

國立屏東科技大學教師違反送審教師資格規定處理要點

Guidelines for Violations of Teacher Qualification Review Regulations by Faculty Members of National Pingtung University of Science and Technology

89年4月18日本校88學年度第2學期第2次教評會審議通過
98年10月29日本校98學年度第1學期第2次教評會修正通過
99年6月28日本校第43次校務會議修正通過
101年1月9日本校第49次校務會議修正通過
102年6月10日本校第53次校務會議修正通過
106年12月25日第62次校務會議修正通過第1、2、5、7、8、10、11、12及13點暨附件作業流程表
教育部107年2月22日臺教高(五)字第1070026781號函同意備查
111年12月26日第72次校務會議修正通過第2點

一、國立屏東科技大學（以下簡稱本校）為處理教師違反送審教師資格相關案件，特依據教育部訂定之「專科以上學校教師資格審定辦法」、「專科以上學校教師違反送審教師資格規定處理原則」及「專科以上學校學術倫理案件處理原則」訂定本要點。

1. National Pingtung University of Science and Technology (hereinafter referred to as "the University") establishes these guidelines for handling cases related to faculty members violating the qualifications review process for teachers, in accordance with the "Regulations Governing Accreditation of Teacher Qualifications at Junior Colleges and Institutions of Higher Education" and the "Principles for Handling Violations of Teacher Qualification Review Regulations at Junior Colleges and Institutions of Higher Education" established by the Ministry of Education, as well as the "Principles for Handling Academic Ethics Cases at Junior Colleges and Institutions of Higher Education."

二、本要點所稱違反送審教師資格規定及違反學術倫理情事，指送審人有下列情事之一：

2. The terms "violating the qualifications review process for teachers" and "violating

academic ethics" as referred to in these guidelines, shall mean one of the following situations by the applicant:

(一) 教師資格審查履歷表、合著人證明登載不實、代表著作未確實填載為合著及繳交合著人證明、未適當引註、未經註明授權而重複發表、未註明其部分內容為已發表之成果或著作或其他違反學術倫理情事。

(1) False information in the teacher qualification review resume, false representation of co-authors, failure to accurately list representative works as co-authored and submit proof of co-authors, improper citation, repetition of publication without authorization, failure to indicate that some content is previously published, or other violations of academic ethics.

(二) 著作、作品、展演及技術報告有抄襲、造假、變造或剽竊或其他舞弊情事。

(2) Plagiarism, falsification, tampering, or other fraudulent activities in works, productions, exhibitions, and/or technical reports.

(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、以違法或不當手段影響論文之審查。

(3) Forged, falsified, or fraudulently obtained academic credentials, achievement certificates, proof of specialized works accepted for periodic publication, forged co-authorship, or other illegal or inappropriate methods that affect the review of the thesis.

(四) 送審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。

(4) Severe interference with the review process or review panel by the applicant or through solicitation, lobbying, bribery, threats, or other forms of interference.

(五) 其他違反「教育部專科以上學校學術倫理案件處理原則」及「**國家科學及技術委員會學術倫理案件處理及審議要點**」所列情事者。

(5) Other situations not covered in the "Principles for Handling Academic Ethics Cases at Junior Colleges and Institutions of Higher Education" and the "**Guidelines for Handling and Reviewing Academic Ethics Cases by the National Science and Technology Commission.**"

三、本校教師評審委員會（以下簡稱校教評會）應成立「違反送審教師資格規定審理小組」（以下簡稱審理小組），並本公正、客觀、明快之原則處理教師涉嫌違反本規定之檢舉案件。

3. The Faculty Evaluation Committee of our university shall establish a "**Committee for Handling Violations of Teacher Qualification Evaluate Regulations**" (hereinafter referred to as the "**Evaluation Committee**") to handle complaints of teachers suspected of violating these regulations in a fair, objective, and timely manner.

審理小組成員五至七人，由校教評會主席擔任召集人，其餘成員由召集人指定校教評會委員組成，必要時得聘請校外公正學者參與。

The Evaluation Committee shall consist of five to seven members, with the Chair of the Faculty Evaluation Committee serving as the convener and the remaining members appointed by the convener from among the members of the Faculty

Evaluation Committee. When necessary, external impartial scholars may be hired to participate.

