

# Guidelines for Handling Academic Ethics Cases of National Yang Ming Chiao Tung University

May 25, 2022 Passed by the University Council at its 2nd meeting, Academic Year 2021

1. These Guidelines were formulated by National Yang Ming Chiao Tung University (hereinafter referred to as hereinafter the “NYCU”) to establish an objective and fair procedure for handling academic ethics cases.
2. These Guidelines apply to all NYCU staff and students, including non-permanent, but not to part-time staff who are not involved in research projects at the NYCU.

For purposes of academic ethics matters, these Guidelines apply to other staff and students of NYCU if they are jointly listed as authors, jointly implementing a project, or actually conducting and participating in a project.

If an academic ethics case also implicates personnel from other agencies/institutions or schools, a request may be filed in writing to the superior agency, or agencies/institutions that provide research grants, to designate, coordinate, or jointly form an Investigation committee to handle the case.

3. The process of investigating ethics cases should include a determination of whether a lead author when concurrently serving as academic administrator or principal investigator, was properly supervising the work published; in the case involving thesis advisor, the inquiry shall determine whether the advisor was properly overseeing the graduate-level thesis being produced by their advisee.

In the event when violation of academic ethics is found, whether a supervisor or advisor fails to fulfil his duty will be further determined by the relevant competent authorities for a decision on the appropriate disciplinary action.

4. Research misconduct as defined in the Guidelines refers to any of the following behaviors of the researcher:
  - (1) Fabrication: Making up application materials, research data, or research results that do not exist;
  - (2) Falsification: Inappropriate alteration of application materials, research data, or research results;
  - (3) Plagiarism: Appropriation of other person’s application materials, publication, research data, or research results without attributing to the source;
  - (4) Inadequate citation: Using of research materials or findings of others without appropriate citation in accordance with academic norms or conventions, when the inadequately cited portion is not the core of the work or egregious enough to mislead readers concerning the originality of the work. Extensively citing the source improperly is considered plagiarism;
  - (5) Failure to indicate some content as extracted from the author’s own published work or writings: Using content, passages, or findings from the author’s own work that has been previously published without self-citation in conformity with academic norms or practices or inclusion of the material in the references ;
  - (6) Duplicate publication: The publication of the same or a significant portion of the same scholarly results in different journals or books without indication or securing authorization;
  - (7) Substitution of a translation of an academic treatise without proper citation;
  - (8) Fraud: Research information or results obtained or presented in a fraudulent, deceptive, or otherwise improper manner;

- (9) Ghostwriting: A research paper, project application, or report of research results is written by someone other than the named author;
- (10) Inaccurate entry on the teacher qualifications résumé: This refers to the part intended for review, excluding typos of identity information or other similarly obvious errors;
- (11) Co-author's certification contains false information;
- (12) The representative work has not been truthfully documented as being co-authored and a co-author's certification from each co-author was not submitted;
- (13) The author or others has entreated, lobbied, induced, threatened, or otherwise interfered with the reviewer or the review process or has influenced the review through illegal or improper means, and
- (14) Any other violation of academic ethics other than those described in the preceding subparagraphs (1)–(13), as determined after review.

#### 5. Procedures for handling academic ethics cases:

- (1) Case acceptance: The Office of Academic Ethics and Research Integrity (hereinafter referred to as the “OAERI”) is responsible for handling academic ethics cases and may request assistance from the relevant authorities to confirm the identity of the accused and the person concerned.
- (2) Formality examination: The chairperson or vice chairperson of the Academic and Research Integrity Committee (hereinafter referred to as the “ARIC”) shall convene a meeting of the Formality Examination Panel (hereinafter referred to as the “Formality Examination Meeting”); one member of the ARIC and one member in the legal field shall be selected to verify the content of the complaint and the sufficiency of the evidence attached in accordance with Point 6. If the allegation is substantiated, a substantive investigation will be opened.
- (3) Substantive investigation:
  - 1) An investigation committee shall be formed by the level 1 division with which the accused is affiliated (hereinafter referred to as the “Investigation committee”); the Investigation committee shall be responsible for investigating the academic ethics case, making a recommendation for disciplinary actions, and preparing an “NYCU Report on the Investigation of Academic Ethics Case” (hereinafter referred to as the “Report”). In the event that a decision cannot be made on the formation of a team, a team will be designated at the Formality Examination Meeting.
  - 2) The Investigation committee shall consist of five to seven members, with the head of the level 1 division to which the accused belongs being the chairperson; where recusal is warranted, the deputy head shall serve as chairperson, or if the deputy head also needs to recuse themselves, a professor from the level 1 division designated by the president shall serve as chairperson. The other members of the Investigation committee shall be invited by the chairperson and shall be academics and experts in the relevant field from within and outside the NYCU as well as a legal expert. For cases involving the accreditation of teacher qualifications, a person without academic qualifications equal to or exceeding those of the accused applicant is not permitted to be a reviewer of the material submitted by the applicant.
  - 3) The Investigation committee must complete Schedule 1 of the “NYCU Academic Ethics Investigation committee Member Form” and forward it to the OAERI for retention; the form will be submitted to the superior agency for recordation if necessary.
- (4) The ARIC shall review the Report produced by the Investigation committee.

(5) The following groups shall be responsible for reviewing cases and deciding on disciplinary actions, depending on the status of the accused:

- 1) The University Teacher Evaluation Committee (hereinafter referred to as the “UTECE” ) will handle cases involving those who have been accredited by the all level teacher evaluation committees and are full-time faculty members or research fellows of the NYCU.
- 2) The Student Academic Ethics Review Committee will deliberate and review cases involving current students or graduates, with the results of its deliberations being forwarded to the Office of Academic Affairs or the Office of Student Affairs for further handling under the relevant regulations.
- 3) The Staff Selection and Performance Evaluation Committee shall be responsible for cases involving civil servants.
- 4) The Contract-Based Staff Review Committee is responsible for cases involving staff members on contracts.
- 5) The ARIC shall review cases if items 1–4 is not applied, and the review result will be submitted to the President of NYCU for further handling.

In handling academic ethics cases, different reviewers shall be selected at each stage to its best extent.

