Office of Research Integrity Update

COGR Meeting June 6-7, 2019

Loc Nguyen-Khoa

June 06, 2019

OFFICE OF RESEARCH INTEGRITY

ORI Update

Three Divisions
- OD / DIO / DEI

Division of Investigative Oversight
Research Misconduct
- Falsification/Fabrication/Plagiarism

Division of Education & Integrity
Programs to Support the Research Community

What is Research Misconduct?

Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results

fabrication | falsification | plagiarism

Research misconduct does not include honest error or differences of opinion

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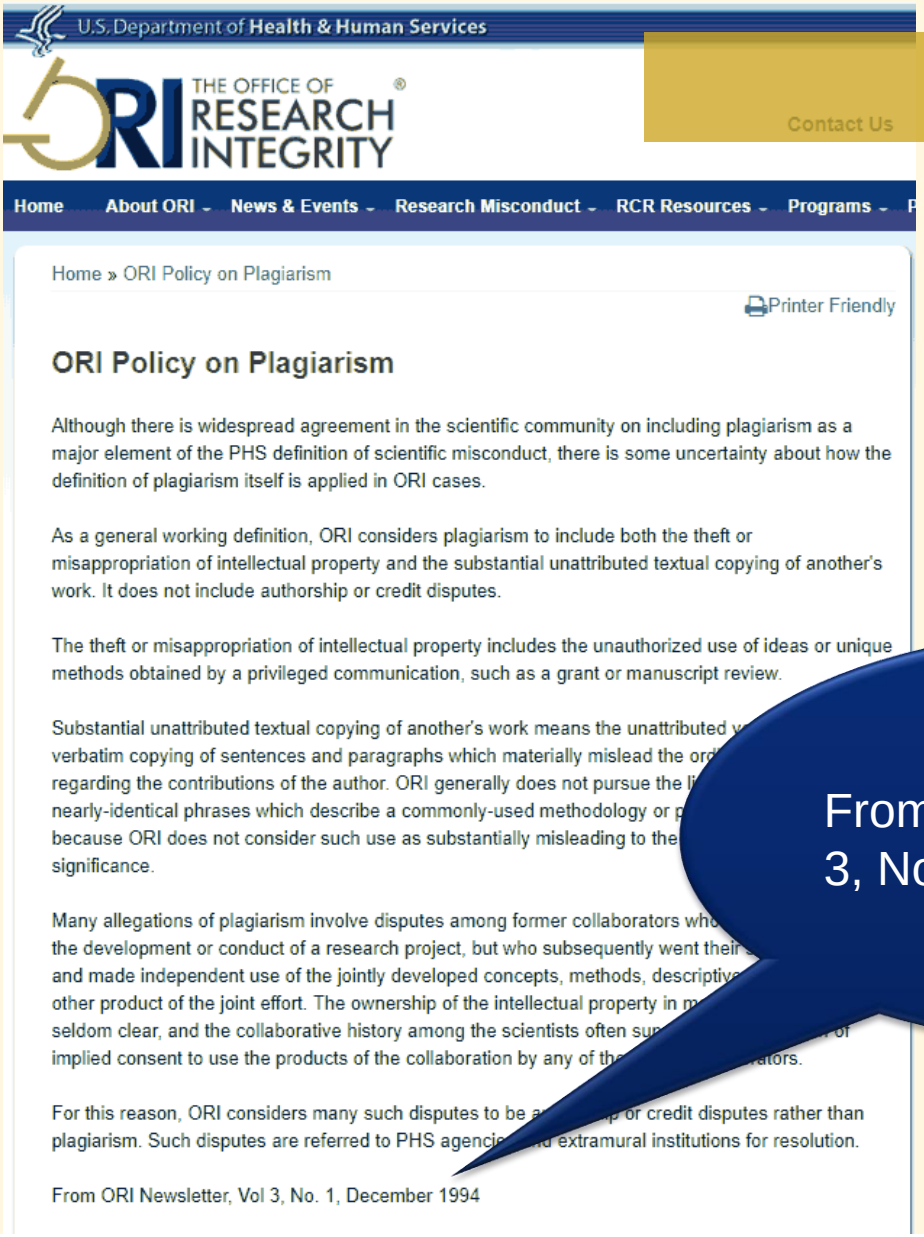
PLAGIARISM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Home » ORI Policy on Plagiarism

Printer Friendly

ORI Policy on Plagiarism

Although there is widespread agreement in the scientific community on including plagiarism as a major element of the PHS definition of scientific misconduct, there is some uncertainty about how the definition of plagiarism itself is applied in ORI cases.

