

# 國立中央大學碩博士學位論文違反學術倫理案件處理原則

## National Central University Guidelines for Handling Academic Ethics Violations in Master's and Doctoral Theses

110.1.13 教務會議通過

111.6.15 教務會議通過

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第一條 為處理本校研究所畢業校友涉及違反學術倫理情事，依「學位授予法」、「專科以上學校學術倫理案件處理原則」、本校「學則」、「博士班、碩士班研究生學位考試細則」及「學術倫理辦公室設置要點」等規定訂定之。

Article 1 "National Central University Guidelines for Handling Academic Ethics Violations in Master's and Doctoral Theses" (hereafter referred to as "these Guidelines") are established to address cases involving alumni of postgraduate programs at National Central University (hereafter referred to as "NCU" or "the university") who are suspected of violating academic ethics. These Guidelines are based on the "Degree Conferral Act," the "Principles for Handling Academic Ethics Cases in Higher Education," NCU's "Study Regulations," "NCU Regulations on Degree Examinations for Postgraduate Students," and the "Guidelines for the Establishment of the Office of Research Integrity at NCU."

第二條 所稱違反學術倫理，係指修業期間有關學位授予所要求之學位論文、作品、成就證明、書面報告、技術報告或專業實務報告、及其他公開發表之論文著作等學術研究成果中有下列情形之一者：

- 一、造假：虛構不存在之申請資料、研究資料或研究成果。
- 二、變造：不實變更申請資料、研究資料或研究成果。
- 三、抄襲：援用他人之申請資料、研究資料或研究成果未註明出處。註明出處不當，情節重大者，以抄襲論。
- 四、由他人代寫。
- 五、未經註明而重複發表或出版公開發行。
- 六、大幅引用自己已發表之著作，未適當引註。
- 七、以翻譯代替論著，並未適當註明。

八、送審人本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之情事，或送審人以違法或不當手段影響審查。

九、其他違反學術倫理行為。

Article 2 Violations of academic ethics include the following, related to the degree thesis, work, achievement certificate, written report, technical report, professional practice report, or any other publicly published academic research outputs required for degree conferral:

1. Fabrication: Creating false application materials, research data, or research results.
2. Falsification: Falsely altering application materials, research data, or research results.
3. Plagiarism: Using others' application materials, research data, or research results without proper citation. Severe cases of improper citation will be treated as plagiarism.
4. Ghostwriting: Having someone else write the thesis or report.
5. Repeated Submission: Repeatedly publishing or releasing the same work without proper disclosure.
6. Self-Plagiarism: Extensively quoting one's own previously published works without appropriate citation.
7. Translated Plagiarism: Substituting one's own original work with a translation of the work without proper citation or attribution.
8. Interference: The respondent personally or through others engages in soliciting, lobbying, bribing, threatening, or other forms of interfering with the reviewers or the review process, or using illegal or inappropriate means to influence the review.
9. Other: Any other behavior that violates academic ethics.

第三條 案件處理程序：

一、案件受理：學術倫理辦公室。

二、形式要件審查：依本校學術倫理辦公室設置要點第六點完成形式案件審查。因形式要件不符不予受理者，學術倫理辦公室將審查結果以書面通知檢舉人及被檢舉人。

三、實質調查：成案者將由教務處移送被檢舉人所屬學院進行調查，學院於接獲移送案件之日起十個工作日內，完成推薦專業

領域公正學者組成五至七人之調查小組進行審理，應注意迴避原則，需於接獲移送案件之日起十週內完成調查報告書並送學術研究誠信委員會審查。

四、報告書審查：由學術研究誠信委員會就調查小組作成之報告書，進行審查。

五、處分決定及回復：報告書審查結果送至學術倫理辦公室備查後，通知教務處回復案件辦理情形。

### Article 3 Procedures for Handling Cases:

1. Case Acceptance: Handled by the Office of Research Integrity (hereafter referred to as the "ORI").
2. Formal Requirements Review: The ORI will conduct a formal requirements review per Article 6 of the "Guidelines for the Establishment of the ORI at NCU." If the case does not meet the formal requirements and thus is not accepted, the ORI will notify both the complainant and the respondent of the review result in writing.
3. Substantive Investigation: Cases that pass the formal requirements review will be forwarded by the Office of Academic Affairs (hereafter referred to as the "OAA") to the respondent's college for investigation. The college must complete recommending professional and impartial scholars to establish an investigation team of five to seven members within ten working days of receiving the case from the OAA. Members of the investigation team shall adhere to the principle of recusal due to conflicts of interest. The team shall complete the investigation report within ten weeks of receiving the case, and the report shall be submitted to the Research Integrity Committee (hereafter referred to as the "RIC") for review.
4. Report Review: The RIC will review the investigation report completed by the investigation team.
5. Decision and Notification: After the results of the report review are submitted to the ORI for reference, the ORI shall notify the OAA to proceed with informing both the complainant and the respondent of the case resolution.