#### 6. Acceptance of academic ethics cases:

- (1) Signed Complainant: The complainant completes Schedule 2 of the “NYCU Academic Ethics Complaint Form” in full and selects the “signed complainant” option; if the complainant provides their real name and contact information, specifies the accused and alleged violation, and submits evidence to the NYCU, the Complainant will be processed as required. If the personal information provided in the complaint is untrue, the complaint will be considered anonymous.
- (2) Anonymous Complainant : If a complainant completes Schedule 2 of the “NYCU Academic Ethics Complaint Form” in full and selects the “complainant as anonymous” option or if the complainant does not disclose their name but specifies an allegation against a particular individual and the content of the violation, with adequate supporting evidence, the preceding subparagraph may apply.
- (3) Complainant by University parties: Any division of the NYCU that is aware of a suspected breach of academic ethics should complete Schedule 2 of the “NYCU Academic Ethics Complaint Form” and identify the specific accused as well as provide a description of the violation content and sufficient evidence, to the OAERI. Thereafter, an investigation shall commence.
- (4) At request by other government agencies.
- (5) Where the reputation of the NYCU is at stake or where there is public concern, the OAERI may seek instruction from the President of the NYCU and initiate an investigation following the above procedure.
- (6) Other forms of complaints may be accepted by the OAERI and allowed by the Formality Examination Meeting.

A complainant following the first and second subparagraphs of the preceding paragraph may apply to change their mode of complaint within the time limit provided by the OAERI, but this shall not apply if no contact details have been provided.

If the complainant is notified by the OAERI and requested to correct the information, they must comply

within the deadline. If the corrections are not made in time or the information remains incomplete, the case will be handled in accordance with subparagraph 1, paragraph 1, Article 8.

If the Formality Examination Meeting determines that the case does not implicate academic ethics, the OAERI can refer it to the responsible division for further handling and inform the complainant.

7. The deadline for processing academic ethics cases shall be calculated from the day following the receipt of the complaint by the OAERI, and a specific conclusion shall be made by the responsible division within 120 days. Where necessary, the deadline for each stage of processing may be extended upon the consent of the ARIC chairperson; extensions shall be granted in writing, provided to the OAERI, and forwarded to the accused, the named complainant, and the reporting division on campus or the agency issuing the notification.
8. If a case is accepted by the OAERI, it shall be referred to the chairperson or vice chairperson of the ARIC and a Formality Examination Meeting shall be held within 10 days of the date of receipt of the document; the following procedures shall be followed:
  - (1) A case not meeting the formality requirements will be rejected and forwarded to the ARIC for recordation, and the OAERI will be asked to notify the accused in writing of the content of the complaint and the evidence provided in the original text (hereinafter referred to as the “ Complaint Information” ). The results of the formality examination shall also be communicated in writing to the named complainant, to the school’s reporting party, or to the agency issuing the notification.
  - (2) For cases that meet the formality requirements, the convenor will create an Investigation committee within 20 days from the following day of receipt of notification. The OAERI will need to notify the accused in writing of the Complaint Information, and allow the accused to submit “NYCU Academic Ethics Application for Recusal Form” Schedule 3 within seven (7) days from the day following receipt of notification for the reference of the chairperson/convenor of the Investigation committee. No late application will be accepted.

The original text referred to in the first subparagraph of the preceding paragraph shall be forwarded without the name, contact information, or other identifying information of the complainant.

The NYCU and its handling staff shall not be held responsible for any potential revelation of the identity of the complainant, if this is caused as a result of how the content of the complaint is described.

9. After the establishment of an Investigation committee, at least two-thirds of its members, and no less than four, should be present at the meeting before the actual investigation process can be initiated.

The Investigation committee shall conduct a substantive investigation in accordance with the following procedures:

- (1) If the initial meeting determines that the amount of evidence is insufficient to conclude that the accused has violated academic ethics, the accused is not required to submit a written reply; rather, the Investigation committee shall prepare a report and submit it to the ARIC for review within ten (10) days from the day following the completion thereof.
- (2) If the accused is suspected of being involved in any of the matters set out in Point 4, the accused shall be notified in writing of the Complaint Information, with a request to provide a formal statement, information or objection (hereinafter referred to as the “ Statement Information” ) within twenty (20) days from the day following receipt of the notification; the accused may also apply to be present for an oral explanation via video link. Where necessary, the accused may be asked in writing to provide additional Statement Information or to make a video appearance to offer explanation within seven (7)

days from the day following receipt of notification. The Investigation committee shall prepare a Report of its findings and submit it to the ARIC for review within ten (10) days from the day following the completion thereof.

- (3) If the Investigation committee deems it necessary, it may identify the issues to be clarified, attach the relevant information, and invite one to three external academics and experts in the field of expertise (hereinafter referred to as the “ External Reviewers” ) to conduct an academic ethics examination; the External Reviewers may be requested to offer their review comments using Schedule 4 of the “NYCU Academic Ethics External Review Form” for cross-checking purposes. The Investigation committee may advise the accused in writing of the External Reviewers’ comments and request the accused to submit Statement Information within seven (7) days from the day following receipt of notification to facilitate the clarification of the case.
- (4) The Investigation committee must complete Schedule 5 of the “NYCU Academic Ethics Case Investigation Form” and submit it to the OAERI for retention; where necessary, the contents of the form shall be submitted to the superior agency for recordation.

The Investigation committee may request documents, information, or objects necessary for the investigation of facts and evidence from persons concerned.

When suspicion of an incident emerges as defined in Subparagraph 13 of Point 4 during the investigation of an academic ethics case, the chairperson/convenor of the Investigation committee shall contact the reviewer who has been interfered with, make a record of it, and request the accused in writing to present their rebuttal; then, the report shall be submitted to the responsible party for review after follow-up with the reviewer by the ARIC chairperson or vice chairperson.

The preparation of the Report and recommendations for disciplinary actions shall require the consent of at least two-thirds of the Investigation committee members present.

The Report shall contain a description of the case, facts, reasons, investigation methods, findings, and recommendations for disciplinary actions.

