

National Chung Hsing University

Regulations for the Assessment of Cases Involving Academic Ethics Violations Committed by Project Personnel

November 22, 2017 Formulated in the 411th Administrative Meeting
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- 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.
- 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.
- 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
- 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.

- 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.
- 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.
- 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.
- 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.

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.

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

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.

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.

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.

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.

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.

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.

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.

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

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