Some scientists debarred for research misconduct remain on the faculty. How that happens may surprise you.

George Stancel was still shaking when he got back to his office. As the research integrity officer (RIO) for the University of Texas Health Science Center (UTHSC) in Houston, Stancel had just seized the computers of a tenure-track faculty member accused of plagiarism and fabrication on a grant application to the National Institutes of Health (NIH). “I closed the door and tried to depersonalize things. I asked myself, ‘What’s the penalty that fits this crime?’”

It wasn’t the first time that Stancel, now UTHSC’s executive vice president for academic and research affairs, had investigated alleged research misconduct, which covers plagiarism, fabrication, and falsification of data. But it never gets routine, he says, not when a guilty finding might mean the end of an academic career.

Stancel hadn’t known what to expect when he walked into Dr. X’s office. (Science has agreed not to use the researcher’s name.) He had even asked the campus police to station an officer down the hall—“just in case.” But Stancel’s fear of a confrontation quickly dissipated. The accused “hung his head and immediately said, ‘Yes, I did it.’ He didn’t go into a long-winded explanation, or say that he thought what he had done was OK.”
After accepting the results of the university's investigation, the U.S. government in 2001 banned Dr. X from receiving any funds from NIH and its sister agencies within the U.S. Public Health Service (PHS) for 1 year. (Dr. X's debarment was technically a voluntary agreement between the government and the scientist, a mechanism used to avoid a lengthy and costly administrative appeals process.)

Dr. X isn't alone. On average, the federal Office of Research Integrity (ORI) annually receives more than 200 allegations of misconduct involving researchers funded by PHS agencies, which include the Centers for Disease Control and Prevention and the Food and Drug Administration. But it issues a finding of research misconduct in only a dozen cases a year. And in only six cases is the scientist debarred, the most serious sanction that ORI can impose. The comparable figures for the National Science Foundation (NSF), the only other federal agency with a sizable misconduct portfolio, are about 84 allegations a year, leading to 18 findings of research misconduct and 4.5 debarments.

The funding bans typically last 3 years. However, conventional wisdom holds that the rare punishment is a death sentence for an academic researcher. Unable to receive federal funding and stigmatized by their unacceptable behavior, many debarred scientists quietly leave their university, much to their employers' relief.

A debarment damages the university's reputation, administrators acknowledge, and some institutions respond to that insult by making the faculty member a pariah on campus. Such behavior can eventually lead to a nasty divorce and the departure of the faculty member.

"I felt humiliated," says one debarred scientist who moved to another university after his institution completed its investigation but before the government weighed in. "They took my students that I worked so hard to recruit and train and coach. They gave my competition in the field an advantage. They basically tore out my heart."

But some—including Dr. X—manage to resume productive academic research careers. An investigation by Science, based on the list of scientists debarred by either PHS or NSF, has identified at least two dozen such researchers. None of the scientists agreed to talk publicly about their experiences. But some gave permission for senior university administrators to discuss what happened. Those accounts provide a compelling glimpse into a world most scientists don't know even exists.

That climate of secrecy is sustained, in part, by how ORI and NSF handle disclosure. ORI publicly reveals the name of the researcher, details about the infraction, and the penalties for each case in which it has found research misconduct. But NSF is much less open about disclosing its findings, and its only public acknowledgement of a debarment is a cryptic notice on an obscure government website (see sidebar, p. 410).

But ORI and NSF do agree on one thing: Their primary mission is to determine whether a scientist has committed research misconduct and to protect the government's interests. But what happens to the individuals that have been found guilty—including those who are debarred—is someone else's concern.
In every case that Science examined, the university’s response played out under a cone of silence. Only a few high-ranking administrators knew what the institution decided to do, and why. The secrecy is intended to protect both the individual’s privacy and the institution’s reputation. But it is a major impediment to understanding the process—including who undergoes rehabilitation and what penance they are required to perform—by which the disgraced researcher is welcomed back into the fold.

Some institutions essentially decide to preserve the status quo. That’s especially true if university officials regard the offense as just an unfortunate misunderstanding or a bending of the rules. (For example, most administrators view plagiarism as a lesser offense than fabrication, although the federal government makes no such distinction.) But other institutions prescribe ethics training and monitoring that goes beyond what the federal government has already required, as well as financial penalties to emphasize the gravity of the offense.

Even scientists who believe their institutions and colleagues have treated them fairly say the rehabilitation experience is too painful to talk about publicly. “It’s been a multiyear nightmare, and I’ve done it on my terms,” says one faculty member who, after a 1-year debarment for plagiarism, is now at a different institution. “It’s an important topic, and I wish you the best. But I just don’t trust you to tell my story.”

THE IDEA OF REHABILITATING faculty members arose relatively recently, because research misconduct was traditionally seen as exceedingly rare. ORI was created in 1992 after a few highly publicized cases caught the attention of Congress, and NSF’s inspector general, which conducts misconduct investigations, has always maintained a low profile.