第四條 調查小組由所屬學院主管或院長指派之教師代表一名為會議主席，其他由被檢舉人所屬系所主管一名，及由主席推派教師代表三至五名，共計五至七名組成，並由學院簽請校長同意。如學院主管須迴避時，由校長指定所屬學院之教授擔任。調查小組成立後，於開會時委員應有三分之二以上出席。

調查小組應依情節輕重，依下列規定辦理：

一、初次審理時，無確切證據足資認定被檢舉人違反學術倫理時，毋須請被檢舉人提出書面答辯，逕依據原始檢舉函及所有相關檢舉資料之具體事實及理由作成調查報告書，於調查報告書作成五個工作天內提送學術研究誠信委員會審查。

二、對於被檢舉人疑有第二條所定情事者，應檢附原始檢舉函及所有相關檢舉資料，以書面通知被檢舉人於文到二十日內針對檢舉內容提出書面答辯。調查小組有確切證據足資認定被檢舉人違反學術倫理時，應將審理之具體事實、建議處置種類及理由作成調查報告書，並於調查報告書作成五個工作天內提請學術研究誠信委員會審查；倘認定被檢舉人無違反學術倫理時，仍應將調查報告書提學術研究誠信委員會審查。

三、如情節仍有疑義者，得另外送請該專業領域校外公正學者專家（以下簡稱外審委員）三人以上進行審查。外審委員應提出審查意見，調查小組必要時得將外審委員審查意見以書面通知被檢舉人於文到二週內提出書面說明，俾供調查小組將審理結果作成調查報告書後提學術研究誠信委員會審查。

四、如情節屬重大者或屬可能撤銷學位者，調查小組得進行指導教授責任調查，並將調查結果一併送學術研究誠信委員會備查。

本校接獲第二條第一項第八款所定情事後，應與受到干擾之審查人取得聯繫並作成紀錄，送調查小組與該審查人查證後，提學術研究誠信委員會審查。

Article 4 The investigation team is chaired by a faculty member appointed by the dean or relevant authority of the respondent's college and consists of five to seven members, including a superintendent of the respondent's department or graduate institute and three to five faculty members selected by the chair. The college shall submit the list of the team

members to the president of NCU for approval. If the college dean shall recuse themselves, the president will appoint another professor from the college. The investigation team requires a quorum of two-thirds of its members to conduct meetings.

The investigation team shall follow the steps below depending on the severity of the case:

1. If no evidence is found during the initial review to substantiate the allegations, no written defense is required from the respondent, and the team will proceed to produce an investigation report based on the specific facts and reasons in the original complaint and relevant materials. The investigation report will be submitted to the RIC for review within five working days of the report's completion.
2. If the respondent is suspected of violating Article 2, the investigation team shall send a written notification, with a copy of the original letter of complaint and all relevant complaint materials attached, notifying them that they must submit a written defense against the complaint within twenty days of receipt. If substantial evidence is found to prove the respondent's violations of research integrity, the team shall compile an investigation report with findings, recommended actions, and justifications, and submit it to the RIC for review within five working days of the report's completion. Even if no violation is found, the team shall still submit an investigation report to the RIC for review.
3. If uncertainties remain, the case may be referred to an external review committee that consists of at least three external impartial scholars and experts (hereafter referred to as "members of the external review committee") in the relevant professional field for additional review. The members of the external review committee shall present their opinions. The investigation team may, if necessary, include the opinions in a written notification to the respondent, requesting a written explanation within two weeks of receipt. The investigation team will compile an investigation report with the review results and then submit it to the RIC for review.
4. In cases involving serious violations or potential degree revocation, the investigation team may also investigate the responsibility of the respondent's thesis advisor and then include the findings in the investigation report submitted to the RIC for reference.

Upon receiving a report involving any situations listed in Article 2, Paragraph 1, Subparagraph 8, the university must contact the affected reviewer(s) and document the situations. The record will be submitted to the RIC for review after being verified by the investigation team and the affected reviewer(s).

第五條 學術研究誠信委員會審查前應通知被檢舉人，被檢舉人得就調查報告書所指摘之事實提出陳述意見書，並於審查時到場說明或得以視訊方式說明。申復時亦同。但經調查小組依第四條認定未違反學術倫理者，被檢舉人毋須至學術研究誠信委員會列席說明。

學術研究誠信委員會審查決議後，應將審查報告書及會議紀錄，送至學術倫理辦公室備查，於一週內簽請教務處以書面通知檢舉人、被檢舉人、調查小組並副知懲處項目執行單位。依第四條第二項第一款認定未違反學術倫理者，亦同。

學術研究誠信委員會審查完成後，若案件係教育部轉請本校審查者，系所應填妥教育部「專科以上學校學生學位論文涉及學位授予法第 17 條情事查核表」(附表)，送請教務處報部核備。

如審查時，遇有判斷困難之情事，得列舉待澄清之事項，請調查小組續為調查。

Article 5 The RIC shall notify the respondent prior to the review. The respondent may submit a statement of objections to the findings listed in the investigation report and present their explanation in person or via video conference when the review takes place. The same procedure applies to the review filed by the respondent regarding the review results. However, if the investigation team has determined no violation occurred, the respondent is not required to attend the RIC's review meeting.

