

RESEARCH INSTITUTIONS COMMITTEE: Research Ethics and Responding to Research Misconduct or Mismanagement

Paula Lutz, University of Wyoming

Michael Johnson, University of Central Florida

John Pratte, Arkansas State University

Simon Rhodes, IUPUI



Abstract: An issue that continues to haunt research institutions is ensuring the integrity of the research done by our faculty. Traditionally, faculty have operated as lone agents when it comes to research, with little direction or supervision given by the institution. Yet, there is a growing expectation that the institution vouches for the validity of their research, especially in cases where the research is funded with federal or state funds. Having the institution's name mentioned in materials sent by faculty to predatory journals or other inappropriate outlets also risks diminishing the standing of the college and the university. The problem of researchers working on their own without any oversight potentially risks the status and funding of the institution. This has become even more potentially problematic in an era of instant, ubiquitous communication, reduced funding, divisive politics, and a “post-evidence” culture. In these situations, Deans may be in the difficult position of trying to explain research misconduct after the fact to the general public and state legislators. In addressing these issues the panel will discuss the process of dealing with research misconduct (due process etc.), and ensuring that research works are sent to appropriate scholarly outlets. How universities should exercise oversight over research and publications bearing the institution’s name (and how to exercise such oversight without endangering academic freedom), how to respond when occurrences of research misconduct become public, and the danger of more intrusive measures being forced on research institutions by external agencies will also be discussed.

If you want the slides...

Please send one of us an e-mail

Michael.Johnson@ucf.edu

paula.lutz@uwyo.edu

jpratte@astate.edu

srhodes@iupui.edu



**Research Ethics and Responding to
Research Misconduct or
Mismanagement**

Presiding: Simon Rhodes (IUPUI)

Panelists: Michael Johnson (University of Central Florida)

Paula Lutz (University of Wyoming)

John Pratte (Arkansas State University)

[Sponsored by the Committee on Research Institutions]



Research Integrity Officer: The Dean's Friend

Your campus has a RIO!

- Required to qualify for federal funds.
- Special training required.
- Carries out investigations in absolute confidence.
- Other duties may include research ethics training for graduate students and/or new faculty.

Your campus has a research misconduct policy!

- Must be approved by HHS (Health and Human Services) for NIH grants.
- Every campus policy looks much the same!



Where can a student, faculty, or staff person find this information?

- YOUR Office of Research website
- NIH → Office of Research Integrity website
https://grants.nih.gov/policy/research_integrity/index.htm
- ORI RESOURCES
 - Short video Case Studies
 - Interactive Case Studies: “The Lab...”, “The Research Clinic...”



OFFICE OF RESEARCH AND ECONOMIC DEVELOPMENT HOME

- MENU
- ANNOUNCEMENTS
- BUSINESS RESOURCE NETWORK
- COMPLIANCE
- DRONES
- CORE FACILITIES AND OTHER RESOURCES
- EPSCOR
- INBRE
- PEOPLE
- PERMISSION TO COLLECT RESOURCE DATA
- POLICIES AND PROCEDURES
- PROPOSAL DEVELOPMENT
- PROQUEST COPYRIGHT AND YOUR DISSERTATION OR THESIS
- RESEARCH REPORTING UNITS
- SPONSORED PROGRAMS - POST AWARD MANAGEMENT

RESPONSIBLE CONDUCT OF RESEARCH

- UW Policy for Responding to Allegations of Research Misconduct 2008
- UW Responsible Conduct of Research (RCR) Training Requirement
 - CITI Training
- Responsible Conduct of Research - Introduction
- Responsible Conduct of Research - Plagiarism
- University of Wyoming Code of Ethical Conduct
- On Being a Scientist: Responsible Conduct in Research

Research Integrity Officers:

Stephen L. Bieber, Director/Professor, bieber@uwyo.edu, 307-766-4229
 Dorothy Yates, Associate Vice President for Research & Economic Development, dyates4@uwyo.edu, 307-766-5353

Share This Page:



https://grants.nih.gov/policy/research_integrity/index.htm

NIH National Institutes of Health Office of Extramural Research Grants & Funding NIH's Central Resource for Grants and Funding Information

Home | Policy & Compliance | Search Policy Topics | Research Integrity

Research Integrity

NIH Agency Goal
To exemplify and promote the highest level of scientific integrity, public accountability, social responsibility in the conduct of science.

