

Regulations for Academic Ethics Case Handling

2002.03.11 Passed in the 2nd Ad-hoc Meeting of the Legal Affairs Committee of the 90th academic year
2002.03.19 Passed in the 3rd University Council and the 8th Administrative Joint Meeting of the 90th academic year
2002.03.28 Promulgated and implemented according to the GaoYiXiaoFa(l)Zi No. 009 Letter
2020.10.26 Reviewed and passed in the 2nd Academic Ethics Committee Meeting of the 99th academic year
2011.01.13 Passed in the 6th Administrative Meeting of the 99th academic year
2011.01.31 Announced in the GaoYiYanFa No. 1001100417 Letter
2022.03.19 Passed in the 2nd University Council and the 8th Administrative Joint Meeting of the 100th academic year
2012.04.16 Announced in the GaoYiYanFa No. 101110095 Letter
2013.02.27 Reviewed and passed in the 3rd Academic Ethics Committee Meeting of the 101st academic year
2013.04.11 Passed in the 3rd University Council of the 101st academic year
2013.05.24 Announced in the GaoYiYanFaZi No. 1021101444 Letter
2017.07.10 Reviewed and passed in the 6th Academic Ethics Committee Meeting of the 105th academic year
2017.09.14 Passed in the 1st University Council of the 106th academic year
2018.04.03 Reviewed and passed in the 2nd Academic Ethics Committee Meeting of the 106th academic year
2018.06.08 Passed in the 7th University Council of the 106th academic year
2022.03.24 Passed in the 3rd University Council of the 110th academic year
2022.04.08 Announced in the GaoYiYanFaZi No. 1111101254 Letter

Article 1 To handle academic ethics cases related to Kaohsiung Medical University (hereinafter "KMU"), the Regulations for Academic Ethics Case Handling (hereinafter "the Regulations") are hereby established.

Article 2 Concerning appointments, promotions, academic rewards, specialized research projects, or other related teaching and research activities, those suspected of violating academic ethics are subject to the Regulations. The standard operating procedures are as detailed in the appendix.

The violations of academic ethics referred to in the previous paragraph include:

1. Falsification: Creating fictitious application data, research data, or research results.
2. Fabrication: Altering application data, research data, or research results dishonestly.
3. Plagiarism: Using others' application data, research data, or research results without citing sources. Cases of significant citation misconduct are also considered plagiarism.
4. Proxy authorship.
5. Republishing or publicly releasing a work without acknowledgment.
6. Substantial citation of one's own previously published work without proper reference.
7. Substituting translation for a research paper without appropriate acknowledgment.
8. Inaccuracies in faculty qualification review resume, co-author certifications, and failure to accurately list co-authored works and submit co-author certifications.
9. Situations where the reviewer or the review process is influenced through solicitation, intervention, bribery, threats, or other disturbances by the submitter, either personally or through others, or where the submitter unlawfully or improperly influences the review of the paper.
10. Other violations of academic ethics.

Article 3 Whistleblowers of violations of academic ethics must use their real names, affiliations, and titles when submitting a complaint to KMU, accompanied by concrete evidence. However, KMU shall confidentially handle the whistleblower cases. KMU will not process complaints received under a pseudonym or anonymously, or other reports unless they involve a specific subject and are supported by sufficient evidence.

- Article 4 Academic ethics whistleblowing cases at KMU are coordinated by the Office of Research Ethics. Cases preliminarily identified as potential violations of academic ethics are referred to the Academic Ethics Review Committee for deliberation. Violations of Article 2, Paragraph 2 of the Regulations related to faculty appointments and promotions are processed in accordance with KMU's "Regulations for Handling Violations of Faculty Qualification Review Regulations." During the aforementioned review process, necessary protective measures should be taken regarding the real names and affiliations of the whistleblower and the accused, or any other information sufficient to identify them, and the whistleblowing case should be treated confidentially during the investigation.
- Article 5 The Academic Ethics Review Committee (hereinafter "the Committee") shall consist of seven to eleven members, including two external members known for their integrity. The Committee shall have a Chairperson, who shall also be the Vice President for the Office of Research and Development. The other members, who should be full-time professors, researchers, and lawyers with high academic achievements and integrity, both from within and outside the university, shall be recommended by the Chairperson and appointed by the President. The term of the members is one year, and they are eligible for reappointment through consecutive elections.
- Article 6 Whistleblower cases deemed unrelated to the Committee's operations shall be referred to the relevant responsible units for processing. However, if the person being reported currently has an applied case under review by the Committee, the Committee may also undertake appropriate handling of the case.
- Article 7 For the investigation of whistleblower cases, the Committee shall notify the person being reported to submit a written defense within a specified deadline regarding the content of the report.
- Article 8 In handling cases of violations of academic ethics, respect for the judgment in the respective professional fields must be upheld. The Committee should forward the report and the defense to at least two to four impartial scholars in the relevant field for review. If the case pertains to promotion or appointment, it should be reviewed by the original reviewers in accordance with the relevant regulations, and if necessary, one to three additional relevant academic experts may be consulted for cross-checking. The reviewers should submit a review report to serve as the basis for decision-making. The identities of the reviewers should be kept confidential.
- Article 9 During the handling of academic ethics cases, individuals involved who have any of the following relationships with the reported person must recuse themselves:
1. Having had a doctoral or master's thesis advisory relationship.
 2. Being a spouse, former spouse, blood relative within the fourth degree of kinship, or marital relative within the third degree of kinship, or having had such a relationship.
 3. Being a co-researcher or co-author of papers or research results published within the last three years.
 4. Jointly conducting a research project while reviewing the case.

