



CONFIDENTIAL

February 14, 2008

Dr. Wei-Chyung Wang
6 Owasco Court
Niskayuna, NY 12309

Dear Dr. Wang:

Attached is the draft report of the Inquiry Committee charged with examining the allegation against you for fabrication and misrepresentation of research results as covered by the *University at Albany Policy and Procedures on Misconduct in Research and Scholarship*.

The report summarizes the Inquiry's process and proceedings and contains the Committee's findings and recommendation.

The Committee's findings:

The Inquiry Committee has concluded that "documentation and input from the Respondent's co-author on the research papers in question would be necessary to allow for any clear determination. The Respondent maintains that there may be additional evidence available that could allow for a clear and final decision to be rendered..." Proceeding further or in more depth would be beyond the Committee's charge under our Policy. "Consequently, in the absence of any such available additional evidence regarding the paper station logs, there is simply no way for us as an Inquiry Committee to conclude that there is not sufficient evidence to warrant further investigation."

As the institutional official responsible for this case, I have accepted the Committee's findings and the Report. In order for the Inquiry Committee to make a final determination of the charges, I recommend that the Committee continue in an investigation of the charges. You have fourteen (14) calendar days from the date of this letter to provide any comments to add to the report for the record. The Policy states:

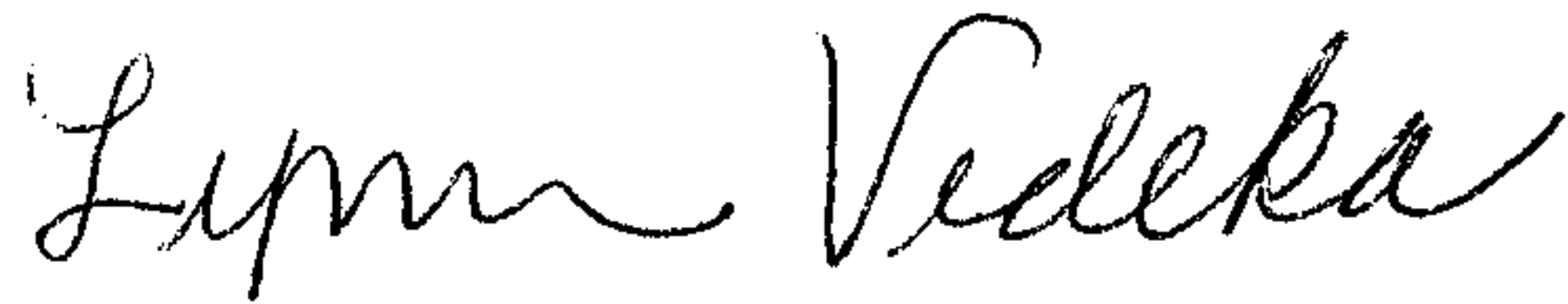
"The Vice President for Research will provide the respondent with a copy of the draft investigation report for comment and rebuttal and will provide the complainant with those portions of the draft report that address the complainant's role and opinions in the investigation. The respondent and complainant will be given 14 calendar days from the transmission of the report to provide their written comments. Any written responses to the report by either party will be made part of the report and record.

Following receipt of comments on the report from you (the Respondent) and from the Complainant, I will prepare a recommendation to the Interim President of the University. The

Inquiry phase will conclude when the Interim President makes a final determination. It is at that point that the Investigation phase will begin.

Please feel free to contact Adrienne Bonilla (518-437-4569) or me (518-956-8170) if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Videka".

Lynn Videka
Vice President for Research
Distinguished Service Professor

Attachment: Inquiry Committee Report

cc: John Reilly, Esq., Associate University Counsel
Adrienne Bonilla, Esq., University Compliance Officer

Report of the Inquiry Committee

Inquiry Committee to Review allegations of research misconduct by Wey Chyung Wang, Ph.D as covered by the University at Albany Policy and Procedures on Misconduct in Research and Scholarship.

University Receives Complaint, Inquiry Initiated

The Division for Research received an allegation against Wey Chyung Wang, for fabrication and misrepresentation of research results as covered by the *University at Albany Policy and Procedures on Misconduct in Research and Scholarship*.

It is alleged that Dr. Wang fabricated and misrepresented research results in two research papers he co-authored:

- Jones P.D., Groisman P.Y., Coughlan M., Plummer N., Wang W.-C., Karl T.R. (1990), “Assessment of urbanization effects in time series of surface air temperature over land”, *Nature*, 347: 169–172
- Wang W.-C., Zeng Z., Karl T.R. (1990), “Urban heat islands in China”, *Geophysical Research Letters*, 17: 2377–2380

In light of the seriousness of the implications of this allegation, the Chair of the Committee on Ethics in Research and Scholarship (CERS) and the Vice President for Research decided that an Inquiry Committee should be appointed to review the facts of the case. A formal inquiry was initiated in accordance with the *University at Albany Policy and Procedures on Misconduct in Research and Scholarship*. The Vice President for Research (VPR) is the institutional official responsible for the case.

Inquiry Committee Appointed

In consultation with the Council on Ethics in Research and Scholarship Chair, the VPR appointed an Inquiry Committee, qualified persons, from inside and outside the University who did not have real or apparent conflicts of interest in the case, were unbiased, and had the necessary expertise to evaluate the evidence and issues related to the allegation.

