

WEEDING OUT BAD

By David Lore
Dispatch Science Reporter

Bruce Hollis, a postdoctoral student at Case Western Reserve University in Cleveland, was more frustrated than flattered seven years ago when his supervising physician started including him as co-author on several research papers.

"Papers were being issued with my name on them that I didn't know existed, reporting on research that I had questioned all along," Hollis recalled.

Angry that his superior was using his work to prop up fictitious research, Hollis disavowed the papers, touching off a university investigation.

What followed was two years of hearings, headlines and investigations that exposed ethical lapses on the part of his supervisor while battering both doctors' careers.

"SOMETHING HAS to be done (about such cases) because it's a crap shoot the way things are handled right now," said Hollis, now an associate professor of pediatrics in South Carolina, during the annual meeting of the American Association for the Advancement of Science last month in San Francisco.

Universities are just incapable of investigating themselves, he said. "There are too many conflicts of interest, and the old-boy damage control network is just too strong," he said.

Nevertheless, under the lash of Congress, the National Institutes of Health and the National Science Foundation, universities are writing new rules about how to handle such cases.

Government officials are concerned that when laboratory findings are falsified or distorted, truth isn't the only victim. Especially in biomedical research, bad science threatens the lives of people who put their faith in the resulting drugs, vaccines and clinical products.

At The Ohio State University, debate about science fraud is coming to a low boil after two years of simmering.

OSU'S COMMITTEE on Academic Freedom and Responsibility, an arm of the Faculty Senate, is proposing a four-stage investigatory process to settle charges of research or scholastic fraud involving such sins as willful plagiarism, dishonest research or intellectual theft.

Agronomist Terry J. Logan, who drafted the rules, said any person suspecting misconduct in science or scholarship could complain to the appropriate department chairman or any member of the Committee on Academic Freedom.

If the chairman or the faculty review panel find substance in the complaint, the case would go to an informal Committee of Review, which would include the chairman, the dean and faculty representatives.

If the Committee of Review also concurs, the case heads into formal proceedings before the campus Faculty Hearing Committee, the group that now hears faculty misconduct cases.

As is the case now, the university president would take disciplinary action based on the recommendations of the Hearing Committee.

Philosophy professor Bernard Rosen, chairman of the Committee on Academic Freedom, said the draft rules protect the rights of both the accuser and the accused while being consistent with current procedures to judge charges of other types of faculty misconduct.

BUT WHILE the faculty has been deliberating, OSU Vice President Jack Hollander has moved to establish interim guidelines that tuck such problems under the wings of top deans and administrators.

The Hollander guidelines, put out last February, require any research ethics complaints to be brought directly to his office or the office of the appropriate college dean. If a preliminary review finds cause for concern, committees of inquiry and then investigation are formed with findings submitted to the vice president for research.

Any disciplinary action would still have to go through the Hearing Committee and the president's office.

Rosen and Logan said Hollander's guidelines don't provide uniform justice across the various colleges. Hollander said the faculty plan is just too slow and complicated.

The really burning question is whether any aggressive probe of faculty performance can be conducted on a gossipy college campus without inevitably tarring innocent people.

SOME FACULTY members at Ohio State find the whole concept of science courts and laboratory police highly distasteful, particularly since there have been no serious incidents of science fraud reported on their campus.