5. Currently or formerly being the reported person's legal representative or assistant.

The accused person may request that the following persons recuse themselves:

1. fall under the aforementioned scenarios and do not recuse themselves
2. have concrete evidence suggesting potential bias in the execution of their duties

If individuals involved do not recuse themselves under the conditions stated in Item 1, or if there is a likelihood of biased execution of their duties, the reviewing unit should mandate their recusal by authority. The related individuals may also voluntarily apply for recusal. The recusal of experts who are commissioned to review shall apply the provisions of this paragraph.

Article 10 Upon the completion of the review by scholars in the relevant professional fields both inside and outside the university, if necessary during the handling stage, the reported person is allowed to present an additional oral defense in the process.

Article 11 The Committee must have more than two-thirds of its members present to convene a meeting. A decision on the disposition of a whistleblowing case requires the consent of more than two-thirds of the attending members.

During meetings, if necessary, the Committee may invite the parties involved in the whistleblowing case or the heads of their respective units to attend and provide explanations.

Article 12 After the review of cases of academic ethics violations by scholars in the relevant professional fields, if the Committee still faces difficulties in making a judgment during deliberations, it may list items needing clarification for further review by professional scholars, thereby providing a basis for further judgment.

Article 13 Upon reviewing the investigation results of academic ethics violations or the results of professional field scholars' review, if the Committee determines that there is definitive evidence of a violation of academic ethics, it may, depending on the severity of the case, impose one of the following sanctions or compensation recommendations on the reported individual:

1. Written admonition
2. Termination, suspension, or non-renewal of employment.
3. Suspension of eligibility for promotion or research funding applications for a certain number of years. During a specified period, the acceptance of applications for promotion, secondment, study leave, external part-time employment or teaching may be suspended. If necessary, already approved applications may be canceled or terminated.
4. Recovery of all or part of the research grants related to the case. For a certain period, suspension from serving on university committees or academic administrative positions, from faculty sabbatical research or extended service, from applying for and executing KMU's or external institution industry-academia cooperation projects, and from applying for and receiving grant or award (fee) funds.
5. Recovery of some or all of the research grants or research award expenses related to

the case, the disqualification from serving on KMU's academic-related committees or administrative positions, and revocation of related awards.

6. Compensation for the losses of the relevant parties.

7. Other appropriate dispositions

The results of the investigation or disposition may be used as a reference for future deliberation of cases involving the reported person.

In cases where a violation of academic ethics is confirmed, the Committee may, depending on the circumstances, refer the matter to relevant units or committees for further action.

Article 14 The decisions on established whistleblower cases shall be notified in writing to the whistleblower, the accused person, and their respective units. The head of the unit to which the accused person belongs shall be required to provide explanations, review the core issues, propose improvement plans, and inform the Committee in writing about the disciplinary actions taken against the accused person for violating academic ethics.

Article 15 When there is insufficient concrete evidence to determine that the accused person has violated academic ethics, the investigation results should be notified in writing to the whistleblower and may also be separately communicated to the accused person and their respective unit.

Article 16 In cases of academic ethics violations involving post-approval plagiarism in faculty qualification reviews, upon the completion of the Committee's handling, the procedure, results, and recommendations for disposition should be communicated to the relevant units or committees, and a suggestion may be made to report the matter to the Ministry of Education.

Following the confirmation and punishment of plagiarism cases, KMU should make a public announcement and inform the Ministry of Education and other junior colleges and institutions of higher education.

Article 17 If a whistleblower case is adjudicated as not constituting a violation of academic ethics, and the whistleblower submits a subsequent report, it should be brought before the Committee for review. If new evidence is presented, further investigation and deliberation may be conducted; otherwise, the conclusion of the review should be communicated directly back to the whistleblower. If the whistleblower disagrees with the conclusion, apart from seeking judicial recourse, no further action will be taken. In cases of frivolous and excessive whistleblowing that disrupt campus harmony, the school may establish relevant evaluation and handling principles

Article 18 The accused persons should be informed that if they experience unequal or unfair treatment during the deliberation process, or if they disagree with the outcome of the deliberation, they may file a complaint with the Review Committee for Teachers' Appeals.

Article 19 After being Reviewed and passed by the University Council, the Regulations shall be implemented from the date of announcement, and the same applies to amendments.

Appendix: Standard Operating Procedure for Handling Academic Ethics Cases Involving Teachers

