INTRODUCTION

My remarks are divided into three sections. In the first section I discuss the current challenge and suggest areas in which ethics centers and the Society for Ethics Across the Curriculum may be able to help. I begin the second section with an observation about a problem and the implications of a proper understanding of the responsible conduct of research. I also discuss what I suspect are two significant missed opportunities in the programs that have been developed so far. I focus attention on the missed opportunities, since addressing them seems to me the best way to avoid the problem. In the third and final section I offer some prompts for discussion that, I hope, will help us find ways to make the most of the opportunities presented by the new NSF NIH requirements.

SECTION I- IT’S THE LAW

As you know, the America COMPETES Act requires training in the Responsible Conduct of Research (RCR) for all undergraduates, graduate students, and postdocs that conduct research supported by NSF. This requirement took effect on January 4, 2010. NIH has a similar requirement for all trainees, fellows, participants, and scholars receiving support through any NIH training, career development award (individual or institutional), research education grant, or dissertation research grant. This requirement took effect on January 25, 2010. RCR comprises several topic areas:

- Acquisition, Management, Sharing and Ownership of Data
- Animal Welfare
- Authorship/Plagiarism
- Collaboration including collaboration with industry
• Conflict of Interest—personal, professional, financial
• Human Subject Protections
• Mentor/mentee responsibilities and relationships
• Peer Review
• Research misconduct and policies for dealing with it
• Societal and environmental impacts of scientific research

MORE THAN COMPLIANCE

It is hardly surprising that RCR training tends to be the province of a university’s office of research compliance. After all, this is the office tasked with making sure that research and the grant expenditures that support it comply with federal requirements and, of course, the NSF and NIH RCR requirements are just that—federal requirements. Yet, the responsible conduct of research surely comprises more than compliance with legal regulations. For, among other things, prior to the America Competes Act, indeed, prior to any legislative enactment regarding scientific or other scholarly research, there was a more than merely serviceable distinction between responsible and irresponsible conduct of research. Or put another way, researchers could and did recognize a distinction between ethical and unethical practice. Falsification, fabrication and plagiarism, for example, were known to be wrong long before NSF, NIH or any government agency said anything about them; their wrongness did not then and does not now depend on the existence of federal regulations. In short, to stick with the example of FF&P, falsification, fabrication, and plagiarism are unethical; the actions of those who falsify or fabricate data or plagiarize violate norms of research ethics. And that’s why it is reasonable to ask how an ethics center or the Society for Ethics Across the Curriculum may be able to help a university meet the challenge of providing the training that the NSF and NIH regulations require. That’s where these folks live.

An ethics center, particularly one with a commitment to practical and professional ethics, by which I mean a commitment to working with students and practitioners in a hands-on way, will be well positioned to help with “discussion-based” or “face-to-face” contact hours (5 NSF/8 NIH) that must be included in RCR training. This sort of engagement with ethical issues is the best way for trainees to come to understand not only that something must be or must not be done but, what is much more important if they are going to “own” the norms governing their research practice, why these things are required or forbidden. This is the
sort of thing the folks at an ethics center can be expected to do very well and it should be relatively easy to integrate these experts into a university’s current RCR training delivery system, if you have not done so already.

The Society for Ethics Across the Curriculum may be able to help with another expectation of the NSF and NIH requirements, namely, that research faculty will be involved in the delivery of RCR instruction. Several members of the Society have developed programs that train faculty from various disciplines to integrate ethics into their regular courses and some have conducted research ethics seminars for faculty that have the same goal, namely, preparing them to integrate research ethics into their regular teaching and research activities by, for example, making the most of teachable moments or developing modules. This appears to be the sort of thing that NSF and NIH have in mind when they speak of informal as well as formal RCR instruction that would be handled by research faculty. Here too, the idea would be to find a way to exploit this resource within the context of the university’s current RCR training delivery system.