四、違反本規定案件之檢舉人應用真實姓名及地址，向校教評會提出檢舉書，且應具體指陳違反本規定之情事並附證據資料。

4. The complainant of a case violating these regulations shall use their real name and address to submit a complaint to the Faculty Evaluation Committee, specifying the specific violations of these regulations and attaching evidence.

審理小組於接獲檢舉案件後，應於一週內完成前項形式要件審查，如形式要件不符，則不予受理，並由校教評會主席確認，以書面通知檢舉人結案；形式要件符合者，應即進入校內處理程序(如附件)，並以保密方式為之，避免檢舉人與送審人曝光。

Upon receiving a complaint case, the Evaluation Committee shall complete a formal review of the above requirements within one week. If the formal requirements are not met, the case shall not be accepted, and the Chair of the Faculty Evaluation Committee shall confirm this in writing, notifying the complainant of the closure of the case. If the formal requirements are met, the case shall immediately enter the internal processing procedure (provided in the appendix), handled in a confidential manner to avoid exposure of the complainant and the applicant.

對於未具名而具體指陳違反本要點之檢舉，得經審理小組決議後，依前項規定辦理。

For complaints that specify violations of these guidelines without naming the

complainant, the Evaluation Committee may decide to handle them in accordance with the provisions of the preceding paragraph.

五、審查小組成員、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：

5. Members of the Evaluation Committee, original reviewers, and external expert scholars who have any of the following relationships with the applicant shall recuse themselves:

(一) 具碩、博士論文指導之師生關係。

(1) Teacher-student relationship in advising master's or doctoral theses.

(二) 本人或其配偶、前配偶、四親等內之血親或三親等內之姻親或曾有此關係者為事件之當事人。

(2) Themselves, their spouses, former spouses, blood relatives within the fourth degree of kinship, or relatives by marriage within the third degree of kinship, or individuals who have had such relationships as parties involved in the case.

(三) 現為或曾為該事件當事人之代理人、輔佐人、於該事件，曾為證人、鑑定人。

(3) Currently or formerly acting as agents or assistants for the parties involved in the case, or serving as witnesses or experts in the case.

(四) 與送審人所提之送審代表著作及參考著作有學術合作關係。

(4) Having academic collaboration relationships with the representative works submitted by the applicant or the reference works cited by the applicant.

(五) 相關利害關係人。

(5) Relevant stakeholders.

(六) 依其他法規應予迴避。

(6) Recusal as required by other regulations.

六、校教評會對於送審人有第二點第一項第二款或第四款所定情事時，應通知送審人二週內提出書面答辯後，併同檢舉內容及答辯書送原審查人再審查，必要時得另送相關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份應予保密。

6. When the Faculty Evaluation Committee finds that the applicant falls under the circumstances described in subsection (2) or (4) of Article 2, it shall notify the applicant to submit a written defense within two weeks. The contents of the complaint, defense, and any relevant documents shall be forwarded to the original reviewer for reevaluation. If necessary, one to three additional expert scholars may be appointed for review to cross-check opinions. The professional identities of the reviewers and expert scholars shall be kept confidential.

審查人及學者專家審查後，應提出審查報告書，俾作為審查小組審理時之依據。

Upon completion of the review, the reviewers and expert scholars shall submit review reports for the Evaluation Committee's consideration.

審查小組於依第一項規定審查完竣後，必要時得同意送審人於程序中再提出口頭答辯。

After the completion of the review process as stipulated in the (1) subsection, the

Evaluation Committee may, if necessary, agree to allow the applicant to present an oral defense during the proceedings.

審查小組審理時，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。

During the Evaluation Committee's deliberations, in cases where judgment is difficult, the Evaluation Committee may list items requiring clarification and request the original reviewer and relevant academic experts to reevaluate.

