



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: A10110082

Page 1 of 1

OIG conducted an inquiry into an allegation that two NSF proposals (Proposal 1¹ and Proposal 2²) submitted under the same solicitation contained identical text. Our inquiry found that the PI (Subject)³ of Proposal 1 received a previously submitted version of Proposal 2 from the Co-PI⁴ and copied text without attribution or permission. We referred the investigation to the Subject's institution for investigation.

The University concluded, based on the preponderance of evidence, that the Subject knowingly committed plagiarism, deemed a significant departure from accepted practices, and took actions to protect the University's interests.

We adopted the University's findings. We concluded, based on a preponderance of the evidence, that the Subject knowingly committed plagiarism, deemed a significant departure from accepted practices, and recommended actions to be taken to protect the federal interest. The Deputy Director concurred with our recommendations.

Additionally, we sent the Co-PI a Questionable Practice Letter reminding her of her responsibilities regarding the handling of NSF proposals.

This memo, the attached Report of Investigation, and the Deputy Director's letter constitute the case closeout. Accordingly, this case is closed.

1
2
3
4

[Redacted content]

NATIONAL SCIENCE FOUNDATION
4201 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22230



OFFICE OF THE
DEPUTY DIRECTOR

OCT 17 2012

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Dr. Yusuf Mehta
Associate Professor
Department of Civil and
Environmental Engineering
Rowan University
201 Mullica Hill Road
Glassboro, NJ 08028

Re: Notice of Debarment

Dear Dr. Mehta:

On July 16, 2012, the National Science Foundation ("NSF") issued to you a Notice of Proposed Debarment and Notice of Research Misconduct Determination ("Notice"), in which NSF proposed to debar you from directly or indirectly obtaining the benefits of Federal grants for a period of one year. As reflected in the Notice, NSF proposed your debarment because you submitted a proposal to NSF containing material plagiarized from a successful proposal that had been submitted previously to NSF for funding. In the Notice, NSF provided you with an opportunity to respond to the proposed debarment.

Over thirty days have elapsed and NSF has not received a response. Accordingly, you are debarred until July 15, 2013. Debarment precludes you from receiving Federal financial and non-financial assistance and benefits under non-procurement Federal programs and activities unless an agency head or authorized designee makes a determination to grant an exception in accordance with 2 CFR 180.135. Non-procurement transactions include grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurance, payments for specified use, and donation agreements.

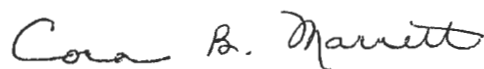
In addition, you are prohibited from receiving Federal contracts or approved subcontracts under the Federal Acquisition Regulations at 48 CFR Subpart 9.4 for the period of this debarment. 2 CFR 180.925. During the debarment period, you may not have supervisory responsibility, primary management, substantive control over, or critical influence on, a grant, contract, or cooperative agreement with any agency of the Executive Branch of the Federal Government.

Lastly, please note that, in the Notice, NSF also took the following actions against you, which continue to remain in effect:

- From the end of your debarment period through July 14, 2016, you are required to certify to the OIG that any proposals or reports you submit in connection with NSF-funded research do not contain plagiarized, falsified, or fabricated material.
- From the end of your debarment period through July 14, 2016, you are required to submit to the OIG assurances by a responsible official of your employer that any proposals or reports you submit in connection with NSF-funded research do not contain plagiarized, falsified, or fabricated material.
- You are prohibited from serving as an NSF reviewer, advisor, or consultant until July 1, 2016.
- You are required to complete a comprehensive responsible conduct of research training course by July 1, 2013, and provide documentation of the program's content to the OIG. The instruction should be in an interactive format (e.g., an instructor-led course, workshop, etc.) and should include a discussion of plagiarism and proper citation practices.

Should you have any questions regarding the foregoing, please contact [REDACTED], Assistant General Counsel, at (703) 292-8060.