SECTION II- A PROBLEM AND TWO OPPORTUNITIES IT WOULD BE BEST NOT TO MISS

That RCR training would be handled through an Office of Research Compliance is, as noted earlier, hardly surprising. What might not have been fully appreciated, especially when the pressure to get things squared away was high, is a problem that this may occasion. What I have in mind here is what some friends in business call “compliance mentality,” which, they tell me, leads folks to treat policies and training programs as nothing more than the latest hoop that management has set up for them to jump through. To be sure, folks jump through the hoops, but something is missing, something important. In conversation, I have asked whether the policies are seen in something like the way teenagers see what their parents tell them or, alternatively, as legal requirements that have no call on anyone beyond fear of a sanction in case of non-compliance. Both suggestions have met with a nod, so I think what is interesting here is what they have in common. Both involve an authoritarian, adversarial relationship—us and them, if you will—and a complete lack of genuine participation, belonging, or ownership on the part of the party being addressed; they seem to say, “just tell me what I have to do and I’ll do it.” That, and this is the problem I mean to flag, is most unwelcome if one is
trying to promote responsible conduct, to encourage people to conduct themselves responsibly. Why?

It is most unwelcome because responsible conduct is more than conduct that falls within the parameters of a rule. If responsible conduct is what we are aiming at, how it came to pass that conduct is within the boundaries established by a rule matters. If we were assessing the success of our efforts to promote responsible conduct, mere coincidence would not do as an answer to our question, of course; so too, we should not be satisfied if the answer were fear of sanctions or rote memorization and mechanical application of rules. Responsible conduct is owned—and thus, justifiably, it is conduct for which one is accountable positively or negatively—because it is freely chosen. If what one does complies with a rule merely coincidentally or because one is “programmed” to perform the action (by means of rote memorization) or simply because one fears a sanction in case of non-compliance, although one’s conduct may be quite agreeable, it can scarcely be said that it constitutes responsible conduct. I submit that we must be diligent in pursuing the goal of promoting responsible conduct and that this means, among other things, that we have to consciously eschew what I have called compliance mentality and remember that, given our goal, it matters how it comes to pass that conduct is within the boundaries established by a rule.

From my perspective as director of an ethics institute and president of the Society for Ethics Across the Curriculum, the NSF and NIH RCR requirements constitute an opportunity for universities to join the movement and aggressively pursue the goal of integrating ethics across the curriculum. Perhaps no one here would mistake my intent, but to be on the safe side I should say that, when I speak of aggressively integrating ethics across the curriculum, “ethics” should be understood not as personal morality (implicating norms that prohibit and condemn a married man’s sneaking away to visit his “soul mate” in Argentina, for example, and this whether he chose the long way, the Appalachian Trail, or a more direct route) but as a set of normative constraints that arise from one’s being, by one’s choice, part of something larger than oneself: an enterprise, undertaking, or organization, for example. As I turn to the other opportunity I see, which is related to this one, what I have in mind here should become clearer.

RCR is properly understood as comprising respect for and adherence to the ethical norms inherent in the research enterprise. The point can be another way: the success of the research enterprise requires participants to do or refrain from doing certain things. These normative
expectations are intrinsic to the enterprise; they prescribe and proscribe actions with an eye to achieving the purpose of the enterprise. More precisely, it is when we turn our attention to them, which happens more often in cases where the norms have been breached than otherwise, that we can see that what they call for is tied to the success of the project. For example, reflecting on the norms prohibiting falsification or fabrication of data, one sees more or less immediately that and how the success of the research enterprise is implicated in their justification. These norms are not imposed from outside or above, they are intrinsic to the enterprise; researchers choose to be part of this enterprise and that choice entails acceptance of its norms. This is very important if, as I suggested earlier, compliance mentality is something to be quite consciously eschewed as we strive to promote responsible conduct. Conceived and approached in this way, RCR training can involve genuine participation, belonging, or ownership, which obviates compliance mentality. It would also comport well with the point made earlier, that responsible conduct is owned because it is freely chosen.

Sidebar: There are two innocent assumptions here. The first one is that when one joins up, as it were, one is committed to the success of the enterprise rather than to its undoing. The second assumption, which I am confident you won’t hesitate to embrace, is that the research enterprise is a good thing. That is to say, it is quite unlike, say, a concentration camp such as Auschwitz or human trafficking, each of which has a purpose, and like the research enterprise, prescribes and proscribes action with an eye to achieving it. Again, the assumption that the research enterprise is a good thing is innocent. It is also very important. Without it, it would be impossible to make the case for saying, as I argue we can and should, that the norms internal to the research enterprise are ethical norms.8

It is vital that everyone is clear about what is at stake: the integrity of individual researchers, the integrity of the institutions where they do their research, and the integrity of the research enterprise. These stakes are interconnected, of course. Trouble on one front invariably has an impact on the others. In the end, I think that is a good thing. It is in any case a simple matter of fact.