七、本校於受理教師資格審查案件期間，經檢舉或發現送審人有第二點第一項第四款所定情事時，應與受到干擾之審查人取得聯繫並作成電話紀錄，送校教評會主席再與該審查人查證後，提會審議；經校教評會審議屬實者，應即停止其資格審查程序，並由本校通知送審人。

7. During the period in which the university handles teacher qualification review cases, if a complaint is received or if it is discovered that the applicant falls under the circumstances described in subparagraph (4) of Article 2, the university shall contact the affected reviewer and document the communication. After verification by the Chairperson of the Evaluation Committee, if the allegation is found to be true, the qualification review process shall be immediately suspended, and the applicant shall be notified accordingly.

八、審理小組應於受理書面檢舉之日起三個月內，作成具體結論提送校教評會審議。校教評會應於一個月內確認違反本規定是否成立，並作成具體決議。決議不成立者，以書面通知檢舉人及被檢舉人後結案；決議成立者，由校教評會視情節輕重為以下之處分：

8. The Evaluation Committee shall, within three months from the date of receiving the written complaint, formulate specific conclusions and submit them to the Faculty Evaluation Committee for deliberation. The Faculty Evaluation Committee shall confirm whether a violation of these regulations has occurred within one month and make specific decisions. If the decision is not established, the complainant and the accused shall be notified in writing, and the case shall be closed. If the decision is established, the Faculty Evaluation Committee shall impose the following penalties based on the severity of the circumstances:

(一) 解聘、停聘或不續聘。

(1) Dismissal, suspension, or non-renewal of contract.

(二) 一定期間內不受理教師升等之申請：

(2) Ineligibility for teacher promotion applications for a certain period:

1、送審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：一年至二年。

a. Serious interference with the review process or procedure by solicitation, persuasion, inducement, threat, or other means: one to two years.

2. 教師資格審查履歷表、合著人證明登載不實、代表著作未確實填載為合著及繳交合著人證明、未適當引註、未經註明授權而重複發表、未註明其部分內容為已發表之成果或著作或其他違反學術倫理情事：一年至五年。

b. Misrepresentation in the teacher qualification review resume, false representation of co-authors, failure to properly cite sources,

unauthorized duplication of publications, failure to indicate previously published content, or other violations of academic ethics: one to five years.

3、著作、作品、展演及技術報告有抄襲、造假、變造或剽竊或其他舞弊情事：五年至七年。

c. Plagiarism, falsification, tampering, or other fraudulent practices in works, performances, exhibitions, or technical reports: five to seven years.

4、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、以違法或不當手段影響論文之審查：七年至十年。

d. Falsification or alteration of academic credentials, achievement certificates, specialized works, or manipulation of thesis review by illegal or improper means: seven to ten years.

(三) 當學年度不予年資加薪或年功加俸。

(3) No annual salary increase or promotion for the academic year.

(四) 限制一定期間內不得參與校內各級教評會、論文審查（口試）。

(4) Restriction from participating in Faculty Evaluation Committees, thesis reviews (oral examinations), or other internal academic activities for a certain period.

本校應於校教評會審議後十日內，將處理結果及理由以書面通知檢舉人及送審人。

The University shall notify the complainant and the accused in writing of the handling results and reasons within ten days after the Faculty Evaluation Committee's deliberation.

第一項審查期限如遇有案情複雜、窒礙難行及寒、暑假之情形時，其處理期間得延長二個月，並應通知檢舉人及送審人。

If the first paragraph's review period encounters complex cases, hindrances, or the occurrence during winter or summer vacation, the processing period may be extended by two months, and the complainant and the accused shall be informed accordingly.

九、送審人如對校教評之決定如有不服，應於收到書面通知之次日起三十日內，依本校「教師申訴評議委員會組織及評議要點」規定，向本校教師申訴評議委員會提起申訴，或依法提起訴訟或依訴願法或行政訴訟法或其他保障法律等有關規定，請求救濟。

9. Should the appellant disagree with the decision made by the Faculty Evaluation Committee, they shall, within thirty days from the next day after receiving written notification, file an appeal to the Faculty Appeal Committee in accordance with the regulations outlined in "Organization and Procedures of the Faculty Appeal Committee" of our university, or seek relief in accordance with relevant laws or regulations such as the Appeal Act, Administrative Appeal Act, or other safeguarding laws.