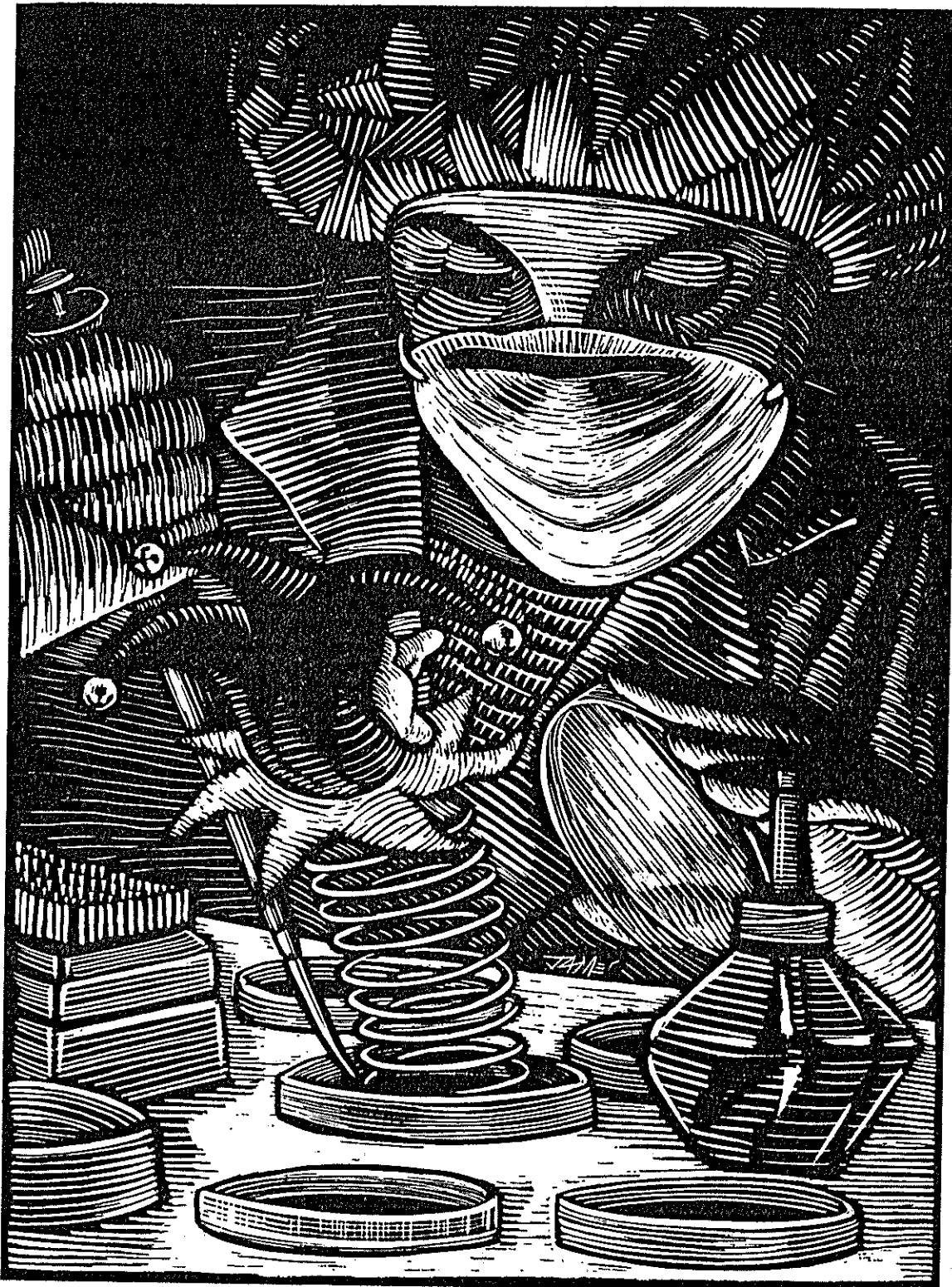
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"Confidentiality has to be the absolute bottom line in this process," said one researcher in the College of Medicine. "You need to avoid a witch hunt, the use of this process by malicious persons, the sort of thing that already happens in our legal system."

Confidentiality is usually promised in such proceedings. But nobody really expects anything as explosive as a fraud investigation to stay confidential very long.

"We're sort of in a bind here on that," said Rosen. "Confidentiality is to be protected to the degree you can, but if you have a hearing, and evidence is presented, then the evidence has to come forward."



Dispatch illustration by Bob James

Total confidentiality during a fraud investigation is a pipe dream, said David G. Cornwell, associate dean for research in the College of Medicine.

"MOST ORGANIZATIONS are sieves, and it's very hard to protect anybody — things just get out," he said. "My own personal feeling is that you don't trumpet it (the investigation), but you don't try and keep things secret either. You keep it subdued, but you don't make secrecy a fetish."

National experts said the best way to avoid tarring innocent people is early detection of potential controversies.

Paul J. Friedman, associate dean for academic affairs at the University of California Medical School at San Diego, said in San Francisco that appointment of a university or college-level ombudsman can encourage people to discuss questions or doubts they have about a research project before they start leveling charges.

"All major cases begin with people thinking something funny is going on, although they don't initially think of it in terms of fraud,"

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said Friedman.

C. Gray Austin was OSU's ombudsman until he retired in August. During his 3½ years in that post, he occasionally had students come to him with research-related problems, such as getting proper credit for research data or published articles, he said.

THE ROLE of an ombudsman in such cases is limited, Austin said. "An ombudsman can be very helpful as long as it remains at an informal level. But the ombudsman has no power to force the resolution of an issue."

Another big concern is hit-and-run informants.

"That's what bothers me most, when somebody comes in and says, 'I think somebody is mishandling data,' and then they back off without giving any evidence," said Cornwell.

Still, federal guidelines say it's the university's job, not the whis-

tle-blower's, to pull together the evidence. Under the faculty rules, the informant may never have to confront the accused.

THE FACULTY rules also would protect complainants by labeling as misconduct retaliation against those who bring charges.

Michael L. Salgaller, a graduate student in the Department of Pathology, said the issue of research misconduct is an important one for graduate students because, at a time when scientists and faculty members are spending more time pursuing grants and contracts, graduate students are doing most of the research.

Also, when money is limited, scientists have to trust one another's research because there's no money to repeat trials or experiments, he said.

"We agree it would be useful if all authors on an article are directly involved in the research,

although it's known in the field that there are instances where names are just added on, and people don't know what they're getting into."

IN CASES of multiple authorship, researchers have to police each other to protect their own reputations, he said.

