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LETIZIA TAGLIAFIERRO
INSPECTOR GENERAL

February 19, 2020

Félix V. Matos Rodríguez
Chancellor
The City University of New York
205 East 42nd Street
New York, New York 10017

Re: NYS IG 4035-172-2017

Dear Chancellor Matos Rodríguez:

In November 2017, the Offices of the New York State Inspector General received two complaints alleging that seven professors at Queensborough Community College (QCC) published articles in “fraudulent journals” (aka predatory journals).¹ The complaints further alleged that these professors used funds from The City University of New York (CUNY), United States Department of Education, National Institutes of Health, and National Science Foundation to finance the underlying research and publication in these predatory journals. The complaints also noted that QCC students are listed as co-authors on some of the articles published in predatory journals and

¹ Predatory Journals are open-access journals that collect fees from authors to pay for the costs of peer review, editing, and publishing of academic articles but fail to provide actual peer review.

questioned whether the professors “jeopardized” the students’ future science careers by publishing in these outlets.²

Shortly thereafter, the Inspector General referred the matter to CUNY for review and any action CUNY deemed appropriate. On or around January 11, 2018, the Inspector General informed CUNY that it would investigate this matter and CUNY suspended its investigation.

The Inspector General’s investigation included a review of CUNY’s January 26, 2018 “unfinished, draft report” of its investigation. The report, which was prepared by [REDACTED], then CUNY’s director [REDACTED], focused on whether the promotions of the seven professors named in the complaint were impacted by the articles these professors had published in predatory journals. CUNY’s draft report noted that the main predatory journal at issue—*World Academy of Science, Engineering and Technology* (WASET)—which was created in 2007, was not deemed a predatory journal until it appeared on [REDACTED] list of predatory journals in 2011.³ Prior to that, WASET was included on the list of scholarly peer-reviewed publications known as *Scopus*. CUNY concluded there were no issues with publishing in WASET from 2007 until 2011, and that the allegations against five of the seven professors were baseless since all five professors were promoted well before 2011.⁴

CUNY reviewed the promotions of the remaining two professors, [REDACTED] [REDACTED] both of whom were promoted in 2017; [REDACTED] was promoted to full professor and [REDACTED] was promoted to associate professor. [REDACTED] submitted 11 articles to be considered when evaluating her candidacy for promotion, and [REDACTED] submitted 27 articles for promotion consideration. Of these articles, CUNY determined that three of [REDACTED] articles and seven of [REDACTED] articles had been published in the predatory journals WASET and *International Conference on Electrical, Electronics, Engineering Trends, Communication, Optimization and Sciences* (EEECOS). CUNY ultimately concluded that [REDACTED] and [REDACTED] academic accomplishments and scholarly contributions “provided a strong research record for [his/her] candidacy for promotion to be assessed.”

The Inspector General’s investigation focused on the promotions of [REDACTED] [REDACTED] and [REDACTED], a QCC professor who was identified subsequent to the initial complaint as having published articles in predatory journals prior to his promotion at QCC. The investigation ultimately was unable to determine what if any impact predatory publishing had on their promotions.

² Among other considerations, due to student education records privacy provisions found in the federal Family Educational Rights and Privacy Act (FERPA), the Inspector General did not investigate this allegation. (20 U.S.C. § 1232g; 34 CFR Part 99).

³ In 2010, a research librarian at the University of Colorado in Denver, Jeffrey Beall, first coined the term “predatory publisher” and created a blacklist identifying “potential, possible, or probable predatory scholarly open-access publishers.” While Beall’s list has drawn controversy, it stands as a resource for authors considering publication in open access journals.

⁴ CUNY’s draft report also noted that four of these five professors published in WASET several years after they were promoted to the position of full professor. The report did not address whether these professors were aware of predatory publishing and Beall’s list of predatory journals at that time.

CUNY advised that an individual's achievements in teaching, service to the institution, and scholarly and professional growth should be factors considered when evaluating a candidate for promotion to the rank of full professor. However, CUNY has not established guidelines for its schools to follow during the promotion process; rather, each CUNY school has its own guidelines for promotion and tenure.

QCC's guidelines for Promotion to Rank of Professor provide in part, "The individual should have established him/herself as a recognized researcher, scholar, or creative artist, with evidence of continued growth in scholarship or creative achievement (with affiliation as a member of Queensborough Community College's faculty). In general, quality is more important than quantity, although there must be sufficient quantity to provide evidence of a significant level of scholarly productivity and impact." The guidelines further explain that "greater weight is given to publishers noted or recognized in the discipline/field. Rigor of peer-reviewed publications is noteworthy." Additionally, the guidelines encourage candidates for promotion to consult Beall's List and/or the Library Department for information on predatory publishers.