Research Integrity

- What is Research Integrity?
- Why does Research Integrity Matter?
- What can be done to Promote Research Integrity?
- Promoting Research Integrity - NIH Initiatives
- Integrity and Confidentiality in NIH Peer Review
- Glossary: Professional Codes, Norms, Ethics Training

Policies & Regulations

- Public Health Service (PHS) Policies on Research Misconduct, 42 CFR Part 93.0
- NIH Requirement for Institution in the Responsible Conduct of Research
- NIH Policies and Procedures for Promoting Scientific Integrity, November 2012
- ORI's Guidelines for Institutions and Whistleblowers: Responding to Possible Retaliation Against Whistleblowers in Extramural Research
- NIH Grants Policy Statement on Special Award Conditions and Enforcement Awards

Responsible Conduct of Research (RCR) - HHS ORI Resources

- HHS ORI Introduction to RCR
- RCR Casebook: Stories about Researchers Worth Discussing
- Short Video Case Studies
- "The Lab: Avoiding Research Misconduct" Interactive Case Study
- "The Research Class" Interactive Case Study
- RCR Infographics

Research Misconduct

- Overview
- Definitions
- Requirements for Making a Finding of Research Misconduct
- NIH Process for Handling Research Misconduct Allegations
- What Happens if there is a Finding of Research Misconduct?
- What should you do if you Suspect Research Misconduct?
- PHS Administrative Action Bulletin Board
- PHS Research Misconduct Case Summaries
- Info for the Press

Useful Links

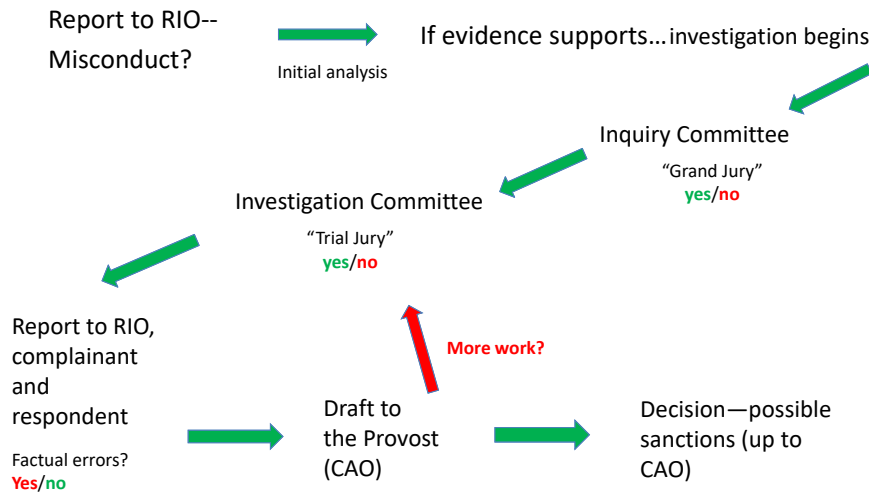
Responsible Conduct of Research (RCR) - NIH Intramural Resources

- Guidelines for the Conduct of Research in the Intramural Program at NIH
- Guidelines for Scientific Record Keeping in NIH Intramural Labs
- Guide to Training and Mentoring in NIH Intramural Labs
- Processes for Authorship Disputes at NIH Intramural Labs
- Responsible Conduct of Research Training

ACCESS NIH Staff Resources



If a complaint is made...



Three (+ 1) forms of Research Misconduct

- Plagiarism
- Fabrication
- Falsification
- "Other"
 - IACUC protocol not followed
 - IRB protocol not followed
 - data not kept to the standards of the discipline



Why does Research Integrity Matter?

FROM https://grants.nih.gov/grants/research_integrity/care.htm

- We “...rely on trustworthy results of other researchers...”
- We “...rely on public support.” Affects funding.
- For scientists: “The public relies on scientific progress to better the lives of everyone. The public could actually be harmed by researchers who...act without regards to integrity.”
- We should hold ourselves to the highest standard. DO NOT VIOLATE THE PUBLIC TRUST.
- If we are not believed, this allows the “deniers” in...ALL the deniers.