十、校教評會審議教師違反本要點之案件時，應有全體委員三分之二以上之出席及出席委員三分之二以上同意，始得決議。

10. When the Faculty Evaluation Committee deliberates on cases of teachers violating the provisions of these guidelines, a quorum of two-thirds or more of all members must be present, and approval from two-thirds or more of the attending members is required to make a decision.

前項審議決定，委員中有應行迴避之情事者，仍得列入出席委員人數，惟不得列入決議委員人數計算。

The deliberation decision shall include members who should abstain, but such members shall not be counted towards the total number of decision-makers.

十一、本校對於教師違反本要點之案件，自本校審議決定之日起，為不受理其教師資格審定之申請，經審議確定者，將審議程序及處置結果，報送教育部備查。

11. Once the university determines a teacher has violated these guidelines, from the date of our university's deliberation decision, their application for accreditation of teacher qualifications will not be accepted. Once the deliberation confirms a violation, the investigation process and disposition result shall be reported to the Ministry of Education for review.

教師懲處若涉及解聘、停聘、不續聘時，應依教師法及相關規定程序，報教育部核准。

When teacher penalties involve dismissal, suspension, or non-renewal, the procedures must comply with the Teacher's Law and relevant regulations, and require approval from the Ministry of Education.

教師經檢舉或發現涉及本要點第二點第一項各款情事之一者，不得申請

撤回資格審查案，仍應依程序處理；違反送審教師資格規定案件一經成立，不因送審人提出申訴或行政爭訟而暫緩執行。

Teachers who have been reported or discovered to have engaged in any of the circumstances stipulated in subparagraph (1) of Article 2 of these guidelines may not apply to withdraw their qualification review cases. They must still be handled according to the procedures. Once a case of violation of teacher qualification review regulations is established, execution shall not be suspended due to appeals or administrative litigation by the appellant.

十二、案件經審議後判定未違反本要點規定時，應將調查結果以書面通知檢舉人，並副知送審人。檢舉人若再次提出檢舉，應提校教評會審議。

12. If a case is determined not to have violated the provisions of these guidelines after investigation, the investigation results shall be communicated in writing to the appellant and copied to the applicant. If the appellant re-submits a complaint, the matter shall be referred to the Faculty Evaluation Committee for review.

校教評會經審議再次檢舉內容，無具體新事證者，得依前次審議決定逕復檢舉人；有具體新事證者，則依本要點進行調查與處理。

After re-evaluating the contents of the re-submitted complaint, if no new concrete evidence is found, the decision from the previous review may be reinstated. If there is new concrete evidence, an investigation and handling shall be conducted in accordance with these guidelines.

各學院及學系、所、中心教師評審委員會對經教師申訴受理機關或其他

救濟機關要求依相關法令規定辦理，仍不辦理者，經同一教師申訴受理機關或救濟機關再判定違法者，得由高一級之教師評審委員會重為審查程序。

If a college, department, institute, or center's Faculty Evaluation Committee refuses to comply with the requests of the agency handling teacher appeals or other relief organizations in accordance with relevant laws and regulations, and is subsequently determined to have acted unlawfully by the same agency or relief organization, the higher-level Faculty Evaluation Committee shall conduct a review procedure.

檢舉人如為本校教師，對於濫行檢舉致生影響校園和諧之情事，校教評會得衡量其情節輕重，依據本校「教師倫理守則」規定議處。

If the complainant is a faculty member of the university, and the act of frivolous reporting affects campus harmony, the Faculty Evaluation Committee may, based on the severity of the situation, decide the appropriate measures according to the "Code of Ethics for Teachers" of our university.

十三、本要點規定未盡事宜，悉依「專科以上學校教師資格審定辦法」、「專科以上學校教師違反送審教師資格規定處理原則」及「專科以上學校學術倫理案件處理原則」相關規定辦理。

13. For matters not covered in these guidelines, the relevant regulations of the "Regulations Governing Accreditation of Teacher Qualifications at Junior Colleges and Institutions of Higher Education," "Principles for Handling Violations of Teacher Qualification Review Regulations at Junior Colleges and

Institutions of Higher Education," and "Principles for Handling Academic Ethics Cases at Junior Colleges and Institutions of Higher Education" shall apply.