10. If an academic ethics case involves the accreditation of a teacher’s qualifications, the Investigation committee shall, in addition to the following the provisions of the preceding point, follow the procedures below after the initial meeting:

- (1) For cases involving projects that have entered the academic work review stage but have not yet had a work reviewer, the NYCU may handle the academic ethics case and teacher’s qualification review separately but simultaneously.
- (2) For cases that have entered the academic work review stage and have a work reviewer but where the review of the teacher’s qualifications has not yet been completed or where the teacher’s qualifications have been accredited (hereinafter referred to as hereinafter the “Original Reviewer”):
  - 1) Where suspicion of one of the incidents specified in subparagraphs 1 to 8 and subparagraph 14 of Point 4 arises, the Investigation committee shall deliver in writing the Complaint Information and Statement Information to the Original Reviewers for an academic ethics review, and the Original Reviewers shall be requested to give an opinion using Schedule 4.
  - 2) Where suspicion of one of the incidents set out in subparagraphs 9 to 12 of Article 4 arises, the Investigation committee may initiate an investigation and make a report; if necessary, it may submit the Complaint Information and Statement Information to the Original Reviewers for vetting.

3) If the Original Reviewers are unable or refuse to conduct a review, fail to provide review comments within the time limit, or if the review comments are discovered to be in doubt or contradictory, the case shall be referred to academics or experts in the academic field to which the case pertains for review.

11. Before convening a meeting, the ARIC may inform the accused to provide a statement on the contents of the Report within seven (7) days from the day following receipt of notification and may invite them to be personally (or via video link) present for rebuttal/explanation during the review.

The ARIC shall conduct a review with at least two-thirds of its members in attendance and in accordance with the following procedures:

(1) If the content of the investigation report is incomplete or if matters that should have been investigated remain, the Investigation committee may be asked to provide supplementary information or to proceed with further investigation.

(2) Where the contents and procedures of the Report are complete, the report shall be forwarded to the responsible party for deliberation within ten (10) days from the day following the completion of the minutes of the meeting.

A decision reached during the review by the ARIC shall be subject to the consent of at least two-thirds of the members present.

12. Before deliberation and review, the responsible party shall request the accused to respond to the Report within seven (7) days from the day following receipt of notification and to be present in person or via video link during review for explanation.

When the responsible party deliberates and reviews, the following matters should be observed:

(1) The professional opinion of the Investigation committee shall be deferred to and shall not be voted down unless specific reasons with a professional academic basis can be given to undermine the credibility and correctness of the professional review.

(2) After a decision regarding disciplinary action is made, the minutes of the committee and the relevant attachments shall be forwarded to the OAERI within ten (10) days from the day following completion of the minutes. The OAERI shall inform the accused, the named complainant, the school's reporting party or the notifying party, the Investigation committee, and the responsible or relevant party in writing of the decision.

A decision on disciplinary action in an academic ethics case shall be passed when more than two-thirds of the members of the responsible party have attended the committee and more than two-thirds of the attending members have agreed to the decision.

The minutes of the committee shall contain the outcome of deliberation, the specific disciplinary actions to be imposed, the basis and reasons for the disciplinary actions, as well as the responsible party and the time limit for appeal in the event that the accused disagrees with the decision.

For academic ethics cases involving the review of a teacher's qualifications that is still at the review stage, the University Teacher Evaluation Committee shall wait until the academic ethics case has been completed before conducting the review.

Should the accused disagree with the decision regarding disciplinary actions, they may appeal to the relevant review committee according to his/her status and in accordance with the review guidelines.

13. Once an academic ethics case has been resolved and one of the circumstances specified in Point 4 has been

met, the responsible party may impose one or more of the following disciplinary actions, depending on the seriousness of the case and under the regulations governing its jurisdiction. Other disciplinary measures provided for in the regulations governing the award of degrees and the review of teacher qualifications may also be imposed.

- (1) Written warning;
- (2) Certificate of attendance of at least six (6) hours of academic ethics courses within a designated period of time;
- (3) A reprimand, a demerit, or a major demerit;
- (4) A disqualification for any extension of service or for appointment as a member of the NYCU's teacher evaluation committee at any level or as an academic or administrative director within a specified period of time; the accused may be relieved of their post if deemed appropriate and necessary;
- (5) During a certain period, the accused shall not be permitted to apply for sabbatical leave for research, to assume external part-time jobs or part-time teaching jobs, or to be on secondment; they may also not apply for paid overseas lectures, research, or advanced study, and if necessary, an approved application may be cancelled or terminated;
- (6) No salary increments, no merit pay, and no incentives shall be granted for a period of time, and merit pay received during that period shall be recovered;
- (7) An application for and award of benefits other than those provided by law or grants for research projects shall be denied, with the accused disqualified for a certain period of time. Approved grants shall be withdrawn or terminated, and any allocation of funds shall be recovered;
- (8) Reduction by one-half of or disqualification from the year-end work bonus;
- (9) Applications for promotion will not be accepted for a period of time. If it involves review of a teacher's qualifications, the sanction shall be levied in accordance with the "Regulations Governing Accreditation of Teacher Qualifications at Junior Colleges and Institutions of Higher Education" and related regulations;
- (10) Recommended dismissal, suspension, or denial of renewal of employment in accordance with Article 14 of the Teachers' Act;
- (11) Withdrawal, expulsion, or revocation of degree;
- (12) Termination of contractual relations; and/or
- (13) Any other sanctions provided for under the various personnel regulations.

Where a violation of Subparagraph 13, Point 4 is substantiated by the responsible party, if the accused is an applicant for appointment or promotion, the application for the same shall be rejected, and the accused shall be notified of the rejection; their application for teaching qualifications shall not be accepted for two (2) years from the day following service of the notification, and the case disposition shall be submitted to the Ministry of Education for recordation. If the accused is not an applicant for appointment or promotion, appropriate disciplinary actions shall be imposed.

If a student is found to have been involved in an academic ethics violation during their studies but the report or case disposition of the violation occurs after graduation, and if the breach of academic ethics is proven to be true, the student shall still be subject to appropriate disciplinary actions in accordance with the regulations.

14. If an accused is found to have violated academic ethics and the personnel listed in Point 3 are found to have failed to supervise the case, the responsible party shall, depending on the severity of the case, impose a single penalty or several penalties for negligent supervision under subparagraphs, paragraph 1 of the preceding Point.

Decisions on disciplinary actions for inadequate supervision shall only be passed if at least two-thirds of the members of the responsible party are present and two-thirds of the members present agree.