As a general working definition, ORI considers plagiarism to include both the theft or misappropriation of intellectual property and the substantial unattributed textual copying of another's work. It does not include authorship or credit disputes.

The 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 v… verbatim copying of sentences and paragraphs which materially mislead the ord… regarding the contributions of the author. ORI generally does not pursue the li… nearly-identical phrases which describe a commonly-used methodology or p… because ORI does not consider such use as substantially misleading to the… significance.

Many allegations of plagiarism involve disputes among former collaborators who… the development or conduct of a research project, but who subsequently went their … and made independent use of the jointly developed concepts, methods, descriptive… other product of the joint effort. The ownership of the intellectual property in m… seldom clear, and the collaborative history among the scientists often sup… of implied consent to use the products of the collaboration by any of the … rators.

For this reason, ORI considers many such disputes to be a… p or credit disputes rather than plagiarism. Such disputes are referred to PHS agencie… d extramural institutions for resolution.

From ORI Newsletter, Vol 3, No. 1, December 1994

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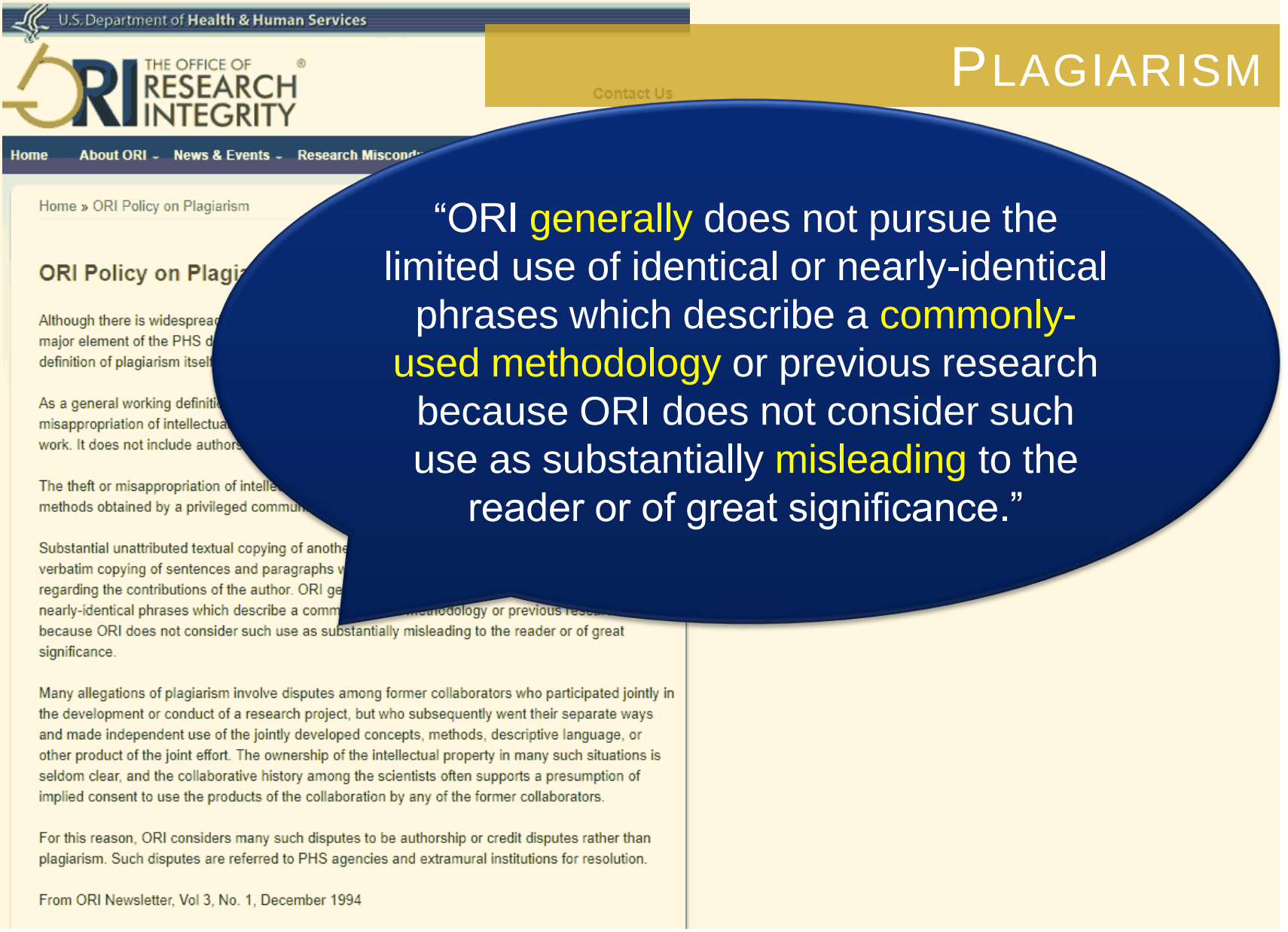
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Many allegations of plagiarism involve disputes among former collaborators who participated jointly in the development or conduct of a research project, but who subsequently went their separate ways and made independent use of the jointly developed concepts, methods, descriptive language, or other product of the joint effort. The ownership of the intellectual property in many such situations is seldom clear, and 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.

