**National Kaohsiung University of Science and Technology**

**Guidelines for Handling Violations of Regulations on Faculty Qualifications Accreditation**

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1. National Kaohsiung University of Science and Technology (NKUST) formulates the Guidelines for Handling Violations of Regulations on Faculty Qualifications Accreditation (hereafter “these Guidelines”) in accordance with the Regulations Governing Accreditation of Teacher Qualifications at Junior Colleges and Institutions of Higher Education (hereafter “the Regulations Governing Accreditation of Teacher Qualifications”), Principles for Handling Violations of Teacher Qualifications Accreditation at Junior Colleges and Institutions of Higher Education (hereafter “the Principles for Handling Violations of Teacher Qualifications Accreditation”), NKUST Guidelines for Establishment and Operation of the Office of Academic Ethics, and the related regulations to handle cases that violate the regulations concerning faculty qualifications accreditation.

2. Violations of the regulations on faculty qualifications accreditation refer to the following circumstances pertaining to the applicants submitting their case for review:

(1) Circumstances specified in Subparagraph 1, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

i. False information in the Teacher Accreditation Application and Resume Form: It refers to the part involving the review items, not including clerical errors of the identification information or other obvious mistakes of similar kinds.

ii. False information in the co-author’s certification.

iii. 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.

iv. Inappropriate citations: Using others’ research data or research results without proper citation in accordance with the academic norms and conventions, and the uncited part may not be the core content of the published work, or the condition may not cause misunderstanding of the work’s originality.

v. Republished materials without being indicated: It refers to publishing the same work or essential part of one’s academic work in different journals or books without making indication.

vi. No indication that the content includes some already published results or writing: It refers to contents, paragraphs, or research results that one has already published, with no indication made.

vii. Other matters constituting violation of academic ethics: Other matters that are reviewed and confirmed to be violating the academic ethics apart from the above six items.

(2) Circumstances specified in Subparagraph 2, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

i. Plagiarism: It means the use of others’ research data, written works, or results without citing the source. Improper citations, in serious circumstances, are deemed plagiarism.

ii. Forgery: It means forging or faking up non-existent research data, processes, or results.

iii. Alteration: It means modifying research data, processes, or results without authorization.

iv. Fraud: It means research data or results that are acquired or presented in fraudulent, deceptive, or other improper ways.

(3) Circumstances specified in Subparagraph 3, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

i. Forging or altering educational or professional credential documents, evidence of achievement, documentary evidence that academic writing will be issued by a journal within a fixed period, or any co-author’s certification.

ii. Influencing a review of the applicant’s thesis with any illegal or unscrupulous means: It refers to interference with the review of any applicant’s works in illegal or unscrupulous ways other than those specified in Subparagraph 4, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications.

(4) Circumstances specified in Subparagraph 4, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications: An applicant either personally or through another person makes any requests or lobbies on the applicant’s behalf, or offers any bribe or enticement or makes any threat, or in any other way interferes with any reviewer or accreditation review procedure, and the condition is serious.

An applicant who is reported or found to be involved in any one of the foregoing circumstances shall not withdraw his/her application for qualifications accreditation.

3. Violations of the regulations on faculty qualifications accreditation shall be investigated as follows upon recognition and acceptance by the Office of Academic Ethics’ formality examination team:

(1) When a case is accepted, the chairperson of the affiliated College Faculty Evaluation Committee shall set up an investigation team within 20 days to undertake matters relating to the deliberation, verification, and handling of the case. Chairperson of the College Faculty Evaluation Committee (CFEC) shall be the convener of the investigation team. There shall be five to seven team members. Except the convener, Dean of Academic Affairs, and head of the applicant’s Department who are ex-officio members, all other members shall be invited by the convener among in-school or external scholars and experts in academic ethics and the area of study involved in the case. The team members shall be appointed upon approval of the President.

