the complainant. After he had given these alleged falsified data to the complainant, the subject allegedly altered experimental evidence to make it conform to the falsified data. The complainant told the program director that he had informed his institution⁵ about the allegations of misconduct in science and it had initiated an inquiry. We contacted the institution and deferred our inquiry until the institution completed its own.

After its inquiry had begun, the institution informed us that the subject, an employee of the institution's Foundation,⁶ had been terminated as an employee. As a result, the subject had hired an attorney to represent him.

The institution's inquiry committee concluded that no formal investigation was warranted. According to its report, the committee had been unsuccessful in getting a response directly from the subject about the allegations, instead receiving responses from the subject's attorney that provided little substantive information. Separately, we learned that the Foundation had reached a settlement agreement with the subject regarding his termination. Both the institution and the inquiry committee assured us that the settlement agreement had not influenced the committee's conclusion.

We concluded that the inquiry committee's report contained insufficient information to evaluate either what allegations the committee considered or what evidence was used to arrive at its conclusion. To determine whether the allegations were substantive, we sought and received additional information from the institution, the institution's inquiry committee members, the subject's attorney, and the subject. The evidence indicated that: 1) the laboratory environment was extremely disorganized with little to no supervision by the complainant or by other trained staff members familiar with basic experimental protocol critical to the creation of reliable data. There was no consistent data recording protocol developed for the experiment, which resulted in no consistent and clear data record; 2) the subject's computerized research records were accidentally erased as part of a laboratory clean up after the subject had been terminated from the Foundation; and

¹ [REDACTED] is the [REDACTED]

² [REDACTED] the complainant, is a [REDACTED]

at the [REDACTED]

³ [REDACTED] the subject, was a post-doctoral researcher working for the complainant.

⁴ NSF award [REDACTED] entitled [REDACTED] was submitted by the complainant as the sole PI.

⁵ The complainant's university is [REDACTED]

⁶ The Research Foundation [REDACTED] which receives and oversees awards to the institution, was the subject's employer. The institution explained that, because the Foundation was separate from the institution, the inquiry into the allegations could proceed.

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3) the data the subject gave to the complainant were disputed by many student assistants, who believed these data were inconsistent with their observations of the experiments. The various explanations for the differences in the data were based on their visual observations of the experiments at different times. None of the conflicting student reports about the experiments were based on systematic record keeping. These reports could not be corroborated.

We determined that the available information was inadequate to make a reasonable determination about the substance of these allegations and that it was unreasonable to expect that further efforts at information gathering would provide any significant new information.

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

cc: Integrity, IG