For this reason, ORI considers many such disputes to be authorship or credit disputes rather than plagiarism. Such disputes are referred to PHS agencies and extramural institutions for resolution.

From ORI Newsletter, Vol 3, No. 1, December 1994

"ORI generally does not pursue the limited use of identical or nearly-identical phrases which describe a commonly-used methodology or previous research because ORI does not consider such use as substantially misleading to the reader or of great significance."

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authorship disputes ≠ plagiarism

credit disputes ≠ plagiarism

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Is Self-Plagiarism Research Misconduct ?

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Is Self-Plagiarism Research Misconduct ?

"Plagiarism is the appropriation of **another person's** ideas, processes, results, or words without giving appropriate credit."

-- 42 CFR Part 93.103(c)

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Plagiarism

Sec. 93.319 Institutional standards.

a) Institutions may have internal standards of conduct different from the HHS standards for research misconduct under this part. Therefore, an institution may find conduct to be actionable under its standards even if the action does not meet this part's definition of research misconduct.

b) An HHS finding or settlement does not affect institutional findings or administrative actions based on an institution's internal standards of conduct.

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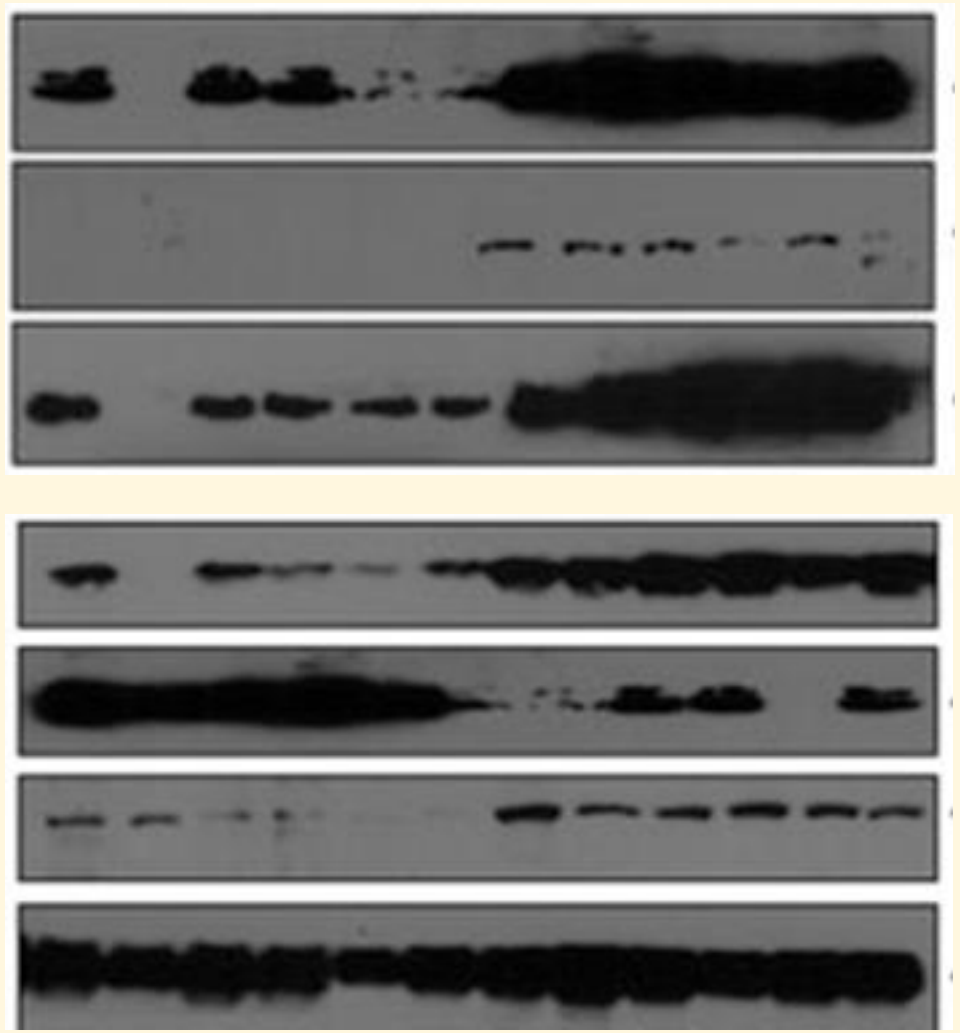
Fabrication/Falsification of Images



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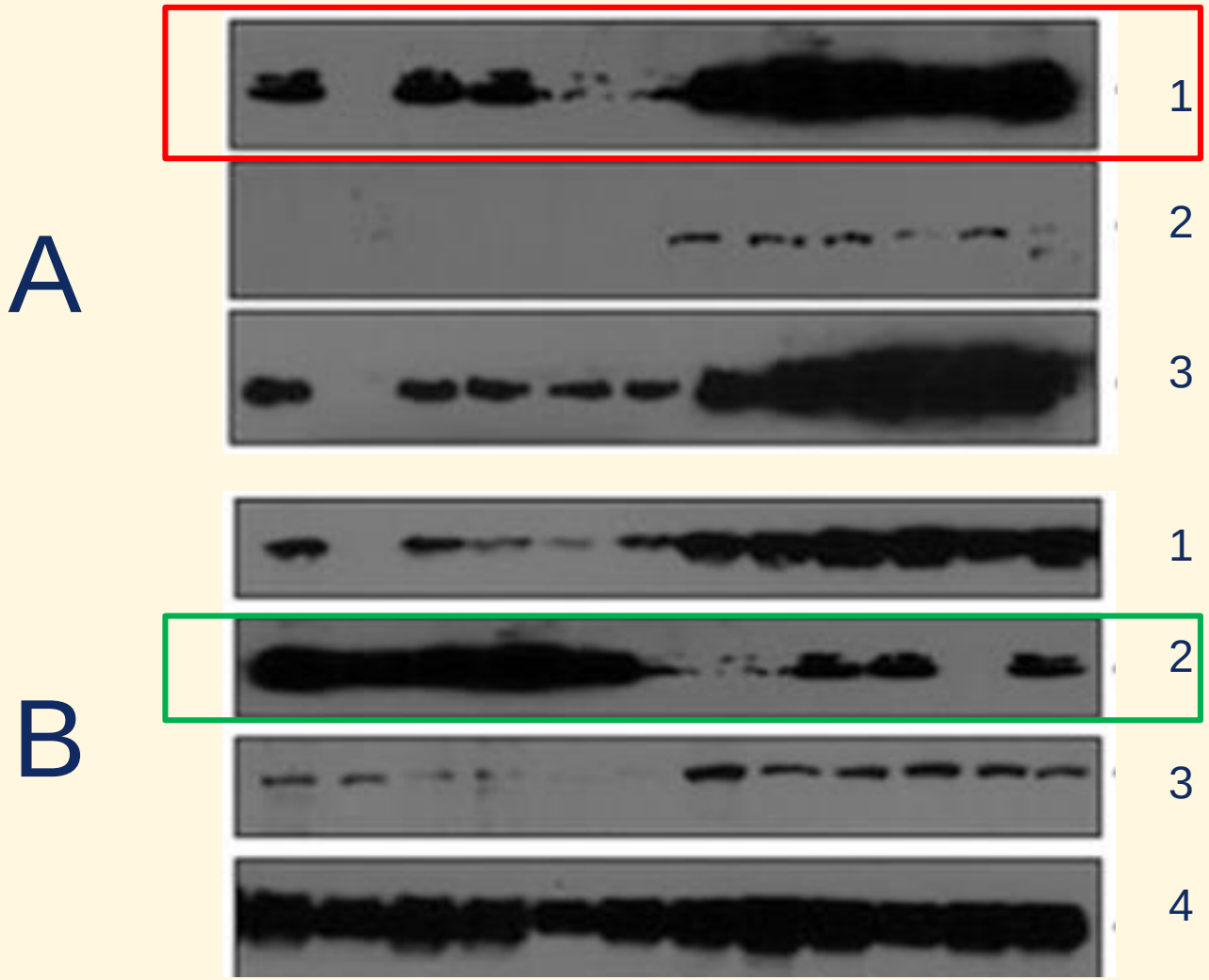