Responding to Research Misconduct: When the Feds Come In

Michael Johnson
University of Central Florida

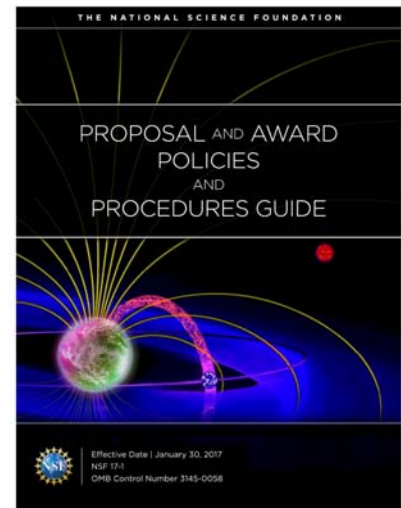


Like all grantees, NSF expects grant recipients to follow their rules

Lots of rules: e.g., NSF's "Proposal and Award Policies and Procedures"

<https://www.nsf.gov/pubs/policydocs/pappguide/nsf11001/>

OMB Circulars etc.



- In principle, PIs are supposed to know all the rules
- In practice, they can't
- Your research and compliance office, and staff, need to be authorities on many
- Faculty need to understand their part: they need training in "Responsible Conduct of Research"



RCR Individualized Training Completion Report



Research Integrity & Compliance

The OIG offers a variety of forums and tools to assure research conducted at UCF adheres with regulatory guidelines and meets the highest standards of responsible conduct.

Sustainability in Research through Compliance



Conflict of Interest (COI)

Serving to preserve the integrity by mitigating conflicts of interest in order to protect research subjects and maintain the independence of research results.



Responsible Conduct of Research (RCR)

Preserving the Public Trust in Science through the Responsible Conduct of Research and fostering an environment of integrity and honesty in all research endeavors.



Export Compliance (EC)

Striving to educate and conduct research in harmony with export control laws and regulations.



Effort Reporting and Certification

ECRT is a web-based technology that intuitively guides sponsors and administrators through the various facets of the effort reporting and certification process on a periodic basis.



Institutional Review Board (IRB)

The IRB Committee established to protect the rights and welfare of human participants involved in research.



Facility Security

Providing support to our customers to safeguard classified information by delivering security training, education and awareness in accordance with the National Industrial Security Program in support of national security.



Office of Animal Welfare

IACUC is responsible for oversight and evaluation of the University animal care and use program, its procedures and facilities to ensure that they are consistent with the recommendations of the Guide, AWR, PHS Policy, and IACUC Policies.

But sometimes things go wrong

Mismanagement vs Misconduct

Mismanagement: minor (an improper charge, corrected internally) to major (several years of unapproved salary for a spouse, discovered by auditors)

Misconduct: minor (imperfect citation) to major (falsifying data)



Grant Administration

We are supposed to make sure PIs administer grants properly

Often find and correct routine problems, such as inappropriate expenses; may return \$ or \$\$ or \$\$\$

Sometimes problems are uncovered during audits carried out by the Office of the Inspector General



Misconduct

We are supposed to prevent, detect, investigate, and take action

Or the Office of the Inspector General may play a role, because of a complaint or audit

Sanctions can range from reprimands to debarment – of individuals or of the university



Office of the Inspector General

Each federal agency has an independent OIG – accepts complaints, but also conducts grant audits

Usually refers investigations to the university

Want us to assess and impose sanctions as they would



Office of the Inspector General (cont.)

Example: plagiarism in NSF proposal
in a portion written by a collaborator
reprimand, oversight, training

Example: plagiarism in NSF proposal
copied graph from another's lab
debarred for 3 years



Office of the Inspector General (cont.)

You can do what they want; or they can recommend findings and sanctions to NSF

NSF's Deputy Director adjudicates, gives notice of proposed action and right to appeal, and then closes or proceeds to appeal

Appeals are adjudicated by NSF's Director



Challenges for Universities

National Academies and others have pointed out that the burden of compliance work is lowering the return on the federal investment in research



Challenges for Universities (cont.)

Inspectors don't always agree with agency understanding of, e.g., permissible expenditures

How hard should a university push back when it disagrees with the IG?

OIG recommendations often not accepted by NSF. But ...



Challenges for Universities (cont.)

They have big guns – pay back \$Millions, even recommend university-wide debarment

And IG treats mismanagement like misconduct – not for due process, but for penalties

Decision often made by provost, with advice from RIO/compliance, and perhaps the dean



Challenges for Universities (cont.)

Letters from OIG can read like this:

“If it is not addressed forthrightly, our office will evaluate recommendations to NSF management regarding Dr. X’s and [Your University]’s ability to continue receiving federal funds.”