Notwithstanding the government’s involvement in many cases, universities are the key players in ensuring ethical conduct of research by faculty and students and in responding to instances in which those community norms have been violated. “Federal findings aren’t always the be-all, end-all to how we judge how serious something is,” says Lauran Qualkenbush, the RIO for Northwestern University in Evanston, Illinois. In addition to reconciling inconsistent federal policies, she says, universities also deal with cases that don’t involve federal funding.

Some people question the value of even trying to rehabilitate someone who has committed misconduct. Sociologist James DuBois encountered those doubts after he used a $500,000 grant from NIH to launch the first formal misconduct rehabilitation program. The 3-day course at Washington University School of Medicine in St. Louis in Missouri helps researchers explore why they messed up and learn what they can do to avoid repeating such mistakes.

Some two dozen institutions, including Qualkenbush’s Northwestern, have referred people to the program. Only about one-third of the 39 participants to date have actually committed research misconduct, however. The majority are guilty of lesser offenses—DuBois calls them “sloppy research practices”—such as violating federal or institutional rules on the use of human subjects or the proper care of animals. And DuBois says he doesn’t always know what his clients have done. “Some universities will send us all the
investigative reports,” he says, “while others will just say 'We want you to talk to [the scientist].' They view it as a confidential matter.”

When Dubois discussed his fledgling program at a 2013 meeting marking ORI's 20th anniversary, “a lot of people in the room were skeptical,” recalls James Tracy, vice chancellor for research at the University of Kansas (KU) in Lawrence. “They asked, ‘Is it possible to rehabilitate someone who's really crossed the line?’”

DuBois admits that it's hard to judge the efficacy of his program, especially because recidivism of any sort would be highly unlikely in such a small sample. And there's very little else to go on in the scientific literature, notes sociologist Mark Davis, one of the few researchers who has tried to do follow-up studies of offenders.

White House budget officials rejected Davis's proposal in the early 2000s to interview the first 10-year cohort of ORI cases after concluding—correctly, as it turned out—that Davis wouldn't be able to get enough scientists to talk about their experiences. But his tiny sample of three (part of a pilot project that targeted nine offenders) generated enough data to convince him that any attempt at rehabilitation must address the etiology of the errant behavior. “What was going on in their lives? What were the personal and job stressors that may have contributed to their actions?” asks Davis, now an emeritus professor at The Ohio State University in Columbus.

In particular, he thinks that someone pushed over the edge by the pressure-cooker atmosphere of modern academic science is probably a poor candidate for rehabilitation. “Telling a scientist at Harvard [University] or [the University of California in] Berkeley not to take on more than they can handle because the stress might cause them to commit misconduct isn't going to be very helpful if they are part of a culture where the rewards go to those who are busiest and who work the hardest,” Davis says.

Likewise, he says, a foreign-born scientist raised in a society that prizes deference to one's superiors may find it very difficult to resist unrelenting pressure to deliver results. “What is the likelihood that a 3-day workshop will overturn 30 years of socialization?” Davis asks.

**DR. X HAD JUST BEEN HIRED** into a tenure-track position when he committed misconduct. But UTHSC’s Stancel decided that the ensuing debarment shouldn't end his career. “In hindsight,” Stancel says, “the fact that he was so forthcoming and embarrassed and clearly knew he had done something wrong probably was in the back of my mind when I decided what sanctions we would impose.”

Stancel says UTHSC was ahead of the curve in the early 1980s in requiring all graduate students to take a course on research ethics. Two decades later, that ethics course became an important tool in the rehabilitation of Dr. X.

“I decided to have [him] sit in on one of the discussion sections after the lecture, which is always led by a faculty mentor,” says Stancel, a longtime professor of pharmacology at UTHSC who had recently become dean of the graduate school. “I never told [the mentor] why. The students didn't know why he was there, either, but his boss knew.”
The next semester Stancel chose Dr. X to be a section leader. In addition to doing all the student assignments, Dr. X was also required to write a paper—in English as well as his native language—about why plagiarism is unacceptable in science.

Dr. X received tenure several years after the funding ban had expired, and Stancel views him as “a real success story. He has received multiple NIH grants, he's publishing good papers, and recently he was elected to our faculty governance body. And now, when he sees me, he looks me in the eye and smiles. There’s no hint of animosity.”

Not every university decides that a debarred faculty member needs retraining. Some just let the researcher serve out the federally imposed punishment. That's what happened to Dr. Y, a tenured professor at the University of Central Florida (UCF) in Orlando. In 2011, NSF debarred Dr. Y for 2 years after finding he had plagiarized materials on a grant application and asked several federal agencies to fund the same research proposal. (Every application is supposed to be unique.)

“This person was doing good work and had a strong portfolio of publications and patents and funding,” says Bahaa Saleh, dean of UCF's College of Optics and Photonics. The plagiarism, he says, was “just a failure to include the proper citations. … [It] came from not knowing that he is supposed to be very careful when using ideas that were previously published by someone else.”

The multiple submissions were an outgrowth of that confusion, Saleh adds. “He should have simply told the agency, ‘Here is what I’m hoping to do with this proposal, and here’s where it differs from another proposal that you’ve funded.’” Dr. Y initially appealed NSF’s punishment, Saleh says. “But in the end he accepted it, and he now understands the bounds.”