15. The party with which the accused is affiliated shall complete Schedule 6 of the “NYCU Academic Ethics Case Supervision Plan and Improvement Plan,” and within 90 days of completion, they shall notify the OAERI in writing of registration; where necessary, an extension of the implementation deadline may be requested from the ARIC chairperson.

16. The relevant personnel handling the case shall keep confidential the name and contact information of the complainant/informant, the process of handling the case, the identity and opinion of the examiner, and other relevant documents and information, and they shall sign the “NYCU Recusal and Confidentiality Statement for Academic Ethics Cases” in Schedule 7. However, the limit shall not apply in any of the following circumstances:

(1) Details of the review process and reviewers’ comments may be provided to an appeal agency or other responsible agency that the accused has asked to act on their behalf.

(2) The review comments or meeting resolutions are provided to the relevant authority or party in accordance with the law to facilitate investigation.

(3) The meeting resolutions or the review comments confirming the presence of circumstances described in Point 4 shall be provided to the accused.

(4) Where a case is referred to a responsible authority or party for investigation, the identity of the complainant and relevant factual information shall be provided.

(5) If a case involves the public interest or attracts public attention, the NYCU may, after securing the approval of the president, make an appropriate statement to the public.

Except for the chairperson/convenor of the Investigation committee, the identity of the members of the Investigation committee, the Original Reviewers, and the External Reviewers shall be kept confidential.

17. A staff member handling a case shall recuse themselves if they have one of the following relationships with the accused:

(1) The spouse, former spouse, any of his relative by blood within the fourth degree or relative by marriage within the third degree, or had previously such relationship;

(2) Spouse or former spouse who is the joint holders of rights or co-obligors of the accused in the case;

(3) Agent or assistant of the accused in the case currently or in the past;

(4) Witness or expert witness in the case in the past;

(5) Complainant in the case;

(6) Serving in the same department, institute, division, or equivalent at the NYCU;

(7) There is a former teacher-student relationship pertaining to the supervision of doctoral dissertations or master theses;

(8) Coinvestigator or coauthor of papers or research findings published in the last three (3) years;



- (9) Coinvestigator of a research project in the last three (3) years;
- (10) An employment, mandate, or agency relationship in the last three (3) years;
- (11) Party to a financial transaction in the last three (3) years where prices and interest rates did not accord with normal and reasonable market transactions;
- (12) Director, supervisor, or manager of an enterprise in which the accused is serving, except in the case that the person represents a state-owned enterprise as a director or supervisor.

If an individual is related to the spouse or child of the accused under subparagraphs 10 to 12 in the preceding paragraph, they should recuse themselves.

If the handling/review party finds that a staff member involved has not recused themselves under the circumstances described in the preceding two paragraphs or that bias in the performance of their duties is likely, this shall be officially recorded.

Despite the absence of the circumstances specified in paragraphs 1 and 2, if a staff member believes they are likely to be biased in the performance of their duties, they may apply to the respective handling/review party for recusal with relevant evidence or reasons, and the party will make a substantive recognition.

The provisions are also applicable to the Original Reviewers and External Reviewers who are entrusted with the examination.

18. If a case falls under one of the circumstances in Point 4, the NYCU shall report the handling of the case to the Ministry of Education, and if it involves academic incentives, research projects, or other related grants from the party providing the grant, the NYCU shall notify the party awarding the grant of the same.

The enforcement of disciplinary decisions shall be conducted by the Office of Academic Affairs or the Office of Student Affairs in accordance with the relevant regulations in cases involving students; other cases shall be handled by the appropriate responsible party. Discipline shall not be suspended because of complaints, administrative appeals, or administrative litigation filed by the accused.

19. If an academic ethics case has been reviewed but the same allegations are reported again, the OAERI shall accept the case and request the ARIC chairperson or vice chairperson to convene a Formality Examination Meeting within ten (10) days from the day following receipt of notification; if no new evidence is found, the case shall be referred to the OAERI for a direct response in accordance with the previous review decision. In the case of specific new evidence, the procedures provided herein should be followed.

For the investigation and handling of specific new evidence provided pursuant to the preceding paragraph, unless special reasons are identified, the original Investigation committee shall conduct a substantive investigation, and the chairperson/convenor of the Investigation committee shall not step down upon the expiry of their term of office as administrative/academic director.

20. If faculty, staff, or students of the NYCU abuse complaint procedure without any reasonable evidence, they may be referred to their responsible party for appropriate action after a Formality Examination Meeting has ascertained the abuse.

21. In the event that the president cannot exercise the powers and functions set out in these Guidelines or recuses him or herself for any reason, the vice president shall act in his or her place.

If the ARIC chairperson or vice chairperson cannot exercise the relevant powers and functions set out herein or recuses themselves for any reason, the ARIC members shall elect a member from among them to act on their behalf.

22. Academic ethics cases filed before the implementation of these Guidelines but that are still under review after the passage of these Guidelines shall proceed in accordance with the original procedures.
23. Any matters that are not regulated in these Guidelines shall be handled in accordance with the relevant rules.
24. These Guidelines shall be passed by the University Council before taking effect. Amendments shall be processed accordingly.