When fraud occurs, the experts in San Francisco said the best defense against a botched investigation is an established procedure to handle such cases. Things get out of hand when officials are surprised by controversy and react on impulse, they said.

"Institutions are much more comfortable defending rather than prosecuting their faculty," said Carol R. Scheman, director of federal relations with the Association of American Universities.

Scheman said congressional hearings last year distorted the problem, portraying science fraud

as more prevalent than it really is.

NEVERTHELESS, THE federal government requires that universities take the initiative when fraud is suspected, she said. And campus officials can't ignore such charges just because they don't like their source, she said.

"Personality must not be confused with substances. The informant may be nuts — spiteful, whatever — but that doesn't mean his information is wrong," she said.

Friedman at the University of California said the first concern of scientists must be to protect their credibility with the public.

He said cases of blatant scientific fraud are rare but there are many more cases of just bad science or "gray" ethics in the laboratory. "The public has awakened to the fact that we have not kept as close a watch on our activities as we should have," he said.

Committees report changes in roles last year

By Gemma McLuckie

The Fiscal Committee and the Committee on Academic Freedom and Responsibility both have seen their roles taking on new meanings in response to changes in the University over the last three years.

The committees outlined their changing roles in their annual reports to University Senate, presented Oct. 1.

University Senate Fiscal Committee

The Fiscal Committee is taking a more active role in University short- and long-term financial planning, USFC reported in its 1993-94 recommendations.

Larry Sachs, 1993-94 committee chair, presented the report to the University Senate.

"The current committee feels that USFC is transitioning to a role that will place even greater emphasis on strategic planning," the report said.

One way to accomplish that transition is to establish "a process ... to insure its coordination with other University academic planning initiatives."

For instance, the Fiscal Committee now receives periodic reports from the Office of Finance. It would also like a yearly report on enrollment management and enrollment data from the Office of Admissions and Financial Aid; and yearly summaries from vice-presidential areas on the fiscal implications of their operations.

As for short-term planning, the committee also recommended continuing the policy of differential allocations. Differential allocations involve case-by-case decisions on how much to reduce or increase departmental funding. "With differential reductions, unit budgets are modified over time to reflect the interpretation of University priorities," the committee pointed out.

However, committee members expressed concern that "the range of college [budget] reductions from 2.4 percent to 3.75 percent was surprisingly narrow."

Because of the way decisions are made, the committee recommended "explicitly communicating the criteria for allocations to the University community."

As reductions in departmental budgets are implemented, the committee urged the University to give priority to enhancing resources through state subsidy, development, and research funding.

To tie resources and expenditures closer together, the University should consider "responsibility centered budgeting," USFC suggested.

With responsibility centered budgeting, the committee explained, unit administrators are in charge of balancing their budgets and a "substantial portion" of any increased resources stay within the unit.

However, there are disadvantages so the committee recommended "a careful study ... to determine what features of this approach might (over time) be incorporated into OSU budget policy."

Other recommendations included:

- Making a study of fee authorizations a high priority so proposed changes can be considered for 1995-96. Fee authorizations are expected to total more than \$50 million for 1994-95, the committee reported.

- Increasing attention to deferred maintenance, and including the Fiscal Committee in discussion of capital improvement budgets.

- Allocating funds to implement a resource management system by 1999. (The University in September unveiled a three-year plan to replace the general ledger accounting and human resource information systems.)

- Striving to increase faculty, staff and student employee compensation by 15 percent in the three years between 1994-95 and 1996-97.

USFC plans to increase communication through position papers, which will be disseminated to the University community.

CAFR

There does not seem to be a relationship between restructuring and a dramatic increase in the number of cases the committee reviewed last year, Paul Nutt, 1993-94 chair of the **Committee on Academic Freedom and Responsibility**, told senators.

However, CAFR recommended that it "review all negative tenure cases in which faculty have been moved to a new tenure initiating unit because of restructuring."

It also suggested that a member of the Oversight Committee on University Restructuring examine how each proposal affects the academic freedom of faculty involved in changes.

Such examination, the committee feels, would help prevent "budgetary de-tenurization," which involves forcing faculty from the University when they join new tenure initiating units by changing salary increases, workloads, annual evaluations and leadership opportunities to the point they cannot do their jobs well.

And, finally, it recommended that the Committee on Academic Affairs review grievances "that stem from the effects of both proposed and implemented restructuring."

CAFR also proposed that the Office of Academic Affairs set up an appeals process "that allows tenured faculty to question unreasonable changes in pay, teaching assignments, annual reviews or leadership roles."

There was "a dramatic increase" in appeals of college and University decisions. "This trend could signal either that academic units are rigorously upholding their academic standards or that there are problems with fairness that merit careful scrutiny in the future," the report added.

Nutt would not speculate on why the number of appeals increased, saying not all the cases have been resolved.

The next University Senate meeting will be at 9 a.m. Oct. 29 in 103 Kottman Hall.