After the RIC completes its review and reaches its resolution, the review report and the meeting minutes shall be sent to the ORI for reference. Within one week of the review's completion, the ORI shall formally request the OAA to notify the complainant, the respondent, the investigation team, and the enforcement unit of the resolution. The same

procedure applies to the situation where no violation is found, as stated in Article 4, Paragraph 2, Subparagraph 1.

After the RIC completes its review, if the case was referred by the Ministry of Education (hereafter referred to as the "MOE"), the department or graduate institute must complete the attached "Checklist for Reviewing Students' Degree Theses at Junior Colleges and Above Involving Circumstances under Article 17 of the Degree Conferral Act" and submit it to the OAA, which will then submit it to the MOE for verification.

In cases where further clarification is needed, the RIC may list items that require clarification and request that the investigation team conduct additional investigations.

第六條 被檢舉人於收到審查結果通知後，如有不服，得於收受通知三十日內，以書面敘明具體事實，向學術研究誠信委員會提出申復，申復以一次為限。學術研究誠信委員會自收受申復書之次日起，應於二個月內審查決定並副知教務處；必要時，得予延長至多一個月，並通知被檢舉人。學術研究誠信委員會作出申復案件之審查結果，由學術倫理辦公室於審查後十日內函復被檢舉人並副知教務處。

被檢舉人對申復結果仍有異議者，得依訴願法之規定，向教育部提起訴願。

Article 6 If the respondent disagrees with the review results after receiving the notification of the review results, they may submit a written appeal to the RIC within thirty days of receiving the notification, outlining specific facts. The appeal can be filed only once. The RIC shall review its original resolution within two months from the next day of receiving the appeal and then notify the OAA of the receipt. If necessary, the review period may be extended by up to one month, and notice of the extension shall be provided to the respondent. After the RIC completes the review filed by the respondent, the ORI will notify the respondent of the appeal decision in writing and inform the OAA of the decision within ten days of the review.

If the respondent still disagrees with the appeal decision, they may file a petition with the MOE per the Administrative Appeal Act.

第七條 檢舉案件調查結果，符合第二條各款情事，得按其情節輕重，由學術研究誠信委員會作成下列單一或多重處分，送請教務處或相關系所依規定執行：

- 一、書面告誡。
- 二、參加一定時間之學術倫理相關課程，並取得證明。
- 三、經審查非屬情節重大，但仍有違反學術倫理情形者，學術研究誠信委員會應限期要求被檢舉人修正、道歉或採取其他適當處置。被檢舉人依限完成懲處事項並檢附證明文件，經被檢舉人指導教授及系所主管核定後，送教務處備查；未依限完成懲處事項，經系所提報教務處後，依本條第四款規定辦理。
- 四、經審查屬情節重大者，應撤銷學位，並公告註銷其已頒給之學位證書後通知當事人繳還該學位證書，並將撤銷與註銷事項，通知其他專科學校、大學及相關機關（構）。有違反其他法令規定者，並應依相關法令規定處理。經撤銷學位並註銷學位證書者，視同退學論處，即使未屆滿修業年限，亦不得回校繼續修讀。另發函國家圖書館及本校圖書館撤下被檢舉人之論文紙本及電子檔案。

受前項處分之被檢舉人，其所屬系所應建立輔導及教育機制，並落實處分內容之執行。

前項處分之執行，不因被檢舉人提出申復、訴願或行政訴訟而暫緩執行。

Article 7 If the investigation confirms any violation stated in any subparagraph of Article 2, the RIC may impose one or more of the following penalties, to be enforced by the OAA or the relevant department or graduate institute per regulations:

1. Written warning.
2. Mandatory attendance in an academic ethics course for a specified period, with certification of completion.
3. For minor violations, the respondent must make corrections, apologize, or take other appropriate actions within a specified timeframe. The respondent must complete the required disciplinary actions within the specified timeframe and submit supporting documents. After the supporting documents are verified by the respondent's thesis advisor and the head of the respondent's department or graduate institute, the documents shall be forwarded



to the OAA for reference. If the respondent fails to complete the required disciplinary actions within the specified timeframe, the matter will be handled per Article 7, Paragraph 1, Subparagraph 4, following the department's or the graduate institute's report to the OAA.