(2) In case of recusal of the abovementioned ex-officio members of the investigation team, the vacancies shall be filled in the following ways:

i. When the CFEC chairperson or Dean of Academic Affairs recuses himself/herself, a full-time faculty member shall be appointed by the President.

ii. When the head of the applicant’s Department recuses himself/herself, a full-time faculty member in the related area of study from the applicant’s College shall be appointed by the President.

(3) For violations of the regulations on faculty qualifications accreditation, if the circumstances mentioned in Subparagraphs 1 to 3, Paragraph 1 of Point 2 herein exist, the investigation team shall inform the applicant in writing, with the reported content attached after deleting the personally identifiable and irrelevant information, requesting a written defense against the reported content within 20 days from the date of notification. The case shall be dealt with according to the following procedures:

i. In circumstances described in Item 1, Subparagraph 3, Paragraph 1 of Point 2, the investigation team shall verify and confirm the case with the relevant units; the relevant evidence and the statement of defense may be forwarded to the original reviewers for deliberation, when necessary. In circumstances other than those described in Item 1, Subparagraph 3, Paragraph 1 of Point 2, the investigation team shall forward the relevant evidence and the statement of defense to the original reviewers for deliberation.

ii. If the original reviewers fail or refuse to review the case, fail to provide a reviewer’s opinions by the deadline, or the investigation team believes that there is doubt or contradiction in the review opinions, the case shall be further forwarded to scholars and experts in the related area of study for review, and the number of scholars and experts should be the same as the number of the original reviewers.

iii. If the investigation team comes across situations where a judgment is hard to make when deliberating a case, a list of issues pending clarification can be made and sent to one to three relevant scholars and experts for further review or professional examination, in order to verify the case.

iv. When a case involves the original reviewers, additional scholars and experts for further review and professional examination, all reviewers shall provide a written review report after the review and examination to the investigation team. The investigation team may require the applicant to submit a further defense against the contents of the review reports within one week, depending on the review reports submitted by the reviewers.

v. The investigation team shall make a comprehensive judgment of the review opinions submitted by the original reviewers, scholars and experts, and complete the investigation report within two months from the case establishment date. The investigation report shall indicate in detail the evidence and the reviewing method, as well as the fact of violation, recommended action, and the reason.

vi. After completing the investigation report, it shall be submitted to the University Faculty Evaluation Committee (UFEC) for deliberation within 10 days.

Decisions about cases of violating the faculty qualifications accreditation regulations shall be made in accordance with the following principles:

(1) UFEC shall hold a meeting to review the case within 20 days from the day next to the investigation team’s completion of the investigation report and verify if the case is established or not. UFEC shall notify the applicant for providing a statement of opinion against the accusations stated in the investigation report before the review, and ask the applicant to present himself/herself at the review meeting for giving explanations in person.

(2) UFEC should respect the judgment made based on professional examination unless specific reasons grounded in professional and academic rationale are given that may challenge the credibility and accuracy of the professional examination. Veto decision shall not be made merely by voting.

(3) If UFEC comes across situations where a judgment is hard to make when reviewing a case, a list of issues pending clarification shall be made for further investigation by the investigation team.

(4) UFEC shall make decision about the case after the review.

(5) The UFEC review result shall be sent to the informant and the applicant in writing within 10 days after the decision, specifically indicating the fact, the review result, and the reason.

Concerning the abovementioned UFEC review result, the informant may only be notified of the processing status of the case if he/she is not a stakeholder related to the case.

The University’s notification of disposition shall clearly indicate the review result, type of disciplinary action, the reason, and the remedial unit and deadline for filing an appeal if the applicant objects to the result.

4. If any one of the circumstances specified in Subparagraphs 1 to 3, Paragraph 1 of Point 2 is verified after the review, the case shall be handled as follows:

(1) For a faculty member who has passed the original review and been given a teacher certificate, the teacher certification for that level and above shall be revoked and the teacher certificate shall be recalled. In addition, the faculty member’s application for faculty qualifications accreditation shall be refused for the period specified in Paragraph 2 below.

(2) For a faculty member who has failed the original review, his/her application for faculty qualifications accreditation shall be refused for the period specified in Paragraph 2 below.