Sincerely,



Cora B. Marrett
Deputy Director

NATIONAL SCIENCE FOUNDATION
4201 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22230



OFFICE OF THE
DEPUTY DIRECTOR

JUL 16 2012

CERTIFIED MAIL --RETURN RECEIPT REQUESTED

Dr. Yusuf Mehta
Associate Professor
Department of Civil and
Environmental Engineering
Rowan University
201 Mullica Hill Road
Glassboro, NJ 08028

Re: Notice of Proposed Debarment and Notice of Research Misconduct Determination

Dear Dr. Mehta:

In 2010, the University submitted a proposal to the National Science Foundation ("NSF" or the "Foundation") for which you were identified as the Principal Investigator. This proposal was entitled, [REDACTED] As documented in the attached investigative report prepared by NSF's Office of Inspector General ("OIG"), this proposal contained plagiarized material.

In light of your misconduct, this letter serves as formal notice that NSF is proposing to debar you from directly or indirectly obtaining the benefits of Federal grants for one year. During your period of debarment, you will be precluded from receiving Federal financial and non-financial assistance and benefits under non-procurement Federal programs and activities. In addition, you will be prohibited from receiving any Federal contracts or approved subcontracts under the Federal Acquisition Regulations ("FAR"). Lastly, during your debarment period, you will be barred from having supervisory responsibility, primary management, substantive control over, or critical influence on, a grant, contract, or cooperative agreement with any agency of the Executive Branch of the Federal Government.

In addition to proposing your debarment, I am prohibiting you from serving as an NSF reviewer, advisor, or consultant to NSF until July 1, 2016. Furthermore, for three years from the expiration of your debarment period, I am requiring that you submit certifications, and that a responsible official of your employer submit assurances, that any proposals or reports you submit to NSF do not contain plagiarized, falsified, or fabricated material. Lastly, you must complete a comprehensive responsible conduct of research training course by July 1, 2013, and provide documentation of the program's content to the OIG. The instruction should be in an interactive format (e.g., an instructor-led course, workshop, etc.) and should include a discussion of plagiarism and proper citation practices.

Research Misconduct and Sanctions other than Debarment

Under NSF's regulations, "research misconduct" is defined as "fabrication, falsification, or plagiarism in proposing or performing research funded by NSF ..." 45 CFR § 689.1(a). NSF defines "plagiarism" as "the appropriation of another person's ideas, processes, results or words without giving appropriate credit." 45 CFR § 689.1(a)(3). A finding of research misconduct requires that:

- (1) There be a significant departure from accepted practices of the relevant research community; and
- (2) The research misconduct be committed intentionally, or knowingly, or recklessly; and
- (3) The allegation be proven by a preponderance of evidence.

45 CFR § 689.2(c).

Your proposal contained verbatim and paraphrased text copied from a successful proposal that had been submitted previously to NSF for funding. By submitting a proposal to NSF that copies the ideas or words of another without adequate attribution, as described in the OIG investigative report, you misrepresented someone else's work as your own. In addition, you failed to properly acknowledge or credit the author of the source document in your proposal. Your conduct unquestionably constitutes plagiarism. I therefore conclude that your actions meet the applicable definition of "research misconduct" set forth in NSF's regulations.

Pursuant to NSF's regulations, the Foundation must also determine whether to make a *finding* of misconduct based on a preponderance of the evidence. 45 CFR § 689.2(c). After reviewing the Investigative Report, NSF has determined that, based on a preponderance of the evidence, your plagiarism was committed knowingly and constituted a significant departure from accepted practices of the relevant research community. I am, therefore, issuing a finding of research misconduct against you.

NSF's regulations establish three categories of actions (Group I, II, and III) that can be taken in response to a finding of misconduct. 45 CFR § 689.3(a). Group I actions include issuing a letter of reprimand; conditioning awards on prior approval of particular activities from NSF; requiring that an institution or individual obtain special prior approval of particular activities from NSF; and requiring that an institutional representative certify as to the accuracy of reports or certifications of compliance with particular requirements. 45 CFR § 689.3(a)(1). Group II actions include award suspension or restrictions on designated activities or expenditures; requiring special reviews of requests for funding; and requiring correction to the research record. 45 CFR § 689.3(a)(2). Group III actions include suspension or termination of awards; prohibitions on participation as NSF reviewers, advisors or consultants; and debarment or suspension from participation in NSF programs. 45 CFR § 689.3(a)(3).