4. For serious violations, the respondent's degree shall be revoked. NCU shall publicly announce the cancellation of the respondent's diploma and notify the respondent to return their diploma to NCU. The cancellation will be reported to other junior colleges, colleges, universities, and relevant institutes or agencies. Legal action may also be taken per relevant laws and regulations for violations of other laws and regulations. "The revocation of a degree and the cancellation of a diploma result in expulsion from NCU, with no possibility of resuming studies at NCU, even if the period of study has not expired. NCU will also notify the National Central Library and the NCU Library that both the printed and electronic copies of the respondent's thesis shall be removed from both libraries.

Departments or graduate institutes must establish counseling and educational mechanisms for respondents subject to the penalties listed in Article 7, Paragraph 1, and ensure proper enforcement.

The enforcement of the penalties listed in Article 7, Paragraph 1, shall not be suspended due to any appeal, petition, and legal action filed or taken by the respondent.

第八條 依本原則受理檢舉、參與調查或審查程序之人員，就審理過程、評審意見及所接觸資訊，應予保密。

檢舉人之真實姓名、地址或其他足資辨識其身分之資料，應採取必要之保密措施。

調查小組成員及審查人身分應予保密。

審查結果如遇涉及本校聲譽、嚴重影響社會觀感，本校得對外適切說明，不受第一項規定限制。

Article 8 All individuals involved in processing, investigating, or reviewing cases per these Guidelines must maintain confidentiality regarding the process, reviewers' opinions, and information accessed.

The identities of complainants, including their names, addresses, or other identifiable information, must be kept confidential.

The identities of investigation team members and reviewers must be kept confidential.

If the case affects the university's reputation or has a significant social impact, the university may make appropriate public statements, unbound by Article 8, Paragraph 1.

第九條 案件處理過程中之相關人員，與被檢舉人有下列情事之一者，應自行迴避：

- 一、曾有指導博士、碩士學位論文之師生關係。
- 二、配偶、前配偶、四親等內之血親或三親等內之姻親，或曾有此關係。
- 三、近三年發表論文或研究成果之共同參與研究者或共同著作人。
- 四、審查該案件時共同執行研究計畫。
- 五、現為或曾為被檢舉人之訴訟代理人或輔佐人。

被檢舉人得申請下列人員迴避：

- 一、有前項所定之情形而不自行迴避者。
- 二、有具體事證足認其執行職務有偏頗之虞者。

相關人員有第一項所定之情形而未自行迴避，或其執行職務有偏頗之虞者，審查單位應依職權命其迴避。

相關人員，得自行申請迴避。

委託送請審查之專家學者，其迴避準用本條規定。

Article 9 Individuals involved in handling a case who have any of the following relationships with the respondent must recuse themselves:

1. Former advisor-advisee relationship involving the respondent's doctoral or master's thesis.
2. Spouse, former spouse, blood relative within the fourth degree, or relative by marriage within the third degree, or any of these relationships in the past.

3. Co-authorship of a paper or joint participation in a research project in the past three years.
4. Joint participation in a research project when the respondent's case is under review and investigation.
5. Current or former legal representative or assistant of the respondent.

The respondent may request the recusal of individuals under the following conditions:

1. If the individuals meet the criteria listed in the previous Paragraph but have not recused themselves.
2. If there is specific evidence of potential bias in the performance of the individuals' duties.

If any of the relationships listed in Paragraph 1 of this Article exists between the respondent and any individual involved in handling the case but the individual does not recuse themselves, or if there is a risk of bias in the performance of the individual's duty, the reviewing body may order the individual to recuse themselves.

The individuals involved in handling the case may also voluntarily apply to recuse themselves.

The same recusal rules listed in this Article apply to external experts or scholars commissioned for review.

第十條 檢舉案經學術研究誠信委員會決定未成立，檢舉人如再次提出檢舉，除有具體新事證應進行調查及處理外，由學術倫理辦公室逕覆檢舉人，不予受理。

本校教職員生濫行檢舉經學術研究誠信委員會確定者，得衡量其情節輕重，由學術倫理辦公室移請各權責單位予以議處。

Article 10 If the RIC determines that a case is not established, and the complainant submits the case again without presenting new substantial evidence, the ORI will inform the complainant that the case will not be accepted.

If a faculty member or student at NCU is found by the RIC to have made a frivolous complaint, the ORI may refer the matter to the appropriate unit for disciplinary action.

第十一條 本原則如有未盡事宜，依教育部及本校相關規定辦理。

Article 11 Matters not covered by these Guidelines will be handled per relevant regulations of the MOE and NCU.

第十二條 本原則經教務會議通過後實施，修正時亦同。

Article 12 These Guidelines take effect upon approval by the Academic Affairs Committee. Amendments to these Guidelines follow the same procedure.