

Ming Chuan University Procedures for Dealing with Teacher Qualification Screening Violations and Academic Ethics Cases

Revised and passed at the Faculty Hiring and Promotion Committee Meeting on January 15, 2018

- Article 1. These guidelines were established to maintain the academic dignity of the institution, to prevent faculty plagiarism and teacher qualification violations, and to fairly deal with plagiarism cases. These guidelines are in accordance with Ministry of Education Guidelines for Dealing with Teachers' Qualification Screening Violations at Junior Colleges or other Institutions of Higher Education.
- Article 2. Teacher qualification screening violations and academic ethics cases stated in these regulations indicate the individual is being investigated for violation of any of the following:
1. The individual deliberately includes false information in teacher qualification resume or in collaborator verification, fails to report representative work as collaborative work or has not submitted a collaborator statement, fails to cite literature references appropriately, republishes materials without authorization, gives no indication of contents that included published results.
 2. Any of the individual's degree certificates, certificates of work experience, proofs of achievements, or specialized publication is proven to be forged, altered, or to have employed illegal or improper means to influence a paper's review.
 3. Any of the individual's publications or academic results, works, performances or technical reports is proven to be pirated, plagiarized, a counterfeit work or an altered work.
 4. Any other academic result beyond the teacher qualification is proven to be pirated, plagiarized, a counterfeit work or an altered work.
 5. The applicant or other person acting on the applicant's behalf seriously asks, lobbies, tempts with enticements, threatens, or otherwise interferes with reviewers or review procedures.
- Article 3. Faculty Hiring and Promotion Committee will handle those cases which violate articles mentioned in this procedure and the School Faculty Hiring and Promotion Committee shall assist in reviewing and verifying cases. Faculty Hiring and Promotion Committee at each level should follow the principle of fairness, objectivity, and care to manage cases. To avoid exposure of both the accuser and the accused, the review process should be kept completely confidential.
- Article 4. When reporting violations, person(s) making reports should provide the Human Resources Division with their contact phone number and address, a written statement of accused individuals' names, facts, and contents, and additional relevant evidence with their signature(s) and seal(s). After it has been confirmed the person making the report has a case or the president has determined a situation exists which merits investigation, the case should be processed as a violation matter. Anonymously reported cases, or cases reported under an alias or a name established to be different than that of the person making the report will not be processed.
- Article 5. When accepted violation cases have begun to be processed, the content of the report should be provided for the individual accused of violation by the Human Resources Division. The individual being accused may submit a written defense responding to the content of the report within 14 days. The written defense should be sent to the University Faculty Hiring and Promotion Committee which will in turn request the University Faculty Review and Evaluation Committee to establish a Hearing and Review Subcommittee to process the case.
- Article 6. There must be more than five members on the Hearing and Review Subcommittee, with the Vice President for Academic Affairs, Dean of Academic Affairs and the Dean of the accused individual's School as ex-officio members. The executive officer of the University Faculty Review and Evaluation Committee serves as the convener of the Hearing Subcommittee and he/she is to recruit other members from among those who have been appointed to the University Faculty Review and Evaluation Committee. Members should include academicians specializing in law; impartial external scholars may be contracted when necessary.
- Article 7. The committee meetings of the University Faculty Hiring and Promotion Committee or the Hearing and Review Subcommittee may only begin when two thirds of committee members are present,

and resolutions will only be valid with two thirds or more of the total members' agreement. Resolutions are reached through anonymous voting. Should the need arise, the individual who is accused or the administrator of his or her unit may be invited to attend the meeting to provide explanation.

When reviewing cases, once a committee member is related to the accused individual or to the case and needs to excuse him/herself from the final resolution meeting, that committee member will not count toward quorum.

- Article 8. If a violation of Clause 1 or 2 of Article 2 is found, the investigation of the violation will be sent to the University Faculty Hiring and Promotion Committee for review once it has been confirmed through proof by the related department and School that the violation has occurred.
- Article 9. When processing reported violations of Article 2, Clause 3 or 4 has begun, the Hearing and Review Subcommittee should submit the contents of reported cases and the written defense from the accused individual to three off-campus experts for review. If the publications, works or technical reports used in applying for teacher qualification and promotion involve cheating or plagiarism, the original reviewer should review the case again and if necessary, cases should be submitted for double-checking by one to three scholars in a relevant field, and their professional judgment be respected. The identity of the reviewers and scholars must remain strictly confidential. The investigator should submit the second Review Report to the Hearing and Review Subcommittee for reference. Should the need arise, the individual being investigated may be invited to present verbal defense during the investigation process. If difficulties are encountered making a judgment, the Hearing and Review Subcommittee may submit the list of unresolved issues to the original reviewer and another expert to review the case. The investigator should submit the Review Report to the Hearing and Review Subcommittee for reference.
- Article 10. If any violation of Article 2, Clause 5 is found during the process of screening the teacher qualification, the reviewer should be contacted and the contact record should be in writing. The investigation of the violation will be conducted by the relevant investigator before reporting to the University Faculty Hiring and Promotion Committee.
- Article 11. The identity of reviewers must remain strictly confidential. If a reviewer is in any of following relationships with the accused individual, he or she should refrain from becoming involved with the review.
1. The reviewer has or has had student-instructor relationship with the accused.
 2. The reviewer is spouse, former spouse, is a relative by blood within the fourth degree, is or was a relative by marriage within the third degree to the accused.
 3. The reviewer is a co-researcher or co-author for a publication or research result within the past three years.
 4. The reviewer is a co-executor of a research project.
 5. The reviewer is or was the legal guardian or agent of the accused.
- The accused individual can apply to have anyone who meets the following conditions excused from being a reviewer:
1. Anyone who meets any of the abovementioned conditions but did not refrain from becoming involved with the review.
 2. With the specific evidence that there is bias in the reviewer's handling of these matters. Hearing and Review Subcommittee and Faculty Hiring and Promotion Committee should order a reviewer to not participate in a review meeting should the reviewer meet either of the 2 conditions mentioned above.
- Article 12. The Hearing and Review Subcommittee should compile the opinions of reviewers and other relevant information, and submit the review report to the University Faculty Hiring and Promotion Committee for resolution within four months of the day the case was reported. If the publications, works or technical reports used in application for promotion involve violation of academic ethic, the violation case should be merged with the promotion case. In the case of complicated cases, the review period can be extended for up to two months. The person reporting the case and individual