In determining the severity of the sanction to impose for research misconduct, I have considered the seriousness of the misconduct; our determination that it was committed knowingly; the fact that the source document was a proposal previously funded by NSF; the fact that it was an isolated incident; and the fact that your misconduct had no impact on the research record. I have also considered other relevant circumstances. 45 CFR § 689.3(b).

Based on the foregoing, I am imposing the following actions on you:

- For three years from the end of your debarment period, you are required to submit certifications that any proposals or reports you submit to NSF do not contain plagiarized, falsified, or fabricated material.
- For three years from the end of your debarment period, you are required to submit assurances by a responsible official of your employer that any proposals or reports you submit to NSF do not contain plagiarized, falsified, or fabricated material.
- From the date of this letter through July 1, 2016, you are prohibited from serving as an NSF reviewer, advisor, or consultant.
- You are required to complete a comprehensive responsible conduct of research training course by July 1, 2013, and provide documentation of the program's content to the OIG. The instruction should be in an interactive format (e.g., an instructor-led course, workshop, etc.) and should include a discussion of plagiarism and proper citation practices.

All certifications, assurances, and training documentation should be submitted in writing to NSF's Office of Inspector General, Associate Inspector General for Investigations, 4201 Wilson Boulevard, Arlington, Virginia 22230.

Debarment

Regulatory Basis for Debarment

Pursuant to 2 CFR 180.800, debarment may be imposed for:

- (b) Violation of the terms of a public agreement or transaction so serious as to affect the integrity of an agency program, such as --
 - (1) A willful failure to perform in accordance with the terms of one or more public agreements or transactions; or
 - ...
 - (3) A willful violation of a statutory or regulatory provision or requirement applicable to a public agreement or transaction.

In any debarment action, the government must establish the cause for debarment by a preponderance of the evidence. 2 CFR 180.850. In this case, you knowingly plagiarized material in a grant proposal submitted to the Foundation. Thus, your action supports a cause for debarment under 2 CFR 180.800(b).

Length of Debarment

Debarment must be for a period commensurate with the seriousness of the causes upon which an individual's debarment is based. 2 CFR 180.865. Generally, a period of debarment should not exceed three years but, where circumstances warrant, a longer period may be imposed. 2 CFR 180.865. Having considered the seriousness of your actions, as well as the relevant aggravating and mitigating factors set forth in 2 CFR 180.860, we are proposing your debarment for one year.

Appeal Procedures for Finding of Research Misconduct and Procedures Governing Proposed Debarment

Appeal Procedures for Finding of Research Misconduct

Under NSF's regulations, you have 30 days after receipt of this letter to submit an appeal of this finding, in writing, to the Director of the Foundation. 45 CFR 689.10(a). Any appeal should be addressed to the Director at the National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230. If we do not receive your appeal within the 30-day period, the decision on the finding of research misconduct will become final. For your information, we are attaching a copy of the applicable regulations.

Procedures Governing Proposed Debarment

The provisions of 2 CFR Sections 180.800 through 180.885 govern debarment procedures and decision-making. Under our regulations, you have 30 days after receipt of this notice to submit, in person or in writing, or through a representative, information and argument in opposition to this debarment. 2 CFR 180.820. Comments submitted within the 30-day period will receive full consideration and may lead to a revision of the recommended disposition. If NSF does not receive a response to this notice within the 30-day period, this debarment will become final.

Any response should be addressed to [REDACTED], General Counsel, National Science Foundation, Office of the General Counsel, 4201 Wilson Boulevard, Room 1265, Arlington, Virginia 22230. For your information, we are attaching a copy of the Foundation's regulations on non-procurement debarment and FAR Subpart 9.4.

Should you have any questions about the foregoing, please contact [REDACTED] Assistant General Counsel, at (703) 292-5054.

