Case 1: The Jessica Banks Case

Jessica Banks, a Ph.D student in Professor Brian Hayward's lab, has recently defended her dissertation and is now ready to file it and leave for her new job. During her second year, when starting research in Hayward's lab, Banks decided to continue and expand upon one of the three lines of investigation for her dissertation research. This was also the project most closely related to Hayward's grant at the time. Later, Bank's experimental plan and early results were included in Hayward's grant renewal. The other two promising lines of research were left incomplete. Bank's new job is a tenure-track position in a mid-sized western liberal arts college. Shortly before leaving for her job, she comes into the lab to pick up her notebooks. Although her new faculty position will place a heavy emphasis on teaching, she is looking forward to continuing to do some research as well. In particular, she is eager to pick up where she left off with the two uncompleted projects she worked on before. Professor Hayward meets Banks on her way into the lab, and their genial conversation abruptly changes when she mentions she has come to take her notebooks.

Hayward exclaims, "You can't take those notebooks away-they belong to the lab!"

Banks is confused. "But I did the work, and I wanted to follow up on it. I can't do that without the notebooks."

Professor Hayward is adamant. "I'm sorry, but you should understand this. This lab is a joint enterprise, and all the work you did was funded by the money I brought in via grants. The notebooks don't belong to you, nor to me; they belong to the lab, and the work will be continued in this lab. I've already talked to one of the new students about working on those projects this fall."

Banks, seeing her plans fall apart around her, protests, but Hayward is implacable. After a few minutes, she stalks away, without the notebooks.

Later that afternoon, Banks gets together with her classmate Paul Larson, and during their conversation, she tells him about her run-in with Hayward.

"Look," says Larson. "Hayward has no right to deny you access to the information in the notebooks. Even if the books should remain in the lab, you did the work that generated all the data."

"I know!" says Banks. "But Hayward wouldn't listen to that argument when I made it."

"Here's my suggestion," says Larson after some reflection. "Just stop by the lab and photocopy the books some time during the weekend. I happen to know Hayward will be out of town, so he'll never know. That's the fair thing to do: He gets to keep the notebooks in his lab, and you get a copy of the data you collected."

Banks seems uncertain, but says she'll think about Larson's suggestion and decide before the weekend.

Discussion Questions:

1. Should Banks photocopy the notebooks? Why or why not?
2. Is Banks right to think she has some ownership of the research data, even if it was funded by a grant brought in by Prof. Hayward?
3. Is Prof. Hayward's response to Bank's actions appropriate?
4. What other ethical issues are raised by this case?
5. How might the problems in the case have been avoided?
Case 2: The Case of Lost Data

(Contributed by Bryan Benham)

Peter Grumwald is a clinical psychologist studying the experiences of women before and after childbirth. Over the last nine months, Dr. Grumwald has collected data for his most recent project which now contains over 100 interviews of new mothers regarding their expectations and experience of childbirth, with follow-up interviews at a month after birthing. All the interviews are on audio tape with annotated summaries on computer files.

Dr. Grumwald notices an interesting trend in his data. However, while working up a paper on his findings, Dr. Grumwald has a spat of bad luck. The office heater next to where he stored the audio tapes burst during a weekend, melting and effectively destroying about a third of his tapes. Following that weekend disaster a computer virus infected his summary data. Fortunately he had back up files for some of his files, but not all.

Seeing that he has little recourse to recover the lost data, Dr. Grumwald considers that he has to write the paper either with the now reduced data base or reconstruct the findings from memory and report his findings as if the data base includes over 100 subjects. Looking at the remaining data Dr. Grumwald finds that he doesn't get the same results with the smaller data base than he did with the fully intact data base. And besides the results with the original data base, before it was partially destroyed, are more interesting.

So, Dr. Grumwald decides to reconstruct the findings of his original data base and report them in his paper. He is sure the reconstruction is not 100% accurate, but close enough to show the interesting results.

Discussion Questions:

1. Should Dr. Grumwald report the reconstructed findings from the original data set, as if it wasn't destroyed? If so, should he report that the data is reconstructed or that his original data is not destroyed?
2. Would it be ethically better for Dr. Grumwald to report the findings from his existing data base, even though the findings are not as interesting?
3. What other ethical issues are raised by this case?
4. How could this situation have been avoided? Was it avoidable?
Case 3: Highlighting Data Results

(Contributed by Bryan Benham)

While studying a variety of pre- and post-election opinion polls for the most recent election cycle in Abradam County, Sheri Dunbar, a political scientist at Abradam University, notices an interesting tendency in voters’ opinions that hasn't been reported before.

She finds that even though a small majority of voters may have favored a candidate during the election, allowing that candidate to win with a 53% majority, less than a week after the election a much greater majority report favoring the newly elected official, a 57% majority.