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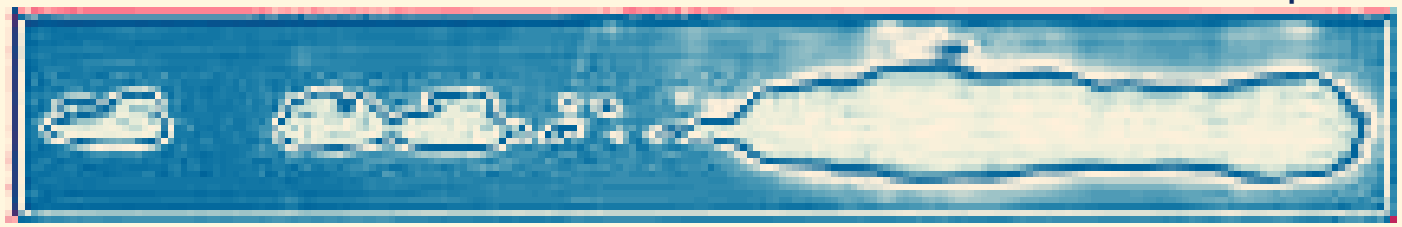
Fabrication/Falsification of Images

Color Overlay

Gradient Map



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Nearly 5,000 Institutions Worldwide

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- POLICY REVIEW
- GRANTS
- CONFERENCES
- EDUCATION

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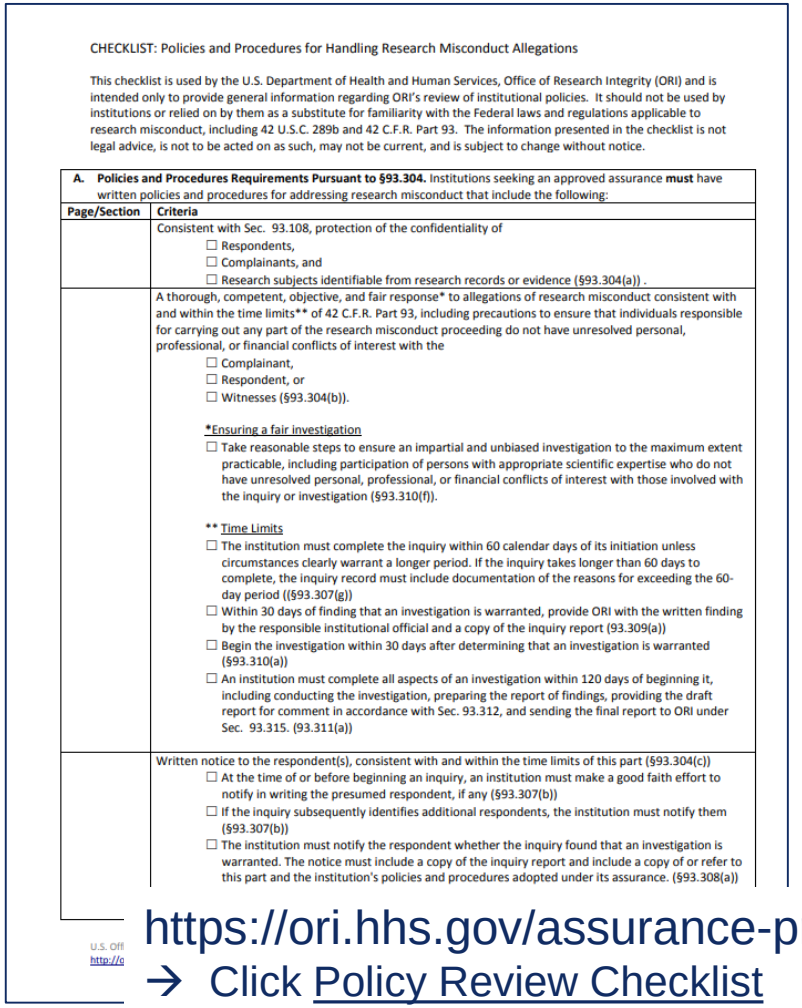
Policy Review Checklist



CHECKLIST: Policies and Procedures for Handling Research Misconduct Allegations

This checklist is used by the U.S. Department of Health and Human Services, Office of Research Integrity (ORI) and is intended only to provide general information regarding ORI's review of institutional policies. It should not be used by institutions or relied on by them as a substitute for familiarity with the Federal laws and regulations applicable to research misconduct, including 42 U.S.C. 289b and 42 C.F.R. Part 93. The information presented in the checklist is not legal advice, is not to be acted on as such, may not be current, and is subject to change without notice.

A. Policies and Procedures Requirements Pursuant to §93.304. Institutions seeking an approved assurance **must** have written policies and procedures for addressing research misconduct that include the following:

Page/Section	Criteria
	Consistent with Sec. 93.108, protection of the confidentiality of ☐ Respondents, ☐ Complainants, and ☐ Research subjects identifiable from research records or evidence (§93.304(a)) .
	A thorough, competent, objective, and fair response* to allegations of research misconduct consistent with and within the time limits** of 42 C.F.R. Part 93, including precautions to ensure that individuals responsible for carrying out any part of the research misconduct proceeding do not have unresolved personal, professional, or financial