Sincerely,

A handwritten signature in cursive script that reads "Cora B. Marrett".

Cora B. Marrett
Deputy Director

Enclosures:
Investigative Report
Nonprocurement Debarment Regulations
FAR Regulations
45 CFR Part 689

National Science Foundation Office of Inspector General



Confidential Report of Investigation Case Number A10110082 March 1, 2012

**This Confidential Report of Investigation is provided to you
FOR OFFICIAL USE ONLY.**

It contains protected personal information, the unauthorized disclosure of which may result in personal criminal liability under the Privacy Act, 5 U.S.C. § 552a. This report may be further disclosed within NSF *only* to individuals who *must* have knowledge of its contents to facilitate NSF's assessment and resolution of this matter. This report may be disclosed outside NSF only under the Freedom of Information and Privacy Acts, 5 U.S.C. §§ 552 & 552a. Please take appropriate precautions handling this confidential report of investigation.

Executive Summary

Allegation: Plagiarism.

OIG Inquiry: OIG identified 4 sources from which approximately 112 lines were copied into 1 NSF proposal. The primary source, from which 101 lines were copied, was a previously submitted and awarded NSF proposal. OIG referred investigation of the matter to the Subject's home institution.

**University
Investigation
and Action:**

The University concluded, based on a preponderance of the evidence, that the Subject knowingly committed plagiarism, deemed a departure from accepted practices.

The University placed a formal letter of reprimand in the Subject's personnel file; made him ineligible to apply for Full Professorship until January 2015; and required that he serve on the University's Academic Integrity committee for two years.

**OIG
Assessment:**

- **The Act:** The Subject plagiarized 109.5 lines from 3 sources into 1 NSF proposal.
- **Intent:** The Subject acted knowingly.
- **Standard of Proof:** A preponderance of evidence supports the conclusion that the Subject committed plagiarism.
- **Significant Departure:** The Subject's plagiarism represents a significant departure from accepted practices.
- **Pattern:** No pattern found.

**OIG
Recommends:**

- Make a finding of research misconduct against the Subject.
- Send the Subject a letter of reprimand.
- Debar the Subject from receiving Federal funds or participating in any federally-funded project for a period of 1 year.
- Require certifications from the Subject for a period of 3 years following debarment period.
- Require assurances from the Subject for a period of 3 years following debarment period.
- Require certification of attending a comprehensive responsible conduct of research training class within 1 year.
- Bar the Subject from serving as a reviewer for a period of 4 years.

OIG's Inquiry

OIG conducted an inquiry into an allegation that two NSF proposals (Proposal 1¹ and Proposal 2²) contained identical text. We reviewed Proposals 1 and 2 and confirmed they contained identical text, specifically in the sections detailing student recruitment, participation, and evaluation. We examined the NSF review history of the proposals' PIs and Co-PIs and found that Proposal 1's Co-PI³ reviewed an earlier version of Proposal 2 (hereafter Proposal 2a).⁴ We concluded the Co-PI was most likely responsible for the copied text and contacted her about the allegation.⁵

In her response,⁶ the Co-PI said she did not contribute to Proposal 1's preparation, did not copy text from Proposal 2a, and was unaware that material had been copied. She said she found Proposal 2a while cleaning her office and provided it and her own proposals to the PI⁷ as examples of successful proposals. She said she told the Subject to contact Proposal 2a's PI if he wanted to use the content and the Subject assured her that Proposal 1 was an independent document.⁸ The Co-PI acknowledged she should have shredded the proposal and not provided it to a colleague. She wrote:

I am deeply saddened by my poor judgment call and trust placed in a senior faculty member . . . I take personal responsibility for a decision that violated the NSF peer review process. This incident will haunt and plague me for the rest of my career . . .⁹

The Subject confirmed the Co-PI's account.¹⁰ He said "I take full responsibility of [sic] the content of the proposal," adding "I am very sorry and I really regret this action."¹¹

We further reviewed Proposal 1 for plagiarism and identified 11 lines of text copied from three other sources.¹² The following chart summarizes the copied material in Proposal 1:

- ¹ Proposal 1: [redacted] It has since been declined. (Tab 1)
- ² Proposal 2: [redacted] It has since been declined.
- ³ [redacted]
- ⁴ Proposal 2a and the source proposal: [redacted] Awarded. (Tab 2).