The difference is close to the margin of error, but Prof. Dunbar is certain that this reflects an interesting effect that she wants to label the "Dunbar Effect" which essentially says that after a close election, the voting public will have a tendency to prefer a candidate even if they didn't originally vote for the candidate. She explains this as a way that voters may cope with having officials in office that they didn't originally want in office.

However, in writing her paper she decides to "highlight" the results for dramatic impact. She reports a 62% majority after the election (rather than the original 57%). She reasons that this dramatic shift is permissible because it simply makes the "Dunbar Effect" more noticeable and thus brings to light an interesting phenomena worthy of further research. She has the utmost confidence that future polling studies will confirm her findings.

Discussion Questions:

1. Is Prof. Dunbar's "highlighting for dramatic effect" ethical? What if it turns out on further research that she is confirmed in her account of the "Dunbar Effect"?
2. What may have motivated Prof. Dunbar to alter her original data? Are any of these motivations sufficient to ethically justify her actions?
3. If Prof. Dunbar had written up data accurately, do you think her paper would have been more likely or less likely to have been published? Does this make an ethical difference in Prof. Dunbar's decision to "highlight" the results?
Case 4: Whose Data Is It?

(Contributed by Bryan Benham)

Prof. Yarrow hired Lisa Long, a hard working graduate student in political science, for a four year longitudinal study on the change of political attitudes between election cycles. The surveys take place once a year for four years.

For the first and second year of the research Lisa collected and organized the results. In addition, Lisa conceptualized a number of research questions relevant to the data collected. She planned to pursue these questions in her doctoral work, but on the advice of Prof. Yarrow she focused her doctoral work on three of the questions. She was told that to pursue more than that would take a life-time of work. She should focus on a manageable chunk of the data for the dissertation.

In the third and fourth years of the study, Prof. Yarrow hired another graduate student, Richard Geer, to collect the survey data. Richard became interested in some of the questions devised by Lisa in her original conceptualization and organization of the data. Prof. Yarrow agree to let Richard work on some of those questions formulated by Lisa as well as use some of the data collected by Lisa but not relevant to her dissertation work.

When Lisa discovered that Richard would be working on some of her original questions she became defensive. She thought that since she did the original organization and conceptualization of the original questions, it was effectively her research area, even if she was only working on a portion of it for her dissertation. She had planned to work on those untouched areas of research in her work after the completion of the dissertation. But if Richard was now taking over her research program, she didn't think she would be able to complete her work.

Confronting Prof. Yarrow, she asked why Richard was allowed to work on "her" research questions with the data she collected and organized? Prof. Yarrow responded, "The data was not hers, properly speaking. The data was produced under a grant he, Prof. Yarrow, acquired, and after all the data is actually the property of the University, under the management of himself."

Lisa replied, "I understand I don't actually own the data, but I did most of the original work, defining areas of research, questions, organizing the original data set....It just feels like my work is going to someone else to get credit for. It doesn't seem fair. I worked hard on that data, and I want to work on it after I graduate."

Prof. Yarrow as sympathetic, "I understand your feelings, however, this is the nature of this research. Some people help define new areas of research and others follow up on that new data. It is how most disciplines work."

Lisa was not satisfied with Prof. Yarrow's answer. She continues to be worried about her future work.

Discussion Questions:

1. What, if anything, should Lisa do? Has there been breach of ethical conduct in this case?
2. Although Lisa doesn't actually own the data, is she right to think she has some claim to research on the data and questions she formulated in the first two years of the study?
3. Is Prof. Yarrow's answer to Lisa adequate? Why or why not?
4. Should Prof. Yarrow have let Richard work on the data and questions originally formulated by Lisa?
5. Would it be fair to Richard to be asked to collect the data for the third and fourth year but not work on the questions and research areas devised by Lisa in the first two years?
6. What could have Lisa, Prof. Yarrow, or Richard done to avoid this problem? Was it a foreseeable problem?
Case 5: Presenting and Sharing Data
(Adopted from Dilemmas in Research Ethics, ORI, 2004)

A researcher, speaking at a conference, presents two sets of results based on two related datasets. He references a paper that he published recently, describing in great detail the first set of results based on the first dataset. This paper mentions the second dataset but does not discuss the results based on it. A colleague attending the conference asks for a copy of both datasets. The researcher is pleased to deliver the first set of data, but does not want to turn over the second until he has had time to prepare another paper, describing results based on that dataset, and had it accepted for publication.

Discussion Questions:
1. Is the researcher justified in withholding the second dataset until he has published his results? Is the researcher being un-collegial or just protective?
2. Should the researcher mention/use the second data set before analyzing/publishing it? How can the community of researchers assess the accuracy of the claims based on this unpublished data set.
3. Imagine the researcher did share the second data set. What ethical issues does this raise?