For cases mentioned in the preceding paragraph, application for faculty qualifications accreditation shall be refused for the following periods of time, depending on circumstances, from the date of the review decision in accordance with Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

(1) Circumstances specified in Subparagraph 1, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

i. False information in the Teacher Accreditation Application and Resume Form: one to three years

ii. False information in the co-author’s certification: one to three years

iii. 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: one to three years

iv. Inappropriate citations: two to three years

v. Republished materials without being indicated: one to three years

vi. No indication that the content includes some already published results or writing: one to three years

vii. Other matters constituting violation of academic ethics: one to five years

(2) Circumstances specified Subparagraph 2, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

i. Plagiarism pertaining to publications, works, performances, or technical reports: five to six years

ii. Forgery, alteration, or fraud pertaining to publications, works, performances, or technical reports: six to seven years

(3) Circumstances specified in Subparagraph 3, Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

i. Forging or altering educational or professional credential documents, evidence of achievement, documentary evidence that academic writing will be issued by a journal within a fixed period, or any co-author’s certification: eight to ten years

ii. Influencing a review of the applicant’s thesis with any illegal or unscrupulous means: seven to ten years

An applicant who is involved in two or more of the circumstances mentioned in the preceding paragraph shall be subject to the longest of the respective penalty periods for refusal of application in accordance with Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications.

An applicant who is involved in any one of the circumstances mentioned in Paragraph 2, with one of the following conditions being true, he/she may be subject to the shortest of the respective penalty periods for refusal of faculty qualifications accreditation application as specified in Paragraph 1, Article 44 of the Regulations Governing Accreditation of Teacher Qualifications:

(1) First-time violation or one-off incident

(2) Mild violation

5. In relation to an applicant’s representative work, regulations concerning exemption from the penalty of being refused for faculty qualifications accreditation are set down in Article 46 of the Regulations Governing Accreditation of Teacher Qualifications.

Applicability of the condition mentioned in the preceding paragraph depends on the specific evidence provided by the applicant, as well as the authorized investigation by the University’s investigation team established in accordance with Point 3 herein.

6. During the review of faculty qualifications, if the applicant is found to be interfering with any reviewer or accreditation review procedure as described in Subparagraph 4, Paragraph 1 of Point 2, the interfered reviewer shall be contacted and the communication records shall be documented; after notifying the applicant for making a statement of opinion, the UFEC convener shall verify with the reviewer again and raise the case in the UFEC for deliberation. If the UFEC found the allegation to be true, the applicant’s qualifications accreditation procedure shall be immediately suspended and the University shall notify the applicant. For two years from the date of notification, the applicant’s application for faculty qualifications accreditation shall be refused, and a report shall be filed with the Ministry of Education for future reference.

7. Within four months from the date of report, the University shall make a conclusion of the reported case and submit it to the UFEC for deliberation and decision. In case of complicated or floundering situation and during the summer and winter vacations, the processing time may be extended for two months after a report is submitted to the UFEC, while the informant and the applicant shall be informed.

8. For reported cases confirmed to be violating Point 2 of these Guidelines, the UFEC may sanction one or more of the following penalties depending on severity of the situation, on top of the provisions in Article 44 of the Regulations Governing Accreditation of Teacher Qualifications and Point 4 herein:

1. Forbidden to serve as a member of various university committees or head of an academic or administrative office for a specified period of time.
2. Forbidden to apply for secondment, sabbatical, further study, lecturing abroad, doing research abroad, or taking up concurrent teaching or other jobs outside the University for a specified period of time.
3. No seniority-based pay raise for a specified period of time.
4. Other punitive measures.

If the preceding punitive measures involve dismissal, suspension, or non-renewal of appointment, the relevant provisions in the Teachers’ Act and the NKUST rules and regulations shall apply, and a report shall be made to the Ministry of Education for approval.

