

CLOSEOUT FOR M94120044

On December [REDACTED] 1994, Dr. [REDACTED], program director in the [REDACTED] [REDACTED] Section within the Directorate for [REDACTED] informed OIG that a panel reviewer, Dr. [REDACTED] the complainant and faculty member at [REDACTED] University, had alleged that a PI, the subject, applying to the [REDACTED] [REDACTED] (the program) had made a false statement in the resume accompanying his proposal. The subject's, [REDACTED], proposal [REDACTED] is entitled [REDACTED] [REDACTED]. " The subject is a faculty member in the Department of [REDACTED] at [REDACTED] University.

The complainant alleged that the subject had failed to list his prior tenure-track appointment at [REDACTED] University (the other institution) in his resume. The program director explained that one of the eligibility criteria for this new NSF program was that applicants had to be in their initial full-time, tenure-track or equivalent, academic appointments. Allegedly the subject was in his second full-time, tenure-track appointment. OIG found that, prior to the proposal which is at issue in this case, the subject had submitted ten proposals to NSF, only one of which received an award. The resumes the subject submitted with these ten proposals all contained a description of his position at the other institution.

In response to OIG's request for information the subject said that he had held an appointment at the other institution. He explained that he did not consider this previous appointment to be tenure-track because, although he had resigned nine months after accepting the appointment, it was also two days before his tenure-track probation period began. At this institution, faculty that are hired during the academic year, as the subject was, begin their tenure-track probation period at the beginning of the next academic year. He said he had not mentioned this appointment because he felt it would confuse reviewers and it was not otherwise noteworthy. An official at the institution confirmed the subject's statements. He said the subject was hired as a tenure-track faculty member but that his tenure-track probation period had not begun when he resigned. He said that performance prior to the beginning of the tenure-track probation period was considered by tenure review committees, but it was considered in the same light as accomplishments prior to employment at the institution.

The chairperson of the NSF program's coordinating committee told OIG that, for the program's second year of soliciting applications, the eligibility criteria had been changed to permit faculty members who were in their first or second full-time, tenure-track positions to apply. One of the reasons the change had been made was because the original criteria were considered too restrictive because they did not allow for young faculty to change jobs once to take advantage of a better position at another institution. The chairperson noted that the program announcement under which the subject had applied and the newly revised one explicitly stated that applicants could request written exception from the eligibility criteria from their program officers. The chairperson said that the program had evaluated approximately 1700 proposals in the first year,

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when the subject had submitted his proposal, and had granted 100 exceptions of which approximately 10 were for circumstances similar to the subject's.

OIG concluded that the subject's prior appointment did not exclude him from consideration by the NSF program. If he had requested an exception he probably would have received one. There was no need for the subject to alter his resume to avoid confusing reviewers. The subject exhibited poor judgment when he failed to include mention of that appointment in the resume he submitted with his proposal. Because of the unusual circumstances in this case, specifically the timing of the other institution's tenure-track probation period and the program's practice of granting exceptions for individuals in circumstances similar to the subject's, the subject's selective reporting of his academic positions was not considered an issue of misconduct in science.

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

cc: Staff Scientist, Deputy AIG-Oversight, AIG-Oversight, IG