under investigation should both be notified.

The University Faculty Hiring and Promotion Committee shall notify the person who reports the case, the individual being investigated, and his or her unit of the processing result and reasons in writing within ten days after the case was heard. If the individual being accused of is not satisfied with the result, he or she may apply for a second review to the University Faculty Appeal and Review Committee within 30 days of receiving the notification. Such an appeal is limited to one time only. Should the need arise, the individual being investigated may be invited to attend the University Faculty Hiring and Promotion Committee Meeting to present a verbal defense.

Article 13. Once it has been proven by the University Faculty Hiring and Promotion Committee that a violation has occurred, individuals charged with violation will be disciplined in one of the following ways, depending on the situation.

1. Individual who violates Article 2, Clause 1: No application to review qualifications will be accepted for the coming one to five years.
2. Individual who violates Article 2, Clause 2: No application to review qualifications will be accepted for the coming seven to ten years.
3. Individual who violates Article 2, Clause 3: No application to review qualifications will be accepted for the coming five to seven years.
4. Depending on the situation, an individual who violates Article 2, Clause 4 will be disciplined in one of the following ways:
 - (1) Contract will be terminated, suspended, or not renewed.
 - (2) No application to review qualifications will be accepted for the coming one to five years.
 - (3) Seniority pay increase or extended salary rank will be denied for one to five years.
 - (4) Sabbatical leave will be denied for five years.
 - (5) Permission to apply for Research/Study Reward will be denied for three years.
 - (6) Case will be reported to the Ministry of Education and teacher certificate of current level cancelled.
 - (7) Scholarships or awards related to publication will be required to be returned.
 - (8) All types of allowances will be cancelled. Appointment to positions as academic/administrative directors will be denied.
 - (9) Part-time faculty members shall be dismissed.
 - (10) Other appropriate discipline.
5. Individuals who violate Article 2, Clause 5: All review procedures will immediately cease, the application dismissed, and no application to review qualifications will be accepted for the coming two years.

Article 14. Once the discipline for violation of Article 2, Clause 1 to 4 has been decided by the University Faculty Hiring and Promotion Committee, all the review procedures and handling results should be reported to the Ministry of Education; the discipline will not be suspended or revoked on the grounds that the accused individual is appealing the case or an administrative dispute has occurred. If the reported case of violation lacks sufficient proof, the University Faculty Hiring and Promotion Committee will notify the person who reported the case with a written report of the investigation, and notify the individual accused of violation and his or her unit.

After University Faculty Hiring and Promotion Committee decides on the final result for discipline, besides reporting to the Ministry of Education for approval, the Committee must also:

1. Report to the Ministry of Education if the discipline for violation involve suspension of employment, dismissal, or termination of service. After approved by the president, the case should be reported to the Ministry of Education in accordance with Article 14-1 of the Faculty Employment Law for approval within ten days of the resolution.
2. Note that during the period of review, the accused individual cannot apply to withdraw the application, and the application will be directly considered a failed application.

3. Report to the Ministry of Education if the accused individual already possesses the Ministry of Education teacher qualification. The Committee should report to the Ministry of Education for revoking the qualification.

- Article 15. If the person who reported the case makes a new accusation, it must be submitted to the University Faculty Hiring and Promotion Committee with new and concrete evidence. If no concrete evidence is proven to be true, the accusation will remain the same. If the evidence is proven to be true, the case will be investigated and dealt with according to these guidelines. If the person who reports the case is not satisfied with the investigation, he or she can pursue the case through a court of law. Unless a judgment is made in a court of law on the case, the institution will not further process the case.
- Article 16. If it is established a case has been deliberately falsely reported, and that the person making the report is a faculty member at this institution, he or she will be reported to the related unit and punished in accordance with the situation. In a case of severe false accusation, the name of the informant will be publicized. If the person making the report does not belong to the university, the institution will notify the unit to which he or she belongs so that appropriate punishment can be enacted.
- Article 17. Procedures should be conducted confidentially until the violation case has been established. The identity of the person reporting the violation case, the person investigating the case, and the person under investigation must remain confidential unless the case against the accused person is proven to be false.
- Article 18. Matters not covered in these guidelines will be dealt with in accordance with the Ministry of Education Guidelines for Dealing with Teachers' Qualification Screening Violations at Junior Colleges or other Institutions of Higher Education and Provisions for Handling Academic Ethics Cases at Higher Education Institutions.
- Article 19. Upon being passed at the University Faculty Hiring and Promotion Committee Meeting and approved by the president, these guidelines were implemented. Any revision must follow the same procedure.

****In the event of any inconsistency or discrepancy between the Chinese and other language versions of this document, the Chinese version shall prevail.****