For cases confirmed to be violating these Guidelines, the reviewing procedures and review result shall be reported to the Ministry of Education for deliberation or future reference in accordance with Point 9 of the Principles for Handling Violations of Teacher Qualifications Accreditation.

For cases reported to the Ministry of Education for reference as described above, if the penalty period for refusal of application is five years or more, a notification shall be sent to all colleges and universities, copying the Ministry of Education. Execution of the penalty shall not be suspended notwithstanding the applicant’s complaint, appeal, or administrative litigation.

9. Investigators and reviewers involved in the investigation and reviewing process of violations of faculty qualifications accreditation regulations, including the investigation team, reviewers (including the original reviewers), in-school and external scholars and experts, and UFEC members, shall abide by the principle of avoiding personnel at a lower rank reviewing those at a higher rank, and those related to an applicant in one of the following ways shall take the initiative to inform the reviewing unit and recuse oneself:

(1) Currently or had been the teacher supervising the applicant’s PhD dissertation or Master’s thesis.

(2) Spouse, ex-spouse, blood relative within 4th degree of relationship or affinal relative within 3rd degree of relationship, or those who had been one of the above.

(3) Co-investigator or co-author of a paper or research result published in the last three years.

(4) Collaborator in the execution of a research project at the time of reviewing the applicant’s case.

(5) Currently or had been a deputy or assistant in the applicant’s case.

(6) Others who should recuse themselves as stipulated by other laws and regulations.

An informant who reports a case shall not be a member of the investigation team or the UFEC.

An applicant may request the following persons to recuse themselves:

1. Those who are listed in Paragraph 1 above but have not recused themselves.
2. Those who are believed to be biased in executing their duty based on specific evidence.

Those who are listed in Paragraph 1 but have not recused themselves or who may be biased in executing their duty, the convener or chairperson should, by authority, order them to be recused.

10. When reviewing violations of faculty qualifications accreditation regulations, the investigation team and UFEC shall have two-thirds or more of all the members present, and decisions shall be made with two-thirds or more of the attending members giving consent.

11. In case of objection to the UFEC’s resolution, an applicant may file an appeal to the NKUST Faculty Grievance Committee in writing within 30 days from the day next to receipt of the notification, giving details of the cause.

12. Personnel dealing with cases mentioned in these Guidelines shall keep the informant’s name and contact information, case handling process, reviewers’ identities and comments, and other related documents and information strictly confidential. However, this does not apply in any one of the following circumstances:

(1) The reviewing process and review comments may be provided to the faculty grievance handling office and other remedial agencies.

(2) The review comments or resolutions in the review meeting may be lawfully provided to the relevant authorities (or units) to facilitate their investigation.

(3) Resolutions in the review meeting or the review opinions that confirm the existence of circumstances specified in Point 2 herein may be provided to the applicant.

(4) When forwarding a case to the relevant authority or school for investigation, information about the informant’s identity and the related evidence may be provided. The office or school accepting the case shall keep the informant’s information confidential.

(5) When a case involves public interest or becomes a social focus, the University or the Office may give a proper explanation to the public.

13. If a case is found to be not violating the circumstances specified in Point 2 of these Guidelines after deliberation, and being reported again, the University may give a response according to the previous decision when no other new specific fact or evidence is provided. If new specific evidence is provided, the case should be investigated and handled in accordance with these Guidelines.

If an informant is found and confirmed by the UFEC to be making arbitrary reports that may cause dissonance in the campus, he/she (as NKUST faculty, staff, or student) may be subject to disciplinary action of the relevant competent unit based on severity of the condition. If the informant is an external party who makes arbitrary report, the case may be referred to the relevant agency or school for handling.

14. For matters not covered in these Guidelines, the Regulations Governing Accreditation of Teacher Qualifications at Junior Colleges and Institutions of Higher Education, Principles for Handling Violations of Teacher Qualifications Accreditation at Junior Colleges and Institutions of Higher Education, and relevant regulations shall apply.

15. These Guidelines shall be approved by the University Council, ratified by the President before implementation; the same procedures apply to amendments thereof.