conflicts of interest with the ☐ Complainant, ☐ Respondent, or ☐ Witnesses (§93.304(b)). *Ensuring a fair investigation ☐ Take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practicable, including participation of persons with appropriate scientific expertise who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry or investigation (§93.310(f)). ** Time Limits ☐ The institution must complete the inquiry within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. If the inquiry takes longer than 60 days to complete, the inquiry record must include documentation of the reasons for exceeding the 60-day period ((§93.307(g)) ☐ Within 30 days of finding that an investigation is warranted, provide ORI with the written finding by the responsible institutional official and a copy of the inquiry report (93.309(a)) ☐ Begin the investigation within 30 days after determining that an investigation is warranted (§93.310(a)) ☐ An institution must complete all aspects of an investigation within 120 days of beginning it, including conducting the investigation, preparing the report of findings, providing the draft report for comment in accordance with Sec. 93.312, and sending the final report to ORI under Sec. 93.315. (93.311(a))
	Written notice to the respondent(s), consistent with and within the time limits of this part (§93.304(c)) ☐ At the time of or before beginning an inquiry, an institution must make a good faith effort to notify in writing the presumed respondent, if any (§93.307(b)) ☐ If the inquiry subsequently identifies additional respondents, the institution must notify them (§93.307(b)) ☐ The institution must notify the respondent whether the inquiry found that an investigation is warranted. The notice must include a copy of the inquiry report and include a copy of or refer to this part and the institution's policies and procedures adopted under its assurance. (§93.308(a))

