

Addendum to Closeout of M97010003/M98050027

This case was originally closed on October 3, 1997 (see attached). The complainant subsequently informed OIG that both the subject's and complainant's draft manuscripts had been published as conference proceedings and provided us with copies. The complainant requested we re-open this case to analyze allegations (a) and (b) in light of the fact that the manuscripts were published.

Allegation (a), intellectual theft, was based on the subject's use of one particular, common term (the term) in the title of her manuscript and a one paragraph explanation of the technical meaning of a few specific words in the text of the manuscript. The complainant alleged that the subject's explanation and use of the technical words was intellectual theft because the subject did not use that term in her manuscript, and that its inclusion arose only because the subject appropriated it from a theory the complainant had developed.

There was no evidence that the subject took ideas or text from the complainant's draft manuscript; indeed, most of the terminology is common to the field in which the subject has published, and the specific technical aspects could derive from the subject's research in that field. Thus, we had originally concluded there was nothing in the subject's draft manuscript that was unique to the complainant's manuscript. Nevertheless, we asked a scientist¹ in the field for his opinion of the alleged intellectual theft in the subject's published paper. He stated the subject's use of the term in the title of her paper was unusual in that it appeared unrelated to what was described in the paper. The scientist stated that the few references to the term in the subject's paper were completely unrelated to the use of the same term in the complainant's manuscript. Regarding the methodology of the two manuscripts, the complainant's manuscript relied on a technique that the subject's paper did not use. The scientist added that one could not conclude that such a common term had been plagiarized without further connection in its use in the two manuscripts. As the scientist found, there was no apparent plagiarism or failure to cite the source of an idea that is developed in the subject's paper. OIG agreed and concluded there is no substance to the allegation of intellectual theft.

Regarding allegations (b), misrepresentation of cited references, the scientist noted that the subject's paper cited many references that had no specific mention of the term for which they were cited. However, he concluded the citations were relevant to the work presented in an otherwise reasonable way to provide background and comparison to the present work. OIG agreed and concluded that, although the subject's citation practice, as exemplified by this paper, may not represent the degree of scholarship the scientific community and NSF expects, the inaccuracies do not rise to the level of misconduct in science.

¹ (footnote redacted).

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Based on our analysis of the current evidence, this inquiry is closed and no further action will be taken on this case.

cc: Legal, AIG-Oversight, IG