# NYCU Academic Ethics Investigation committee Member Form

Case No.: 000-OAERI-000-0000

Part I: Organizational Matters				
Number of members (including convenor) <sup>1</sup>	<input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7			
Part II: Investigation committee Members				
Item  Status <sup>3</sup>	Party/Job title <sup>4</sup>	Name <sup>3</sup>	Highest accredited teaching qualifications	Academic expertise
Convenor/Chair				
Internal expert		(Not required)		
External expert		(Not required)		
Legal expert		(Not required)		
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. According to Item 2, Subparagraph 3, Paragraph 1, Point 5 of the “Guidelines for Handling Academic Ethics Cases of National Yang Ming Chiao Tung University” (hereinafter referred to as the “University’s Academic Ethics Handling Guidelines” ), “The Investigation committee shall consist of five to seven members, with the head of the level 1 party to which the accused belongs being the chairperson; where recusal is warranted, the deputy head shall serve as chairperson/convenor, or if the deputy head also must recuse themselves, a professor from the level 1 party designated by the president shall serve as chairperson. The other members of the Investigation committee shall be invited by the chairperson and shall be academics and experts in the relevant field from within and outside the NYCU, as well as a legal expert. For cases involving the accreditation of teacher qualifications, a person without academic qualifications equal to or exceeding those of the accused applicant is not permitted to be a reviewer of the material submitted by the applicant.”</li> <li>2. According to Paragraph 1, Point 9 of the University’s Academic Ethics Handling Guidelines, “After the establishment of an Investigation committee , at least two-thirds of its members, and no less than four, should be present at the meeting before the actual investigation process can be initiated” and Paragraph 5, Point 9 thereof: “The preparation of the Report and recommendations for disciplinary actions shall require the consent of at least two-thirds of the Investigation committee members present.”</li> <li>3. According to Paragraph 2, Point 16 of the University’s Academic Ethics Handling Guidelines: “Except for the chairperson/convenor of the Investigation committee, the identity of the members of the Investigation committee, the Original Reviewers, and the External Reviewers shall be kept confidential.” The names of the members, other than the convenor, may therefore be omitted from this form.</li> <li>4. According to Point 17 of the University’s Academic Ethics Handling Guidelines, “Paragraph 1: A staff member handling a case shall recuse themselves if they have one of the following relationships with the accused:               <ol style="list-style-type: none"> <li>(1) The spouse, former spouse, any of his relative by blood within the fourth degree or relative by marriage within the third degree, or had previously such relationship;</li> <li>(2) Spouse or former spouse who is the joint holders of rights or co-obligors of the accused in the case;</li> </ol> </li> </ol>				

- (3) Agent or assistant of the accused in the case currently or in the past;
- (4) Witness or expert witness in the case in the past;
- (5) Complainant in the case;
- (6) Serving in the same department, institute, division, or equivalent at the University;
- (7) There is a former teacher-student relationship pertaining to the supervision of doctoral dissertations or master theses;
- (8) Coinvestigator or coauthor of papers or research findings published in the last three (3) years;
- (9) Coinvestigator of a research project in the last three (3) years;
- (10) An employment, mandate, or agency relationship in the last three (3) years;
- (11) Party to a financial transaction in the last three (3) years where prices and interest rates did not accord with normal and reasonable market transactions; or
- (12) Director, supervisor, or manager of an enterprise in which the accused is serving, except in the case of a state-owned enterprise.

If an individual is related to the spouse or child of the accused under subparagraphs 10 to 12 in the preceding paragraph, they should recuse themselves.

If the handling/review party finds that a staff member involved has not recused themselves under the circumstances set out in the preceding two paragraphs or that bias in the performance of their duties is likely, this shall be officially recorded.

Despite the absence of the circumstances specified in paragraphs 1 and 2, if a staff member believes they are likely to be biased in the performance of their duties, they may apply to the respective handling/review party for recusal with relevant evidence or reasons, and the party will make a substantive recognition.

The provisions are also applicable to the original reviewers and External Reviewers who are entrusted with the examination.”

5. Please continue on a separate sheet if space in this table is not sufficient. After completing the form, please follow Item 3, Subparagraph 3, Paragraph 1, Point 5 of the University’s Academic Ethics Handling Guidelines, “The Investigation committee must complete Schedule 1 of the “NYCU Academic Ethics Investigation committee Member Form” and forward it to the OAERI for retention; as necessary, the form will be submitted to the superior agency for recordation.”

## NYCU Academic Ethics Complaint Form

Part I: Information about the Complainant <sup>1</sup>	
Method of Complaint (please tick)	<input type="checkbox"/> Named (please continue with the questions below) <input type="checkbox"/> Anonymous (please proceed to Part II) <input type="checkbox"/> Reported by a school party: _____ (Please fill in party name, then Part II)
Personal Data of Named Complainant <sup>2</sup>	Real Name
	Address
	Tel
	E-mail
Part II: Contents of the Complaint <sup>3</sup>	
Identity Information of the Accused	Status: Faculty and Staff
	Name
	Party
	Job Title
	Status: Student
	Name
	Place of Study/ Graduation
	<input type="checkbox"/> Graduate (please tick): <input type="checkbox"/> PhD, <input type="checkbox"/> Master, <input type="checkbox"/> Bachelor <input type="checkbox"/> Current student (please tick): <input type="checkbox"/> ____ year(s) in PhD program, <input type="checkbox"/> ____ year(s) in Master's program, <input type="checkbox"/> ____ year(s) in undergraduate program
Title of Work under Complaint	
Academic Field of Work	<input type="checkbox"/> Humanities <input type="checkbox"/> Law <input type="checkbox"/> Business <input type="checkbox"/> Science <input type="checkbox"/> Engineering <input type="checkbox"/> Medicine <input type="checkbox"/> Agriculture <input type="checkbox"/> Arts <input type="checkbox"/> Education <input type="checkbox"/> Other: _____
Type of Work under Complaint	<input type="checkbox"/> Thesis/dissertation <input type="checkbox"/> Specialized publication <input type="checkbox"/> Work <input type="checkbox"/> Poof of achievement <input type="checkbox"/> Written report <input type="checkbox"/> Technical report <input type="checkbox"/> Professional practice report <input type="checkbox"/> Performance <input type="checkbox"/> Sports achievement <input type="checkbox"/> Other: _____
Other Matter Involved in Work	<input type="checkbox"/> Involves teacher qualifications review: <input type="checkbox"/> Representative work <input type="checkbox"/> Reference work <input type="checkbox"/> Involves the award of a degree <input type="checkbox"/> Involves academic incentives, research project, or other related grant.