At the outset of the investigation, the Inspector General requested that [REDACTED], then CUNY interim associate vice chancellor and university vice provost for research, further review the curriculum vitae (CV) the three professors submitted for their promotions to determine if predatory journals other than WASET and EEECOS were implicated. This review found publications in other predatory journals—[REDACTED] had a total of four articles published in predatory journals and [REDACTED] had eight. The review also found that [REDACTED] had published 47 articles of which five were published in predatory journals.

The investigation, which included an inspection of the confidential voting records for the three professors' promotions, did not determine if the articles published in predatory journals had any impact on the promotions. The voting records did not indicate what, if any, weight was given to publications in predatory journals. Moreover, QCC advised that its files contain no transcripts or notes from meetings at which the promotions of these professors were discussed.

Notably, publishing in predatory journals does not per se violate CUNY policy. CUNY previously dealt with these issues in 2017, when the Inspector General referred an anonymous complaint alleging that [REDACTED] took "considerable grant money and then paid to publish the results in a fraudulent journal based out of [REDACTED] CUNY investigated the claim and found that after [REDACTED] received a Professional Staff Congress-CUNY Research Award, she published an article on her research findings in WASET in 2015. [REDACTED] informed CUNY that she did not know the publication was not peer-reviewed and that her final grant report disclosed the publication in WASET. CUNY determined that [REDACTED] did not engage in fraudulent behavior or make any misrepresentation in connection with her publication in WASET. CUNY advised the Inspector General in an August 2017 memo, "CUNY does not prohibit its faculty from publishing in non-peer reviewed publications. As such, even if [WASET] is indeed not a

peer-reviewed journal, by publishing in this journal, Dr. ██████ would not have violated any CUNY rules or regulations.”

Following CUNY’s 2017 findings regarding ██████ QCC revised its standard CV template to more clearly present professors’ articles published in peer-reviewed and non-peer reviewed journals. Prior to this, the three professors used a standard QCC CV template and listed all articles under the heading “Publications,” which made it difficult to distinguish peer-reviewed articles from non-peer-reviewed articles. In October 2017, a new CV template was implemented, which requires professors to delineate between articles published in peer-reviewed and non-peer-reviewed publications.

According to ██████ grant money is typically used to pay expenses associated with publishing articles in open access journals—both legitimate and predatory journals. The Inspector General’s investigation did not review this type of expenditure or if the three professors used grant money to fund publications in predatory journals.

During the course of the investigation, CUNY took several significant steps to address predatory publishing on its campuses, including quantifying the impact predatory publishing has had on faculty scholarship, educating its community about the perils of publishing in predatory journals, reviewing the tenure and promotion processes at CUNY’s then 24 schools, and implementing a system to collect and track its scholarly works.

First, ██████ conducted a statistical analysis of all scholarly and creative works self-reported by CUNY faculty for the 2012 to 2016 calendar years and determined that publishing in predatory journals is not a widespread problem within the larger CUNY community.⁵ From 2012 to 2016, faculty reported 99,736 original scholarly and creative works, of which only 68 works were published in known predatory journals and misrepresented as peer-reviewed journal articles by the faculty who reported them. These 68 works were contributed by 54 faculty members from 18 campuses. Additionally, ██████ found that in 2017, faculty reported approximately 20,000 scholarly and creative works, of which only five works were published in predatory journals and only two works were misrepresented as having been peer reviewed. These five works were contributed by five faculty members from different campuses.⁶

As a second step, CUNY has acted to educate faculty about predatory publishing. CUNY’s education campaign started in May 2017, when the then university vice provost for research issued a memorandum to faculty providing information about predatory journals and a checklist to identify reputable publishers. In November 2017, CUNY’s

⁵ As part of CUNY’s annual Performance Management Process, all full-time CUNY faculty are required to report their scholarly and creative works to their respective institutions, and this information is maintained within a faculty scholarship database. ██████ searched this database for citations contained on Beall’s List of predatory journals.

⁶ ██████ acknowledged that his statistical analysis is neither complete nor fully illustrative of predatory publishing’s impact on CUNY professors’ scholarship. Despite being required, not all full-time professors submit their lists of scholarly works for the Performance Management Process.

Office of Research issued another memorandum to faculty setting forth “CUNY Guidelines Regarding Publishing in Predatory Journals.” Later that month, ██████████ presented an overview of predatory journals at CUNY’s Faculty Affairs Advisory Board Meeting and CUNY’s Faculty Senate Discipline Councils Meeting. In 2018, CUNY made multiple presentations about predatory journals to various CUNY stakeholders and faculty members, including its Faculty Affairs Advisory Board, Computer Science Discipline Council, Chief Academic Officers Council, and the Career Training Workshop at the Advanced Science Research Center. CUNY also made presentations about predatory journals at the College of Staten Island, LaGuardia Community College, and Hostos Community College. CUNY also facilitated a four-day workshop at QCC, which provided training in applying for grants, choosing appropriate publication outlets, and conducting ethical research.