⁵ Tab 3.

⁶ Tab 4.

⁷ Yusuf Mehta, the Subject and Associate Professor, Civil and Environmental Engineering, Rowan University.

⁸ Tab 4, pg 3.

⁹ Tab 4, pg 2.

¹⁰ The Co-PI's response included a signed response from the Subject addressed to our office.

¹¹ Tab 4, pg 4.

¹² Tab 5 contains the re-annotated proposal and Sources A-C.

Source	Proposal 1
Proposal 2a	101 lines
A (policy)	2.5 lines
B (project description)	7 lines
C (request for proposals)	1.5 lines
Total	112 lines

To determine the scope of our investigation, we reviewed the Subject and Co-PI's other proposals for plagiarism. We examined five proposals the Subject submitted as sole PI and did not find any substantive plagiarism. We examined four awarded proposals the Co-PI submitted as PI and, similarly did not find any substantive plagiarism.

Lastly, because most of the copied text was from another NSF proposal, we examined the Subject's proposals for text copied from proposals he reviewed for NSF. We found no evidence of such plagiarism.

Based on our inquiry, we concluded there was sufficient evidence to proceed to an investigation related to the Subject's copying of text into Proposal 1.¹³

University Investigation

Consistent with our policy, we referred the investigation to the University.¹⁴ The University, consistent with its policies,¹⁵ convened a Committee, which conducted interviews and reviewed evidence.¹⁶ The Committee produced a Report, which it provided to our office with attachments.¹⁷

The Committee concluded, based on the preponderance of evidence, that the Subject knowingly committed plagiarism, deemed a significant departure from accepted practices.¹⁸ It said the Subject "freely confessed to plagiarizing significant components of proposal [sic] submitted to NSF"¹⁹ and found "no factual disputes"²⁰ between the Subject's and Co-PI's accounts of events.

The Committee found it "clear that the format, logistics, and assessment sections were in fact plagiarized, but that the projects were not"²¹ and that the plagiarism was done knowingly. The Subject told the Committee:

¹³ The Co-PI's violation of NSF's peer review process will be handled separately.

¹⁴ [REDACTED] Tab 6 contains the referral letter.

¹⁵ Tab 6.

¹⁶ Tab 7, pages 11-12, detail the University's process.

¹⁷ Tab 7.

¹⁸ The PI was the Subject of the investigation. However, we note that the Co-PI, when interviewed "expressed great remorse for having kept the proposal that she had reviewed instead of shredding it" (Tab 7, pg 5).

¹⁹ Tab 7, pg 1.

²⁰ Tab 7, pg 5.

²¹ Tab 7, pg 4.

... he considered the elements of the proposal dealing with the recruiting of students, the logistics of assembling, feeding and sheltering, and managing the students, and the assessment of their learning as a result of the experience to be 'essential boilerplate' and knowingly copied these section[sic] from the proposal provided to him by [the Co-PI].²²

The Committee determined the Subject's action constituted a significant departure from accepted practices of the University, his professional society,²³ and other research communities. It wrote:

There is no research community in which copying the intellectual property of another researcher from a proposal and passing off the work as your own is accepted practice. There was no attribution, reference, or other attempt to acknowledge the original proposal.²⁴

The Subject had not received formal training in the responsible conduct of research (RCR), but the Committee said "he acknowledge[d] that such training was available to him." It said, since February 1, 2008, faculty with research awards are required to complete RCR training, and

It is unclear why [the Subject] had never undergone such RCR training. The Sponsored Research Office has been instructed to review their records to insure that all university researchers have undergone such training.²⁵

The Committee found the Subject's actions did not have a significant impact on the research record, research subjects, other researchers, institutions, or the public welfare.²⁶ It reviewed 19 other proposals and found no evidence of a pattern of misconduct.²⁷

The Committee concluded that the Subject "clearly understands the significance of his actions" and "accepted full responsibility for his actions, made no effort to deflect blame or cast dispersion on others, and [was] deeply affected by the process."²⁸

University Adjudication

The Committee recommended that the Subject's personnel file include a formal letter of reprimand; that he be ineligible to apply for Full Professorship until January 2015; and that he serve

²² Tab 7, pg 3.

