

文藻外語大學教師著作抄襲及違反送審教師資格規定處理要點

Guidelines for Handling Plagiarism and Violation of the Accreditation Regulations Regarding Teacher Qualifications of Wenzao Ursuline University of Languages

民國 89 年 03 月 22 日校教評會通過
Amended at the Guidelines for the Establishment of Faculty Evaluation Committees meeting on March 22, 1999
民國 93 年 03 月 10 日校教評會修正通過
Amended at the Guidelines for the Establishment of Faculty Evaluation Committees meeting on March 10, 2004
民國 103 年 2 月 12 日校教評會修正通過
Amended at the Guidelines for the Establishment of Faculty Evaluation Committees meeting on February 12, 2004

Amended at the Guidelines for the Establishment of Faculty Evaluation Committees meeting on October 17, 2004

- 一、本校為維護學術尊嚴，防範教師著作抄襲、剽竊或其他舞弊情事及違反送審教師資格規定等情事，依教育部「專科以上學校教師資格審定辦法」及「專科以上學校教師違反送審教師資格規定處理原則」，訂定本要點。

Article 1 These guidelines are enacted to protect academic dignity and to prevent the matters of plagiarism, pirating or cheating, and are set forth pursuant to the “Accreditation Regulations Governing Teacher Qualifications at Institutions of Higher Education” and “Guidelines for Handling Violation of the Accreditation Regulations Regarding Teacher Qualifications at Institutions of Higher Education” of the Ministry of Education (hereinafter “the MOE”).

- 二、本要點所稱涉及情事或違反事件，指教師有下列情事之一者：

- (一) 教師資格審查履歷表、合著人證明故意登載不實、代表著作未確實填載為合著及繳交合著人證明。
- (二) 著作、作品、展演及技術報告有抄襲、剽竊或其他舞弊情事。
- (三) 學、經歷證件、成就證明、專門著作已為刊物接受將定期發表之證明、合著人證明為偽造、變造。
- (四) 其他違反學術倫理情事。
- (五) 當事人或經由他人有請託、關說、利誘、威脅或其他干擾審查人或審查程序情節嚴重。

Article 2 The matter or violation referred to in these guidelines includes one of the following situations:

- (1) Teacher qualification resume and certificate of co-authorship contain false information, and representative publication does not state co-authorship and submit the certificate of co-authorship.
- (2) Plagiarism, pirating or other cheating is found in teachers’ publications, artworks, exhibitions, performances and technical reports.
- (3) Fabrications and falsification are found in academic or experience certificates, achievement certificates, proofs that specialized publications were accepted and 2 shall be published by journals, and co-authorship certificates.

(4) Other matters that violate academic ethics.

(5) The parties concerned or other persons obstructing the examiners through favoring, lobby, luring, threatening or other interferences, or serious circumstances after investigation.

三、本校教師涉嫌違反本要點所規定事項者，其受理單位為人事室。受理後提交校教師評審委員會(以下簡稱校教評會)審理，由校教評會組成五人審理小組查證，並應依第十二點規定期限內審議認定之。必要時得請校外公正學者參與。

Article 3 Teachers of Wenzao University under suspicion of violating these guidelines shall be reported to the Personnel Office. After the case is accepted, it shall be submitted to the University Faculty Evaluation Committee (hereinafter "University Evaluation Committee") and be investigated by an examination panel consisting of five members chosen by the University Evaluation Committee. The examination period shall be pursuant to the regulations stated in Article 12. External examiners may be invited to join the panel when necessary

四、教師具有第二點各款情事之一，經人具名及具體指陳違反本規定之檢舉，即進入校內處理程序。

對於未具名之檢舉一概不予處理。

Article 4. Teachers who have one of the situations stated in Article 2 and are reported with concrete evidence shall undergo the in-school examination procedure in confidence to prevent the informer and the party concerned being exposed.

Anonymous reports shall not be accepted.

五、校教評會應本公正、客觀、明快、不公開之原則，受理檢舉案，於議決檢舉案成立前，應以保密方式為之，不得公布檢舉人與當事人姓名及檢舉內容，並避免檢舉人及當事人曝光。

Article 5. University Evaluation Committee should accept the reports with principles of fairness, objectivity, straightforwardness and privacy. Before the examination resolution is made, everything should be confidential. The names of informer and party concerned, as well as the report contents, shall not be revealed to prevent the informer and the party concerned being exposed.

六、校教評會於受理教師資格審查案件期間，或教師資格經教育部審定後，經檢舉或發現送審人涉及第二點各款之情事時，均由校教評會先行調查認定。

教育部於受理教師資格審查案件期間，經檢舉或發現送審人涉及第二點之情事時，由教育部併同原審查過程處理。

Article 6. During the period when the University Evaluation Committee is reviewing the application for teacher qualification accreditation, or after a teacher's qualification is approved by the MOE, if the applicant is reported or found to be involved in any situation stated in Article 2, the University Evaluation Committee shall conduct the investigation and determination.

