

Guidelines for the Establishment and Operation of Ethics Committees at All Levels Academia Sinica

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1. The Academia Sinica (hereinafter referred to as the AS) has established these guidelines in accordance with the Code of Ethics for Academia Sinica Research Fellows and Research Specialists (hereinafter referred to as AS Code of Ethics).
2. The Division of Mathematics and Physical Sciences, the Division of Life Sciences and the Division of Humanities and Social Sciences at AS shall each establish a divisional ethics committee (hereinafter referred to DEC).

The AS shall establish the Academia Sinica Ethics Committee (hereinafter referred to as the ASEC).

3. Each DEC shall be responsible for the following:
 - 3.1 Review of violations of the AS Code of Ethics except those specified in related regulations are subject to those regulations
 - 3.2 Review of violations to which the AS Code of Ethics is applicable
 - 3.3 Review of cases to which the AS Code of Ethics is applicable as specified in other AS regulations
 - 3.4 Review of cases involving conflicts of interest resulted from technology transfers
4. Each DEC shall consist of five to seven members to be appointed by the AS president from research fellows in the AS and individuals outside the AS after the AS vice president representing the respective division solicits the opinions of the staff members of the division. The directors and deputy directors of the first-level departments of the Central Office of Administration, research institutes and research centers in the AS may not serve the DEC.

Each DEC member shall serve a term of two years and may continue to hold the position if reappointed. If a seat becomes vacant during a term, a replacement shall be appointed as prescribed in the preceding paragraph to take over the position until the term expires.

If an AS vice president is suspected of violating the AS Code of Ethics, the AS president shall appoint a research fellow to organize a special DEC according to the procedure specified in Paragraph 1 of Point 4 to review the case.

DEC members are non-paid positions but may receive review fees.

The names of DEC members shall be kept confidential.

5. Each DEC shall have a convener to be elected among the committee members and to convene meetings when necessary. All DEC meetings and votes shall be conducted according to the AS Code of Ethics.

Each DEC shall have an administrative officer to be responsible for secretarial work and draft resolutions according to the instructions of the convener. The position shall be taken concurrently by an AS staff member appointed by the AS president.

6. When any staff member or director of a first-level unit is informed of or discovers under any circumstances a violation of the AS Code of Ethics or a case falling under the jurisdiction of a DEC, he or she shall launch an initial investigation immediately.

If any staff member or director of a first-level unit confirms the preceding investigation violates the Code of Ethics, he or she shall present the related evidence to the DEC for review. If necessary, the AS president may directly submit such evidence to the DEC for review.

Any staff member aware of a violation of academic ethics as specified in Point 5 of the AS Code of Ethics may directly report it to his or her DEC. The concerned party or parties may also turn themselves for investigation.

Informers shall file complaints with their real names as well as related evidence in written form. Anonymous complaints and complaints filed without indication of any specific offender and sufficient evidence shall not be accepted.

7. A DEC convener may request two to three committee members, scholars or specialists to form an investigation team to investigate filed complaints and present the outcome to be reviewed by the ASEC. If a violation of academic ethics as specified in Point 5 of the AS Code of Ethics is involved, the investigation team shall include at least two impartial scholars from the related field. If necessary, legal experts may be invited to provide their opinions in writing.

When investigating a case, a DEC may notify the concerned party or parties to provide written defenses and also invite stakeholders, scholars and specialists or personnel from the related units in the AS to give their statements.

If a DEC finds it necessary to have the assistance of the AS or any institute, department or research center to acquire evidence to facilitate an investigation, the related unit or units shall cooperate.

A DEC shall keep confidential the identities of scholars and specialists participating in investigations or attending committee meetings and the concerned party or parties. All personnel attending DEC meetings shall also keep confidential the contents of such meetings.

8. When handling a violation of ethics or a conflict of interest, a DEC shall assure the confidentiality of the investigation process and data and complete the review within three months after a case is established. If necessary, a DEC may request the AS president to extend the period.