<p>Complaints (Mark all that apply)</p>	<p><input type="checkbox"/> Fabrication: Making up application materials, research data, or research results that do not exist.</p> <p><input type="checkbox"/> Falsification: Inappropriate alteration of application materials, research data, or research results.</p> <p><input type="checkbox"/> Plagiarism: Appropriation of other person’s application materials, publication, research data, or research results without attributing to the source.</p> <p><input type="checkbox"/> Inadequate citation: Using of research materials or findings of others without appropriate citation in accordance with academic norms or conventions, when the inadequately cited portion is not the core of the work or egregious enough to mislead readers concerning the originality of the work. Extensively citing the source improperly is considered plagiarism.</p> <p><input type="checkbox"/> Failure to indicate some content as extracted from the author’s own published work or writings: Using content, passages, or findings from the author’s own work that has been previously published without self-citation in conformity with academic norms or practices or inclusion of the material in the references.</p> <p><input type="checkbox"/> Duplicate publication: The publication of the same or a significant portion of the same scholarly results in different journals or books without indication or securing authorization.</p> <p><input type="checkbox"/> Substitution of a translation of an academic treatise without proper citation;</p> <p><input type="checkbox"/> Fraud: Research information or results obtained or presented in a fraudulent, deceptive, or otherwise improper manner.</p> <p><input type="checkbox"/> Ghostwriting: A research paper, project application, or report of research results is written by someone other than the named author.</p> <p><input type="checkbox"/> Inaccurate entry on the teacher qualifications résumé: This refers to the part intended for review, excluding typos of identity information or other similarly obvious errors.</p> <p><input type="checkbox"/> Co-author’s certification contains false information.</p> <p><input type="checkbox"/> The representative work has not been truthfully documented as being co-authored and a co-author’s certification from each co-author was not submitted.</p> <p><input type="checkbox"/> Other violations of academic ethics: _____</p>
<p>Description of Complaint<sup>4</sup></p>	
<p>Specific Evidence<sup>5</sup></p>	<p>Name and number of exhibits:</p>
<p>Notes: 1. Pursuant to the Personal Data Protection Act, the NYCU may not provide personal data to others without the consent of the complainant. However, this does not apply to cases required for the performance of statutory duties or of official duties, such as in one of the circumstances specified under Paragraph 1, Article 39 of the “Regulations Governing Accreditation of Teacher</p>	

Qualifications at Junior Colleges and Institutions of Higher Education,” Point 8 of the “Guidelines for Handling Breaches of Teacher Qualifications Requirements by Teachers at Junior Colleges and Institutions of Higher Education,” Paragraph 2, Point 12 of the “Guidelines for Handling Academic Ethics Cases at Junior Colleges and Institutions of Higher Education,” Paragraph 3, Point 16 of the “Guidelines for Handling and Investigating Research Misconduct The National Science and Technology Council,” and Paragraph 1, Point 16 of the “Guidelines for Handling Academic Ethics Cases of National Yang Ming Chiao Tung University” (hereinafter referred to as the “University’s Academic Ethics Handling Guidelines” ).

2. According to the latter part of Subparagraph 1, Paragraph 1, Point 6 of the University’s Academic Ethics Handling Guidelines, if the personal information provided by the named informant is untrue, the complainant report will be considered anonymous. According to Paragraph 2, Point 6 thereof, “A complainant referred to in the first and second subparagraphs of the preceding paragraph may apply to change their method of reporting designation within the time limit provided by the OAERI, but this shall not apply if no contact details have been provided.”
3. According to Paragraph 3, Point 6 of the University’s Academic Ethics Handling Guidelines, “If the complainant is notified by the OAERI and requested to correct the information, they must comply within the deadline. If the corrections are not made in time or the information remains incomplete, the case will be handled in accordance with subparagraph 1, paragraph 1, Point 8.”According to Paragraph 4, Point 6 thereof, “If the Formality Examination Meeting determines that the case does not implicate academic ethics, the OAERI should refer it to the responsible party and inform the complainant.”
4. According to Point 8 of the University’s Academic Ethics Handling Guidelines, copies of the forms and the specific facts will be forwarded to the accused in the interest of apprising them of the accusations and enabling a response. The copies shall be forwarded without the name, contact information, or other identifying information of the complainant. The NYCU and its handling staff shall not be held responsible for any disclosure of the identity of the complainant as a result of how the content of the report is described in the notification to the accused.
5. Please attach evidence to this form and turn it in to OAERI for follow-up.
6. Please continue on a separate sheet if space in this table is not sufficient.

## NYCU Academic Ethics Application for Recusal Form

Case No.: 000-OAERI-000-0000

Part I: Applicant Information			
Place of work/study/ graduation			
Name		Job Title	
Part II: Reference List for Recusal			
1st Candidate	Party		
	Name		
	Job Title		
	Grounds for recusal:		
2nd Candidate	Party		
	Name		
	Job Title		
	Grounds for recusal:		
3rd Candidate	Party		
	Name		
	Job Title		
	Grounds for recusal:		
Signature: _____		Date: ____ ____, ____ (mm/dd/yyyy)	
<p><b>Note:</b>                      According to Subparagraph 2, Paragraph 1, Point 8 of the University’s Academic Ethics Handling Guidelines, using this form, please provide, within seven (7) days from the day following receipt of notification, a list of up to three names for recusal to the NYCU Office of Academic Ethics and Research Integrity; the list will be forwarded to the chairperson/convenor of the Investigation committee for reference and use. No late applications will be accepted.</p>			



## NYCU Academic Ethics External Review Form

Case No.: 000-OAERI-000-0000

Part I: Contents of the Case			
Information about the Accused	Name		Job Title
	Party		
Title of Suspect Work			
Matter Involved in Suspect Work	<input type="checkbox"/> Involves teacher qualifications review Nature of suspect work: <input type="checkbox"/> ____ piece(s) of representative work <input type="checkbox"/> ____ piece(s) of reference work <input type="checkbox"/> Involves the award of a degree <input type="checkbox"/> Other: _____		
Case Outline			
Questions by Investigation committee to be answered by the accused <small>(can be summarized in points or provided as an attachment)</small>		Representations by the accused <small>(can be summarized in points or provided as an attachment)</small>	
Q 1		Q 1	
Q 2		Q 2	
Q 3		Q 3	
Part II: Academic Ethics Review Items <sup>1</sup>			
Item 1	Whether any investigation items were added to this case (please tick): <input type="checkbox"/> No, the investigation items are complete. <input type="checkbox"/> Yes, investigation items were added. Please specify and justify the additional items:		
Item 2	On the basis of the evidence provided and the opinion of the accused, please tick whether there is any suspected breach of academic ethics and state the reasons for the conclusion: <input type="checkbox"/> No, please state reason(s):		