²³ [REDACTED]

²⁴ Tab 7, pg 5-6.

²⁵ Tab 7, pg 7.

²⁶ Tab 7, pg 6-7.

²⁷ Tab 7, pg 6.

²⁸ Tab 7, pg 8.

as a representative on the University's Academic Integrity committee for two years.²⁹ The Provost³⁰ upheld these recommendations.

OIG's Assessment

The University provided OIG with its Report, and OIG invited the Subject's comments.³¹ The Subject chose not to respond.

OIG assessed the Report for accuracy and completeness. Overall, we found the Report to be both accurate and complete. We concluded the University followed reasonable procedures in conducting its investigation. We adopted the University's findings in lieu of conducting our own investigation.³²

A finding of research misconduct by NSF requires (1) there be a significant departure from accepted practices of the relevant research community, (2) the research misconduct be committed intentionally, or knowingly, or recklessly, and (3) the allegation be proved by a preponderance of the evidence.³³

The Acts

Our review found the Subject plagiarized 109.5 lines into Proposal 1. OIG concurs with the Report, which addressed the 101 lines of plagiarism from Proposal 2a, that the Subject's actions constitute plagiarism. The Subject himself acknowledged he plagiarized text in Proposal 1, and acknowledged that the text came from an awarded NSF proposal the Co-PI provided him as an example document. He further acknowledged the Co-PI had explicitly told him not to use the text contained in that proposal without explicit permission and acknowledged he had confirmed he had not done so via email to the Co-PI before submission.

OIG initially concluded the remaining 11 lines from Sources A-C constituted further plagiarism. In the Subject's response to our draft report, he provided evidence that another researcher provided him with the text containing Source A material with the intent that he simply

²⁹ Tab 7, pg 2.

³⁰ [REDACTED]

³¹ Tab 8.

³² We contacted the University [REDACTED] regarding the Report's lack of reference to Sources A-C. In his response (Tab 9), he said the Committee reviewed Sources A-C, but

being that [the PI] had already admitted to large-scale, knowing plagiarism of material in the submitted proposal, we concluded that the information contained in Sources A-C would not significantly impact either the magnitude of his misconduct, nor the likely sanctions that we would impose as a result. As such, the evidentiary section of our report focused primarily on his admission of guilt and did not pursue individual items as there was no question of fact or attempted denial.

³³ 45 C.F.R. §689.2(c).

insert the text into his proposal.³⁴ Accordingly, we remove the 2.5 lines from Source A from the analysis and find 8.5 lines copied from Sources B-C. We note however that this does not mitigate the Subject's overall act of plagiarism.

The Report found the Subject's acts constituted a significant departure from accepted practices. We concur with the University's assessment.

Intent

The Report concluded, based on the Subject's own statement, that he acted knowingly in plagiarizing material into Proposal 1. We concur with the assessment that the Subject's actions were done knowingly. The Co-PI said and the Subject confirmed that the Co-PI had explicitly told him not to use text from the other proposal in their own without first obtaining permission. The Subject therefore knew he was using material he should not be using. The Subject however considered the proposal text he used to be "boilerplate" and did not copy proposal text related to the proposed project.

Standard of Proof

OIG concludes that the Subject's actions and intent were proven based on a preponderance of the evidence.