9. When reviewing cases involving violations of ethics or conflicts of interest, a DEC shall reach one or more of the following resolutions according to the AS Code of Ethics:

9.1 If a violation of ethics is confirmed, reasons shall be stated depending on the seriousness of the violation, and appropriate punishments or other specific suggestions shall be proposed according to the measures listed below. After the decision is approved by the AS president, all the concerned parties and related units shall be informed of the decision in writing. After the review decision is finalized, the case shall be transferred to the related authorities in the AS for subsequent process.

9.1.1 Issuance of a written warning

9.1.2 Revocation or repeal of awards given by the AS and retrieval of the corresponding prize money

9.1.3 Restrictions on application for various academic activities and research projects

9.1.4 Suspension from use of various academic and administrative resources

9.1.5 Suspension from taking any managerial or administrative position and serving in any committee in any institute, department or research center in the AS

9.1.6 Academic research performance not to be rated above Grade 2

9.1.7 Leave of absence without pay

9.1.8 Early termination in serious cases where the offenders are considered no longer qualified for research work

If the punitive measure specified in Item 2 or Item 8 of the preceding section is suggested, the DEC shall publicly announce the decision. If any other punitive measure is adopted, the DEC shall decide whether the decision is to be announced publicly by the AS according to the seriousness of the ethics violation.

9.2 If a violation of ethics cannot be confirmed, reasons shall be stated and reported to the AS president. All the concerned parties and related units shall be informed of the review decision in writing.

9.3 If the complaint is confirmed to be a false accusation, appropriate punishments or other specific suggestions may be proposed and imposed on the informer.

10. If finding the decision made by the DEC unacceptable, the concerned party or parties may state specific reasons and apply to the ASEC for reconsideration within one month upon receiving the written notice.

If no submission for reconsideration is filed, the AS shall act according to Point 9 and publicly announce the decision of the DEC.

11. Cases in which applications for reconsideration are filed after the concerned parties find the decisions made by a DEC unacceptable shall belong to the jurisdiction of the ASEC.

12. The ASEC shall consist of 11 to 13 members. The AS president shall solicit the opinions of the staff members and submit the candidate members to the General Assembly (GA) for vote. Upon approval by two thirds of the GA attendees, the AS president shall appoint these members composed of both research fellows in the AS and individuals outside the AS. The directors and deputy directors of the first-level departments of the Central Office of Administration, research institutes and research centers in the AS may not serve the

ASEC.

Each ASEC member shall serve a term of two years and may continue to hold the position if reappointed. If a seat becomes vacant during a term, a replacement shall be appointed as prescribed in the preceding paragraph to take over the position until the term expires.

ASEC members are non-paid positions but may receive review fees.

The names of the ASEC members shall be publicly announced.

13. Point 5 shall be applicable to the ASEC.

14. The concerned party or parties may request the ASEC for permission to present their oral defenses. When deeming a reinvestigation necessary, the ASEC may notify the concerned party or parties to present written or oral defenses and may also invite stakeholders, scholars, specialists or the personnel of related units to provide their statements.

If a case to be reinvestigated as described in the preceding paragraph involves academic ethics as specified in Point 5 of the AS Code of Ethics, the investigation may be conducted by at least two impartial scholars from the related field excluding the original investigators.

Paragraphs 3 and 4 of Point 7 shall be applicable to the ASEC.

15. Point 8 shall be applicable to the ASEC.

16. When reviewing cases, the ASEC shall reach one of the following resolutions:

16.1 Maintaining the original decision of the DEC

16.2 Changing the original decision of the DEC

When changing the original decision of the DEC as described in Section 2 of the preceding paragraph, the ASEC shall state the reasons. If the change of decision involves change of sanction or change of severity, the ASEC shall indicate the new sanction or severity and state the reasons.

When suggesting the punitive measure prescribed in Item 2 or Item 8 of Section 1, Point 9 be taken, the ASEC shall request the AS to publicly announce the decision. When any other measure is suggested, the ASEC shall decide according to the seriousness of the ethics violation whether the decision is to be presented for the AS to announce publicly.

17. These guidelines shall be passed by the General Assembly and approved by the AS president before taking effect. The same procedure shall apply when amendments are made.