

國立中興大學計畫人員學術倫理事件審議辦法
National Chung Hsing University
Regulations for the Assessment of Cases Involving Academic Ethics
Violations Committed by Project Personnel

106.11.22 日第 411 次行政會議訂定
111.8.31 第 450 次行政會議修正通過（第 1 條）
November 22, 2017 Formulated in the 411th Administrative Meeting
August 31, 2022 Revisions (Article 1) approved in the 450th Administrative Meeting

第一條 國立中興大學（以下簡稱本校）為建立參與計畫人員違反學術倫理事件客觀公正之處理程序，依據教育部「專科以上學校學術倫理案件處理原則」及國家科學及技術委員會「學術倫理案件處理及審議要點」訂定本辦法。

Article 1 These Regulations have been formulated by National Chung Hsing University (NCHU or “the University”) in accordance with the Ministry of Education’s Principles for Handling Academic Ethics Violations in Junior Colleges and Institutions of Higher Education and the National Science and Technology Council’s (NSTC) Guidelines for the Handling and Review of Academic Ethics Violations for the purpose of establishing a set of fair and unbiased operating procedures for the handling of academic ethics violations committed by project personnel.

第二條 本辦法適用對象為本校計畫經費所聘之專、兼任人員及參與計畫之學生。

Article 2 The scope of these Regulations includes full-time and part-time NCHU personnel employed with project funds and students participating in NCHU projects.

第三條 本辦法所稱違反學術倫理，指有下列情形之一者：

- 一、造假：虛構不存在之申請資料、研究資料或研究成果。
- 二、變造：不實變更申請資料、研究資料或研究成果。
- 三、抄襲：援用他人之申請資料、研究資料或研究成果未註明出處。註明出處不當，情節重大者，以抄襲論。
- 四、由他人代寫。
- 五、未經註明而重複出版公開發行。
- 六、大幅引用自己已發表之著作，未適當引註。
- 七、以翻譯代替論著，並未適當註明。
- 八、被檢舉人或經由他人有請託、關說、利誘、威脅或其他干擾審查人或審查程序之情事，或以違法或不當手段影響論文之審查。
- 九、其他違反學術倫理行為。

Article 3 Academic ethics violations as referred to in these Regulation can apply to any of the

following:

1. Fabrication: making up application information, research materials, or research outcomes
2. Falsification: deceptively manipulating application information, research materials, or research outcomes
3. Plagiarism: quoting the application information, research materials, or research outcomes of others without proper citation in cases in which the lack of citation or serious omissions of citation are considered plagiarism
4. Ghostwriting
5. Repeat publication without acknowledgment
6. Self-plagiarism of large parts of one's own published works without proper citation
7. Quoting translated material without proper citation
8. Influencing reviewers or the review process through solicitation, lobbying, bribery, intimidation, or the use of other undue influence exerted personally or via a third party, or adopting illegal or inappropriate means to affect the review of papers
9. Other academic ethics violations

第四條

本校學術倫理案件處理程序：

- 一、案件受理：研究發展處學術發展組。
- 二、形式要件審查：涉及計畫人員違反學術倫理之案件，簽請校長指派召集人會同研發長及人事室主任召開學術倫理檢舉案件形式要件審查小組（以下簡稱形式審查小組）會議。
- 三、實質審理：由所屬一級單位籌組學術倫理案件調查小組（以下簡稱調查小組）負責案件之審理、查證及處置建議事宜。
- 四、審議決定：由權責單位審議及決定處置。

調查小組之召集人由所屬一級單位主管擔任並為調查小組主席，如所屬一級單位主管迴避時，由校長另聘調查小組召集人；委員五至七人，除召集人為當然委員外，其餘成員則聘請校內外相關領域系（所、中心）專家學者擔任。

Article 4 NCHU operating procedures for the handling of academic ethics violations:

1. Case acceptance: Academic Development Division, Office of Research and Development (hereinafter, "the Division")
2. Formal requirement review: Cases concerning project personnel in violation of academic ethics shall be reviewed by the Academic Ethics Complaint Formal Requirement Review Board (hereinafter, "the Review Board"), which shall consist of a convener appointed by the President as well as the Dean of Research and Development Affairs and the Director of Personnel.
3. Substantive investigation: The affiliated primary unit shall form an academic ethics

investigation team (hereinafter, “the investigative team”) to investigate and verify complaints and recommend the measures to be taken.