OIG concludes that the Subject, by a preponderance of the evidence, knowingly plagiarized, thereby committing an act of research misconduct.³⁵

OIG's Recommended Disposition

When deciding what appropriate action to take upon a finding of misconduct, NSF must consider:

(1) How serious the misconduct was; (2) The degree to which the misconduct was knowing, intentional, or reckless; (3) Whether it was an isolated event or part of a pattern; (4) Whether it had a significant impact on the research record, research subjects, other researchers, institutions or the public welfare; and (5) Other relevant circumstances.³⁶

Seriousness

The Subject's actions are a serious violation of the standards of scholarship and the tenets of general research ethics. Copied text serves to misrepresent one's body of knowledge, presenting reviewers with an inaccurate representation of a proposals' respective merit. Furthermore, the

³⁴ The text described the [REDACTED] of which the other researcher, [REDACTED] is executive director. We do not consider this material to be plagiarized.

³⁵ 45 C.F.R. part 689.

³⁶ 45 C.F.R. § 689.3(b).

seriousness is compounded by the fact that the text copied was that of a previously awarded NSF proposal that the Co-PI provided the Subject as an example document; the fact that the Co-PI had explicitly told him not to use text from the other proposal in their own without first obtaining permission; and the fact that the Subject had told the Co-PI that Proposal 1 was his own work.

Degree to which Action was Knowing

As explained, OIG finds the Subject acted knowingly. The Subject himself says he acted knowingly. Furthermore, the case facts clearly indicate the Subject knew what he was doing and knew that it was improper. Specifically, he acknowledged that he copied material from Proposal 2a and included it in Proposal 1 as his own text; acknowledged the Co-PI had told him not to use the text without permission; and acknowledged he confirmed to the Co-PI he had not used text from Proposal 2a. We therefore conclude that his actions were inherently knowing.

Pattern

No pattern of plagiarism was identified.

Recommendation

Based on the evidence, OIG recommends NSF:

- send a letter of reprimand to the Subject informing him that NSF has made a finding of research misconduct;³⁷
- debar the Subject from receiving Federal funds or participating in any federally-funded project for a period of 1 year commencing on the date of NSF's finding of research misconduct;³⁸
- require the Subject to certify to OIG's Assistant Inspector General for Investigations (AIGI) that proposals or reports he submits to NSF do not contain plagiarized material for 3 years after the debarment period;³⁹
- require that the Subject submit assurances by a responsible official of his employer to OIG's AIGI, that proposals or reports submitted by the Subject to NSF do not contain plagiarized material for 3 years after the debarment period;⁴⁰
- require the Subject to certify to the AIGI his completion of a comprehensive responsible conduct of research training program and provide documentation of the program's content within 1 year of NSF's finding. The instruction should be an

³⁷ A letter of reprimand is a Group I action (45 C.F.R. §689.3(a)(1)(i)).

³⁸ Debarment of an individual is a Group III action (45 C.F.R. §689.3(a)(3)(iii)).

³⁹ Certification by an individual is a final action that is comparable to the final actions listed in 45 C.F.R. §689.3(a).

⁴⁰ Requirement for assurances is a Group I action (45 C.F.R. §689.3(a)(1)(iii)).

interactive format (*e.g.*, an instructor-led course, workshop, etc) and specifically include treatment of plagiarism and proper citation practices;⁴¹ and

- bar the Subject from serving as a reviewer for 4 years.⁴²

Subject's Response to Draft Investigation Report

We provided the Subject with a copy of our draft report and attachments for comment.⁴³ The Subject submitted a response⁴⁴ in which he again acknowledged and apologized for his actions, described the University-imposed sanctions, and explained why our recommended sanctions would have a "damaging effect" on his career, his students, and the University.

We concur with the Subject's assessment that he never deflected blame and that he cooperated during the process. However, the Subject's response did not provide adequate reason for OIG to change its original determinations and recommendations, as stated above; the extent and source of the plagiarism necessitates the recommended actions.

⁴¹ Completing an ethics course is a final action that is comparable to the final actions listed in 45 C.F.R. §689.3(a).

⁴² Prohibition from serving as a reviewer is a Group III action (45 C.F.R. §689.3(a)(3)(ii)).

⁴³ Tab 10.

⁴⁴ Tab 11.