

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

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1. Academia Sinica (AS) has established these guidelines in accordance with the Code of Ethics for Academia Sinica Research Fellows and Research Specialists (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 (DEC).

AS shall establish the Academia Sinica Ethics Committee (ASEC).

3. Each DEC shall be responsible for the following:
 - (a) Review of violations of the AS Code of Ethics, except those specified in other regulations;
 - (b) Review of violations to which the AS Code of Ethics is applicable;
 - (c) Review of cases to which the AS Code of Ethics is applicable as specified in other AS regulations;
 - (d) Review of cases involving conflict of interest resulting from technology transfers.
4. Each DEC shall consist of five to seven members to be appointed by the AS President from AS research fellows and individuals outside AS. A list of candidates for consideration by the AS President shall be generated by the AS Vice President representing the respective division, after soliciting the opinions of the staff members of the division. Directors and deputy directors of the first-level departments of the Central Office of Administration, research institutes and research centers in AS may not serve on a 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 who is responsible for secretarial work and for drafting resolutions according to the instructions of the convener. The position shall be filled by an AS staff member appointed by the AS President.

6. When the first-level Director of a unit is informed of, or discovers a potential violation of the AS Code of Ethics by any staff member of his/her unit or a case falling under the jurisdiction of a DEC, they shall immediately launch an initial investigation.

Informers shall file complaints with their real names and supporting evidence must be in written form. Anonymous complaints, and complaints filed without an indication of a specific offender or sufficient evidence, will not be accepted.

If the first-level Director of a unit confirms that the investigation of the first paragraph of Point 6 violates the Code of Ethics, he or she should present the related evidence to the relevant DEC for review. If necessary, the AS President may directly submit such evidence to a DEC for review.

Any staff member aware of a violation of academic ethics as specified in Point 6 of the AS Code of Ethics may directly report it to his or her DEC. The concerned party or parties may also turn themselves in for investigation.

If a complaint is filed in accordance with the preceding paragraph and meets the requirements of the second paragraph, a case shall be established, and the informer shall be notified within fourteen working days of receiving the complaint.

7. A DEC convener may request two to three committee members, scholars or specialists to form a team to investigate filed complaints and present the outcome to a DEC for review. If a violation of academic ethics as specified in Point 6 of the AS Code of Ethics is involved, the investigation team shall include at least two impartial scholars from a related field. If necessary, legal experts may be invited to provide their opinions in writing.

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

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

A DEC should 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 should 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 should reach one or more of the following resolutions according to the AS Code of Ethics:

- (a) If a violation of ethics is confirmed, reasons should be stated indicating the seriousness of the violation, and appropriate punishment or other measures should be decided from the measures listed below. After the decision is approved by the AS President, all 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 related authorities in AS for subsequent processes.
 - (1) Required participation in full ethics courses.
 - (2) Receiving oral or written warnings.
 - (3) Restricted applications for academic activities and research projects.
 - (4) Restricted use of administrative resources.
 - (5) Suspension of concurrently held supervisory, administrative, and committee positions at AS or at each research institute (preparatory office and research center).
 - (6) Joint appointment, transfer, concurrent jobs or teaching shall not be approved.
 - (7) Applications for promotion or tenured appointment shall not be allowed.
 - (8) Cancellation, annulment or recovery of awards and rewards previously awarded by AS.
 - (9) Recovery of part or all of the research funds acquired from AS.
 - (10) Academic research performance shall not be assessed above Grade 2.
 - (11) Re-assessment of academic research performance and recovery of academic research awards.
 - (12) Position retained without pay.
 - (13) Those who commit severe infractions of the Code of Ethics and are determined ineligible for research work shall not have their appointment renewed or may have their contract terminated prematurely.
 - (14) Other appropriate measures.
- (b) If a violation of ethics cannot be confirmed, reasons should be stated and reported to the AS President. All concerned parties and related units should be informed of the review decision in writing.
- (c) If the complaint is confirmed to be a false accusation, appropriate punishments or other specific suggestions may be proposed and imposed on the informer.

For the measure specified in the first item of the preceding paragraph, a specific time frame may be established based on the circumstances of the individual case.

If the DEC decides to adopt the punitive measures as specified in Item 8 or Item 13 of Subparagraph 1 of the first paragraph, the decision should be publicly announced. If any other punitive measure is adopted, the DEC shall decide whether the decision is to be announced publicly by AS according the seriousness of the ethics violation.

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, 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 staff members and submit 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, which will include both research fellows in AS and individuals outside AS. The Directors and Deputy Directors of the first-level departments of the Central Office of Administration, research institutes and research centers in AS may not serve on 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 should be publicly announced.

13. Point 5 shall be applicable to the ASEC.
14. The ASEC should notify the concerned party or parties to present written or oral defenses, if deeming a reinvestigation necessary, and may also invite stakeholders, scholars, specialists or personnel of related units to provide statements.

If a case to be reinvestigated as described in the preceding paragraph involves academic ethics as specified in Point 6 of the AS Code of Ethics, the investigation may be conducted by at least two impartial scholars from related fields, 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:
 - (a) Maintaining the original decision of the DEC
 - (b) Changing the original decision of the DEC

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

When deciding the punitive measure prescribed in Item 8 or Item 13 of Subparagraph 1, Point 9 be taken, the ASEC shall request 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 AS to announce publicly.