The committee members named for this Inquiry Committee were:

Helmut Hirsch, Distinguished Teaching Professor, Department of Biology;
Marvin Geller, Professor, Department of Marine Sciences, Stony Brook University; and
Eric Lifshin, Professor, College of Nanoscale Science and Engineering; and member of CERS

Ex-Officio Members –

Adrienne D. Bonilla, J.D., Research Compliance Officer, Office of the Vice President for Research, staff assistance to the Inquiry Committee

John Reilly, J.D., University Counsel’s Office representative

Notice to the Respondent

The VP for Research sent a letter of notice to the Respondent, on August 16th, 2007. The letter provided information on the allegation, and notice of the names of the proposed Inquiry Committee members. The letter informed the Respondent of his right to object to any of the Committee members within five (5) calendar days. The University's Misconduct Policy, which outlines the Inquiry and Investigation process, was also attached to this letter. The Respondent did not object to any of the proposed members.

Three (3) Meetings of the Inquiry Committee

The time between initiation of the Inquiry and the date of the first meeting was due to difficulties associated with scheduling. Scheduling was challenging as it this was taking place during the summer months. Additionally, participants (Respondent and a Committee member) travel for work on a fairly frequent basis.

- **October 5, 2007:** The first meeting of the Committee. The Complaint documents and copies of related correspondence and materials were provided to Committee members. The VP for Research gave the Committee its charge.
- **October 18, 2007:** The Inquiry Committee selected its Committee Chair, Helmut Hirsch. The Committee discussed strategies for undertaking its charge. The Committee reviewed the published station data and noted that for several stations there were notices indicating a move from one place to another. The Committee was unable to determine whether or not any of the documented moves were enough to be inconsistent with the statement that there were "few if any changes" in station location. It was also clear at that time that there were stations for which the Committee did not have information. The Committee gathered a list of questions and list of requested documents for the Respondent.

The Committee's list of questions and its request for specific documentation was forwarded to Dr. Wang. Dr. Wang was traveling when the request was made. He forwarded the documentation that he had access to (Dr. Wang was in travel status) via email. He communicated to the Committee that he would provide all remaining requested information upon his return to Campus.

- **December 7, 2007:** The Committee interviewed the Complainant via telephone and immediately thereafter, the Committee interviewed the Respondent in person. The Complainant highlighted points that the Committee had taken notice of, namely that there were a sizable number of stations for which there was no data that could be used in defending the statement that these stations had remained relatively "constant". At that meeting with the Respondent, he was specifically asked about the stations for which there were no published station logs. The Committee was told that there had been station logs in "paper form" and that these had been used (by the Respondent's colleague) to select stations for use in the paper. The Respondent told the Committee that it could contact his colleague to confirm the existence of the station logs in paper form. Furthermore, the Respondent indicated that established procedures had been used to account for some of the cited station moves (e. g., changes in station altitude) even though this was not indicated in the publications.

Findings of the Inquiry Committee

- 1- There are some stations for which the Committee obtained and reviewed published station logs. Some of these mention changes in the station location, etc.
- 2- There are other stations for which the Committee did not have access to the station logs. The Respondent informed the Committee that the data do exist, and that they are archived in China. While this information may not be able to be obtained, he indicated that his colleague on the project might be able to attest to existence of the data and her role in station selection.
- 3- Committee deliberation centered on the difficulty of interpreting the published statement that selected stations experienced “few, if any, changes in ... location” –
 - a. There must be some stations for which there is no evidence of a change in location, etc.
 - b. There are certainly published station logs (for stations used in the study) that refer to changes in location – how many is “a few” and how much of a move (or other change) is allowed in order for a station to be listed as one that did not experience a change in location?
 - c. As long as “few” is not defined and is in the statement – obtaining a sufficiency of evidence to meet the standard of “fabrication” may be difficult.
 - d. For long-term climate records, particularly in rapidly changing nations such as China, changes in station location are to be expected. The question is, given these changes and procedures for accounting for such changes, were the statements in the papers “few, if any” misleading. Furthermore, where does one draw the line between “fabrication and/or misrepresentation” versus non-rigor in wording in a scientific publication?

Recommendation (unanimous) of the Inquiry Committee:

After careful and thorough review of the evidence, the Committee has concluded that without the written input from the Respondent’s colleague, we cannot determine the accuracy of the Respondent’s explanation for the station selection. While the Respondent maintains that there may be additional evidence available that could allow for a clear and final decision to be rendered, for this Inquiry Committee to examine this case further or in more depth would be beyond its charge. Consequently, in the absence of any such available additional evidence regarding the paper station logs, there is simply no way for us as an Inquiry Committee to conclude that there is not sufficient evidence to warrant further investigation.

Therefore, on the record before us, we are compelled by the Policy to recommend that an Investigation Committee be formed and charged with obtaining and reviewing any such additional evidence regarding the paper station logs so that a final resolution may be made regarding the allegation against Dr. Wang.

Submitted and Approved by Inquiry Committee Members:

Helmut Hirsch, Distinguished Teaching Professor, Department of Biology;
Marvin Geller, Professor, Department of Marine Sciences, Stony Brook University; and
Eric Lifshin, Professor, College of Nanoscale Science and Engineering; and member of CERS