4. Assessment and resolution: The competent authorities shall assess the matter and reach a resolution.

The head of the affiliated primary unit shall serve as convener and chair of the investigative team. If the head of the affiliated primary unit recuses themselves from the position, the President shall appoint the convener of the investigative team. The team shall consist of five to seven members, including the convener (ex officio member) and experts and scholars in related academic fields appointed from NCHU or non-NCHU departments, institutes, or centers.

第五條 本校受理學術倫理案件方式：

- 一、具名檢舉：檢舉者應具真實姓名及聯絡方式，並具體指陳對象、內容及檢附證據資料向研究發展處學術發展組提出檢舉，經查證確為其所檢舉者，即進入處理程序；檢舉人提供之身分資料有不實情事者，以匿名檢舉論。
- 二、匿名檢舉：以匿名方式檢舉，有具體指陳對象且違反內容已充分舉證者，應依前款規定辦理。
- 三、移送案件：校內、外各單位移請查辦者。

Article 5 NCHU procedures for handling complaints involving academic ethics violations:

1. Signed (identified) complaints: Complaints shall be submitted to the Division with the complainant’s real name and contact information, the respondent’s name and the violations the respondent is accused of, and the relevant supporting documents. Complaints shall be processed once the respondent’s information is verified. Complaints in which the complainant’s personal identifying information proves to be false shall be treated as anonymous complaints.
2. Anonymous complaints: Complaints submitted anonymously with allegations against specific persons and with sufficient proof shall be treated in the same manner as identified complaints.
3. Case referrals: Cases referred from NCHU or non-NCHU units.

第六條 形式審查小組應於接獲檢舉案後十日內完成形式要件審查。形式要件不符不予受理者，將審查結果送研究發展處學術發展組以書面通知檢舉人；成立之檢舉案件，移請調查小組召集人於二十日內組成調查小組處理。

Article 6 The Review Board shall complete the formal requirement review within ten days after receiving a complaint. Complaints that do not meet the review criteria shall not be accepted, and the review result shall be submitted to the Division, which shall notify the complainant in writing. Complaints that are accepted shall be forwarded to the convener of the investigative team, who shall form the team within 20 days to process the complaint.

第七條 調查小組成立後，開會時應有三分之二以上委員出席進行案件實質審理，並以書面通知被檢舉人於文到二週內針對檢舉內容提出書面答辯，逾期不為答辯者，視同放棄答辯。被檢舉人疑有第三條所定情事者，調查小組得併同檢舉內容及答辯

書送請校外專業領域學者專家(以下簡稱外審委員)三人以上進行審查。必要時，調查小組得同意被檢舉人於程序中提出再答辯。調查小組如有確切證據足資認定被檢舉人違反學術倫理時，應於報告書內載明具體事實、建議處置種類及理由，由召集人於報告書完成十日內提請權責單位審議。如無確切證據足資認定被檢舉人違反學術倫理時，由召集人將報告書及理由於十日內簽請研究發展處學術發展組以書面通知檢舉人及被檢舉人。

調查小組接獲第三條第八款所定情事後，應與受到干擾之審查人取得聯繫並作成紀錄，送權責單位召集人再與該審查人查證後再行審議。

Article 7 Once formed, the investigative team may convene with a quorum of two-thirds of its members present, proceed with the substantive investigation, and notify the respondent in writing to submit a written response to the complaint filed against them within two weeks of receiving said notification. Late submissions shall be considered a waiver of the right to respond. If a respondent is suspected of committing any of the violations set forth in Article 3, the investigative team may submit the complaint and response to three or more non-NCHU experts or scholars in related professional fields (hereinafter, "external reviewers"). If deemed necessary, the investigative team may allow the respondent to submit a counter-response. If the investigative team has ample proof of the respondent's violation of academic ethics, they shall compile a report stating the relevant facts, the recommended course of action, and the reasons for such action and submit it within ten days of completion by the convener to the competent authorities for further assessment. In the absence of sufficient proof of a violation of academic ethics by the respondent, the convener shall submit the investigative report and the reasoning behind the resolution to the Division within ten days to request that written notice be made by the Division to the complainant and respondent.

If the investigative team receives a complaint involving the type of violation set forth in Article 3, Subparagraph 8, it shall contact the reviewers being subjected to interference, submit the records to the convener of the competent authority, and interview the respondent before proceeding with further assessment.