During the period when the MOE, is reviewing the application for teacher qualification accreditation, if the applicant is reported or found to be involved in any situation stated in Article 2, the MOE shall conduct the investigation and determination alone regarding the qualification accreditation.

七、校教評會於受理檢舉案後，應主動瞭解相關人員與送審人之關係，對於校教評會委員、原審查人及校外學者專家，與送審人有下列關係之一者，應予以迴避：

- (一)師生。
- (二)三親等內之血親。
- (三)配偶或三親等內之姻親或曾有此關係。
- (四)學術合作關係。
- (五)相關利害關係人。
- (六)依其他法規應予迴避 依其他法規應予迴避。

前項第五款相關利害關係人之認定，由校教評會為之。

Article 7. After accepting the report, the University Evaluation Committee shall investigate the relationship between the relevant personnel and the party concerned. Members of the University Evaluation Committee, examiners and external examiners who have one of the following relationships to the party concerned should be avoided:

- (1) Teachers and students.
- (2) The third degree relatives.
- (3) Spouse or marital relationship of the third degree relatives or previous relationships to the party concerned.
- (4) Academic cooperation.
- (5) Relevant interest parties.
- (6) Other relationships that shall be avoided according to the relevant regulations.

Identification of the relevant interest parties mentioned in (5) shall be conducted by the University Evaluation Committee.

八、校教評會受理檢舉案後，對於當事人有第二點第二款或第四款所定情事者，應即以書面通知當事人於收到通知次日起十四日內針對檢舉內容提出書面答辯，逾期不為答辯者，視同放棄答辯。

Article 8. After accepting the report, the University Evaluation Committee should notify the party concerned who has the situations mentioned in (2) or (4) of Article 2 to present a plea in writing in response to the reported contents within 14 days starting from the following day after the notification arrives. Those who do not plea exceed the time limit shall be seen as derelict in verification.

九、對於送審人有第二點第一款及第三款所定情事時，應由審理小組查證並認定後，提校教評會確認及處理。

Article 9. For applicants who have situations mentioned in (1) and (3) of Article 2, the review panel shall investigate and determine the situation, and submit the case to the University Evaluation Committee for verification and further process.

十、當事人有第二點第二款或第四款所定情事時，校教評會應將檢舉內容與當事人答辯書送原審查人再審查，必要時得另送相關領域學者專家一人至三人審查，以為相互核對，並應尊重該專業領域之判斷。審查人及學者專家身分應予保密。

審查人及學者專家審查後，應提出審查報告書，作為校教評會審理時之依據。

校教評會依第一項規定審查完竣後，必要時得同意當事人於程序中再提出口頭答辯。

校教評會於審理時，遇有判斷困難之情事，得列舉待澄清之事項再請原審查人、相關學者專家審查，並提出再審查報告。

Article 10. For the party concerned who has the situations mentioned in (2) or (4) of Article 2, the University Evaluation Committee shall send the reported contents and the plea of the concerned party to the original reviewers for re-examination. The case may be sent to one to three scholars with the relevant expertise for crosschecking, and their professional judgment shall be respected. Identities of the reviewers and the external scholars must be confidential.

After the examination of the reviewers and external scholars, a review report shall be presented to the University Evaluation Committee.

After the University Evaluation Committee reviews the case pursuant to Article 1, the Committee may agree to the concerned party presenting an oral plea when necessary.

When facing matters difficult to be determined during the review process, items to be clarified may be listed and sent to the original reviewers and external scholars for re-examination, and a new review report must be submitted.

十一、校教評會於受理教師資格審查案件期間，經檢舉或發現送審人涉及第二點第五款所定情事時，應與受到干擾之審查人取得聯繫並作成通聯紀錄，送校教評會主任委員再與該審查人查證後，提送校教評會審議；經校教評會審議屬實，應即停止其資格審查程序，並通知送審人二年內不受理其教師資格之申請，並報教育部備查。

Article 11. During the period of accepting teacher qualification accreditation, if the applicants are reported about or found involved in the situation mentioned in (5) of Article 2, the University Evaluation Committee shall contact the reviewers who are obstructed and acquire a detailed record. The information shall be sent to the chairperson of the University Evaluation Committee to be verified with the reviewers, and the case shall be submitted to the University Evaluation Committee for examination and discussion. If the matters of obstructions are sustained after the investigation of the University Evaluation Committee, the qualification accreditation shall be terminated immediately, and the applicant shall be notified that his/her application for teacher qualification accreditation shall not be accepted within two years. The case shall be reported to the MOE as well.