	<p><input type="checkbox"/> Yes, please proceed to tick the suspected violation (mark all that apply) and then continue with Item 3:</p> <p><input type="checkbox"/> Fabrication: Making up application materials, research data, or research results that do not exist.</p> <p><input type="checkbox"/> Falsification: Inappropriate alteration of application materials, research data, or research results.</p> <p><input type="checkbox"/> Plagiarism: Appropriation of other person's application materials, publication, research data, or research results without attributing to the source.</p> <p><input type="checkbox"/> Inadequate citation: Using of research materials or findings of others without appropriate citation in accordance with academic norms or conventions, when the inadequately cited portion is not the core of the work or egregious enough to mislead readers concerning the originality of the work. Extensively citing the source improperly is considered plagiarism.</p> <p><input type="checkbox"/> Failure to indicate some content as extracted from the author's own published work or writings: Using content, passages, or findings from the author's own work that has been previously published without self-citation in conformity with academic norms or practices or inclusion of the material in the references.</p> <p><input type="checkbox"/> Duplicate publication: The publication of the same or a significant portion of the same scholarly results in different journals or books without indication or securing authorization.</p> <p><input type="checkbox"/> Substitution of a translation of an academic treatise without proper citation;</p> <p><input type="checkbox"/> Fraud: Research information or results obtained or presented in a fraudulent, deceptive, or otherwise improper manner.</p> <p><input type="checkbox"/> Ghostwriting: A research paper, project application, or report of research results is written by someone other than the named author.</p> <p><input type="checkbox"/> Inaccurate entry on the teacher qualifications résumé: This refers to the part intended for review, excluding typos of identity information or other similarly obvious errors.</p> <p><input type="checkbox"/> Co-author's certification contains false information.</p> <p><input type="checkbox"/> The representative work has not been truthfully documented as being co-authored and a co-author's certification from each co-author was not submitted.</p> <p><input type="checkbox"/> Other violations of academic ethics: _____</p>
Item 3	Please state the reasons for the suspected breach of academic ethics in the option ticked:
Item 4	Other general statements in the case
<b>Part III: Whether other circumstances influenced the review</b>	
Whether any entreating, lobbying, inducement, threat, or other interference with the reviewer or the review process was committed by the accused or others during the review or whether the review was influenced by illegal or improper means (please tick):	

No

Yes. Please ensure that you contact the chairperson/convenor of the Investigation committee and the University will follow the procedure under Paragraph 4, Point 9 of the University's Academic Ethics Handling Guidelines.

Signature of Reviewer <sup>2</sup>		Date	
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Notes:

1. This form applies to external impartial academics and experts, academic work reviewers, and original reviewers in accordance with Subparagraph 3, Paragraph 2, Point 9 and Point 10 of the "Guidelines for Handling Academic Ethics Cases of National Yang Ming Chiao Tung University" (hereinafter referred to as the "University's Academic Ethics Handling Guidelines" ).
2. Please sign the "NYCU Recusal and Confidentiality Statement for Academic Ethics Cases" as per Article 16 of the University's Academic Ethics Handling Guidelines. The NYCU will not disclose the identity of the reviewers as it is confidential under Paragraph 2, Point 16 thereof.
3. Please continue on a separate sheet if space in this table is not sufficient.

## NYCU Academic Ethics Case Investigation Form

Case No.: 000-OAERI-000-0000

Part I: Contents of the Case				
Information about the Accused	Name		Job Title	
	Party			
Case involving teacher qualifications review	Review level			
	Level 1 Teacher Evaluation Committee approval time	____ ____, ____ (mm/dd/yyyy)		
	Accreditation	<input type="checkbox"/> No <input type="checkbox"/> Yes: Date of accreditation _____, ____ (mm/dd/yyyy)		
	Number of pieces submitted by teachers for review	____ piece(s) of representative work  ____ piece(s) of reference work	Nature and number of suspect works	<input type="checkbox"/> ____ piece(s) of representative work <input type="checkbox"/> ____ piece(s) of reference work
	Title of suspect representative work			
	Category of suspect work	<input type="checkbox"/> Thesis/dissertation <input type="checkbox"/> Specialized publication <input type="checkbox"/> Work <input type="checkbox"/> Poof of achievement <input type="checkbox"/> Written report <input type="checkbox"/> Technical report <input type="checkbox"/> Professional practice report <input type="checkbox"/> Performance <input type="checkbox"/> Sports achievement <input type="checkbox"/> Other: _____		
	Academic field of suspect work	<input type="checkbox"/> Humanities <input type="checkbox"/> Law <input type="checkbox"/> Business <input type="checkbox"/> Science <input type="checkbox"/> Engineering <input type="checkbox"/> Medicine <input type="checkbox"/> Agriculture <input type="checkbox"/> Arts <input type="checkbox"/> Education <input type="checkbox"/> Other: _____		
	Title of suspect reference work			
	Category of suspect work	<input type="checkbox"/> Thesis/dissertation <input type="checkbox"/> Specialized publication <input type="checkbox"/> Work <input type="checkbox"/> Poof of achievement <input type="checkbox"/> Written report <input type="checkbox"/> Technical report <input type="checkbox"/> Professional practice report <input type="checkbox"/> Performance <input type="checkbox"/> Sports achievement <input type="checkbox"/> Other: _____		
	Academic field of suspect work	<input type="checkbox"/> Humanities <input type="checkbox"/> Law <input type="checkbox"/> Business <input type="checkbox"/> Science <input type="checkbox"/> Engineering <input type="checkbox"/> Medicine <input type="checkbox"/> Agriculture <input type="checkbox"/> Arts <input type="checkbox"/> Education <input type="checkbox"/> Other: _____		