Challenges for Universities (cont.)

National Academies report: results of preliminary IG investigations often publicized prematurely, causing “unwarranted reputational harm” to universities.

“The completed audit, which generally finds significantly smaller disputed charges, usually receives little or no publicity.” *(Physics Today, Nov 2015)*



“A Very Modest Policy on Research”

John M. Pratte

jpratte@astate.edu



Faculty Viewpoint

- Academic freedom allows faculty to pursue research of their choice
 - Pursuit of this research will not be encumbered by colleagues or administrators as long as it falls within the bounds of the law and ethics
 - Publication/presentation of results is at the discretion of the faculty member
-



Institutional View

- Legal issues previously mentioned
 - Publications/presentations carry the name of the institution → affects reputation of everyone at institution
 - Possible internal funding of research, either directly, through release time, and/or use of facilities, gives institution some say in the matter
-



Changes in Research

- More researchers worldwide today than ever
 - Competition for limited resources is greater than ever
 - Growth in dissemination avenues has occurred to meet this demand
 - Qualified review of research by journals and conferences is questionable in some of these avenues
 - More weight on institutions to verify veracity of research as external bodies have more failure at this.
-



Recent Issues

- Journals with fictitious editors
- Elimination of Beall's predatory publication site
- Increase in error discovery in social media and Web
- Resulted in possible misconduct found in well-funded research labs
 - Duke University pulmonary research based on false data; \$250 million of grants based on this
 - Cornell University's Food and Brand Lab p-hacking issues; over 150 errors found in 4 papers; some have been retracted
 - Ohio State cancer researcher lawsuit against NY Times over article about retraction of papers that contained false data



Modest Policy Change

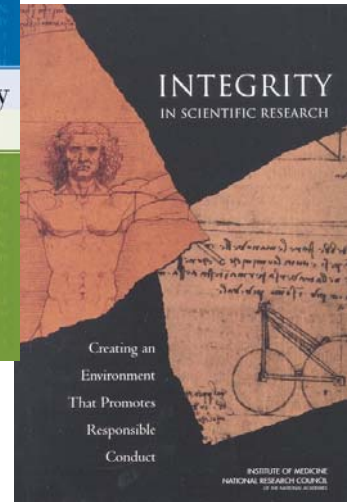
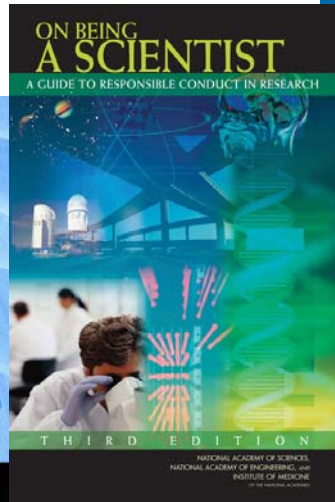
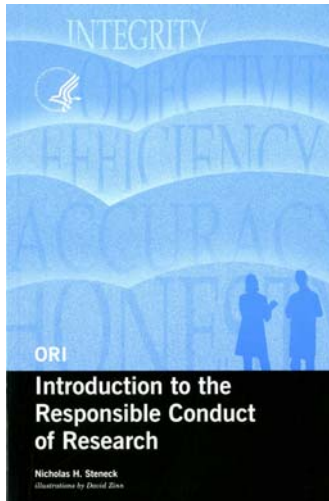
- In 2014, College of Sciences and Mathematics began requiring approval for the submissions of abstracts
 - Only addressed three criteria
 - Quality of the journal or conference
 - Funds for the publication or conference were secured before the submission
 - Appropriate co-authors/co-presenters were listed on the abstract
 - Submissions automatically loaded into productivity for annual and PRT evaluations (saves faculty time later)
-



Outcome

- Over three years, only three submissions were rejected; all based on predatory journal or va-conference
 - Compliance rate was close to 90%
 - Most noncompliance seemed to be from forgetfulness
 - Some pushback from a very small number of faculty
 - Not sure if a more comprehensive policy would be acceptable (ex. one that looked at the quality of the research)
-

Additional Resources



Plus your institutional policies

Questions or Comments?



If you want the slides...
Please send one of us an e-mail
Michael.Johnson@ucf.edu
paula.lutz@uwyo.edu
jpratte@astate.edu
srhodes@iupui.edu