十二、校教評會應於接獲檢舉之日起四個月內作成具體結論後，提送教評會。遇有案情複雜、窒礙難行及寒、暑假之情形時，其處理期間得延長二個月，並應通知檢舉人及當事人。

校教評會應於審議後十日內，將處理結果及理由以書面通知檢舉人及當事人，載明議決主文、檢舉要旨、議決理由。

當事人若有不服，應於通知書送達次日起三十日內以書面向本校教師申訴評議委員會

提出申訴。

Article 12. The University Evaluation Committee should reach a definite conclusion in four months after the report is received, and the conclusion shall be submitted to the University Evaluation Committee. In the event of a complicated situation, difficulty in implementation, winter/summer vacation, the process period may be extended for two months, and the informer and the party concerned shall be notified. In ten days after the definite conclusion is made, the University Evaluation Committee shall notify the informer and the party concerned of the result and reasons in writing with the main content of the conclusion, summary of the report and the reasons for the conclusion.

十三、校教評會審理非教育部授權本校自行審查教師資格之案件，如確認當事人有違反第二點第一款至第四款情事之一，應將其認定情形及處置之建議，報教育部審議；若為教育部授權本校自行審查教師資格之案件，經校教評會確認當事人有違反第二點第一款至第四款情事之一，準用專科以上學校教師資格審定辦法規定處理，並將審議程序及處置結果，報教育部備查。

當事人有前項第一款至第四款情事之一者，除依前項規定作成處分外，如於本校受理教師資格審查期間，應不通過其資格審定，且當事人不得申請撤回資格審查案，仍應依程序處理；如教師資格經教育部審定者，報請教育部撤銷該等級之教師證書，並追回支領該等級薪給起溢領之薪給差額。

Article 13. In the event of self-reviewing the teacher qualification accreditation not authorized by the MOE, if the party concerned violates one of the situations mentioned in (1) to (4) of Article 2 and the matter is confirmed, the University Evaluation Committee should report the results of investigation and suggestions to the MOE for determination. In the event of self-reviewing, the teacher qualification accreditation authorized by the MOE, if the University Evaluation Committee confirms that the party concerned violates one of the situations mentioned in (1) to (4) of Article 2, the matter shall be processed according to “Accreditation Regulations Governing Teacher Qualifications at Institutions of Higher Education.” The examination procedures and determination shall be reported to the MOE.

For the party concerned who has one of the situations mentioned in the (1) to (4) of the preceding regulations, in addition to the punishment made according to the preceding regulations, the concerned party's qualification accreditation should be denied if his/her teacher qualification accreditation is still under review. The party concerned may not withdraw the application for qualification accreditation, which shall be processed according to the relevant procedures. For those whose teacher qualifications are approved by the MOE, the matter shall be reported to the MOE to revoke the teacher certificate of the current rank, and the difference of the excess payment of that rank shall be returned as well.

十四、校教評會議決之懲處，涉及解聘、停聘、不續聘者，應依教師法相關規定，報經教育部核准後執行之。

Article 14. Punishments made by the University Evaluation Committee, when concerning termination, non-appointment and non-reappointment to renew employment shall be pursuant to the relevant regulations of Teacher's Act. Punishments become effective after the approval of the MOE.

十五、經本校審議判定未有違反本規定之案件者，檢舉人如再次提出檢舉，應提送校教評會

審議；有具體新事證者，依本要點進行調查及處理，無具體新事證者，依前次審議決定逕復檢舉人。檢舉人如仍不服，得依法提出刑事告訴，校教評會不再處理。

Article 15. For cases that have been determined to not violate these guidelines, if the informer files the report again, the case shall be submitted to the University Evaluation Committee for examination. Cases with new definite evidence shall be investigated and processed according to these guidelines. For cases without new definite evidence, conclusions determined in the previous examination shall be replied to the informer. If the informer is still in doubt of the conclusion, he/she may press criminal charges, and the University Evaluation Committee shall not handle the case.

十六、檢舉案件經校教評會認定為濫行檢舉者，依情節輕重及檢舉人身分，由校教評會給予處分或提出懲處建議送相關單位依規定辦理。

Article 16. For the abuse of reporting identified by the University Evaluation Committee, punishment or suggestions of punishment should be offered to the relevant units in accordance with the seriousness of the matter and the identity of the informer

十七、教師送審教師資格以外之學術成就、產學合作成果等涉及抄襲、剽竊或其他舞弊情事者，除依相關單位法規之懲處外，並應提送校教評會依本要點規定辦理。

Article 17. In the event of plagiarism, pirating, or other cheating found in the academic achievements, except teacher qualification accreditation, and in industry-university cooperation, in addition to the punishments of the relevant units, the case shall be reported to the University Evaluation Committee in accordance with these guidelines.

十八、本要點經教師評審委員會通過、陳請校長核定後實施，修正時亦同。

Article 18. These Guidelines become effective after they are approved by the Faculty Evaluation Committee and ratified by the President. Amendments must follow the same procedure.

(英文版僅供參考，若有歧義，以中文版為準。)

(The English translation is for reference only. In case of any discrepancy between Chinese version and English version, the Chinese language version shall prevail.)