Case involving award of degree	Degree dissertation/ thesis level	<input type="checkbox"/> Doctoral dissertation <input type="checkbox"/> Master's thesis				
	Passed degree exam?	<input type="checkbox"/> No <input type="checkbox"/> Yes: Date of passing the exam ____ ____, ____ (mm/dd/yyyy)				
	Title of degree dissertation / thesis					
	Category	<input type="checkbox"/> Thesis/dissertation <input type="checkbox"/> Specialized publication <input type="checkbox"/> Work <input type="checkbox"/> Poof of achievement <input type="checkbox"/> Written report <input type="checkbox"/> Technical report <input type="checkbox"/> Professional practice report <input type="checkbox"/> Performance <input type="checkbox"/> Sports achievement <input type="checkbox"/> Other: _____				
	Academic field of thesis /dissertation	<input type="checkbox"/> Humanities <input type="checkbox"/> Law <input type="checkbox"/> Business <input type="checkbox"/> Science <input type="checkbox"/> Engineering <input type="checkbox"/> Medicine <input type="checkbox"/> Agriculture <input type="checkbox"/> Arts <input type="checkbox"/> Education <input type="checkbox"/> Other: _____				
Case involving other categories	<input type="checkbox"/> Involves academic incentives, research projects, or other related grants. <input type="checkbox"/> NSTC <input type="checkbox"/> MOE <input type="checkbox"/> Other agencies/institutions: _____ <input type="checkbox"/> Other: _____					
	Title of suspect work					
	Category of suspect work	<input type="checkbox"/> Thesis/dissertation <input type="checkbox"/> Specialized publication <input type="checkbox"/> Work <input type="checkbox"/> Poof of achievement <input type="checkbox"/> Written report <input type="checkbox"/> Technical report <input type="checkbox"/> Professional practice report <input type="checkbox"/> Performance <input type="checkbox"/> Sports achievement <input type="checkbox"/> Other: _____				
	Academic field of suspect work	<input type="checkbox"/> Humanities <input type="checkbox"/> Law <input type="checkbox"/> Business <input type="checkbox"/> Science <input type="checkbox"/> Engineering <input type="checkbox"/> Medicine <input type="checkbox"/> Agriculture <input type="checkbox"/> Arts <input type="checkbox"/> Education <input type="checkbox"/> Other: _____				
<b>Part II: Whether a Determination May Be Made Without External Review</b>						
<input type="checkbox"/> Yes (Skip Part III) <input type="checkbox"/> No (Proceed to Part III)						
<b>Part III: Information about Review Members<sup>1</sup></b>						
Member <sup>2</sup>	Status	Job Title	Party	Highest Accredited Teaching Qualifications	Academic Field	Reason for Forgoing Review
Original Reviewer	External Member					
	Advisor					

Original Degree Exam Committee Member	External Oral Exam Committee Member					
	Internal Oral Exam Committee Member					
Impartial Academic/Expert	External Member					

Notes:

1. Please include in the academic ethics investigation report a description of the case, facts, reasons, investigative methods, findings, and recommendations for disciplinary actions.
2. According to Paragraph 2, Point 16 of the “Guidelines for Handling Academic Ethics Cases of National Yang Ming Chiao Tung University” (hereinafter referred to as the “University’s Academic Ethics Handling Guidelines”), except for the chairperson/convenor of the Investigation committee, the identity of other members should be kept confidential, and thus, the names of the review members may be omitted in this form.
3. Please add to or delete, as appropriate, the content of the form depending on the handling of the case. Once completed, the form should be submitted to the OAERI for retention pursuant to Subparagraph 4, Paragraph 2, Point 9 of the University’s Academic Ethics Handling Guidelines. Where necessary, the contents of the form should be handed over to the superior agency for recordation.

Signature of Investigation committee chairperson/convenor

Schedule 6

NYCU Academic Ethics Case Supervision Plan and Improvement Plan

Case No.: 000-OAERI-000-0000

<b>Part I: Information about the Accused and Brief Description of the Case</b>			
Name		Job Title	
Place of work/study/graduation			
Case description			
Disciplinary action			
<b>Part II: Supervision Plan for the Accused</b>			
Supervisory matters			
Implementation			
<b>Part III: Improvement Plan by the Party with Which the Accused Is Affiliated</b>			
Improvement plan by the party			
Other			
Signature of Handling Staff		Telephone	
Signature of Party Head		Signature of Level 1 Party Head	
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. Please continue on a separate sheet if space in this table is not sufficient.</li> <li>2. Pursuant to Point 16 of the "Guidelines for Handling Academic Ethics Cases of National Yang Ming Chiao Tung University," handling personnel are requested to sign Schedule 7 of the "NYCU Recusal and Confidentiality Statement for Academic Ethics Cases."</li> <li>3. Once completed, the form should be submitted to OAERI for retention. Where necessary, the contents of the form will be submitted to the superior agency for recordation.</li> </ol>			

## NYCU Recusal and Confidentiality Statement for Academic Ethics Cases

Case No.: 000-OAERI-000-000-0000

To ensure the impartiality of the decisions made by National Yang Ming Chiao Tung University (NYCU) and to dispel doubts surrounding the influence of my position on these decisions, in accordance with the law and uphold administrative neutrality, I will, in taking up the case, handling the case, and participating in the investigation or deliberation process, with due knowledge and observance of the following matters, abide by the following provisions:

1. I will not use, divulge, inform, deliver or transfer to others, or publish outside the scope of my work the contents of complaints, the handling process, the review comments, and the information I come across. If a breach of confidentiality is likely, I agree to be subject to disciplinary action by the responsible party if the allegation is substantiated.
2. I will recuse myself if I am in a relationship with the person concerned as follows:
  - (1) The spouse, former spouse, any of his relative by blood within the fourth degree or relative by marriage within the third degree, or had previously such relationship;
  - (2) Spouse or former spouse who is the joint holders of rights or co-obligors of the accused in the case;
  - (3) Agent or assistant of the accused in the case currently or in the past;
  - (4) Witness or expert witness in the case in the past;
  - (5) Complainant in the case;
  - (6) Serving in the same department, institute, division, or equivalent at the NYCU;
  - (7) There is a former teacher-student relationship pertaining to the supervision of doctoral dissertations or master theses;
  - (8) Coinvestigator or coauthor of papers or research findings published in the last three (3) years;
  - (9) Coinvestigator of a research project in the last three (3) years;
  - (10) An employment, mandate, or agency relationship in the last three (3) years;
  - (11) Party to a financial transaction in the last three (3) years where prices and interest rates did not accord with normal and reasonable market transactions;
  - (12) Director, supervisor, or manager of an enterprise in which the accused is serving, except in the case that the person represents a state-owned enterprise as a director or supervisor.
3. I will recuse myself if I am in a relationship with the spouse or child of the accused under subparagraphs 10 to 12 in the preceding Point.
4. If the handling/review party of NYCU determines that I have not recused myself despite the circumstances set out in the preceding paragraph applying to me or that there is a likelihood of bias in the performance of my duties, I agree to be subject to an order of recusal under the party's terms of reference.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_