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http://o

https://ori.hhs.gov/assurance-program
→ Click Policy Review Checklist

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"Choose your own adventure" Video

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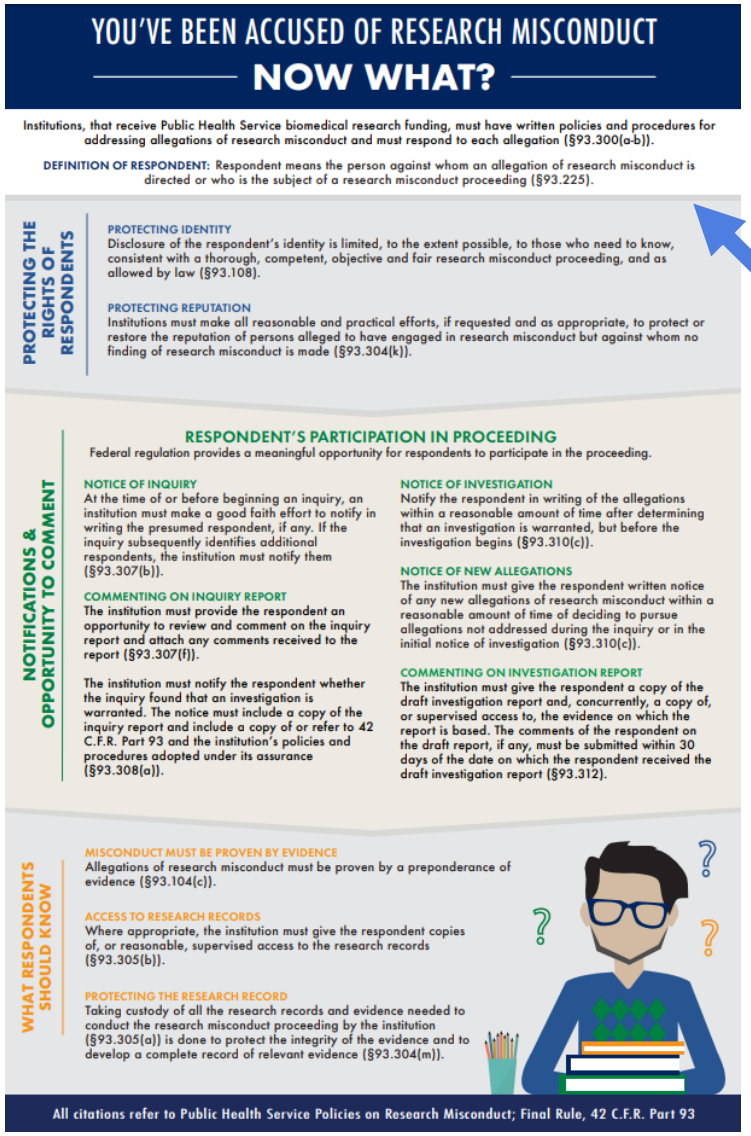

INFOGRAPHICS

"One of the most important educational products ORI has to offer"

--Loc Nguyen-Khoa

http://ori.hhs.gov/infographics

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Conferences and Workshops

- RIO Boot Camps
- RCR Instruction Workshop
- Conference for Senior Officials
- World Conference on Research Integrity

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TRENDS IN PROMOTING RESEARCH INTEGRITY

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Trends

1. More involvement and support from senior officials
2. Evolution of RCR
3. RCR training will no longer be a compliance checkbox
4. Research community will take the lead

Culture Change

Conclusion

- ORI functions best when it collaborates with the research community
- ORI handles fabrication, falsification, AND plagiarism
  - Authorship Disputes ≠ Plagiarism
  - Self-Plagiarism ≠ Research Misconduct
- ORI invests considerable resources to providing services to the research community to promote research integrity
- ORI is privileged to be part of a positive culture change

Thank You

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