第八條 權責單位審議前應通知被檢舉人就調查報告書所指摘之事實提出陳述意見書。必要時，被檢舉人得於審議時到場說明，申復時亦同。

權責單位應自研究發展處學術發展組接獲檢舉之日起四個月內作成具體結論。惟如遇案情複雜、窒礙難行及寒、暑假之情形時，其處理時間得延長二個月，並由研究發展處學術發展組通知檢舉人及被檢舉人。

檢舉案之處理，應尊重國家科學及技術委員會領域之專業判斷。

最終審議之結果，應於審定後十日內將具體事實、審議結果及理由會請研究發展處學術發展組於十日內以書面通知檢舉人、被檢舉人，並副知計畫主持人。如審議時，遇有判斷困難之情事，得列舉待澄清之事項，請調查小組續為調查。

Article 8 Before proceeding with the assessment, the competent authority shall request that the respondent file a statement letter in response to the facts set forth in the investigative report. If necessary, the respondent may report in person during the assessment. This shall also apply in future appeals.

The competent authority shall reach a resolution within four months of receiving a

complaint from the Division. In case of complications, difficulties, or scheduling issues due to winter or summer breaks, the deadline may be extended by two months, and the complainant and respondent shall be notified by the Division.

Professional assessments given by the National Science and Technology Council regarding complaints in fields under its purview shall be respected.

Within ten days after a resolution is reached in the assessment, the Division shall notify the complainant and respondent in writing of the relevant facts, resolution, and reasoning behind the resolution; the principal investigator shall also be informed. Complex matters that arise during the assessment may be listed as pending clarification and subject to further investigation by the investigative team.

第九條 違反學術倫理之審理結果，調查小組須出席委員三分之二以上同意始得作成。

違反學術倫理之審議決定，權責單位須經三分之二以上委員出席，出席委員三分之二以上同意始得通過。

Article 9 A conclusion of academic ethics violations shall require approval from two-thirds of the investigative team members in attendance.

The competent authority may only reach a resolution regarding academic ethics violations with a quorum of two-thirds of its members present and approval from two-thirds of the members in attendance.

第十條 檢舉案件調查結果，符合第三條各款情事，依違反學術倫理案件得按其情節輕重，由權責單位作成下列處分決定，送請相關單位執行：

一、書面告誡。

二、申誡、記過或記大過。

三、參加一定時間之學術倫理相關課程，並取得證明。

四、一定期間內不予晉薪、兼職或兼課。

五、一定期間內停止申請及執行支給法定外其他給與或研究計畫補助，嚴重者追回相關計畫補助款項經費。

六、違反學術倫理情節重大，予以解聘(僱)。

Article 10 After the completion of an investigation into a complaint against an academic ethics violation that meets any of the criteria set forth in Article 3, the competent authority shall assess the severity of the violation and issue the appropriate disciplinary action to be enforced by the affiliated unit:

1. Written warning

2. Reprimand, demerit, or major demerit

3. Imposed participation in a certain number of hours of academic ethics courses to obtain a certification of completion

4. Denial of salary increase and participation in part-time appointments or lectures for a specified period of time

5. Revocation of eligibility to apply for and receive non-mandatory benefits or research project grants for a specified period of time; in serious cases, repayment of disbursed project grant funds shall be demanded.

6. Termination or dismissal in case of major academic ethics violations

第十一條 依前條受處分之人員，其聘任單位應建立輔導及教育機制，並落實處分內容之執行。

Article 11 The appointing unit of personnel who have been assigned the disciplinary measures set forth in the preceding article shall establish a guidance and training mechanism and enforce said disciplinary measures.

第十二條 依本辦法受理檢舉、參與調查或審議程序之人員，就審理過程、評審意見及所接觸資訊，應予保密。檢舉人之真實姓名、地址或其他足資辨識其身分之資料，應採取必要之保密措施。調查委員及審查人身分應予保密。

學術倫理案件審議結果，如遇涉及公共利益、本校聲譽、嚴重影響社會觀感，本校得對外為適切說明，不受前項規定限制。

Article 12 All personnel involved in the case acceptance, investigation, or assessment procedures mentioned in these Regulations shall maintain the confidentiality of the investigative process, reviewers' comments, and all information accessed. The required confidentiality measures shall be taken for complainants' real names, addresses, and other identifiable personal information, as well as the identities of the members of the investigative team and the Review Board.