In a third step, CUNY conducted a “landscape analysis” to understand the impact that predatory publishing has on the tenure and promotion process at its 24 schools. In January 2018, ██████████, then CUNY’s executive vice chancellor, requested that each campus president review their school’s tenure and promotion guidelines and report on steps to limit the impact of predatory publishing. Specifically, CUNY requested that each school address in its report how it has: (i) communicated with faculty about the nature and scope of the problem of publishing in disreputable outlets; (ii) provided forums for discussion of tenure and promotion standards, policies, and practices; (iii) revised how CVs are organized/presented to separate peer-reviewed from non-peer-reviewed publications; (iv) made clear in published guidelines and relevant websites that only peer-reviewed and reputable outlets will count toward tenure and promotion; and (v) encouraged faculty to participate in the annual Faculty Scholarship Report.

The Inspector General reviewed each school’s report and found that the extent to which each school acknowledged and addressed predatory publishing was widely varied. On one side of the spectrum was QCC’s response, which demonstrated that it has made significant efforts to address predatory publishing, including reformatting its CV template, disseminating a statement on academic integrity, and holding various workshops. On the other side of the spectrum was CUNY’s Graduate School of Journalism, which did not address predatory publishing in its response. Instead, the school claimed that predatory publishing was of little concern for its faculty since their work is “mostly focused on journalistic outlets” and therefore it is unlikely that its faculty would seek to publish in predatory journals. The responses from CUNY’s 22 other schools fall somewhere in between these two.

In September 2018, then Interim Chancellor ██████████ shared the findings of the landscape analysis with campus presidents and deans at the Council of Presidents Meeting. Two of the best practices identified during CUNY’s landscape analysis were that: (1) CV formats used at the schools should require individuals to delineate between peer-reviewed scholarly works and creative works; and (2) a number of external peers should participate in a candidate’s evaluation during the tenure and promotion process. Subsequently, CUNY distributed guidelines for implementing external evaluations into the tenure and promotion process and a template for faculty CV, which distinguishes between peer-reviewed and non-peer-reviewed publications. After individual meetings

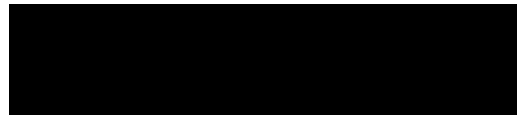
with the college presidents to discuss the implementation of external peer review during the tenure and promotion process, the University Committee on Faculty, Staff, and Administration approved a board resolution guaranteeing that external peer review would be part of the tenure and promotion process at CUNY's senior colleges. The CUNY Board of Trustees subsequently approved this resolution on December 10, 2018.⁷

Lastly, CUNY considered the feasibility of adopting or developing a new system to improve collection and tracking of faculty scholarship. To do this, CUNY sought estimates from vendors for a university-wide research data management system for the scholarly publications of CUNY faculty. CUNY subsequently found the vendor responses to be cost prohibitive and is currently seeking to build such a system using internal resources. According to CUNY, it anticipates establishing a new data collection system within CUNYfirst for the 2020 data collection cycle.

In summary, CUNY has taken substantial steps to review the impact that predatory publishing has on the tenure and promotion process at its campuses and to take corrective action. The Offices of the Inspector General recommends that it continue its education campaign by offering to the faculty and students at all its campuses annual informational workshops about predatory journals. The Offices of the Inspector General also recommends that CUNY establish a point of contact/review at each school to serve as a resource to faculty and students to prevent uninformed publication in predatory journals. The Offices of the Inspector General further recommends that CUNY continue discussions with its community colleges to determine a feasible way to implement external peer review in the tenure and promotion processes at its community colleges. Additionally, the Offices of the Inspector General recommends that CUNY continue to develop a new system to improve collection and tracking of faculty scholarship. Lastly, as this review focused solely on QCC, the Offices of the Inspector General recommends that CUNY review the promotions of professors at its other schools since at least 2017 to determine if their promotions were influenced by the publication of scholarly articles in predatory journals.

Please advise me of any action taken by your agency in response to this referral and recommendation within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector General Jessica Silver at 212. 635.3150.

Sincerely,

A solid black rectangular box used to redact the signature of the Inspector General.

Letizia Tagliafierro
Inspector General

⁷ The presidents at CUNY's community college responded to this resolution by expressing concerns about finding adequate external peer reviewers.

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