



Research Misconduct

Policies and Consequences

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What Is Research Misconduct?

CURRENT UA POLICY

“Research or scholarly misconduct means fabrication, falsification, plagiarism, deception, or other ethical practices which seriously deviate from those commonly accepted within the research community for proposing, conducting, or reporting the results of research.”

What Is Research Misconduct?

"Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results."

– Office of Research Integrity (ORI), DHHS

http://ori.hhs.gov/misconduct/definition_misconduct.shtml

DRAFT UA POLICY ADOPTS ORI DEFINITION

What Is Not Research Misconduct?

- Research Misconduct does not include disputes regarding honest error or honest differences in interpretations or judgments of data and is not intended to resolve bona fide scientific disagreement or debate.
- Misconduct must be committed intentionally, knowingly, or recklessly.

Definitions

- Fabrication — making up data or results and recording or reporting them.
- Falsification — manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- Plagiarism — the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Definitions

Self Plagiarism

An author publishing the same data in more than one journal, assuming that the data, figures, etc. are the same in both publications, is not considered research misconduct. (This does violate the rules of most professional journals.)

– *ORI Newsletter*, Vol. 15, No. 4, September 2007

Authorship/Credit

According to the ORI plagiarism is “...*theft or misappropriation of intellectual property* and the *substantial unattributed textual copying* of another's work. It does not include *authorship or credit disputes.*”

- “...theft or misappropriation of intellectual property includes the unauthorized use of ideas or unique methods obtained by a privileged communication, such as a grant or manuscript review .
- “Substantial unattributed textual copying of another's work means the unattributed verbatim or nearly verbatim copying of sentences and paragraphs which materially mislead the ordinary reader regarding the contributions of the author.”

Authorship/Credit

“... the collaborative history among the scientists often supports a presumption of implied consent to use the products of the collaboration by any of the former collaborators.” These are commonly perceived as *authorship or credit disputes*, not plagiarism.

– ORI, DHHS

<http://ori.hhs.gov/policies/plagiarism.shtml>

Reporting Misconduct

By federal regulation, institutions which receive federal funding must have policies and procedures in place to address the reporting and investigation of research misconduct.

Reporting Misconduct

Current UA Policy

“All employees or individuals associated with the University are expected to report observed, suspected, or apparent misconduct in research or scholarly activities to the VCAA.”

DRAFT UA POLICY

“All institutional members will report observed, suspected, or apparent research misconduct to...”

How Common Is Research Misconduct?

TABLE 1: DISPOSITION OF ALLEGATIONS IN ORI, 2007

<i>Handling of allegations – outcome in ORI</i>	<i>Number of allegations</i>	
No action possible now or no action		122
Handled by agency		21
HBA to ORI		5
Referred to other federal agencies		21
PIA allegations made directly to ORI	47	
PIA allegations made initially to NIH	1	
PIA of allegations		48
TOTAL ALLEGATIONS		217
Handling of PIAs		
Administratively closed after review		16
Remain as PIA		26
Moved to active status		5

ORI Annual Report 2007

PIA = assessments that have been identified to ORI or NIH as active inquiries or investigations and are followed continuously by DIO to ensure that the institutional reporting requirements are met

How Common Is Research Misconduct?

TABLE 7: HHS ADMINISTRATIVE ACTIONS IMPOSED IN CLOSED INVESTIGATIONS WITH MISCONDUCT FINDINGS OR ADMINISTRATIVE ACTIONS, 2007

<i>HHS administrative action</i>	<i>Duration</i>	<i>Number of actions</i>
Debarment or voluntary exclusion	Lifetime	1
Debarment or voluntary exclusion	5 years	2
Debarment or voluntary exclusion	3 years	4
Prohibition from serving as an advisor for PHS	Lifetime	1
Prohibition from serving as an advisor for PHS	5 years	2
Prohibition from serving as an advisor for PHS	4 years	1
Prohibition from serving as an advisor for PHS	3 years	6
Supervision plan required	4 years	1
Supervision plan required	3 years	2
Certification of work	3 years	1
Retraction and/or correction of articles	-	1

Historical Examples of Misconduct

- Gregor Mendel – pea plant data is suspiciously “clean”
- Louis Pasteur – used a competitor’s anthrax vaccine, yet reported use of his own vaccine

More Recent Examples

- James David Lieber, UCLA (*ORI Newsletter*, Vol. 15, No. 4, September 2007)
 - Fabricated interviews for 20 research participants
 - Falsified the urine specimens for those 20 subjects
 - Caused the entry of false information the study tracking and locating database
(Also stole incentive payment and travel expense reimbursements meant for participants.)
- Rebecca Uzelmeier, former doctoral student, MSU (*ORI Newsletter*, Vol. 15, No. 3, June 2007)
 - Fabricated /falsified data in her research notebook by multiple instances of using data/results generated from one experiment to represent data/results purportedly obtained from one or more entirely different experiments
 - Fabricated and falsified data in her thesis including autoradiographic films, computer image files scanned from those films, and numerical data reduced from those computer files

Consequences

Your Name In Print

"Ms. Uzelmeier's actions caused the withdrawal of a manuscript that had been submitted for publication, the withdrawal of her mentor's PHS grant application, and her dismissal from graduate school."

<http://ori.dhhs.gov/misconduct/cases/>

2007	2006	2005
Bryant, Joy	Aronica, Susan M.	Geisler, Hans E.
Jin, Wei	Blaisdell, Jennifer	Grol, Jessica Lee
Jorge-Rivera	Goldring, Amy Beth	Highshaw, Ralph A.
Layman, Diana	Kornak, Paul H.	Kammer, Gary M.
Lieber, James David	Lin, James C.	Li, Xiaowu
Murillo, Carlos A.	Leadon, Steven A.	Lilly, Jason W.
Prabhakaran, Kartik	McMaster, Nicholas	Luce, Randall
Roovers, Kristin	Okoro, Sylvia	Poehlman, Eric T.
Uzelmeier, Rebecca	Park, Jong Hyuk	
	Robinson, Clifford R.	
	Swe, April	
	Woreta, Hiwot A.	
	Zhao, Lingjie	
	Zhu, Kui	

**Findings of Research Misconduct
and Administrative Actions**

Consequences

- Appropriate steps to correct the research record
- Letters of reprimand
- Imposition of certification requirements to ensure compliance with the terms of a grant
- Suspension or termination of a grant
- Personal suspension and/or debarment
- Fines, penalties and/or imprisonment

Either civil or criminal violations can result in fines, penalties and/or imprisonment. Proposals are not “exempt” from charges of misconduct.

Something to Think About

1. Do you take short cuts or consider taking them?
2. What would you do if you believed someone had committed research misconduct? Could you report them?
3. Who would you go to if you thought a fellow student, lab technician, or faculty member had committed research misconduct?

Case Study

Case Study 1: Truth or Consequences

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