For Saleh, plagiarism is less corrosive when it takes place in science than when it occurs in literature or, for that matter, in civic discourse by politicians. He puts it this way: “In science, the ideas are the essence, and the words are secondary, whereas in literature or politics, the words themselves are critical. People need to consider that distinction, whether NSF considers it or not.”

Federally sanctioned faculty members should not be asked to bear an added burden, Saleh argues. “A person who violates the law and gets a penalty should not have additional punishment,” he says. “A scarlet letter is a poor way of having a healthy society.”

That approach shaped the university’s decision not to require Dr. Y to undergo any additional training. Instead, Saleh says, “there were meetings to mark his progress. And Dr. Y was sufficiently resourceful to get funding from industry, not the federal government, for the duration of the debarment period.”

Still, Saleh says that UCF wanted its response to the debarment “to conform to NSF’s demands.” So it decided to not renew Dr. Y’s appointment to a prestigious chair while the debarment and other NSF sanctions were in place. “But that period has passed, and the person has been rehabilitated,” Saleh says; Dr. Y once again holds a chaired faculty
position. And Dr. Y is back in NSF’s good graces, Saleh says, noting that in 2015 he received a grant from the agency.

**AFTER NSF DEBARRED** Dr. Z for 1 year in 2012 for plagiarism on two grant applications, administrators at Rowan University in Glassboro, New Jersey, combined elements of how Dr. X and Dr. Y were rehabilitated and then added their own twist.

"Once we concluded that we would be imposing internal sanctions, we realized that one of our challenges was not to overreact or underreact," says Rowan's provost, James Newell. "Some universities decide that the person is essentially dead to them, and that he or she should become somebody else’s problem. And then there are universities that would prefer to bury it as best they can, and hope it just goes away. We wanted our response to show the event was significant and that engaging in such behavior would have real consequences."

As with Dr. Y, Rowan administrators wanted to impress on Dr. Z, a tenured professor, the importance of acting ethically. So Newell decided to put a dent in his wallet. The university delayed Dr. Z's scheduled promotion to full professor for several years, until 2015. That decision will cost him an estimated $60,000 over the lifetime of his employment at Rowan, Newell says, “and ought to be enough to get his attention.” Dr. Z’s department also weighed in, banning him from using its funds for travel or professional development.

In addition to those financial penalties, Dr. Z was appointed to serve on the university's academic integrity committee, which deals with ethical breaches by students and is supposed to promote responsible behavior. That might seem like putting a fox in charge of the henhouse, Newell admits. But it also meant that "every day for the next 2 years, the concept of academic integrity would be on his mind."

In line with Saleh at UCF, Newell viewed Dr. Z's misconduct as “a misdemeanor. … This was a relatively minor plagiarism incident … borrowing the assessment protocol from someone else's proposal. If he had given proper credit, we probably wouldn’t be having this conversation.” (Not surprisingly, NSF saw the case differently. Its report called Dr. Z’s actions “a serious violation of the standards of scholarship” committed after a colleague “had explicitly told him not to use the text” from a document “copied from a successful proposal that had been submitted previously to NSF.”)

NSF had already required Rowan to certify the integrity of any grant proposals and paper submissions from Dr. Z for 3 years after his debarment ended. Despite that additional monitoring, Dr. Z was able to keep his lab functioning with funding from nonfederal sources. And once the ban expired, he was allowed to reclaim a federal grant that had been transferred to a colleague.

"It's really been a pleasure watching things work out," Newell says. “I think he has really emerged as one of our most productive and respected researchers.”

A university isn't just thinking of a scientist's well-being when it decides how to respond to a debarment. The overhead it receives along with each federal grant subsidizes the
institution’s costs of managing federally funded science projects, from paying the utility bills to following rules on the use of animals in research. As a result, university officials drawing up a rehabilitation plan also weigh the odds that a rehabilitated faculty member will be able to win government grants after the debarment has been lifted.

Federal officials say they do not tell members of the panels that review grant proposals about a debarment. But reviewers may already have heard it through the grapevine, says KU’s Tracy, who once served on an NIH study section in which someone mentioned that a grant applicant had been debarred and was now eligible again. And he believes the information is relevant to a panel's deliberations.

“With so many people in science trying to do good work, and with the money being so limited, why would I want to give somebody the chance to start over when there are so many other people out there who haven't lied, cheated, or committed misconduct?” Tracy asks. The study section member “may have broken the rules,” Tracy adds, “but everybody wanted to know it.”

Rowan's Newell says that Dr. Z's prospects for winning federal grants were at best a secondary factor in deciding how the university would deal with his debarment. “That will never be the main issue,” he asserts. “Having a rainmaker who is going to bring shame on the university is not in the best interests of the university.”

Stancel says he follows the practice used by President Ronald Reagan in negotiating with the then–Soviet Union: Trust, but verify. “Your adviser will be watching you like a hawk,” Stancel recalls telling one graduate student who was forced to retake the ethics course and write an essay after plagiarizing on her dissertation proposal.

“I've lost track of her over the years,” he says about the student, who earned her degree. “But I think her adviser would have let me know if she had popped up” on the federal government's list of offenders.