本要點經本校校務會議通過後施行，修正時亦同。

These guidelines shall be implemented after being approved by the university's Academic Affairs Meeting, and any amendments shall follow the same procedure.

疑似涉嫌違反送審教師資格規定檢舉案

審查小組：形式審查(一週內完成)

形式要件不符：

不受理

形式要件符合：

進入處理程序

違反第二點第一款、三款者：由審查小組查證並作出具體結論提送教評會

違反第二點第四款者：

1. 與受到干擾之審查人聯繫並作成電話紀錄

2. 教評會主席再與審查人查證

3. 提校教評會審議

違反第二點第二款者：

1. 通知被檢舉人於收到通知書後二週內提出答辯書；被檢舉人逾期不為答辯者，視同放棄答辯。

2. 將檢舉內容及答辯書送原審查人再審查或另送相關學者專家審查。必要時，得通知被檢舉人提出再答辯，

3. 審查報告書提送校教評會審議。

4. 審議不成立者，以書面通知檢舉人及被檢舉人；成立者，由教評會視情節，予被檢舉人懲處之決定。

對審議不成立者，以書面通知檢舉人及被檢舉人；成立者，由教評會視情節，予被檢舉人懲處之決定。

1. 本校對於教師違反本要點之案件，自本校審議決定之日起，為不受理其教師資格審定之申請，經審議確定者，將審議程序及處置結果，報送教育部備查。

2. 涉及解聘、停聘、不續聘之懲處決定，依規定程序，報教育部核准。

3. 涉及違反教師資格審查以外之學術倫理案件，依「專科以上學校學術倫理案件處理原則」相關規定辦理。

審議屬實者，駁回送審人之申請，且二年內不受理教師資格之申請。

Appendix: Procedure for Handling Violations of Teacher Qualification Review Regulations

Alleged Violation of Teacher Qualification Review Regulations Report
Evaluate Committee: Formal Review (to be completed within one week)

Formal Requirements Not Met:

Not Accepted

Formal Requirements Met: Proceed to Processing Procedure

Violations of subsections (1) and (3) of Article 2: The Evaluation Committee shall verify and make a concrete conclusion to be submitted to the Faculty Evaluation Committee.

Violations of subsection (4) of Article 2:

1. Contact the reviewee who was interfered with and make a telephone record.
2. The Chairperson of the Faculty Evaluation Committee shall verify with the reviewee.
3. Submit to the Faculty Evaluation Committee for deliberation.

Violations of subsection (2) of Article 2:

1. Notify the accused to submit a written defense within two weeks upon receipt of the notification letter; failure to submit a defense within the stipulated period shall be deemed as a waiver of defense.
2. Submit the contents of the complaint and the defense to the original examiner for reevaluation or to other relevant academic experts for review. If necessary, notify the accused to submit a further defense.
3. Present the review report to the Faculty Evaluation Committee for deliberation.
4. If the deliberation results in a finding of non-violation, notify both the complainant and the accused in writing. If a violation is established, the Faculty Evaluation Committee will decide on the disciplinary measures against the accused based on the severity of the situation.

In cases where the deliberation results in a finding of non-violation, both the complainant and the accused shall be notified in writing. If a violation is established, the Faculty Evaluation Committee will determine the disciplinary measures against the accused based on the circumstances.

1. Regarding cases where teachers violate the provisions of these guidelines, the university will not accept their applications for teacher qualification review from the date of the university's decision. Once confirmed through deliberation, the university will report the deliberation process and the outcome of the disciplinary measures to the Ministry of Education for reference.
2. Decisions regarding dismissal, suspension, or non-renewal of employment will be submitted to the Ministry of Education for approval according to the prescribed procedures.
3. For cases involving academic ethics violations beyond the scope of teacher qualification review, procedures will be conducted in accordance with the relevant regulations outlined in the "Principles for Handling Academic Ethics Cases at Junior Colleges and Institutions of Higher Education."

If the violation is found to be substantiated, the application for teacher qualification shall be rejected, and no application for teacher qualification shall be accepted within two years.