These points should resonate with educators, since they are precisely the points that need to be made when talking with students about academic integrity. Those of you familiar with the work of the International Center for Academic Integrity (ICAI) will recall that these are critical points in connection with the third of the “three P s” of academic integrity: policing, prevention, and promotion.9 (Full
disclosure: ICAI is housed in the Rutland Institute for Ethics at Clemson and I am a senior fellow of ICAI.) Efforts to promote academic integrity should begin with a proper understanding of it as respect for and fulfillment of the responsibilities an individual has as a participant in something larger than herself/himself, namely, the enterprise of education or, better, teaching and learning. Here, as in many other human endeavors, benefits have a price; there are, as we often say, burdens to be borne and these burdens come in the form of constraints on liberty of action. The point can be put in another and by now familiar way: The success of the enterprise requires participants to do or refrain from doing certain things. These normative expectations are intrinsic to the enterprise; they prescribe and proscribe actions with an eye to achieving the purpose of the enterprise.\textsuperscript{10} That the point is by now, or should by now, be familiar is no accident, of course. I have, as it were, been on my way here throughout this portion of my remarks.

My aim was to show the connections, at a fundamental level, among ethics across the curriculum efforts, RCR training, and efforts to promote academic integrity. Recognizing these links—to Ethics Across the Curriculum (EAC) and Academic Integrity (AI)—brings into view the two opportunities that, I suggested earlier, have for the most part been missed in the RCR programs developed so far. Taking advantage of these opportunities, by making the most of the connections among these three ethics efforts (in terms of resources such as people, expertise and, perhaps, funding), can, I think, serve only to enhance, enliven, and extend their reach.

\textbf{SECTION III- CONCLUSION AND PROMPTS FOR DISCUSSION}

One exciting thing in all of this is that the idea about responsible conduct we’ve been exploring is exportable: the incomplete phrase, “responsible conduct of _____” can be completed by filling in the ellipsis with terms such as medicine, architecture, engineering, business, the ministry, education or government, for example. In each case, we would be directing attention to the norms implicit in practice, norms that are connected to the possibility of success in the enterprise, an enterprise rightly seen as a good thing, and entered into voluntarily by its practitioners. That it is exportable in this way, suggests, to me at least, that it can be integrated across the curriculum and combined with efforts to promote academic integrity thereby reaching undergraduates as well as graduate students and creating opportunities for graduate students and
postdocs to participate in the RCR process and to enhance their understanding of RCR by teaching others about it. We might call this the AI-RCR-EAC triad.

There are other less ambitious possibilities as well. RCR could be coupled with EAC or with AI; each pairing would be attractive in its own way and may have greater or lesser appeal for groups on your campus, such as an academic integrity office or ethics center, that you would like to recruit to help with RCR training.

In any case, I want to encourage you to keep clear in your planning that what you are promoting is responsible conduct of research, which is properly understood as comprising respect for and adherence to the ethical norms inherent in the research enterprise. Researchers choose to be part of this enterprise and that choice entails acceptance of its norms. Conceived and approached in this way, RCR training can involve genuine participation, belonging, or ownership, which obviates compliance mentality. I also want to encourage you to think of ethics centers and in particular, the International Center for Academic Integrity and the Society for Ethics Across the Curriculum as resources, and to contact them to discuss your plans and what they might be able to do to help.

NOTES

1 NSF: “The Director shall require that each institution that applies for financial assistance from the Foundation for science and engineering research or education describe in its grant proposal a plan to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduate students, graduate students, and postdoctoral researchers participating in the proposed research project.” <http://www.nsf.gov/bfa/dias/policy/rcr.jsp>

2 NIH: “NIH requires that all trainees, fellows, participants, and scholars receiving support through any NIH training, career development award (individual or institutional), research education grant, and dissertation research grant must receive instruction in responsible conduct of research.” <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-10-019.html>

These hours are required, and rightly so, I should say, because, as NIH puts it, “While on-line courses can be a valuable supplement to instruction in responsible conduct of research, online instruction is not considered adequate as the sole means of instruction.”

Society for Ethics Across the Curriculum:

The Rutland Institute for Ethics, for example, has been conducting such faculty seminars (in the summer) for 11 years. For the last several years faculty from other institutions have participated in the summer seminars.

For example, from NIH: “Training faculty and sponsors/mentors are highly encouraged to contribute both to formal and informal instruction in responsible conduct of research. Informal instruction occurs in the course of laboratory interactions and in other informal situations throughout the year.”