If the result of an academic ethics violation case involves the public interest or the University's reputation or has a major impact on public opinion, NCHU may make a public announcement on the matter and shall not be bound by the restrictions set forth in the preceding paragraph.

第十三條 學術倫理案件處理過程中之相關人員，與被檢舉人有下列關係之一者，應予以迴避：

- 一、曾有指導博士、碩士學位論文之師生關係。
- 二、配偶、四親等內之血親或三親等內之姻親，或曾有此關係。
- 三、近三年發表論文或研究成果之共同參與研究者或共同著作人。
- 四、審查國家科學及技術委員會案件時共同執行研究計畫。
- 五、其他行政程序法第三十二條應迴避之情形。

被檢舉人得申請下列人員迴避：

- 一、有前項所定之情形而不自行迴避者。
- 二、有具體事證足認其執行職務有偏頗之虞者。

相關人員有第一項所定之情形而未自行迴避，或其執行職務有偏頗之虞者，審議單位應依職權命其迴避。相關人員，得自行申請迴避。

委託送請審查之專家學者，其迴避準用本條規定。

Article 13 Personnel who have any of the following relationships with a respondent shall recuse themselves from handling the respondent's academic ethics violation case:

1. Prior thesis or dissertation advisor or advisee of the respondent
2. Prior or current spouse, relative within the fourth degree of consanguinity, or in-law within the third degree of consanguinity
3. Co-researcher or co-author with the respondent on an academic paper or research outcomes published within the past three years
4. Concurrent service as a reviewer for an NSTC case and co-researcher on any of the respondent's research projects
5. Other circumstances that require recusal as stipulated in Article 32 of the Administrative Procedure Act

Respondents may request the recusal of personnel who meet any of the following criteria:

1. Those who meet the criteria listed in the preceding Paragraph and who do not recuse themselves
2. Those who are likely to be biased in the performance of their duties as supported by concrete evidence

Personnel who meet the criteria set forth in Paragraph 1 or who are likely to be biased in the performance of their duties shall recuse themselves or be asked to recuse themselves by the assessing unit.

These recusal rules shall also apply to experts and scholars who are appointed as reviewers.

第十四條 檢舉案件經權責單位處理完竣，確有第三條情事者，必要時學校應將處理程序、結果及處置情形函報相關單位。

Article 14 If a complaint against any of the violations listed in Article 3 is found to be true by the competent authority handling the case, the University shall report the handling procedures and result as well as the action to be taken due to the complaint to the relevant unit.

第十五條 檢舉案經審理後，判定未有違反本規定者，檢舉人若再次提出檢舉，由原調查小組審理為原則。經審理再次檢舉內容，如發現未有具體新事證，得依前次審理決定，逕復檢舉人；如有具體新事證，應依本辦法進行調查及處理。

Article 15 In principle, complaints against respondents found not to be in violation of academic ethics after investigation shall be assigned to the same investigative team if filed again by the complainant. If no new evidence is found in a reinvestigation, the complainant shall be given a direct response with the same resolution reached in the previous investigation; if new evidence is found, the complaint shall be handled and subjected to investigation in accordance with these Regulations.

第十六條 學術倫理案件經形式審查小組認定無需啟動調查程序，或經調查小組審理認定

無違反學術倫理時，研究發展處學術發展組得經被檢舉人同意後以適當方式回復其名譽。

本校教職員生濫行檢舉經確認者，研究發展處學術發展組得移請各權責單位予以議處。

Article 16 If the Review Board deems it unnecessary to investigate a complaint or if the investigative team finds that the respondent is not in violation of academic ethics, the Division may restore the respondent's reputation in an appropriate manner after obtaining consent from the respondent.

If any member of the University's faculty, staff, or student body is found to have abused the complaint system, the Division may request the competent authority to take disciplinary action accordingly after deliberation.

第十七條 本校公務人員、助教、契約進用職員及稀少性科技人員，實際參與計畫者準用本辦法。

Article 17 These Regulations also apply to project personnel who are serving at the University as public servants, teaching assistants, contract staff members, and technology specialists.

第十八條 本辦法如有未盡事宜，悉依相關規定辦理。

Article 18 Matters not addressed herein shall be handled in accordance with the applicable rules.

第十九條 本辦法經行政會議通過後實施，修正時亦同。

Article 19 These Regulation shall take effect upon passage by the Administrative Meeting. The same shall hold true when amendments are made.